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*»Stara pravila, po katerih se je presojalo, ali je vojna pravična ali nepravilna, so se obrabila, toda odpovedati se razlikovanju med pravičnim in nepravilnim, tako v primeru vojne kot v vsakem drugem primeru, bi preprosto pomenilo odpovedati se moralnemu razumu. Dobro bi bilo, če bi v nekaterih, še posebej resnih mednarodnih krizah svet razumnikov lahko povedal ljudem, po kateri poti se po njihovem mnenju prispe do pravičnosti.«*

*Jacques Maritain*



*Mag. Liliana Brožič*

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# TERORIZEM KOT OBLIKA OGROŽANJA NACIONALNE VARNOSTI

.....

Bilten Slovenske vojske, ki je pred vami, je nastal kot rezultat sodelovanja med različnimi predstavniki na mednarodni ravni in resorji slovenske državne uprave. Republika Slovenija že skoraj desetletje sodeluje s centrom George C. Marshall v Garmischu v Nemčiji. Center, ki je znan tudi pod imenom Evropski center za varnostne študije, je nastal kot primer dobrega sodelovanja med ZDA in Nemčijo, predvsem pri izobraževanju in usposabljanju na varnostnem področju.

V Uradu za upravljanje človeških virov Ministrstva za obrambo je v sodelovanju s centrom George C. Marshall in Pisarno za obrambno sodelovanje Veleposlaništva ZDA (Office of Defense Cooperation, US Embassy) nastala zamisel o organizaciji skupnega posveta o boju proti terorizmu.

Seminar o terorizmu in varnostnih študijah (Program on Terrorism and Security Studies), ki v centru George C. Marshall poteka dvakrat na leto in traja pet tednov, trenutno sodi med najkakovostnejše oblike usposabljanja s področja boja proti terorizmu v državah članicah Evropske unije.

Skupaj s predavatelji centra so bile posebej izbrane teme, zanimive za varnostne strukture v Republiki Sloveniji, ki neposredno sodelujejo v boju proti mednarodnemu terorizmu. Med predstavljenimi temami so bile: terorizem, pregled zgodovine in vzroki zanj, strukture in metode terorizma, boj proti terorizmu, samomorilski terorizem, vloga diplomacije v boju proti terorizmu, nujnost medresorskega in mednarodnega sodelovanja in druge.

Seminar je potekal od 12. do 15. marca 2007 v Izobraževalnem centru na Igu. Udeležili so se ga zaposleni v Slovenski vojski, Direktoratu za obrambno politiko in Obveščevalno varnostni službi Ministrstva za obrambo, Slovenski obveščevalno-varnostni agenciji, Ministrstvu za notranje zadeve, Ministrstvu za zunanje zadeve, Generalni carinski upravi, Uradu za preprečevanje pranja denarja in Uradu za jedrsko varnost ter predstavniki Fakultete za varnostne vede in Fakultete za družbene vede.

16. marca, po koncu seminarja, delovno smo ta dan poimenovali »slovenski dan«, so predstavniki naštetih organizacij vabljenim iz Ministrstva za obrambo, centra

George C. Marshall, veleposlaništev Republike Nemčije in ZDA ter drugim uglednim gostom predstavili aktualne teme s svojih delovnih področij. Naslov predstavitve je bil Terorizem kot oblika ogrožanja nacionalne varnosti.

Razprave med udeleženci in predavatelji so se nadaljevale na kosilu, ki ga je priredil minister za obrambo gospod Karl Erjavec.

Pri organizaciji opisanega dogodka so dejavno sodelovali vsi udeleženci, tako predavatelji, slušatelji, gostje in drugi, ki se osebno sicer niso pojavili, a so zamisel o takem seminarju v Sloveniji ves čas podpirali. Tematska številka Biltena Slovenske vojske je rezultat te pripravljenosti.

Mag. Liliana Brožič,  
Urad za upravljanje človeških virov  
Ministrstvo za obrambo



# TERRORISM AS A THREAT TO NATIONAL SECURITY

.....

The publication of the Slovenian Armed Forces you are looking at is actually the result of cooperation between different representatives at the international level and different areas of Slovenian state departments.

The Republic of Slovenia has cooperated with the George C. Marshall Center in Garmisch Germany for almost a decade. The George C. Marshall Center known also as the European Center for Security Studies, has been established as an exemplary case of good cooperation between the USA and Germany in the field of security, stressing education and training.

The Human Resources Office in the Ministry of Defense of Slovenia in cooperation with the George C. Marshall Center and the Office of Defense Cooperation, US Embassy, developed an idea on organizing a common event on the topic of counter terrorism.

The Program on Terrorism and Security Studies seminar given at the George C. Marshall Center twice a year over a period of five weeks, presents a way of training in the field of counter terrorism which undoubtedly belongs among one of the best forms of training and is currently available in European Union member countries. With lecturers from the George C. Marshall Center and based on the needs of the Republic of Slovenia, selected themes were chosen that might be interesting for security structures in the Republic of Slovenia dealing directly in activities in international counter terrorism. The themes included an overview of the history and causes of terrorism, terrorist and counter terrorist structures and methods, suicide terrorism, the role of diplomacy and counter terrorism, the importance of interagency and international cooperation, and other themes as well.

The seminar was held from 12<sup>th</sup> to 15<sup>th</sup> of March 2007 at the Training Center in Ig. Participants were from the Slovenian Armed Forces, Directorate for Defense Policy, Intelligence and Security Service in MoD, Slovenian Intelligence and Security Agency, Ministry of the Interior, Ministry of Foreign Affairs, Customs Administration, Office for Money Laundering Prevention, Slovenian Nuclear Safety Administration, Faculty of Criminal Justice and Security, and Faculty of Social Sciences.

On the last day of the seminar, 16<sup>th</sup> of March, or »Slovenian day« as we named it for working purposes, the representatives of the above mentioned organizations gave presentations on actual themes from their fields under the title »Terrorism as a Threat to National Security« for invited guests from the Ministry of Defense, George C. Marshall Center, German Embassy, US Embassy and other distinguished guests.

After presentations the participants and lecturers continued discussions at lunch, hosted by the Minister of Defense, Mr. Karl Erjavec.

All seminar organizers, participants, lecturers, guests and all those persons not in attendance but who had offered their support for having such a seminar in Slovenia, continuously demonstrated their strong cooperation in organizing and participating in this event. This special publication of the Slovenian Armed Forces is a reflection of this cooperation.

Liliana Brožič  
Human Resources Office  
Ministry of Defense

# ZUNANJI VIDIKI PREPREČEVANJA TERORIZMA IN BOJA PROTI NJEMU

## FOREIGN ASPECTS OF PREVENTING AND FIGHTING TERRORISM

### POVZETEK

*Boj proti terorizmu zahteva široko soglasje ter celovito sodelovanje vseh demokratičnih držav in vse mednarodne skupnosti. Slovenija podpira Organizacijo združenih narodov kot edini globalni forum v boju proti terorizmu. Evropska varnostna strategija iz leta 2003 terorizem opredeljuje kot enega glavnih varnostnih izzivov, ki jih EU in njenim članicam prinaša 21. stoletje. Slovenija v okviru skupnega 18-mesečnega programa predsedovanja EU skupaj z Nemčijo in Portugalsko namenja posebno pozornost nadaljnji uveljavitvi zunanje razsežnosti protiteroristične strategije EU.*

### KLJUČNE BESEDE

*Boj proti terorizmu, mednarodno sodelovanje.*

### ABSTRACT

*The fight against terrorism demands a wide consensus and the complete cooperation of all democratic countries as well as the*

<sup>1</sup> Ministrstvo za zunanje zadeve.

*entire international community. Slovenia supports the United Nations Organization as the sole global forum against terrorism. As of 2003 the European Security Strategy defines terrorism as the core security challenge of the EU and its members in the 21st century. Slovenia with Germany and Portugal within an 18-month EU Presidency Program pays special attention to the further implementation of a foreign dimension in the counter terrorism strategy of the EU.*

## **K E Y W O R D S**

*Fight against terrorism, international cooperation.*

.....

## **BOJ PROTI TERORIZMU IN SPOŠTOVANJE DEMOKRATIČNIH VREDNOT**

Spreminjajoča se vloga terorizma in čedalje večje število terorističnih napadov po vsem svetu sta okrepila zavest mednarodne skupnosti, da je nujen skupni napor pri preprečevanju terorizma in boju proti njemu. Oblikujejo se nove politike, krepi se normativni okvir, ki obsega številne dejavnosti, nujne za učinkovito delovanje, izboljšujejo se mehanizmi, ki so na voljo.

Za terorizem ni in ne more biti nobenega opravičila. Slovenija najostreje obsoja vse njegove oblike. Noben cilj, ne glede na to, kako legitimen je, ne more biti opravičilo za teroristične napade in dejanja. Boj proti terorizmu zahteva široko soglasje in celovito sodelovanje vseh demokratičnih držav in vse mednarodne skupnosti. Mednarodna skupnost še vedno ni našla enotnega pogleda na terorizem oziroma njegove definicije, zato Slovenija pozdravlja vse pobude in napore, ki bi presegli ta zastoj.

Demokracija, vladavina prava in spoštovanje človekovih pravic so prvine in vrednote, ki jih Slovenija zagovarja v okviru okrepljenih naporov mednarodne skupnosti. S pridružitvijo ukrepom, sprejetim v okviru Organizacije združenih narodov, Evropske unije, Nata, Organizacije za varnost in sodelovanje v Evropi in Sveta Evrope, Slovenija sodi v krog demokratičnih držav, ki so sposobne in trdno odločene, da se pridružijo izkoreninjenju tega zla 21. stoletja.

Polno spoštovanje vrednot, kot so demokracija, človekove pravice in vladavina prava, je dolgoročno najučinkovitejše orodje v boju proti terorizmu. Zaradi okrepljene skrbi za našo varnost ne smejo biti prizadeti doseženi in splošno veljavni standardi varovanja človekovih pravic, temeljnih svoboščin in vladavine prava. Vsi ukrepi morajo biti skladni z obveznostmi iz mednarodnega prava, še posebej mednarodnega prava človekovih pravic, prava beguncev in humanitarnega prava. Vsekakor je nujen uravnotežen pristop med preventivnim in preprečevalnim ukrepanjem ter varstvom človekovih pravic in svoboščin.

Posebnega pomena v boju proti terorizmu je tudi odprava vzrokov, ki nasilje in terorizem povzročajo. Odpravljanja revščine in razlik v doseženem razvoju se je treba lotiti na globalni, regionalni in nacionalni ravni. V tem okviru je treba še posebno pozornost nameniti vprašanjem radikalizacije in novačenja, ki se dogaja tudi v našem okolju, v državah članicah EU, kar so pokazali teroristični napadi v Madridu in Londonu.

## **NORMATIVNI GLOBALNI OKVIR**

Slovenija podpira Organizacijo združenih narodov (OZN) kot edini globalni forum v boju proti terorizmu. Številne univerzalne konvencije in protokoli OZN predstavljajo

sprejela vrsto pomembnih dokumentov, ki opredeljujejo prednostne naloge in delovanje EU, in sicer deklaracije, akcijske načrte in protiteroristično strategijo. Protiteroristični koordinator Gijs de Vries v sodelovanju s predsedujočo državo usklajuje dejavnosti in napore EU ter v okviru Varnostnega sveta OZN vodi seznam omejevalnih ukrepov, ki jih je EU uvedla za boj proti terorizmu.

Zunanji vidiki boja proti terorizmu v okviru EU obsegajo pomoč in podporo prizadevanjem OZN ter dialog z mednarodnimi organizacijami na posameznih območjih. Vključuje tehnično pomoč prednostnim državam in podporo regionalnim centrom ter sodelovanje z njimi. EU tesno sodeluje tudi z nekaterimi tretjimi državami, in sicer s poudarkom na posebnih vprašanjih, kot je na primer preprečevanje financiranja terorizma ali vprašanje radikalizacije in novačenja.

## **PREDSEDOVANJE SLOVENIJE EU**

Slovenija skupaj z Nemčijo in Portugalsko v okviru skupnega 18-mesečnega programa predsedovanja EU namenja posebno pozornost nadaljnji vključitvi zunanje razsežnosti protiteroristične strategije EU. Poseben poudarek bo na krepitvi sodelovanja z OZN in Natom ter drugimi mednarodnimi organizacijami, kot sta OVSE in Svet Evrope. Glavne dejavnosti bodo potekale s političnim dialogom, tehnično pomočjo prednostnim državam, vključitvijo učinkovitih protiterorističnih klavzul v partnerske in kooperacijske sporazume EU s tretjimi državami ter zagotavljanjem polnega uresničevanje sedanjih zavez EU.

Glavni izziv za Slovenijo med njenim predsedovanjem EU v prvi polovici leta 2008 bo doseganje evropskega soglasja o zunanjih vidikih boja proti terorizmu. Zagotavljala bo kontinuiteto delovanja prejšnjih predsedujočih in nadaljevala uveljavljanje ključnih dokumentov ter redno agendo delovne skupine Sveta EU za boj proti terorizmu – zunanje vidike. Usklajevala bo napore EU z drugimi mednarodnimi organizacijami na splošni ravni in v politiki do tretjih držav.

Posebno pozornost bo namenila tudi notranji koherentnosti politike EU, in sicer s sodelovanjem s prvim stebrom, to je s komunitarnimi instrumenti, ter s tretjim stebrom, torej s pravosodjem in notranjimi zadevami.

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Andrew Nichols Pratt<sup>1</sup>

OZNAČUJE TE TISTO, KAR  
STORIŠ  
ALI JE POLITIKA ZDRUŽENIH  
DRŽAV PO 11. SEPTEMBRU  
SPREMENILA ČEZATLANTSKE  
ODNOSE?

IT'S WHAT YOU DO THAT  
DEFINES YOU<sup>2</sup>  
HAS POST-9/11 US POLICY  
ALTERED TRANS-ATLANTIC  
RELATIONS?

**P O V Z E T E K**

*Da bi razumeli, zakaj se Združene države in Evropa pogosto prepirajo, je treba sodobni terorizem umestiti v kontekst. Kljub svoji skrajnosti so bili umori, zagrešeni 11. septembra, v Evropi različno ocenjeni, ameriški spomin na »vojno« pa je daleč od evropske izkušnje. Obstaja različno stališče glede strategij za soočenje s teroristično grožnjo, načina, na katerega se te strategije ocenjujejo, in vladnih struktur, ki naj bi se ukvarjale s to grožnjo. Kljub temu je bistvo čezatlantske delitve intelektualne narave, kar je morda še težje rešiti.*

<sup>1</sup> George C. Marshall Center.

<sup>2</sup> A line from Batman Begins. Director Christopher Nolan. Warner Bros, 2005.

**K L J U Č N E B E S E D E**

*Terorizem, ZDA, Evropska unija.*

**A B S T R A C T**

*To understand why the United States and Europe are frequently at odds with each other requires modern terrorism to be placed in a context. Despite the hyperbole, the murders of 9/11 were appreciated differently in Europe and the United States' recollection of 'war' was far removed from Europe's experience. Cleavages exist regarding strategies to confront the terrorist threat; the fashion in which these strategies are evaluated; and, governmental structures to address the threat. However, essence of the trans-Atlantic divide is intellectual which might be more difficult to resolve.*

**K E Y W O R D S**

*Terrorism, USA, European Union.*

**T H E C O N T E X T**

As a person who lives and teaches in Europe, I have been asked many times to address if and how post-9/11 United States policy and its supporting strategies have altered trans-Atlantic relations. My lectures begin with my conclusion: 9/11 has—and for good reason—altered the trans-Atlantic relationship and caused tensions; however, like most things in life, there are extenuating and mitigating circumstances. I also add that we have all been to the movies that carry the disclaimer: “Contains material that some may find disturbing.” This paper may require such a warning and these are my personal reflections. To better understand why the trans-Atlantic relationship has changed, I will put 9/11 in a context; describe our current revolutionary terrorist threat; and, then offer certain consequential policies that have caused friction in the trans-Atlantic relationship and attempt to provide a rationale.

For the United States, 9/11 changed everything and sounded the death knell for any notion of post-Cold War isolationism. These attacks crystallized our vulnerabilities; fortress America had been breached. Prior to 0845 on September 11, 2001, we had been mired in a Cold War geostrategic orientation whose time had come and gone; we just did not know it. The attacks of September 11<sup>th</sup> exposed the hatred, ruthlessness, resolve, and distinctive capabilities of a faceless enemy who had earlier declared war upon the West, but who did not correspond with our traditional image of a belligerent. 9/11 clearly confirmed the fallacy of our decades of complacency, ignorance, inaction, and defensive tactics when responding to this modern terrorist threat. 9/11 seared into our America collective memories we no longer had the luxury of waiting while dangers gathered within and outside our porous borders. Furthermore, we relearned that the best defense of our homeland is a rigorous offense, which begins overseas. Just as Europe learned in the heady days before the opening of World War II, when you live by the comforting intellectual philosophy of “attentisme” or “let’s wait and see,” so accepted in Parisian coffee shops of the day, you will neither wait too long, nor like what you ultimately see. In enormity and scale, the “day of fire” or 9/11 attacks were horrific. The number of lives lost was unprecedented:

- Less than two dozen terrorist incidents in the entire 20<sup>th</sup> and 21<sup>st</sup> centuries have killed more than 100 persons at one time;
- On 9/11, al-Qa’ida killed in a single day more people than the Irish Republican Army (IRA) has killed in thirty years; and,<sup>3</sup>
- 260 people—more than the total number of people killed in the Madrid attack in March 2004—perished by jumping from the towers to their deaths simply to avoid being incinerated.

Prior to 9/11, the most lethal terrorist attack was a series of 13 near-simultaneous car and truck bombings funded by the international fugitive Dawood Ibrahim that rippled through Bombay, India in December 1992 killing about 400 people and injuring 1000. This was a Muslim response to Hindu militants destroying the Babri mosque in Ayodhya. Compared to the Bombay attack, September 11 produced seven times the number of dead. Furthermore, before 9/11, simultaneous terrorist attacks were relatively rare. In contrast, today, as the London attacks so tragically demonstrate, simultaneous terrorist attacks are al-Qa’ida’s signature. To Americans, the horror of September 11<sup>th</sup> remains unforgotten and unsurpassed.

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<sup>3</sup> David Frum and Richard Perle, *An End to Evil, How To Win The War Against Terrorism* (New York, 2004), pp. 35.

Nonetheless, we should ask ourselves, although no terrorist attack has approached the enormity of 9/11, was the “intent” any different from the attack on 2/26? Although most have forgotten 2/26, the first attack on the World Trade Center, the terrorists’ objectives were the same as they were on 9/11. And, was the aim of 9/11 different from Azmi Jayousi’s aborted attack on Amman, Jordan, of which only a few terrorist experts are aware or the disrupted airlines attacks in August last year in London? Jayousi, a disciple of Abu Musab Al-Zarqawi, intended to kill twenty thousand Amman residents. The London bombers with their sophisticated liquid explosives were hoping to destroy about a dozen aircraft over the North America. Clearly, the intents are all identical and today’s terrorists’ aspiration for a horrendous ‘butcher bill’ is crystal clear. This change in terrorists’ intent is revolutionary. What should be so alarming globally is today’s escalation of terrorists’ means corresponds to an escalation of terrorists’ ends.

President Bush noted in his second inaugural address, the “day of fire” preceded our “years of repose.” From the 1970’s through the 1990’s, as terror networks began to evolve and to wage attacks against Americans, we generally treated those attacks as isolated incidents and these acts were answered, if at all, on an ad hoc basis with subpoenas, criminal indictments and the occasional, poorly planned cruise missile attack. Attacks directed by the White House pitted \$750,000 cruise missiles against \$10 tents in Afghanistan. As time passed, terrorists lost fear and respect for us and concluded they could strike the US with very little consequence.<sup>4</sup> Given the unambiguous historical record of American inaction, the terrorists were right. For me, today’s war against terrorism has roots that are entwined in executions ordered by Yasser Arafat in 1973 of two US diplomats, Ambassador Cleo A. Noel, Jr. and George Curtis Moore, seized by Black September terrorists during a reception at the Saudi Arabian Embassy in Khartoum, Sudan. The captors unsuccessfully demanded the releases of Sirhan Sirhan, the Palestinian assassin of Robert Kennedy as well as terrorists being held in Israeli and European prisons. I guarded the Ambassador’s body and reluctantly listened to his wife speaking tenderly to him and praying. Since then, we have witnessed a relentless terrorist onslaught of over 4000 attacks that have killed over 6000 Americans and ruined countless lives.<sup>5</sup>

<sup>4</sup> Gaddis, John. “The Past and Future of American Grand Strategy” Charles S. Grant Lecture at Middlebury College, Vermont. 21 April 2005.

<sup>5</sup> Becker, Rachel. Personal interview. (Data based on US Department of State, “Patterns of Global Terrorism” 1979–2003. Federal Bureau of Investigation, “Terrorism in the United States” 1980–2000. US Department of Defense, Department of Veteran Affairs) 24 June 2005.

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During our years of blissful repose, terrorism was thought to be something that merely had to be managed as the Europeans had managed their terrorism problems in the 60's and 70's. 9/11 instantly changed all that. Since the Munich massacre, we had a strategy against terrorism, but after 9/11, it was nearly irrelevant. "Make no concessions," the first leg of our old strategy, a result of the Munich and Khartoum murders, makes no sense today because concessions are no longer pertinent. Al-Qa'ida is neither negotiating nor seeking a seat at the table. Their only desire is to destroy the table. Bringing terrorists to criminal justice, the second leg might also be irrelevant. Men and women prepared to die maneuvering a plane into a building or by strapping an explosive charge to their bodies will probably not be deterred by any Western threat of prison. The sole concept of the old strategy that remained sound was that of punishing states that supported terrorism. In essence, prior to 9/11, we had a one-legged stool and we urgently needed a new course and speed. We needed a strategy aimed at destroying or neutralizing our near-term threats and that at the same time, shaped conditions for future success. This was 9/11's impact. While the world did not end on 9/11, it was changed for the foreseeable future. Now, our adversaries need to be placed in a context as well.

**THE THREAT**

Bin Laden's Al-Qa'ida organization, which has led so many of its members into Islamic apostasy, inspired our new national security policy and its associated counterterrorism strategies. Al-Qa'ida is like a deadly spider lurking in her web: she is resilient to attack while hidden in the shadows; hard to see; but, deadly to the unwary. However, an old colleague from the CIA, Marc Sageman more precisely describes Al-Qa'ida as a complex global network. At the heart of Al-Qa'ida is its central staff and core, which act as a steering mechanism and the movement's foundation. Bonding mechanisms (such as friendship, kinship, and discipleship to Bin Laden) assure a densely interwoven network of connections based on a high degree of trust. However, these bonding mechanisms insulate the core from the periphery of the network. Like the 7/7 London bombers, the vast majority of this network remains alienated from their original society, cut off from their cultural and social origins, and far from family and long-term friends. Al-Qa'ida's "foot soldiers" are aliens both in their homes and in their homelands. This extended network provides a capacity to flow across borders; to extend

operations into licit sectors for “cover;” to maintain a surveillance capacity; and, to acquire sophisticated information. Given its network design, all these activities are compartmentalized for security.<sup>6</sup>

Al-Qa’ida is a movement without precedent, even if it exists only as a source of inspiration as experts argue today. It is unlike previous terrorist organizations that evolved over time but were kept in check by concern for consequences to their sponsors or the impact on their supporters. Nothing restrains them. The intensity of Al-Qa’ida’s attacks transcends symbolic violence and is designed to break a state’s will. Little seems to portend an end to this escalation of violence. Al-Qa’ida is a revolutionary movement: Bin Laden has a vision, money, and organizational skills to implement his dreams; he has demonstrated patience in his planning; and, his education, management skills, business experience and meager combat leadership allow him to project a grand vision that appeals to an international constituency. He uses modern technology to advance a retrograde worldview based on religious precepts. Bin Laden uses religion as a pivotal means of communication and mobilization and he adeptly manipulates media coverage. His ability to project his personality in an impersonal, culturally homogenized world exceeds that of most Western state leaders. His use of Arabic is close to Nasser’s and his description of Muslim struggle with the West as a ‘clash of civilizations,’ while incorrect, has resonance in much of the Umma, Muslim community.<sup>7</sup>

Today, most of the world is confronting a global Islamist insurgency whose members affiliate, interact and support one another in an international matrix of logistical, financial, and sometimes operational terrorist activity. This insurgency represents a protracted religious-political-military activity directed toward complete control over resources in the Islamic world by using illegal and legal political organizations and paramilitary forces. Insurgent activity—including guerrilla warfare in Afghanistan, Iraq and the much of the Maghreb, terrorism in Sharm el-Sheik and Namma Bay, and political mobilization consisting of propaganda, recruitment, front and covert organizations, and international activities—are designed to weaken regional governmental legitimacy and control while increasing Islamist insurgent control and legitimacy in order to ultimately drive out the West. This Islamist insurgency blends political and religious fanaticism with criminal enterprises to challenge

<sup>6</sup> Sageman, Marc. *Understanding Terror Networks* (Philadelphia, PA,) 2004, pp. 137–146.

<sup>7</sup> Hoffman, Bruce, Lecture at St. Andrews College, Scotland, 7 June 2002.

the rule of law and poses an epochal shift in the structures and relations among modern states.<sup>8</sup> Javier Solana declared, “Europe is not at war.” He said this for political reasons and he erred. The London attacks and other future attacks in Europe and on Europeans will prove Solana and like-minded thinkers “dead” wrong.

**THE STRATEGY**

While we did not face an existential threat with terrorism a decade ago, our old strategy was woefully inadequate to defeat this Islamist insurgency. The centerpiece of the new Bush doctrine posits a new moral attitude toward terrorism. Moral relativism, a common feature of European mores, is rejected and terrorism is described as inherently evil. Furthermore, the distinction between a terrorist and their state sponsors has been effaced<sup>9</sup>. Both concepts disturb many Europeans. The Bush doctrine does not solely rely on a task of arms, though arms are certainly used when required and the right of preemption remains an option. This may sound like a new policy for the United States, but it is not. Today, the concept of preemption is not unique to the US; the US just enunciates it a little more clearly. Surprisingly, Kofi Annan supports the idea of preemption; the EU supports preemption in its documents and France has just announced its reintroduction of the concept of preemption regarding nuclear weapons. Nevertheless, “preemption” sends chills into many European hearts. Today, the US supports its allies while holding terrorist regimes accountable. Not surprising, many of the fundamental tenets of the new US National Strategy for Combating Terrorism (NSCT) are at odds with traditional European thinking.

The new US counter terrorism strategy is built upon four pillars, the four “D’s”:

– **Defeat**

Identify, locate and destroy terrorists and terrorist organizations. FBI Director Robert Mueller stated on December 14, 2002, “... tens of attacks, probably close to a hundred around the world” have been thwarted.

<sup>8</sup> Gaddis, John. “The Past and Future of American Grand Strategy.” Charles S. Grant Lecture at Middlebury College, Vermont. 21 April 2005.

<sup>9</sup> Podhoretz, Norman, Commentary Magazine. “World War IV: How It Started, What It Means, and Why We Have to Win” September 2004. <http://www.commentarymagazine.com/podhoretz.htm>.

– **Deny**

End state sponsorship; establish and maintain international standards of accountability; strengthen and sustain international efforts to fight terrorism; interdict and disrupt material support to terrorism and eliminate sanctuaries and havens.

– **Diminish**

Partner with the international community to strengthen weak states and prevent the reemergence of terrorism and win the war of ideas.

– **Defend**

Implement the National Security Homeland Strategy (NSHS); attain domain awareness; enhance measures to insure the security of critical and information-based infrastructures at home and abroad; integrate measures to protect US citizens abroad; and ensure an integrated incident management capability.<sup>10</sup>

Focusing on the third pillar, **Diminish**, many terrorist organizations exploit conditions of poverty, social disenfranchisement, unresolved political and regional disputes, and weak state structures to garner support. As a riposte, the United States has embarked on a number of initiatives designed to alleviate these conditions. As more countries actively participate in the global economy and offer their people the benefits of good governance, economic opportunities, and health and education, terrorists will be denied both recruits and safe havens. But while this goal would appear uncontroversial, a source of trans-Atlantic friction exists because of how it must be executed.

The US focuses today on “ideologies that feed hatred and excuse murder.” The solution is multi-faceted: to neutralize where possible, but to remove where necessary, regimes that embrace such ideologies; to support the growth of democratic movements and institutions in every nation and culture, with the ultimate aim of ending tyranny in our world; to seek help from allies in this task while recognizing that spreading democracy does not require following a US blueprint; and, to recognize that ending tyranny will not be accomplished expeditiously. To be sure, this message at once reassured and disturbed our Middle Eastern authoritarian allies.<sup>11</sup> Some European capitals were also distressed.

The first method to remove regimes that feed hatred is kinetic and occurs through regime change. This causes angst to Europeans. To date, about 55 million people

<sup>10</sup> US Department of State. National Strategy for Combating Terrorism. Washington DC: US Government Printing Office, February 2003.

<sup>11</sup> Gaddis, John. “The Past and Future of American Grand Strategy.” Charles S. Grant Lecture at Middlebury College, Vermont. 21 April 2005.



have been liberated in Afghanistan and Iraq. The second approach, more palatable to Europeans, offers political reform such as the Middle East Partnership Initiative (MEPI), a Presidential initiative founded to support Arab-identified reform efforts. This initiative strives to create links among Arab, US, and global private sector businesses, non-governmental organizations, civil society elements, and governments to develop innovative policies and programs that support reform in the region. As the President outlined in his Nov. 6, 2003 speech at the National Endowment for Democracy, the US has adopted a new policy, a forward strategy for freedom in the Middle East. MEPI is the administration’s primary diplomatic policy and development programmatic tool to support this new US policy.<sup>12</sup> Are there potential hazards and obstacles to this radical initiative? Absolutely! Rapidly opening closed political systems could allow terrorists and their supporters to operate more actively. Furthermore, authoritarian or semi-authoritarian Middle Eastern governments have a proven will and capacity for survival. Syria will not democratize easily and the Alawite minority will not go quietly. As Iraq has demonstrated, minorities resist losing power. The US also enjoys a credibility problem given our longtime backing of “friendly” authoritarian governments.<sup>13</sup>

**THE MEASUREMENT**

Our NSCT may be a contentious issue among Europeans, but equally controversial is how we measure the success and effectiveness of our NSCT strategy. Experience has demonstrated that intuitive approaches to measuring a counter-terrorism policy are problematic. Al-Qa’ida’s total cadre is unknown; killed and captured terrorists are easily replaced. Furthermore, a body count approach fails to assess our adversary’s morale and ability to recruit, raise money, and conduct a sophisticated attack. The key to measuring success or failure is that we focus on recognizing the real threat and assessing key state functions necessary to combat global terrorism. Four key functions of a state’s ability to defend itself against terrorism are its organization, its intelligence structure, its ability to garner popular support and its defenses.<sup>14</sup> While not an apparently contentious set of measures of effectiveness,

<sup>12</sup> Op. cit.

<sup>13</sup> Carothers, Thomas. Current History. “Democracy: Terrorism’s Uncertain Antidote,” December 2003. <http://www.carnegieendowment.org/pdf/files/carothers-currenthistory.pdf>.

<sup>14</sup> Byman, Daniel. Current History, “Measuring the War on Terrorism: A First Appraisal.” December 2003. pp. 411–416.

US-European differences exist with all functions; however, I would comment on only the first two.

A regional entity or a nation must have a suitable counter-terrorism strategy as well as the organizational capacity to implement this strategy effectively. Declaring the need for a strategy as the EU has done is easy, but describing its contours is difficult and having capacity is both difficult and expensive. Organizations need flexible and innovative capabilities and strategic restructuring; transformation, by another name, is essential. Armed forces on both sides of the Atlantic need to be organized, educated, trained, equipped and most importantly, led to deal with our changed security environment. The US is moving tens of thousands of soldiers home and establishing new bases in Eastern Europe, Africa and Asia. With this restructuring, Washington is responding to the new dangers and its geo-strategic interests threatened by terrorists in unstable states. Europe needs to transform as well. Peter Carstens, criticizing the German military's performance in Kosovo, noted need to be more than "... messengers of good will." "The Bundeswehr did not leave its base, and failed to assist UN employees and the international police officers caught up in the violence. Soldiers stood by as churches and houses were burned down. Nineteen people (in Kosovo) were killed in the violent outburst and 900 injured." European forces need to be able to do more than hand out chocolates and build houses.<sup>15</sup> There is little European willingness to sustain casualties in order to fight terrorism. You need only to examine the recent Kosovo violence and the Dutch initial enthusiasm for operations in Afghanistan. As one senior European security expert told me, "Europe is prepared to fight terrorism to the last American."<sup>16</sup> Europe needs to be seen a "contributor" and not seen a "spoiler," hiding behind the fig leaf of "morality" to hid impotence. Many European leaders are correct in keeping their nations out of real conflicts in order to maintain their political support. They recognize that their armed forces are ill-prepared to participate in modern conflict and European taxpayers would demand to know why. Today shot down or crashed "Tornado" pilots could not be saved by German forces in Afghanistan because basic technological capabilities are lacking according to the German Defense Ministry. The capabilities for Combat Search and Rescue (CSAR) are only in development and were delayed due to difficulties in the delivery of new helicopters according to Spiegel online. CSAR requirements have existed since WWI.

<sup>15</sup> Peter Carstens. Opinion, Frankfurter Allgemeine Zeitung, 10 September 2004.

<sup>16</sup> Name Withheld. International Terrorism & Intelligence 2005- Royal College of Defence Studies, Seaford House, Belgrave Square, London UK, June 17, 2005.

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My second point is that real intelligence sharing in Europe is broken. Bilateral exchanges, like the Wassenaar arrangements, are not sufficient to defeat terrorists. The European Union has failed to curb terrorism within its borders. These are not my words, but those of Cecilia Wikstrom, a member of the Swedish Parliament and the Swedish Liberal Party’s spokeswoman on Middle East affairs. “One year after the Madrid bombings, little has improved in the European Union in terms of practical cooperation in combating terrorism. EU governments are reluctant to share sensitive intelligence and recently decided to restrict the role of Eurojust, the judicial cooperation agency, in the fight against terrorism. This failure by the EU to coordinate investigations into terrorist crimes is ominous, since the global jihadist movement—including its most prominent component, Al Qaeda—is demonstrably active throughout Europe.”<sup>17</sup> Europe’s most effective counter terrorist investigator, Spanish Judge Baltasar Garzon, is even more critical. “There is an enormous amount of information, but much of it gets lost because of the failures of cooperation. We are doing about one-third of what we can do within the laws in fighting terrorism in Europe.”<sup>18</sup> The Guardian wrote on 12 July 2005 that an invited gathering of police, intelligence, and forensics’ experts were asked at a secret meeting to help develop leads in the hunt for the London bombers.<sup>19</sup> This sort of liaison and cooperation should have been in place long before the deadly blasts. “Alliance Base” is not enough.

**THE REAL PROBLEM**

However, the essence of the trans-Atlantic divide is intellectual. The events of 9/11 moved all Europeans, but the attacks were never understood for what they really were: the return of war to some of the most developed societies in the world. In Europe, emotion quickly gave way to the belief that an isolated event had taken place. This was repeated after 3/11 and it will happen again as the ephemeral memory of 7/7 recedes. Europeans have a difficult time holding their focus.<sup>20</sup> 9/11

<sup>17</sup> Wikstrom, Cecilia. “EU Fails To Curb Terrorism Within Its Borders” International Herald Tribune, 6 June 2005. <http://www.ihf.com/articles/2005/06/05/opinion/edwikstrom.php>.  
<sup>18</sup> Golden, Tim, Desmond Butler, Don Van Natta, Jr. “As Europe Hunts for Terrorist, the Hunted Press Advantages.” New York Times, March 22, 2004, late ed.: section A, page 1.  
<sup>19</sup> Cobain Ian. .The Guardian, July 12, 2005.  
<sup>20</sup> Gaddis, John. “The Past and Future of American Grand Strategy.” Charles S. Grant Lecture at Middlebury College, Vermont. 21 April 2005.

was a wake up call, but why have not more Europeans gotten out of bed? The first reason for this short-lived emotion is that 9/11, even when perceived as an attack on the entire Western world, happened on US soil. Second, there is a widespread refusal in Europe, after its turbulent history of the previous century, to admit that European territory might again be vulnerable to serious threats. Lastly, European leaders were and are still reluctant to frighten their populations or to strain relations with the Muslim minorities living in Europe.<sup>21</sup> Many Europeans prefer to appease radicals or tend to dismiss any criticism of the Islam as Islamophobia, paranoia or prejudice. This attitude could be explained by Europe's fear of its exploding Muslim population; by Europe's assessing the post-9/11 world as an opportune time to make economic inroads into the Middle East; by Europe's inability to shoulder security burdens; or by Europe's ignorance, intentional or otherwise, of the threat. One of Europe's leaders, Ana Palacio of Spain summed it up best: "Today, Europeans don't have the perception of a common threat, just a diffuse concern about globalization and declining levels of welfare."<sup>22</sup> While 9/11 did not distress Europe as it did the US, 7/7 and its follow on attacks, sanguinely might be incrementally changing European thinking.

**CONCLUSION**

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idea,” but this phase will not be without violence. Fortunately, men and women on both sides of the Atlantic endure who understand the magnitude of today’s terrorist threat and who labor to mend our trans-Atlantic relationship. They comprehend the former Spanish Prime Minister Azar’s warning that “...terrorism is a global phenomenon, one that crosses borders. And it gains in strength when we think that it is the problem of “others” and should be taken care of by “others.”<sup>24</sup> Collectively, we must resist our Western “fast food” mentality that demands instant gratification. Together, we must exercise patience, persistence, presence and precision. To paraphrase a former SACEUR, when combating terrorism, an ethereal or virtual presence is an “actual absence”. Decades will be needed to assist the community of Islam to draw militant Islamists, disciples of Bin Ladenism, back from their apostasy. For the trans-Atlantic relations to return to a healthy condition, its current rosy public relations image must reflect reality. It’s what you do that defines you.

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<sup>24</sup>Aznar, Jose Maria, “The Truth About 3/11.” Wall Street Journal , Wednesday, March 24, 2004 12:01 a.m. EST <http://opinionjournal.com/editorial/feature.html?id=110004860>.



# TERORISTIČNA GROŽNJA V NEMČIJI – NEMŠKI POGLED IN ANALIZA GROŽNJE

## THE TERRORIST THREAT IN GERMANY – A GERMAN PERSPECTIVE AND THREAT ANALYSIS

### POVZETEK

*Mednarodni terorizem se je razvil v resno in svetovno prepoznano grožnjo neposredno po napadih 11. septembra 2001 ter po napadih na Baliyu, v Madridu in Londonu. Še posebej je stopnja pripravljenosti za uporabo nasilja, ki se je pokazala 11. septembra, skupaj z logističnim načrtovanjem in vzpostavljanjem omrežij ter dolgoročnim, čezmejnem pristopom zločincev dosegla vrhunec v jasnem prikazu te grožnje široki in nič hudega sluteči svetovni javnosti. Nemško zvezno ministrstvo za notranje zadeve je maja 2005 ugotovilo, da sta islamski ekstremizem in terorizem najresnejša grožnja notranji varnosti, tako svetovni kot znotraj Nemčije. Ko gre za tuje ekstremiste in teroristične organizacije, se je nemška notranja varnost soočala in se še sooča z grožnjami različnih vrst. Administrativni ukrepi, pravni postopki in marčevsko sporočilo Bin Lادنovega namestnika Al Zavahirija so dokaz, da je Nemčija država gostiteljica za pripravo terorističnih dejavnosti in morebitni cilj napadov. Al Kaida v svoji trenutni*

<sup>1</sup> George C. Marshall Center.

*obliki verjetno ne vzdržuje več svoje prvotne stroge linije poveljevanja in hierarhičnih struktur, zato so zdaj zelo gibljive in prilagodljive lokalne islamistične mreže, od katerih so nekatere samostojne in se same rekrutirajo, spremenjena vrsta grožnje. Zavedati se moramo, da v očeh militantnih islamistov Nemčija spada tudi v območje zbiranja teroristov in je tako del svetovnega območja islamskega terorizma. Na temelju teh spoznanj avtor ugotavlja, da ni večjih razlik med nemškimi in ameriškimi ocenami groženj, ki jih pomeni terorizem. Avtor to trditev podrobneje dokazuje s tem, da poskuša natančneje obravnavati vprašanje nemške ocene terorističnih groženj v Nemčiji in predstavlja nemški pristop k boju proti terorizmu. Po njegovem mnenju med Združenimi državami Amerike in Nemčijo ni temeljnih razlik glede njunih ocen groženj mednarodnega in posebej islamskega terorizma.*

**K L J U Č N E B E S E D E**

*Nemška ocena grožnje, mednarodni terorizem, nemški pristop k boju proti terorizmu, mednarodno sodelovanje, teroristične mreže, protiteroristična strategija Evropske unije, Nato, OVSE, razlogi za terorizem.*

**A B S T R A C T**

*International terrorism has developed into a serious and globally recognized threat in the wake of the attacks of September 11, 2001, and in Bali, Madrid and London. In particular, the extent of the willingness to use violence shown on 9/11, along with the logistical planning and networking and long-term, cross-border approach taken by the perpetrators culminated in a clear demonstration of this threat to a large and unsuspecting world public. The German Federal Ministry of the Interior stated unequivocally in May 2005 that Islamist*



*extremism and terrorism pose the most significant threat to internal security both globally and within Germany. Germany's internal security was and is being faced with threats of varying degrees from foreign extremist and terrorist organizations. Executive measures, legal proceedings and the message in March from bin Laden's deputy al-Zawahiri are proof positive that Germany is a host country for the preparation of terrorist activities and a potential target for attacks. Given that al-Qaeda in its current form presumably no longer maintains its original strict chains of command and hierarchical structures, the now highly flexible and adaptable local Islamist networks, some of which are independent and self-recruiting, actually pose an altered type of threat. We must ultimately recognize that, in the eyes of militant Islamists, Germany also belongs to the "crusader" camp, and is thus part of a global Islamist terrorist threat zone. Based on these findings the author shows that irreconcilable differences most certainly do not exist in the US and German assessments of the threat posed by terrorism. The author considers this assertion in more detail by endeavoring to address the question of the German threat assessment of terrorism in Germany in more detail and presents the German approach in combating terrorism (five objectives). In his opinion, no fundamental differences exist between the US and Germany in terms of their respective threat assessments of international terrorism and especially of Islamist terrorism.*

**K E Y W O R D S**

*German Threat Assessment, international terrorism, German approach to combating terrorism, international cooperation, terrorist networks, European Union Counter-Terrorism Strategy, NATO, OSCE, causes of terrorism.*

**IRRECONCILABLE DIFFERENCES BETWEEN THE US AND GERMANY?**

International terrorism has developed into a serious and globally recognized threat in the wake of the attacks of September 11, 2001, and in Bali, Madrid and London. In particular, the extent of the willingness to use violence shown on 9/11, along with the logistical planning and networking and long-term, cross-border approach taken by the perpetrators culminated in a clear demonstration of this threat to a large and unsuspecting world public. Against this background, the interview with the German Minister of the Interior, who had only recently taken office at the time<sup>2</sup>, which appeared in the *Badische Neueste Nachrichten* newspaper in December 2005, seems even more astounding. This interview, which attracted little attention, included a question on whether irreconcilable differences existed in the US and German assessments of the threat posed by terrorism. Minister Schäuble answered in the negative, saying: “The seriousness of this threat cannot be overstated. We are doing everything possible to successfully avert the threat of terrorism.”<sup>3</sup> A subsequent question about whether we Germans were not being overly sanguine about the dangers of terrorism was also answered in the negative by the Minister of the Interior. “The general public is certainly aware that we are also facing a threat, that attacks like the ones in London and Madrid could also occur in this country...<sup>4</sup>”, replied Minister Schäuble. The view of the German Minister of the Interior is also reflected in a survey conducted on behalf of the Missile Defense Advocacy Alliance in August-September 2005, which took the form of a European Opinion Poll. The poll was not designed to focus on terrorism. Nonetheless, the first question, which asked respondents what they considered to be the greatest or most significant threat, saw “violent acts by terrorist groups” ranked first with 74 percent, followed by the proliferation of nuclear, chemical and biological weapons with 58 percent in second place<sup>5</sup>. Does the above-mentioned clear statement by the German Minister of the Interior describe a shift in the German perception of the terrorist threat, or does it merely reflect a recognized

<sup>2</sup> Gassner, Klaus, *Der Rechtsstaat setzt dem Terrorkampf Grenzen* [The Rule of Law Sets Limits on the Fight against Terror], *Badische Neueste Nachrichten* newspaper of December 8, 2005, website: [http://www.bmi.bund.de/cln\\_012/nn\\_662984/Internet/Content/Nachrichten/Medienspiegel/2005/12/BM\\_I-nterview\\_BNN.html](http://www.bmi.bund.de/cln_012/nn_662984/Internet/Content/Nachrichten/Medienspiegel/2005/12/BM_I-nterview_BNN.html).

<sup>3</sup> Ibid.

<sup>4</sup> Ibid.

<sup>5</sup> Missile Defense Advocacy Alliance, *The Public View. Protecting Our Way of Life. A Presentation of European Opinion Poll Data, August-September 2005*, p.3.

and developing threat situation, as assessed by German politicians and security organizations in the European context already in previous years? I think I can say at this juncture that the latter is closest to the truth. Although they apply only to the Federal Ministry of Defence's area of responsibility, the Defence Policy Guidelines [*Verteidigungspolitische Richtlinien*] of May 2003 contain a chapter entitled "German Security: Risks and Opportunities", which already clearly emphasizes that 9/11 and the subsequent terrorist attacks have heightened the awareness that asymmetric threats may occur at any time and anywhere in the world, and may be directed against anyone<sup>6</sup>. Furthermore, the European Security Strategy, which was enacted at the European level in December 2003, puts terrorism at the top of its list of key threats to European security, due to its status as an increasing strategic threat to Europe, ahead of organized crime, state failure, regional conflicts and the proliferation of weapons of mass destruction. It states, inter alia, that: "...Europe is both a target and a base for such terrorism: European countries are targets and

is being faced with threats of varying degrees from foreign extremist and terrorist organizations. According to information from the German security authorities, the biggest threat is posed by Islamist terrorist groups, which believe they have a duty to engage in global “jihad”, in accordance with their way of thinking. Despite thwarted attacks and many arrests in Germany and throughout Europe, Germany must continue to be viewed as part of a global terrorist threat zone for years to come, and thus as a clear potential target of terrorist groups. Executive measures, legal proceedings and the message in March from bin Laden’s deputy al-Zawahiri are proof positive that Germany is a host country for the preparation of terrorist activities and a potential target for attacks. The Bavarian Minister of the Interior also emphasized this idea during the press conference held to present the Bavarian Report on the Protection of the Constitution [*Verfassungsschutzbericht*] for 2005<sup>9</sup>. The German extent of the threat situation is clearly illustrated not only by the attacks on Madrid and London, but also by the happily averted threat of an attack on the Iraqi Prime Minister by suspected members of Ansar al-Islam in December 2004 in Berlin, as well as the proceedings in the state security division [Staatsschutzsenat] of the Higher Regional Court in Düsseldorf against members of al-Tawhid in Germany, who were accused inter alia of planning attacks on Jewish institutions in Germany. As well, the bomb plot on July 31, 2006 where two suspected terrorists, both Lebanese students in Germany, placed two suitcases filled with explosives on German commuter trains, highlights the German security situation. Only a technical mistake in the bomb construction prevented a tragedy like London or Madrid. The findings of the German security services and their international partners demonstrate very clearly that Islamist terrorist networks span the continents with varying levels of intensity, and that Germany is no exception in this regard. Given that al-Qaeda in its current form presumably no longer maintains its original strict chains of command and hierarchical structures, the now highly flexible and adaptable local Islamist networks, some of which are independent and self-recruiting, actually pose an altered type of threat. We are dealing here predominantly with Islamist structures composed of people from inside this country, who have been living among us for years and appear to be integrated, but who become radicalized and subsequently commit quasi-

<sup>9</sup> Beckstein, Günther, speech by the Bavarian Minister of the Interior at the presentation of the Report on the Protection of the Constitution [*Verfassungsschutzbericht*] for 2005, held on April 6, 2006 in Munich, p.4 [http://www.stmi.bayern.de/imperia/md/content/stmi/sicherheit/verfassungsschutz/verfassungsschutzberichte/verfsch\\_2005\\_rede.pdf](http://www.stmi.bayern.de/imperia/md/content/stmi/sicherheit/verfassungsschutz/verfassungsschutzberichte/verfsch_2005_rede.pdf).

independent attacks without receiving large external financial contributions. We must ultimately recognize that, in the eyes of militant Islamists, Germany also belongs to the “crusader” camp, and is thus part of a global Islamist terrorist threat zone. For this reason, German interests and institutions are also potential targets for Islamist terrorists. However, our intelligence and security services generally consider this to be a lower-grade threat in comparison to the high-level threat to which American, Israeli, Jewish and British interests and institutions are exposed – also in Germany. Nonetheless, “international terrorism is still the greatest challenge for the [author: German] security authorities and will stay that way, because a reduction in the terrorist threat can be ruled out in the near future.”<sup>10</sup> A second category of Islamist organizations in Germany is composed of groups that are not yet engaging in terrorist activities in Germany, but nonetheless pose a threat to internal security that should not be underestimated. In this context, I will mention only the Lebanese Hizb Allah (Party of God) and the Palestinian HAMAS (Islamic Resistance Movement) as examples that are representative of many other organizations. Some of these organizations aim to replace the existing state structures and social orders in their countries of origin with a strict Islamist state based on Islamic law. Moreover, some openly state that they aspire to Islamic global domination<sup>11</sup>. According to the Federal Office for the Protection of the Constitution, other Islamist groups in Germany – a kind of third category – are pursuing a broader strategy. While they also wish to change the governance of their countries of origin in favor of an Islamist state, they are simultaneously pursuing a more legalistic strategy aimed at creating conditions that enable their supporters in Germany to live in conformity with Sharia law. I would like to mention the Milli Görüs Islamic Community (IGMG), the Muslim Brotherhood in Germany (MB), and the Islamic Community in Germany/*Islamische Gemeinschaft in Deutschland e.V* (IGD) as current examples representative of this third category, which feature regularly in the reports of the Federal Office for the Protection of the Constitution. Groups of this type focus primarily on a long-term strategy of political influence and targeted public relations work in their host country. It should be borne in mind in this context that a latent potential exists within precisely these Islamist organizations that are not yet engaging in terrorist activities in Germany

<sup>10</sup> Ziercke, Jörg, *Recht und Sicherheit. Möglichkeiten und Grenzen der polizeilichen Praxis* [Law and Security. Possibilities and Limits to Police Practice], speech held at the judicial press conference of the German Federal Constitutional Court [Bundesverfassungsgericht], Karlsruhe, 2006, p.7, [http://www.bundeskriminalamt.de/pressemitteilungen/hintergrund/vortraege/060705\\_vortrag\\_praesident\\_justizpressekonferenz.pdf](http://www.bundeskriminalamt.de/pressemitteilungen/hintergrund/vortraege/060705_vortrag_praesident_justizpressekonferenz.pdf).

<sup>11</sup> German Federal Ministry of the Interior, *Verfassungsschutzbericht 2004*, Berlin, 2005, pp.186 ff.

for supporters to emerge who are willing to use violence in Islamist terrorist networks. These can subsequently evolve into what are known as “home-grown networks”<sup>12</sup>. While no reliable figures exist yet on the membership of Islamist terrorist networks in Germany, around 32,100 people have joined the 28 active Islamist organizations<sup>13</sup>. In light of the German threat situation, the 45 non-Islamist foreign organizations which are either extremist or pose a security threat must also be mentioned. These organizations have around 25,320 members or supporters<sup>14</sup>. Their conduct in Germany is essentially dictated by developments in their respective countries of origin. These predominantly left-wing extremist Turkish groups still aspire to the revolutionary overthrow of the existing social order and the establishment of a Socialist or Communist system in their countries of origin. Foreign nationalist organizations – which are again predominantly Turkish groups – should also be mentioned in this context, along with extremist Iranian opposition groups, which continue to seek a fundamental change to the existing governance of Iran. Asian separatist organizations in Germany have also been focusing primarily on strengthening their financial basis by collecting donations.

However, in addition to foreign extremist and terrorist groups in Germany and their cross-border relations, violent left and right-wing extremist groups in Germany also play a role in the German threat assessment, along with their terrorist offshoots. Documents from German security authorities show that violent left-wing extremists are currently having an impact on internal security. These groups had a total membership of approx. 5500 people at the end of 2005<sup>15</sup>. However, this scene is generally in a phase characterized by a limited capacity to mobilize, combined with a search for new strategies. Attacks by individual autonomous groups occasionally cross over into terrorist violence, such as the “militant group” (mg), which has been under investigation by the Federal Prosecutor General since 2001 for up to ten arson attacks<sup>16</sup>. However, established and hierarchical left-wing terrorist structures in the mould of the former Red Army Faction (RAF) and the Revolutionary Cells

<sup>12</sup>Ziercke, Jörg, Recht und Sicherheit. Möglichkeiten und Grenzen der polizeilichen Praxis [Law and Security. Possibilities and Limits to Police Practice], speech held at the judicial press conference of the German Fed-

(RZ) no longer exist in Germany. In 2005, the number of violent right-wing extremists increased slightly by 400 to reach a total of 10,400<sup>17</sup>. Various legal actions pending since 2004 for membership of, support for, or the establishment of terrorist organizations and other criminal offences in this scene resulted in the courts handing down punishments in the form of suspended sentences and custodial sentences of several years in the first half of 2005. However, the overwhelming majority of right-wing extremists are currently eschewing acts of terrorist violence to achieve political aims for tactical reasons. “A terrorist organization is considered too easy to uncover, and a terrorist attack as having little chance of success<sup>18</sup>.” In general, an assessment of the threat posed by left and right-wing terrorism in Germany shows it to be far inferior at present in terms of quality and intensity to that posed by foreign extremist and terrorist groups – especially those of an Islamist bent. However, an increase in violent acts by right and left-wing extremists has been observed in some German Länder in the previous year, which could potentially indicate a greater willingness to use violence within the scene. On closer examination however, most of the incidents took place between the two extremist camps<sup>19</sup>. The conclusion can thus be drawn that combating Islamist terrorism must remain a top priority for the German security authorities, without losing sight of potential threats from extremist left and right-wing groups.

**THE GERMAN APPROACH TO COMBATING TERRORISM**

Combating international terrorism will be a lengthy process for all of the nations involved, which cannot be completed in the space of a few years. Political observers doubt that this process can be successful if it primarily takes the form of a “war” on terror. Our approach should thus be characterized more by strategic combat based on an overall plan. In other words, we will not be able to eliminate the breeding grounds for terrorism in the long term solely through the use of force in its countries of origin. However, this idea by no means excludes the use of military force in principle. Terrorism must be countered by military

<sup>17</sup> German Federal Ministry of the Interior, Verfassungsschutzbericht 2005, preliminary version, Berlin, 2006, p.53.

<sup>18</sup> Ibid, p.54.

<sup>19</sup> See Beckstein, Günther, speech by the Bavarian Minister of the Interior at the presentation of the Report on the Protection of the Constitution [Verfassungsschutzbericht] for 2005, held on April 6, 2006 in Munich, pp.15f [http://www.stmi.bayern.de/imperia/md/content/stmi/sicherheit/verfassungsschutz/verfassungsschutzberichte/verfsch\\_2005\\_rede.pdf](http://www.stmi.bayern.de/imperia/md/content/stmi/sicherheit/verfassungsschutz/verfassungsschutzberichte/verfsch_2005_rede.pdf).

means where this is necessary and no other possibility exists. In consequence, Germany's counter-terrorism policy is defined by five important objectives. Firstly, using intensive search and investigation methods to destroy terrorist structures; secondly, pre-emptively averting terrorism; thirdly, continuing to increase international cooperation against terrorism; fourthly, protecting and making provision for the population and reducing our country's vulnerability; and fifthly, eliminating the causes of terrorism<sup>20</sup>. In my opinion, this approach has identified objectives that can clearly only succeed through close international cooperation.

### THE FIRST OBJECTIVE

To clarify this point, I would now like to consider the individual objectives contained in the counter-terrorism policy in more detail, beginning with the first objective of destroying terrorist structures using intensive search and investigation methods. "With the aim of combating terrorism with greater and more lasting effect, the German Counter-Terrorism Act [*Terrorismusbekämpfungsgesetz*], which entered into force on January 1, 2002, increased the powers of the Federal Criminal Police Office [*Bundeskriminalamt – BKA*] and the Federal Office for the Protection of the Constitution [*Bundesamt für Verfassungsschutz*] to gather and exchange information, and amended regulations pertaining to foreigners and associations, the Passport Act [*Passgesetz*], the Civil Aviation Act [*Luftverkehrsgesetz*] and other legislative regulations<sup>21</sup>." Numerous preliminary criminal investigations were launched – including 171 related to Islamist terrorism by May of last year alone – which have already resulted in a large number of guilty verdicts<sup>22</sup>. I would estimate that the number of such procedures has exceeded 200 since then. Despite the considerable success of many investigations in Germany, the counter-terrorism instruments available must nonetheless continue to be improved in this country. The current Supplementary Law to the Counter-Terrorism Act [*Terrorismusbekämpfungergänzungsgesetz*] implements the conclusions drawn in the evaluation phase. "The existing powers

<sup>20</sup> German Federal Ministry of the Interior, Bekämpfung des Terrorismus [Combating Terrorism], website, Berlin, 2006, [http://www.bmi.bund.de/cln\\_012/nn\\_165104/Internet/Content/Themen/Terrorismus/DatenundFakten/Bekaempfung\\_des\\_Terrorismus\\_Id\\_93040\\_de.html](http://www.bmi.bund.de/cln_012/nn_165104/Internet/Content/Themen/Terrorismus/DatenundFakten/Bekaempfung_des_Terrorismus_Id_93040_de.html)

<sup>21</sup> Ibid.

<sup>22</sup> See German Federal Ministry of the Interior, Verfassungsschutzbericht 2004, Berlin, 2005, p.4.



of the security authorities will be maintained for an additional fixed period of five years, and will at the same time be made more practice-oriented and adapted to meet current counter-terrorism requirements<sup>23</sup>.” The Federal Office for the Protection of the Constitution has had its information-gathering powers extended in this context, while the tasks of the Federal Intelligence Service [*Bundesnachrichtendienst*] have remained unchanged. However, efficient cooperation between the different security authorities is also necessary for the effective implementation of the first objective. The creation of the Joint Counter-Terrorism Centre [GTAZ – *Gemeinsames Terrorismusabwehrzentrum*] in December 2004 in Berlin-Treptow was a logical consequence of these reflections. The Centre now enjoys excellent conditions for exchanging information in real time, providing rapid and targeted assessments of current threat warnings, coordinating operational measures and compiling background analyses. Around 180 specialists from almost 40 authorities, such as the Federal Criminal Police Office (BKA), the Federal Office for the Protection of the Constitution, the Federal Intelligence Service (BND), the Criminal Police Offices and Offices for the Protection of the Constitution in the Länder, the Federal Police, the Customs Investigation Office [*Zollkriminalamt*], the Federal Armed Forces Counterintelligence Office [*Militärischer Abschirmdienst* – MAD], the Federal Prosecutor General and the Federal Office for Migration and Refugees [*Bundesamt für Migration und Flüchtlinge*], cooperate consistently and intensively at the Centre, working together on tasks in accordance with a set program<sup>24</sup>. The GTAZ did not come out of nowhere, and can instead be viewed as an extension of the cooperation between the BKA, the authorities for the protection of the constitution and the BND on the Information and Analysis Boards, which had already been established by the end of 2001. Major advantages of the GTAZ are a more rapid exchange of information and the consolidation and strengthening of analytical competences, which occur without violating the German principle of separation between the services and the police authorities.

<sup>23</sup> German Federal Ministry of the Interior, the Supplementary Law to the Counter-Terrorism Act [Terrorismusbekämpfungsergänzungsgesetz-TBEG], website, Berlin, 2006, [http://www.bmi.bund.de/cln\\_012/nn\\_122688/Internet/Content/Themen/Terrorismus/DatenundFakten/Das\\_Terrorismusbekaempfungsergaenzungsgesetz.html](http://www.bmi.bund.de/cln_012/nn_122688/Internet/Content/Themen/Terrorismus/DatenundFakten/Das_Terrorismusbekaempfungsergaenzungsgesetz.html).

<sup>24</sup> See German Federal Ministry of the Interior, Gemeinsames Terrorismusabwehrzentrum–Internationaler Terrorismus [Joint Counter-Terrorism Centre – International Terrorism], website, Berlin, 2006, [http://www.bmi.bund.de/cln\\_012/nn\\_165104/Internet/Content/Themen/Terrorismus/DatenundFakten/Gemeinsames\\_Terrorismusabwehrzentrum\\_de.html](http://www.bmi.bund.de/cln_012/nn_165104/Internet/Content/Themen/Terrorismus/DatenundFakten/Gemeinsames_Terrorismusabwehrzentrum_de.html).

**THE SECOND OBJECTIVE**

The second objective of pre-emptively averting terrorism should not be viewed solely in terms of military engagements and peace-keeping operations outside of Germany. The breeding grounds for both terrorism and extremism must be tackled decisively and pre-emptively – also in this country. Thus, the extremist Islamist organizations “*Kalifatstaat* [Caliphate State]”, the registered association “Al-Aqsa e.V.”, “Hizb-ut Tahrir”, “YATIM *Kinderhilfe* [YATIM Children’s Charity]” and the *Multikulturhaus* [Multicultural House] association in Neu-Ulm have been banned in Germany since 2001. This measure, which is based on the law relating to associations, had already been applied very successfully in previous years to other foreign extremist groups, and was not causally linked to the events of 9/11. Furthermore, in an attempt to prevent terrorists from entering the country where possible, identity checks on travelers have been improved and identity documents have been made more difficult to counterfeit – with an emphasis being placed on biometric passports since October 2005. In addition to these organizational and legislative measures, the security authorities have also sought to enhance their dialogue with Muslim representatives in Germany, and worked with these representatives on a program of measures designed to build up trust in December 2005. The program contains specific proposals for cooperation at all levels, and can potentially be considered as an additional measure to build up trust and avert threats within Germany. In 2004, the BKA began to further expand its international cooperation to proactively avert global terrorist threats, also as regards a new caliber of pre-emptive strategies to combat international terrorism abroad<sup>25</sup>. At the same time, the BKA began to set up its “Department of International Coordination”, which is primarily supported by the BKA’s worldwide network of liaison officers.

**THE THIRD OBJECTIVE**

The discussion of international cooperation brings me to the third objective of continuing to increase international cooperation. The terrorist network’s multiplicity of international contact points makes it indispensable that the

<sup>25</sup> See Ziercke, Jörg, *Netzwerke des Terrors – Netzwerke gegen den Terror* [Networks of Terror – Networks Against Terror], speech by the President of the BKA at the BKA’s autumn conference on 2-4 November 2004, p.22, [http://www.bundeskriminalamt.de/kriminalwissenschaften/herbsttagung/2004/herbsttagung\\_2004\\_rede\\_pr.pdf](http://www.bundeskriminalamt.de/kriminalwissenschaften/herbsttagung/2004/herbsttagung_2004_rede_pr.pdf).

existing ongoing international cooperation be continued and extended. Transnational Islamist terrorism can only be effectively combated through close international cooperation. Terrorist networks have to be countered with a security network that is equally capable of and willing to react at an international level. In this context, the United Nations, the EU, the OSCE, the G8 and NATO have already entered into numerous agreements and taken practical steps. I wish to flag only a few issues at this juncture related to international cooperation on combating terrorism, which I think are particularly important. Many of the measures contained in the European Action Plan have already been implemented. For example, the ICAO (International Civil Aviation Organisation) aviation security standards were incorporated into an EC Regulation on aviation security. A European list of terrorists was also created, which is a living document capable of review and serves as the legal basis for the harmonized freezing of assets within Europe. The Counter Terrorist Group (CTG), which was established in autumn 2001, also requires mention. It currently has 29 domestic services from the 25 EU member states as members, along with those of Switzerland and Norway. It is tasked with compiling threat assessments on Islamist terrorism, which are then made available to all of the participating countries<sup>26</sup>. In addition, Europol was able to set up a team of counter-terrorism experts and intensify cooperation with the US on data exchange. Eurojust, a European agency for judicial cooperation, was established to coordinate and support cooperation between the national judicial authorities at the European level. The individual European measures I have just mentioned briefly are now being underpinned by a European Union Counter-Terrorism Strategy. This Strategy was last revised in December 2005, and its success, so to speak, is reviewed biannually – with adjustments being made where necessary. This document will form the basis for a new and detailed European Action Plan<sup>27</sup>. The OSCE is also vigorously implementing the Plan of Action for Combating Terrorism it adopted in 2001. Germany played a major role in proposing focus areas for preventing and combating terrorism which envisage increased cooperation with the countries of Central Asia in the area of police training, the fight against arms trading and human trafficking, and border protection. In a logical follow-up, a large segment

<sup>26</sup> The German Federal Government, Report by the Federal Government at the request of the Parliamentary Control Panel [Parlamentarisches Kontrollgremium] of January 25, 2006 on Events Relating to the Iraq War and Combating International Terrorism, Berlin, 2006, p.50.

<sup>27</sup> See Council of the EU: The European Union Counter-Terrorism Strategy, Brussels, 2005.

of the OSCE Ministerial Council in December 2004 in Sofia was also dedicated to the subject of terrorism, with decisions being adopted on developing a border management plan, combating the use of the internet for terrorist purposes, and developing an OSCE-wide comprehensive system of export controls for man-portable anti-aircraft systems. The OSCE is promoting practical cooperation with ICAO, UNDOC (United Nations Office on Drugs and Crime) and IAEO in the form of conferences and workshops involving participants from every region of the OSCE to make further effective progress in precisely these areas. NATO's contribution to combating international terrorism should also not be overlooked. In addition to invoking the collective defense clause after 9/11 and compiling a comprehensive package of measures, NATO also set conceptually significant orientations, which are most clearly demonstrated by the decision to create the NATO Response Force, the anti-NBC initiatives, and the NATO Military Concept for Defence Against Terrorism (MC 472). On the basis of this latter Concept, the Alliance has placed a particular emphasis on improving preventative protective measures and launched practical initiatives to improve protection against NBC weapons, ranging from mobile analytical laboratories to networking the national NBC training facilities to a health monitoring system. NATO's Terrorist Threat Intelligence Unit (TTIU) also commenced work at the end of 2004. However, only the NATO states of Germany, the US, Great Britain and Spain are represented in this Unit<sup>28</sup>. The main task of the TTIU is to provide NATO offices with information on and assessments of terrorist threats. The principle of consensus that generally prevails does not apply in this context. The shared fight against terrorism also constitutes an important area of cooperation in the context of NATO's Mediterranean Dialogue, and should lead to an intensified exchange of information, support measures in the area of border control, the prevention of proliferation and an improved capacity to deal with the consequences of terrorist attacks. However, international and regional cooperation on combating terrorism does not take place only in these institutionalized communities, but also in a kind of "gentlemen's club" based on temporary shared interests. I consider the successful model of the "Alliance Base" in Paris to be an example of this category. It involves cooperation between intelligence services from six countries – Great Britain, France, Germany, Canada, Australia and the US – which share

<sup>28</sup>The German Federal Government, Report by the Federal Government at the request of the Parliamentary Control Panel [Parlamentarisches Kontrollgremium] of January 25, 2006 on Events Relating to the Iraq War and Combating International Terrorism, Berlin, 2006, p.51.

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information on terrorist groups and individuals and coordinate operations against them<sup>29</sup>. In my opinion, this type of temporary regional or interest-based cooperation at the level of the secret and security services is a promising model, which is well-suited to preventing the emergence within these services of new bureaucratic “mammoth authorities” of highly dubious effectiveness.

#### **THE FOURTH OBJECTIVE**

I would now like to move to the fourth objective of protecting and making

**THE FIFTH OBJECTIVE**

The fifth and final objective of eliminating the causes of terrorism is, metaphorically speaking, probably the truly “Herculean task”. Germany is making a substantial contribution in the form of both troops and police to operations conducted by the international community, with the aim of also combating terrorism effectively in its unstable regions of origin. Our country is thus also looking beyond the military aspect, and placing a major emphasis on achieving lasting peace and consolidation in the relevant civil society. These efforts should commence at a very early stage during the ongoing military operation, where possible. However, this is only one aspect of the fight against the causes of terrorism, which is limited to unstable regions of origin. In the long run, the terrorist threat can only be countered if we succeed in eliminating or curtailing its causes. The EU’s approach to counter-terrorism takes into account the broad range of political, economic, social, legal and humanitarian elements, while its fight against terrorism involves combating the causes, in addition to “treating acute symptoms”. However, a comprehensive understanding of the phenomenon of terrorism and the factors promoting its emergence is also crucial. Since the end of 2003, the BKA has been making a contribution to researching the causes in this context through the establishment of a research center on terrorism and extremism, whose primary focus is the phenomenon of terrorism/extremism from a social sciences perspective. It is currently conducting a research project to investigate inter alia which specific socialization processes characterize fundamentalist Islamist extremists, or whether the life stories of these actors have a great deal or very little in common<sup>32</sup>. The project’s findings will form a basis for launching preventative models aimed at destroying the breeding grounds of terrorism.

**CONCLUDING REMARK ON THE INITIAL QUESTION**

In conclusion, I would like to return to my initial question and clearly emphasize that we must prevent the broad international agreement that exists on combating terrorism from waning. In my opinion, no fundamental differences exist between

<sup>32</sup> See Federal Criminal Police Office, Forschungsstelle Terrorismus/Extremismus – FTE [Research Center on Terrorism/Extremism], aktuelle Forschungsinitiativen/-projekte [current research initiatives/projects], website, Wiesbaden, 2006, [http://www.bundeskriminalamt.de/kriminalwissenschaften/fte\\_init.html](http://www.bundeskriminalamt.de/kriminalwissenschaften/fte_init.html).

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the US and Germany in terms of their respective threat assessments of international terrorism – and especially of Islamist terrorism. Even if our assessment of individual actions sometimes differs, for example the detentions in Guantanamo, the CIA rendition flights, and the priorities for the use of military means against terrorists, there can be no doubts about the shared basic conviction that terrorism is never legitimate, regardless of the reasons given. Even in the absence of a shared international definition of terrorism, there is no acceptable justification for acts of terrorism.





# ORGANIZIRANI KRIMINAL IN TERORIZEM – ZDRUŽLJIVOST IN RAZHAJANJA

## ORGANIZED CRIME AND TERRORISM – COMPATIBILITY AND BRAKE UPS

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### POVZETEK

*Za terorizem sta bistvena dva ključna vidika, in sicer politični ter ekonomski. Prav slednji je tisti, ki povezuje organizirani kriminal in terorizem. Vprašanje pa je, ali sta razmejitve in individualna obravnava, kot to trdijo nekateri avtorji na akademski ravni, zares nujni. Deteriorizacija, gledano v geostrateškem pomenu, in hibridne oblike terorističnih skupin ter organizacij, ki se kot nekakšne dvoživke spogledujejo zdaj z organiziranim kriminalom zdaj s terorizmom, ob občutku, da svet v iskanju prave poti izgublja kompas, nas več kot očitno navajajo k razmišljanju, da se oba obravnavana pojava napajata drug ob drugem. Čeprav oba navidezno vključujeta atributa, bistvena za njun nastanek, torej obstoj in učinkovitost, je to politična ideologija, ki jo najdemo na strani terorizma. V obeh primerih je politični vidik bistvenega pomena. Nenehni premiki na političnem področju so namreč idealni za nastanek*

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<sup>1</sup> Uprava kriminalistične policije Generalne policijske uprave.

*kaotičnih razmer, ki jim mednarodna skupnost ne more več slediti. Organizirani kriminal te razmere izkorišča za krepitev svojih zmogljivosti in povečanje dobička, terorizem pa pod krinko iskanja pravice z roko v roki z organiziranim kriminalom poskuša doseči svoje videnje pravičnosti v konkretnem socialnem okolju. Zdi se, da so razlike med enim in drugim vedno manjše, še posebej v primeru novodobnega terorizma, ki nenehno spreminja obraz in pri katerem je v resnici težko postaviti ločnico med klasičnim kriminalom in ideološko motiviranim terorizmom. Prispevek je dober izziv za nadaljnja razmišljanja o (ne)zdručljivosti organiziranega kriminala in mednarodnega terorizma.*

**K L J U Č N E B E S E D E**

*Organizirani kriminal, terorizem.*

**A B S T R A C T**

*Terrorism essentially relies on two key aspects, i.e. the political and the economic aspect. The latter specifically functions as a linking element between organized crime and terrorism. However, is the distinction between and individual treatment of the two of them really necessary as some academic authors believe? From a geostrategic perspective, the deterioration of hybrid forms of terrorist groups and organizations that flirt sometimes with organized crime and sometimes with terrorism, apparently suggesting that the world is losing its direction, clearly indicates the idea that the two phenomena are co-dependent. Although seemingly different in terms of political ideology underlying the creation, existence and effectiveness of terrorism, the political aspect remains a key element in both cases. Continuous shifts in the political sphere are namely ideal for the creation of chaotic conditions that can no longer*

*Albert Černigoj*

*be handled by the international community. Organized crime exploits such a situation to build up its own capabilities and profit, while terrorism, under the disguise of the quest for justice, attempts to impose its perception of justice in a concrete social environment, hand in hand with organized crime. The differences between the two of them seem to be diminishing, notably in the case of new-age terrorism, the face of which has been undergoing constant changes and where the division lines between "classical" crime and ideology-motivated terrorism are hard to define. The aim of the article is to encourage further reflections on the actual non/compatibility of organized crime and international terrorism.*

**K E Y W O R D S**

*Organized crime, terrorism.*

**UVOD**

Človeška minljivost in s tem povezana spremenljivost sta bistvena elementa, ki zaznamujeta naše življenje. To velja za vsa področja človeškega življenja, tako socialno, kulturno, gospodarsko, ekonomsko kot politično. Svet gre naprej in nujno povzroča premike, ki se na prvi pogled zdijo nekaj novega, naprednega, pri čemer človeštvo za vse manjše vložke uživa vse večje blagostanje.

Pa to res drži? Se napredek oziroma razvoj civilizacije res nujno kaže v izboljšanju razmer? Vsaj dva vidika to zanikata. Prvi je gotovo uničujoč učinek napredka, ki sproža vprašanje, ali uporaba naprednih tehnologij res vodi v boljše življenje, če je jasno videti, da bo veliko prispevala tudi k uničenju civilizacije. Drugi vidik, ki prvega dopolnjuje, pa kaže, da postaja okolje, v katerem živimo, človeku vse manj prijazno.

Zdi se, da naše življenje zaznamuje vedno več pojavov, ki prevzemajo nadzor nad našimi hotenji in življenji, med njimi je treba posebej omeniti *varnostno okolje*.

Če postaja svet vedno manjši in so prizadevanja po povezovanju vedno večja, lahko sklepamo, da se temu tudi varnostno okolje ne more upreti, saj je zaznamovano z *globalizacijo*. Učinek povezovanja se kaže v *globalnem*

*varnostnem okolju, nadnacionalnem kriminalu in multikorporacijskih modelih povezovanja organiziranega kriminala, pri čemer naš vsakdanjik še najbolj zaznamujeta novodobni terorizem in organizirani kriminal z neizprosnostjo in družbenim izkoriščanjem.*

Če sledimo razmišljanju, da naš vsakdanjik zaznamuje prežetost s terorizmom in organiziranim kriminalom, je ob tem primerno tudi vprašanje, ali gresta tudi organizirani kriminal in terorizem z roko v roki. Se res napajata drug ob drugem, res črpata zlo iz svojih korenin in temeljev, ki jima omogočajo nastanek, obstoj in nezadržno širjenje?

V nadaljevanju bom poskušal orisati nekatere stične točke obeh groženj varnostnemu okolju in izzive zanj, ki se kažejo v povezovanju, prepletenosti in črpanju zmogljivosti. Upoštevajoč bistvene razlike v naravi nastanka, obstoja in delovanja bom poskušal orisati nekatera predvidevanja o njuni združljivosti, nasprotjih in o tem, ali se prepletata zaradi vsebinske združljivosti ali gre le za izkoriščanje lastnih potencialov v zasledovanju ciljev, ki, kot kaže, bistveno krojijo našo usodo.

## GLOBALNO VARNOSTNO OKOLJE

Med značilnostmi, ki jih je prinesel začetek novega tisočletja, sta upadanje vojaških virov ogrožanja in močno povečanje pomena nevojaških varnostnih groženj, tveganj ter izzivov, povezanih z aktualnimi procesi globalizacije in internacionalizacije. Ker so pogosto povezani, soodvisni in učinkujejo nadnacionalno, zahtevajo tudi usklajeno obravnavo in celovito oceno (RSNV, 2005).

Gre torej za preusmeritev ciljne skupine, tako za črpanje sredstev kot za napad. Ob padcu železne zavese so se nekatere gospodarsko-politične velesile preusmerile v iskanje nekakšnega svetovnega ravnotežja, bodisi v umetno ustvarjena krizna žarišča bodisi v navidezno iskanje rešitev za ureditev varnostnih razmer v konkretnem regionalnem okolju, vse seveda opravičujoč s svojo oddaljenostjo, zaznamovano z vlogo varovanja temeljnih človekovih pravic in svoboščin ali, kar je še huje, pod pretvezo humanitarne dejavnosti. Vse to ponuja nove priložnosti za delovanje in krepitev terorizma<sup>2</sup> in organiziranega kriminala<sup>3</sup>.

<sup>2</sup> Terorizem svoje dejavnosti opravičuje z zavračanjem prisotnosti tuje politične volje v konkretnem okolju in z iskanjem nekakšne pravice.

<sup>3</sup> Organizirani kriminal, ponekod z roko v roki z vladajočimi strukturami ali tujimi silami, tako institucionaliziranimi kot tudi zasebnimi, išče nove možnosti za svoj razmah in zagotavljanje še večjih dobičkov.

Globalno okolje poleg omenjenega zaznamujejo še:

- *liberalizacija ekonomije in trgovanja*: nova politična razmerja omogočajo prizadevanja po še večji gospodarski rasti in dobičku velikih mednarodnih podjetij ter zasebnega kapitala, ki jim država s svojo naravnostjo omogoča učinkovitejše delovanje. To uspešno izkorišča organizirani kriminal, ki si vzporedno, prikrito, pogosto tudi v okviru legalnih struktur, v obliki nelegalnega delovanja<sup>4</sup> išče nove priložnosti na takšnih trgih. Pri tem so jim v pomoč različni dvo- ali večstranski trgovinski sporazumi, ki omogočajo prost pretok blaga<sup>5</sup> in spodbujajo trgovanje;
- *tehnološki napredek*: organizirani kriminal uspešno izkorišča tehnološke dosežke<sup>6</sup>, ki mu omogočajo nemoteno in prikrito komunikacijo oziroma povezovanje, zagotavljanje in razvoj dejavnosti ter njihovo zaščito pred organi pregona, je pa tudi neizmeren vir za kriminalno dejavnost<sup>7</sup>;
- *globalizacija poslovanja*: organizirani kriminal si išče nove pozicije v različnih velikih poslovnih centrih, v katerih prav organizacijska in sistemska nepreglednost omogočata ugodno okolje za prikrito delovanje in goljufige oziroma izkoriščanje poslovnega interesa mednarodnega poslovnega okolja;
- *širjenje pretoka blaga in oseb*: nova politična razmerja so povzročila tudi prost pretok blaga in oseb, ki omogoča nemoteno gibanje tudi organiziranemu kriminalu. V množici dogodkov in hitrosti, s katero poteka promet, je kljub ukrepom za zagotavljanje varnosti in preprečevanje zlorab skoraj nemogoče slediti dejavnostim organiziranega kriminala in teroristov<sup>8</sup>  
(<http://clinton4.nara.gov/WH/EOP/NSC/html/documents/pub45270/pub45270chap1.html>).

Vse naštetu je verjetno dobro izhodišče za iskanje skupnih točk, ki jih uspešno izkoriščata tako organizirani kriminal kot novodobni terorizem. Za stroko je pri tem ključnega pomena, ali lahko zaradi narave nastanka in ideologije ter razhajanj,

<sup>4</sup> Na videz legitimno trgovanje, pranje denarja, sumljive finančne transakcije, piratstvo in kraja patentov, računalniški kriminal, tihotapstvo, poslovne goljufige, zagotavljanje humanitarne dejavnosti.

<sup>5</sup> Vzводи za nadzor in učinkovitejšo dostavo, kot so standardiziran zabojniški promet, računalniško nadzorovano sledenje zabojnikov in blaga ter avtomatizacija preusmerjanja in pretovarjanja blaga so po vseh podatkih le še ena možnost več, ki koristi prikritosti, nesledljivosti in učinkovitosti organiziranega kriminala.

<sup>6</sup> Maja 1997 so kolumbijskemu kartelu zasegli komunikacijsko tehnično opremo v vrednosti 10 milijonov; drug primer je uporaba satelitske tehnologije za priprave Al Kaide. Ta je preko švicarskih operaterjev mobilne telefonije za svojo komunikacijo uporabljala predvsem satelitsko mobilno telefonijo.

<sup>7</sup> Računalniški kriminal, goljufige v elektronskem bančništvu, goljufige, pornografija ipd.

<sup>8</sup> Izrazita relacija se pojavlja zlasti na področju migracij, ilegalnega tihotapljenja oseb, zlorab osebnih listin na tretje ime, nemotenega fizičnega prenosa sporočil in finančnih sredstev, ki ne zapadejo pod jurisdikcijo kontrole.

ki se pojavljajo tako na eni kot na drugi strani, razberemo vez s konotacijo medsebojnega sodelovanja.

## ZDRUŽLJIVOST ORGANIZIRANEGA KRIMINALA IN TERORIZMA

Ob padcu berlinskega zidu in železne zavese je bilo jasno, da bo terorizem zaradi zagotavljanja svojega obstanka nujno moral slediti novima *polarizaciji* in politični ideologiji. Presenetljivo hitro je zaživel v svojih novih pojavnih oblikah in *orientaciji*, ki je bila pogosto spodbujana z državami podpornicami, ki so tako iskale možnosti za destabilizacijo razmer v konkretnem okolju. Ne zavedajoč se tega, so predvsem organi preprečevanja, preiskovanja in pregona takrat preusmerili pozornost v spremljanje dejavnosti organiziranega kriminala in nastanek nadnacionalne kriminalitete, ki je takrat za nekatere države, ki krojijo svetovno politiko, pomenila bistveno večjo nevarnost. Ta koncentracija sil je hitro prinesla nova dognanja, ki so potrjevala neslutene možnosti za povezovanje organiziranega kriminala in terorističnih dejavnosti (Borgo, 2005).

Govorimo lahko o nastanku novega *imperija*, v katerem prvi v prizadevanju po velikem dobičku in obvladovanju institucionaliziranih državnih struktur ponuja terorističnim opcijam za uresničitev njihovih ciljev svoje tako imenovane *feasibility, capability in facility*. Pri tem se pojavlja nekakšna dvotirnost.

Organizirani kriminal, ki s svojimi zmožnostmi teroristom omogoča napad, je plačan dvojno. Prvič za zagotavljanje teroristom potrebnih zmogljivosti, drugič pa z učinkom uspešnega terorističnega napada, ki zaradi posledic v konkretnem socialnem okolju omogoča dodatno krepitev struktur organiziranega kriminala<sup>9</sup>.

### Razlike kot stična točka

Organizirani kriminal in terorizem se bosta verjetno vedno ločevala po *motivaciji, izvedbeni taktiki in izbiri cilja*. Kljub temu ju ta navidezna različnost zelo povezuje.

To se kaže predvsem v:

- samostojnem financiranju terorizma, ki si zagotavlja sredstva podobno kot »klasični« organizirani kriminal oziroma v njegovem sklopu;
- pragmatičnem sodelovanju med teroristi in organiziranim kriminalom v skupnem iskanju koristi;

<sup>9</sup> To so učinki strahu, splošnega nezadovoljstva okolice, preusmeritev pozornosti varnostnih organov v druge ciljne skupine, pri čemer ima organizirani kriminal več maneverskega prostora in bolj proste roke, prav tako se mu ponujajo nove priložnosti s pojavom novih trgov, kot so na primer zasebna varnostna dejavnost in humanitarna dejavnost ob večjih kriznih dogodkih ipd.

– delovanju organiziranega kriminala v okviru terorizma, da bi v okolju opravičili svoje dejavnosti (Borgo, 2005).

Odsotnost politično motiviranega delovanja pri organiziranem kriminalu, strukturiranost, merljivost učinkovitosti in izbira ciljnih skupin so zadostni razlogi, da se zavedamo, da verjetno govorimo o dveh ločenih grožnjah, ki zahtevata individualno obravnavo (Thackrah, 2004).

To velja še posebej, če upoštevamo, da je varnostno okolje izčrpalo možnosti učinkovitega zatiranja zgolj z represivnimi ukrepi in da je nujno slediti novim prizadevanjem, pri čemer eno od možnosti nakazuje *preventiva*. V tem delu je mednarodno varnostno okolje veliko bolj preventivno naravnano kot pri zatiranju organiziranega kriminala, z izjemo protikorupcijske zakonodaje.

## ISKANJE DEFINICIJE KOT UNIFIKACIJA FENOMENOV

Kljub nenehnim poskusom mednarodne skupnosti, da bi dosegli konsenz pri oblikovanju skupne definicije terorizma, terorizmu ni videti konca. V nasprotju s terorizmom je za organizirani kriminal vrsta mednarodno prepoznanih definicij<sup>10</sup>, sicer z manjšimi razlikami, toda kljub temu kar precej skupnimi točkami (Borgo, 2005).

Vendar pri tem naletimo na ponovno razlikovanje. Če definicija organizirane združbe (glej komentar) med drugim predvideva strukturirano skupino treh ali več oseb, ustanovljeno za daljše delovanje, za eno ali več hujših kaznivih dejanj da bi si protipravno pridobile materialne koristi ..., hitro naletimo na razlikovanje v odnosu do terorizma.

Novodobni terorizem zaznamuje predvsem *organiziranost*. Danes lahko govorimo o popolnoma samostojnih skupinah, celicah, satelitih, lahko tudi posameznikih, ki so sposobni izbrati primeren cilj, pripraviti načrt in organizacijo, zagotoviti sredstva in uresničiti napad. Pri tem je pomembno, da je delovanje v interesu krovnih organizacij ali skupin oziroma držav podpornic terorizma.

Kljub številnim poskusom, kako definicijo terorizma umestiti v univerzalni okvir, ki bi bil koristen napotek pri oblikovanju enotnih mednarodnih pravnih okvirov, se to še ni zgodilo.

Tudi na področju organiziranega kriminala ni dosti boljše. Poskusi, da bi našli skupno definicijo, so različni. Od tistih, ki se strogo opredeljujejo in poskušajo

<sup>10</sup> United Nations Convention against Transnational Organized Crime, velja od septembra 2003.

podrobneje opredeliti elemente, ki naj bi jih imela organizirana kriminalna združba, do tistih, pri katerih avtorji poskušajo v definicijo umestiti prav vse, od vlomilskih tolpa in mafije do Al Kaide (Paoli in Fijnaut, 2004).

Glede na vključenost Slovenije v mednarodno integracijo Evropske unije, v kateri delujejo različne strukture za zagotavljanje varnosti članic, je bil v boju proti grožnji organiziranega kriminala poleg drugih strateških dokumentov leta 1997 sprejet Akcijski načrt. V njegovem uvodnem delu najdemo podlago za iskanje skupnih rešitev pri definiranju in opredeljevanju organiziranega kriminala, zavedajoč se, da gre za nezadržno naraščanje grožnje družbi, ki ni več v domeni posameznika, temveč vse bolj postaja organizirana in prežema strukture celotne družbe (Evropska unija, 1997). Vzporedno, a vendar ločeno, potekajo podobni poskusi znotraj Evropske unije tudi na protiterorističnem področju<sup>11</sup>.

## **SODELOVANJE ORGANIZIRANEGA KRIMINALA IN TERORIZMA**

Kot enega prvih očitnih poskusov ali zametkov sodelovanja organiziranega kriminala in terorizma sem izbral primer *Bank of Crook*, BCCI, katere ustanovitelj je šejk Kamal Adham, nekdanji direktor obveščevalne službe Savdske Arabije. BCCI je bila ustanovljena kot bančna ustanova v Luksemburgu<sup>12</sup> in je v razmeroma kratkem času za sumljive finančne transakcije, pranje denarja in financiranje oziroma podporo nekaterih obveščevalnih služb z bližnjevzhodnega območja razširila svoje delovanje povsod po svetu, od ZDA in Anglije do Kajmanskih otokov in naprej. Kot je bilo pozneje ugotovljeno, so takrat banko v državah, v katerih je imela svoje ekspoziture, ob podpori podkupljivih državnih uslužbencev ter ob zagotavljanju najvišje stopnje tajnosti, uporabljali kot pretvezo za največje prekupečevalce drog<sup>13</sup>, teroristične dejavnosti in podporo,

<sup>11</sup> Eden temeljnih ciljev EU je skladno z 29. členom Pogodbe o Evropski uniji (PEU) postopna ustanovitev območja svobode, varnosti in pravičnosti na ozemlju držav članic, in sicer z razvojem skupnega delovanja policijskih in sodnih organov članic EU na kazenskopravnem področju ter s preprečevanjem in zatiranjem razizma in ksenofobije. V drugem odstavku tega člena PEU poudarja, da bo ta cilj dosežen s preprečevanjem in zatiranjem organiziranega in drugega kriminala, zlasti terorizma in nekaterih drugih oblik. Doseganje teh ciljev bo potekalo prek tesnejšega sodelovanja med policijskimi, carinskimi, pravosodnimi in drugimi pristojnimi organi članic EU, v številni sodelovanje v okviru Europol (European Police Office) in Eurojusta (European Judicial Cooperation Unit), ter z usklajevanjem kazenskopравnih predpisov, kjer je to potrebno (Švarc, 2004).

<sup>12</sup> Luksemburg je znan po razmeroma ugodni zakonodaji in zagotavljanju bančne tajnosti.

<sup>13</sup> V poznejšem kazenskem pregonu leta 1992 so bile ugotovljene tudi povezave z iranskim Hezbolahom, prevozom orožja v Sirijo, Iran in Libijo ter s pranjem denarja za »warloarda« Khun Sa-ja, ki je takrat obvladoval Medelinov kartel v zlatem trikotniku.



na primer znanemu teroristu Abu Nidalu, za katerega je bilo ugotovljeno, da je prek omenjene banke opravljaj finančne transferje v višini 60 milijonov dolarjev (Abadinsky, 1994).

Primer verjetno ni prvi, lahko pa iz njega razberemo vse elemente, ki zaznamujejo stične točke med obema pojavoma; od sumljivih finančnih transakcij<sup>14</sup> za pranje denarja in financiranje terorizma ter drugih skrajnih dejavnosti, prek prikrivanja za zagotavljanje lažne identitete in možnosti prostega gibanja, trgovanja z orožjem ter dostopa do (ne)konvencionalnih vrst orožja, zlorabe elektronskega poslovanja pa vse do zagotavljanja logistične podpore za omogočanje legalnega bivanja v ciljnih državah. Najmočnejša člena pri tem sta podkupovanje in pranje denarja.

Lep primer je tudi članek *Future Developments of Political Terrorism in Europe*, v katerem Taylor in Horgan (2000: 37) ugotavljata značilnosti *prihodnjega terorizma* v Evropi: mednarodna raven, na kateri bodo teroristične zmogljivosti v svoje vrste prenesle značilnosti konvencionalnih sporov, terorizem, ki bo usmerjen v posebne ciljne skupine, in organizirani kriminal, ki bo prevzel nekatere teroristične tehnike, da bi dosegel še večji dobiček. Ne glede na časovni preskok in prizadevanja po spremembah delovanja organiziranega kriminala in teroristov lahko zelo podoben položaj zaznamo v času in prostoru, ki nas zaznamujeta danes.

## **FINANCIRANJE TERORIZMA**

Financiranje današnjih terorističnih dejavnosti je ob pomoči organiziranega kriminala veliko bolj izpopolnjeno kot pred nekaj leti ali desetletji, predvsem so dejavnosti bolj prilagojene okolju<sup>15</sup>, zaradi katerega se nenehno spreminjajo, sicer jih odkrijejo in preprečijo. V nadaljevanju so predstavljeni načini zagotavljanja sredstev terorističnim dejavnostim. Poglavlja so osredotočena predvsem na financiranje, ki je poglavitna stična točka, bralec pa lahko iz vsebine razbere, kako se zagotavljajo sredstva za napade oziroma že za podporo v pripravah in načrtovanju.

<sup>14</sup> Pricewaterhouse je leta 1996 objavila, da naj bi Ruska centralna banka v obdobju desetih letih prek sumljivih

## Vrste financiranja

*Pridobivanje sredstev s premoženjskimi delikti:* to so kazniva dejanja klasičnega kriminala, kot so organizirani vlomi, vlomne tatvine in ropi. Organizirani kriminal pripravlja, načrtuje in zagotavlja pomoč pri izvršitvi kaznivih dejanj. Takšen primer je nekdanji PKK oziroma KONGRA GEL, ki je za pridobivanje sredstev pošiljal posameznike ali skupine v države zahodne Evrope, kjer so ropali premožnejše posameznike ali bančne oziroma druge finančne ustanove. Že prej so jim organizirane strukture izbrale cilj in zbrale podatke za uspešno izpolnitev naloge, takoj po njej pa so se storilci umaknili nazaj v Turčijo.

*Izsiljevanja, ugrabitve in grožnje*<sup>16</sup>: za cilje izbirajo premožnejše posameznike, podjetja, organizacije, lahko tudi vlade. Ocenjuje se, da je danes približno sto terorističnih organizacij, ki imajo na voljo okoli 20 bilijonov dolarjev, pridobljenih samo s takimi dejavnostmi (Thackrah, 2004). Področje delovanja se glede na okolje delovanja in razpoložljive vire ter kriminalne pozicije smiselno širi tudi na obrobne ciljne skupine, kot so zasebna varnostna podjetja za varovanje denarnih pošiljk, taksisti, prevozna podjetja, turistična dejavnost, pobiranje tako imenovanih varščin v gostinski dejavnosti, nočnih klubih, igralnicah ipd.

*Nedovoljena proizvodnja, trgovina in promet z orožjem:* v tem delu govorimo o dvojni koristi. Na eni strani si z opravljanjem takšne prepovedane dejavnosti teroristi zagotovijo nemoten dostop do orožja kot sredstva storitve, po drugi pa del dobička od preprodaje namenijo logistični podpori oziroma v zameno za opravljeno dobavo ilegalnega orožja od prejemnika zahtevajo podporo svojim pripadnikom v okolju, iz katerega prihaja naročnik. Poleg Rusije lahko izpostavimo območje držav Moldavije, Čečenije, Ukrajine in balkanskih držav, ki izstopajo po količini dobavljenega ilegalnega orožja. K tem območjem bi lahko prišle tudi Romunijo in nekatere druge države. Za vse je značilno, da imajo na tem področju odločilno vlogo nekdanji uslužbenci obveščevalnih služb in osebe, ki so bile ključne pri spreminjanju režimov na začetku tranzicijskega obdobja v Evropi.

*Prepovedana proizvodnja mamil in promet z njimi*<sup>17</sup>: področje je treba razdeliti na dve temeljni, na prvem je prepoznana podpora države gospodarskim in političnim strukturam, drugo pa je področje obrobne kriminala, ki v lokalnem obsegu

<sup>16</sup> ELN Safehouse je objavil, da je samo kolumbijska gverila iz izsiljevanj, varščin in ugrabitev ilegalno pridobila 14,5 milijarde pesov.

<sup>17</sup> Leta 2001 je Afganistan pod nadzorom talibanov pridelal 70 odstotkov ilegalnega opija, od katerega so imeli korist majhni pridelovalci, predelovalci v Pakistanu, organizatorji preprodaje in seveda islamisti.

preprodaja mamila, da zagotovi sredstva za vsakdanje življenje in svoje dejavnosti. Predvideva se, da si s to dejavnostjo pridobijo dodatne pozicije, ki temeljijo na podatkih o vidnejših predstavnikih, ki so vpleteni v preprodajo ali njeno financiranje, ker so naročniki oziroma uživalci prepovedanih drog. Pomembnejšo vlogo ima prva oblika.

Danes so glavni dejavniki financiranja terorizma ob pomoči organiziranih kriminalnih združb regije, kot so severni Andi s Kolumbijo, centralna Azija z Afganistanom, za katerega domnevajo, da ima rezerv ilegalnega opija za naslednjih osem let, in jugovzhodna Azija z Burmo (Cuterr in drugi, 2003).

Več kot očiten primer je financiranje Al Kaide in talibanov, ki si ob podpori države in organiziranega kriminala večino finančnih sredstev zagotavljajo s proizvodnjo in preprodajo mamil. Drugi razlogi za to dejavnost, ki so po mojem mnenju veliko pomembnejši, so nepredstavljenih razsežnosti. V mislih imam ustvarjanje razmer v ciljnih sovražnih državah, pomembnih za vedno večjo porabo, s čimer je družba na dobri poti k svoji izroditvi.

*Preprodaja sredstev WMD in CBRN:* po padcu železne zavesе so se morale nekatere države, ki so se prej opirale na Sovjetsko zvezo, preusmeriti v druge vire za zagotavljanje postranskih sredstev, nujnih za nenasitne, podkupljive državne strukture. Področja, kot je trgovanje s sredstvi WMD in CBRN, redkimi kovinami, dragocenimi kamni ipd., so postala trendovska, pri čemer je treba upoštevati nekatere geografske in naravne značilnosti države (Cuterr in drugi, 2003).

Sredstva WMD in CBRN, pa tudi jedrski ali radiološki odpadki, so v rokah novodobnega terorizma resna grožnja, in sicer zaradi dveh vzrokov. Prvi je, da v državah tranzicije oziroma nekdanjega vzhodnega bloka, ki imajo na voljo veliko teh sredstev, zaradi neurejenih razmer vlada pravi kaos in ni ustreznega nadzora nad proizvodnjo, hrambo in dostopom do njih. Drugi vzrok pa so podkupljive državne strukture, prežete z organiziranim kriminalom, ki jih v iskanju dobičkov ne zanima, kdo je naročnik. Tu je treba omeniti tudi višje interese držav, ki imajo velike koristi s preprodajo teh sredstev teroristom ali organiziranim kriminalnim združbam.

Teroristi lahko z usmerjenim trgovanjem v državah, v katerih nameravajo uporabiti ta sredstva, neposredno vplivajo na varnostno okolje in tako spreminjajo temeljna področja človekovega življenja, bodisi socialno, gospodarsko ali politično.

*Humanitarna dejavnost:* v zadnjem obdobju, na primer med vojno v Bosni in Hercegovini ali na Kosovu, se kažejo nove razsežnosti, po katerih posegajo organizirane kriminalne združbe v iskanju dobička. Zaradi učinkovitejšega

nadzora se s povezavami v državah, ki jim je pomoč namenjena, v okviru legalno ustanovljenih podjetij organizirajo prave mreže, ki pomagajo v njihove državne strukture vriniti svoje pripadnike.

To je pogoj, ki mora biti izpolnjen, da je humanitarna organizacija, v okviru katere naj bi se program izvajal, sploh izbrana na natečaju. Organizirajo tudi podjetja, ki skrbijo za prevoz pomoči, in organizacijske enote za njeno končno razdeljevanje. Pomoč sicer pride v ciljne države, vendar njen del postane sredstvo malverzacije ali pa pomoč do končnega prejemnika sploh ne pride in postane predmet prekupčevanja ter trgovine na črno. Del sredstev se prenese na skrajne dejavnike, ki podpirajo teroristično dejavnost, večina denarja pa se pretaka na račune organiziranih kriminalnih združb, ki poskrbijo za izplačilo podkupljenim državnim uradnikom, ki to posredno omogočajo, predvsem pa v primeru razkritja poskrbijo, da vpletenih in tudi sredstev ni mogoče izslediti.

Poleg teh načinov pridobivanja sredstev, torej v sodelovanju z organiziranim kriminalom, je treba omeniti še različne poslovne goljufije, zlorabe elektronskega poslovanja, računalniški kriminal, tihotapstvo, ilegalne migracije ipd. Možnosti je zelo veliko, izpolnjeni morajo biti le pogoji, ki nastanejo kot korelacija med organiziranim kriminalom in terorizmom.

### **Prenos sredstev**

Iz navedenega je mogoče razbrati, da govorimo o zelo velikih sredstvih, ki so potrebna za postavitve celotnega sistema, pa tudi za poznejše vzdrževanje njegove *kriminalne kondicije*. Upoštevajoč njegovo poslovno naravnost oziroma lastnost, da organizirani kriminal pri svojem delovanju upošteva vse ekonomsko-komercialne zakonitosti, tudi njih vodi načelo stroška in koristi. Pri terorizmu o tem ne moremo govoriti, saj so merila za merljivost učinka povsem drugačna. Kljub temu v obeh primerih govorimo o velikih razsežnostih, ki prav zaradi prepletenosti oziroma podpore nekaterih državnih struktur ali podkupljenih državnih uradnikov ne bodo nikoli razkrite.

Težnja po prenosu sredstev, pri katerem pomoč organiziranega kriminala razen v primeru ali dveh ni potrebna, se kaže kot:

- fizični prenos denarja in prenos prek zaupnikov;
- prenos in dobava verske literature oziroma tiskovin ali elektronskih medijev;
- prenos sredstev v obliki tihotapljenih drog;
- Hawala;
- del humanitarne pomoči;

- preplačilo ali plačilo pod vrednostjo blaga, ki je predmet trgovanja;
- fiktivna plačila blaga;
- elektronsko bančništvo;
- prenos prek bančnih ali finančnih ustanov sumljivega slovesa;
- navidezno legalne poslovne transakcije;
- pranje denarja.

Vloga struktur organiziranega kriminala je za konkretno ceno ponuditi svoje storitve teroristom oziroma skrajnejšem, ki jih predstavljajo ustvarjene kriminalne pozicije, obenem pa ustvariti nove razmere za krepitev svojega delovanja.

Seveda se je ob tem treba zavedati, da so posamezne teroristične opcije organizirane v samoizvedbenem smislu, pri čemer pa ponovno, če upoštevamo nove težnje, ne moremo mimo dejstva, da je v takih primerih težko razmejiti, do kod je dejavnost teroristične skupine ideološko naravnana in od kod naprej je zgolj kriminalno dejanje.

## **SKLEP**

Če velja, da sta za terorizem bistveni dve ključni strategiji, in sicer politična in gospodarska, je prav slednja tista, ki organizirani kriminal in terorizem povezuje. Toda ali sta razmejitelj in individualna obravnava, kot to trdijo nekateri avtorji na akademski ravni, zares nujni? Deteriorizacija, gledano v geostrateškem pomenu, hibridne oblike terorističnih skupin in organizacij, ki se kot nekakšne dvoživke spogledujejo zdaj z organiziranim kriminalom zdaj s terorizmom, ob občutku, da svet v iskanju prave poti izgublja kompas, nas več kot očitno navajajo k razmišljanju, da se oba obravnavana fenomena napajata drug ob drugem.

Čeprav oba delita atributa, bistvena za njun nastanek, to sta obstoj in učinkovitost, je to politična ideologija, ki jo najdemo pri terorizmu. V obeh primerih je politični vidik torej bistvenega pomena. Nenehni premiki na političnem področju so namreč idealni za nastanek kaotičnih razmer, ki jim mednarodna skupnost ne more več slediti. Organizirani kriminal te razmere izkorišča za krepitev svojih zmogljivosti in dobička oziroma koristi, terorizem pa pod krinko iskanja pravice skupaj z organiziranim kriminalom poskuša doseči svoje videnje pravičnosti v konkretnem socialnem okolju. In zdi se, da so razlike med enim in drugim vedno manjše, še posebej v primeru novodobnega terorizma, ki nenehno spreminja svoj obraz in pri katerem je resnično težko postaviti ločnico med klasičnim kriminalom in ideološko motiviranim terorizmom.

Da govorimo o združljivosti obeh, se očitno kaže tudi v pripravi in oblikovanju mednarodnopravnih virov ter konsenzu pri njihovem sprejemanju. Na področju degradacije gospodarskega učinka je dober primer resolucija OZN št. 1373, iz katere je lepo razvidna korelacija med terorizmom, transnacionalnim kriminalom in nekaterimi področji kriminala, ki smo jim pozornost namenili v osrednjem delu prispevka.

Namesto da bi izgubljali čas z iskanjem definicij enega in drugega, poskušajmo torej najti vezne člene med enim in drugim ter iščimo ustrezne vzvode na tehnični ravni, s katerimi bi obe grožnji zatrli. Poskušajmo oblikovati konsenz na mednarodni ravni, ki bo preprečeval nastanek razmer za obstoj in delovanje terorizma ter organiziranega kriminala.

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# NUJNOST MEDRESORSKEGA SODELOVANJA IN KOORDINIRANJA V BOJU PROTI TERORIZMU: NEKATERI PRIMERI IZ REPUBLIKE SLOVENIJE

## ROLE OF INTER-AGENCY COOPERATION IN COUNTER- TERRORISM: SOME CASES FROM SLOVENIA

### **P O V Z E T E K**

*Sodobni terorizem uvrščamo tudi med tako imenovane kompleksne ogrožajoče pojave zaradi številnih vzrokov, metod in posledic. V zvezi s tem se odpira vprašanje, kakšen je najprimernejši odziv sodobne države in v tem smislu tudi Republike Slovenije na tovrstno ogrožanje. Odzivanje mora biti primerno kompleksno zasnovano, kar se nanaša predvsem na multiresorsko odzivanje in horizontalno medresorsko sodelovanje. V nasprotnem primeru bi se parcialno soočali s kompleksnim fenomenom. V članku je predstavljena in utemeljena nujnost medresorskega sodelovanja, izpostavljena so ključna področja protiterorističnega medresorskega sodelovanja in*

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*navedeni primeri najbolj relevantnih vladnih delovnih oziroma koordinacijskih teles v Republiki Sloveniji, kot so SNAV, SSNAV, Medresorska delovna skupina za nadnacionalne grožnje, Delovna skupina za področje preprečevanja ogrožanja ali napadov s sredstvi ali orožji za množično uničevanje in Medresorska koordinacijska skupina za usklajevanje priprav za zaščito kritične infrastrukture.*

**K L J U Č N E B E S E D E**

*Terorizem, protiteroristično delovanje, medresorsko sodelovanje, Slovenija.*

**A B S T R A C T**

*Modern terrorism is also referred to as a complex threat phenomenon due to various reasons, methods and consequences. All of this is a matter of concern to modern states, including the Republic of Slovenia, who are trying to respond to this type of threat in the most efficient manner. The response should be designed comprehensively and should include in particular interministerial response and horizontal interministerial cooperation in order to avoid partial solutions to this complex issue. The article presents and justifies the importance of interministerial relations, with a particular emphasis on key areas of counter-terrorist interministerial cooperation. The author provides a list of the most relevant governmental and coordination bodies of the Republic of Slovenia, such as SNAV (National Security Committee), SSNAV (Secretariat of the National Security Committee), Interministerial Working Group on Transnational Threats, Working Group on Suppression of Threats or Attacks with Devices and Weapons of Mass Destruction, and the Interministerial Coordination Group on Key Infrastructure Protection.*

**KEY WORDS**

*Terrorism, counter-terrorism, interministerial cooperation, Slovenia.*

**UVOD**

Teoretična in empirična relevantnost proučevanja medresorskega sodelovanja in koordiniranja v boju proti terorizmu izhaja iz pomena in narave terorizma. Terorizem je v sodobnem svetu ena izmed ključnih groženj nacionalni in mednarodni varnosti. Vzrok je predvsem v tipičnih neposrednih posledicah, kot so človeške žrtve, trpljenje in strah, spodkopavanje načel pravne države (in v tem smislu pravne države) ter drugih temeljnih načel, na katerih gradijo sodobne demokracije, ogrožanje družbene kohezivnosti in politične stabilnosti, materialna škoda itn. Seveda ima terorizem tudi številne posredne vplive, med katerimi je v zadnjem času še najbolj problematično povečevanje poseganja varnostnih organov, ki se poskušajo čim bolj učinkovito in fleksibilno odzivati, v človekove pravice. Sodobni terorizem uvrščamo tudi med tako imenovane kompleksne ogrožajoče pojave zaradi številnih vzrokov, metod in posledic. Poleg tega so tudi motivi za terorizem številni. Zaradi vsega navedenega je kompleksnost terorističnega

najti primerne odgovore, saj terorizem s svojimi značilnostmi presega zmožnosti in zakonske pristojnosti vsakega aktiviranega nacionalnega akterja. Konkretna cilja tega članka glede omenjenih problemskih sklopov sta:

- a) opredelitev integralnega odzivanja sodobne države na terorizem, pri čemer bo še posebej izpostavljen pomen medresorskega sodelovanja;
- b) prikaz nekaterih praktičnih primerov medresorskega protiterorističnega sodelovanja in koordiniranja v RS.

## KOMPLEKSNO ODZIVANJE SODOBNE DRŽAVE NA TERORIZEM

**Kompleksna družbena problematika (v našem primeru terorizem) nima preprostih rešitev, zato zahteva ustrezne kompleksne rešitve na konceptualni in praktični ravni.** Z večanjem kompleksnosti ogrožanja bi morala naraščati tudi kompleksnost odzivanja. To na terorističnem področju pomeni, da morajo delovati naslednji organi:

- policija (predvsem za odkrivanje in pregon),
- civilne obveščevalne službe (predvsem za odkrivanje in spremljanje teroristične grožnje v povezavi s tujino),
- vojaške obveščevalne službe (predvsem za spremljanje teroristične ogroženosti v povezavi z aktualnimi vojaškopoličnimi kriznimi žarišči),
- finančne obveščevalne enote ali organi za preprečevanje pranja denarja (predvsem za odkrivanje sumljivih finančnih transakcij za teroristične dejavnosti),
- civilna zaščita za odpravljanje posledic terorističnih napadov (posledice za ljudi, živali in materialne dobrine),
- oborožene sile (pomoč pri izvidovanju, zaščiti objektov, zaščiti in reševanju itn.),<sup>2</sup>
- ministrstva za zdravje s svojimi oskrbovalnimi kapacitetami,
- laboratoriji (identifikacija bioloških ali kemičnih agensov ipd.),
- diplomacija (komunikacija s svetom, kar se predvsem nanaša na druge države in mednarodne organizacije),
- carinske službe (nadzor pretoka materialnih dobrin čez meje) itn.

<sup>2</sup> Koristnost oboroženih sil pri zaščiti in reševanju se lahko še posebej izkaže na področju jedrskega, kemičnega, biološkega ali radiološkega terorizma, kjer bi bilo treba dopolnjevati sedanje kapacitete odgovornih civilnih organov (več o tem glej Prezelj, 2005b).

Terorizem torej zahteva multidisciplinarno, multidimenzionalno oziroma multiorganizacijsko odzivanje. Na področju kriznega menedžmenta in protiterorizma se vedno bolj uveljavlja tako imenovani integralni model odzivanja, ki temelji na integraciji sektorsko diferenciranih organov. To z drugimi besedami pomeni intenziviranje medresorskega sodelovanja.

## **MEDRESORSKO SODELOVANJE IN KOORDINIRANJE V BOJU PROTI TERORIZMU**

**Nasprotovanje terorizmu pa poleg »multi« pristopov zahteva tudi »inter« pristop, kar z drugimi besedami pomeni meddisciplinarni, meddimenzionalni oziroma medorganizacijski pristop.** Medresorsko sodelovanje, ki je oblika medorganizacijskega sodelovanja, državni organi v svoji praksi vse prevečkrat zanemarjajo (glej Prezelj, 2005). Medresorsko sodelovanje lahko opredelimo kot **skupno aktivnost dveh ali več hierarhičnih organizacijskih struktur (ministrstev) za doseganje skupnih in komplementarnih ciljev.** Velikokrat se v literaturi uporablja izraz medagencijsko sodelovanje, ki ga razumemo kot prizadevanje državnih uradnikov v vsaj dveh agencijah, da koordinirajo aktivnosti oziroma delijo vire v smeri doseganja nečesa, česar posamezna agencija ne more doseči. Medresorsko ali medministrsko sodelovanje se torej nanaša na sodelovanje med ministrstvi na vseh ravneh z zgoraj omenjenimi cilji.

V povezavi z medresorskim sodelovanjem na področju protiterorizma se pogosto omenjajo procesi koordiniranja oziroma koordinacija. Koordinacija na splošno pomeni (1) smotno, harmonično uskladitev (pojmov, dejavnosti, funkcij) oziroma (2) enakost, izravnavo v stopnji ali položaju (Verbinc, 1971: 379). To dejavnost izvaja oseba ali telo, ki se imenuje koordinator ali koordinacijsko telo. Protiteroristična koordinacija je torej oblika medorganizacijskega sodelovanja oziroma sodelovanja med elementi v sistemu nacionalne varnosti na vseh ravneh in stopnjah protiterorističnega delovanja.

Medresorsko sodelovanje in koordiniranje na splošno prispevata k:

- učinkovitosti in fleksibilnosti protiterorističnega delovanja v celoti in s stališča posameznega protiterorističnega mehanizma;
- celovitosti protiterorističnega delovanja;
- racionalizaciji protiterorističnega nacionalnega delovanja in v tem smislu preprečevanju podvajanja (podvajanja dejavnosti, razvojnih programov,

izobraževalnih programov, programov nabave, denarnih sredstev ipd.);

- institucionalizaciji že tako prepogoste improvizacije v horizontalni smeri (med resorji).

Sistemsko medresorsko sodelovanje in koordiniranje prispevata tudi k vzajemnemu poznavanju ključnih nacionalnih akterjev (posameznikov in institucij), pretoku informacij in znanja, reševanju skupne problematike, kar terorizem nedvomno je, ipd. Medoresorsko sodelovanje je mehanizem za doseganje višjih (nadresorskih) ciljev, ki so brez vzajemne koordinacije individualno nedosegljivi.

V protiterorističnem delovanju lahko ločimo več oblik koordinacije.

- glede na hierarhično raven razlikujemo med protiteroristično koordinacijo na politični (politična koordinacija) in operativni ravni (operativna koordinacija);
- razlikujemo tudi vertikalno in horizontalno koordinacijo. Prva je velikokrat razumljena kot prisilna oziroma obvezujoča, ki prihaja od zgoraj navzdol, druga pa kot prostovoljna, kar pa ni vedno nujno. V teoriji je včasih poudarjen (glej npr. Hage, 1975; Thomas, 1997) pomen prostovoljne koordinacije, saj se poskusi koordiniranja od zgoraj navzdol večkrat izkažejo kot neučinkoviti brez kakšnih drugačnih spodbud. Logika medresorskega sodelovanja je namreč povsem drugačna od logike hierarhičnega vodenja in nadziranja;
- poznamo tudi formalno in neformalno protiteroristično koordinacijo. Prva po navadi poteka v okviru vnaprej določenih koordinacijskih teles, ki so sestavljena iz predstavnikov različnih resorjev, medtem ko druga poteka v ad hoc neformalnih forumih;
- poleg tega razlikujemo negativno in pozitivno protiteroristično koordinacijo. Negativna pomeni predvsem izogibanje podvajanju dejavnosti, medtem ko gre pri pozitivni koordinaciji za bistveno višjo stopnjo integracije, ki odraža skupno koncipiranje reševanja kriznih in varnostnih vprašanj;
- razlikujemo lahko še med »top-down« in »bottom-up« horizontalno koordinacijo. Prva poudarja koordiniranje politik oziroma politično koordiniranje na ravni ministrov in višjih državnih uradnikov (politična koordinacija), druga pa koordiniranje na administrativni ravni, torej na ravni nižjih državnih uradnikov (administrativna koordinacija).
- opazimo tudi tako imenovano ožjo in širšo protiteroristično koordinacijo. Iz poimenovanja izhaja, da druga oblika koordiniranja vključuje večje število akterjev kot prva, kar se nazadnje kaže tudi v vključenosti številnih nevladnih organizacij (npr. raziskovalne, gospodarske idr.). Medresorski pristop na tej točki prerašča v širši medorganizacijski pristop;

- razlikujemo tudi koordinacijo po načrtu (standardizirana koordinacija) ali improvizirano koordinacijo. Prva je pogosto formalna, druga ne;
- poleg tega je lahko protiteroristična koordinacija tudi sekvenčna. Pri tej je najprej aktivna ena organizacija in šele nato druga, pri čemer so aktivnosti druge usklajene z aktivnostmi prve. Po drugi strani pa je mogoče izvajati tudi recipročno koordinacijo, pri čemer gre za simultano dejavnost več organizacij oziroma resorjev pri reševanju skupnega nerešenega vprašanja na področju terorizma.

Z medoresorskim in koordiniranim združevanjem protiterorističnih akterjev in mehanizmov lahko torej skladno s primerjalnimi prednostmi med posameznimi akterji prispevamo v mozaik **celovitega in integriranega protiterorističnega delovanja** na nacionalni ravni. Purgova (1997) teza, da je učinkovitost boja proti terorizmu tesno povezana s stopnjo njene organiziranosti, v bistvu velja na nacionalni ravni tako za organiziranost posameznih sektorjev oziroma resorjev kot tudi za organiziranost medresorskega sodelovanja.

## **NEKATERA NAJPOMEMBNEJŠA PODROČJA PROTITERORISTIČNEGA MEDRESORSKEGA SODELOVANJA IN KOORDINIRANJA**

Medresorsko sodelovanje in koordiniranje sta nujni na vseh stopnjah protiterorističnega delovanja: pred napadi in po njih. Področij, na katerih (lahko) potekata, je zelo veliko. V nadaljevanju so navedena in opisana le nekatera.

**Na stopnji ocenjevanja terorističnega ogrožanja** je nujno uskladiti strukturo ocenjevalnega procesa z značilnostmi ogrožanja. Nenehno je treba pridobivati vse podatke, povezane z ogrožanjem (akterji, motivi in cilji, zmogljivosti, vzroki, obseg ipd.), nato oceniti položaj in v nadaljevanju na grožnjo opozoriti odgovorne ter morda splošno javnost. Struktura procesa ocenjevanja terorističnega ogrožanja nacionalne varnosti mora torej zagotavljati in omogočati:

- zadostno stalnost ocenjevanja, s katero se lahko fleksibilno ocenjuje spremenljivost;
- spremljanje mednarodnih podatkov o terorističnih grožnjah;
- celovitost in multidisciplinarnost ocenjevalnega pristopa;
- interdisciplinarnost ocenjevalnega pristopa.

Teroristično ogroženost lahko ocenjujejo vse zgoraj navedene institucije. Za kompetentno obravnavanje ogroženosti je nujna vsebinska vključenost državnih in tudi nedržavnih organizacij. Proces celovitega ocenjevanja ogrožanja

nacionalne varnosti mora biti brezpogojno večdimenzionalno zasnovan, torej multiorganizacijski. Tako preprečimo nagnjenost k poenostavljenemu razlaganju kompleksnih pojavov, kar lahko vodi v nedopustne napake. Specializacija pri ocenjevanju terorističnega ogrožanja nacionalne varnosti vodi k sektorskim ocenam prepletenih pojavov, kar pomeni, da jih je treba na neki točki integrirati. Celovito ocenjevanje ogrožanja nacionalne varnosti mora temeljiti na specializaciji in ponovni funkcionalni integraciji specializiranih ocen ogrožanja. Pripraviti je torej treba celovito nacionalno oceno ogrožanja varnosti zaradi terorizma.

Na podlagi zavedanja zgoraj navedenih dejstev je v Sloveniji prišlo do oblikovanja interdisciplinarne raziskovalne skupine, ki je raziskala problematiko ocenjevanja ogrožanja nacionalne varnosti (CRP z naslovom Model ocenjevanja ogrožanja nacionalne varnosti). V skupini so delovali znanstveniki, ki so proučevali kriminalitetno, teroristično, informacijsko, zdravstveno, ekonomsko, vojaško, migracijsko in okoljsko ogrožanje nacionalne varnosti. Med cilji projektne skupine je bilo tudi oblikovanje modela celovitega periodičnega in sprotnega ocenjevanja ogrožanja nacionalne varnosti v RS, pri čemer je imela teroristična dimenzija pomembno vlogo. V sodelovanju s številnimi državnimi organi je bil oblikovan nabor kvalitativnih in kvantitativnih indikatorjev teroristične ogroženosti nacionalne varnosti RS. Projekt je med drugim pokazal, da različni organi lahko prihajajo do podobnih (v nekaterih primerih lahko celo enakih) varnostnih podatkov o teroristični ogroženosti, ki jih moramo na koncu nujno soočiti in združiti. Le tako je mogoče sploh kompetentno oceniti teroristično ogroženost. Projektna skupina je oblikovala računalniško aplikacijo za vnos, integracijo, analiziranje in prikazovanje indikatorjev teroristične ogroženosti nacionalne varnosti RS – INTEGRO.

**Na stopnji protiterorističnega načrtovanja** je treba oblikovati zmogljivosti za protiteroristično delovanje. Zmogljivosti so zelo široka kategorija, saj vključujejo konceptualne, materialne, kadrovske, komunikacijske, tehnične, sistemske, finančne in druge zmogljivosti oziroma rešitve. Večinoma se vse navedeno izraža v protiterorističnih dokumentih (načrtih ipd.) na različnih ravneh, sektorjih ali na nacionalni oziroma integralni ravni. Na tej točki je zelo pomembno razumeti, da načrtovanje ne obsega samo izdelave dokumenta, temveč medorganizacijsko izmenjavo informacij, oblikovanje medorganizacijskih formalnih in neformalnih vezi, preverjanje koncepta načrta na vajah in simulacijah ter nenehno dopolnjevanje načrta. Poleg tega lahko protiteroristično načrtovanje vsebuje tudi oblikovanje scenarijev terorističnih napadov na posameznih področjih, oblikovanje postopkov kriznega komuniciranja z različnimi javnostmi ipd. S tem je tudi povezano spreminjanje zakonskih okvirov v različnih sektorjih, v marsikateri



državi pa je prišlo do oblikovanja integralnega protiterorističnega zakona. Na nacionalni ravni protiterorističnega načrtovanja se zahteva aktivno sodelovanje med različnimi ustreznimi akterji. V tem smislu govorimo o **mrežnem protiterorističnem načrtovanju**, v literaturi pa je mogoče zaslediti tudi izraze, kot so integrirano načrtovanje (Quarantelli, 1996: 187; Payne, 1999) ali skupno večagencijsko načrtovanje (Payne, 1999), združeno načrtovanje (Hillyard, 2000: 13) in celovito načrtovanje (Gillespie in Mileti, 1979: 1).

Proces intenzivnega multi- in medresorskega protiterorističnega načrtovanja je pomemben tudi zato, ker prispeva h graditvi zaupanja in partnerstva v institucionalni mreži protiterorističnega delovanja, hkrati pa omogoča identifikacijo podvajanja dela, načrtov, vlaganj sredstev in ključne medorganizacijske težave razkrije že pred krizo, ki bi nastala zaradi terorističnega napada. Vzpostavljanje potrebnih mrež med ustreznimi akterji je dolgotrajno in zahteva neprestano obnavljanje, da bi zagotovili njihovo učinkovitost.

Protiteroristične načrte kriznega odzivanja je treba preverjati in prilagajati spremembam v okolju, pri čemer lahko pomagajo stroge, večkratne (periodične), nerutinske in realistične vaje, ki specializiranim institucijam (civilna zaščita, vojska, policija, obveščevalne službe, zdravstvene službe itn.) omogočajo ponotranjenje teh načrtov. Krizna pripravljenost ne sme biti zgolj sektorizirana po posameznih organizacijah, temveč mora biti dejavnost organizacij iz celotne skupnosti (glej npr. Sundelius, Stern in T'Hart, 1986: 245). Simulacije in vaje potekajo po kriznih scenarijih, ki so lahko manj ali bolj kompleksni. Ločimo scenarije za krize tipa A, ki vključujejo dogodke iz pristojnosti enega ministrstva, krize tipa B, ki vključujejo dogodke iz pristojnosti več ministrstev, in tipa C, ki zahtevajo kabinetno usklajevanje (Heinzen, 1996: 50).<sup>3</sup> Podobno Payne (1999) ločuje med individualnimi in kombiniranimi oziroma večagencijskimi (kompleksnimi) vajami, ki vključujejo več akterjev, Lute (1998: 14) in Moore (1998/1999) pa omenjata večagencijske vaje oziroma urjenja, ki so predvsem namenjena preverjanju povezav med organi na različnih ravneh, preverjanju

<sup>3</sup> Vsi omenjeni tipi scenarijev so učinkoviti, če vključujejo, kot meni T'Hart (1996: 136), najbolj verjetni najslabši primer, najmanj verjetni najslabši primer, najbolj verjetni najboljši primer in najmanj verjetni najboljši primer. Pri tem se izpostavlja dilema realističnosti scenarija. Ta mora biti namreč dovolj realističen, da ga sodelujoči praktiki sprejmejo, po drugi strani pa so prave krize nepojmljivi in nepričakovani dogodki, kar pomeni, da morajo biti scenariji tudi nadrealistični. Teoretiki o tem ne soglašajo. Morda je še najprimernejša Turnerjeva ugotovitev (1995: 36), da realističnost scenarija ni nujna v vseh vidikih. Solstrand (1995: 63) pa ugotavlja, da praksa na Norveškem kaže na največjo analitično vrednost prav scenarijev, ki so bili med preigravanjem neverjetni. Tudi Walker (1995: 76) meni, da je za krizno načrtovanje koristno, če scenarij vključuje ne samo verjetne dogodke, temveč tudi zgolj možne dogodke. Dogodki 11. septembra potrjujejo omenjene razmisleke.

celovitega kriznega odzivanja v praksi, odpravljanju težav, ki se nanašajo na prepletanje pristojnosti, identificiranju pomanjkljivosti, povezanih z metodami in opremo, ter pomoči pri vzajemnem razumevanju vlog, promoviranju harmonije in vzpostavljanju kohezije pri skupnem delu.

Sodobna računalniška tehnologija omogoča na področju protiterorističnega načrtovanja in usposabljanja izvajanje simulacij terorističnih dogodkov, kar je bistveno ceneje kot preverjanje načrtov v resničnem okolju. Simulacije terorističnih dogodkov se nanašajo na ustvarjanje umetne krizne realnosti z namenom, da bi preverili delovanje načrtov, organizacij in ljudi (glej Turner, 1995: 32; T'Hart, 1996: 134).

**Na stopnji neposrednega kriznega odločanja in vodenja kriznega odzivanja** na teroristični napad je predvsem treba sprejemati kvalitetne odločitve v realnem času in pridobiti ter ohraniti nadzor nad kriznim položajem, kar je pogosto povezano z medorganizacijskim sodelovanjem na različnih ravneh. V ta namen obstajajo razni krizni centri oziroma telesa, v katerih so predstavniki ustreznih organov (na primer sveti za nacionalno varnost, vladni koordinacijski odbori ipd.). Koordinacija poteka na politični, operativni in terenski ravni (Taw, 1997: 7) oziroma strateški, operativni in taktični ravni (Hillyard, 2000: 239). Pri vsem tem je treba **vertikalno in horizontalno uskladiti** neposredne krizne aktivnosti izvajalcev na terenu in njihovih strateških vrhov, ki sprejemajo ključne odločitve. Odločanje v **mreži kriznega upravljanja** je lahko **centralizirano, decentralizirano ali hibridno**. Pri decentraliziranem odločanju so organizacije (ministrstva, sektorji) avtonomne pri odločanju glede svojega sodelovanja v mreži. Centralizacija pomeni, da o tem odloča **mrežna koordinacijska entiteta** (sistem, vodja, osebje, center), medtem ko hibridni način odločanja predstavlja vmesno kategorijo, v kateri organizacijski člani predstavljajo usklajevalno entiteto, ki sprejema odločitve (Hillyard, 2000: 91). Verjetno je s stališča fleksibilnosti kriznega odzivanja morda najprimernejši hibridni način odločanja, ker glede na potrebe kriznega upravljanja lahko privzema pozitivne lastnosti centraliziranega ali decentraliziranega odločanja. Seveda pa je za reševanje manj zapletenih kriz primernejše decentralizirano odločanje, medtem ko je pri kompleksnejših krizah treba oblikovati takšno ali drugačno obliko centralizacije decentraliziranih odločevalskih organov.

Na tej stopnji je izjemno pomembno, katera institucija ima koordinatorsko vlogo in kaj to natančno pomeni. To pa naj bi bilo jasno že na stopnji protiterorističnega kriznega načrtovanja.

**NEKATERI PRAKTIČNI PRIMERI PROTITERORISTIČNEGA  
SODELOVANJA IN KOORDINIRANJA V REPUBLIKI SLOVENIJI**

V nadaljevanju je naveden izbor nekaterih primerov medresorskega sodelovanja in koordiniranja na področju protiterorizma. Poudarek je na slovenskih primerih, ki pa so predstavljeni v kombinaciji z nekaterimi tujimi. Cilj tega poglavja ni poglobljena analiza praktičnih primerov, temveč zgolj informativna predstavitev. V RS je **Strategija nacionalne varnosti** ključni dokument, na katerem temelji koordinacija tudi na protiterorističnem področju. **Vlada** je ključni nadresorski organ, odgovoren za protiteroristično delovanje. Odgovorna je tudi za koordinacijo, kar večinoma poteka prek **SNAV, SSNAV** in vladnih medresorskih delovnih teles. Junija 2004 je vlada uvedla mesto nacionalnega protiterorističnega koordinatorja, ki ima hkrati zelo pomembno vlogo v SNAV, poleg tega pa vodi SSNAV. V okviru SNAV je bila ustanovljena **Medresorska delovna skupina za nadnacionalne grožnje**, ki se ukvarja predvsem s terorističnim ogrožanjem nacionalne varnosti. Glavni nalogi skupine sta izmenjava operativnih informacij o aktivnostih na področju protiterorizma in koordinacija operativnih aktivnosti. V RS je več posameznih sektorskih ocen terorističnega ogrožanja, ki se prek omenjene medresorske skupine združujejo v integralno oceno. Ta ocena se dopolnjuje periodično.

Vlada je oktobra 2003 ustanovila **Delovno skupino za področje preprečevanja ogrožanja ali napadov s sredstvi ali orožji za množično uničevanje**, katere splošni nalogi sta bili vzpostaviti nacionalni sistem ukrepov in postopkov za primere ogrožanja z orožjem ali sredstvi za množično uničevanje ter nadzor nad realizacijo posameznih načrtovanih programov postavljenih strateških ciljev. Delovna skupina je bila sestavljena medresorsko oziroma medorganizacijsko. To pomeni, da so v njej delovali predstavniki URSZR, Slovenske vojske, CO, MZZ, MNZ, Policije, Specialne enote Policije, MZ, MOPE in znanosti (Fakulteta za družbene vede). Vodja in namestnik sta bila predstavnik Policije in MO RS.

Med najpomembnejšimi dosežki te skupine je bil **pregled protiterorističnih akterjev** v RS, njihovih nalog, umeščenosti v sistem ipd. Poleg tega je skupina uskladila **Državni načrt zaščite in reševanja ob uporabi orožij ali sredstev za množično uničevanje v teroristične namene oziroma terorističnem napadu s klasičnimi sredstvi (2004)**. Načrt upošteva pričakovane posledice napadov z orožjem za množično uničevanje ter s klasičnimi terorističnimi sredstvi.

Pomembno je tudi, da načrt predvideva načelo odgovornosti, povezano z glavnimi podsistemi nacionalnovarnostnega sistema RS, kar pomeni, da vsi opravljajo

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naloge iz svoje pristojnosti tudi po terorističnem napadu. Sestavni del načrta je tudi Koncept zaščite in reševanja ob uporabi orožja ali sredstev za množično uničevanje v teroristične namene, ki je bil razvit v okviru šestega cilja delovne skupine. Cilj koncepta je zagotoviti hitro, načrtno in učinkovito ukrepanje ustreznih sil ob terorističnem napadu z orožjem za množično uničevanje. Koncept tako določa:

- začetno ukrepanje,
- aktiviranje,
- obveščanje,
- vodenje aktivnosti,
- odziv na napad,
- zaščito, reševanje in pomoč.

Še posebej pomembno je, da koncept ob odzivu na napad določa institucije, ki se odzovejo v 30 minutah, v 6 urah in 24 urah.

V okviru tretjega cilja (zagotavljanje sistematičnega pristopa k preventivnemu delu) je bil pripravljen in sprejet osnutek **Programa preventivnega delovanja**, ki med drugim ugotavlja veliko razpršenost preventivnih programov med državnimi organi ter predlaga njihovo večjo transparentnost v odnosu do delovne skupine. Oblikovan je tudi pregled ustreznih institucij in njihovih vlog ter nalog v preventivni dejavnosti.

Znotraj četrtega cilja (zagotovitev strokovnega usposabljanja kadrov) so bili oblikovani **programi osnovnega, specialističnega (za intervencije in za odločanje ter vodenje intervencij) in osvežitvenega usposabljanja** predstavnikov vlade RS in številnih ministrstev ter nedržavnih institucij. Posamezna ministrstva že izvajajo uspešne oblike izobraževanja in usposabljanja, zato so programi, ki jih je oblikovala delovna skupina, vsebovali le skupne teme usposabljanja, ki naj bi jih ministrstva vključila v svoje izobraževalne programe.

V okviru petega cilja (pregled, zagotavljanje in vzdrževanje opreme in usposabljanja za njeno rabo) je bil oblikovan **pregled opreme po posameznih ministrstvih** (detektorjev radioaktivnih sevanj, kemičnih in bioloških agensov, zaščitnih mask, zaščitnih ogrinjal, dihalnih aparatov, različnih zaščitnih kompletov itn.). Poleg tega je bila za uresničevanje programa za določitev enotnih standardov opremljanja, ki bodo zagotavljali potrebno kompatibilnost opreme posameznih organov in skupno nabavo, ustanovljena posebna delovna podskupina.

Na tej točki moramo ugotoviti, da je delovna skupina za področje preprečevanja ogrožanja ali napadov s sredstvi ali orožji za množično uničevanje nehala delovati,

še preden je opravila svoje delo. Kar nekaj medresorskih ciljev je tako ostalo neuresničeno (npr. enotni sistem nabave protiteroristične opreme, usklajeni programi protiterorističnega usposabljanja in izobraževanja, implementacija programa preventivnega protiterorističnega delovanja itn.).

Z aktualizacijo področja zaščite kritične infrastrukture pred terorističnim ogrožanjem se je v RS pokazalo, da bi bilo nujno ustanoviti **medresorsko koordinacijsko skupino za usklajevanje priprav za zaščito kritične infrastrukture**. Skupino je vlada ustanovila junija 2006, v njej pa delujejo predstavniki ministrstev za obrambo, notranje zadeve, finance, gospodarstvo, kmetijstvo, gozdarstvo in prehrano, okolje in prostor, promet, zdravje, javno upravo in kulturo, poleg teh pa še predstavniki Slovenske vojske, URSZR, Sove in Banke Slovenije. Naloge skupine so:

- priprava pregleda organiziranosti in normativne urejenosti zaščite kritične infrastrukture po posameznih dejavnostih oziroma podsistemih nacionalne varnosti;
- proučitev organizacije, postopkov ter smeri razvoja zaščite kritične infrastrukture na vzorcu držav članic Nata in EU;
- priprava ocene varnostnih razmer, tveganj in virov ogrožanja državne infrastrukture, vključno z oceno možnega obsega posledic na prebivalstvo, ekonomijo in okolje;
- določitev vitalne infrastrukture države in njene enotne označitve;
- oblikovanje predloga ustreznih ukrepov in postopkov za zaščito kritične infrastrukture z upoštevanjem usmeritev in stališč Nata in EU;
- priprava predloga organov in organizacij, ki bi morale načrtovati ukrepe za zaščito kritične infrastrukture (sklep vlade o imenovanju medresorske koordinacijske skupine za usklajevanje priprav za zaščito kritične infrastrukture, 2006).

Poleg tega poteka tudi raziskovalni projekt z naslovom Definicija in zaščita kritične infrastrukture v RS, katerega cilji so: opredeliti kritično infrastrukturo in njeno zaščito na konceptualni ravni, proučiti zaščito kritične infrastrukture na vzorcu tujih držav, proučiti procese, povezane z zaščito evropske kritične infrastrukture, in v sodelovanju s prej omenjeno vladno skupino opredeliti nacionalno kritično infrastrukturo v RS.

## SKLEPNE MISLI

V sklepnih ugotovitvah lahko povzamemo, da je kompleksnost terorističnega ogrožanja varnosti tako velika, da že ob srednji intenzivnosti zahteva aktiviranje velikega dela nacionalnovarnostnega sistema oziroma širokega spektra nacionalnih varnostnih mehanizmov katerekoli države. Aktiviranje velikega števila organov zahteva oblikovanje medresorskega sodelovanja in koordiniranja na operativni in strateški ravni v vseh fazah protiterorističnega delovanja. Model celovitega in integriranega protiterorističnega delovanja na splošno prispeva k učinkovitosti in fleksibilnosti protiterorističnega delovanja v celoti, celovitosti protiterorističnega delovanja, racionalizaciji protiterorističnega nacionalnega delovanja in preprečevanju podvajanja (podvajanja dejavnosti, razvojnih programov, izobraževalnih programov, programov nabave, denarnih sredstev ipd.) ter institucionalizaciji že tako prepogoste improvizacije med resorji. Z intenzivnim horizontalnim sodelovanjem in koordiniranjem pride do oblikovanja protiterorističnih multiorganizacijskih mrež, ki so horizontalne organizacijske tvorbe, kot so na primer tudi teroristične mreže.

Pokazalo se je, da sta medresorsko sodelovanje in koordiniranje pomembni v vseh fazah protiterorističnega delovanja, kar se še posebej nanaša na fazo ocenjevanja terorističnega ogrožanja, fazo protiterorističnega ocenjevanja in fazo protiterorističnega kriznega odzivanja.

V praksi je zelo veliko primerov medresorskega sodelovanja in koordiniranja, kar kaže na že poudarjeno nujnost. Hkrati pa še vedno obstaja veliko težav in dilem, ki jih države rešujejo z različnimi metodami in različnim uspehom. Na podlagi tega lahko medresorsko sodelovanje in koordiniranje opredelimo kot izjemno pomembno dejavnost za uspeh v boju proti terorizmu. Kritičnost se nanaša na izjemno pomembnost in težavnost.

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# NESLIŠNO OROŽJE: RAZVIJANJE OBVEŠČEVALNEGA SODELOVANJA V BOJU PROTI TERORIZMU

## THE WEAPON NOT HEARD: EVOLVING INTELLIGENCE COOPERATION IN THE FIGHT AGAINST TERRORISM

### POVZETEK

*Že dolgo velja, da vojna proti terorističnim ciljem zahteva več kot uporabo le vojaških sredstev. V resnici je uporaba obveščevalnih podatkov kot orožja za prepoznavanje, zajetje ali ubijanje teroristov jasna in očitna. Vse od smrti člana iraške Al Kaide, terorista Al Zarkavija, in drugih članov Al Kaide se obveščevalni podatki izkazujejo kot resnično koristni v boju proti svetu terorizma. Toda zbiranje obveščevalnih podatkov o zelo tajnih in glede varnosti discipliniranih terorističnih strukturah je težka naloga. To posebej velja, kar zadeva vdor človeških obveščevalnih virov v teroristične celice. Kljub temu se je izkazalo, da je čvrsto in razmeroma jasno sodelovanje med različnimi obveščevalnimi službami pomembno za krepitev moči. Skupna uporaba obveščevalnih podatkov in združeno operativno*

<sup>1</sup> George C. Marshall Center.

*sodelovanje sicer lahko nekoliko ovirata enostranske obveščevalne dejavnosti, vendar na koncu kateri koli obveščevalni organizaciji zagotavljata dodatno širino in vire. Odprti izvorni podatki pomenijo, da sta se dvo- in večstransko obveščevalno sodelovanje po vsem svetu v 21. stoletju zelo povečali, še posebej, ko gre za teroristične cilje, ki se na splošno štejejo za mednarodno grožnjo velikega obsega. Avtor raziskuje nekatere posledice skupnega obveščevalnega dela, tako pozitivne kot negativne, in predlaga načine, kako bi se obveščevalna dejavnost lahko razvijala v odgovor na teroristično taktiko. Prav tako avtor opaža, da tako teroristične organizacije kot njihove obveščevalne agencije delujejo v tajnem okolju in s tajnimi sredstvi, s čimer obveščevalni organizaciji dajejo pravo podlago za boj s tem izmikajočim se in ustvarjalnim nasprotnikom.*

## **K L J U Č N E B E S E D E**

*Skupna raba obveščevalnih podatkov, združene operacije, protiterorizem, dvostranski obveščevalni podatki, večstranski obveščevalni podatki, načrtovani uboji, načrti za zvezo, terorizem, Al Kaida.*

## **A B S T R A C T**

*It has long been asserted that war on terrorist targets requires more than the application of purely military means. In point of fact, the use of intelligence as a weapon in identifying, capturing or killing terrorists since 2001 is clear and demonstrable. From the death of al-Qaeda in Iraq terrorist al-Zarqawi to other al-Qaeda figures, intelligence has had real utility against the terrorist demimonde. To be sure, the collection of intelligence on highly clandestine and security disciplined terrorist structures remains a difficult task. This is especially the case as regards the penetration of terrorist cells by human intelligence assets. Nonetheless, robust*

*John J. Le Beau*

*and relatively transparent cooperation among various intelligence services has proven to be of enormous value as a force multiplier. Intelligence sharing and joint operational cooperation may in some ways pose constraints on unilateral intelligence activities but ultimately provide any single intelligence organization with additional reach and resources. Open source information suggests that bilateral and multilateral intelligence cooperation worldwide has increased exponentially in the 21<sup>st</sup> century, certainly against the terrorist target, which is widely regarded as an international threat of considerable magnitude. The author explores some of the implications of joint intelligence work, both positive and negative, and suggests how intelligence activity may develop in response to terrorist tactics. The author notes as well that both terrorist organizations and intelligence agencies occupy a covert world and means of operation, thus placing intelligence organization on the right footing to combat this elusive and creative foe.*

**KEY WORDS**

*Intelligence sharing, joint operations, counterterrorism, bilateral intelligence, multilateral intelligence, targeted killings, liaison arrangements, terrorism, al-Qaeda.*

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The bomb that killed Abu al-Zarqawi thirty miles northeast of Baghdad was the second weapon to hit him, if surely the noisiest. Somewhat earlier than his well-publicized demise in June, 2006 the elusive al-Zarqawi had been the target of a sensitive and ultimately successful intelligence collection operation which served to ensure that the fatal bomb fell unerringly on the right place (Kusovac, 2006; Scarborough, 2006). The clandestinely acquired intelligence and surveillance of a Zarqawi-connected cleric that lead to Zarqawi's death was by most measures less dramatic than the percussive impact of explosive ordinance around the Jordanian's head but just as instrumental a weapon in removing Zarqawi from the rolls of terrorists active in Iraq. In the world of intelligence operations against terrorism, furtive and whispered conversations have been – and continue to be – as effective

and lethal as the bomb subsequently dropped, the bullet subsequently fired or the arrest eventually made. Intelligence work – the careful, clandestine collection, analysis and vetting of sensitive information from human and technical sources – has to date proven to be a powerful weapon in fighting terrorism.

As with Zarqawi's elimination at the hands of Special Forces and intelligence operators, considerable publicity and commentary also surrounds the killing of Abu Ali al-Harithi and his al-Qaeda companions, victims of a well-executed hellfire missile strike allegedly launched from a CIA Predator drone in Yemen in November, 2002 (Bowers, 2002). The episode might well serve as a textbook example of paramilitary covert action or targeted killing by an intelligence service, but contains other, more subtle, lessons as well. It is noteworthy, for example, that al-Harithi's death was brought about not only through the deadly application of UAV technology, but by international cooperation between intelligence services. Press reports strongly suggest that the al-Harithi targeted killing does not stand alone; other terrorists have suffered the same fate.

If public accounts and unattributed sources are to be credited, intelligence operations have in fact since 2001 played a key role in eliminating or capturing al-Qaeda and other Islamic fundamentalist terrorists internationally. The first U.S. Director of National Intelligence John Negroponte made the following remark during his 2006 official testimony: "Collaboration with our friends and allies around the world has helped us achieve some notable successes against the global jihadist threat. In fact, most of al-Qaeda's setbacks last year were the result of our allies' efforts, either independently or with our assistance.... We have eliminated much of the leadership that presided over al-Qaeda in 2001, and US-led counterterrorism efforts in 2005 continue to disrupt its operations, take out its leaders and deplete its cadre" (Negroponte, 2006). Similarly, Pulitzer-Prize-winning journalist Dana Priest asserted in 2005 that joint intelligence work "has been responsible for identifying, tracking and capturing or killing the vast majority of committed jihadists who have been targeted outside Iraq and Afghanistan since the September 11, 2001 attacks, according to terrorism experts" (Priest, 2005). The criticality of intelligence service activity and interaction continues; the planned but thwarted 2006 attack on several airliners leaving Heathrow appears to have involved, at one point or another, intelligence work conducted by the services of Great Britain, the U.S. and Pakistan, at a minimum. The Secretary of Homeland Security, Michael Chertoff, noted soon after that event that "British authorities, in partnership with the United States and our allies, were able to disrupt the recent

terrorist plot against passenger aircraft precisely because of timely, actionable intelligence, properly shared and acted upon before the terrorists could carry out their plans” (Priest, 2005). The record clearly indicates the utility of intelligence information, and the operations based upon careful analysis of this information, as applied against the jihadist-terrorist target. To be sure, an authoritative accounting of the efficacy of counter-terrorist intelligence operations will have to await the declassification of substantial documentary evidence, a process not likely to occur for decades, if then, given the inherent sensitivity of the information on “sources and methods”. Still, some points can be noted or surmised with considerable certainty.

First, counter-terrorism operations recently engaged in by the CIA and other intelligence bodies demonstrate the value of robust intelligence sharing between and among competent intelligence services. This, perhaps, should by no means appear counter-intuitive, but in truth the worth of so-called “liaison relationships” has been much derided within the intelligence community for decades before 9/11. The inclination to favor unilateral over cooperative operations has long been a powerful school of thought at CIA and elsewhere. There are some compelling reasons for this. Against traditional intelligence targets at least (such as another nation-state), unilateral activities have logically been regarded as the more secure, and surely more traditional, method of operation. In determining to approach or suborn, say, a Third Secretary from the Soviet embassy in Rome during the height of the cold war, insisting on a purely American operation, vice one that involved the Italian service, might have made sense. With two services involved, the chances of a leak or, much worse, betrayal by a hostile penetration, increase fifty per cent. The risk of compromise might even be assessed as greater, in the event that the other service in question is regarded as having a poor counter-intelligence and security capacity. On the other side of the coin, the value of running a traditional espionage operation bilaterally would depend ultimately on what the other perspective partner could bring to the table, the “value added”. If the objective answer is “not much”, the reason to contemplate a particular bilateral operation vanishes. As well, deciding to propose a bilateral operation to another service inherently means revealing to that service the object of attention (in our fictive case, the Soviet Third Secretary). In the event, the liaison service being approached (here the Italians) can always decline the offer for any number of reasons, none of which they are bound to state. Accordingly, in our example at least, unilateral action promises to be more effective from the U.S. vantage point.

The world of counter-terrorism as it has evolved since late 2001, however, places bilateral operations in a different position, especially for the United States. Baldly put, the CIA (and, indeed, any intelligence service in the world, taken alone) lacks the international reach and capacity to successfully target individual terrorists or terrorist cells without regard to where they may be. To be sure, the CIA can, and probably does, conduct effective counter-terrorist actions on its own in select areas outside the United States. Nonetheless, there are important arenas where it would be difficult if not impossible, by any reasonable measure, for CIA or other U.S. operatives to conduct inherently risky, intrinsically complex counter-terrorist operations successfully, absent the support or at least the acquiescence of the local intelligence service. There are a multitude of reasons for this. Most U.S. intelligence officers are not able to “blend in” to environs such as North Waziristan in Pakistan, rural areas of Yemen or even the more cosmopolitan venue of the United Arab Emirates. Indeed, while trained U.S. intelligence officers can doubtless move comfortably throughout Europe, Latin America and other areas, they are nonetheless most often betrayed by their ethnicity or, more precisely, their lack of ethnicity appropriate to the area they are inhabiting, temporarily and operationally. With few exceptions, a CIA Case Officer speaking solid French will, nonetheless, not be taken for a native by the habitués of Brest; the officer uttering precise High German may find it difficult to inconspicuously rent an apartment in alias in the dialect-ridden valleys of alpine Bavaria. These difficulties multiply considerably in the Middle East where tribe, family and tradition dictate all, among populations endemically suspicious of outsiders if not impulsively hostile to them. In short, expecting unilateral actions to succeed against terrorists in such locations would be setting the bar high indeed. The odds for success can however improve markedly with the inclusion of the host-country intelligence service as an engaged local partner.

What exactly can a cooperative and competent liaison service bring to counter-terrorism operations? In theory, a great deal. In practice, this will depend in each case on the level of cooperation and transparency achieved in the bilateral arrangement. It is perhaps instructive to here consider the nature of the terrorist target. Terrorist organizations are of their nature clandestine entities operating in a covert demimonde. And like politics and real estate, all terrorist structures are local and deal with location – that is, they have cells in real physical places. Terrorist infrastructure involves safe houses, hotel rooms rented in alias, phone booths and cell phones, internet cafes and similar things. Individuals involved in

terrorist planning and activity possess identity documents (real, forged or stolen), addresses, possibly employment and almost certainly relatives. These items are surely more vulnerable to acquisition by a capable local service than a foreign one. The host country intelligence service (this can refer to either the external or internal service, or even military intelligence, depending on the country and the nature of its security establishment) is accordingly in the strongest position to provide much information critical in disrupting or preventing terrorist activity and in apprehending or killing individual terrorists, singly or in groups.

A major intelligence service such as the CIA or a U.S. military intelligence entity can, on the other hand, bring other items to the bilateral (or multilateral) table. As well-funded organizations with considerable international presence, they can often provide such desirable commodities as communications intercept capability, decryption services, international travel information, etc. As well, the CIA and some other “first tier” Western intelligence agencies have the funds and acquisition channels to provide useful tactical items to a service cooperating jointly against the terrorist target (Schroen, 2005). These items can include special communications devices, weapons and accouterments, vehicles, perhaps even aircraft or maritime assets and varieties of esoteric technical assistance that a smaller service might not possess. In addition to sharing a common goal (counter-terrorist activity against a specific target), successful joint operations are often symbiotic, with each service delivering and receiving in return. The combined counter-terrorist strength of a capable local service working with, for example, the CIA, FBI or Military Intelligence can be a formidable intelligence weapon when focused on a terrorist group or key individual.

Information sharing between intelligence agencies is not, for all of its evident value, the end of the counterterrorism equation. The nature of the terrorist threat makes it essential that shared intelligence is acted upon with celerity, to ensure the disruption of terrorist actions before they can be carried out or changed. The characteristics of the terrorist target compel intelligence and security services to act on the information obtained if they are to be effective. This is the quintessential meaning of “actionable intelligence”. The criticality of actionable intelligence to providing security from terrorist attacks, in turn, explains why coordination between intelligence services and law enforcement (in countries where the two functions are separated) must be smooth and simple (Shane and Bergman 2006). The construction of counterterrorist action from the raw material of intelligence merits further elaboration.

A number of recent examples can be cited to make the point, even if the information available is only partial due, largely, to the inherently secretive nature of intelligence operations. We might return to our opening example of how intelligence served as a silent weapon in the targeted killing (that is transparently what the episode represents) of al-Zarqawi, the savage and quite possibly psychopathic head of al-Qaeda in Iraq. Available information suggests that al-Zarqawi was the target of clandestine intelligence collection and subsequent surveillance by at least three countries, the United States, Iraq and Jordan. The Jordanians, in fact, may well have been the key player in the chain of events that led to identifying Zarqawi's whereabouts. What is certain is that the USAF launched their bombing run on a specific structure believed to be serving as Zarqawi's safe house and operations center of the moment. The tactical intelligence that led to the successful killing of Zarqawi was clearly valid, precise and timely – in short, contained the required ingredients of actionable intelligence. It is quite possible that the information was obtained and confirmed by a combination of human sourcing (a spy) and technical intercept. Similarly, the widely publicized transfer of fourteen “high-value targets” from CIA detention centers to the Guantanamo facility in September, 2006 strikingly underlines the value of intelligence cooperation. As announced by President Bush on 6 September, 2006, the al-Qaeda operatives captured<sup>2</sup> and incarcerated by CIA in so-called “secret prisons” were instrumental in providing valuable operational details that permitted the “rolling up” of other al-Qaeda devotees, including, notably, Khalid Sheik Mohammed and Abd al-Rahim al-Nashiri (The White House, 2006). Surely without serious dispute, lives were saved due to this (undoubtedly complex and costly) intelligence campaign. It is generally alleged that the network of “secret prisons” in which the terrorists were detained and interrogated required the cooperation of a number of foreign countries and their intelligence services. The information obtained seems to have been shared between services in at least some instances, notably with Australia. At any rate, the acquisition and exploitation of information from al-Qaeda prisoners permitted both intelligence sharing and direct action against high-value terrorist targets. Although popular focus is often on the boot that kicks down the door to a known terrorists' room, the critical part of the counterterrorist equation is ensuring that the boot – SOCOM or other – is

<sup>2</sup> For the identities of the fourteen terrorists transferred from CIA custody to the custody of the Department of Defense, see Office of the Director of National Intelligence <http://www.odni.gov/announcements/content/detaineeBiographies.pdf>.



going through the right door, at the right time; the silent weapon of actionable intelligence.

To be sure, intelligence collection and direct action against terrorist targets is a decidedly high-risk enterprise. This does not refer so much to the physical risk to intelligence, law enforcement or military officers involved (although this can of course be considerable) but rather to the significant chances that information may be inaccurate, fraudulent or dated. With the best of planning and intentions, the boot can still go through the wrong door or, more tragically, the bullet can go through the wrong head. (Gall and Jehl, 2006) Much of this has to do with the nature of the intelligence beast. The “craft of intelligence” is a useful phrase, suggesting that intelligence collection and analysis is a composite of science and art. Statistical modeling, link analysis and the empirical examination of evidence share the stage with a Case Officer’s personal assessment of a human penetration of a terrorist organization or his reading of a liaison partners’ integrity. There is substantial room for error which, in the counterterrorist arena, can have fatal consequences. Accordingly, any joint intelligence arrangement to share information and act upon it should acknowledge and accept this element of risk at the inception, to avoid recriminations at a later stage.

At the present juncture in the post-9/11 struggle against Islamist terrorism, a number of observations can be made with some certainty. First, intelligence information, obtained via human and technical means, has in the last five years played a significant role in eliminating individual terrorists through killing or capture, and in seriously degrading the operational capabilities (to include the ability to conduct specific attacks, support infrastructure and financial mechanisms) of al-Qaeda and other organizations. This holds true in war zones such as Iraq and Afghanistan as well as in areas not experiencing combat. Indeed, the much-remarked-on transformation of al-Qaeda from a structured organization to a more diffuse movement (as noted by former DNI John Negroponte) would seem to be a direct consequence of the effectiveness of applied intelligence. Second, the amount of intelligence cooperation between U.S. and foreign intelligence services has increased steadily since the attacks on New York and Washington. This interservice cooperation against terrorist targets extends from the Middle East to Asia to Europe. Although these liaison relationships are often complicated and occasionally contentious, they do for the most part endure, built on a plinth of information sharing and based firmly on the principle of mutual interests. Third, the requirement for action-oriented intelligence collection and operations (including

targeted killing) is not likely to diminish in the near term. Indeed, to the extent that the quasi or fully autonomous nature of terrorist cells increase (as would appear to be the case with the Madrid, London and perhaps Mumbai train bombings), even more of a premium will be placed on the rapid acquisition and transmission of actionable intelligence to the appropriate parties. In short, the intelligence weapon has demonstrated its clear utility in combating Jihadist terrorism and has indisputably saved lives, quite possibly many lives, through the apprehension and elimination of a number of prominent terrorist personalities. Absent effective intelligence, the successful application of military force against a terrorist target is likely to be severely limited.

Despite its successful record as a counterterrorism tool to date, there are sufficient challenges and potential problems to ensure that wielding the intelligence weapon against terrorists will remain a complex task. It is notable in this sense that most of the public controversies surrounding methods the U.S. is employing to combat terrorism have involved intelligence operations. These range from the legality of CIA targeted killings (resulting in the death of a U.S. citizen in at least one instance) to issues surrounding NSA telephone intercepts and data mining to the existence of secret prisons and the associated issue of permissible interrogation methods<sup>3</sup> (Eichensehr, 2003). For professional intelligence officers, military and civilian, these areas represent an operational *Terra Incognita*. An appropriation of Lincoln's phrase, made in an entirely different context, is arguably apt: "Just as our case is new, so must we think anew and act anew." (Lincoln, 1862) Over time, it can be expected that intelligence agencies will critically assess and, where needed, refine the methods they are employing against the terrorist target, based on results and consonant with the constraints imposed by a democracy operating under rule of law. Course-adjustment and judgment as to which methods are fundamentally sound and which are not, cannot, of course, be expected to take place overnight. Nonetheless, many intelligence officials agree that the face of intelligence-driven counterterrorist activities to be encountered five years from now will likely have a significantly different appearance from the circumstances encountered today. The issue of interrogation techniques permitted for the CIA to employ against terrorist detainees is illustrative of this point. It now appears that, in the months and years following 9/11, these interrogation practices lacked a sufficient, or at least sufficiently clear, legal framework. The issue was only resolved (at least to some extent) with authority in late 2006, following robust political debate. It is likely

<sup>3</sup> The intelligence methods employed in combating terrorist targets have been the subject of robust public debate.

that with revised “rules of the road” intelligence interrogations in future will look different and have parameters distinct from those interrogations conducted in the aftermath of the invasion of Afghanistan. Over time, what are now novel methods of counterterrorist procedure may well become the new orthodoxy.

As well, past experience suggests that the intelligence sharing alliances we currently engage in may shift, with new partners added and perhaps some current intelligence interlocutors drifting away from close cooperation. The long-term impact of current European Commission and European Union displeasure with so-called “black flights” and the “extraordinary rendition” of terrorist suspects on intelligence cooperation in Europe<sup>4</sup>, for example, remain to be seen (Russell and Connolly, 2005). Nonetheless, as the “long war” against terrorism (the phrase is inadequate but has its merits) proceeds, one can anticipate that first-tier intelligence agencies will formally detail the “ground rules” necessary for uninterrupted cooperation. As noted previously, the steady hand of mutual interest in preventing terrorist attacks will serve as a solid foundation for the structure of international intelligence collaboration. The covert and secretive nature of Islamist terror organizations preordains that intelligence services civilian and military are best equipped by training, internal culture and disposition to be the frontline of counterterrorist operations for the foreseeable future.

Applied with precision and properly supported by the governments whose interests it serves, the intelligence weapon can be a vital component of the counterterrorism arsenal. This is not to assert sweepingly that the killing or capture and interrogation of committed terrorists will, of its own, eliminate root and branch the threat or resolve the tendentious religious-ideological issues surrounding modern terrorism. But at a minimum, the elimination of professional terrorist cadres and the disruption and dismembering of terrorist networks and infrastructure can surely go far in underlying Cicero’s injunction that “The safety of the people is the highest law.”

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# UKREPI ZA NEŠIRJENJE JEDRSKEGA OROŽJA IN VAROVANJE JEDRSKIH SNOVI

## MEASURES IN CONNECTION WITH NON-PROLIFERATION OF NUCLEAR WEAPONS AND THE SECURITY OF NUCLEAR SUBSTANCES

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### POVZETEK

*Ljudje se jedrskega orožja v splošnem precej bolj bojijo kot drugih vrst orožja za množično uničevanje. Vzroki za to so večplastni. Uporaba jedrskih bomb med drugo svetovno vojno je pokazala, kakšno rušilno moč ima lahko posamezna eksplozivna naprava, v kateri prihaja do cepitev atomskih jeder in verižne reakcije. Jedrska nesreča v Černobilu leta 1986 pa je drugi primer, »ko atom uide izpod nadzora«, posledice pa so lahko dolgoročne in finančno zelo hude.*

*Države so se zato z mednarodno pogodbo o neširjenju jedrskega orožja zavezale, da bodo jedrsko energijo uporabljale le v miroljubne namene. Mednarodna agencija za atomsko energijo (IAEA) je organizacija v okviru Združenih narodov, ki je pooblaščen, da preverja, ali se jedrska energija uporablja v miroljubne namene, verifikacijske dejavnosti pa opravlja v več kot 140 državah po svetu.*

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<sup>1</sup> Uprava RS za jedrsko varnost.

*V Sloveniji se jedrske snovi, ki se delijo na osnovne in posebne cepljive snovi, uporabljajo ali skladiščijo v vseh jedrskih objektih: v Jedrski elektrarni Krško, raziskovalnem reaktorju TRIGA in centralnem skladišču RAO v Brinju. Majhne količine jedrskih snovi, večinoma osnovnih, se uporabljajo v industriji in medicini za zaščito pred sevanjem. Jedrska in sevalna varnost sta v Sloveniji na visoki ravni, primerljivi z drugimi članicami Evropske unije.*

**K L J U Č N E B E S E D E**

*Jedrska snov, jedrsko orožje, radioaktivna snov, neširjenje, jedrsko blago, jedrski terorizem.*

**A B S T R A C T**

*Generally speaking, people are more concerned about nuclear weapons than other weapons of mass destruction for a number of multilayered reasons. The nuclear bombs used during WW2 demonstrate the destructive power generated through nuclear fission and the chain reaction in individual types of explosive devices. The 1986 nuclear accident in Chernobyl is another example "of an atom evading control" with long-term and financially nliy id eip l ncn l ll e l n*

*Research Reactor, and the Brinje Radioactive Waste Disposal Area. Smaller quantities of nuclear material, mainly in the form of source material, are used for protection against radiation in industry and medicine. The level of nuclear and radiation protection in Slovenia is high and comparable with that in other member countries of the European Union.*

**KEY WORDS**

*Nuclear material, nuclear weapon, radioactive material, non-proliferation, nuclear goods, nuclear terrorism.*

**NEŠIRJENJE JEDRSKEGA OROŽJA, SVETOVNI PREGLED**

Pogodba o neširjenju jedrskega orožja (NPT), ki je bila podpisana leta 1968 in je začela veljati dve leti pozneje, je v minulih desetletjih zelo omejila širjenje jedrskega orožja, saj bi brez nje danes od 30 do 40 držav gotovo imelo to orožje. Tako jih je le devet, ena pa si še prizadeva zanj. Le tri države, in sicer Indija, Izrael in Pakistan, se niso odločile za pristop k pogodbi, Severna Koreja pa se je odločila, da iz nje izstopi. Cilji pogodbe so ustavitev nadaljnjega širjenja jedrskega orožja, zagotovitev varnosti državam, ki so se odločile, da jedrskega orožja ne bodo razvijale, zagotovitev pogojev za miroljubno uporabo jedrske energije in spodbuda nadaljnjim pogajanjem, ki bi v prihodnosti vodila k odpravi tega orožja. Na podlagi pogodbe o neširjenju jedrskega orožja so države uvajale celovit sistem varovanja (tako imenovani sporazum safeguards), ki pa se je v preteklem desetletju predvsem v zvezi z iraškimi jedrskimi ambicijami pokazal kot pomanjkljiv, zato je bil k sporazumu pripravljen še dodatni protokol.

IAEA je bila ustanovljena leta 1957 kot avtonomna medvladna organizacija v okviru Združenih narodov, ki skrbi, da se jedrska energija uporablja v miroljubne namene. IAEA izvaja verifikacijske dejavnosti v več kot 140 državah po svetu, v katerih je več kot 900 jedrskih objektov. Inšpektorji IAEA skladno s sporazumom o varovanju redno obisk

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držav za miroljubno uporabo jedrske tehnologije. Nekateri sporazumi safeguards zagotavljajo tudi dodatne ukrepe, še posebej sta znana EURATOM v Evropski uniji in ABACC v Argentini ter Braziliji. Dodatni protokol k sporazumu je okreplil vlogo IAEA predvsem v smislu odkrivanja dejavnosti, ki niso bile prijavljene. Sprememba je očitna, saj morajo države, ki so ratificirale omenjeni protokol, med drugim predložiti obširnejše informacije, IAEA ima možnost dodatnega dostopa, uporabljajo pa se tudi nove verifikacijske tehnike.

IAEA je skupaj s svojim generalnim direktorjem leta 2005 prejela Nobelovo nagrado »za njene napore, da prepreči uporabo jedrske energije v vojaške namene in za zagotavljanje, da se jedrska energija uporablja v miroljubne namene, kolikor je mogoče varno«. Utemeljitev je več kot razumljiva.

Septembra 2005 je svet guvernerjev IAEA potrdil nov varnostni načrt za obdobje od 2006 do 2009. Načrt je nadomestil prejšnjega, ki je potekel, in ima tri dele: potrebe–analize–usklajevanje, preprečevanje in detekcija–ukrepanje. IAEA na različne načine pomaga pri uresničevanju pogodbe o neširjenju jedrskega orožja tako razvitim državam kot državam v razvoju. Med drugim vsako leto organizira misije s področja fizičnega varovanja, tako imenovani International Physical Protection Advisory Service (IPPAS). Tako je na primer Švica leta 2006 povabila strokovnjake IAEA, ki so ugotovili, da je njihov sistem fizičnega varovanja jedrskih objektov in snovi skladen z mednarodnimi standardi in bi bil učinkovit tudi ob morebitnih sabotajah. IAEA vsako leto, po navadi v sodelovanju z ZDA, organizira tudi mednarodne seminarje s področja fizičnega varovanja jedrskih snovi in objektov oziroma jedrske varnosti.

Po podatkih IAEA je bilo lani več kot 100 primerov nedovoljenega prometa z jedrskimi in drugimi radioaktivnimi snovmi. Številka ni natančna, na srečo je šlo v večini primerov za radioaktivne snovi, dvakrat pa so storilci želeli prodati uran. Pogosto se dogaja, da tihotapci precenijo vrednost in primernost jedrskih snovi, zato jih ponujajo kot primerne za orožje, čeprav so v večini primerov to le osnovne snovi ali celo radioaktivni viri. Približno 40 odstotkov znanih primerov vključuje kriminalno dejavnost, v skoraj 70 odstotkih pa so odkrite in zasežene snovi, za katere ni podatkov o kraji, izgubi ali pogrešanju. Pri jedrskih snoveh gre najpogosteje za nedovoljeno posest ali poskus nedovoljene prodaje, pri radioaktivnih pa za krajo ali nedovoljeno odlaganje. IAEA na podlagi svojih analiz ugotavlja, da je večina primerov le malo povezana s terorizmom, da delež kriminalnih dejavnosti ostaja precej stalen, da nekateri primeri nakazujejo opaženo povpraševanje po jedrskih ali radioaktivnih snoveh na črnem trgu in da je na voljo



malo podatkov za oceno vzroka povpraševanj ter identifikacijo morebitnih končnih uporabnikov. Le malo primerov vključuje visoko obogateni uran, nekateri pa kažejo, da v ozadju lahko ilegalno krožijo večje količine.



Mednarodne pogodbe so vsekakor eden izmed temeljnih stebrov neširjenja jedrskega orožja. Pogodba o celoviti prepovedi jedrskih poskusov (CTBT) iz leta 1996 žal še ni začela veljati, ker je 10 držav še ni ratificiralo.

Na podlagi CTBT je bila

na Dunaju ustanovljena Organizacija CTBTO (Comprehensive Nuclear Test-Ban Treaty Organization) z mednarodnim opazovalnim sistemom za zaznavanje jedrskih eksplozij, ki vključuje 337 različnih merilnih postaj po vsem svetu (slika zgoraj). Precej let si države prizadevajo tudi za novo pogodbo, ki bi prispevala k zmanjšanju količine cepljivih snovi (Fissile Material Cut-off Treaty – FMCT). Ta pogodba bi drugim državam ali posameznim skupinam zmanjšala dosegljivost cepljivih snovi, primernih za orožje. Nedavno je bila dopolnjena tudi mednarodna Konvencija o fizičnem varovanju jedrskih materialov, spremembe so bile sprejete na diplomatski konferenci julija 2005 na Dunaju. Konvencija poleg fizičnega varovanja med prevozom vključuje še jedrske objekte, določa pa tudi temeljna načela in opredeljuje pojem sabotaze. Generalna skupščina Združenih narodov je aprila 2005 soglasno potrdila Mednarodno konvencijo za zatiranje dejanj jedrskega terorizma (*International Convention for the Suppression of Acts of Nuclear Terrorism*), ki bo okrepila pravni vidik boja proti jedrskemu terorizmu, na primer mednarodno sodelovanje in pomoč, preiskave, kazenskopравни pregon in izročitev v primeru terorističnih dejanj, ki vključujejo radioaktivne snovi ali jedrske naprave. Konvencija vključuje tudi definicijo dejanj jedrskega terorizma in pokriva široko območje mogočih tarč, vključno z jedrskimi elektrarnami in reaktorji. Konvencija bo začela veljati, ko jo bo podpisalo in ratificiralo najmanj 22 držav. Obstajajo pa še drugi ukrepi neširjenja jedrskega orožja in jedrskega blaga. Omeniti je treba Zanggerjev odbor in Skupino jedrskih dobaviteljic (NSG). Prav slednja je bila po prvi zalivski vojni v začetku devetdesetih let zelo dejavna pri nadzoru nad izvozom jedrskega blaga in jedrskega blaga z dvojno rabo. Članice

NSG so sprejele smernice in dva spiska blaga, ki ju redno dopolnjujeta, Evropska unija pa besedilo in spremembe spisikov objavlja vsakih nekaj let v Uredbi Sveta, ki neposredno velja v vseh njenih članicah.

Eden izmed mehanizmov je nedavno sprejeta resolucija Varnostnega sveta št. 1540 (2004), ki zahteva od držav, da poskrbijo za varnost in neširjenje biološkega, kemičnega in jedrskega orožja ter z njimi povezanega blaga, da uveljavijo ustrezen izvozni nadzor in nadzor svojih meja ter fizično varovanje, vključno s sprejetjem ustrezne zakonodaje. Razvite države spodbuja, da na tem področju pomagajo državam v razvoju. Države so konec leta 2004 pripravile in posredovale Združenim narodom svoja nacionalna poročila, ki so morala skladno z resolucijo ovrednotiti pretekle ukrepe na tem področju ter naslednje dejavnosti, ki bodo potrebne za spoštovanje zahtev resolucije. Resolucija ustanavlja tudi posebno komisijo, sestavljeno iz predstavnikov vseh držav članic.

Že nekaj let je v ospredju tudi Pobuda za zmanjšanje globalne grožnje (Global Threat Reduction Initiative – GTRI), ki jo usklajujeta oziroma vodita ZDA in Rusija, vključena je tudi IAEA. Gre za zmanjševanje količine visoko obogatene urana v raziskovalnih reaktorjih. Želje in pričakovanja so, da bi se čim več tega urana vrnilo v države, od koder izvirajo jedrske snovi, raziskovalni reaktorji pa naj bi obratovali z nizko obogatenim uranom, ki ni primeren za izdelavo učinkovitega jedrskega orožja. V zadnjih dveh letih je bilo več takšnih akcij in pošiljk iz različnih delov sveta, iz Argentine, Češke, Latvije, Nemčije, Poljske, Uzbekistana in drugih držav (Slovenija, 1999).

Države, ki imajo različno razvejane civilne in vojaške jedrske programe, so po 11. septembru 2001 ovrednotile svoje sisteme fizičnega varovanja jedrskih snovi in objektov ter z njimi povezane infrastrukture. Sprejeti so bili ukrepi, kjer je bilo to smiselno, dejavnosti pa se nadaljujejo oziroma se razširjajo še na področje radioaktivnih snovi (nevarnih virov). Zgled države brez jedrskega orožja je lahko Kanada, kjer je jedrski upravni organ zahteval od upravljavcev jedrskih objektov izpolnitev več pogojev, med drugim možnost takojšnjega ukrepanja oboroženih varnostnikov, obsežnejše preverjanje zaposlenih in podizvajalcev, zaščito pred vozili in postavljanje dodatnih ovir, izboljšano fizično identifikacijo osebja ter preiskavo osebja in vozil, leta 2006 pa je bila posodobljena tudi zakonodaja s tega področja.

Vse več pozornosti se v zadnjem času namenja morebitnim zlorabam drugih radioaktivnih snovi v teroristične namene. Jedrskih snovi je v svetu sorazmerno malo, radioaktivnih snovi oziroma virov sevanja pa zelo veliko in v različnih

dejavnostih. Teroristi bi nekatere radioaktivne snovi lahko uporabili v radiološki razpršilni napravi, ki jo v žargonu imenujejo umazana bomba. Posledice bi bile usodne, predvsem zaradi učinka zastraševanja. V zadnjem obdobju so se po svetu in v Evropski uniji zato pojavila prizadevanja, da bi se za nekatere radioaktivne snovi oziroma visokoaktivne vire ali nevarne vire sevanja uporabljali strožji varnostni ukrepi. Nedavno je bila za take vire razvita celo dopolnilna oznaka.

## **VAROVANJE JEDRSKIH SNOVI, POLOŽAJ V REPUBLIKI SLOVENIJI**

V Sloveniji se jedrske snovi uporabljajo ali skladiščijo v vseh treh jedrskih objektih, in sicer v Jedrski elektrarni Krško, raziskovalnem reaktorju TRIGA Mark II in centralnem skladišču RAO v Brinju. Majhne količine jedrskih snovi, večinoma osnovne snovi v obliki osiromašenega urana, se uporabljajo v industriji in medicini kot zaščita pred sevanjem. Slovenska vojska jedrskih snovi ne uporablja. V preteklih letih je bilo odkritih nekaj primerov manjših količin do tedaj neevidentiranih uranovih in torijevih kemikalij (jedrska snov, osnovna snov), ki pa so bile hitro premeščene v centralno skladišče radioaktivnih odpadkov v Brinju.

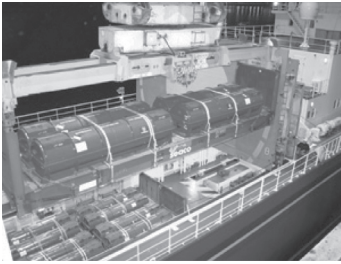


Količine jedrskih snovi se vsaj za zdaj povečujejo, predvsem zaradi uvoza jedrskega goriva za Jedrsko elektrarno Krško, ki izrabljeno jedrsko gorivo skladišči v posebnem bazenu. V izrabljenem gorivu, ki je visoko radioaktivno, so tudi plutonij in drugi izotopi. Preden je Slovenija

vstopila v Evropsko unijo, je nadzor nad jedrskimi snovmi opravljala le IAEA (slika: inšpekcija IAEA v raziskovalnem reaktorju). Po letu 2004 pa se je položaj spremenil, saj je pristojnosti dobil tudi Euratom – Evropska skupnost za atomsko energijo. Slovenija je s pravnega stališča zamrznila sporazum in dodatni protokol, ki sta bila sklenjena z IAEA, ter pristopila k sporazumu in dodatnemu protokolu med državami članicami Evropske unije, Euratomom in IAEA. Inšpekcijski nadzor

nad jedrskimi snovmi opravlja tudi inšpekcija Uprave RS za jedrsko varnost (URSJV). Ta skladno z Zakonom o varstvu pred ionizirajočimi sevanji in o jedrski varnosti vodi skupno evidenco vseh jedrskih snovi.

Od leta 2000 je tudi v Sloveniji uveden nadzor izvoza blaga z dvojno rabo, torej blaga, programske opreme in tehnologije, ki poleg civilne uporabe omogoča tudi uporabo v vojaških programih, povezanih s kemičnim, biološkim in jedrskim orožjem za množično uničevanje. Jedrskega blaga z dvojno rabo je v Sloveniji malo. Izvozno podjetje mora pridobiti izvozno dovoljenje od Ministrstva za gospodarstvo. Podlaga za dovoljenje je predhodno pozitivno mnenje medresorske komisije, ki jo je leta 2004 imenovala Vlada RS. Za blago na spiskih je treba pridobiti dovoljenje za izvoz, v nekaterih primerih tudi za prenos znotraj Evropske unije.



Za fizično varovanje jedrskih objektov je odgovoren upravljavec, ki mora med drugim pripraviti program in načrt fizičnega varovanja. Podobno velja tudi za prevoz jedrskih snovi, na primer jedrskega goriva za obratovanje (slika levo). Nadzor nad fizičnim varovanjem in upravne funkcije opravlja skladno z zakonodajo Ministrstvo za notranje zadeve, pri inšpekcijah pa sodeluje tudi URSJV. Vladna komisija, sestavljena iz

predstavnikov različnih resorjev, pripravi oceno ogroženosti za vse tri jedrske objekte in jo tudi dopolni skladno z oceno trenutnih varnostnih razmer v državi in širše. Tudi Slovenija je konec devetdesetih let povabila misijo IPPAS, ki je ovrednotila takratni sistem fizičnega varovanja ter pregledala zakonodajo in vlogo državnih organov.



Zaradi nadzora nad vnosom jedrskih in drugih radioaktivnih snovi v Slovenijo so bili v drugi polovici leta 2006 na dveh mejnih prehodih, in sicer v luki Koper in na Obrežju, nameščeni portalni zasloni za osebe in vozila, s katerimi je mogoče odkrivati jedrske in radioaktivne snovi, in sicer za gama in nevtronsko sevanje (slika levo). Opremo je podarila vlada ZDA v okviru

dvostranskega sodelovanja s Slovenijo pri preprečevanju nezakonitega trgovanja z jedrskimi in drugimi radioaktivnimi snovmi. Opremljanje, izobraževanje in

priprava postopkov so se večinoma začeli že leta 2002. Ob sumu nepravilnega ravnanja z viri sevanja je treba obvestiti dežurnega Uprave RS za jedrsko varnost, ki prijaviteljem svetuje, kako naj ravnajo naprej. Do zdaj še niso bili odkriti primeri namenskega nezakonitega trgovanja z jedrskimi in drugimi radioaktivnimi snovmi, so pa slovenski organi zavrnil več pošiljk sekundarnih kovinskih surovin s povišanim sevanjem, ki so izvirale iz drugih republik nekdanje skupne države. Uporaba radioaktivnih snovi, ki niso jedrske, je zelo različna, na primer v papirnicah, pivovarnah, cestnih podjetjih, na smučiščih, v inštitutih, zavodih za zdravstveno varstvo, vojski, policiji, carini itn. Le manjše število virov je tako aktivnih, da bi lahko z njimi namerno povzročili takšno radiološko nesrečo, zaradi katere bi bilo ogroženo življenje več ljudi. Po drugi strani lahko skoraj vsak vir sevanja povzroči kontaminacijo okolja in s tem povezano ekonomsko škodo. Dodatno je bila v Sloveniji leta 2006 sprejeta zakonodaja, ki določa temeljne ukrepe za fizično varovanje visokoaktivnih virov sevanja. Jedrska in sevalna varnost sta v Sloveniji na visoki ravni, primerljivi z drugimi članicami Evropske unije.

## **SKLEP**

Jedrski terorizem obsega štiri vrste tveganj: jedrsko orožje, ki se pridobi s krajo, jedrsko eksplozivno napravo, ki jo je mogoče narediti iz ukradenih jedrskih snovi, radiološko razpršilno napravo ali tako imenovano umazano bombo in sevalno tveganje, ki bi ga povzročil napad oziroma sabotaža na objekt ali prevozno sredstvo z jedrsko ali drugo radioaktivno snovjo.

V več delih sveta potekajo številne dejavnosti za zmanjšanje širjenja orožja za množično uničevanje ter z njim povezanega blaga oziroma snovi. Mednarodne pogodbe so eden temeljnih stebrov varovanja, predvsem sta to Pogodba o neširjenju jedrskega orožja in Pogodba o celoviti prepovedi jedrskih poskusov. Skrb za neširjenje orožja za množično uničevanje in z njim povezanega blaga oziroma snovi ni samo skrb razvitih držav, temveč vseh, še posebej hitro razvijajočih se držav, v katerih je nadzor pogosto podcenjen ali še ni ustrezno razvit. V mednarodnem prostoru je Mednarodna agencija za atomsko energijo tista organizacija znotraj Združenih narodov, ki skrbi, da se jedrska energija uporablja v miroljubne namene. V Sloveniji se jedrske snovi uporabljajo v miroljubne namene že več desetletij. Količina plutonija in visoko obogatene urana zunaj jedrskih objektov je zelo majhna. Oceno ogroženosti za vse tri slovenske jedrske objekte skoraj vsako leto

preverimo in, če je treba, dopolnimo skladno z oceno trenutnega varnostnega položaja v državi in širše.

Glede na majhno verjetnost in pojavnost jedrskega terorizma, tako v svetu kot v Sloveniji, se zdi, da pri nas ni velike verjetnosti, da bi v jedrskih objektih prišlo do namernega povzročanja škode z uporabo jedrskih ali drugih radioaktivnih snovi ter kraje, sabotaže oziroma drugih podobnih dejanj. V preteklosti ni bilo zaznati dejavnosti, ki bi kazale na to, da bi v Sloveniji organizirane kriminalne združbe ali posamezniki delovali na tem področju. Dejstvo je, da po dogodkih 11. septembra 2001 tako varnosti kot tudi varovanju namenjamo po svetu in v Sloveniji veliko več pozornosti kot v preteklosti.

Kot je bilo že rečeno: jedrska in sevalna varnost sta v Sloveniji na visoki ravni, primerljivi z drugimi članicami Evropske unije.

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# FINANCIRANJE TERORIZMA IN PRANJE DENARJA

## FINANCING OF TERRORISM VS. MONEY LAUNDERING

### POVZETEK

*Po terorističnih napadih v ZDA in Evropi je mednarodna skupnost sprejela več različnih ukrepov za uspešnejši boj proti terorizmu. Večji del ukrepov se nanaša na financiranje terorizma. Slovenija je skladno s priporočili mednarodnih organizacij in direktiv Evropskega parlamenta ter Sveta Evrope spremenila nacionalno zakonodajo, tako da je v svoj pravni red neposredno sprejela nekatere direktive EU in hkrati spremenila zakonodajo na področju sankcioniranja in preventive oziroma jo še spreminja. Tako je v Kazenskem zakonu od leta 2004 financiranje terorizma določeno kot kaznivo dejanje, hkrati pa je pred sprejetjem nov zakon o preprečevanju pranja denarja in financiranju terorizma, ki Uradu za preprečevanje pranja denarja in organizacijam, ki so v preteklosti opravljale naloge, povezane s preprečevanjem pranja denarja, dodaja še naloge za preprečevanje financiranja terorizma.*

### KLJUČNE BESEDE

*Financiranje, terorizem, priporočila, FATF, direktive.*

<sup>1</sup> Urad RS za preprečevanje pranja denarja.

**A B S T R A C T**

*Following the terrorist attacks on the US and Europe, a number of different measures have been taken by the international community to efficiently combat terrorism, with a majority of them related to terrorist financing. In accordance with recommendations from international organizations and directives issued by the EU Parliament and Council, Slovenia has endorsed some changes in its national legislation by directly introducing some of the EU Directives into its legal order and by modifying its legislation concerning sanctions and prevention measures. According to the stipulations of the Penal Code, the financing of terrorism has been defined as a criminal act since 2004. At the same time, with the adoption of a new Act on Money Laundering and Terrorism Financing Prevention, the scope of operations of the Office for Money Laundering Prevention and other organizations charged with anti-money laundering measures has been broadened by adding tasks concerning the financing of terrorism.*

**K E Y W O R D S**

*Financing terrorism, recommendations, FATF, Directive.*

.....

**URAD IN KAZNIVO DEJANJE PRANJA DENARJA**

Urad Republike Slovenije za preprečevanje pranja denarja (UPPD) je organ v sestavi Ministrstva za finance in ima z Zakonom o preprečevanju pranja denarja (Uradni list RS, št. 79/01 in 59/02, v nadaljevanju ZPPD) naloge, ki se nanašajo na odkrivanje in preprečevanje pranja denarja, ter druge naloge, določene s tem zakonom. UPPD tako sprejema, zbira, analizira ter posreduje podatke in dokumentacijo, ki jih pridobi skladno z določbami tega zakona.

ZPPD tudi določa, da naj se ukrepi za odkrivanje in preprečevanje pranja denarja izvajajo pred sprejemanjem, izročitvijo, zamenjavo, hrambo, razpolaganjem ali

drugim ravnanjem z denarjem ali premoženjem oziroma pri teh postopkih (v nadaljevanju transakcijah), in sicer pri:

- bankah, hranilnicah in podružnicah tujih bank;
- hranilno-kreditnih službah;
- organizacijah, ki opravljajo plačilni promet;
- pošti;
- družbah za upravljanje investicijskih skladov, ustanoviteljih in upravljavcih vzajemnih pokojninskih skladov in pokojninskih družbah;
- borzah, borzno-posredniških družbah in njihovih podružnicah;
- zavarovalnicah;
- igralnicah in drugih koncesionarjih za posebne igre na srečo;
- menjalnicah;
- zastavljalnicah;
- pravnih in fizičnih osebah, ki opravljajo posle, povezane s:
  - prodajo in nakupom terjatev,
  - faktoringom,
  - upravljanjem premoženja za tretje osebe,
  - izdajanjem plačilnih in kreditnih kartic ter poslovanjem z njimi,
  - lizingom,
  - organiziranjem potovanj,
  - prometom z nepremičninami,
  - hrambo v sefih,
  - prometom s plemenitimi kovinami in dragimi kamni ter izdelki iz njih,
  - izdajanjem garancij in drugih jamstev,
  - kreditiranjem in kreditnim posredovanjem,
  - dajanjem posojil in posredovanjem pri sklepanju posojilnih poslov,
  - posredovanjem pri prodaji zavarovalnih polic,
  - organiziranjem ali izvajanjem dražb,
  - trgovanjem z umetninami.

Ukrepi, ki naj jih izvajajo našteje organizacije, se nanašajo predvsem na:

- identifikacijo strank, ki z organizacijo sklepajo poslovno razmerje;
- sporočanje podatkov UPPD o transakcijah, ki presegajo 20.864,63 evra oziroma 5.000.000 tolarjev do 1. januarja 2007, ali o več povezanih transakcijah v manjših zneskih, ki skupaj presegajo navedeno višino;
- sporočanje podatkov UPPD o transakcijah, kadar v zvezi s transakcijo ali stranko obstajajo razlogi za sum, da gre za pranje denarja.

Po določilih ZPPD morajo ukrepe, povezane s sporočanjem podatkov o transakcijah, kadar se v zvezi s transakcijo ali stranko pojavijo razlogi za sum pranja denarja, izvrševati tudi odvetniki, odvetniške družbe, notarji, revizijske družbe, samostojni revizorji ali pravne oziroma fizične osebe, ki opravljajo računovodske storitve ali storitve davčnega svetovanja.

UPPD lahko začne obravnavati zadevo, pri kateri so v zvezi s transakcijo ali določeno osebo podani razlogi za sum pranja denarja, tudi na obrazloženo pisno pobudo sodišča, državnega tožilstva, Policije, Slovenske varnostno-obveščevalne agencije, Banke Slovenije, Agencije za trg vrednostnih papirjev, Agencije za zavarovalni nadzor ali inšpekcijskih organov Ministrstva za finance. *Po predlogu novega zakona o preprečevanju pranja M* □

## URAD IN KAZNIVO DEJANJE FINANCIRANJA TERORIZMA

Kaznivo dejanje financiranja terorizma je opredeljeno v 388. a členu KZ in se nanaša na osebe, ki zagotovijo oziroma zberejo denar ali premoženje, ki je deloma ali v celoti namenjeno za kazniva dejanja, kot so:

- ugrabitev (144. člen),
- ugrabitev letala ali ladje (330. člen),
- napad na varnost zračnega prometa (331. člen),
- umor najvišjih predstavnikov države (352. člen),
- nasilje proti najvišjim predstavnikom države (353. člen),
- oborožen upor (354. člen),
- terorizem (355. člen),
- ščuvanje k nasilni spremembi ustavne ureditve (360. člen),
- mednarodni terorizem (388. člen),
- ogrožanje oseb pod mednarodnim varstvom (389. člen),
- jemanje talcev (390. člen),
- drugo nasilno dejanje, katerega cilj je rušenje ustavnega reda Republike Slovenije,
- povzročanje hujših motenj v javnem življenju ali gospodarstvu,
- povzročanje smrti ali hudih telesnih poškodb oseb, ki ne sodelujejo v vojaškem spopadu,
- dejanje, katerega namen je prestrašiti ljudi ali prisiliti državo ali mednarodno organizacijo, da kaj stori ali opusti.

Predvsem po terorističnih napadih v ZDA in Evropi so se mednarodna skupnost in različne mednarodne organizacije odločile za spremembo in dopolnitev mednarodnih standardov za boj proti pranju denarja in financiranju terorizma, kar je vplivalo tudi na predlog novega **zakona o preprečevanju pranja denarja in financiranja terorizma**. To se nanaša predvsem na priporočila Projektne skupine za finančno ukrepanje (*Financial Action Task Force – FATF*), ki je eno ključnih mednarodnih teles v boju proti pranju denarja in financiranju terorizma. FATF je v letih 2003 in 2004 bistveno razširil priporočila, pa tudi na ravni EU je bil za uskladitev z revidiranimi mednarodnimi standardi pripravljen nov akt, in sicer *Direktiva Evropskega parlamenta in Sveta 2005/60/ES z dne 26. oktobra 2005 o preprečevanju uporabe finančnega sistema za pranje denarja in financiranje terorizma*. Določbe direktive je treba prenesti v nacionalne zakonodaje do 15. decembra 2007, nadomestila pa je direktivo Evropskega parlamenta in Sveta št. 2001/97/ES, ki je spremenila in dopolnila prvi akt EU s področja preprečevanja

pranja denarja, in sicer direktivo Sveta št. 91/308/EGS. Vse skupaj je pomenilo, da je treba uskladiti slovensko ureditev z evropskim pravnim redom in spremeniti sedanji ZPPD oziroma ga zaradi dodatne vključitve še nereguliranega področja financiranja terorizma nadomestiti s povsem novim zakonom.

Najpomembnejši mednarodni dokumenti, ki so upoštevani pri pripravi predloga novega zakona, so:

- 40 priporočil mednarodne organizacije FATF iz junija 2003 o pranju denarja (v nadaljevanju priporočila FATF);
- devet posebnih priporočil FATF iz oktobra 2001 in oktobra 2004 o financiranju terorizma (v nadaljevanju posebna priporočila FATF);
- Direktiva Evropskega parlamenta in Sveta 2005/60/ES z dne 26. oktobra 2005 o preprečevanju uporabe finančnega sistema za pranje denarja in financiranje terorizma (v nadaljevanju Direktiva 2005/60/ES);
- Konvencija Sveta Evrope o pranju, odkrivanju, zasegu in zaplembi premoženjske koristi, pridobljene s kaznivim dejanjem, vključno s financiranjem terorizma (K 198) iz maja 2005 (v nadaljevanju Konvencija Sveta Evrope K 198);
- Uredba Evropskega parlamenta in Sveta o podatkih o plačniku, ki spremljajo prenose denarnih sredstev. Uredba je pred potrditvijo in objavo v Uradnem listu EU;
- Uredba Evropskega parlamenta in Sveta št. 1889/2005 z dne 26. oktobra 2005 o nadzoru gotovine ob vstopu v skupnost ali izstopu iz nje;
- Direktiva Komisije 2006/70/ES z dne 1. avgusta 2006 o določitvi izvedbenih ukrepov za Direktivo 2005/60/ES Evropskega parlamenta in Sveta o opredelitvi politično izpostavljene osebe in tehničnih meril za postopke poenostavljene dolžnosti skrbnosti pri ugotavljanju identitete stranke ter izjeme na podlagi finančne dejavnosti, ki poteka le občasno ali v omejenem obsegu.

Na spremembo nacionalne zakonodaje je od vsega naštetega, predvsem na področju, ki ureja boj proti financiranju terorizma, najbolj vplivalo devet posebnih priporočil FATF o financiranju terorizma, ki so nastajala od 2001 do 2004.

Priporočila se nanašajo na ureditev področij:

- ratifikacija in sprejem instrumentov OZN,
- inkriminacija financiranja terorizma,
- zaseg in zaplemba sredstev,
- sporočanje sumljivih transakcij, ki se nanašajo na terorizem,
- mednarodno sodelovanje,

- alternativne oblike prenosa sredstev,
- nakazila,
- nepridobitne organizacije,
- kurirji z gotovino.

Glede na mednarodne izkušnje je ugotovljeno, da posamezniki ali organizacije pridobivajo finančna sredstva za teroristične dejavnosti iz virov, kot so:

- državna pomoč,
- bogati posamezniki,
- kriminalne dejavnosti,
- legalni viri.

Glede na vse navedeno je očitno, da sta si področji pranja denarja in financiranja terorizma podobni samo takrat, kadar govorimo o kaznivem dejanju, ki je pri pranju denarja predhodno kaznivo dejanje, pri financiranju terorizma pa gre za obliko pridobivanja sredstev, ki bodo uporabljena za storitev drugega kaznivega dejanja. Kljub temu imata pranje denarja in financiranje terorizma še vrsto drugih podobnih značilnosti. V obeh primerih je motiv storilcev, da organom pregona onemogočijo neposredno povezavo storilca in pranja denarja s predhodnim kaznivim dejanjem ter financiranje terorizma z virom sredstev. Značilno je, da storilci pri teh kaznivih dejanjih uporabljajo povsem enake metode in sredstva. Mednarodne organizacije so za boj proti terorizmu sprejele več odločitev, najpomembnejši sta dve resoluciji Varnostnega sveta OZN, in sicer Resolucija 1267 iz leta 1999, ki se je najprej nanašala na ukrepe proti talibanskemu režimu v Afganistanu, pozneje pa se je razširila tudi na ukrepe proti teroristični organizaciji Al Kaida, ter Resolucija 1373 iz leta 2001 o ukrepih, ki naj jih države članice sprejmejo za uspešen boj proti terorizmu. OZN na podlagi prve resolucije objavlja tudi seznam oseb in organizacij, ki so povezane s talibanskim režimom ali Al Kaido in jim je treba zaseči vsa finančna sredstva ter preprečiti potovanja z letali, druga resolucija pa je bila podlaga za sprejem devetih posebnih priporočil FATF. Seznam posameznikov in organizacij, povezanih s talibanskim režimom in Al Kaido, ki ga je pripravil OZN, je objavljen na spletni strani <http://www.un.org/Docs/sc/committees/1267/1267ListEng.htm>.

Na njem je bilo 24. avgusta 2006 navedenih 455 posameznikov in organizacij, povezanih s talibanskim režimom ali Al Kaido, in sicer:

- talibani (posamezniki): 143,
- talibani (organizacije): 1,

- Al Kaida (posamezniki): 193,
- Al Kaida (organizacije): 118.

V nadaljevanju je povzet del tega seznama, iz katerega je razvidno, kakšni podatki o posameznikih so v njem navedeni.

No	Personal identifiers	Alias	Nationality, Passport no., ID no. and address	Listed on	Other information
55	Name 1: Mohammad Name 2: Sharif	Good quality a.k.a.:	Nationality: Afghan	25.1.2001	
95	Name 1: Moussa Name 2: Ben Amor Name 3: Essaadi Name 4: Title: Designation: DOB: 4 Dec. 1964 POB: Tabarka (Tunisia)	Good quality a.k.a.:  Low quality a.k.a.: a) Dah Dah b) Abdelrahman c) Bechir	Nationality:  Passport no.:  National identification no.:  Address: Via Milano n.108, Brescia, Italy		
18	Name: Al Furqan	A.k.a.: a) Dzemiljati Furkan b) Dzem'ijetul Furkan c) Association for Citizens Rights and Resistance to Lies d) Dzemijetul Furkan e) Association of Citizens for the Support of Truth and Suppression of Lies f) Sirat g) Association for Education, Culture and Building Society-Sirat h) Association for Education, Cultural, and to Create Society -Sirat i) Istikamet j) In Siratel F.k.a.:	Address: a) Put Mladih Muslimana 30a, 71 000 Sarajevo, BiH b) ul. Strossmajerova 72, Zenica, BiH c) Muhameda Hadzijahica #42, Sarajevo, BiH	11 May 2004 (amended on 26 Nov.	



Podoben seznam objavlja tudi Evropska unija (Consolidated list) na spletni strani [http://ec.europa.eu/comm/external\\_relations/cfsp/sanctions/list/consol-list.htm](http://ec.europa.eu/comm/external_relations/cfsp/sanctions/list/consol-list.htm), na njem je bilo 30. avgusta 2006 4260 vnosov. Seznam, ki ga objavlja EU, je precej širši kot seznam OZN. Razlogi za to so trije. V seznamu EU so namreč vzdevki, druga imena in izmišljena imena, ki jih uporabljajo osebe s seznama, vneseni kot samostojni, drugi razlog je, da vsebuje seznam EU tudi podatke o osebah, za katere veljajo omejevalni ukrepi iz drugih resolucij Varnostnega sveta OZN, poleg tega so imena organizacij prevedena v vse jezike držav članic EU.

Lastname	Firstname	Middlename	Wholename	Entity
			(Islamistické) hnutie za reformu Arábie Ltd	3020
			(Los) Muyahidines Hizbul	3200
			»The Base«	329
			»Hambali«	1003
			»A Base«	329
			»a base«	329
			»La Base«	329
			»La Base«	329
			Διεθνής Ομοσπονδία Νεολαίας Σιχ	210
			Δίκτυο του Οσάμα Μπιν Λάντεν	329
A Rahman	Mohamed Iqbal			1004
A Salami	Moustapha			2293
Abdel Rahman	Abd Allah	Mohamed Raga		3140
			Abdel-Baki Abdel-Karim Abdalla Al-Sadoun	104
			ABDELHAMID AL KURDI	1089
Abdelhedi	Mohamed	Ben Mohamed Ben Khalifa		2273
			Abdellah	1014
Abdellah	Imad	Mouhamed		1081
			Abdelrahman	1020

Skladno z vsem navedenim je v predlogu **zakona o preprečevanju pranja denarja in financiranja terorizma** na novo opredeljeno kar nekaj pojmov, ki jih slovenska zakonodaja do zdaj ni poznala:

- **financiranje terorizma** je zagotavljanje ali zbiranje oziroma poskus zagotavljanja ali zbiranja denarja ali drugega premoženja zakonitega ali nezakonitega izvora, posredno ali neposredno, z namenom ali zavedajoč se, da bo v celoti ali delno uporabljen za izvedbo terorističnega dejanja ali da ga bo uporabil terorist oziroma teroristična organizacija;
- **teroristično dejanje** je kaznivo dejanje, določeno v 2. členu Zakona o ratifikaciji Mednarodne konvencije o zatiranju financiranja terorizma (2. člen konvencije; Uradni list RS – MP, št. 21/04);
- **terorist** je fizična oseba, ki:
  - stori ali poskuša storiti teroristično dejanje na kakršen koli način,
  - je udeležena pri terorističnem dejanju kot sostorilec, napeljevalec ali pomagač,
  - organizira teroristično dejanje,
  - prispeva k terorističnemu dejanju skupine ljudi, ki deluje s skupnim ciljem, če ravna namerno in z namenom prispevati k nadaljevanju terorističnega dejanja ali je seznanjena z namenom skupine, da stori teroristično dejanje;
- **teroristična organizacija** je katera koli skupina teroristov, ki:
  - storijo ali poskušajo storiti teroristično dejanje na kakršen koli način,
  - so udeleženi pri terorističnem dejanju,
  - organizirajo teroristično dejanje,
  - prispevajo k terorističnemu dejanju skupine ljudi, ki deluje s skupnim ciljem, če ravnajo namerno in z namenom prispevati k nadaljevanju terorističnega dejanja ali so seznanjeni z namenom skupine, da stori tako dejanje.

Hkrati z opredelitvijo novih pojmov je predvidena tudi razširitev vseh nalog zavezancev in UPPD, ki so veljale za preprečevanje pranja denarja, in sicer še na boj proti financiranju terorizma. Organ, ki mu naj UPPD pošlje obvestilo o sumljivih transakcijah, povezanih z enim ali drugim kaznivim dejanjem, je določen nekoliko nejasno, ZPPDFT namreč določa: »Če urad na podlagi podatkov, informacij in dokumentacije, ki jih pridobi v skladu s tem zakonom, presodi, da so v zvezi z neko transakcijo ali osebo podani razlogi za sum pranja denarja ali financiranja terorizma, pošlje pisno obvestilo s potrebno dokumentacijo **pristojnim organom**.« Edina povsem jasno pristojna organa, ki jima UPPD pošlje obvestila v primeru pranja denarja ali financiranja terorizma, sta že po Zakonu o kazenskem postopku Policija in tožilstvo, v primeru obvestila o financiranju terorizma pa se postavlja vprašanje, kateri organi poleg omenjenih so še pristojni za prejem takega obvestila. Tu sta seveda mišljeni predvsem obe obveščevalno-varnostni službi.

## LITERATURA IN VIRI

- *Direktiva Evropskega parlamenta in Sveta o preprečevanju uporabe finančnega sistema za pranje denarja in financiranje terorizma, 2005/60/ES z dne 26. oktobra 2005.*
- *Direktiva Komisije o določitvi izvedbenih ukrepov za direktivo 2005/60/ES Evropskega parlamenta in Sveta glede opredelitve politično izpostavljene osebe in tehničnih meril za postopke poenostavljene dolžnosti skrbnosti pri ugotavljanju identitete stranke ter izjeme na podlagi finančne dejavnosti, ki poteka zgolj občasno ali v omejenem obsegu, 2006/70/ES z dne 1. avgusta 2006.*
- *Kazenski zakonik RS, Uradni list RS, št. 95/2004 s spremembami in dopolnitvami.*
- *Konvencija Sveta Evrope o pranju, odkrivanju, zasegu in zaplembi premoženjske koristi, pridobljene s kaznivim dejanjem, vključno s financiranjem terorizma (K 198), maj 2005.*
- *Uredba Evropskega parlamenta in Sveta o kontroli gotovine ob vstopu v Skupnost ali izstopu iz nje, št. 1889/2005 z dne 26. oktobra 2005.*
- *Zakon o preprečevanju pranja denarja, Uradni list RS, št. 79/01 in 59/02.*



PROLIFERACIJA OROŽJA ZA  
MNOŽIČNO UNIČEVANJE –  
JRKB/E:  
NOVODOBNI IZZIV  
VARNOSTNIM SILAM V BOJU  
PROTI TERORIZMU<sup>3</sup>  
PROLIFERATION OF CBRN/E  
WEAPONS:  
A NEW CHALLENGE FOR  
SECURITY FORCES IN  
COUNTER-TERRORISM

**P O V Z E T E K**

*Mednarodna javnost se srečuje s tretjo generacijo teroristov. Globalni džihad (sveta vojna) je spremenil svojo različico delovanja, saj posamezniki ali skupine delujejo tako, da sledijo voditeljevi nameri brez dejanskih navodil oziroma neposredne povezanosti s centralnim vodstvom. Glavno komunikacijsko orodje novodobnih teroristov je postal internet, hkrati pa je za tretjo generacijo teroristov značilna spremenjena vloga religije in ideologije. Dela islamskega učenjaka Ibn Taymija iz 13. stoletja, ki so obravnavala dolžnosti džihada, so se umaknila*

<sup>1</sup> Fakulteta za varnostne vede.

<sup>2</sup> Ministrstvo za obrambo.

<sup>3</sup> Avtorja objavljata le povzetek daljšega članka, ki bo v celoti objavljen drugje.

*iz ospredja in niso več temeljna ideološka baza za globalno delovanje džihadistov 21. stoletja. Nova generacija teroristov prevzema svojo indoktrinacijo oziroma religiozno ideologijo od novodobnih islamskih radikalnih ideologov, objavljeno na internetu. Vodilna taktika uresničevanja nove ideologije in novih smernic džihada so serijska obglavljanja, posneta in predvajana na internetu in TV. Svojo taktiko pa džihad dopolnjuje z množičnimi izobčenji (takfir) članov terorističnih skupin, s čimer opravičuje umore muslimanov in do skrajnosti povečuje prag strpnosti do najhujših oblik nasilja med fanatičnimi ekstremisti. Ugrabitve, javna predvajanja mučenj in usmrnitev talcev ter izsiljevanja za visoke odkupnine postajajo eden pomembnejših virov financiranja džihada. Spremenjena taktika in nova ciljna interesna območja postajajo prednostna, vzporedno pa se dinamično spreminjata strategija in taktika globalnega boja proti terorizmu. Asimetrija ni več značilen vzorec oziroma termin, ki bi zadostno opisal in definiral nove različice delovanja džihada. Internetno organiziran informacijski kaos ustvarja in problematizira inter- in intrakomunikacijo znotraj mednarodne teroristične mreže, kar nevarno množi morebitne grožnje. Razvoj visokih tehnologij prehaja nacionalne meje, ki so vse poroznejše in ranljivejše, svet je vse manjši. Sproženje namernega izbruha bolezni, množične žrtve in splošna destrukcija so scenariji, ki dosegajo kritično raven oziroma se njihova magnituda nemoteno in eksponentno povečuje. Ni več vprašanje, ali lahko posameznik ali skupina ekstremistov uporabi biološko, kemično ali primitivno izdelano jedrsko orožje. Filozofija takšnega enkratnega uspešnega napada je preprosta, zgodili se bodo naslednji in množične žrtve so logično nadaljevanje. Orožje za množično uničevanje – JRKB/E – je že v novih, napačnih rokah, kar mednarodno skupnost oziroma mednarodni varnostni sistem postavlja v razmeroma nevarno območje. Biološko in kemično orožje sta »orožji prihodnosti« in bosta v kombinaciji z radiološkim in jedrskim orožjem najpogosteje uporabljeni na zgodnjih stopnjah konflikta, kar bi*

*destabiliziralo varnostni sistem in logistično bazo ter povzročilo njun zlom.*

*Vsi napor, da se preprečijo pridobivanje, proizvodnja in kopičenje orožja za množično uničevanje, so odvisni predvsem od sposobnosti in pripravljenosti varnostnih sil. Vrhunsko opremljena varnostna sila že dolgo ni edini pogoj za uspeh v boju proti hitremu širjenju orožja za množično uničevanje oziroma v boju proti terorizmu. Ciljno izobraževanje in vzporedna osebna rast posameznikov v varnostnih silah ter večdimenzionalnost varnostne sile kot celote so eden izmed temeljnih pogojev, da grožnjo uporabe orožja za množično uničevanje ter sisteme za njegovo širitev obvladujemo oziroma preprečimo.*

*Glavno sporočilo članka je namenjeno odpravi pomanjkanja razumevanja, da je posebno in za varnostne sile posebej prirejeno naravoslovno znanje na področju JRKB/E bistveno in bi moralo predstavljati ultimativno filozofijo zaščite varnostnih sil. Varnostne sile morajo najprej preživeti, da bi lahko zmagale, ščitile in zaščitile oziroma izpolnjevale ter izpolnile svoje temeljno poslanstvo.*

**K L J U Č N E B E S E D E**

*JRKB/E-orožje, proliferacija, varnostne sile, izobraževanje, terorizem.*

**A B S T R A C T**

*The international community is facing a third generation of terrorists. Global Salafi Jihad changed its course of action by following the “leader’s design” without being specifically guided, informed or attached to the central strategic leadership. The Internet has become the terrorist’s major tool of communication. The modification of the role and relationship to Islam and Islamic ideology, replaced the original Ibn Taymiya’s philosophy*

*of the 13<sup>th</sup> Century. The new generation of terrorists accustom their religious indoctrination from new age radical Islamic t ideologists and from web sites and other media. The leading and unacceptably cruel web site's executive philosophy motivated the recording and broadcasting of decapitations along with unlimited excommunications, so called Tackfir, and causing the escalation of violence among Islamic "holy warriors" of the 21<sup>st</sup> Century. Kidnappings, hostage takings, ransom demands and extortion represent important sources of their "holy missions" financial backing. The new age terrorist's tactical concept and targeted areas of interest, in regards to counter terrorism have become a priority. Asymmetry is no longer the leading and sufficient term by which the new tactics and combat techniques of Jihad can be described or defined. The organized chaos regarding intra- and intercommunication between the "holy warriors" and their strategic headquarter within the international terrorist network is multileveled and has varying degrees of possible threats. With advanced technologies and a smaller world with more open borders, the ability to unleash mass sickness, death, and destruction today has reached a greater magnitude. A lone madman or nest of fanatics with a bottle of chemicals, a batch of plague-inducing bacteria (virus), or a crude nuclear bomb, can threaten or kill tens of thousands of people with a single act. Weapons of mass destruction (WMD/CBRN/E- weapons) have already spread into new hands. These weapons pose a grave and urgent threat to international security. It is no longer questioned that use of biological and chemical weapons is a "likely condition of future warfare" and that these and nuclear weapons are likely to be used "early in the conflict to disrupt a security system and logistics".*

*Efforts to prevent certain groups from obtaining, manufacturing, or retaining these weapons crucially depend on the readiness of security forces. Well-equipped security forces are no longer enough. Education is crucial to triumph over an adversary who threatens or uses these weapons and their associated delivery systems.*



*Therefore, the major message of the article is based on the extensive lack of understanding that a special and adjusted education system regarding WMD/CBRN/E- weapons should be the ultimate and is the only possible direction for security forces to ensure their survival, triumph, and ability to protect.*

**K E Y   W O R D S**

*CBRN/E- weapons, proliferation, security forces, education, terrorism.*



# OBOROŽENE SILE KOT POMEMBEN DEJAVNIK V BOJU PROTI TERORIZMU

## ARMED FORCES – AN IMPORTANT FACTOR IN COUNTERING TERRORISM

### POVZETEK

*V Republiki Sloveniji bo treba opraviti ustrezne analize, ki bodo pokazale, ali je treba glede na spremenjene svetovne varnostne dejavnike vlogo institucij, ki zagotavljajo nacionalno varnost, na novo opredeliti. Zavedati se je treba, da so naše finančne, kadrovske in materialne zmožnosti omejene, zato bo treba preseči ozke interese posameznikov in skupin ter začeti postopke združevanja udeleženih institucij. Cilj organiziranja učinkovitih organov je, da se bodo sposobni prilagoditi razmeram in upreti grožnjam, ki bi lahko ogrozile nacionalno varnost države. Poleg tega, da se oborožene sile pojavljajo v mirovnih operacijah za podporo miru ali njegovo uveljavljanje, smo v svetu priča procesom, ki opredeljujejo njihovo vlogo tudi na področju zagotavljanja notranje varnosti oziroma protiterorizma. Oborožene sile se zaradi svoje tehnične opremljenosti, izurjenosti in organizacije vedno bolj pojavljajo tudi kot podpora drugim institucijam, ki zagotavljajo notranjo varnost države.*

<sup>1</sup> Ministrstvo za obrambo.

**K L J U Č N E B E S E D E**

*Oborožene sile, nasprotovanje terorizmu, mednarodni terorizem.*

.....

**A B S T R A C T**

*An adequate analysis has to be done in the Republic of Slovenia which will show us if the role of some institutions which assure national security has to be changed according to changes in world security factors. We should be aware that we have limited financial, personnel and material resources in our state and for this reason we have to go beyond the narrow interests of individuals and groups. We have to commence procedures of integration of certain subjects. The main goal of establishing efficient agencies is that they will be able to adapt to and counter threats which could potentially threaten our national security. Worldwide, in addition to their participation in activities connected with peace support and peace enforcement operations related to assuring international security, armed forces are acquiring new roles in the assurance of internal security and countering terrorism. Because of their equipment, skills and organization, the armed forces are more and more involved in supporting other agencies in the assurance of internal security and counter terrorism activities.*

**K E Y W O R D S**

*Armed Forces, counter terrorism activities, international terrorism.*

.....

The phenomenon of new terrorism has generated a completely different view on the assurance of national and international security. In the global world order, it has been finally accepted that total security does not exist. Each country or

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their national security can be threatened at any time by different factors such as terrorism, natural disasters, international crime and other threats.

Terrorist acts have shown that national security systems were no longer able to effectively counter new threats brought by the changed global security circumstances. Most countries have started a process of determining new tasks and relations between authorities responsible for the assurance of the proper level of national security. Even greater stress has been focused on the assurance of international security. Terrorist acts, which were of local nature in the past, have acquired global dimensions with their new forms. This shows us that today countries are not the only subject of international relations that have a monopoly over the means for conducting mass violence.

After the Cold War, the relations in the international community changed radically. The states as fundamental subjects of the international law no longer present the main source of threat to each other. The appearance of unipolarity with a really strong world super power, that is the United States of America, which is not capable of controlling all negative phenomena in the international community, brings about numerous ethnical, religious, international and ideological disputes. Globalisation, as a world process, brings both positive and negative results. The negative include attempts of the western culture to dominate traditional cultures in different regions in the world. The process of globalisation does not bring just allocation of world assets. On the contrary, the globalisation even accumulates these assets in defined centres of power. All these processes are causing different forms of resistance in a great part of the underdeveloped world manifested by certain forms of terrorism. Because of globalisation and the media, which are one of the main products of this process, terrorism has spread beyond the local frames and become one of the biggest world threats. International terrorism threatens the existence of the international security system and individual subjects in this system. We have to dedicate special emphasis to the importance of national and international security. Antiterrorist activities are not important per se. They need to be conducted to protect values valid in society. Terrorism is the biggest threat to these values. The conducting of these activities is important for restoring the balance between risks (threats) and control of these threats. This is the essential meaning and task of the system protection of national security. The first phase of the system protection concept includes identification and recognition of threats, followed by the analysis of these threats. The third phase includes activities which are directed towards countering and removal of consequences caused by terrorism.

An adequate level of national security can be assured only with efficient operation of the national security system. The national security system is determined by elements such as security policy, security structure and security self-organization of civil society (Grizold, 2001: 135). All three elements create a complex system which has to assure suitable response to the threats such as terrorism. Security structure is very important from the system point of view. It is composed of several system elements such as defence and internal security. These two elements are common to most of the states and each has its own elements. The defence element in the Republic of Slovenia is composed of armed forces and civil defence. Every state is “sui generis” in the process of developing their owned system of national security. Effective interaction of mechanisms for directing, coordinating and cooperating between agencies is very important for countering terrorism. The security policy has a special role in this part. In its narrow sense it presents a collection of all measures, activities and regulations which are designed for the establishment and operation of the national security system (Grizold, 2001: 134). National security policy also defines basic directions of strategies which are later conducted by different agencies in accordance with their responsibilities. Strategies for countering terrorism can contain a whole spectrum of activities such as legal, political, economic, police, intelligence and also military activities and strategies. Good coordination between all these strategies is one of the most important elements for success in countering terrorism. The complexity of international relations and operation of international system forces national security systems in interaction with international environment. All these findings are also reflected in countering terrorism. It is practically impossible to imagine an adequate system of countering terrorism in the Republic of Slovenia, without placing it in a suitable international framework. This international framework is reflected in international organizations which Slovenia has joined as well as bilateral and multilateral relations with partner states. International security or more detailed, international system of countering terrorism is as strong and reliable as is its weakest link in countering terrorism in a specific member state. The statements above show us the importance of the execution of all adequate measures to build an integrated system for countering terrorism or assurance of a proper level of national security. The system of countering terrorism has to give us an assurance for continuing execution of all measures provided by the legislation conducted in accordance with the responsibilities of different subjects

in the national security system. On the other hand, these measures have to assure an adequate level of operation in procedures which have to be as less disturbing as possible for individuals and for the whole society.

It appears that armed forces are one of the key subjects of national security systems to defend a state against external aggression. Armed forces have new roles in national security systems because of the changing security circumstances and because of estimations that practically do not anticipate a classical conventional military attack on a state. Worldwide we are facing processes where armed forces are acquiring new roles in the assurance of internal security and countering terrorism in addition to their participation in activities connected with peace support and peace enforcement operations related to assure international security. Because of their equipment, skills and organization, the armed forces are more and more involved in supporting other agencies in the assurance of internal security and counterterrorism activities. These activities comprise securing state borders, fight against terrorism, control and defence of national air space, control of the proliferation of weapons for mass destruction and consequence management after terrorist attacks and natural disasters.

An adequate analysis has to be done in the Republic of Slovenia which will show us if the role of some institutions for the assurance of national security has to be changed according to changed world security factors. We should be aware that we have limited financial, personnel and material resources in our state and for this reason we have to go beyond narrow interests of individuals and groups. We have to start the processes of integrating certain subjects. The main goal of establishing efficient agencies is that they will be able to adapt to and counter threats which could potentially threaten our national security.

It is necessary to address the question what is the most adequate response of the modern state to the complexity of international terrorism and the connected threats of security. The next question is whether it is enough to activate limited mechanisms or parts of the national security systems, what is the role of vertical and horizontal cooperation and coordination in all phases that include armed forces and how important that role is. Recently, it is also important to address specific roles of armed forces in a contemporary process of countering international terrorism threats. These questions are also related with dilemmas of different forms of civil-military cooperation in the field of countering terrorism.

**SOURCES OF THREAT FROM NON-STATE ACTORS**

Terrorism has been mostly connected with the execution of political violence by non-state actors. However, from the analytical point of view this definition of a problem of terrorism is inadequate because one frequently witnesses cases when a state executes terror against their own residents. Politically, one could divide violence by non-state actors in three main categories which are connected with nationalism, Marxist ideology and lately, terrorism with the expressed religious connotation. Political violence committed by non-state actors today is much more present and persistent as violence between states (Hough, 2004: 81). A second important aspect in the determination of threats caused by non-state actors can be seen in the decentralization of the monopoly over acts of violence. Many states have lost monopoly over the execution of legitimate violence on their territories or has this capacity been gained by non-state organizations acting in those countries. (Žabkar, 2004: 287). Destructive power of non-state actors has been demonstrated with terrorist attacks committed by Al Qaeda. With these attacks the terrorist network showed that it could threaten security of the most powerful military state in the world and thus opened a new perception of the modern warfare definition. Žabkar establishes that terrorist organizations are able to conduct wars of global extensions without direct fighting against enemy soldiers but just with attacks on their civil targets and infrastructure (Ibidem, 2004: 289). George Bush's declaration of war against international terrorism presents deviation from all the existing theories of warfare. The enemy of the most powerful force on the world is not another military force but a terrorist network composed of cells dispersed all over the world. They are also located in the states which are allies to the United States of America. The United States of America have not assured a higher level of national security with the activities connected with global war on terrorism and because of asymmetric warfare they could not enforce their military superiority. In the next chapter I will define in more detail the problem of terrorism, which is conducted by state and non-state actors. This definition will include its main characteristics and forms which are necessary for understanding terrorism counter measures among others also the use of armed forces.

**TRENDS AND INDICATORS OF INTERNATIONAL TERRORISM**

The events of 9/11 2001 and other terrorist acts which occur with undiminished effects all over the world face us with a dilemma: are we dealing with "new



terrorism” which is even more lethal and difficult to control than terrorism we got used to in the near and more distant past? It is obvious that modern terrorism is in close correlation with the process of globalisation and that it exploits all influences which this process brings in the 21st century. Also in the past one could not connect terrorism only with one religion or socio-political system. Terrorism has been connected with different activities of persons and organizations which operated in a certain closed region. Terrorism is these days in terms of its dimensions international and transnational and this means that national borders have lost their traditional meaning. Terrorist targets, even if connected only with one state, could be found anywhere in the world<sup>2</sup>. Attacks performed by the international terrorist network on selected targets in the most industrially and militarily developed state had a very deep message and symbolic meaning. Threats brought by global terrorism are possible any time and any place in the world. There is no total security and it is impossible to ensure it. This recognition has been even stronger in our minds after terrorist attacks on the USA, Madrid, Beslan and London. It is very important that after the Cold War, violence has become a legitimate part of this system in international relations. States and international organizations try to keep their monopoly over the execution of violence. In view of new global force proportion it is justified to ask ourselves if the role of states in this area is reducing because lately more and more non-state actors appear which seem to be directly collaborating in arranging international relations. A large increase in the number of non-state actors and their clear wish to directly cooperate in settling international relations evidently present a certain “threat” to states and their monopoly over executing violence. Based on a concrete relationship between the globalisation of terrorism and terrorist groups on the one side and the role of the state on the other side we can’t with all certainty confirm essential reduction of its role in international relations. On the one hand, international terrorist organizations still have certain direct or indirect support by some states.<sup>3</sup> A very important dimension of modern terrorism is also the changes in motivation patterns of terrorists. On the scene, there is a new wave of terrorists who are joining in the network structures composed of groups of ready and highly motivated individuals with religious persuasion and pervaded with religious hatred. The second important group of terrorists is violent right wing extremists and various sects who believe in apocalypse or the end of the

<sup>2</sup> As an example, the most evident are the attacks on the USA and Israeli embassies and other facilities

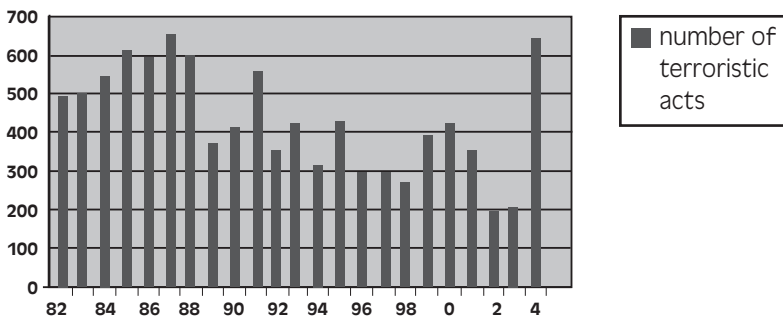
<sup>3</sup> The supporters of terrorism are considered to be the states whose ideological and political framework is in accordance with goals of terrorist organizations.

world. For these reasons they are in some way even more radical than the previously mentioned group.<sup>4</sup> John Tenet, former director of the Central Intelligence Agency, CIA, warned already in 1997 that religious terrorist fanatics presented a threat to the USA which had not existed until then and that an increasing number of terrorist groups inquired about possible use of weapons of mass destruction.<sup>5</sup>

Some experts define “new terrorism” with specific characteristics which distinguishes it essentially from terrorism we were used to in the past. The most important differences are its global character, deadliness, destructiveness, a new paradigm, improved organization, use of new technology and boundless fanaticism. The main guidance is hate, which exceeds all moral and legal norms.<sup>6</sup>

In continuation of this article, I will present some trends of terrorist acts in the last 15 years. A detailed overview will give us a clear picture that terrorist attacks 9/11 2001 in the USA have not been the only attacks which demanded such a high number of victims. Several international organizations have been systematically and analytically covering all terrorist attacks in the world. In the text below I will provide a detailed overview of committed terrorist attacks by different world regions, the number of killed and wounded persons, categories of injured persons who had been the most frequent targets of terrorist attacks, and an overview of methods and forms of terrorist acts.

Graph 1: Number of terrorist attacks from 1982 to 2005



Source: (Department of State, Office of the Coordinator for Counterterrorism, <http://www.state.gov/s/ct//rls/pgtrp/2005>).

<sup>4</sup> In the Rand St. Andrews Chronology it was registered that religious groups executed only 25% of all international terrorist attacks in 1995 but these attacks caused 58% of all victims.

<sup>5</sup> In 2001, this estimation proved to be completely right, since the tragic events even exceeded the most negative scenarios.

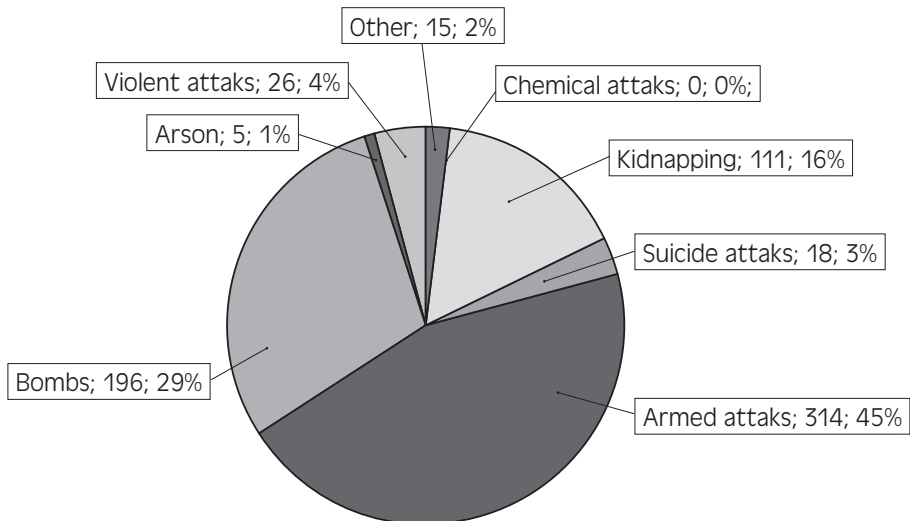
<sup>6</sup> This definition was given by Tom Maley, lecturer on The Royal Military College of Science, on the NATO Defense Against Terrorism Course in NATO School dated 13 February 2005.

We can see from the graph that the number of terrorist acts committed after 1987, when it reached its peak, had been decreasing until 2004 when a large increase of committed terrorist acts can be noticed. A decreasing number of terrorist acts are not in linear connection with the number of fatalities due to terrorist acts. In the following graphs I am going to show that this relation is just the opposite. The number of victims is increasing which shows us that terrorists are using increasingly deadly methods. The year 2005 presents a record in terms of the number of executed terrorist acts. There were more than 11,000 terrorist acts executed. This drastic increase of terrorist acts can be explained by the following facts:

We were faced with a notable increase of committed terrorist acts in Iraq; In comparison with terrorist acts outside Iraq one can see that they remain practically on the same level as in 2004;

If we compare just the most deadly attacks in 2005 (London, Sharm al Shaykh, Amman and Bali) with similar attacks in 2004 (Beslan, Madrid, attacks on Aeroflot planes in Russia and the attack on ferryboat in Philippines) it shows that the year 2004 with its 3,000 victims was even more lethal than 2005 with 1,500 victims (NCTC Report on Incidents of Terrorism 2005: 10).

Graph 2: Review of the number of deaths caused by different forms of terrorism in 2004

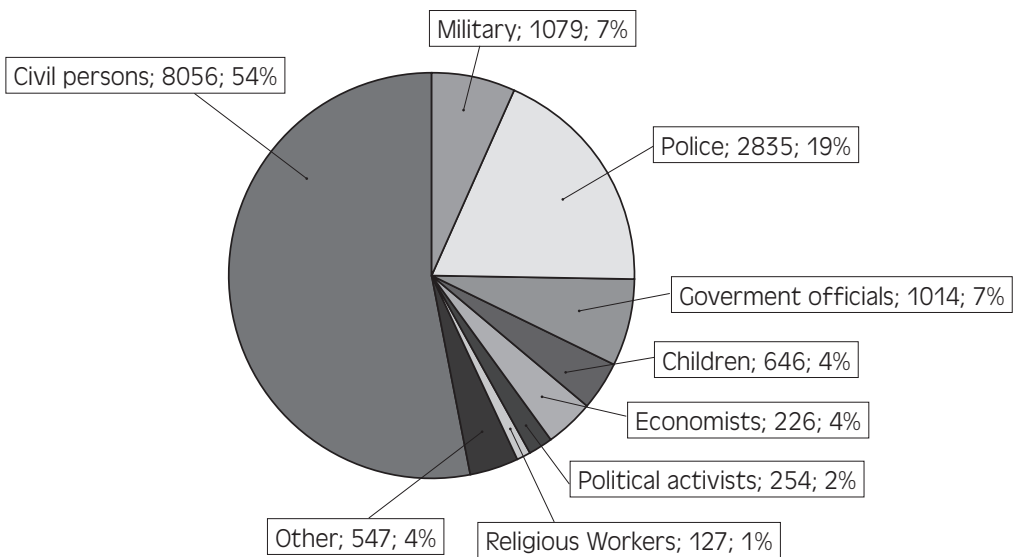


Source: National Counterterrorism Centre – NCTC; Chronology of Significant International Terrorism for 2004 (2004: 88).

We can see from the graph that the most frequent methods used by terrorists in executing terrorist acts are armed attacks, placing of different explosive devices (bombs) and kidnappings which end with death of hostages.

It is very important to show also categories of persons that are the most frequent victims of terrorist attacks. Therefore, I will show the data for 2005.

Graph 3: Victims of terrorist acts in 2005 divided in categories



Source: National Counterterrorism Centre – NCTC; Report on Incidents of Terrorism 2005 (2006: 18).

We can see that civil victims represent more than a half of all victims of terrorism in 2005. Terrorism in its execution phase is becoming more and more uncompromising. Terrorist groups do not only target at governmental structures and institutions, but direct their actions against civil population to cause a greater number of victims.

**ROLE OF THE SLOVENIAN ARMED FORCES IN COUNTERING TERRORISM**

Different sources of threat among which terrorism is one of the more important ones will present an important factor of threat to the national security of individual states and international community in the future. With the process of globalisation terrorism has appeared practically in every part of the world. For this reason it is practically impossible today to separate areas which have not been directly or indirectly influenced or threatened by terrorism. Increased terrorist threats in the last years have brought about the need to involve armed forces in counterterrorism activities. States are trying to complement the existing capacity for countering terrorism by using the armed forces although traditionally these activities fit in the area of internal affairs. Counterterrorism tasks of armed forces until now have been directed towards protection and assurance of interests of states and their citizens outside state borders. In the last period we notice trends where armed forces are also more and more employed for counter terrorism tasks inside state borders. Only multi purpose armed forces will be capable of quick adapting to changing situations (Kotnik, 2002: 167) and the dynamics of the security environment. In most modern countries a scientific and expert debate is going on about new roles and tasks of armed forces. It is more and more likely that armed forces will be involved in solving different conflicts among which is also terrorism (Toffer, 1995: 36). Boene (1994: 6) does not treat the “new role” of armed forces as a “sui generis” phenomenon but only as expanded spectrum of military operations. We should be aware that in history there were different periods when they searched for new, additional roles for military forces. This is especially characteristic for periods of relatively small probability of military engagements and military threats, when there are no real reasons for the implementation of the basic mission of military forces (deterring and executing armed conflicts) (Kotnik, 2002: 163). With these acts military forces are searching for the adequate level of legitimacy or at least the feeling of usefulness. One could partly agree with these estimates but on the other hand we should stress that civil society has to be interested in a proper involvement of armed forces in countering all threats to national security. This means that all potentials of armed forces should be used for this reason. In this context we can understand the need that military forces be more active in the area of countering terrorism. Some authors (Garb, 1993: 56; Jelušič, 1992: 73) quoted that the army was loosing the role which gives it the biggest legitimacy in the society and that the army needs to have an image of an active element. The perception of civil society

regarding the need to employ military forces for countering terrorism depends on various factors among others the level of terrorist threats, the ability of military forces for executing such activities, the perception of the role of armed forces, the tradition and other social factors. One can not disregard tensions and conflicts as a result of the new role of armed forces in the organization of the national security system. All listed factors influence the success of activities conducted by armed forces and their integration into the whole national security system.

For this reason, I stress in my paper the necessity and inevitability of “horizontal inter-organizational” (Prezelj, 2005: 6) cooperation and coordination in which the Slovenian Armed Forces have to have an important role to play. In the area of defence studies there is an increasing need of civil-military or joint execution of activities. This framework contains cooperation between armed forces and civil agencies on different levels to include local or tactical level but also operational and strategic level of cooperation. The basic problem related to the participation of armed forces in the modern complex security environment is the reduction and adjustment of the complexity characteristic for events connected with terrorist threats. Very often it shows that military forces can not execute their activities without help and support of other agencies and vice versa that other agencies can not execute their tasks without armed forces (for comparison see Prezelj, 2005: 87). The structure of the Slovenian Armed Forces and its individual organization elements have to enable, supported by legal and doctrinal bases, efficient operation and incorporation in a wider national and international framework of counterterrorism activities. The analysis of the Slovenian Armed Forces organizational structure and the definition of new operational organizational

operations and development of the Slovenian Armed Forces in the area discussed. The analysis includes documents such as the Resolution on the National Security Concept in the Republic of Slovenia, Resolution on the Long-term Development and Equipment Programme of the Slovenian Armed Forces, The Law on the Implementation of Basic Development Programs for the Slovenian Armed Forces from 2008 to 2015, the Law on Defence and the Military Doctrine as well as documents which present operational development documents such as the Strategic Defence Overview 2002/2003 with a development vision until year 2015 and Mid-term Defence Programs for 2005–2010 and 2007–2012.

In a detailed overview of basic regulations we can find out if the Slovenian Armed Forces are developing and equipping in the direction towards assuring capabilities for countering terrorism. The data about the situation in the area of regulations make it possible to evaluate the readiness of political structures in the Republic of Slovenia to recognize the Slovenian Armed Forces as an important factor in countering terrorism.

The analysis of strategic defence and military documents shows that the legal base for activating and development of the Slovenian Armed Forces is relatively well defined. These documents have yet not been completely accommodated to new situations and needs and for this reason they are sometimes used depending on the situation. The allocation of financial means for the development of Slovenian Armed Forces capabilities which are closely connected with counterterrorism is legally defined and precisely outlined in long term and mid term programs for the development and equipment of the Slovenian Armed Forces. The whole mosaic of legal regulations is still missing some important segments which are needed for a complete definition of this area, for example the Service Act and the Defence Strategy are in the process of preparation to be adopted by the parliament and the government, to name just a few. Regardless of these facts, we can estimate that the Slovenian Armed Forces have adequate legal basis for their operation in the area of counterterrorism and that they can carry out their tasks independently and with cooperation with others agencies. If compared with other NATO member states we can estimate that in terms of legal and strategic determination of the role of armed forces our system is relatively comparable, although it has some specific deficiencies. These deficiencies are limited to the determination of cooperation between adequate structures and to the efficient coordination between them. The Strategic Defence Overview 2002/2003 with a development vision until 2015 is a quality document that served as a basis for the development of other important

documents. In a definite sense, it substitutes the missing defence strategy. The Slovenian Armed Forces have to be capable of adapting to the changes of strategic environment which is more and more determined by great dynamics and unpredictable operations and of operating against conventional and non-conventional sources of threat to national security. In principle, the Slovenian Armed Forces are aware of the threats which have been brought in the system of national security by the changing security circumstances in the world. In the framework of supra-national threats two main threats appear lately such as terrorism and illegal proliferation of weapons of mass distraction. The Slovenian Armed Forces try hard to be active in all processes of planning and executing of measures for countering terrorism on the base of their authorities. In executing these activities inside the national security system there are also negative responses by some structures which do not agree with the fact that the Slovenian Armed Forces could use their personnel, technical, organizational and financial assets to build a more efficient system of countering terrorism. Such views are a result of historical experiences and never ending dilemmas about efficient civil control of armed forces. On the other hand such views could be shared by narrow interest groups, which are hiding behind “the danger of inefficient control” over armed forces and see just their narrow interests. Such views do not help improve the efficiency of the whole system of countering terrorism. I would now like to present the role of the Slovenian Armed Forces in the area of countering terrorism, especially in the organizational sense.

Tasks related to the countering terrorism are executed in a framework of basic tasks of the Slovenian Armed Forces. The most important counterterrorism processes run in connection with the following basic tasks of the Slovenian Armed Forces:

Military Defence of the Republic of Slovenia,

Protecting personnel and infrastructure, which are of special importance for defence, and military personnel, units and locations under the authority of the Slovenian Armed Forces,

Protecting air space and the Slovenian territorial waters,

Assisting civil agencies with safeguarding of critical infrastructure,

Assisting civil police with control of broader territory on state borders,

Assisting civil institutions in consequence management after terrorist attacks.

The staff intelligence and security bodies in the Slovenian Armed Forces cooperate with the MOD Intelligence and Security service within the frame of their



authorities in exchanging intelligence information connected with countering and preventing terrorism. In NATO environment, the Slovenian Armed Forces try to carry out all necessary measures for countering terrorism and assure a proper level of readiness and qualifications of their own units.

We have to be aware that the Slovenian Armed Forces are in the active process of changing their organization and structure oriented towards rationalization and increased efficiency of operating. Our goal should be that the structure of the Slovenian Armed Forces contains modular forces which will be adaptable for operating in different circumstances. They have to be capable of joint operations with other units and connected with efficient communication systems. This is a need that will ensure the Slovenian Armed Forces to better control different factors of battlefield whenever and wherever it will execute their operations. We have to give special attention to integrated operating in the international environment. With determination of specific organizational structures a process has been started in the Slovenian Armed Forces that will assure higher quality in the management of counterterrorism activities. On the strategic level in the General staff of the Slovenian Armed Forces assistant Chief of General Staff for counterterrorism has been appointed. His main tasks include coordination of all activities and preparation of strategic guidance for countering terrorism in the Slovenian Armed Forces. The centre of gravity in carrying out of all counterterrorism measures in the Slovenian Armed Forces at the moment is on the military intelligence and security staff and the Military Police Battalion for which the necessary legal base is provided in the Law on Defence. The Military Police Battalion includes in its structure different specialists such as criminal MP, anti-bomb protection, sharpshooters, military dogs and dogs for discovering explosives and drugs. Intelligence and security staff elements are included in all structures of the Slovenian Armed Forces on strategic, operational and tactical levels. Also other types of units can be used for countering terrorism or consequence management of terrorist attacks such as Special Forces, CBRN battalion, air defence battalion, battalion for air space surveillance, engineer battalion and the naval detachment.

An important contribution is made by units and personnel who participate in international peace missions. Especially intelligence and security personnel in crisis response operations<sup>7</sup> gain data in the completion of their regular tasks which

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<sup>7</sup> Based on the Slovenian military doctrine this term includes preventive diplomacy, conflict prevention and peace keeping, peace enforcement, peace maintaining and humanitarian help.

could be very important for national security in the area of countering terrorism. Current measures in the Slovenian Armed Forces in the area of counter terrorism contain regular covering and evaluating of all factors related to terrorist threats and seeking of appropriate responses in accordance with these threats. All prescribed security measures for preventing terrorist threats to the military personnel, installations and Slovenian Armed Forces units and also units on different missions abroad are being executed.

**CONCLUSION**

The end of the 20th century and especially the transition to the 21st century faced the national security as well as international security environment with numerous dilemmas to which we have not found all adequate answers. The phenomenon of asymmetrical threats such as new forms of terrorism, human trafficking and organized crime in all possible forms are just some of the threats, which in a very short time replaced threats from the cold war period. All these facts bring new demands of the organizational aspect as well as a different definition of tasks and responsibilities in front of national security agencies and also international organizations such as the UN, NATO, the EU and OSCE.

Events such as terrorist attacks on 9/11 2001 in the USA, bombings in Madrid 2003 and London 2005 were significant for the comprehension of terrorism in Europe and USA from different aspects. The first and the most important is the recognition that complete security does not exist and this means that the new wave of destructive terrorism has become a reality in the western democratic world. The second important recognition was, although not so publicly exposed, that intelligence and security systems have not been completely prepared for new challenges and threats which occurred in the 21st century. This fact is reflected in inadequate coordination of operations between agencies of national security systems and negative competition which results in intentional or unintentional holding of important intelligence and security information. The next recognition which has become the main European dilemma is connected with inadequate assimilation of immigrants in different European countries. This problem was clearly reflected in London terrorist attack that was executed by UK citizens and even stronger reflected in different forms of riots in poor suburban areas in France. The Republic of Slovenia has limited personnel, financial and other resources. The most important factor for efficient operation in the area of counter terrorism is

assurance of well- coordinated measures between various agencies of the national security system. This also means that the Slovenian Armed Forces should have an important role in countering terrorism.

The Slovenian memberships in NATO and security regulations in the alliance, which have to be met by the member states, require efficiently regulated counterterrorism activities. Recently, new factors have occurred which caused radical changes in the global security environment, and this also has implications on what I mentioned earlier. This is the reason why we have to put all efforts into building an efficient system in the Slovenian Armed Forces. This system should be capable of conducting all needed protection measures for personnel and units, and facilitate efficient exchanging of information and analyses which are going to help commanders to take right decisions in realistic operations.

We have to be aware of threats which have been brought in the national security system because of the changing security situation in the world. Politically, socially, economically and ecologically unstable areas, terrorist organizations, international organized crime, mass migrations and illegal proliferation of WMD will be the main sources of threat to security in the future. Terrorism and illegal proliferation of WMD have lately been main threats among the so-called international threats. All responsible personnel in the Slovenian Armed Forces have to actively cooperate in the process of planning of counterterrorism measures. The Slovenian Armed Forces have to be prepared to new challenges because of the rapidly changing security environment. These challenges have to be answered and give new operational dimension to the Slovenian armed forces so that they are capable of rapid intervention in crisis situation, building the capacity for quick deployment of their forces to the crisis area, maintaining sustainability, independence and efficient executing of their tasks and a variety of operations, maintaining a proper level of force protection and at last, capable of long-term operation in the execution of different tasks.

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# PRAVNE PODLAGE ZA SODELOVANJE SLOVENSKE VOJSKE V BOJU PROTI TERORIZMU

## LEGAL BASIS FOR PERFORMING THE TASKS OF THE SLOVENIAN ARMED FORCES IN THE FIGHT AGAINST TERRORISM

### **P O V Z E T E K**

*Prispevek obravnava nekatere vidike zakonske opredelitve nalog oboroženih sil v okviru boja proti terorizmu, tako zaščitnih kot aktivnih. Opisana je opredelitev nalog Slovenske vojske znotraj boja proti mednarodnemu terorizmu ter primerjava z zakonsko opredelitvijo nalog oboroženih sil Zvezne republike Nemčije in Republike Avstrije. V sklepu ugotavljam, da trenutna zakonska opredelitev nalog Slovenske vojske daje zadostno pravno podlago za njihovo uresničevanje v boju proti mednarodnemu terorizmu.*

### **K L J U Č N E B E S E D E**

*Oborožene sile, Slovenska vojska, terorizem, pravne podlage, naloge.*

<sup>1</sup> Ministrstvo za obrambo.

**A B S T R A C T**

*The article discusses some views on the legal definitions of tasks, carried out by armed forces in the fight against terrorism, active, as well as defensive ones. Described is the legal definition of the tasks of the Slovenian Armed Forces in the fight against international terrorism, in comparison to the legal definition of the tasks of the armed forces of the Federal Republic of Germany and the Republic of Austria. I conclude with the finding that the current legal definition of the tasks of the Slovenian Armed Forces offers an adequate legal basis to carry out activities in the fight against international terrorism.*

**K E Y W O R D S**

*Armed Forces, Slovenian Armed Forces, terrorism, legal basis, tasks.*

**UVOD**

Po napadih v Združenih državah Amerike (2001), Kraljevini Španiji (2004) ter Združenem kraljestvu Velike Britanije in Severne Irske (2005) je tudi v evropskem prostoru dozorelo spoznanje, da je za uspešen boj proti sodobnemu mednarodnemu terorizmu treba uporabiti vse razpoložljive ukrepe, tako policijske, pravosodne, finančne in vojaške, in sicer skladno z nacionalnim in mednarodnim pravom ter ob upoštevanju človekovih pravic<sup>1</sup>. Evropska varnostna strategija<sup>2</sup> uvršča terorizem na prvo mesto mogočih groženj mednarodni varnosti<sup>3</sup>.

<sup>1</sup> Boriti se proti terorizmu na globalni ravni, ob upoštevanju človekovih pravic, in narediti Evropo varno, tako da lahko državljani živijo na območju svobode, varnosti in pravice (Strategija Evropske unije za boj proti terorizmu, 2005, več o tem na <http://www.consilium.europa.eu>).

<sup>2</sup> Evropska varnostna strategija (European Security Strategy – ESS), ki jo je 13. decembra 2003 sprejel Svet EU v Bruslju.

<sup>3</sup> Primerjalna analiza rezultatov javnega mnenja kaže, da prebivalci Slovenije terorizma ne zaznavajo kot največjo grožnjo; povzeto po: dr. Iztok Prezelj, Teroristično ogrožanje nacionalne varnosti Republike Slovenije, revija Ujma, št. 20, 2006.

Za uspešen boj proti terorizmu pa niso dovolj le zaščitni ukrepi, temveč je treba proti terorističnim skupinam in posameznikom ukrepati aktivneje, vključno z dejavnostmi na ozemlju drugih držav, s katerimi bi uničili ali onemogočili teroristične skupine in njihovo infrastrukturo.

Skupščina Zahodnoevropske unije (ZEU) je zato za države članice leta 2002 sprejela sedem priporočil, povezanih z uporabo vojaških zmogljivosti v boju proti mednarodnemu terorizmu<sup>4</sup>, in sicer bi morali:

- poglobiti in razširiti sodelovanje ter usklajevanje dejavnosti na vseh področjih, še posebej na obveščevalnem, policijskem, pravosodnem, finančnem in pri uporabi vojaških zmogljivosti v boju proti terorizmu;
- uvesti sodelovanje med evropskimi državami za uresničevanje ukrepov proti prepovedanim terorističnim organizacijam in posameznikom;
- boj proti mednarodnemu terorizmu formalno vključiti v cilje Evropske varnostne in obrambne politike (EVOP) kot ene izmed Petersberških nalog v pristojnosti Evropske unije (EU);
- oblikovati vojaške zmogljivosti, ki bi bile usklajene na evropski ravni, s posebnim poudarkom na obveščevalnih in komunikacijskih sredstvih, še posebej radarskih in optičnih opazovalnih satelitih, izvidniških in brezpilotnih letalnih ter obveščevalnih analitičnih skupinah;
- zagotoviti ustrezne obrambne proračune za financiranje zmogljivosti v oboroženih silah, še posebej za zagotovitev usposobljenih in opremljenih premestljivih sil, vključno z rezervnimi;
- vzpostaviti sodelovanje na mornariškem področju;
- zagotoviti, da bo ECAP privedel do uresničevanja evropskih kooperacijskih programov, s katerimi bi odpravili ugotovljene pomanjkljivosti in zagotovili sile za boj proti terorizmu.

Deklaracija EU o boju proti terorizmu<sup>5</sup>, ki jo je marca 2004 sprejel Svet EU, vsebuje tudi varnostno strategijo, nadgrajevanje sedanjega delovanja, skupne smernice za boj proti terorizmu, združevanje znanja, ukrepe za zaščito transporta in ljudi ter mednarodno sodelovanje in sodelovanje z ZDA.

<sup>4</sup> Povzeto po poročilu, poročevalec g. Wilkinson, Evropske vojaške zmogljivosti v okviru boja proti mednarodnemu terorizmu, ki ga je sprejela Skupščina Zahodnoevropske unije na svojem 48. zasedanju 3. junija 2002 (dokument A/1783).

<sup>5</sup> Deklaracijo o boju proti terorizmu je sprejel Svet EU 25. 3. 2004 po napadih, ki so bili 11. 3. 2004 v Madridu.

## VLOGA OBOROŽENIH SIL V BOJU PROTI TERORIZMU

V zadnjih desetletjih 20. stoletja je uporaba oboroženih sil v boju proti terorizmu doživela temeljite spremembe<sup>6</sup>.

Vojaška doktrina zveze Nato za obrambo proti terorizmu<sup>7</sup> opredeljuje štiri različne vrste vojaških operacij v boju proti terorizmu. V vseh štirih je bistven poudarek na zaščiti sil. To so protiteroristični (zaščitni) ukrepi, upravljanje posledic po terorističnem napadu, protiteroristični (ofenzivni) ukrepi in vojaško sodelovanje. Glede na naravnost ukrepov pa velja pritrditi Abramyanu, ki deli naloge oboroženih sil v boju proti terorizmu le na dva pomembnejša sklopa – zaščitne ukrepe in aktivne naloge<sup>8</sup>.

Prvi sklop zaščitnih ukrepov, ki je po naravi predvsem nacionalna odgovornost, je namenjen zmanjšanju ranljivosti prebivalstva, oboroženih sil, ozemlja in pomembne infrastrukture. Oborožene sile te ukrepe izvajajo predvsem z obveščevalnimi nalogami, sodelovanjem in podporo civilnim silam za zaščito morebitnih tarč terorističnih napadov ter zaradi zaščite sil.

Drugi sklop vsebuje naloge za varovanje jedrskih snovi, orožja, streliva in drugega materiala ter preprečevanje dostopa terorističnim in drugim kriminalnim skupinam do njih.

V tretji sklop spadajo vse naloge oboroženih sil, ki so povezane s sodelovanjem pri zmanjšanju posledic terorističnega napada, stabilizaciji razmer po njem in zagotavljanju pomoči civilnemu prebivalstvu.

Aktivne naloge v boju proti terorizmu so predvsem tiste, ki so usmerjene v uničenje ali nevtralizacijo terorističnih sil in njihove infrastrukture. Sem spadajo predvsem podpora policijskim silam pri zaščiti državne meje in nadzoru nezakonitega tranzita oziroma tihotapljenja drog in orožja ter boju proti njim in proti nezakonitim migracijam. Oborožene sile lahko v tem okviru opravljajo naloge izvidovanja in odkrivanja nezakonitih prehodov čez državno mejo, posojajo vojaško opremo policijskim silam ali zagotavljajo druge podperne naloge. Ne nazadnje pa je aktivna naloga oboroženih sil v boju proti terorizmu tudi sodelovanje v mednarodnih operacijah.

<sup>6</sup> Več o tem Abramyan, A. S., Use of military force in the fight against terrorism: legal aspects, Military Thought, 1. 1. 2004.

<sup>7</sup> Povzeto po Nato's Military Concept for Defence Against Terrorism, <http://www.nato.int/ims/docu/terrorism.htm>.

<sup>8</sup> Abramyan, prav tam.



**NALOGE OBOROŽENIH SIL V ZVEZNI REPUBLIKI NEMČIJI IN  
 REPUBLIKI AVSTRIJI**

Zaradi lažje primerjave sem izbral ureditev nalog oboroženih sil v Zvezni republiki Nemčiji (ZRN) in Republiki Avstriji (v nadaljevanju Avstriji), ki sta glede na pravno-zgodovinski okvir in strukturo pravnih predpisov primerljivi z Republiko Slovenijo.

Naloge zvezne vojske ZRN<sup>9</sup> v okviru ustavnih določb<sup>10</sup> in ciljev nemške varnostne in obrambne politike so<sup>11</sup>:

- preprečevanje mednarodnih konfliktov in obvladovanje kriz, vključno z bojem proti mednarodnemu terorizmu;
- r□



obrambi, ki med drugim določa tudi naloge in pooblastila Slovenske vojske. Če upoštevamo, da je Republika Slovenija z vstopom v mednarodne organizacije in s sklenitvijo mednarodnih sporazumov prevzela tudi nekatere obveznosti, je treba upoštevati tudi pravne posledice za Slovensko vojsko, ki iz njih izhajajo. Po 3. a členu Ustave Republike Slovenije se pravni akti in odločitve, sprejeti v okviru mednarodnih organizacij, na katere Slovenija prenese izvrševanje dela suverenih pravic, v Sloveniji uporabljajo skladno s pravno ureditvijo teh organizacij. Po 8. členu Ustave morajo biti zakoni in drugi predpisi skladni s splošno veljavnimi načeli mednarodnega prava in mednarodnimi pogodbami, ki obvezujejo Slovenijo. Posebej pomembna je določba drugega odstavka tega člena, ki določa, da se ratificirane in objavljene mednarodne pogodbe uporabljajo neposredno.

V okviru mednarodnih dejavnosti v boju proti mednarodnemu terorizmu je treba torej od primera do primera proučiti, kakšen pravni položaj imajo odločitve, sprejete znotraj posameznega organa mednarodne organizacije, katere članica je tudi Republika Slovenija (npr. OZN, Nata ali EU), in tudi, ali je za uresničevanje njenih obveznosti treba sprejeti nove pravne podlage oziroma spremeniti ali dopolniti sedanje.

Temeljne naloge Slovenske vojske določa 37. člen ZObr. Skladno s prvim odstavkom tega člena Slovenska vojska:

- izvaja vojaško izobraževanje in usposabljanje za oborožen boj in druge oblike vojaške obrambe;
- zagotavlja potrebno ali zahtevano pripravljenost;
- ob napadu na državo izvaja vojaško obrambo;
- ob naravnih in drugih nesrečah skladno s svojo organizacijo in opremljenostjo sodeluje pri zaščiti in reševanju;
- izpolnjuje obveznosti, ki jih je država sprejela v mednarodnih organizacijah in z mednarodnimi pogodbami.

Novost, ki je bila uvedena s spremembami in dopolnitvami ZObr leta 2004 (nov četrti odstavek 37. člena), pa je možnost, da lahko Slovenska vojska pri širšem varovanju državne meje v notranjosti državnega ozemlja sodeluje s policijo, in sicer skladno z načrti ter po predhodni odločitvi vlade, vendar pripadniki Slovenske vojske pri opravljanju teh nalog nimajo policijskih pooblastil.

Na podlagi četrtega odstavka 32. člena ZObr je naloga Slovenske vojske tudi elektronsko spremljanje mednarodnih sistemov zvez, pomembnih za obrambne interese države, ki jih za obveščevalno-varnostno službo ministrstva in druge potrebe opravljajo enote za elektronsko bojevanje.

Ne glede na pooblastila obveščevalno-varnostne službe ministrstva pa

štabni varnostni organi Slovenske vojske opravljajo preventivne naloge protiobveščevalne zaščite poveljstev, enot in zavodov vojske, štabno-varnostne naloge ter usmerjajo in vodijo delo vojaške policije, razen pri preiskovanju kaznivih dejanj, ki so skladno z ZObr v pristojnosti obveščevalno-varnostne službe ministrstva.

Med naloge Slovenske vojske v boju proti terorizmu lahko štejemo tudi naloge vojaške policije, ki so določene v 65. členu ZObr. To so naloge, povezane s preprečevanjem, preiskovanjem in odkrivanjem kaznivih dejanj v vojski, varovanjem objektov in okolišev, ki so posebnega pomena za obrambo, preiskovanje nekaterih kaznivih dejanj, varovanje vojaških in civilnih oseb, ki opravljajo dolžnosti in dela posebnega pomena za obrambo, varovanje vojaških delegacij, poveljstev in enot ter vrhovnega poveljnika, če je država v vojnem stanju oziroma kadar je poveljnik v vojaških poveljstvih, enotah ali zavodih oziroma v objektih in njihovih okoliših, ki so posebnega pomena za obrambo.

V 29. členu ZObr so opredeljene naloge Slovenske vojske, povezane z varovanjem objektov in okolišev, ki so posebnega pomena za obrambo. Skladno s spremembami ZObr, ki so bile sprejete leta 2004<sup>14</sup>, se lahko v načrtih uporabe vojske kot objekti, pomembni za obrambo države, določijo tudi pomembni energetski, transportni, proizvodni, telekomunikacijski in drugi podobni objekti ter sedeži organov oblasti na ravni države. Njihovo varovanje, vključno z zračnim prostorom nad njimi, obalo in pripadajočim akvatorijem, prav tako opravlja vojska skladno z načrti in po predhodni odobritvi vlade. Zračni prostor države nadzoruje in varuje vojska skladno z načrti, predpisi in mednarodnimi pogodbami.

V zakonski ureditvi nalog oboroženih sil v ZRN in Avstriji so naloge določene dovolj splošno, da vključujejo tako sedanje kot tudi morebitne prihodnje naloge, ki so pozneje podrobneje določene. Ugotovimo lahko, da podobno kot v Avstriji boj proti terorizmu ni posebej omenjen v nobeni določbi ZObr. Terorizem kot grožnja se v tem okviru posebej omenja v Resoluciji o strategiji nacionalne varnosti Republike Slovenije, naloge Slovenske vojske, povezane z bojem proti terorizmu, pa so navedene šele v Vojaški doktrini.

Čeprav Resolucija o strategiji nacionalne varnosti Republike Slovenije iz leta 2001 ni bila spremenjena oziroma ni bila sprejeta nova, je stvarnost narekovala spremembe predpisov, ki urejajo obrambo države. Po spremembah ZObr, leta 2004, ki so bile nujne zaradi vstopa Republike Slovenije v Nato in zaradi prehoda na

<sup>14</sup> ZObr-D (Ur. l. RS, št. 40/2004).

poklicno vojsko, dopolnjeno s pogodbeno in obvezno rezervo, je bila sprejeta nova Vojaška doktrina.

Vojaška doktrina, ki jo je sprejela Vlada Republike Slovenije na svoji 76. seji, 1. junija 2006, temelji na ReSVN in obrambni strategiji Republike Slovenije (Vlada RS, št. 820-00/2001-1, 20. 12. 2001), upošteva pa tudi rešitve Doktrine civilne obrambe (Vlada RS, št. 810-02/2002-1, 25. 4. 2002) in Doktrine zaščite, reševanja in pomoči (Vlada RS, št. 912-7/2002-1, 30. 5. 2002). Vojaška doktrina upošteva cilje razvoja Slovenske vojske iz Splošnega dolgoročnega programa razvoja in opremljanja Slovenske vojske (Uradni list RS, št. 97/01).

Vojaška doktrina uveljavlja Strateški koncept zavezništva (Washington, 1999) ter načela organiziranja in delovanja vojaških sil, ki izhajajo iz zavezniške doktrine združenih sil (Allied Joint Doctrine: AJP-1).

Podporno delovanje Slovenske vojske je skladno z Vojaško doktrino namenjeno uporabi njenih zmogljivosti na različnih področjih v miru in vojni, ko obseg dejavnosti presega sedanje civilne zmogljivosti ali ko je nujna njihova dopolnitev. Podporno delovanje Slovenske vojske je usmerjeno v podporo sistemu varstva pred naravnimi in drugimi nesrečami ter podporo drugim državnim organom in organizacijam pri zagotavljanju varnosti in blaginje državljanov Republike Slovenije. Slovenska vojska uresničuje naslednje vrste podpornega delovanja: zaščito, reševanje in pomoč ob naravnih ter drugih nesrečah, zagotovitev varnosti, boj proti terorizmu, iskanje in reševanje, evakuacijo nevojaškega osebja, sodelovanje s civilnimi organizacijami ter zaščito pomembnih virov oskrbe in infrastrukture. Na podlagi dvo- ali večstranskih pogodb Slovenska vojska opravlja podporne naloge tudi na ozemlju drugih držav, pri čemer upošteva značilnosti podpore civilnim organom in organizacijam v Republiki Sloveniji.<sup>15</sup>

Slovenska vojska sodeluje tudi pri protiterorističnih ukrepih in protiterorističnem delovanju ter pri odpravljanju posledic terorističnih napadov. Z ukrepi sodeluje pri zmanjšanju ranljivosti države, s sodelovanjem pri protiterorističnem delovanju pa preprečuje in odvrača teroristične grožnje ali se odziva nanje.

Spremembe v varnostnem okolju so bile podlaga za sprejem dolgoročnih in srednjeročnih programov razvoja Slovenske vojske in opredelitev potrebnih zmogljivosti, ki naj bi jih Slovenska vojska zagotavljala do leta 2015.

<sup>15</sup> Več o operacijah Slovenske vojske na strani <http://slovenskavojska.si/poklicna/misije/index.htm>.

## SKLEP

V boju proti terorizmu bi bile naloge Slovenske vojske predvsem preventivne, deloma tudi aktivne, predvsem znotraj mednarodne skupnosti. Čeprav boj proti terorizmu kot posebna naloga Slovenske vojske ni vključen v ZObr, pa Slovenska vojska na podlagi veljavnih predpisov že opravlja večino nalog, povezanih z bojem proti mednarodnemu terorizmu.

Ugotovimo lahko torej, da so naloge, določene z ZObr, opredeljene dovolj splošno, da trenutno v povezavi z drugimi predpisi in mednarodnimi sporazumi omogočajo uresničevanje vseh zaščitnih nalog, vključno s podporo civilnim organom.

Nekatere so podrobneje določene s podzakonskimi akti, na primer varovanje objektov in okolišev objektov, ki so posebnega pomena za obrambo, nadzor zračnega prostora in druge.

Prav tako ima Slovenska vojska v veljavnih predpisih Republike Slovenije in mednarodnih sporazumih, ki jih je država sklenila, trenutno ustrezno podlago za sodelovanje z mednarodno skupnostjo v boju proti terorizmu, in sicer skladno z določili mednarodnega vojnega in humanitarnega prava, nacionalne zakonodaje ter mandatom za posamezne mednarodne operacije.

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# VLOGA VOJAŠKE POLICIJE SLOVENSKE VOJSKE V BOJU PROTI TERORIZMU

## ROLE OF THE SLOVENIAN MILITARY POLICE IN THE FIGHT AGAINST TERRORISM

### POVZETEK

*V svojem prispevku sva se omejila predvsem na vlogo vojaške policije Slovenske vojske v boju proti terorizmu kot ene ključnih nalog, ki so opredeljene v veljavni zakonodaji. Naloge vojaške policije Slovenske vojske so opredeljene v nacionalni zakonodaji in Vojaški doktrini, pa tudi v Slovenskih vojaških standardih, ki jih mora Slovenska vojska kot aktivna članica zveze Nato spoštovati in uresničevati. Prav spoštovanje doktrinarnih dokumentov omogoča vzajemno delovanje vojaških policij Nata v operacijah kriznega odzivanja, saj ti celovito in sistemsko opredeljujejo način in oblike delovanja nacionalnih vojaških policij, kadar imajo skupno poslanstvo v operacijah zavezništva. Dokaz ustrezne organiziranosti in umeščenosti vojaške policije Slovenske vojske je tudi kakovostna analiza in študija primera, opravljena leta 2004 med pripravo koncepta razvoja vojaške policije do leta 2012. V analizo je bilo tedaj vključenih 20 držav članic Nata in Partnerstva za mir.*

<sup>1</sup> Ministrstvo za obrambo.

<sup>2</sup> Ministrstvo za obrambo.

**K L J U Č N E B E S E D E**

*Vojaška policija, boj proti terorizmu, nacionalna varnost.*

.....

**A B S T R A C T**

*The authors presents the role of military police in Slovenian Armed forces inside national measures of fight against terrorism, as one of the main mission, which has a part in national legislation. Besides of national legislation and military doctrine, mission of military police of Slovenian Armed forces has also declared inside STANAG 2226. With implementation of this STANAG, our military police has obligation and good opportunity to work together with military police units in crises response operations. In 2004, according to approval of new concept, development and suitable structure of our military police quality analysis was provided and case studies of different military police units. These analysis included 20<sup>th</sup> NATO and PfP member states with different national security system.*

**K E Y W O R D S**

*Military police, fight against terrorism, national security.*

.....

**UVOD**

Spremembe v mednarodnem političnem okolju, preoblikovanje dvopolne svetovne ureditve, pospešeno združevanje v evropskem prostoru, preoblikovanje Nata in tranzicijski procesi v nekdanjih socialističnih državah, spremembe v mednarodnem varnostnem okolju, zmanjšanje verjetnosti oboroženega spopada svetovnih razsežnosti, pojav novih virov ogrožanja, posledice globalizacije gospodarstva, tehnološki napredek, okoljevarstvena vprašanja, revščina, ksenofobija, rasizem, asimetrične grožnje, nenadzorovane migracije ipd. so del javne problematike, ki

jo je mogoče reševati le na globalni ravni. Vse te spremembe so vplivale tudi na porast težav, ki že nekaj časa bolj ali manj presegajo meje nacionalnih držav in v nekaterih primerih tudi meje celin.

S spremembami v mednarodnem varnostnem okolju so se spremenili tudi viri ogrožanja. Če je včasih vse temeljilo na vojaških virih ogrožanja, danes vse bolj vidno vlogo dobivajo nevojaški, ki pa lahko prav tako kot vojna močno ogrozijo države in družbe. Nevojaški viri ogrožanja so mednarodno povezani, medsebojno odvisni in delujejo na vseh ravneh družbenega življenja, torej na politični, ekonomski, vojaški in gospodarski ter ravni notranje varnosti ipd. Med nevojaške vire ogrožanja notranje varnosti, s katerimi se Republika Slovenija neposredno ali posredno lahko sooča, danes uvrščamo organizirani kriminal, terorizem, asimetrične grožnje, ilegalne migracije, posedovanje sredstev za množično uničevanje in trgovanje z njimi, trgovino z ljudmi, orožjem in mamili, pranje denarja, subverzivno dejavnost ipd. Ogrožanje notranje varnosti pomenijo tudi splošne, gospodarske in druge posebne oblike kriminalitete.

V prispevku se bova omejila predvsem na vlogo Slovenske vojske, konkretnije vojaške policije, v njenem boju proti terorizmu. Predstavila bova nekaj ugotovitev iz analize organiziranosti in vloge tujih vojaških policij v njihovem boju proti terorizmu. V sklepu bova predstavila nekaj svojih razmišljanj o skupnem boju enot Slovenske vojske proti terorizmu.

Pri pisanju sva poleg uporabljenih metodoloških pristopov in svojih ter drugih izkušenj na obveščevalno-varnostnem področju upoštevala tudi postavljena predmet in cilj, hipoteze ter literaturo s tega področja.

Uporabljeni so bili metodološki pristopi: metoda analize prvotnih in drugotnih virov, deskriptivna metoda, kakovostna analiza in študija primera. V vsem besedilu pa sta nedvomno nepogrešljivi metodi dedukcije, predvsem v vsebinskem delu, in indukcije, ki je uporabljena pri sklepih, povzetkih in osebnih razmišljanjih, s katerimi v nekaj najpomembnejših ugotovitvah povzemava celotno analizo.

## **VLOGA VOJAŠKE POLICIJE SLOVENSKE VOJSKE V BOJU PROTI TERORIZMU**

Na podlagi normativnih pravnih aktov ter doktrinarnih dokumentov, ki opredeljujejo poslanstvo, naloge, organiziranost in vizijo razvoja Slovenske vojske, so njene naloge podpora državnim organom in javnim institucijam pri zagotavljanju varnosti in blaginje državljanov Republike Slovenije, sodelovanje

pri zaščiti, reševanju in pomoči ob naravnih ter drugih nesrečah, sodelovanje pri iskanju in reševanju, sodelovanje pri nekaterih nalogah Policije, podpora diplomatskim dejavnostim, evakuacija nevojaškega osebja, sodelovanje s civilnimi organizacijami, zaščita pomembne infrastrukture in virov oskrbe ter sodelovanje v boju proti terorizmu (Vojaška doktrina, 2006: 24).

Podporno delovanje kot način nebojnega delovanja enot Slovenske vojske se izvaja na območju Republike Slovenije in je namenjeno zagotavljanju zmogljivosti kot obliki podpore civilnim institucijam in organizacijam za obvladovanje razmer v miru, vojni in v položajih kriznega upravljanja, kot so naravne nesreče ipd. (Vojaška doktrina, 2006: 50).

Sodelovanje Slovenske vojske v boju proti terorizmu temelji na ciljih, načelih, politiki in strategiji Republike Slovenije, ki podrobneje opredeljujejo ta vprašanja. Da bi država zaščitila civilno družbo in državne institucije pred terorističnimi dejavnostmi, se nacionalnovarnostne strukture lahko odzovejo na tri načine:

- s preventivnimi protiterorističnimi ukrepi se zmanjšuje ranljivost ljudi, javnega življenja, objektov in infrastrukture;
- z ukrepi za pravočasno odkritje in zaustavitev terorističnih dejanj se teroristom preprečuje možnost napadov;
- s kriznim menedžmentom, s katerim se rešujejo in stabilizirajo razmere, ki so posledica terorističnega delovanja.

Glede na to delitev se tudi dejavnosti Slovenske vojske izražajo kot sodelovanje pri protiterorističnih ukrepih<sup>3</sup>, protiterorističnem delovanju<sup>4</sup> in odpravljanju posledic terorističnega delovanja. S temi ukrepi se Slovenska vojska dejavno vključuje v zmanjšanje varnostnega tveganja države, deluje preventivno in odvrta morebitne teroristične grožnje, če pa se uresničijo, se nanje tudi odziva (Vojaška doktrina, 2006: 85).

Enote Slovenske vojske delimo glede na naloge in njihovo vlogo v bojnem delovanju na sile za bojevanje, sile za bojno podporo, sile za zagotovitev in za podporo delovanja.

V sile za bojno podporo, ki so namenjene zagotavljanju ognjene podpore in

<sup>3</sup> Protiteroristični ukrepi vojske so namenjeni zmanjševanju ranljivosti sil, posameznikov in lastnine za terorizem, vključno z omejenimi odzivi in onemogočanjem teroristov. Obsegajo zbiranje in izmenjavo obveščevalnih podatkov, varovanje pripadnikov in enot ter infrastrukture, sodelovanje v načrtovanju kriznega upravljanja, taktične ukrepe za obvladovanje terorističnih incidentov in druge varnostne ukrepe (Vojaška doktrina, 2006: 103).

<sup>4</sup> Protiteroristično delovanje je ofenzivna dejavnost, ki vključuje napade na teroristične organizacije, objekte, morska in zračna plovila ter izoliranje in zajetje teroristov (Vojaška doktrina, 2006: 103).

operativni podpora silam za bojevanje, sodi tudi vojaška policija.

Na podlagi navedenega ter veljavne zakonodaje, pri čemer imava v mislih predvsem Zakon o obrambi in z njim povezane druge normativnopravne akte, ki določajo ter opredeljujejo pristojnosti in pooblastila vojaške policije, trdimo, da ima vojaška policija pri izvajanju protiterorističnih ukrepov eno bistvenih vlog v Slovenski vojski.

Za utemeljitev te trditve navajava nekaj nalog vojaške policije iz veljavnega Zakona o obrambi<sup>5</sup>:

- skrb za vojaški red in disciplino;
- opravljanje nekaterih opravil, povezanih s preprečevanjem, preiskovanjem in odkrivanjem kaznivih dejanj v vojski;
- varovanje objektov in okolišev, ki so posebnega pomena za obrambo;
- varovanje vojaških in civilnih oseb, ki opravljajo dolžnosti in dela v Slovenski vojski in so posebnega pomena za obrambo;
- varovanje vojaških delegacij, poveljstev in enot, varovanje vrhovnega poveljnika v vojnem stanju oziroma kadar se nahaja v vojaških poveljstvih, enotah ali zavodih oziroma v objektih in njihovih okoliših, ki so posebnega pomena za obrambo.

Za neposredno in odgovorno izvajanje nalog so v Zakonu o obrambi določeni tudi pravice in pooblastila, ki jih ima vojaška policija pod pogoji, ki so predpisani za Policijo<sup>6</sup>:

- ugotavljanje identitete, napotitev, vabilo, privedba, pridržanje, omejitev gibanja ali odvzem prostosti;
- opravljanje varnostnih in protiterorističnih pregledov, pregledi prevoznih sredstev, prtljage ter objektov in njihovih okolišev, ki so posebnega pomena za obrambo;
- zaseg predmetov;
- uporaba prisilnih sredstev.

Naloge vojaške policije so določene tudi v Slovenskem vojaškem standardu 2226<sup>7</sup>, ki je bil z omejitvami iz veljavne nacionalne zakonodaje leta 2005 uveden v Slovensko vojsko. V smislu podpore izvajanju nalog, samostojno ali v sodelovanju z drugimi enotami, doma in v sestavi zavezništva, jih skladno z omenjenim standardom delimo na:

<sup>5</sup> 65. člen poleg navedenega še natančneje določa naloge vojaške policije.

<sup>6</sup> 66. člen poleg navedenega še natančneje določa pravice in pooblastila vojaške policije.

<sup>7</sup> STANAG 2226 oziroma APP-12 NATO MP DOCTRINE and PROCEDURES, ki opredeljuje Doktrino in postopke Natove vojaške policije, poleg navedenega še natančneje določa naloge vojaške policije.

- varnost vojaškega prometa,
- zagotovitev vojaškega reda in discipline,
- varovanje območij,
- delo z vojnimi ujetniki,
- naloge specializirane enote vojaške policije,
- obveščevalne operacije o kaznivih dejanjih.

Med naloge varovanja območij spadajo tudi naloge sil za posredovanje, protiteroristične in protidiverzijske naloge, obvladovanje škode na območju delovanja, varovanje oseb ter sodelovanje z lokalno oblastjo in civilno policijo. Za opravljanje nalog ima vojaška policija Slovenske vojske v svoji sestavi poleg poveljstva, poveljniško-logističnega voda in operativnih čet tudi specializirano enoto, ki je namenjena predvsem naslednjim nalogam:

- varovanje oseb,
- varovanje vojaških delegacij,
- opravljanje varnostnih in protiterorističnih pregledov,
- opravljanje nekaterih opravil, povezanih s preprečevanjem, preiskovanjem in odkrivanjem kaznivih dejanj v vojski<sup>8</sup>,
- varovanje posebno pomembnih objektov in okolišev, ki so posebnega pomena za obrambo.

Navedene naloge se izvajajo s podporo drugih enot vojaške policije ter sodelovanjem enot Slovenske vojske, kot so:

- enota za specialno delovanje, ki je namenjena za izvajanje posebnih delovanj, samostojno oziroma v sodelovanju z drugimi vojaškimi in varnostnimi strukturami domačih ali zavezniških sil;
- bataljon JRKBO, ki je namenjen za izvajanje nuklearne, radiološke, kemične in biološke obrambe enot ter poveljstev SV ter za sodelovanje v sistemu zaščite in reševanja ob nesrečah in terorističnih napadih z nevarnimi snovmi;
- mornariški divizion, ki je namenjen zagotavljanju zmogljivosti za delovanje na površini morja in pod njo ter sodelovanju z zavezništvom. Posamezne zmogljivosti se lahko uporabijo tudi za podporo sistema zaščite in reševanja;

<sup>8</sup> 10. člen Zakona o državnem tožilstvu določa, da pri Vrhovnem državnem tožilstvu Republike Slovenije kot posebna organizacijska enota deluje skupina državnih tožilcev za pregon organiziranega kriminala. Skupina je pristojna za kazniva dejanja na področju organiziranega klasičnega in gospodarskega kriminala, terorizma, korupcijskih in drugih kaznivih dejanj, katerih odkrivanje in pregon zahtevata posebno organiziranost in usposobljenost.

Skupina je krajevno pristojna na vsem ozemlju Republike Slovenije.

Okrožno državno tožilstvo, ki je bilo krajevno pristojno za obravnavanje zadeve, mora pri opravljanju nalog sodelovati s skupino.

- obveščevalno-izvidniški bataljon, ki že zagotavlja vojaško obveščevalno podporo in je namenjen zbiranju, analiziranju ter posredovanju vojaških obveščevalnih podatkov uporabnikom;
- bataljon za zračni transport, ki bo zagotavljal taktični prevoz, vključno z uporabo vertikalnega manevra za izvajanje nalog premeščanja, oskrbe in nujne evakuacije sil. Posamezne zmogljivosti bodo uporabljane tudi za sodelovanje SV v sistemu zaščite in reševanja ter s službo iskanja in reševanja;
- bataljon za nadzor zračnega prostora, ki zagotavlja neprekinjen nadzor zračnega prostora Republike Slovenije, prenos podatkov o položaju v zračnem prostoru uporabnikom ter vodenje pri uresničevanju nalog v zračnem prostoru.

## **UGOTOVITVE IZ ANALIZE ORGANIZIRANOSTI TER VLOGE TUJIH VOJAŠKIH POLICIJ V NJIHOVEM BOJU PROTI TERORIZMU**

Analiza organiziranosti ter nalog vojaških policij držav članic Nata in Partnerstva za mir<sup>9</sup>, ki je bila narejena med pripravami na uvedbo Slovenskega vojaškega standarda 2226(1) leta 2004 ter leta 2005 za pripravo Koncepta razvoja vojaške policije, je ponudila zanimive rešitve in potrdila pravilnost umestitve vojaške policije Slovenske vojske kot enega bistvenih dejavnikov pri izvajanju protiterorističnih ukrepov.

Nekaj poudarkov iz analize, ki je vključila 19 držav z različnimi oblikami organiziranosti obrambnega sistema oziroma sistema notranje varnosti:

- pristojnost vojaške policije v boju proti terorizmu je opredeljena v vseh državah članicah Nata in Partnerstva za mir;
- vse vojaške policije izvajajo izključno protiteroristične ukrepe, izjema je Republika Srbija;
- enote vojaške policije izvajajo protiteroristične ukrepe tudi, ko so na operacijah kriznega odzivanja;
- med protiteroristične ukrepe enot vojaške policije spadajo:
  - varovanje oseb,
  - sodelovanje v silah za hitro posredovanje,
  - protidiverzantsko delovanje,
  - varovanje pomembnih območij in objektov,

<sup>9</sup> V analizo so bile vključene naslednje države: Avstrija, Belgija, Češka, Estonija, Francija, Hrvaška, Italija, R. Irska, Kanada, Latvija, ZR Nemčija, Nizozemska, Poljska, Portugalska, Slovaška, Srbija, Španija, Velika Britanija in ZDA.

- odkrivanje, preprečevanje in preiskovanje kaznivih dejanj,
- zaščita sil;
- obrambne in varnostne strukture držav članic Nata in Partnerstva za mir imajo specialne enote, ki so namenjene aktivnemu boju proti terorizmu, torej za protiteroristično delovanje (glej preglednico 1). Vojaška policija ima tako nalogo, da zagotavlja podporne zmogljivosti pri delovanju specialnih enot.

Analiza je pokazala tudi, da so posamezne države za izvajanje protiterorističnih ukrepov v svoji varnostno-obrambni strukturi oblikovale paravojaške oziroma orožniške enote<sup>10</sup>, če so želele imeti pri tem odločilno vlogo.

Preglednica 1: Enote, ki v posameznih državah izvajajo protiteroristično delovanje

Dr a a	Enota
BELGIJA	– brigada komandosov
ESTONIJA	– SOG
FRANCIJA	– 2. padalski polk tujske legije – GIGN (orožniki) – COS (mornariški komandosi)
ITALIJA	– COMBUSIN (potapljači COS in izvidniki GOI)
IZRAEL	– SHAYETET 13 (mornarica) – Enote 5707, 5101 in 696 (letalstvo)
NEMČIJA	– KSK – GSG 9 – DSO (oborožene sile)
POLJSKA	– GROM (oborožene sile)
RUSIJA	– SPECNAZ (oborožene sile)
SRBIJA	– KOBRE (enota vojaške policije)
ŠPANIJA	– bataljon/4. polka legije
ŠVICA	– FSK 17 (padalska izvidniška enota)
VELIKA BRITANIJA	– 3. brigada komandosov kraljevih marincev – padalski polk – SAS (posebna letalska služba)
ZDA	– 160. letalski polk za posebne operacije – 16. polk za posebne operacije – 352. in 353. skupina za posebne operacije – odred Delta – 75. polk Ranger – SEAL – zelene beretke

Vir: Obramba, 2005.

<sup>10</sup> Belgija, Italija, Nizozemska, Turčija, Francija, Španija, Poljska, Srbija in Portugalska imajo oblikovane paravojaške enote, ki jih poznamo pod različnimi imeni, njihovi temeljni nalogi sta vzdrževanje in vzpostavljanje javnega reda in miru.



## SKLEP

V zadnjem delu navajava nekaj razmišljanj in vprašanj, ki se nama pojavljajo, vse seveda z namenom, da bi našli najustreznejše rešitve za organiziranost in umestitev enot, ki izvajajo protiteroristične ukrepe.

Usposobljenost in pripravljenost posameznih enot Slovenske vojske za sodelovanje pri protiterorističnih ukrepih sta nedvomno na visoki ravni, kar dokazujejo ocene pri preverjanju posameznih enot doma, in tudi ocene zaveznikov, ko posamezna enota deluje v sestavi zavezništva. Uspešnost medsebojnega delovanja in usklajenost pa bi zanesljivo pokazala skupna vaja vseh, ki sodelujejo v boju proti terorizmu, saj bi opozorila na prednosti in slabosti posameznih ukrepov. Hkrati bi svoje mesto dobila povezovalna oziroma usklajevalna skupina, ki bi zagotavljala sodelovanje vseh enot in posameznikov ter njihovih zmogljivosti.

Skupina bi se lahko oblikovala kot poveljstvo, ki bi bilo odgovorno za protiteroristično delovanje oziroma ukrepe ter sodelovanje pri odpravljanju posledic terorističnega delovanja znotraj Slovenske vojske. Organizacijsko strukturo tako imenovanih varnostnih sil<sup>11</sup> pa bi poleg poveljstva in podporne enote sestavljale tudi enote (v celoti oziroma posamezni deli), ki imajo pri izvajanju protiterorističnih ukrepov že zdaj ključno vlogo.

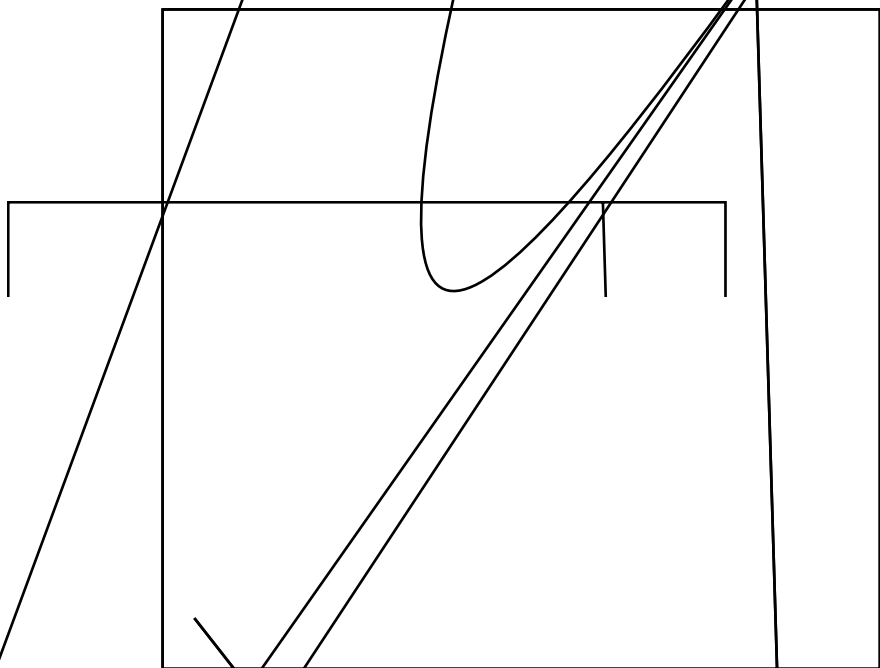
Takšna organizacijska struktura bi zanesljivo povečala stopnjo pripravljenosti Slovenske vojske za boj proti terorizmu. Čas bo seveda pokazal, ali so Slovenska vojska in drugi elementi nacionalnovarnostne strukture pripravljeni na nov izziv.

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<sup>11</sup> Oborožene sile ZDA imajo za to oblikovane SRF (Security Response Force – ofenzivno delovanje) in SSF (Safety and Security Force – defenzivno delovanje).

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*argued, we might have created the myth of Bin Laden through all our media attention. But while we know a great deal about this murderer, no one, until recently, has explained what makes him “tick.” This short piece attempts to explain why UBL has he intentionally sought to become a global outlaw. Understanding bin Laden today will help answer the question: Is he alive. North Waziristan, Bin Laden’s alleged hideout covers only 5600 square kilometers and is populated by only a million. If what makes him tick is accurate, why is UBL so quiet these days?*

**K E Y W O R D S**

*Osama bin Laden, Internationalists, Jihadi’s, Mujahideen, “malignant narcissist”.*

.....

As the character played by John Huston, said in *Chinatown*, “Politicians, ugly buildings and whores all get respectable if they last long enough.” Beware, so do terrorists! The world witnessed the burial of one reconstructed murderer, Arafat, in Ramallah, and if we are not careful, we might reconstruct another terrorist. It is high time to put Bin Laden in perspective. Islam is not his only motivation. Perhaps too much ink has been spilled trying to expose Osama bin Laden to a Western audience. As many writers have thoughtfully argued, we might have created the myth of Bin Laden through all our media attention. But while we know a great deal about this murderer, no one, until recently, has explained what makes him “tick.” Why has he intentionally sought to become a global outlaw? The reasons are perhaps not what you would think. While some writers find that his early life does not fit into the stereotypical biographical or psychological profile of an international terrorist, Bin Laden’s life does resemble that of many infamous terrorists and notorious criminal figures. We need only remember “Carlos the Jackal,” Venezuelan-born Ilich Ramírez Sánchez, a “little rich kid” who also found a thrill in murder.

Born in the mid-1950’s of a Syrian mother and a swarthy Yemeni father, Osama bin Laden was the “umpteenth” son among fifty-some odd half-brothers and sisters. Even though he was far down in the line of succession of his father’s wealth, he

was still brought up in a life of heady privilege. Like most of his companions, Bin Laden was spoiled, sexually frustrated and bored silly. Although he grew up in the most fundamentalist and conservative Islamic country in the world, he is reputed to have enjoyed the nightlife of Beirut. Its famous Kornish district was the real Mecca for many exasperated desert youths and their “Airport Wahhabi” friends. Even today, Hamra Street offers alcohol, gratuitous sex, excitement and always a little violence.

Early on, Bin Laden appeared to be very non-confrontational; however, in 1979, the year he graduated from King Abdul-Azziz University, the Soviet Union invaded Afghanistan and the Iranian Revolution began. His life took a radical turn. Bin Laden was enraged by the Soviet repression of the Afghans and his own country’s indifference. As with the 1967 Arab-Israeli War and the fall of Jerusalem into Israeli hands, the Soviet invasion appeared to be yet another in a succession of divine punishments for those straying from the ordained path of Islam. As we now know from many sources, Bin Laden spent the next five years raising money and recruiting ‘volunteers’ to fight against the infidel Soviets.

In an effort to be closer to the action and aid the fighters, he moved to Peshawar about 1984. His guesthouse, Bait ul’ Ansar, was the first way station of “Arab” Mujahideen when they came to Afghanistan before going to the front or beginning training. Bin Laden also crossed into Afghanistan to oversee the delivery of construction machinery, which he placed at the disposal of the Afghans to dig tunnels and prepare ordnance storage areas. Bin Laden started spending more and more time in Afghanistan. Not content as a spectator, he wanted to train and command his own fighters, thus he created his own unit in order to direct their battles. His first and last face-to-face encounter with the Soviet army, using pure Arab personnel, was at Jaji and according to independent accounts, was a military disaster.<sup>2</sup> What most Westerners do not appreciate is that the real fighters, the simple, oppressed Afghans, scorned the “Internationalists,” “Wahhabi’s” or “Arabs” as they were described in casual conversation. To gain a sense of their cynical contempt, one needs only to read interviews with some of the Mujahideen’s most successful commanders in *The Other Side of the Mountain*. The Arabs, for the most part, enjoyed posing for war pictures, videotaping the “Great Game,” and generally role-playing. During one particularly sharp engagement on the Afghan-Pakistan border, an Arab unit was begged to reinforce the beleaguered

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<sup>2</sup> Marc Sageman, author of “Understanding Terror Network.” Dr. Sageman was a CIA case officer in Pakistan and had direct contact with the Afghan Mujahidin during the Soviet occupation.

Afghan Mujahideen, but declined. Ask former Afghan Commander Akhtarjhan his opinion of these Arabs. One remarkable photograph of a passing Mujahideen vehicle sums up the Afghan contempt of the Arabs with a sign stating, “We are not Internationalists.”

During the Soviet occupation of Afghanistan, the relationship between the Afghans and the Arabs resembled the dynamics of a varsity sports team; there are players who are essential to the winning of the game and there are “scrubs” – players who warmed the bench. The Afghans fought their own war and outsiders of any stripe – CIA paramilitary case officers, ISI intelligence operatives or internationalists – were kept on the sidelines. The Bin Laden’s of the Afghan conflict could build and guard roads, dig ditches, and prepare fixed positions; however, this was an Afghan Jihad, fought by real Afghans, and eventually won by real Afghans. Bin Laden was forced to sit out the “big game” – the real Holy War.

To reconcile this profound psychological set back, Bin Laden recognized that he needed to start his own “jihad.”<sup>3</sup> In August 1990, when Iraq invaded Kuwait, Bin Laden proposed to the Saudi royal family that he summon his Arab Mujahideen to retake Kuwait from Saddam’s army. For this puerile, militarily unsound and egocentric proposal, he was smartly rebuffed and banished by the Saudi leadership. However, over time in Bin Laden’s mind, the United States had now become to Saudi Arabia and the Ulama what the Soviet Union had been in Afghanistan. The Americans were occupying the lands of Islam in its holiest territories; the Americans were slaughtering the Muslims; and, the Americans served the petty state, Israel, which occupied Jerusalem. Now Bin Laden had his own “jihad.” He was finally alone on center stage.

Today, Bin Laden sees the evil hand of America everywhere, from Serb ethnic cleansing of Bosnian Muslims, to Central Asia and to the US liberation of Afghanistan and Iraq. Even after his escape from Afghanistan and the defeat of his Taliban hosts, he continues to direct his Al-Qaeda operatives by financing and supporting groups from Algeria to the Philippines. How direct and powerful his control is irrelevant; what counts to Bin Laden is that this activity is attributed to him and it is his “jihad”.

Wherever he hides, he basks mentally in the limelight that was once the exclusive domain of great Afghan warriors: commanders like the late Abdel Haq and Ahmad Shah Massoud. At the moment, Bin Ladin reclines against some mud hut wall, his

<sup>3</sup> I use the term “jihad” here not in the correct Islamic sense. Bin Laden is fighting a “hirabah”, an unholy war, and a forbidden war against society.

*Andrew Nichols Pratt*

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ever-ready assault rifle at his side, dressed in the “jihad chic” of the day, overseeing a loose confederation of like-minded apostates from the Muslim world. Planning operations and making tapes for the media, he will not miss his moment of glory or play second fiddle. Bin Laden missed the noble Jihad against the first great Satan, Soviet Union and subsequently needed to start his own sordid little war against the remaining great Satan.

Captured on videotape, Bin Laden describes how the planes that “kamikazed” into the World Trade Center towers did far more damage than ever imagined. “We calculated in advance the number of casualties from the enemy ... I was the most optimistic of them all.” He craves center stage. Dr. Jerrold Post, a renowned CIA analyst who has devoted his entire career to the field of political psychology, recently labeled Bin Laden as a “malignant narcissist,” a personality overflowing with narcissist-excessive self-admiration. On video, Bin Laden exudes grandiose self-importance, reflecting his messianic sense of mission, and demonstrating an inability to empathize with others. Most threatening to the West, he rages internally at being upstaged by the world’s focus elsewhere. If Bin Laden thrives on being in the global spotlight, he is likely a bit depressed in his hideout these days. The leader of the Al-Qaida terrorist organization has not made an appearance on the evening news for quite some time. What is more, the Taliban no longer need Bin Laden as a figurehead and financier as they did 65 months ago. The Taliban now have “their own star” in their struggle against Western soldiers and the Afghan government of President Hamid Karzai, Mullah Dadullah. He sports a pitch black beard, always wears a military jacket and these days, he is omnipresent in the media. Bin Laden’s ego, his *raison d’être*, is anguishing and this could be his downfall.

Osama Bin Laden has survived since 9/11, but one day he will die. We cannot foresee the details regrettably, but we can foresee the fact. He too will die and we must not reconstruct him when he goes. We cannot mistake Bin Laden for what he really is. Like Arafat, a cold blooded terrorist, Bin Laden is of similar ilk wrapping himself in a cloak of religion. Over twenty years ago, Afghan Mujahideen heroically fought to liberate their country against the invading army of a totalitarian, atheistic superpower. In contrast, Bin Laden proudly kills innocents and attempts to instigate a clash of civilization between Islam and the rest of the world to liberate only his ego. Make no mistake, what makes Osama Bin Laden “tick” is not service to Islam; he thrives on self-adulation.





**VSEBINA BILTENA  
SLOVENSKE VOJSKE – Št. 1/99**

**Generalpodpolkovnik mag. Iztok  
Podbregar  
BILTENU NA POT**

**Brigadir mag. Alojz Jehart  
NACIONALNA OBRAMBNA UNIVERZA  
ZDRUŽENIH DRŽAV AMERIKE**

**POKLICNO IZOBRAŽEVANJE IN  
USPOSABLJANJE ČASTNIKOV  
V KOPENSKIH SILAH**

**Polkovnik Igor Zalokar  
RAZVOJ IN UPORABA  
HELIKOPTERJEV SLOVENSKE  
VOJSKE**

**Polkovnik Robert Šipec, dipl. inž. stroj.  
VODENE RAKETE IN TEORIJA  
VODENJA RAKET  
PO PROPORCIONALNI NAVIGACIJI S  
SIMULIRANIMI PRIMERI**

**Poročnik korvete Aleš Kocijančič  
SODOBEN PRISTOP K ISKANJU IN  
REŠEVANJU PONESREČENCEV NA  
MORJU**

**Podpolkovnica Suzana Tkavc  
ŠPORT V SLOVENSKI VOJSKI**

**Major mag. Robert Masten  
VOJAŠKA PSIHOLOGIJA – POTREBA  
ALI NADLOGA?**

**Stotnik Boris Rutar  
VLOGA VOJSKE V BODOČE ALI  
CIVILNO-VOJAŠKA RAZMERJA V 21.  
STOLETJU**

**Kapitan korvete Peter Papler  
PODATKOVNE ZBIRKE KOT PODPORA  
VODENJU IN POVELJEVANJU**

**VSEBINA BILTENA  
SLOVENSKE VOJSKE – Št. 2/00**

**Polkovnik Vasko Maraš  
PROCES SPREJEMA ODLOČITVE V  
ŠTABIH NEMŠKE VOJSKE**

**Polkovnik Alojz Ternar  
BOJNO STRELJANJE NA CILJE V  
ZRAČNEM PROSTORU NA POLIGONU  
NAMFI**

**Stotnik Pavle Jereb  
UČINKOVITOST PEHOTNIH ENOT  
SLOVENSKE VOJSKE**

**Praporščak Primož Habič  
USPOSABLJANJE ZA VARNO DELO Z  
ELEKTRIČNIM TOKOM  
IN ELEKTRIČNIMI DELOVNIMI  
SREDSTVI**

**Polkovnik Vili Polšak  
CENTRALIZIRANO POVELJEVANJE IN  
KONTROLA V VOJAŠKI LOGISTIKI**

**Podpolkovnik Tomaž Okršlar  
ORGANIZACIJA VZDRŽEVANJA  
MATERIALNO-TEHNIČNIH SREDSTEV  
V SLOVENSKI VOJSKI**

**Podpolkovnik Jani Šalamon  
VLOGA VOJAŠKEGA ORKESTRA –  
GLASBE V SLOVENSKI VOJSKI IN  
DRUŽBI**

**Major asist. mag. Robert Masten  
IZBOR – TEMELJNA NALOGA  
PSIHOLOGIJE V VOJSKI**

**Podpolkovnica Zdena Šabec  
VIZIJA PROMOCIJE SLOVENSKE  
VOJSKE V JAVNOSTI**

**VSEBINA BILTENA  
SLOVENSKE VOJSKE – Št. 3/00**

**Generalpodpolkovnik dr. Iztok  
Podbregar  
ORGANIZACIJSKE STRUKTURE ZA  
MIROVNA POSREDOVANJA**

**Podpolkovnik Vasilij Maraš  
ZAVEZNIŠKA DOKTRINA ZDRUŽENIH  
OPERACIJ**

**Polkovnik Primož Šavc  
OBRAMBNA ŠOLA NATO**

**Polkovnik Milan Obreza  
PREPOVED UPORABE  
PROTIPEHOTNIH MIN**

**Podpolkovnik Boris Gorjup,  
podpolkovnik Jani Topolovec  
ZRAČNA OBRAMBA**

**Major Smiljan Babič  
DODELJEVANJE DOVOLJENJ ZA  
POLETE DRŽAVNIH ZRAKOPLOVOV**

**VSEBINA BILTENA  
SLOVENSKE VOJSKE – Št. 3/01**

**Mag. Boris Bratušek  
VOJAŠKI MANAGEMENT**

**Brigadir Alojz Šteiner  
OBLIKOVANJE REAKCIJSKIH SIL V  
SLOVENSKI VOJSKI –  
POSKUS POSTAVITVE IZHODIŠČ**

**Podpolkovnik Milan Žurman  
RAZVOJ KADROV V SLOVENSKI  
VOJSKI**

**Polkovnik Boris Ožbolt, podpolkovnik  
Pavle Gostiša  
VOJAŠKOSTROKOVNA LITERATURA  
TER DOKUMENTI IZOBRAŽEVANJA  
IN USPOSABLJANJA V SLOVENSKI  
VOJSKI**

**Kapitan korvete Peter Papler  
ZUNANJI IN NOTRANJI STROŠKOVNI  
SISTEM V BATALJONU SLOVENSKE  
VOJSKE**

**VSEBINA BILTENA  
SLOVENSKE VOJSKE – Št. 3/02**

**Polkovnik Robert Šipec**  
**ZANESLJIVOST, VZDRŽEVALNOST IN**  
**RAZPOLOŽLJIVOST**  
**OPREME, SISTEMOV IN KOMPONENT**

**Podpolkovnik Slavko Turk**  
**VPLIV UPORABE OMREŽNEGA**  
**VOJSKOVANJA**  
**NA UČINKOVITOST BOJNEGA**  
**DELOVANJA ENOT IN POVELJSTEV**

**Praporščak Primož Habič**  
**POPRAVLJANJE NAPAK VNAPREJ**  
**FEC (FORWARD ERROR**  
**CORRECTION)**

**Major Blaž Tomšič, dr. Vladislav**  
**Rajkovič**  
**UPORABA LUPINE EKSPERTNEGA**  
**SISTEMA DEX**  
**V PROCESU NAČRTOVANJA**  
**DELOVANJ**

**Kapitan korvete Peter Papler**  
**ANALIZA RAVNANJA STRUKTURE**  
**SLOVENSKE VOJSKE**

**Podpolkovnik Evgen Primožič**  
**ORGANIZACIJA DRŽAVNE UPRAVE NA**  
**PODROČJU OBRAMBE**

**VSEBINA BILTENA  
SLOVENSKE VOJSKE – 4/Št. 1**

**Brigadir Alojz Šteiner**  
**PROJEKTIRANJE PREOBLIKOVANJA**  
**STRUKTURE SIL VOJSKE**

**Brigadir Andrej Osterman**  
**PRAVNA PRIMERJAVA MED SISTEMOM**  
**VOJAŠKEGA SODSTVA ZDA**  
**IN SLOVENSKIM SISTEMOM PRI**  
**OBRAVNAVI KAZNIVIH DEJANJ**

**Mag. Robert Masten**  
**SOCIALNO-PSIHOLOŠKI VIDIK**  
**MIROVNIH OPERACIJ:**  
**DRUŽBENE OKOLIŠČINE,**  
**PRILAGODITEV NANJE IN MOTIVACIJA**

**Polkovnik Branimir Furlan**  
**RUDOLF MAISTER – STRATEŠKI**  
**VODJA**

**Podpolkovnik Evgen Primožič**  
**TIMSKO DELO V SLOVENSKI VOJSKI**

**VSEBINA BILTENA  
SLOVENSKE VOJSKE – 4/Št. 2**

**Kapitan korvete Peter Papler  
ANALIZA SPLOŠNEGA  
DOLGOROČNEGA PROGRAMA  
RAZVOJA  
IN OPREMLJANJA SLOVENSKE  
VOJSKE**

**Podpolkovnik Karlo Nanut  
VSTOP FENOMENOLOGIJE V  
ZGODOVINO –  
VPRAŠANJE VSTOPA IN PRVI  
ODGOVORI O BISTVU**

**Podpolkovnik Dušan Gorše  
SPORAZUM O KONVENIONALNIH  
SILAH V EVROPI**

**Podpolkovnik Milan Žurman  
VODENJE PROJEKTOV NABAVE IN  
UVAJANJA OBOROŽITVE IN OPREME  
V MINISTRSTVU ZA OBRAMBO  
REPUBLIKE SLOVENIJE (MO RS)  
IN V SLOVENSKI VOJSKI (SV)**

**Stotnik Simon Kavčič  
RAČUNALNIŠKO PODPRT SISTEM  
PODPORE ODLOČANJU  
ZA OPTIMIZIRANJE LOGISTIČNIH POTI**

**Poročnica Urša Brodnik in poročnica  
Marjana Trontelj  
PROBLEMATIKA OSREDNJEGA  
VADIŠČA SLOVENSKE VOJSKE  
POSTOJNA**

**VSEBINA BILTENA  
SLOVENSKE VOJSKE – 5/Št. 1**

**Generalmajor Ladislav Lipič  
OB PETI OBLETNICI BILTENA  
SLOVENSKE VOJSKE**

**Nadporočnik Denis Čaleta  
VARNOSTNO PREVERJANJE V  
SLOVENSKI VOJSKI**

**Nadporočnik Željko Kralj  
ANALIZA ZANESLJIVOSTI  
DELOVANJA/ODPOVEDI  
ARTILJERIJSKEGA STRELIVA  
Z UPORABO DREVESA ODPOVEDI**

**Major Dušan Gorše  
MEDNARODNI SPORAZUM ODPRTO  
NEBO**

**Major Samo Flisek  
VLOGA SPREMEMB V VODENJU  
ORGANIZACIJE**

**Nadporočnik Cvetko Perc  
VOZILO KOT VZROK PROMETNE  
NESREČE**

**Nadporočnik Denis Čaleta  
DILEME IN PERSPEKTIVE RAZVOJA  
VOJAŠKE POLICIJE SLOVENSKE  
VOJSKE**

**Vojaški vikar msgr. dr. Jože Plut in  
vojaški kaplan mag. Vladimira Violeta  
Mesarič  
(RELIGIOZNA) DUHOVNA OSKRBA**

**Stotnik mag. Jože Kobentar  
SISTEM RAZVOJA KADROV V  
SLOVENSKI VOJSKI**

**VSEBINA BILTENA  
SLOVENSKE VOJSKE – 5/Št. 2**

**Generalmajor Ladislav Lipič  
O RAZVOJU SLOVENSKE VOJSKE**

**Majorka Mojca Pešec  
SEZNAM BISTVENIH NALOG  
(ANGL. MISSION ESSENTIAL  
TASK LIST – METL)**

**Stotnik mag. Jože Kobentar  
POKLICI V SLOVENSKI VOJSKI**

**Major mag. Boris Bratušek  
VOJAŠKI VODJA – POVELJNIK**

**Mag. Marjan Vešnar  
SISTEM CELOSTNE SKRBI ZA  
PRIPADNIKE VOJSKE**

**Nadporočnik Denis Čaleta  
USTREZEN SISTEM VAROVANJA  
TAJNIH PODATKOV –  
NUJNOST V SLOVENSKI VOJSKI**

**Valter Mavrič, prof.  
ZNANJE TUJIH JEZIKOV PO MERILIH  
SPORAZUMA O UPORABI STANDARDA  
(STANAG) 6001**

**Stotnik Franc Šrok in dr. Vladislav  
Rajkovič  
IZBIRA VARIANTE BOJEVANJA  
S POMOČJO EKSPERTNEGA SISTEMA**

**Nadporočnik Željko Kralj  
RAZVOJ NOVIH STORITEV IN  
IZDELKOV, KI SO PRODUKT  
VZDRŽEVANJA  
MATERIALNO-TEHNIČNIH SREDSTEV,  
IN MOŽNOSTI NJIHOVEGA  
VKLJUČEVANJA V RAZVOJNE  
PROGRAME OBRAMBNE INDUSTRIJE**

**VSEBINA BILTENA  
SLOVENSKE VOJSKE – 6/Št. 1**

**Polkovnik Jože Konda  
OVSE – ORGANIZACIJA ZA VARNOST  
IN SODELOVANJE V EVROPI  
Ob predsedovanju Republike Slovenije  
leta 2005**

**Major Igor Žežlin  
VPLIV STRATEŠKEGA KONCEPTA  
ZVEZE NATO NA DOKTRINO VOJAŠKE  
OBRAMBE**

**VVU XIII. razreda mag. Denis Čaleta  
VAROVANJE TAJNIH PODATKOV V  
ZVEZI NATO**

**Major mag. Iztok Kočevar  
DIGITALIZIRANO BOJIŠČE**

**Podpolkovnik Matjaž Goričar  
OPERATIVNO-TAKTIČNI SISTEMI C4I**

**VVU XIII. razreda mag. Željko Kralj  
PROCESI UPRAVLJANJA  
ŽIVLJENJSKEGA CIKLA V  
OBRAMBNEM SISTEMU**

**VSEBINA BILTENA  
SLOVENSKE VOJSKE – 7/Št. 1**

**Major Boris Cimprič  
TAKTIČNI TELEKOMUNIKACIJSKI  
SISTEM**

**VVU XIII. razreda mag. Denis Čaleta  
VAROVANJE TAJNIH PODATKOV V  
EVROPSKI UNIJI**

**Stotnik Aleksander Andric  
CILJENJE**

**Major Zoran Ravbar  
PREIZKUŠANJE PEHOTNE  
OBOROŽITVE**

**Major Ernest Anželj  
PRIDOBIVANJE KADRA ZA POKLICNO  
SESTAVO SLOVENSKE VOJSKE**

**Polkovnik Marjan Mahnič  
KODEKS ETIKE NA PODROČJU  
POLITIČNO-VOJAŠKIH VIDIKOV  
VARNOSTI ORGANIZACIJE ZA  
VARNOST IN SODELOVANJE V EVROPI**

**VSEBINA BILTENA  
SLOVENSKE VOJSKE – 7/Št. 2**

**Major Evgen Primožič  
ŽIVETI Z ETIKO V JAVNI UPRAVI IN  
SLOVENSKI VOJSKI**

**Podpolkovnica Mojca Pešec  
POMEN VOJAŠKEGA IZOBRAŽEVANJA  
IN USPOSABLJANJA  
KOT SESTAVINE VOJAŠKE DOKTRINE**

**Nadporočnik Ivo Bednařik  
POKLICNE KOMPETENCE**

**Zdenka Marič, univ. dipl. soc.  
OSEBNOSTNI RAZVOJ IN VODENJE**

**VVU XIII. razreda mag. Marjana Trontelj  
VARSTVO OKOLJA V VOJAŠNICAH  
IN DRUGIH OBJEKTIH MINISTRSTVA  
ZA OBRAMBO**

**Podpolkovnik Milan Žurman  
FUNKCIJA S-5/G-9/J-9 IN CIVILNO-  
VOJAŠKO SODELOVANJE  
NA OPERATIVNI RAVNI V ZVEZI NATO**

**VVU XIII. razreda mag. Željko Kralj,  
VVU XIII. razreda Jana Kuret,  
VVU XII. razreda Mojca Kaučič Škufca,  
VVU XI. razreda Andrej Fister,  
VVU XI. razreda Irena Truntič  
LABORATORIJSKO PREIZKUŠANJE  
EKSPLOZIVNIH SNOVI  
V SLOVENSKI VOJSKI**

**VSEBINA BILTENA  
SLOVENSKE VOJSKE – 8/Št. 1**

**VVU XIII. razreda mag. Marjan Vešnar  
KODEKS ETIKE IN NJEGOVA RABA**

**Major mag. Boris Bratušek  
RAZVOJ POSAMEZNIKA V SLOVENSKI  
VOJSKI**

**Štabni vodnik Igor Skopec  
SPLOŠNO O KARIERI IN O KARIERI V  
SLOVENSKI VOJSKI (prvi del)**

**Podpolkovnik dr. Tomaž Kladnik  
FORMACIJA IN TEORETIČNA  
DOLOČILA DELOVANJA  
ENOT SLOVENSKEGA  
DOMOBRANSTVA**

**Polkovnik Andrej Kocbek  
VARNOSTNA STRATEGIJA EVROPSKE  
UNIJE IN NACIONALNA VARNOSTNA  
STRATEGIJA ZDRUŽENIH DRŽAV  
AMERIKE – STRATEGIJI GLOBALNEGA  
SISTEMA VARNOSTI 21. STOLETJA  
(prvi del)**

**VVU XIII. razreda mag. Denis Čaleta  
SAMOMORILSKI TERORIZEM –  
GROŽNJA OBOROŽENIM SILAM**

**Polkovnik Bojan Pograjc  
MULTINACIONALNE ENOTE**

**Podpolkovnik Milan Žurman  
NATOV MEDNARODNI ZDRUŽENI  
LOGISTIČNI CENTER (Natov MZLC)  
(Multinational Joint Logistics Center  
– MJLC)**

**VSEBINA BILTENA  
SLOVENSKE VOJSKE – 8/Št. 2**

**Kapitan bojne ladje Ljubo Poles  
PRIORITETE POVELJNIKOV IN NJIHOV  
VPLIV NA BOJNO PRIPRAVLJENOST  
ENOT**

**Kapitan fregate Peter Papler  
BOJEVANJE PO TAKTU**

**Dr. Milan Jazbec  
RAZVOJ EVROPSKE VARNOSTNE  
IN OBRAMBNE POLITIKE (EVOP) IN  
VLOGA TER MOŽNOSTI SLOVENIJE**

**Jožef Kranjc  
PREDSTAVITEV DELA IN VLOGE  
INŠPEKTORATA REPUBLIKE  
SLOVENIJE ZA OBRAMBO**

**Polkovnik Andrej Kocbek  
VARNOSTNA STRATEGIJA EVROPSKE  
UNIJE IN NACIONALNA VARNOSTNA  
STRATEGIJA ZDRUŽENIH DRŽAV  
AMERIKE – STRATEGIJI GLOBALNEGA  
SISTEMA VARNOSTI 21. STOLETJA  
(drugi del)**

**Štabni vodnik Igor Skopec  
SPLOŠNO O KARIERI IN O KARIERI V  
SLOVENSKI VOJSKI  
(drugi del)**

**Podpolkovnik Evgen Primožič  
USTAVNA PRITOŽBA,  
VARSTVO USTAVNIH PRAVIC IN  
TEMELJNIH SVOBOŠČIN**

**VSEBINA BILTENA  
SLOVENSKE VOJSKE – 8/Št. 3**

**Liliana Brožič  
UVODNE MISLI**

**Mag. Marjan Fekonja  
VIZIJA RAZVOJA IZOBRAŽEVANJA  
IN USPOSABLJANJA V OBRAMBNEM  
SISTEMU**

**Mag. Mirko Stopar  
PRENOVA SISTEMA IZOBRAŽEVANJA,  
USPOSABLJANJA IN  
IZPOPOLNJEVANJA V MINISTRSTVU  
ZA OBRAMBO**

**Dr. Andreja Lavrič  
KAKOVOST POSREDOVANJA ZNANJA  
V OBRAMBNEM SISTEMU IN SISTEMU  
VARSTVA PRED NARAVNIMI IN  
DRUGIMI NESREČAMI**

**Tatjana Golja  
RAZVOJ TER IZBOLJŠAVE  
IZOBRAŽEVANJA, USPOSABLJANJA  
IN IZPOPOLNJEVANJA**

**Mag. Jože Pogačar  
ORGANIZACIJSKO UČENJE**

**Kapitan bojne ladje Ljubo Poles  
UČINKOVITA IN USKLAJENA  
UPORABA KADROVSKIH VIROV**

**Podpolkovnik Dušan Toš  
UGOTAVLJANJE IN VREDNOTENJE  
IZOBRAŽEVALNIH POTREB V  
FUNKCIJI RAZVOJA KADROV V  
SLOVENSKI VOJSKI**

**Brigadir Jožef Žunkovič, podpolkovnik  
Dušan Toš  
POVELJSTVO ZA DOKTRINO, RAZVOJ,  
IZOBRAŽEVANJE IN USPOSABLJANJE  
– ODGOVOR NA ZAHTEVANE  
NOVE PRISTOPE V VOJAŠKEM  
IZOBRAŽEVANJU IN USPOSABLJANJU  
V SPREMENJENEM VARNOSTNEM  
OKOLJU**

**Podpolkovnik Miran Rožanec  
IZZIVI NA PODROČJU  
IZOBRAŽEVANJA IN USPOSABLJANJA  
V NASLEDNJEM SREDNJEROČNEM  
OBDOBJU**



**VSEBINA BILTENA  
SLOVENSKE VOJSKE – 8/Št. 4**

**Dr. Ljubica Jelušič in kapitan fregate  
mag. Peter Papler  
ČLOVEŠKI DEJAVNIK V VOJAŠKEM  
SISTEMU**

**Mag. Erik Kopač  
EKONOMSKA ANALIZA PONUDBE  
VOJAŠKE DELOVNE SILE**

**Dr. Marjan Brezovšek in dr. Miro Haček  
OBRAMBNA IN VARNOSTNA KULTURA  
V SLOVENIJI**

**Dr. Vinko Vegič  
RAZISKAVA O STALIŠČIH SLOVENSKE  
MLADINE DO VOJAŠKEGA POKLICA**

**Dr. Maja Garb  
PROSTOVOLJCI NA SLUŽENJU  
VOJAŠKEGA ROKA V SLOVENSKI  
VOJSKI**

**Mag. Erik Kopač  
ZADRŽEVANJE STALNE SESTAVE  
SLOVENSKE VOJSKE**

**Dr. Ljubica Jelušič  
POGODBENI PRIPADNIKI REZERVNE  
SESTAVE**

**Dr. Hajdeja Igljč  
KOHEZIJA V VOJAŠKIH ENOTAH**

**Mag. Andrej Kohont in VVU XI. razreda  
Mateja Naglič  
ANALIZA KOMPETENC V SLOVENSKI  
VOJSKI**

**Mag. Samo Pavlin in dr. Ivan Svetlik  
UPRAVLJANJE ZNANJA V SLOVENSKI  
VOJSKI – EVALVACIJA NAČINOV  
PRIDOBIVANJA KOMPETENC**

**Dr. Edvard Konrad  
OBJEKTIVNI IN SUBJEKTIVNI VIDIKI  
KARIERNEGA SISTEMA V SLOVENSKI  
VOJSKI**

**Dr. Majda Černič Istenič in dr. Duška  
Knežević Hočevar  
USKLAJEVANJE DELA IN DRUŽINE V  
SLOVENSKI VOJSKI**

**Dr. Vasja Vehovar, dr. Damjan Škulj in  
dr. Mihael Perman  
MODELIRANJA OBRAMBNIH  
SEGMENTOV**

**Kapitan fregate mag. Peter Papler  
PREHOD NA RAVNANJE S ČLOVEŠKIM  
VIRI**

**VSEBINA BILTENA  
SLOVENSKE VOJSKE – 9/Št. 1**

**Podpolkovnik Evgen Primožič  
OB TEJ IN NASLEDNJIH ŠTEVILKAH  
BILTENA SLOVENSKE VOJSKE  
PREFACE TO THIS AND THE  
FOLLOWING ISSUES OF BILTEN  
SLOVENSKE VOJSKE**

**Dr. Gordana Žurga  
NADALJNJE IZBOLJŠEVANJE  
KAKOVOSTI V MINISTRSTVU ZA  
OBRAMBO REPUBLIKE SLOVENIJE  
CONTINUED QUALITY IMPROVEMENT  
WITHIN THE MINISTRY OF DEFENCE  
OF THE REPUBLIC OF SLOVENIA**

**Podpolkovnik Evgen Primožič  
PRENOVA PROCESA OBLIKOVANJA  
FORMACIJ ENOT, POVELJSTEV IN  
ZAVODOV SLOVENSKE VOJSKE  
UPDATING THE ORGANISATION  
PROCESS OF UNITS, COMMANDS  
AND INSTITUTES OF THE SLOVENIAN  
ARMED FORCES**

**Polkovnik Andrej Kocbek  
PREOBLIKOVANJE OBRAMBNE  
DIPLOMACIJE  
DEFENCE DIPLOMACY  
TRANSFORMATION**

**VVU XIII. razreda mag. Marjan Vešnar  
NEMATERIALNO NAGRAJEVANJE IN  
VODITELJSTVO  
NON-MATERIAL REWARD PRACTICE  
AND LEADERSHIP**

**Mag. Pavel Vuk  
SPREMEMBE V MEDNARODNEM  
VARNOSTNEM OKOLJU  
CHANGES IN THE INTERNATIONAL  
SECURITY ENVIRONMENT**

**VVU XIV. razreda dr. Denis Čaleta  
SODOBNI TRENDI V TERORIZMU  
MODERN TERRORISM TRENDS**

**VVU XIII. razreda mag. Željko Kralj  
SISTEM OBVLADOVANJA RAZMER  
SKLADIŠČENJA STRELIVA  
THE SYSTEM OF CONDITION  
CONTROL IN AMMUNITION STORAGE  
FACILITIES**