

SOME PROBLEMS OF BORDERS OF BOSNIA AND HERZEGOVINA

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The borders of Bosnia and Herzegovina, viewed as a whole, are political-geographical determinants, which should define its area. Since its borders were not verified with two out of three neighbors, R. Croatia and R. Serbia, while with the R. Montenegro, dating from 2016, borders were ratified at the expense of Bosnia and Herzegovina (see the paper: M. Spahić et al. (2014) Sutorina - Usurped Geographical Territory of Bosnia and Herzegovina Acta geographica Bosnie et Herzegovinae vol. 1. no. 2), the area of the territory of Bosnia and Herzegovina is questionable and undefined, at least for the areas smaller than 1 km². This has been especially pronounced lately, when various political appetites arise or the parts of its territory, especially in the border areas. We should definitely add to this the issue of sea delineation, which, according to the International Conventions, allows Bosnia and Herzegovina the right to exit to the open sea, which is not yet regulated with the Republic of Croatia, but, on the contrary, is further complicated with the project of building the Pelješac Bridge.

The borders of Bosnia and Herzegovina, given its turbulent historical past, were subject to change. Border lines were mostly prolonged, after official written mention of Bosnia in the document of Byzantine emperor - researcher Constantine Porphyrogenet "On the management of the Empire" from her former its former central territory to the cross border territories in the times of Bosnian Kingdom. After independent medieval development, the borders of Bosnia and Herzegovina were determined by others; usually by the political settlements and peace treaties, which is why they are in many elements unfair. In the processes of subsequent agreements, the borders of Bosnia and Herzegovina have been changed, and so with the recent voluntary decisions, they have been shortened on the disadvantage of Bosnia and Herzegovina for about 10.4 km, and the sea border in the Bokakotorska Bay, in the length of 5.5 km, forcing a reduction in area for 86 km².

Key words: borders, the emergence of the Bosnian state, the demogeographic niche, the Bosnian kingdom, peace treaties, voluntarism, Bosnian land, Bosnian state, international recognition, Badinter commission, open border issues, maritime borders, inland waters, open sea.

INTRODUCTION

The border is a determinant that belongs to political geography and with a line or belt it closes a geographical territory. The boundary line is the contact of the vertical plane on the surface of the land or the water surface and it proceeds further into depth. It is actually an orthogonal projection of the level dividing renewable and non-renewable natural and other resources belonging to different countries, regions, administrative units, and so on.

The land borders are the most frequently drawn lines and can be: orographic and hydrographic. The latter ones on land are most often potamological. Thus, the borders in the north of Bosnia and Herzegovina are defined by the border Sava River, on the west, partly by the river Una and the eastern parts mostly by the base of Drina River. Other boundary

lines towards neighboring countries are drawn through orographic angles, trigonometric points, and transitions. Therefore, the borders of Bosnia and Herzegovina are natural, quite visible and cartographically recognizable. The lengths of borders towards the neighboring countries are mostly inconsistent and there is more data in use. To illustrate this, the official statistics in the neighboring Republic of Croatia state that the length of the border to Bosnia and Herzegovina is 1011.4 km, while the data within Bosnia and Herzegovina states that from the total land border, which is 1.538 km, the longest is towards the neighboring Republic of Croatia and it is 932 km. The length of the border of R. Serbia towards Bosnia and Herzegovina according to the original data of the Statistic Institute is 302 km, while statistics within Bosnia and Herzegovina specifies the length of the same border of 357 km.

Only after the dissolution of former Yugoslavia, and agreed in the official statistics of both countries, the border between Bosnia and Herzegovina and R. Montenegro was ratified, truth at the expense of Bosnia and Herzegovina due to the conversion from possession to debauchery state of two municipalities of Kruševicu and Sutorina to Montenegro, which they never returned to Bosnia and Herzegovina, even though they had to, after dismantling of the Zeta banovina, and is 268 km.

Without counting the potamological boundaries, which we consider as land-based ones, Bosnia and Herzegovina, has its exit to the sea in the bay of Neum-Klek and on the other side of the Klek peninsula towards the peninsula of Peljesac (Republic of Croatia) dividing the sea channel of Mali Ston. Due to the closed archipelagic morphology, according to the International Covenant on the right to use the open sea, which Bosnia and Herzegovina, unfortunately, had not regulated with the neighboring Republic of Croatia from the time of recognition of the status of the state, its maritime borders must not be a straight line but archipelagically curved, and at the end of the Klek peninsula, open to the open sea, which will be discussed in the paper later. The total length of the coastline counting continental and peninsula one is 29.61 km.

In this paper, the method of analyzing text, maps, historical documents, international agreements and recent political disputes was used, arising from various intentions and initiatives from the eastern and western neighbors to draw new state borders. They were the backbone and the consequence of interstate conflicts of the last decade of the last century.

HISTORICAL-GEOGRAPHICAL DEVELOPMENT OF BORDERS OF BOSNIA AND HERZEGOVINA

Brief historical and geographical insight on the development of borders

Borders of Bosnia and Herzegovina as they look today are very young and are not older, on the whole, than two centuries. The last international delimitation toward the R. Serbia and R. Montenegro was carried out at the Berlin Congress in 1878, when these two neighbors in the east gained independence, and Bosnia and Herzegovina gained the occupation. Previous four peace treaties: Sremsko-Karlovacki 1699. Pozarevacki 1718., Belgrade 1739., and Svishtovski 1791., had practically determined our northern and western borders. Thus impoverished, Bosnia and Herzegovina from the Austro-Hungarian period, was confirmed by the AVNOJ's decision from 1943. by which Bosnia and Herzegovina was a republic within the borders from the 1918. According to this definition, today's territory of Bosnia and Herzegovina represents the last Bosnian pashaluk minus Novi Pazar sandžak.

From a border defined in such way, although according to the decisions of AVNOJ, which were later confirmed by the Assembly of the SFRY, Sutorina part together with the coastal line was not returned to Bosnia and Herzegovina, about which the author of this article already discussed in this magazine, no. 2. and in a special issue under the heading "Sutorina". Although only in the possession frames of Montenegro, this part of the territory has not been shown on geographical maps within Bosnia and Herzegovina since 1965. Possession character is not the same as ownership (land registry), as evidenced by the large scale maps and cadastral plans of KO Krusevice and Sutorina with a total area of 83,7 sq km from 5.5 km of coastline, dating back from Austro-Hungarian survey and mapping of 1884. Apart from proprietary possession documents, of which the cartographic ones are especially significant, because they were mapped by the Empire, who later was granted permission by the international community to annex them.

Unlike present boundaries that define territory of Bosnia and Herzegovina, the term and territorial notion of Bosnia and Herzegovina is, historically viewed, much wider. Thus, since the XIV century, the term of Bosnia spread from Polimlje in the east to the Adriatic coast in the west, Sava in the north and Boka Kotorska in the south.

The Bosnian state has a very long history. The process of the development of Bosnian state, geographically viewed, had included all three major natural entities of the Balkan Peninsula: Pannonian in the north, a mountain-depression-valley in the middle and coastal one in the southeast and southwest. Then Bosnia, within one state, had included not only Bosnian ones but also ethnical area of Raska-Serbska, to the east and Croatian Dalmatian in the west. In that period, Bosnia was the largest and most powerful country in the Balkan Peninsula.

From the Bosnian states to the Bosnian country

Before the obtainment of an official name, the tribes lived in the territory of today's Bosnia and Herzegovina, which had their own specific organizational political systems. Obviously, the ruling strata were authentic and with this form of gathering of the local population, they were eligible for the national territory.

Geographical living space of Bosnia, between an organized political power in the eastern and western neighborhoods, had its own particular autarchy conditioned in relief circuits of its territorial space. It remains perfectly understandable that the political power of early medieval Bosnia and its name as a state entity as well as people, who lived in, have existed for a long time before the Porphyrogenitus' written registration. Hence it is quite understandable that Bosnia in the Middle Ages with Pagani, Zahumlje, Travuniju and Konavalje was included within the territories of the Balkan Peninsula that recognized Byzantine power. Therefore, it can rightly be argued that the space that belonged to Bosnia was not Serbian, because even the Emperor Constantine, who would gladly do so, did not count it in them, but he specifically set it apart. Based on the text of Constantine Porphyrogenet it is safe to claim that Bosnia has been exclusively Bosnian since the establishment.

This gives us the right to doubt the imposing views in the book "History of the Yugoslav peoples" in which the within the "Serb countries of the early feudal era", which is calculated up to XII century, Bosnia is included as well. According to the same source, she was excluded from the Serbian tribal alliance in the beginning of the thirteenth century, although there is not even one proof of that claim.

Considering its central geographical position, as the part of the Dinaric Morphostructure with two valley corridors from its central parts; the rivers of Bosnia on the north and the Neretva to the south connected by the low passage of Ivan enabled a significant transient transition of its population from the northern, richer with land parts and southern warmer ones with less zyrctic soil. Such geographic predisposition enabled the transitional and autarchic forms of the local assembly of the population with a prominent organization of tribal government. Geographical determinants determined the opinion that the political power was formed on its territories, if not earlier that at least simultaneously with the formation of Croatian in the west, and Serbian to the east.

According to historiographers, according to N. Klaić (1989), there are scant written data on Bosnia, from which are mentioned the breakthrough of Avars in 597 BC., when the Bosnian territory was affected by the Avaric-Slavic demogeographic wave that lasted until 614 at the latest. In this region from the early Middle Ages there were not preserved in written documents the tribal names to lead us on conclusion that at that time the Slavs under Avar occupation were in the process of increasing territorialism of their living spaces and the construction of their central government. It is also very difficult to ascertain which evidence of material culture belongs to Slavs and which one to Avars.

Avaric, i.e. Turkish place names: Viceroy (ban) and the mayor (zupan), and the mayor's wife, bans do, zupa and zupni, clearly show the geographical distribution of the first territorial and political, from the Turkish Avar early-Slovenian period of communities from which they developed medieval country, Bosnia among the first ones.

The previously stated attitudes, in spite of the written shortcomings and remnants of material culture, have a full logical basis for the assertion that in the present-day territories belonging to Bosnia and Herzegovina, once existed the Bosnian states which have independently begun their development. The foundation and development of the Bosnian states on today's Bosnia and Herzegovina soil is a consequence of its relief differentiation, especially in Central dinar morphostructures by horizontal breakdown with the valley widening and valleys as basic morpho forms, which provided an ideal possibility for settlement, maintenance and defense from unwanted ones. The valley and valley morphforms were the basis for the gathering of the population, which could be defined as a demogeographic niche. Demographic niche was made of a natural base with rich natural resources which population used in a full extent for the abundance of life. Under such conditions, tribal alliances were formed and at the head of each was a Bosnian ban.

The spatial criterion of interior life spaces defined the size of the demogeographic niche. One of these is written in the work of the administration of Imperial Byzantine Emperor Constantine Porphyrogenitus, who mentions the horizon of Bosnia and the two cities of Kater and Desnek. It further states that in Bosnia there lives a people who call themselves Bosniaks. The Bosniak nation, referring to the inhabitants of Bosnia, lived until the end of the 19th century, when Bosniak Orthodox in the night became Serbs and Bosniaks Catholics Croats. About the Bosniaks, a nation of three different faiths, in 1844 ., writes a father of Serbian radicalism Ilija Garashanin, talking about "*Necessary brotherhood between Bosniaks and Serbs*" (referring to the Serbs from Serbia, the authors *remark*) and *other Slavs*". About the same topic in the Letopis of Matice Srpske in its first issue of 1825. editorial text devoted to the knees of Slavic peoples, among other things, says that "Bosniaks live between the Drina, Vrbas, Sava, Dalmatia and Srem, and there are 450,000 of them; with confessions of Islam or Roman Catholic or Orthodox".

It is obvious that the porphyrogenite name of Bosnia referred to the central part of the sprawling Sarajevo-Zenica basin, and the mentioned settlements in the valley of Bosnia on the move from the tributaries of the Fojnica river to the tributary of Lašva. Demogeographic niches were the Bosnian states, especially in the Avar period, in which territorial-political organizations of banat formations were established, where the power had ban, and in zupa's the zupan, were unified in a unique political system of horonistic character with a high degree of decentralization. Every Bosnian state had parish or Desnik which was a branch of Church organization named Decatera. Therefore, if Bosnia had its own church, which all the historical documents confirm, then it was an independent *principal*, which in terms of its status, was observed in exactly the same way as other principals of the South Slavs (N. Klaić, 1989).

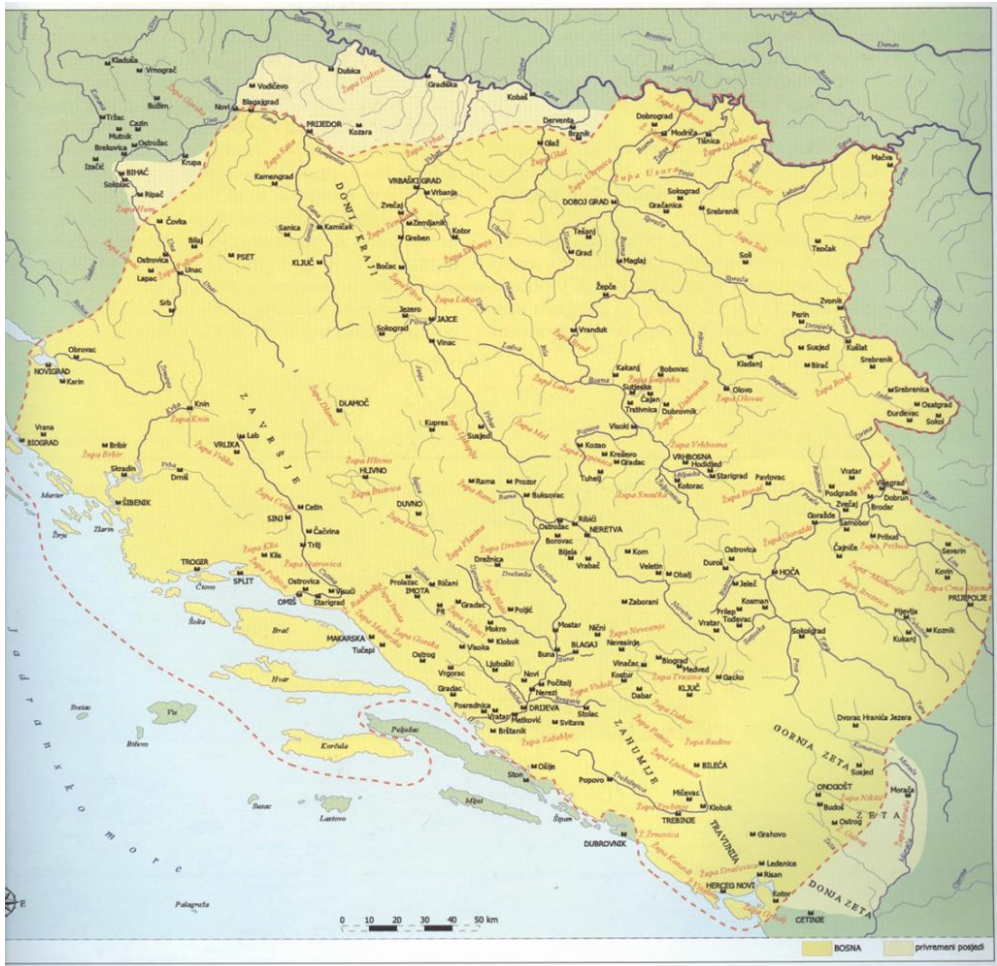
She was, as the (N. Klaić, 1989) says, the oldest state among its neighbors, and "the Croatian and Serbian formulas were not even applied to Bosnia." Bosnia, not only being the oldest South Slavic state, and in one period the largest and strongest Balkan state, it was already the core of the gathering around the Bosniak ethnos and the area of neighboring ethnic-territorial communities, the Serbs in the east and the Croats in the west. Its central role and position will be confirmed throughout its history, and it also has a current meaning. Because of such facts, it is not the best or correct to translate Constantine porfyrogenit, ie his determination of Bosnia - Horion; Bosnosa - land of Bosnia, as often many historians, even the youngest ones do in addition, the term "Horion" was taken from the Greek language and the translation is not diminutive state territory – „zamljica“, but it is a geographical term for the state area, territory, space, country, geographic region, end, area.

Bosnia's state territory, as well as with other countries, expanded and coexisted, but its core always remained around which gathered and expanded its geopolitical space. This central part, the old Vrh-Bosanje, is not the only Bosnian state as some historians claim, so they differed from other territories: historical Usora, Sola, Lower parts, West ends, Primorje, Hum, Travunija, Podrinja, Polimlja. These are all Bosnian lands, which among other things is evident in the historical fact that the Bosnian King Tvrtko was wearing on his head "a several crowns". Advanced economic and social development with a dynastic religious expression (Bosnian Church) enabled foreign policy exclusivity, which makes it special on a historical scale, without wars, to expand territorially until the arrival of the Ottomans. Thus, in 1377, Bosnia after the crowning of Tvrtko I Kotromanić became kingdom, extending its borders towards Serbia, Primorje and the West ends (see Figure 1).

After the 50-year-long reduction of the territory of the medieval Bosnian state, after the death of Tvrtko I Kotromanić, until the fall of the Bosnian kingdom in the second half of the 15th century, a new expansion of the territorial political community of Bosnian pashaluk occurs during the Ottoman authorities in the Balkans and Central Europe. Bringing the Bosnian sandzak into Bosniani pashaluk spread the notion of Bosnia far beyond its current borders, and the territorial situation with Tvrtko's Bosnia is repeated to a considerable extent. Chronologically seen within the unique Bosnian space there were always together one of the three major physical-entities: Pannonian-Posavski, and central dinarric and coastal maritime geographical space.

After peace at the mouth of Žitva in 1606, the border of the Bosanski pashaluk was on the Drava River, passing southeast of Sisak, south of Karlovac, through Lika to the Novigrad Sea, and from there along the coast to the borders of the Dubrovnik Republic, proceeding further to the northeast through Podgorica Bijelo polje to Mitrovica, and then to the south of Uzice on Drina, then through the Macva on the Sava, and by the Sava via Bosut

on the Danube and the Drava to the north of Virovitica. The administrative center of this great pashaluk was originally in Banja Luka, then in Sarajevo and Travnik.



1. Bosnia and Herzegovina at the time of Tvrtko I Kotromanić (1353-1391)

Source: Marko Vego, Historical map of the medieval Bosnian state, Sarajevo 1957.

In addition to the territory of the Bosnian kingdom, other spacious areas were included in the Bosnian pashaluk, and Bosnian pasha included several state territories in relation to the former Bosnian kingdoms. At that time, the notion of Bosnia had the largest territorial scope that existed throughout the century. After that, until the Vienna War of 1683. in the next 100 years lasted the territorial reduction in the Bosnian pashaluk, so that with the Karlovac peace were defined borders in the north with Sava and Una, to the west, which are similar to its present borders.

Peace treaty in Sremski Karlovci, which was signed between Turkey, Austria and Venice, the northern boundary of the Bosnian pashaluk was on Sava and Una, and to the west of Bihac within Bosnia remained other cities: Cetingrad, Furjan, Drežnik, Lapac and Boričevac, and on the Turkish Venetian border significant corrections were carried out, so Herceg Novi, Gabela, Vrgorac, Zadvarje, Sinj, Vrlika and Knin were included in the Venetian estate. Around these settlements towards the Bosnian pashaluk were extending the circles with radius of around 5 km.

The displacement of the borders in the north and west of the Bosnian pashaluk was done for the second time by the decisions of the Požarevac Peace, when the northern border was lowered south of the Sava River in a 6-km wide zone. The cities of Bijeljina, Brčko, Bosanska Dubica, Bosanska Gradiška, Bosanski Brod, Kobaš and Furijan were omitted from Bosnian pashaluk, while Imotski was lost on the Venetian side, and Gabela was gained. According to the decisions of the Požarevac peace from 1718. year. the Dubrovnik Republic gave to Bosnian pashaluk two exits to the Adriatic Sea: Neum-Klek and Sutorina, just to avoid having any borders with Venetian Republic, with which it competed in the maritime trade. This marine outputs remained as a part of Bosnia

By Belgrade Peace and its Decisions from 1739, everything lost in 1718 by the Požarevac peace on northern borders was restored to the Bosnian pashaluk and in Herzegovina everything remained the same, so that with the fourth peace in Svistov in 1791. Bosnian pashaluk lost: Cetin, Lapac, Srb and the area below Plješivica and Plitvice Lakes. The Novopazarska region, which had some corpus separatum in Bosanski sandžak, was separated in 1790 from Bosanski sandžak to Novi Pazar sandžak.

Accordingly, the northern and western borders of Bosnia and Herzegovina were established during the eighteenth period, and according to the decisions of the four peace agreements, while its current eastern border was determined by the Berlin Peace Treaty of 1878. The demarcation was established towards the Serbia, with Drina matrix, as well as toward the Turkish Sandzak, inland and Montenegro, when it, together with Serbia gained an international recognition. Limits to the former Republic of Dubrovnik are inherited, and they are drawn back in pre Turkish Bosnia through buying and assignment of Bosnian states.

The borders of Bosnia and Herzegovina, finally shaped by the Berlin Peace Treaty, were inherited by the Kingdom of Serbs of Croats and Slovenes and until 1929. the provincial boundaries of Bosnia and Herzegovina did not change. Dictatorial procedure of King Alexander Karadjordjevic historical territory of Bosnia and Herzegovina was broken and converted into four banovina, each of which was outof Bosnia and Herzegovina. Then, Sutorina was separated from the district of Trebinje and connected to the Zetska banovina or Kotor district, which was later accepted by the representatives of the fascist authorities in Italy and the Independent Croatia.

After the end of the Second World War, representatives of the Montenegrin authorities led by the Blaz Jovanovićem did not return part of the territory KO Krusevice and Sutorina, which before the banovina establishment belonged to the Srez Trebinje, as the Presidency and the Parliament of Bosnia and Herzegovina ratified in 2016 as official borders, which was already discussed. As already stated by AVNOJ's decision, Bosnia and Herzegovina is a republic within the borders from 1918.

BORDERS OF INDEPENDENT AND INTERNATIONALLY RECOGNIZED COUNTRY OF BOSNIA AND HERZEGOVINA

International recognition in inherited borders

Bosnia and Herzegovina was internationally recognized on April 6, 1992. She became a full member of the United Nations on May 21, 1992. as an independent, sovereign and free, unique, integral and indivisible state within the borders that it inherited since 1918. Determination of borders of states of the former Yugoslav community was dealt with within the International Conference on Yugoslavia, where an Arbitration Commission for the borders, known as the Badinter Commission, named after its president French lawyer Robert Badinter, established by the Council of Ministers of the European Economic Community on the 27th of August in 1991. This Commission dealt primarily with the legal frameworks of the borders of the former Yugoslav republics, and on that occasion brought a number of concrete conclusions, of which, for this paper, the most important are:

- question of State succession be based on the basis of international law and on the basis of fairness , bearing in mind that all interested countries are linked to convincing norms of general international law, in particular those relating to respect for fundamental human rights, the rights of nations and the rights of national minorities;
- The SFRY is falling apart and no longer exists as a state;
- no successor state has the right to continue SFRY membership in international organizations;
- The borders between former federal units are considered to be state successors and can not be changed by force, but only by agreement - by the principle of *uti possidetis*;

A day of succession of Bosnia and Herzegovina is on March 6th In 1992, after the referendum was held, February 29 and March 1 1992, where most of the population voted for democratic and independent state of Bosnia and Herzegovina.

By the Dayton Peace Agreement, as well as all other previous agreements, Bosnia and Herzegovina has inherited external borders, which has had and the Republic of Bosnia and Herzegovina until 1992. with the exception of some minor border changes on request of the former Republics, concerning the border segments near Bihac, Kulen Vakuf, Drvar, Grahovo, Duvno, Gacko, Foca and Drina adas downstream of Zvornik.

MODERN UNSOLVED PROBLEMS OF BORDER DISPUTES WITH NEIGHBORING COUNTRIES

Open Border issues with R. Serbia

The eastern border toward the Republic of Serbia is about from 2/3 of the total length, which is 335 km, potamologycal line Following the Drina River, and slightly less than 1/3 of the land, predominantly orographic. The river boundary is subject to natural changes, especially in the case of large meandering stream such as Drina in its lower basin.

So it happened during the time that the inhabitants of the Drina valley got used to the fact that the river would every now and then destroy their properties. The occurrence of lateral cropping results in the removal of arable land, so there are discrepancies between the ownership of cadastral and actual arable land. With some owners, the property has been reduced from the former 80 dunums to today's only 12 dunums. The accelerated process of

natural meandering was also triggered by anthropogenic interactions, the most frequent ones being the exploitation of gravel river deposits on the concave sides of the meander. Lateral and regressive processes in the river bed of the Drina significantly affected the morphology of the riverbed, which is on some parts of the longitudinal profile modified into starace and cut off meanders. With these potamological processes, only 400 hectares of fertile soil remained on the territory village Janja in the Republic of Serbia. Their processing by the owners from Bosnia and Herzegovina had come into question because of the border crossing, from which the closest one was few tens on kilometers away. This and such controversial border issues are in the domain of compromise inter-state dispute.



Fig. 2. Problematic boundaries of bosnia and Herzegovina and its neighbours

Source: <http://www.faktor.ba/vijest/peljeski-most-nije-jedini-problem-sve-sporne-tacke-u-razgranicenju-bih-sa-susjedima-265553>

The problem of the potomological border on the Drina is initiated, but also unratified because of the demands of R. Serbia to resolve, according to them, the controversial issues at four locations: the HPP „Zvornik“, the HPP „Bajina Basta“, the area of the Belgrade-Bar line and the area of the municipalities of Priboj and Rudo.

The agreed line, which is marked on topographic maps at scales of 1:25 000 on Drina river follows its matrix ie. distance between the two coasts on the sides of Bosnia and Herzegovina and the Republic of Serbia. Nothing in would be controversial, in addition to the already mentioned process of lateral erosion of the coast and meandering of the stream, if there were not an issue of the ownership of the HPP „Bajina Basta“ (power 364 MW) and "Zvornik" (96 MW) in question. We will Note that the both hydro-power facilities were projects of the former Yugoslavia, and Bosnia and Herzegovina has the right to share the same, which the R. Serbia opposes.

R. Serbia demands that the border should be moved beyond the accumulation lakes, of which the larger one is Perucko, which make the flow of water slower all the way to Visegrad, into the interior Of Bosnia and Herzegovina, in order for both accumulation lakes to belong to the Republic of Serbia, which is contrary to the initialed Agreement of 2002. about the border along the Drina river. The solution of the problem should be sought and resolved identically by hydroelectric interstate projects, while having in mind the HPP „Djerdap“ on the Danube in the segment of the border of the former Yugoslavia, and now the Republic of Serbia with the neighboring Republic of Romania, where the investments were divided and now there is constant division of the electricity produced.

The problem of the eastern border of Bosnia and Herzegovina was registered in the municipality of Rudo and cross-border in Priboj on the side of R. Serbia. In order to reach the settlement of Sjeverin and others, which territorially belong to Bosnia and Herzegovina, one should pass several kilometers through R. Serbia. It is an enclave that is completely surrounded by the territory of the Republic of Serbia; similar to some small states in the world that are surrounded by the territory of a state. Citizens of this settlement exercise their rights to work and education of children in Rudo. On the same territory in the village Međurječje border between the Republic of Serbia and Bosnia and Herzegovina was withdrawn in mid of cemetery, and locals, although belonging to the territory of Bosnia and Herzegovina pay the electricity bill to Republic of Serbia.



Fig. 3. Segment of railway Beograd – Bar in Bosnia and Herzegovina in the place of Štrpci.
 Source [https://www.google.ba/search?source= granice BiH Srbija](https://www.google.ba/search?source=graniceBiH+Srbija)

Similar problems exist in the settlement Ustibar on the left side of the river Lim, although they are territorially belonging to Bosnia and Herzegovina, their locals are seeking service activities in nearby places such as Priboj in the Republic of Serbia instead of our distant ones in Visegrad, Gorazde and Foca. The enclaves encompassed some 40 km² with about 1500 inhabitants. The demands of the Republic of Serbia to attach these territories to its side are essentially unrealistic by the statements of the leading representatives of the authorities in the municipality of Rudo that state that they are about natural geographic and

infrastructural valuable areas that are officially registered in topography and cartography in Bosnia and Herzegovina.

A special problem is the part of the Belgrade - Bar railway, which passes through one part of Bosnia and Herzegovina in the Lim River valley. The total length of the railway line passing through Bosnia and Herzegovina is 12 km. In this segment there is a railway station Štrpci, to which is dedicated on the memorial plaque in Prijepolje the following text : "Who in this country, forgets the railway station Štrpci, he gave up on the future", and it was dedicated to the crime when on 27 February in 1993. 19 passengers of non-Serb nationality were killed in the train. The ruling suite in Serbia demands that the territory and rail infrastructure be fully owned by R. Serbia without compensation by substituting the territory, which is certainly unacceptable for Bosnia and Herzegovina and for the reason from closer history.

Border issues of Bosnia and Herzegovina with the Republic of Croatia

Although the issue of the accumulation of the Busko Lake located in Livanjsko polje is not in direct connection with the neighboring Republic of Croatia, there is an indisputable and unresolved issue of compensation for the accumulation of water used for the hydroelectric system Cetina belonging to our western neighbor.

Busko Lake is an artificial reservoir whose waters are used for the needs of HPP „Orlovac“. Water accumulation was carried out in the area of Busko mud, previously a natural hydrographic marsh and bar system and the largest of its kind in the karst fields of Bosnia and Herzegovina. The area of lake reservoir is 55.8 km². The length of the lake is 13,5 km, the average width is 4,2 km and the average depth is 15,5 m. The total volume of lake water at an average water level is 782 mil. m³ of water, and at a maximum water level of 800 mil. m³ water. These liming parameters rank it as the largest in Europe.

The total basin of the Lake Busko is in Bosnia and Herzegovina. The most significant surface streams that end up in the catchment of Buško Lake are: Ricina, Sturba, Zabljak, Bistrica, Jaruga and Plovuča. In addition to them, there is a series of occasional tributaries from the Tušnica sub-area, especially in the spring months when snowfall melts. Thanks to surface and underground water, the natural water levels of Busko Lake are very balanced and they maintain around zero islets at 716.5 m, which is the altitude of the lake mirror.

The lake belongs territorially to Canton 10. The settling of water in the area of the former lake was conducted during 70s of the last century for the purpose of water-related activities such as: irrigation of Livanjsko lake and for hydropower. Of all the targeted assumptions only electricity production was and remains the only issue, specifically HPP "Orlovac" near Sinj, which receives water from Busko Lake through tunnel Kamešnica. These waters are balancing the water level of the Cetina River, and on the same several hydropower plants are built downstream of Omiš. R. Croatia has so far with Bosnia and Herzegovina never agreed on the economic cost of water reimbursement and compensation for the municipalities of Duvno/Tomislavgrad and Livno on whose territory the reservoir is located. Because of the produced electric energy for almost 5 decades The Croatian Electric Power Company measures the gain in the amount of several hundred million KM, while the municipalities in the area of accumulation have collected symbolic amounts of barely a few tens of millions of marks.

Another problem of the inland borders with the Republic of Croatia is in the municipality of Grahovo whose settlement Uništa is available only from the territory of a

neighboring country via the dirt road of 12 km length from the Croatian village Kijevo near Knin. In this village, on the one side, there is a sign of the state border of Bosnia and Herzegovina, and on the other side of the Republic of Croatia. Unista is located below the top of the Dinara (1806 m). On the Bosnian side, road communications are impassable due to lack of roads, and also because of mined terrain during the last war. This semicolon which is open to Bosnia and Herzegovina is impassable. This problem is the subject of an inter-agency agreement when dealing with the issue of establishing and ratifying the border. The third problem of the border dispute with R. Croatia is in the Bosanska Kostajnica area. The border problem on the lower Una River has not been solved since the war. Una River at 11 places passes from a side to side the territory of the two countries, which greatly complicates the life of the local population. This unresolved limit is a consequence of compliance with the principles of the current state of the property identified by cadaster, and based on the decision of the Badinter Commission, on the day of the recognition of Bosnia and Herzegovina

SEA BORDER

Bosnia and Herzegovina, after the ratification of the borders with the neighboring Montenegro, when it renounced KO Krusevice and Sutrina, remained as the maritime country with one exit to the Adriatic Sea to the Gulf of Neum-Klek, where it realizes

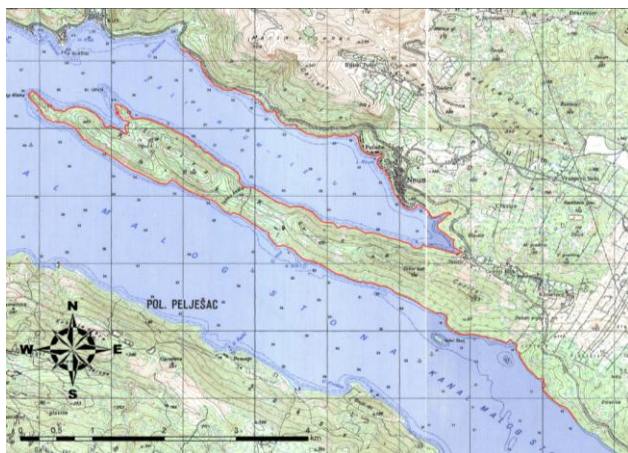


Fig. 4. The length of continental and peninsular coastal line of Bosnia and Herzegovina in the bay of Neum-Klek

maritime border with the R. of Croatia. Morphological border of the Gulf of Neum-Klek, in the narrow sense, is presented by the coastal line, which starts from the point where the land border with the Republic of Croatia touches with low sea waters, in the northwest and follows the mainland coast of lines in the zero isobath to Neum, all to the bay of Jazina, in the southeast. It is part of the continental border. The border is bending further to the northwest to Cape Rep Klek, and then continues on the other side of Klek southeast to

Stražice where it borders with the Republic of Croatia in the channel of Mali Ston, in the southeast. This is a peninsular sea border.

The total length of the coast line in the Neum-Klek taking into account the continental and peninsular surrounding Klek amounts to 24.2 km. The length of the continental border to the Jazina Bay is 8.8 km, and the peninsula one 15.4 km. The length of the Neum channel is 7.7 km, maximum width 3.3 km, and average 1 km, so the surface of the Klek bay is 7.7 km². The average sea depth in the bay is 22.6 m.

Bosnia and Herzegovina lays the right to the inland sea and in the channel of Mali Ston between the peninsula Klek and Peljesac. In the Maloston Channel along the Klek shore there are two smaller islands (skoljs) Mali and Veliki, above which Bosnia and Herzegovina has sovereignty. The large skolj of 7.6 dunums is located along the southeast coast of the peninsula Klek at a distance of 175 m from the coast. The big skolj is the most protruding part of the land in the aquatorial part of the territory of Bosnia and Herzegovina. Mali Školj is located near the coast with an area of 820 m², and is 2.1 km away from the Great Skolj.



Fig. 5. Great and Small školj in the Mali Ston channel

Both skoljs are cadastral property of Neum Municipality. The big skolj is classified as a category of pasture, and the Small Skolj in the category of stonecutters. According to cadastral books, the Great Skolj is the property of Božica, Josip and Tihomir Putica from Neum.

Skoljs, in spite of the initialed but not ratified border in this part of the channel which has been withdrawn according to the equidistance of the sea level between the mentioned peninsula, recently Croatia has thus deprived the right to territorial

sea in the channel of Mali Ston. The territorial sea according to the International Convention on the Law of the Sea consists of a belt which is calculated from the starting line, ie, shore towards the shore at a distance of 12 nautical miles. The starting line consists of: low water along the shore of the land and the islands, straight lines closing into ports or bays, straight lines connecting defined points on the shore of the land and on the coast of the island. Applying this International Law, provided the skoljs are merged with the Republic of Croatia, Bosnia and Herzegovina loses territorial as well as inland waters from the south-east to the Channel of Mali Ston.

The final act of the III International Conference on the Law of the Sea in Montego Bay in Jamaica on January 10 in 1982., which entered into force on 16 December 1994. R. Croatia and Bosnia and Herzegovina have, among other maritime countries, submitted an appropriate notification of succession to the UN Secretary General, and thus have become maritime countries. According to the same Convention Article 7, paragraph 6 defines "... that country will not apply the system of straight (right) starting line (lines) so as to close the second state from the open sea."

Following the provisions of the Convention on the Law of the Sea, many countries have solved the issue of the right to go to the open sea. To illustrate, we list several world examples: At the bottom of the Aqaba bay, 160 km long and about 24 km in length, the city of Eilat (Israel) has got access to the open sea after the bay was declared international waters. To satisfy both sides, the Hudson River between Canada and the United States has a double sovereignty. If, for example, the logic of Croatian officials and the inconsistency of Bosnian politics were applied, then the Russian Federation in the Baltic Sea would have no access to open water. The application of the United Nations Convention on the Law of the

Sea was applied in recent arbitration over the Bay of Piran whose stakeholders were R. Slovenia and R. Croatia in favor of R. Slovenia .



Fig. 6. Aqaba bay with length of 160 km, and width of cca 24 km, city of Eilat (Israel) got exit to the open sea(image left) and Position of Sankt Petesburg to the open sea between finland and Estonia.

As Bosnia and Herzegovina did not solve it after 25 years the issue of unobstructed connection from interior with open sea, R. Croatia started the preparation with the construction of infrastructure facilities such as the Peljesac Bridge, which would avoid passage through two borders with Bosnia and Herzegovina on all 10 kilometers. In that case, the Peljesac Bridge would:

- represent the artificial line (line), which is contrary to the Convention on the Right to the Open Sea;
- tangrate territorial waters belonging to Bosnia and Herzegovina;
- would be a real factor that could not be circumvented in the negotiation of delimitation at sea with the Republic of Croatia;
- interfered with the purpose of the open sea contained in the International Convention on the Law of the Sea;



Fig. 7. The promised border at sea by the President of Republic of Croatia Franjo Tuđman and a member of the presidency of Bosnia and Herzegovina Alija Izetbegović closes the lines of Bosnia and Herzegovina on the open sea. In the upper left corner of the picture, the red line is a direction for the construction of the Peljesac Bridge, which would permanently disable the open sea exit.

- It would influence the visual degradation of the tourist purpose of Neum and its associated coastline.

The challenge of sea delimitation with the Republic of Croatia has to be based on facts of oceanographic science and practice, and international law. If it is not possible to negotiate with the Republic of Croatia the issue of the exit of Bosnia and Herzegovina to the open sea, and according to the International Convention, this issue is solved with the international arbitrations, and if R. Croatia does not accept it, it is necessary to solve

the question with prosecution in international courts. Any other solution would, at least, be voluntary, and in favor of the neighboring state, especially those who prefer and cheer for neighboring countries instead for their own.

CONCLUDING CONSIDERATIONS

The boundary line is the contact of the vertical plane on the surface of the land or the water surface and it proceeds further into depth. It is actually an orthogonal projection of the level dividing renewable and non-renewable natural and other resources belonging to different countries, regions, administrative units, and so on.

The borders in the north of Bosnia and Herzegovina are defined by the border Sava River, on the west, partly by the river Una and the eastern parts mostly by the base of Drina River. Other boundary lines towards neighboring countries are drawn through orographic angles, trigonometric points, and transitions. Therefore, the borders of Bosnia and Herzegovina are natural, quite visible and cartographically recognizable.

Borders of Bosnia and Herzegovina as they look today are very young and are not older, on the whole, than two centuries. The last international delimitation toward the R. Serbia and R. Montenegro was carried out at the Berlin Congress in 1878. when these two neighbors in the east gained independence, and Bosnia and Herzegovina gained the occupation.

Before the obtainment of an official name, the tribes lived in the territory of today's Bosnia and Herzegovina, which had their own specific organizational political systems. Obviously, the ruling strata were authentic and with this form of gathering of the local population, they were eligible for the national territory.

Geographical living space of Bosnia, between an organized political power in the eastern and western neighborhoods, had its own particular autarchy conditioned in relief circuits of its territorial space. It remains perfectly understandable that the political power of early medieval Bosnia and its name as a state entity as well as people who lived in, have existed for a long time before the Porphyrogenitus' written registration. Hence it is quite understandable that Bosnia in the Middle Ages with Pagani, Zahumlje, Travuniju and Konavalje was included within the territories of the Balkan peninsula that recognized Byzantine power. Therefore, it can rightly be argued that the space that belonged to Bosnia was not Serbian, because even the Emperor Constantine, who would gladly do so, did not count it in them, but he specifically set it apart. Based on the text of Constantine Porphyrogenet it is safe to claim that Bosnia has been exclusively Bosnian since the establishment.

The foundation and development of the Bosnian states on today's Bosnia and Herzegovina soil is a consequence of its relief differentiation, especially in Central dinar morphostructures by horizontal breakdown with the valley widenings and valleys as basic morpho forms, which provided an ideal possibility for settlement, maintenance and defense from unwanted ones. The valley and valley morphforms were the basis for the gathering of the population, which could be defined as a demogeographic niche. Demographic niche was made of a natural base with rich natural resources which population used in a full extent for the abundance of life. Under such conditions, tribal alliances were formed and at the head of each was a Bosnian ban. its central role and position will be confirmed throughout its history, and it also has a current meaning. Because of such facts, it is not the best or correct to translate Constantine porphyrogenit, ie his determination of Bosnia - Horion; Bosnosa -

land of Bosnia, as often many historians, even the youngest ones do. In addition, the term "Horion" was taken from the Greek language and the translation is not diminutive state territory - zamljica, but it is a geographical term for the state area, territory, space, country, geographic region, end, area. Bosnia and Herzegovina experienced its geographical ascent at the time of its medieval independence when it was the largest and strongest state on the Balkan Peninsula. During the Ottoman administration, it became the Bosnian Pashalik until the Berlin Congress.

The borders of Bosnia and Herzegovina, finally shaped by the Berlin Peace Treaty, were inherited by the Kingdom of Serbs of Croats and Slovenes and until 1929. the provincial boundaries of Bosnia and Herzegovina did not change. Dictatorial procedure of King Alexander Karadjordjević historical territory of Bosnia and Herzegovina was broken and converted into four banovina, each of which was out of Bosnia and Herzegovina. Then, Sutorina was separated from the district of Trebinje and connected to the Zetska banovina or Kotor district, which was later accepted by the representatives of the fascist authorities in Italy and the Independent Croatia.

After the end of the aggression against Bosnia and Herzegovina, it did not change the external borders, which it inherited from the Republic's which were in 1992. declared state ones. The arrangement of border relations is increasingly mentioned, of which the border issue that was solved only is one with R. Montenegro. The other two neighboring countries are seeking bilateral intergovernmental agreement, which is also foreseen by the Badinter Commission. The demands of the neighbors are maximalist, and by the point of view of Bosnia and Herzegovina, it seems that the most crucial one is the sea border and its exit to the open sea. In addition, other unresolved disputes are on our side.

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