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„AMBASSADORS OF PEACE IN BOSNIA AND HERZEGOVINA „



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U BOSNI I HERCEGOVINI

THE FIRST INTERNATIONAL SCIENTIFIC AND PROFESSIONAL CONFERENCE OF VICTIMOLOGY

IN BOSNIA AND HERZEGOVINA



Sarajevo, 5. mart 2015. godine

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Goran Basic, PhD

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DEFINITIONS OF WAR VIOLENCE AND RECONCILIATION IN NARRATIVES OF SURVIVORS FROM THE WAR IN BOSNIA AND HERZEGOVINA

Abstract

Previous research on violence during the war in Bosnia and Herzegovina have emphasized the importance of narratives without focusing on narratives mentioning war violence, but they have not analyzed stories on war violence that were the product of interpersonal interaction and meaning-making activity. The aim of this study is to fill this knowledge gap by analyzing the narratives of survivors of the war in northwestern Bosnia in the 1990s. The focus lies on analyzing interviewees' description of war-time violence and also analyzing discursive patterns that contribute in constructing the phenomenon "war violence". Analysis shows that the interpersonal interactions that caused the violence continue even after the violent situation is over. Recollections from perpetrators and those subjected to violence of the war do not exist only as verbal constructions in Bosnia of today. Stories about violent situations live their own lives after the war and continue being important to individuals and social life. Individuals who were expelled from northwestern Bosnia during the war in the 1990s are, in a legal sense, in a recognized violence-afflicted victim category. Several perpetrators were sentenced by the Hague Tribunal and the Court of Bosnia and Herzegovina on War Crime. The crimes committed in northwestern Bosnia are qualified as genocide according to indictments against former Serbian leaders Radovan Karadžić and Ratko Mladić. All interviewees in this study experienced and survived the war in northwestern Bosnia. These individuals have a present, ongoing relation with these communities: Some live there permanently, and some spend their summers in northwestern Bosnia. Institutions in the administrative entity Republika Srpska (to which northwestern Bosnia now belong administratively) deny genocide, and this approach to war-time events becomes a central theme in future, post-war analysis of the phenomena "war violence", and "reconciliation". Therefore, it is very important to analyze the political elite's denial of the systematic acts of violence during the war that have been conveyed by the Hague Tribunal, the Court of Bosnia and Herzegovina on War Crime, and Bosnian media. The narratives in my empirical material seem to be influenced by (or coherent with) the rhetoric mediated in these forums. When informants emphasize extermination and the systematization of violence during the war, they produce and reproduce the image of a mutual struggle on a collective level. The aim of this struggle seems to be that the described acts of violence be recognized as genocide.

Associate Professor Danijela Frangež

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DETECTION OF CHILD SEXUAL ABUSE

Abstract

Sexual violence against children is a problem of society and of individuals. In spite of modern society's growing sensitivity to detection child sexual abuse, children are still often victims of such criminal offenses. Stereotypes and myths concerning child sexual abuse are still very important because they tend to alleviate offenders' responsibility by placing the blame on the victim and obstruct adequate evidence detection and collection.

This paper presents a research on characteristics of child sexual abuse detection in Slovenia. The study conducted in 2010 and 2011 in Slovenia was divided into two parts. In the first part a review of 70 randomly selected cases from 2003, focused on examining police records was performed. In the second part, a focus group interview with prosecutors and criminal investigators of child sexual abuse cases was conducted to gain insight into the practice of detecting and investigating child sexual abuse.

The study indicated some 84 percent of child sexual abuse suspects were familiar with the child before the abuse. However, child sexual abuse within the family was detected in 39 per cent of cases. The most of the abuse spanned three or more episodes, which indicates that child sexual abuse is a process in which the victims are sexually abused over a longer period of time. The great majority of offences that were not reported immediately after the abuse occurred within closed sites of domestic settings, which additionally obstructs evidence detection and collection.

The most frequent form of child sexual abuse was touching. Physical force was used in 19 percent of all cases, but in 61 percent of the cases the victims did not show any physical signs of abuse. The findings indicated that sexually abused children show more psychological signs and social trauma at the same time. However, the physical signs that were visible on the victim's body mostly contributed to the detection of such crimes.

Child sexual abuse was most often disclosed by the victims themselves and reported by their mothers. The findings indicated that child sexual abuse victims are more comfortable to disclose abuse when the alleged perpetrators are not family members.

The role of educational and care institutions regarding child sexual abuse detection is more important than the role of police which is usually not encountered with children during their institutional work. The role of police is therefore very specific. Its main task is determining truth of reported child sexual abuse.

Keywords: sexual violence, sexual abuse, children.

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WHITE COLLAR CRIME IN TRANSITIONAL SERBIA:

CRIME OF INDIVIDUAL OR ORGANIZED CRIME

Abstract

According to official data, the problem of white collar crime in Serbia is almost insignificant. However, media reports and results of rare surveys, mostly on public perception of corruption, indicate the existence of questionable cases of business of less or more "important" individuals and organizations that results in serious social, criminological and economic consequences. The aim of this article is to point out the characteristics of white collar crime, as well as difficulties and specifics of measuring actual extent of this type of crime in Serbia. Specifics of recording white collar crime in Serbia will be analyzed in relation to recording the crime by the Ministry of Interior. Starting from the known examples of white collar crime scandals that have emerged in Serbia in connection with or during the transition process, the authors will try to point out the link between this type of crime and organized crime on the one hand, and political crime, on the other hand.

Key words: Serbia, white-collar crime, crime recording, political crime, organized crime.

Assistant Profesor Dejan Vitanski, PhD

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TERRORISM AS A TRANSNATIONAL PROBLEM AND CHALLENGE

Abstract

More and more we hear the shrieks and we are astonished by the creepy scenes as a result of terrorist escalations in the world. The virus of the terrorism is getting epidemic proportions and the most resistant societies systems are not immune to its destroying power. There is some diagnosis to symptoms of new evil forms of this ghostly illness that takes great material and human losses. Furthermore the list of objects that are picked for attack as the circle of people who are infiltrated in terrorist cells and use terrorist arsenal for achieving certain goals and demands they couldn't achieve other way- legal, legitimate and institutional way.

The turbulences of the globalization have surfaced the so called international terrorism that manifests in two major and mutually variations. The first one comes from the Muslim fundamentalism with the changing of the religious dogma and the fanatic indoctrinate that tends to create the world of Islam community. The other one of the world powers in the gladiator arena under the veil of democracy and helped by the economic, army, and political expansion they reach for subtle sophisticated terrorist attacks with the aim of reaching new horizons of the world order

Organized crime and terrorism are two sides of a medal. They are both connected by the same enemy of the state, its institutions, state representatives and certain group of citizens.

In the beings of the organized crime there is one mutual substance. Good part of financial wells is from the profitable activities of organized crime as illegal drug traffic, weapon, human trafficking, money laundering transferring from the terrorist organizations, the two structures act in conspiracy in under labyrinth they use the same infrastructure, they permanently recruit followers, widen to the neighboring countries and want to get an international character.

Beside the symbiosis and intertwining of organized crime and terrorism there are important differences. Primarily they differ in the goal and methods that is the manner of acting in succeeding projected goals. The aim of a terrorist organization is making a political, ideological, theological, national agenda and the primordial aim of a criminal group is profit.

Key words: terrorism, organized crime, executor's victims.

Aleksandar Grizhev, PhD

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**NATO BOMBING OF YUGOSLAVIA –
VIOLATION OF THE INTERNATIONAL HUMANITARIAN LAW?**

Abstract

From 24 March to 10 June 1999 the NATO conducted an air campaign against the FRY, codenamed Operation "Allied Force". Yugoslav media have stated that thousands of civilians were killed in NATO air raids. However, the civilian death tolls given in detailed FRY government accounts range from 400 to 600. NATO has not released official estimates of civilians or FRY combatants killed.

NATO has claimed that its air campaign against the FRY was the most precise and lowest-collateral damage air campaign in history. However, there has been serious concerns about the extent to which NATO forces participating in Operation Allied Force adhered to the rules of international humanitarian law on the conduct of hostilities, specifically those laid down to protect civilians and civilian objects. On the basis of available evidence, including NATO's own statements and accounts of specific incidents, there is a belief that NATO forces did commit serious violations of the laws of war leading in a number of cases to the unlawful killings of civilian.

NATO did not always meet its legal obligations in selecting targets and in choosing means and methods of attack. In one instance, the attack on the headquarters of Serbian state radio and television (RTS), NATO launched a direct attack on a civilian object, killing 16 civilians. Such attack breached article 52 (1) of Protocol I (Additional to the Geneva Conventions of 1949, relating to the Protection of Victims of International Armed Conflicts) and therefore constitutes a war crime. In other attacks, including the Grdelica railroad bridge, the automobile bridge in Lužane, and Varvarin bridge, NATO forces failed to suspend their attack after it was evident that they had struck civilians, in contravention of Article 57 (2) (b) of Protocol I. In other cases, including the attacks on displaced civilians in Djakovica and Koriša, insufficient precautions were taken to minimize civilian casualties.

The purpose of the paper is to revise and also analyze the claims that during the NATO bombing of FRY in 1999, there were serious violations of the international humanitarian law. In doing so, two particular cases will be analyzed: the attack on Grdelica railroad bridge and the attack on the RTS.

Keywords: International humanitarian law, violation, war crime, civilian, collateral damage.

Assistant Profesor Tatjana Gerginova, PhD

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VICTIMS – TERMS AND TYPOLOGY OF VICTIMS

Abstract

In this paper, the author talks about the Victimology as the international scientific discipline and about the types of Victimology (primary, secondary and tertiary). In addition, the author determines the subject of research of the Victimology and the objectives that Victimology seeks to realize through its existence. Hereinafter, there will be some of the typologies included that have been determined by the representatives of Victimology: Typology of Hans von Hentig (1948); Mendelsohn typology (1956) according to the level of guilt of the victim; Typology of Ezzas Fattahi (1967); The classification of victims according to Zvonimir Separovic as well as the categorization of victims according to the conclusions of the Committee on the Prevention of Crime and the treatment of the offender.

In the conclusion of the paper, the proposal for a comprehensive and inclusive of victim, which would include all persons who were in any manner violated or threatened by crime, war or other forms of violations of human rights as well as natural disasters, is presented.

Key words: victimology, victim, victim typologies

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TREATMENT OF HUMAN TRAFFICKING VICTIMS

Abstract

Human trafficking is considered as one of the most serious violations of human rights, the dignity and integrity of the people. Human trafficking actually is a modern form of slave trade that existed in the past. Today victims are forced on prostitution and other forms of sexual exploitation, forced labor, slavery, and extracting organs.

Recognizing the huge negative implications of this type of crime on human rights, the international community, in order to oppose, practices various mechanisms that are based primarily in the international conventions, and which mean cooperation at international and local level of the authorities responsible for dealing with this crime. That are measures and activities for which the authorities are legally competent to take them, in case of human trafficking, and which significantly determine the outcome of the whole process. This especially refers to the victims of this difficult type of crime that are handled with special caution, primarily to avoid their secondary victimization, and their protection from impacts during the court procedure, but also after its end, allowing their full and effective reintegration.

Keywords: treatment, victims, human trafficking.

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VICTIMIZATION AND JUSTICE IN INTERETHNIC COMMUNITIES IN SERBIA

Abstract

The Victimology Society of Serbia is implementing a research named Fostering victim-oriented dialogue in a multiethnic society, with aim to develop alternative models of resolution of existing and prevention of future conflicts between members of different ethnic groups in Serbia, which may contribute to closing a circle of violence and the increase of overall security of citizens. This research is implemented as part of a research project ALTERNATIVE, which is conducted in a few European countries, coordinated by the Katholieke Universiteit Leuven (Belgium) and funded by the European Union Seventh Framework Programme. During 2013, VDS conducted an empirical research study aiming to find out how people from three multiethnic communities in Serbia deal with interethnic conflicts in their everyday life and to identify both problems and positive experiences in solving them. The place of restorative justice approaches in dealing with conflicts and security was also analyzed. The research was conducted in three multiethnic communities in the border regions of Serbia: Bac, Backa Palanka, Prijepolje and Medvedja. The research consisted of qualitative and quantitative part. Within the qualitative research, the data was collected through qualitative interviews with 17 persons from NGOs and state institutions in three multiethnic communities, who were of different ethnicity. The basis for the methodological approach in collecting data about victimization and conflicts in the quantitative part of the research was a victimization survey, which was conducted on the sample of 1423 persons. After a brief description of the research methodology, we will present main findings related to the prevalence and the characteristics of the victimization of the respondents, as well as their opinion about the mechanisms suitable to achieve justice in the concrete cases of victimization they experienced. In the conclusion we will point out the potential of restorative justice, because the research showed the need of citizens in general, and victims in particular to actively participate in the process of conflict transformation and prevention of further victimizations in multiethnic communities.

Associate Professor Ksenija Butorac, PhD

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**VICTIMIZATION OF THE CITIZENS ON THE DISCRIMINATION
BASIS WITH AN OVERVIEW TO THE HATE CRIME**

Abstract

Human rights have moral origins and arise from the normative order, which is above the state. The state must respect them regardless of the state consent. However, certain rights are given and are guaranteed to citizens only, and not all people. Therefore, these rights are not human but civil rights. Polarization, differentiation and segregation of minority members generate various forms of discrimination which have shown the disastrous effects regarding human rights and freedoms. Therefore, anti-discrimination legislation becomes a central issue of social policy at the national and transnational level, and of a national strategy for the promotion of equal opportunities for subordinate social groups, enabling equal access to employment, justice, community resources, private life and other areas of the individual life. This paper addresses violation of certain human rights in the context of contemporary institutionalized discrimination constraints. The relevant documents and statistics reports analyses of the competent state bodies and non-governmental organizations are supported by the research conducted in Croatia on the perception of citizens who usually recognize discrimination by national or ethnic, social, religious and gender characteristics. Discrimination is the most prevalent in the labour and employment areas and justice system. The available statistics and deficiencies of the existing criminal law modalities of hate crimes are elaborated. The reasons why victims of discrimination and hate crimes do not take action to protect their rights are stated. Furthermore the emphasized trend of concealment and suppression has been indicating a general lack of confidence in the police and judiciary effectiveness. It is thus necessary to conduct public campaigns to disseminate knowledge about the potential victims' rights, and to disseminate the message of intolerance against discriminatory acts.

Keywords: victimization, discrimination, citizens, hate crime.

Prof. Metodija Angeleski, PhD

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INTERROGATION OF SEXUALLY ABUSED CHILD

Abstract

The sexual abuse of children in modern conditions takes a large scale worldwide. This phenomenon, which belongs to the field of sex crime is incriminated by the contemporary lawmakers and defined as a special type of a crime (in Republic of Macedonia it is named "sexual assault on child"), for whose perpetrator the prison is provisioned. One of the more complex tasks in the framework of criminalist methods for research of sexual assault on child (as a kind of specialized sexual criminalistics) is interrogation of child victims of this type of sexual crime. The paper elaborates certain important elements of the tactics of informal police interrogation of sexually abused children: basic principles of conducting interviews with sexually abused child; preparation of the interview; phases of the interview; characteristics of the specialist who conducts operational action of interrogation; hiring specialists that will facilitate the interview; documenting of the informative conversation with a child victim of sexual abuse; etc.

Key words: child victim of sexual abuse, sexual criminalistics, interrogation, interview.

Miroslav Knežević, MSc

Director of the Mediation Center of the Republic of Montenegro

MEDIATION AS THE INSTRUMENT OF RECONCILIATION

Abstract

This paper was created through empirical experience of mediators in process of criminal proceeding mediation, in cases of juvenile offender. The outcome of these mediations created the framework for the use of mediation even in the cases which include reconciliation and forgiveness. The presence of victim and offender opened the direction of thinking which encompass broader context, that is the use of mediation which leads to reconciliation on macro level, although in these mediations reconciliation is present in micro level, and rarely in intermediate level as well. This paper will consider the importance of forgiveness, not only for perpetrator, but for victim as well. This paper will also use some experience from the Commission for Truth and Reconciliation which acted in South African Republic, as well as from Gacaca courts which existed in Rwanda. It will also be considered the correlation between the truth and reconciliation with inevitable mention of some historical facts from Montenegro. Stressing out the importance of mediation as the most civilized way to solve cases, the intention in this paper is to give the answer why mediation is the instrument which needs to satisfy all the actors in disputes and conflicts, as well as the possibility to use mediation in conflict issues which involve greater number of participants.

The main topics which will be covered in the paper: Historical background and its significance for the use of mediation in presence. Mediation in juvenile justice in Montenegro. The importance of forgiveness for the offender and the victim. The levels of truth and importance of truth in reconciliation. The experience of the Commission for Truth and Reconciliation in South Africa and Gacaca courts in Rwanda. Conclusion.

Key words: mediation, forgiveness, truth, reconciliation.

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**RESTORATIVE JUSTICE AND CRIMINAL JUSTICE REACTION
IN THE REPUBLIC OF SERBIA**

Abstract

During the last few years in Serbia there has been an increased interest in restorative justice, and the focus has been on the models which could be applied generally in solving conflicts, but also in the context of criminal justice. However, the state has still not defined its strategic approach to this issue. So nowadays we can only recognize restorative justice in some forms of criminal justice. Thus, The Criminal Code of The Republic of Serbia stipulates the exemption from punishment as an option for the offender willing to compensate for the damage caused to the victim, as well as the exemption from punishment in cases where the offender and the victim are able to reach a settlement agreement. The application of the principle of opportunity of criminal prosecution by the public prosecutor may also be determined by the use of certain measures of restorative character. The Code of Criminal Procedure of The Republic of Serbia provides that in the cases of private prosecution mediation between the defendant and the victim should be applied as a first solution. Finally, in criminal proceedings against juveniles there are also some common elements of restorative justice, which is particularly evident in the application of educational orders. The aim of this paper is to analyze the possibilities for the application of restorative justice in Serbia, and to point out to the missing elements due to which existing solutions are not harmonized with international, and especially European standards in this area.

Keywords: restorative justice, criminal proceedings, mediation.

Smiljka Gavrić

The mediator and trainer

Association of Mediators in Bosnia and Herzegovina

MEDIATION AND RECONCILIATION

Abstract

Restorative justice invites a fundamental shift in the way we think about and do justice. In the last few decades, many different programs have arisen out of a profound and virtually universal frustration with the dysfunction of our justice system. What distinguishes restorative justice from all these programs is that it is not a program. It is a theory of justice which challenges the fundamental assumptions in the dominant discourse about justice.

Restorative Justice helps meet the needs of people faced with crime and conflict in an inclusive and meaningful way. Restorative Justice practices provide voluntary opportunities for those who have been harmed and those who have caused harm to be active participants in their journey for justice, accountability, and reparation.

The nation now plans to use mediation to improve judicial efficiency, and promote democracy and the rule of law. This article reviews the nation's new mediation laws and their potential impact on the judiciary and society generally. Drawing on his mediation experiences in private practice and his work managing rule of law projects in Bosnia and Herzegovina, the author concludes that the new mediation laws are an excellent start but need to be amended. The author further concludes that if given sufficient time and proper implementation, mediation can improve judicial efficiency and democracy in Bosnia and Herzegovina.

Keywords: restorative justice, criminal proceedings, mediation.

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NEGATIVE CONSEQUENCES OF PENETRATION OF ORGANIZED CRIME IN LEGAL ECONOMIC RELATIONS

Abstract

Criminal structures spread their sphere of influence in all fields of social life and became a threat to national and international security. Namely, criminal profits generated by organized crime in the criminal market and its infiltration into the legal economic flows represent a potential danger for corruption in legal economic relations and undermine the integrity of financial institutions. In this way, in the end, the basic settings of the financial system may be disturbed, and the functioning of state institutions, economic prosperity and national security at risk. Modern criminal organizations are profit-oriented and market-based and operating methods that they use are combination of criminal and methods of modern business organizations, which makes them particularly dangerous to society. The great economic power of organized crime is used for the acquisition of political power, and it is in turn used to pursue criminal objectives. The authors in paper point to dominant negative consequences of infiltration of organized crime into legitimate economic relations, as well as the implications of these processes with the aim of better understanding their importance to define effective models to counteract organized crime.

Key words: organized crime, economic relations, negative consequences, criminal profits.

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TRANSITIONAL JUSTICE, TRUTH AND RECONCILIATION

AFTER GENOCIDE AGAINST BOSNIAKS

Abstract

The subject of this paper is unintended socio-economic and psychopathological effects of a two-decade transitional denial, undermining and relativization of genocide against Bosniaks in Srebrenica which was known as a "safe area of the UN" in 1995. Our focus is on the ideological assumptions that led to the "ethnic cleansing" and genocide against Bosnian Muslims (Bosniaks). Genocide is the actual crime where actual people are being deliberately killed, and forming (classified and imaginary) groups by force is merely a symbolic (ideological) condition of the possibility of carrying out the crime of genocide. This study demonstrates that the denial of genocide, along with the denial of accountability to prevent genocide – is what the largest part of ethno-clerical-neo-fascist and neo-capitalist structures in the Bosnian entity of Republika Srpska and the Republic of Serbia have been standing on for the past 20 years, causing incalculable damage to the majority of citizens (former employees) of Bosnia and Herzegovina and the majority of citizens (former employees) of the Republic of Serbia. The aim of this paper is to point to the manifold ways of conflict, not only the inter-ethnic conflict but also to the consequences of a two-decade long manipulation of the collective, personal, double, multiple and stolen identities in the regional and global context. The strategic denial of genocide, especially when accompanied by elements of war or present challenges of glorification of war criminals such as Dario Kordic or Biljana Plavsic, particularly in the time of growing Islamophobia, provides a variety of transitional perversions. These perversions are recognized once we realize that the real problems of ordinary people (citizens) such as unemployment, poverty, social and/or mental poverty associated with the collapse of the idea of democracy and the idea of education – are deliberately suppressed, masked, neglected, relativized and transferred to the secondary group. Therefore, the central hypothesis states that the denial of a convicted genocide against Bosniaks is more or less the same as the judicial failure of public obligation to timely prosecute criminal organizations and individuals who are responsible for a series of (post-war) robberies of public goods of Bosnia and Herzegovina through privatization which further complicates overburdened postwar discourses of truth, justice and reconciliation. Due to a series of privatized, judicial and economic disasters, which happened in the global imposition of neo-liberal privatized model of ownership, in the name of the new knowledge economy - it is necessary to continue to speak about socioeconomic genocide in a re-assessed context of transitional justice, truth and reconciliation, primarily for the purpose of moral and institutional recovery of the state and society. That being said, we want to point to the importance of activating multi-paradigmatic policy and multi-paradigmatic culture of memories, which would help in the process of economic and political consolidation of the BiH society and state in order to create a truly democratic society of free citizens.

Key words: justice, truth.

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VICTIMS AND WITNESSES PROTECTION AND SUPPORT IN EVROPION UNION AND BOSNIA AND HERZEGOVINA

Abstract

Protecting the interests of victims of crime is considered one of the fundamental function of the criminal justice system which has been recognized in a number of international documents of international organizations: the United Nations, through the Council of Europe to the European Union. International and regional documents emphasize the need to ensure the rights of victims to: a) respect and dignity, and in this context the protection of secondary victimization; b) participation in all stages of criminal proceedings; c) obtain information and explanations concerning the progress of the case; d) providing information to officials responsible for decisions about the proceedings against the defendant; e) legal advice and legal assistance regardless of the material features of the victim; f) protection of the victim, of her right to privacy, its safety, and protection from re-victimization; g) damages; h) the right to various forms of assistance and more.

On the basis of a Commission proposal, on 25 October 2012 adopted Directive 2012/29 / EC on the establishment of minimum standards on the rights, support and protection of victims of crime. Minimum rules to ensure the Directive establishes, inter alia, that the victims are treated with respect and to receive information about their rights and their case and that they can actively participate in the process. They also ensure that in each Member State provides aid to victims and to those victims (including children) who, due to vulnerability, need special protection are recognized and appropriate care.

Protecting the rights of victims of crime has become an essential requirement and an indicator of the efficiency of operation of the internal affairs and justice. European round of the state for the most part seek to protect the rights of those most affected by the crimes.

As Bosnia and Herzegovina aspires to become a member of this circle, it is necessary, although in the current phase of Bosnia and Herzegovina's Euro-Atlantic integration is not legally required, Bosnia and Herzegovina to harmonize its legislation on the protection of victims of crime with the applicable European regulations.

*This paper gives an overview of the existing BiH legislation, harmonization of regulatory decisions with the *acquis communautaire*, as well as the necessary measures to Bosnia and Herzegovina will have to take to legislation (and practice) into line with the Directive 2012/29 / EU.*

Keywords: victims of crime, protection of victims, the Directive 2012/29 / EC, a minimum standard

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**THE STATE OF CORRUPTION:
A CASE STUDY OF THE REPUBLIC OF MACEDONIA**

Abstract

In this scientific research paper, first of all we will try to give the definition of the concept of corruption, etiology of corruption, its types such as "black" and "white" corruption, nepotism, and patronage (protection) which will be worked out in details later on in this paper, then the types of corruption as high, middle and low type of corruption that will also be elaborated in details. The primary goal of this paper, however, will be to describe the situation in the Republic of Macedonia in view of index of corruption by giving examples of corruption in our practice. We will also bring out the reasons for the occurrence of corruption and its consequences. In this study, we will try to give an institutional framework for preventing and combating corruption through the implementation of concrete measures and solutions, both from home and from an international perspective. The aim of this article is to provide an evaluation of Macedonia's current strategy to fight corruption. According to our submissions we consider that there should be a battle to reduce the index of corruption since our country, according to our index of corruption, still enters the group of countries that are highly corrupted. We believe that we should move toward an inevitable application of some measures to make serious attempts to reduce and control corruption both within the private and public sector.

Key words: corruption, organized crime, consequences, prevention measures.

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CONFLICTS: MICRO-MACRO PERSPECTIVE AND CHANGES

Abstract

Variable of conflict is not exhausted only in the domain of the personal experiences of actors in the social space. The classical theory teaches us that conflict is a constant and its consequences are expected. The article attempts to codify levels of conflict from the micro to the macro perspective and thus indicate its universal presence in social life. Particularly outstanding are the positive sides of the conflict which help define the problem that exists in social relations, and also pave the way in which the directions of change should take place. Permanent feature of the conflict is that it is interactive relationship. Development perspectives that conflict offers depend on the relations in which it appeared. Modern society can internalize and absorb most conflicts through the institutionally network. In BiH conflict is not used as a creative tool of social change, but remained at the level of animosity.

Keywords: conflict, intrapersonal conflict, interpersonal conflict, micro-macro conflict, standardization of conflict.

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VICTIMOLOGY ASPECT OF DOMESTIC VIOLENCE IN SERBIA

Abstract

This paper presents an analysis of the results of research conducted in Serbia in the period from 1997 to 2010, by independent researchers or non-governmental organizations engaged in providing assistance and support to victims of crime, which are related to the characteristics of victims of domestic violence in Serbia. The paper aims to present and highlight the main features of victimology of domestic violence and violence against women (socio-demographic, psychological, behavioral characteristics of victims, etc.). At the same time, it identifies the consequences of domestic violence that directly or indirectly affect the quality of life of victims. The research analysis presented forms/models of assistance, support and protection of family violence victims, those that were active in Serbia at the time of the conducted research.

Studies have shown that most of the victims are women (about 80%), but that the children are also direct or indirect, secondary victims of domestic violence, which confirmed the correlation between violence against children and violence against women. Violence against children is one of the strategies of prolonged violence as a form of control over women.

Studies of domestic violence in Serbia have identified the following factors of primary victimization: creating identities of future victims of the nuclear family, socialization, learning traditional male-female roles and relations, so-called "gender entrapment" and living in an environment subject to violence. Studies have also determined the profile of victims of violence in relation to their age, education or employment, that is, economic (in) dependence.

Domestic violence carries with it various consequences of a psychological nature. Loss of self-confidence and self-esteem, depression, insomnia, isolation from the outside world, fears and other indicators have its negative impact on the lives and health of subjects.

As forms of assistance, support and protection to victims of domestic violence in Serbia the following were identified: legal (statutory) model, social protection and models of operation of the civil service, non-governmental sector.

Keywords: domestic violence, research, victims, consequences, models of protection.

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SPORT – THE ROLE AND IMPORTANCE IN VIOLENCE PREVENTION OF YOUTH

Abstract

Increase in violent and socially unaccepted behavior of youth and use of addictions of all kinds, point to the role and importance of sports in prevention and suppression of such behavior. Sport as the additional protective layer which the person freely chooses and enjoys it, plays important role in the youth development. Sport protects children and youth from the negative influence in the environment, and belonging to a sports team can be significant support in maturing and confronting the challenges and stressful situation of modern society. Engaging in sport encourages socialization and adoption of interaction and communication skills.

Key words: violence prevention, sport.

ORIGINAL SCIENTIFIC PAPER

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THE VICTIMS OF ADMINISTRATIVE INJUSTICE

Abstract

In societies where the rule of law has not been established enough, the breach of human rights occurs. However, if the larger breach of essential criteria occurs, then administrative justice is replaced with political justice. Based on this it can be concluded that judiciary is not independent and that it is under certain political influence. In societies where laws are respected and where judiciary is not corrupted and bias, justice is almost always satisfied and breach of rules are not common, but it should also be emphasized that societies with such criteria are rare.

Key words: administrative justice, public administration reform.

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SPECIAL INVESTIGATIVE ACTIONS AND SECONDARY VICTIMIZATION

Abstract

There is no democratization of society or rule of law without democratization and reform of security system. The work of intelligence- security agencies is not possible without narrowing down or limiting democracy by threatening the elementary human rights and freedoms. With intention to minimize the scope of this threat to elementary human rights and freedoms, developed democratic states realized that control and supervision over the work of intelligence- security services are key mechanisms to defend democracy and its further development. State mechanisms in charge of supervision and control of intelligence- security agencies are state bodies and institutions holders of legislative power or parliamentarians as the lead external actors of supervision, while the internal supervision over the work of these agencies would have the ministries under which these agencies act, which in the case of Bosnia and Herzegovina are: the Council of Ministers, the Ministry of security and Parliamentary Assembly of FBiH and National Assembly of RS. Besides these institutions, for further development of democracy, it is necessary to establish independent legal supervisory bodies, such as the audit institutions and supervisory boards which should comprise expert persons and representatives of these security agencies and services. The aim of this paper is to emphasize the conclusions and recommendations of the research, and which should lead to forming the new or improving the existing bodies of control and supervision over the work of intelligence- security agencies, but as well to raise awareness in civil society and media on the importance of different aspects of supervision over the intelligence services.

Key words: special investigative actions, secondary victimization .

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RESTORATIVE JUSTICE

Abstract

Restorative justice practice is informed or controlled by three core convictions or foundational assumptions. The first is an understanding of crime as injury more than infraction. Crime is not viewed simply as the breaking of the law, or the transgressing of some moral or spiritual code; it is the harming of actual persons, the infliction of real personal losses, the tearing of the web of relationships that interconnect us in society: the wounding, indeed, of our very humanity. Restorative justice imagines, and seeks to bring about, a system of justice which is responsive to the vicissitudes and dynamism that characterize individual experiences of crime. In order to do this, it re-imagines what the priorities of a system of criminal justice should be by enacting an inversion of the priorities of traditional legal discourse. This paper will present the development of mediation as a model for achieving restorative prade applied in Bosnia and Herzegovina.

Keywords: victimization, restorative justice, mediation in Bosnia and Herzegovina.

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WOMEN S RIGHTS IN BOSNIA AND HERZEGOVINA

Abstract

With all the signs of change with which we entered the 21st century, our perception of the world is rapidly changing. If we focus here on current social and political events, the issue of involvement of women is brought up. There is a line of important fields that have yet to be elaborated. Although with the right to be eligible for essential institutions in the social, economic and political life, to participate in the policy of their country, women are still minorities in these spheres of life in Bosnia and Herzegovina. From this we can observe the parallel: how such woman perceives the world and how the world perceives this woman? Is the experience of women as insufficiently involved in important processes, only the experience of observer, whether it reaches only to the stage of the audience?

In addition to answers to open questions, this paper presents a comparative analysis of international legal norms with the Bosnian positive legal regulations dealing with women's rights and women in politics, because only a legal norm can be clearly established, or determine the extent of the law, and punishment for offenders. However, to achieve equalization of rights between the sexes is not possible unless the state institutions or state mechanisms for their protection are formed, and if there is no clearly expressed political will to proclaim and adopt the standards as implemented through subordinate legislation and the activities of political parties and bodies authorities of Bosnia and Herzegovina.

Key words: women's rights, politics, police, security, ontological security

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Anti-terrorism as a way of combating organized crime

The appearance of the crime is constantly changing. Increased criminal behavior and abundance of new forms of heavy crimes in particular, is recorded. New and particularly dangerous forms of crime are usually considered: organized crime, terrorism, economic crime, corruption, illegal trafficking of drugs, weapons, people and severe forms of violence. Danger from potential terrorist attacks grows in all countries and in Bosnia and Herzegovina as well. Existing infrastructure has been developed and established but it needs constant improvement and development. There is no comprehensive and coordinated approach to this problem, and the reasons for this are numerous, such is the fact that the existing laws are incomplete or are only partially applied in practice, while the danger grows. If the negative trend is continued, there could be serious crisis soon, and the consequences could be far-reaching. Special attention attracts the more intense connection between the organized crime and terrorism. It is a kind of symbiosis which requires establishment of new specialized agencies, and it could result in some changes in criminal law theory and practice. In this paper, as part of the framework analysis of symbiosis between the terrorism and organized crime, we will consider one aspect of this issue, and that is the one which deals with measures conducted by national legislative as part of their antiterrorist combat, with intention to prevent criminal acts of terrorism and organized crime. It is necessary to adopt measures which have, not only direct influence on existence and activities of terrorist groups in the future, but are also indirectly influencing the overall combat against organized crime, as the threat to the foundations of modern civilization. It is also necessary to adopt the guidelines for the improvement of existing and development of new measures, mechanisms and instruments of prevention and suppression of terrorism.

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**CORRELATION BETWEEN INTERNATIONAL ORGANIZED CRIME,
CORRUPTION AND MONEY LAUNDERING**

Abstract

By using the special etiology of international organized crime, we will review the aspect of its dominant nature, which is similar to regular forms of corruption, financial crime, property crime, computer crime, drug and weapon trafficking etc.

Transnational organized crime is a phenomenon which threatens the identity of more states, the one of its origin, the one from which it was transported and the one where criminal prey and criminal money end. International organized crime started to represent serious threat to all countries.

In this paper it will be discussed on the characteristics of this crime, its correlation with corruption and other forms of financial crime.

Involvement of political elite or so called Political Underground contribution to international organized crime. Powerful individuals are directly or indirectly connected to different forms of transnational organized crime. We will review UN Convention against this crime. We will mention the development of international crime, its bygone start in 13th century and priest organization Beatrice Paoli, all until the end of 19th and beginning of 20th century when the secret robber's organization in Italy was formed.

At the end of 20th century, under the influence of the globalization itself and contemporary way of life, movement and migration of people, began the new understanding of organized crime. After the globalization itself, the definition of international crime starts to be the one of the most serious security threats ever. The new and faster transport of goods, development of communication and information systems, all these reasons, and there are much more, influenced the expansion development of international crime, more profit for these organizations, and with that gain influence on the states themselves even in the creation of politics. One of the biggest reasons the level of this crime increased in the region is the disintegration of Yugoslavia, and disintegration of SSSR has its influence as well. After this, many countries found themselves in the state of, so called transition, when the newly formed countries ruled with its capital without control. So disintegration of one party ruling and entering the system of multiparty ruling, enabled ruling without much control. The bankruptcy crime appeared then and tax evasion, that is transformation of the state capital in the pockets of ruling individuals.

We will also discuss the misbalance which occurred after the September 11th 2001, after the terrorist attack, when international criminal groups are correlated with terrorist organizations and they are financing their terrorist attacks with large amount of laundered money from different forms of international crime.

Senad Jusufbegović

The Union of Camp Detainees in Bosnia and Herzegovina, President

RECONCILIATION WITHOUT THE TRUTH?

Abstract

Subject of our work on this topic will be analysis of the consequences in Bosnia and Herzegovina that the war has left on BiH citizens and society as a whole, and with attention to the consequences which are still felt by the detainees - Victims of Torture, numbering an estimated total of about 200, 000.

The aim of our work on this topic is to point on inadequate and an unfavorable position of Detainees - victims of war torture in Bosnia and Herzegovina, and negligence of the system institutions in Bosnia and Herzegovina that, despite the court established facts of the crimes of which they were victims, do not show any minimum interest and understanding of their issues, and does everything to disable them in their efforts to ensure the minimum rights they undoubtedly belong to.

Bosnian War 1992-1995. left a deep and indelible traces, which are reflected in approximately 120 000 murdered persons, 30,000 missing, 200,000 inmates – victims of torture, around 25 000 sexually abused persons, hundreds of thousands of mutilated persons, enormous destructions and 2.2 million of displaced and refugees.

For war crimes committed in Bosnia and Herzegovina, the International Criminal Tribunal for the former Yugoslavia in The Hague, the Court of Bosnia and Herzegovina, the lower courts in BiH, the courts in the region and abroad, prosecuted hundreds of persons, and the total number of years sentenced is about 3000 years.

The largest number of cases involves specifically crimes against the detainees-victims of torture committed in camps or in relation to the camps, such as the formation of concentration camps and systematic abuses committed in the camps, unlawful arrest, torture in detention camps, killings, enforced disappearances, sexual abuse of women detained, girls and men etc.

The current legal frameworks in Bosnia and Herzegovina are set so that the detainees - torture victims are unable to exercise their rights on the basis of the status of the detainees - victim of torture. In addition to partial, entity and solutions at the level of the Brcko District of BiH, which are inadequate and discriminatory, in Bosnia and Herzegovina there is no single solution and equally for all detainees - torture victims.

We want to point out and inform the public about the phenomenon of detention of children, women and old men in the camps in Bosnia and Herzegovina and the countries in the region, in 1992-1995.

The discrepancy between the established facts, the damage suffered by detainees in 1992-1995. and the scope of their rights, is enormous and in this work we want to point to this particular problem which has been ignored for years.

Suada Nožić

The Union of Camp Detainees in Bosnia and Herzegovina

**THERE IS NO PEACE WITHOUT JUSTICE, AND THERE IS NO JUSTICE WITHOUT
THE RULE OF LAW**

Abstract

Subjects of our work on this topic are:

- Raising public awareness about the intentions and consequences of establishing camps in 1992-1995, and in particular about the men - victims of sexual abuse in the camps.

- The necessity of establishing the facts about the number of victims who have passed through the camps 1992-1995, and which will include information on gender, age, religion and ethnic affiliation, and the establishment of mechanisms for the provision of rehabilitation for victims of torture (reparations, legal and psychological support) in order to prevent retraumatisation and re-victimization of victims.

- Analysis of the flow of prosecution of perpetrators of war crimes against the detainees - victims of torture in 1992-1995. in the territory of Bosnia and Herzegovina and the countries in the region.

- The importance of memorialisation and consequences that could arise by prohibition of memories, marking and memorialisation of starvation and execution.

- The reintegration of victims in Bosnia and Herzegovina - as well as the end product of solving the above problems, which will manifest in the future by prevention of transgenerational transmission of trauma.

The objective of engagement on these topics is to warn the public to seriously and promptly address the concerns of problem of the status of victims of torture in Bosnia and Herzegovina, on way to establish the facts of the number of camps and detention sites, people who have passed through the camp torture and implements their categorization by gender , age and ethnicity, point to the slow pace of proceedings of perpetrators of war crimes against the detainees - victims of torture, to point out an unfavorable position of witnesses coming from a population of Detainees - victims of torture, war crimes cases, to emphasize the importance and necessity of memorialisation, as one of the mechanisms for preservation justice and peace in Bosnia and Herzegovina.

Detainees - victims of torture, were exposed to terrible crimes in 1992-1995. A large number of inmates did not survive the camp torture, a lot of them died in the period from leaving the camp until today, and those who are still alive are worn with multiple and complex trauma and retraumatisation. The enormous consequences of their condition, which is caused by the negligence of the state and society, suffer their family members, especially children.

The key problem, in addition to their unresolved legal status, lies in relation to war crimes, or their position of witnesses in these cases, which are commonly found in as injured. Although it can be said that the International Criminal Tribunal for the former Yugoslavia in The Hague has implemented certain mechanisms of support and protection of witnesses, but unfortunately, it is not be said for the Court of Bosnia and Herzegovina and the lower courts in BiH and the region.

We want to update the general issues of Detainees victims of torture and be the initiators of change that will bring positive changes for this population.

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**SECONDARY VICTIMISATION OF HUMAN TRAFFICING VICTIMS REPRESENTED
THROUGH THE ANALYSIS OF THE LAW ON PROTECTION OF WITNESSES
UNDER THREAT AND VULNERABLE WITNESSES**

Abstract

Human trafficking victims are often exposed to secondary victimization by formal social control bodies. It is common that the condition of human rights and freedoms in criminal proceedings is best shown through the position of suspect or defendant and victim that is damaged in criminal proceeding. The amount of attention shown towards them in criminal proceeding shows how functional and lawful the country is. Attitude that witness' duty to testify is absolute and unquestionable, was shown to be unsustainable, even in the cases when they risk to become, due to their testify, the victims of new criminal acts. If the country wants to ensure testimony from the witness, it has duty to guarantee the right to a witness to testify freely and without fear from possible negative consequences. This sphere is regulated in our country with the Law on protection of witness and vulnerable witness. Only the witness who, by certain measures, developed the sense of personal security and security of close family members, that is protected witness which will not be exposed to secondary victimization, can be motivated to cooperate with criminal justice bodies. With this aim, different forms of witness protection is introduced, from those which aim at providing adequate psychological assistance to the witness, and preparation for testifying itself, to those which stretch out even after the ending of criminal proceeding, with the goal to physically protect witness and close members of their family. As the general rule regarding witness protection, it can be emphasized that type, nature and level of protection depends on the type of criminal act, witness category (children, elderly, criminal act victims, undercover investigator, witness for the state), the form of threat and legal and factual possibilities to apply certain measures of protection (B. Banovic, "Witness protection in criminal proceeding", Legal life, 9/2003, 650.).

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**INSTITUTIONAL STATE MECHANISMS COMPETENT FOR PREVENTING AND
COMBATING HUMAN TRAFFICKING**

Abstract

Human trafficking is one of the most dangerous and most profitable forms of organized crime that strokes life, liberty and security of the individual. Apparently, human trafficking nowadays takes wide scope and is very worrying. Title of the paper suggests that mechanisms that are competent for preventing and combating trafficking in human beings through the institutions that deal with these issues will be processed, as well as basic concepts and definitions of this crime offense. This paper presents the institutions dealing with this kind of crime, as well as legal provisions, legal regulations and other laws related to preventing and combating human trafficking. Examples of the work of relevant institutions as well as their weaknesses to solve this problem are also presented.

Keywords: human trafficking, institutions, mechanisms, prevention, combat.

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**HEALTH ASSISTANCE AND PROTECTION OF THE VICTIMS OF FAMILY
VIOLENCE**

Abstract

In this work health assistance and the protection of the victims of family violence in Bosnia and Herzegovina will be presented. Focus is on implementation of the Law of protection from family violence through the application of Rules of procedure of health staff in the cases of family violence in the Bosnia and Herzegovina.

Keywords: legislation, health assistance and protection victims.

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**SECONDARY VICTIMISATION OF HUMAN TRAFFICKING VICTIMS REPRESENTED
THROUGH THE ANALYSIS OF LAW ON VICTIM PROTECTION PROGRAMMES IN
BOSNIA AND HERZEGOVINA**

Abstract

Human trafficking is a phenomenon as old as the human race, but through the history it had a different shape and volume. This form of organized crime is a global socio problem, which is present in all cultures and societies of the modern world, regardless of the economic development of the country, its political system, and the religious orientation of the population. Victims of trafficking are persons who have become victims without their consent and traded in for monetary gain and their exploitation. Various failures, shortcomings and inadequate actions of the society, and the social authorities formal control leads to secondary victimization of victims. The aim is to specify which legal framework within BiH have the obligation to protect victims of secondary victimization, analyzing the content to identify which are the disadvantages of these ordinances and laws, the way that leads through legal framework to secondary victimization, and how it can be prevented through changes or amendments of these statutory programs that are supposed to protect victims.

Keywords: secondary victimization, human trafficking, protection of victims of human trafficking.

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**PREVENTING AND COMBATING HUMAN TRAFFICKING UNDER THE
LEGISLATION OF BOSNIA AND HERZEGOVINA**

Abstract

Human trafficking is one of the most pressing problems of present days, whose complexity and seriousness manifested through consequences suffered by the victims of this criminal act. It represents such a form of crime that enables criminal groups and individuals the collection of large illegal profit. It is very important to prevent and suppress this problem as such. Human trafficking is defined as a separate offense in the Criminal Code of Bosnia and Herzegovina. Criminal Code of Bosnia and Herzegovina, under human trafficking includes provisions on related criminal offenses such as: establishment of slavery and transport of slaves, international recruiting in prostitution and smuggling of persons. It is important to emphasize that trafficking is not defined only at the state level, but also at the entity level.

Keywords: human trafficking, prevention, suppression, human trafficking in the Criminal Code of Bosnia and Herzegovina

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**SECONDARY VICTIMIZATION OF VICTIMS OF HUMAN TRAFFICKING
PRESENTED THROUGH THE ANALYSIS OF LABOUR DEPARTMENT FOR THE
PROTECTION OF VICTIMS AND WITNESSES OF BOSNIA AND HERZEGOVINA
AND STATE INVESTIGATION AND PROTECTION AGENCY (SIPA)**

Abstract

Human trafficking is serious violation of human rights and freedoms. It is attack on right to life and dignity. One of the most widespread forms of crime, and as such brings huge profit for organized criminal groups engaged in human trafficking. The most prominent forms of human exploitation of human trafficking are sexual exploitation, prostitution, trafficking in human organs, child pornography, forced begging, forced arranged marriages of minors. A wide range of criminal offenses indicates that human trafficking is a "no age limit" phenomenon where victims can be of any age. In helping victims of human trafficking and in battle against it we need joint coordination of police authorities, non-governmental organizations, state mechanisms to protect the victims, European Union and its surroundings, as well training and education in the scientific field of victimology, criminology, psychology and other. On the other hand, given the traumatic experience that leaves victims of serious consequences, special attention should be paid to the protection, help and treatment of victims of human trafficking in pre-trial, during the trial and after which indicates that helping victims is a never ending job. In this paper we analyze the secondary victimization of victims of human trafficking of department for the protection of victims and witnesses of the Court of Bosnia & Herzegovina and the State Investigation and Protection Agency (SIPA), and state how it leads to the secondary victimization and the ways in which we can efficiently minimize it, as protection of witnesses and victims is essential not only for state bodies but for all of those interested and engaged in this issue and society as whole.

Keywords: victims of human trafficking, secondary victimization, protection of victims of human trafficking and witnesses.

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**PREVENTION AND FIGHT AGAINST HUMAN TRAFFICKING BY INTERNATIONAL -
LEGAL SOURCES**

Abstract

As a result of globalization, regional instability, economic crisis, social inequality and other problems that affect modern society, human trafficking is increasingly taking on the worrying proportions. Recognized as an international problem of human trafficking it becomes the object of interest of many international entities with a stand to combat and prevent human trafficking and in order to protect victims, adopting numerous international legal instruments aimed at effectively addressing this phenomenon. It is important to note that among these international instruments, dominantly place is occupied by the UN Convention against Transnational Organized Crime (Palermo, 2000), respectively, its Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, which we will discuss more in the article. Also, while facing this problem most of the States in their national legislation adopt rules, measures and programs to combat human trafficking. However, given the international nature of this form of crime, the effectiveness of the security system of the state in combating human trafficking depends on the quality of international cooperation. Accordingly, the article will try to point out the importance of international responses to this acute and very serious problem of modern society, through the analysis of the European Convention, which define international standards for combating this phenomenon.

Keywords: human trafficking, prevention and combating human trafficking.

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**VICTIMOLOGY PROFILE OF HUMAN TRAFFICKING VICTIMS
IN BOSNIA AND HERZEGOVINA**

Abstract

Human trafficking is extremely big problem for the country as well as it is for its society and individuals no matter if they in the role of the victim or someone in correlation to victim. Human trafficking assumes organized crime activity in exploitation of human beings resulting in multiple consequences. Bosnia and Herzegovina is one of the countries hit with human trafficking problem and it represents mostly transit state, but in close history it is also country of victim origins. Human trafficking victims in Bosnia and Herzegovina are mostly low educated persons, exploited mostly from rural areas.

Keywords: human trafficking, victimology profile, victims.

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**HELP, SUPPORT AND PROTECTION OF VICTIMS OF TRAFFICKING PRESENTED
THROUGH THE WORK OF NGOs IN BOSNIA AND HERZEGOVINA**

Abstract

In this text I will discuss the way that NGOs help, support and protect victims of human trafficking. Non-governmental organizations that have signed the Protocol with the Ministry of Security of BiH, develop cooperation on the basis of the Protocol and "Vlašić procedures" to combat human trafficking, and in this work also adhere to the Act and the Regulations which was adopted for foreign victims of trafficking. All players, regardless of whether they are state institutions or international and nongovernmental organizations, are directed at each other in addressing trafficking. If one partner fails to cooperate, the consequences are manifested in the victim of human trafficking. It is imperative to inform and cooperate with the Ministry of Security, then with the NGO "Your Rights" of Bosnia and Herzegovina in charge of the legal representation of victims of trafficking. Non-governmental organizations, providing any form of support to victims of human trafficking, provide safe accommodation and basic needs of human trafficking victims (food, clothing, shoes...), and take special care to managers in shelters in order to establish adequate cooperation with the security services with the aim to ensure the physical safety of victims. Non-governmental organizations are obliged, when disposed of a child victim of trafficking, to have all decisions about the child victim with the consent of the social welfare centers (through temporary guardian). When it comes to adult victims only with their consent there can be contact with the social welfare centers and other relevant institutions (excluding prosecution and police). At the same time the victim is referred to the necessary medical examinations, which include a general medical examination as well as specialized according to specific medical indications.

Keywords: trafficking, victims, NGOs, support.

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SECONDARY VICTIMIZATION OF VICTIMS OF TRAFFICKING

Abstract

Human trafficking, as form of crime and victimization of people, represents an organized criminal activity, to gain material benefit, consisting of a number of different and interrelated actions aimed at achieving the same goal. Given the seriousness of the consequences suffered by the victims of the crime of human trafficking, creating and improving mechanisms for the protection of victims in court proceedings and avoiding secondary victimization must be a priority in any justice system. The obligation of our state is to provide a comprehensive system of protection and cooperation among all participants in the fight against human trafficking in order to improve the position of victims in court proceedings . The problems that lead to secondary victimization of victims due to inconsistent application of legal provisions on the protection of victims and often inappropriate relations of participants still exist in practice . Respect for the dignity of victims is often called into question with the behavior of not only the accused , but also other participants in the process. Therefore, the primary goal of continuing analysis of justice practice is further improveing the protection of victims of the crime of trafficking in court proceedings through the improvement of the existing legal framework, increasing the efficiency of the legal and institutional mechanisms, as well as further education of all professionals involved in legal proceedings related to the crime of human trafficking.

The purpose of this paper is to analyze the possibilities of providing assistance and protection from secondary victimization victims of trafficking, and to spot irregularities in working with victims that can make state and non-state institutions that provide assistance to these victims, as well as police, security and justice officials with whom the victim come to meet .

Keywords : human trafficking, victims of trafficking, secondary victimization, victims' rights, protection of victims.

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TO PREVENT SECONDARY VICTIMIZATION OF VICTIMS OF TRAFFICKING

Abstract

With numerous problems of trafficking, such as new forms and displacement, these criminal acts are without any doubt social faktuum. Despite of development of the society , including the legal development such as criminal procedural law, victims of the trafficking become re-victimized by individuals that are a part of the social control „authority“ and wider society through stigmatization and isolation. Secondary victimization, in general, is one of the problems that modern criminology partially neglects. Purpose of this article is to describe some deficiency that may occur during the criminal procedure of the human trafficking and its victims with proposals of preventive measures. Procedure of the institutions of social control during the entire criminal procedure often leads to unintended consequences that have been neglected due to the focus on the offense and the offender. These institutions have to take various measures, act cautiously and be flexible to provide maximum protection ,“pull“ and support to victims of trafficking during the criminal proceedings and thereafter.

Keywords: secondary victimization, crime procedure, prevention

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VICTIMIZATION AND SEXUAL VIOLENCE

Abstract

Unfortunately, sexual violence can come in many forms. In order to better understand the wide range of personal violences that can occur, we have included definitions of different types of rape and sexual violence, as well as other kinds of violence that often arise hand-in-hand with sexual violence. Sexual violence of children often includes incest as a subset of this form of sexual violence. Partner rape includes sexual acts committed without a person's consent and/or against a person's will when the perpetrator is the individual's current partner (married or not), previous partner, or co-habitator. Sexual harassment includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature that affects an individual's work or school performance.

Sexual violence is defined as: any sexual act, attempt to obtain a sexual act, unwanted sexual comments or advances, or acts to traffic, or otherwise directed, against a person's sexuality using coercion, by any person regardless of their relationship to the victim, in any setting, including but not limited to home and work.

Coercion can cover a whole spectrum of degrees of force. Apart from physical force, it may involve psychological intimidation, blackmail or other threats – for instance, the threat of physical harm, of being dismissed from a job or of not obtaining a job that is sought. It may also occur when the person aggressed is unable to give consent – for instance, while drunk, drugged, asleep or mentally incapable of understanding the situation.

Sexual violence includes rape, defined as physically forced or otherwise coerced penetration – even if slight – of the vulva or anus, using a penis, other body parts or an object. The attempt to do so is known as attempted rape. Rape of a person by two or more perpetrators is known as gang rape.

Keywords: victimization, sexual violence, victims, support.

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