

# Status Quo as the More Likely Alternative for Bosnia and Herzegovina

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More than thirteen years after the 1995 Dayton Peace Agreement put an end to the three-and-a-half-year war in Bosnia and Herzegovina (BiH), it has regained international focus. The reason is that since 2006 the country has made little progress in reforming itself towards a viable democracy which can take responsibility of its own affairs, free of international monitoring. Particularly after the October 2008 local elections, BiH has even started sliding downwards, torn by intensified nationalist rhetoric among its ethnic leaders – Bosnian Muslim (Bosniak), Serb and Croat – the powerful of the day ever since Dayton. Talks are going on even about a possible renewal of hostilities, fed by rumours of secret rearming among the population. European Union (EU) membership has been generally deemed the necessary lure for the Western Balkans on their way to democratisation and the efficacious remedy for the region's war-torn past. While it has partly worked for Croatia, Serbia and Macedonia, this cannot be said about BiH, a multiethnic country still on its path to nation-building and the one to suffer the most from the 1990s conflicts. The EU membership perspective for all of the Western Balkans has dimmed in light of the so-called “enlargement fatigue” following the accession of Bulgaria and Romania in 2007 and the Irish referendum last year. But this perspective has all but vanished for BiH for lack of reform, caused by nationalist bickering reaching new heights around each election.

It seems that BiH is facing a turning point. On the one hand, the state is dysfunctional, consists of many layers of power with overlapping authorities and resembles nothing that could in its present form become an EU member one day. The country's constitution is an annex to the Dayton Peace Agreement, which may have been an effective tool to end the war but is not a basis for a democratic system. Intrinsicly, Dayton is designed to keep the balance of power among Bosniaks, Serbs and Croats, that is, it rests upon ethnic principles and excludes many democratic principles. Because of Dayton, Bosnian political parties function and gather public support along ethnic lines and not along ideologies – they are simply not designed to evoke mass participation. On the other hand, the international community has been increasingly aloof to what is happening in BiH, reducing both its political and military engagement. The United States was the main broker of Dayton, but it gradually withdrew from this project, allowing the EU to take care of its own backyard. Following 9/11, the Bush administration diverted all its energy towards the fight against terrorism and the Middle East and Afghanistan. The policy, if any, of the EU, which accepted BiH as its own responsibility, has been unclear due to a lack of coherent plan which takes into account BiH's peculiarity as the only Western Balkan country with three dominant ethnic groups or due to divergence of the positions of different member states. This combination of internal structure and Western indifference has further kindled ethnicity politics in BiH and has provoked reaction by Western media and think tanks. It is clear that, should BiH progress on its path to the EU, its constitution should be reformed and international presence asserted.

However, there is another set of factors that hold BiH back and that make imminent progress doubtful and EU membership hardly visible on the horizon. Bosnian Serbs, an essential part of the country's population (31% according to last census in 1991) and a factor in Bosnian

politics, have been generally in favour of the status quo and would accept no constitutional amendments that would curb the autonomy of their ethnic region, the Serb Republic (Republika Srpska, RS). While Bosniaks, as the biggest ethnic group (43%) which would benefit the most from a more unified state, and Croats, as the smallest and most vulnerable group (17%), favour centralisation, Serbs are satisfied with what they achieved during the war and are not willing to cede it even if this would endanger BiH's EU perspective. This reluctance would not be as important as it is, given BiH's nature of international protectorate and the West's existing powers of intervention, were it not for the Serbs' traditional ally – Russia. Since Vladimir Putin came to power in Russia, it has led a coherent foreign policy to reassert itself as Great Power following the loss of the Cold War. The instruments of Russian foreign policy to this end vary from direct military intervention (as in Georgia in August 2008) to engendering dependence on its energy resources in the target regions. The Balkans has been a playground of Russian interests since the 19<sup>th</sup> century, when it challenged the spheres of influence of both the Austro-Hungarian and the Ottoman Empires. Unstable BiH, and Bosnian Serbs specifically, can be instruments in Russian hands that would pay off enormously and keep its leverage in the region crucial. Russian policy in the Balkans will aim to neutralise Western attempts, in case they are reinforced, to position BiH firmly on the path to EU integration as a democratic state which is founded on the principles of inclusion and participation and not ethnicity-driven. While any renewal of conflict and resort to military action by the different ethnic groups in BiH is highly unlikely, the status quo remains the most probable line of development at least in the medium term.

## **Post-war background**

The November 1995 Dayton Peace Agreement put an end to a three-and-a-half-year war among Bosnian Muslims, Serbs and Croats, a war which killed more than 100,000 people and drove millions from their homes. It saw the worst massacre in European history after World War II, when in July 1995 in Srebrenica some 8,000 Muslim boys and men were killed by the Bosnian Serb forces in what was then a United Nations-run neutral zone. The peace deal, brokered by the then-United States Assistant Secretary for European and Canadian Affairs Richard Holbrooke, was reached in Dayton, Ohio, in late November 1995 and signed in Paris in December that year.

The agreement created a BiH consisting of two entities – a Muslim-Croat Federation (officially, Federation of Bosnia and Herzegovina, FBiH, roughly 51% of the territory) and a Serb Republic (Republika Srpska, RS, roughly 49% of the territory) – and a small neutral multiethnic District of Brcko in the north, whose fate was to be decided at a later stage. The three units have high autonomy, with their own parliaments, governments, police forces and budgets. BiH has also a weaker central state structure, with its parliament, government and budget, which is responsible, among other things, for foreign policy. FBiH is in turn divided into 10 cantons with their own governments to ensure Croat self-rule in Croat-dominated parts on its territory. Thus in practice BiH has a burdensome structure based on ethnicity with 14 governments whose powers often overlap, have their own agendas and as a whole make governance inefficient. Dayton also created an Office of the High Representative (OHR), a supreme executive body which is responsible for seeing to the peace process on the part of the international community, has the power to sack domestic officials when it believes they are detrimental to peace and to impose laws, and reports twice a year to a Peace Implementation Council (PIC), which comprises all major powers and international agencies that manage the

post-Dayton development of BiH.<sup>1</sup> The structure imposed by Dayton, while a viable option for maintaining peace after an armed conflict, is such that it promotes exclusively the interests of the three ethnic groups, making sure they do not infringe upon one another, but leaves no option for the creation of a non-ethnic, representative system at a later stage. Thus political parties in BiH have developed as ethnicity-based organisations whose key role is to promote their respective ethnic group's rights and objectives. Their support is concentrated either in FBiH or RS, depending on ethnicity, and there is almost no cross-entity support for any party. The main political parties which have had the most say to date are the Party for Democratic Action (SDA, Muslim), the Party for Bosnia and Herzegovina (SBiH, Muslim), the Social Democratic Party (SDP, Muslim), the Alliance of Independent Social Democrats (SNSD, Serb), the Serb Democratic Party (SDS), the Party for Democratic Progress (PDP, Serb) the Croatian Democratic Community BiH (HDZ-BiH) and the Croatian Democratic Community 1990 (HDZ 1990). On central state level, parliament majority and government are usually formed by the strongest parties on entity level.

The system was effective in the first post-war years. Though ethnic tensions have always existed in BiH, Bosniaks, Serbs and Croats set peaceful coexistence as their main agenda, and resort to war was unthinkable, guaranteed by an initial 60,000-strong NATO peacekeeping force deployed in the country. The international community was active politically, too, via the OHR and its head, the High Representative. In 1997, the Peace Implementation Council granted the High Representative the so-called "Bonn Powers" to remove officials acting against Dayton and to impose laws. So far, seven international diplomats have held the office: Carl Bildt (1995-97), Carlos Westendorp (1997-99), Wolfgang Petritsch (1999-2002), Lord Paddy Ashdown (2002-06), Christian Schwarz-Schilling (2006-07), Miroslav Lajcak (2007-09) and Valentin Inzko (March 2009-to date). The most active in enforcing the Bonn Powers has been Lord Ashdown, the former leader of the British Liberal Democrats. He epitomised a decisive international community firmly devoted to maintaining peace in BiH and leaving little space for local ownership.

It is with the end of Ashdown's term as HR and the arrival of Schwarz-Schilling, who believed less international involvement and more responsibility on the part of local factors will lead to faster progress in BiH, that the vacuum began to appear which proved fertile soil for nationalist eruptions and de facto led to the current stalemate and the apprehensions of renewed conflict. The change of the HR also coincided with a key general election in October 2006. In it, the SNSD, led by Milorad Dodik, and the SBiH, led by Haris Silajdzic, who is currently one of BiH three ethnic presidents, emerged the strongest political factors in RS and FBiH, respectively. Since then, both leaders have relied on ethno-nationalist rhetoric in their public talking, with Dodik suggesting the idea of a referendum for secession of RS and Silajdzic calling for the dissolution of RS and creating a unitary Bosnian state. Both claims are anti-Dayton in nature but tend to keep producing the necessary public support. Dodik won vast majority in RS, allowing him a strong grip of power and the freedom to challenge FBiH politicians and the international community. Silajdzic, the only Bosnian war-time leader still actively involved in politics, has held that RS was formed on the premise of genocide and has to be abolished, conveying this message both at home and at international forums. The confrontation between the two leaders, and especially Dodik's growing self-perception as a unifier of the Serb will in BiH, have led to the blockage of central state institutions and the lag in the implementation of important EU-required reforms. In October 2007, High Representative Miroslav Lajcak introduced legal measures to make decision-making by the

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<sup>1</sup> General Framework Agreement for Peace in Bosnia and Herzegovina. Available at [http://www.ohr.int/dpa/default.asp?content\\_id=380](http://www.ohr.int/dpa/default.asp?content_id=380)

central government and the legislative process in Bosnia's central parliament easier and prevent political deadlocks often taking place at state level. But Bosnian Serbs saw the new rules as infringing on their autonomy, and central government Prime Minister Nikola Spiric – a Serb – resigned in protest, provoking one of the biggest political crises in Bosnia since Dayton. The crisis was overcome after negotiations, but it displayed the inherent weakness of the ethnicity-based political system and the stubbornness of Bosnian Serbs when it comes to relegating entity authorities.

The local elections of October 2008 reaffirmed the position of Dodik's SNSD as the leading party in RS. Silajdzic's SBiH lost ground, but fiery ethnic rhetoric characterised this campaign, too. The situation provoked a reaction by two diplomats that had been strongly connected with BiH's peace process – Richard Holbrooke and Lord Paddy Ashdown. In an article in Britain's *The Guardian*, they urged the EU and the United States to become more involved in Bosnia because the country was threatened by a collapse: "Today the country is in real danger of collapse. As in 1995, resolve and transatlantic unity are needed if we are not to sleepwalk into another crisis... It's time to pay attention to Bosnia again, if we don't want things to get very nasty quickly. By now, we should all know the price of that."<sup>2</sup> The article was clearly addressed to the new U.S. presidential administration. In November, the European Commission criticised Bosnian leaders in its latest progress report on Bosnia for resorting to nationalism and abandoning the reform agenda.<sup>3</sup>

A development that can be interpreted as positive was that in November the leaders of the strongest ethnic parties of the day – Dodik, SDA's Sulejman Tihic and HDZ-BiH's Dragan Covic gathered in the town of Prud and agreed a loose framework for reforms, including the amendment of the constitution. But this agreement was again reached on the ethnic ticket and is in its essence undemocratic, as no other parties or civil society organisations were included in the discussion. Moreover, it turned out to be impossible to be translated into action, at least for the time being. In February 2009, the central state investigation authority, SIPA, launched an investigation on Dodik for alleged corruption in the construction of a 72 million euro building for the RS government in Banja Luka and in some road construction and rehabilitation contracts. Dodik's party saw this as an attack by Bosniaks in Sarajevo and the international community and threatened that RS would withdraw all its officials from the central state institutions unless its own suggestions for constitutional reform, based on the inviolability of the entities' territory, were accepted.<sup>4</sup> While the withdrawal did not happen and can hardly happen given the presence of the OHR, Dodik's ultimatum-like tone has been preventing any constructive progress in the Prud talks.

Another worrying facet of the current situation in Bosnia are the emerging signals for arms accumulation by the Bosnians. Western diplomats and intelligence personnel have suggested that private security companies, veterans' groups and hunting clubs are arming with submachine guns, automatic weapons and grenade launchers.<sup>5</sup> SIPA has confirmed that in the southern municipalities of Konjic and Jablanica there were secret depots of weapons hidden

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<sup>2</sup> Ashdown, Paddy and Richard Holbrooke. "A Bosnian Powder Keg". *The Guardian*, October 22, 2008.

Available at <http://www.guardian.co.uk/commentisfree/2008/oct/22/ashdown-holbrooke-bosnia-balkan-dayton>.

<sup>3</sup> European Commission. *Bosnia and Herzegovina 2008 Progress Report*. Available at <http://www.europa.ba/docs/progress2.pdf>

<sup>4</sup> Fokus. "Dajte Sansu BiH ili Napustamo Funkcije". February 25, 2009. Available at <http://www.fokus.ba/vidi.php?rub=2&vijest=18660>

<sup>5</sup> Lyon, James. "Halting the Downward Spiral". *International Herald Tribune*, February 24, 2009. Available at <http://www.iht.com/articles/2009/02/24/opinion/edlyon.php>

there since the war years.<sup>6</sup> Yet there is no clear confirmation that Bosnians are actually accumulating arms.

### **International engagement declining**

The role of the international community has been declining since 2006 in BiH, as it increasingly believed – prematurely. When Miroslav Lajcak announced in February 2009 he would step down as High Representative to take the post of Foreign Minister of Slovakia, he said, referring to his Office: “I don’t want to be the rider on a dead horse.”<sup>7</sup> In a policy brief on Bosnia, the Democratisation Policy Council outlined the essence of the problem:

The international approach to Bosnia remains based on the assumption that, given the right incentives, the country’s ethnocrats will transform into agents of change and eagerly undertake the reforms required to join the EU. This was always shortsighted, and ought to be thoroughly discredited, given Bosnia’s three-year downward spiral. Yet it remains the default setting in Brussels and many EU capitals. Worse yet, some EU capitals despair that Bosnia and Herzegovina may simply be unworkable as a state. The SAA [Stabilisation and Association Agreement with the EU] initialling in December 2007 and signing in June 2008, achieved by abandoning the principles the EC set for police reform, were designed to deliver momentum, but didn’t. Nevertheless, many EU members hope that by closing OHR and opening a reinforced EUSR [European Union Special Representative] they will finally change the dynamic and establish momentum. Yet the only momentum discernible in Bosnia is the accelerating drift backward. Whatever fate befalls Bosnia, the EU will be stuck with the results. It can reduce its commitment to the country’s stability in the near term, but this will inevitably militate toward collapse – and Bosnia will not collapse peacefully. A resumption of conflict would not only mean that the EU would have to police, *ad infinitum*, a Cyprus-like Bosnia with exponentially more troops than it deploys at present, but it would also have to cope with regional destabilization and refugee flows.<sup>8</sup>

The international troops in BiH whose purpose is to be a guarantor of the Dayton implementation and are now represented by the EU’s EUFOR Althea mission, have declined to some 2,100 from the initial 60,000 NATO troops. The last countries to plan withdrawal are the France, Spain, Finland, Ireland and Switzerland.<sup>9</sup>

One of the most tangible expressions of the Western world’s declining involvement in BiH is the almost complete abandonment of the Bosnian project by the United States. It began right after the end of the 1992-95 war, and its last clear sign was the handling of the peacekeeping operations from NATO to the EU in 2004. Whereas the Clinton administration kept a certain level of involvement with the Balkans visible in the Kosovo and Macedonia crises of 1999 and 2001, the Bush administration almost lost strategic interest in the region due to the massive warfare on terrorism it launched after 9/11. It is yet unclear what policy line the Obama administration will adopt with relation to the situation in BiH. In an editorial, *The New York Times* said: “It has been a long time since the United States paid serious high-level attention to Bosnia. After the 1995 Dayton Accords ended the genocidal horrors, Washington moved on to other priorities and largely left oversight of the peace agreement to Europe. Now it's time to seriously re-engage before the deal unravels... The United States and its allies

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<sup>6</sup> Fokus. “SIPA Cuti I Muti”. February 25, 2009. Available at <http://www.fokus.ba/vidi.php?rub=2&vijest=18657>

<sup>7</sup> *The Economist*, “A Stuck Region”. February 22, 2009. Available at [http://www.economist.com/world/europe/displaystory.cfm?story\\_id=13110080](http://www.economist.com/world/europe/displaystory.cfm?story_id=13110080)

<sup>8</sup> Bassuener, Kurt. “How to Pull out of Bosnia-Herzegovina’s Dead End: A Strategy for Success”. Policy brief by the Democratisation Policy Council. February 19, 2009. Available at <http://democratizationpolicy.org/wp-content/uploads/2009/02/dpc-policy-brief-how-to-pull-out-of-bosnia-and-herzegovinas-dead-end-2-20-09.pdf>

<sup>9</sup> Lyon.

must craft a plan to salvage Dayton's promise... We are reassured that President Obama's aides are beginning to discuss Bosnia. The new president's commitment to aggressive diplomacy could help ensure that Bosnia's horrors are never seen again.”<sup>10</sup>

But the same newspaper suggested a day earlier that the new administration would endorse a “quieter approach to spreading democracy abroad”:

Four years after President George W. Bush declared it the mission of America to spread democracy with the goal of "ending tyranny in our world," his successor's team has not picked up the mantle. Since taking office, neither Mr. Obama nor his advisers have made much mention of democracy-building as a goal. While not directly repudiating Mr. Bush's grand, even grandiose vision, Mr. Obama appears poised to return to a more traditional American policy of dealing with the world as it is rather than as it might be.<sup>11</sup>

### **What should be done on the ground**

The ultimate goal for BiH, as agreed by the international community and the domestic factors, will be the country to cease being a protectorate, i.e. being monitored politically and militarily, and take ownership of its own affairs. Then BiH will be able to start essential reforms which will lead it into the EU. Institutionally, this will mean the downscaling of the Office of the High Representative to an office of the European Union Special Representative (EUSR), which will have merely observing functions.

The PIC has set two conditions and five objectives that have to be fulfilled in order for the OHR to close down. The conditions are signing of a Stabilisation and Association Agreement (SAA) with the EU and a positive assessment by PIC of the situation in BiH. The objectives are (i) resolution of property apportionment issues between the central state and the entities (FBiH and RS); (ii) resolution of defence property issues between them; (iii) settlement of the Brcko District legal status within BiH; (iv) fiscal sustainability; (v) entrenchment of the rule of law, especially adoption of a national war crimes strategy, judiciary reform strategy and a law on aliens and asylum.<sup>12</sup>

SAA was signed with the EU in June 2008. Of the five objectives, two can be regarded as partially or entirely attained. Fiscal sustainability, i.e. coordinated budget planning among the central state, FBiH and RS, is already possible after the establishment in 2008 of a Fiscal Council which would set the budget agenda for all three governments in advance. And in March 2009, the central parliament amended the constitution to add the Brcko District to its body, granting it effective, direct access to the Constitutional Court, while ensuring that no party can change the status or powers of the District. But the remaining three objectives – the ones pertaining to property issues and the rule of law regarding war crimes and displaced persons – can be achieved only if BiH’s constitution is thoroughly reformed into a democratic set of laws based on inclusion and participation and not on ethnic rights and obligations. Agreement on such constitutional reform must therefore be reached unanimously by the three major ethnic communities in the country, including the Serbs.

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<sup>10</sup> *The New York Times*. “Bosnia Unraveling”. February 23, 2009. Available at [http://www.nytimes.com/2009/02/23/opinion/23mon4.html?\\_r=1&ref=opinion](http://www.nytimes.com/2009/02/23/opinion/23mon4.html?_r=1&ref=opinion)

<sup>11</sup> Baker, Peter. “Quieter Approach to Spreading Democracy Abroad”. *The New York Times*. February 22, 2009. Available at <http://www.nytimes.com/2009/02/22/weekinreview/22baker.html?pagewanted=1>

<sup>12</sup> Peace Implementation Council. *Declaration by the Steering Board of the Peace Implementation Council*. February 27, 2008. Available at the OHR website: [http://www.ohr.int/pic/default.asp?content\\_id=41352](http://www.ohr.int/pic/default.asp?content_id=41352)

In its policy brief on BiH, the Democratisation Policy Council suggested that, despite the rigid Bosnian political system, constitutional reform was feasible. However, it could only be achieved with the active involvement of the EU and the United States – a strong EU mission with major U.S. engagement. The EU should, among other things: (i) articulate a clear set of constitutional reform guidelines (including more efficient and less disruptive ways of protecting the so-called Vital National Interests and their clear definition, rejection of ethno-territorial principles, and greater local control over revenue and governance); (ii) maintain executive powers to protect the peace; (iii) restore EUFOR’s operational and deterrent capacity; (iv) authorise the EU Special Representative to decide on fulfilment of EU conditions and impose all sanctions; and (v) maintain a broad international coalition. The United States should, on its part, (i) appoint a Presidential Special Envoy to the Balkans and (ii) post a U.S. Flag Officer at the NATO Headquarters in Sarajevo.<sup>13</sup>

A long-term objective would be for the EU to establish mechanisms that would “foster, advocate and promote a unified BiH identity.”<sup>14</sup>

### **The preservation of the status quo as the most likely scenario in the medium term**

Despite the growing political tension in BiH, the lag in reforms, the lack of progress on the path to EU integration (with the exception of the SAA signing in June 2008) and the calls for greater Western involvement, there are several signs that point to the most likely preservation of the status quo. This suggests BiH will most probably not regress to war and will remain split on ethnic principles in the form it exists now. Its EU perspective will stay dim if not vanish at all, mostly due to two powerful factors – the lack of Bosnian Serb commitment to BiH as a country expressed in the RS opposition to cede authorities to the central state and the increasing influence of Russia in the Balkans and BiH, mostly through energy dependence, which has an interest to keep that influence through maintaining instability.

#### *Renewal of hostilities?*

The position shared by the leaders of all three ethnic groups in Bosnia is that the outbreak of military hostilities is unlikely. Although Milorad Dodik and Haris Silajdzic have been since 2006 increasingly using inflammatory nationalist rhetoric in their election campaigning and political talk, they have made sure that the mention of armed conflict remained taboo. Nationalism and insistence on ethnicity have always been decisive instruments for mobilisation of support in the Balkans, and even more so in the post-war environment of BiH. Local populaces are more readily enticed into voting for a given party if it appeals to the notions of national interest and pride than if it relies on classical left-right ideologies to offer alternatives for development. Because of that, resort to nationalist talk has gained popularity among political leaders not only in BiH but also in Serbia, Croatia, Bulgaria and even Hungary. Dodik set a new tone for the use of ethno-based propaganda in BiH in 2006, quickly reciprocated by his “archrival” Silajdzic. Dodik has insisted on the uniqueness and inviolability of “the better entity”, RS. He has tried to consolidate his constituency by creating in them a perceived threat that the FBiH politicians have an inherent resentment to RS and try

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<sup>13</sup> Bassuener.

<sup>14</sup> The Quaker Council for European Affairs. *The EU and the Western Balkans: Grassroots Peacebuilding and Enlargement*. January 2009. Available at [http://www.quaker.org/qcea/archive/Enlargement\\_report\\_Final\\_long\\_with\\_cover2009.pdf](http://www.quaker.org/qcea/archive/Enlargement_report_Final_long_with_cover2009.pdf)

by all means possible to reduce it to ashes, melt it into a unitary BiH state in which, of course, Bosniaks are a majority and Serbs will be doomed to be outvoted on every crucial national issue (just like Croats allegedly are within FBiH at present), and their rights will be violated. Silajdzic, on the other hand, personifies and voices a not unpopular belief among Bosniaks that RS was created on the basis of genocide and that it cannot exist as such, as this constitutes a contradiction to international law. Dodik's natural line of action then would be to ensure no one interferes with the status and authorities presently vested in RS, and the most effective way to do that would be to win for RS a right to hold a referendum for secession that would serve as a pending threat to all Bosniak advances towards RS's constitutionality. Silajdzic, on the other hand, would seek to transform Dayton Bosnia in such a way as the two entities gradually lose leverage and cede all powers to the central state. He would try to use the international factor and EU aspirations of BiH as instruments and arguments supporting such development. However, all these calculations are in their essence political. They are expressed politically and all their arguments rest in the realm of politics. Neither of them involves military action as means to achieve the desired effects, and the words "armed conflict" have been a taboo ever since 1995.

Politicians generally express the popular mood of their constituencies. While Bosniaks, Serbs and Croats may find nationalist ideas appealing in times of elections (simply because they still live in an ethnically divided state), they still carry the unbearable burden of war memories and suffering. Memories are alive in almost every family from each ethnic group about family members killed or maimed during the war. To the ordinary people, return to war does not exist as an option in the long term.

And purely in practical terms, resort to armed conflict would need huge financial backing for weapons and preparation. Today's Bosnian Serbs and Croats do not have the outright support of Serbia and Croatia, who have their own agendas, EU aspirations and economic problems to handle. Bosnian Muslims do not control all the resources of BiH itself, and support from other Islamic countries and organisations is unlikely. Above all, however silent and disengaged the international community has been since 2006, it is strong and unified enough to prevent any lapse into war in BiH again.

### *The Bosnian Serb factor*

The domestic factors for BiH's development have grown increasingly relevant with the onset of the country's rehabilitation from war and democratisation. If there is a single most widely held conviction in RS it is that this entity must and will remain strong as ever and any violation of its territory will be illegal. Even EU membership, which the majority of Bosnians, including the Serbs, regard as top priority for BiH, for Serbs gives way to the idea of the inviolability of RS. No EU without RS, they say. In this light, Bosnian Serbs will oppose any attempt by the West or by Sarajevo to deprive RS of constitutional powers with the aim of fulfilling EU-required reforms and improving the functionality of the central state. The way to guarantee the existence of RS as such, if preserving Dayton as it is now is impossible, is to limit the Bonn Powers of the OHR and to create legal conditions which would allow the entities of BiH to secede should they decide so in a referendum. Unlike the period immediately after Dayton was signed, when Bosnian Muslims were strongly in favour of the agreement and Serbs had reservations, today Serbs are the most ardent supporters of the status quo and Bosniaks are inclined towards revisions in favour of a stronger central state.

To Bosnian Serbs, RS is the essence of statehood, and BiH is merely a superficial formation that happens to serve some secondary purposes. Their allegiance to BiH is so small that they even do not support its national football team, supporting Serbia's national team instead. Yet Serbs predominantly are not against the existence of RS within BiH, provided that RS's existence is not in question itself. Milorad Dodik has capitalised on these moods in his consecutive policy to strengthen the entity and weaken the central institutions. In an interview for Croatian newspaper *Jutarnji List*, he said: "We do not renounce BiH, but given that RS is constantly renounced, we have sought acceptance of RS. If you wish to cooperate and negotiate, then you must accept us... In order to continue talks on reforming the constitution, we require that no interference be made with RS's borders, that entity-based voting be honoured and that self-determination to secession be made possible, but it should be made clear that it cannot be unilaterally announced."<sup>15</sup>

### *Russian policy in the Balkans*

Another factor that will contribute to the preservation of the status quo in Bosnia and its lag in EU integration is related to Russian foreign policy interests in the Balkans. The region has been an object of Russian dominion appetites since as far back as the 19<sup>th</sup> century. Russia rivalled, with sporadic success, two other strong empires on the Balkans – the Ottoman Empire and the Austro-Hungarian Empire. Present-day Russian interests in the Balkans are formed by the new foreign policy line set by Vladimir Putin of re-establishing Russia as a global superpower. This line is most discernible in the Black Sea region and the Caucasus but has its manifestations in the Balkans, too. Russia would not like to see a healthy, democratic and prosperous Balkan region fully devoted to the values and ways of life of the democratic West, a region fully incorporated in the Euro-Atlantic structures, as it would virtually mean lost territory in the "battle" for global influence. Moreover, the Balkans is a traditional ground for Russian influence, a strategically important region situated between Asia and Europe, the Caucasus and the Adriatic, Central Europe and the Mediterranean. After the end of the Cold War, Russia lost some of its influence over Central Europe, and with the enlargement of NATO, over the Baltic states, Bulgaria and Romania. The Western Balkans is the "last fortress" of former communist countries that are still susceptible to Russian influence. Russia's traditional ally in the region is Serbia and the Serbs in general, and the Eastern Orthodox link between them is often cited as the basis of this relationship. In this light, Russia sees the Bosnian Serbs as a useful instrument to exercise political pressure on the region and keep it unstable. Although it took part in the peacebuilding process in Kosovo, with the declaration of independence in February 2008 Russia lost almost every means of control over this territory. Thus, Serbia and BiH remain the only Balkan countries where Russian foreign policy interests find fertile soil.

Russian foreign policy in the Balkans is far from outright influence in the spirit of *realpolitik*. Its major instrument, and not in the Balkans alone, is engendering dependence on Russian energy resources. Russia is one of the most active investors in building oil and gas pipelines, power stations, buying energy sector facilities and developing other energy projects in the Balkans. Its endeavour to build a network of economies fully dependent on its energy resources is evident even in EU members such as Bulgaria (94% of Bulgaria's natural gas comes from Russia, and Russia's newest appetites include taking control of the country's gas transportation network; it also participates in a project to build a second nuclear power plant near the northern town of Belene). In Serbia, Russia's gas giant Gazprom bought a majority

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<sup>15</sup> Pavic, Snjezana. "Dodik: Moj Narod ce Izaci iz BiH, ali bez Rata". *Jutarnji List*. February 28, 2009. Available at <http://www.jutarnji.hr/clanak/art-2009,2,28,,153936.jl>

stake in the country's oil monopoly NIS and plans to build a 400-kilometre gas pipeline and a gas storage facility via joint ventures in which it will have the controlling stake. Apart from that, Russia uses every means to thwart the implementation of the Nabucco pipeline project that would cross the Balkans and supply alternative fuel to Europe from Iran and Azerbaijan and promote its own project, the South Stream.

### *Russia and Republika Srpska*

Russia has shown that it has a stake in Bosnian politics and economy, too. It is a major partner in the Peace Implementation Council and pursues policies that will keep the status quo and the Dayton divisions of the country. RS is clearly *the* Russian partner in BiH. A weaker RS and a stronger BiH which is part of Europe's mainstream does not correspond to its strategic goals in the Balkans. Russia will use its leverage in the PIC and will support Bosnian Serbs for the preservation of the status quo, regardless of whether the U.S. and EU involvement in BiH is boosted or not.

Russian interests in BiH are visible both in the political and the economic sphere. In 2007, the former High Representative Miroslav Lajcak introduced legal measures aimed at improving the functionality of BiH's central institutions, namely amendments to the law on the central government and parliament that would make blocking their sessions and decisions by political parties more difficult. Subsequently the PIC supported the changes but Russia, as its member, opposed them:

The Russian Federation expresses its special opinion regarding the measures of the High Representative. The Russian Federation expresses its deepest concern by the consequences of the measures taken by the High Representative that change the procedures of the adoption of decisions by the Council of Ministers and the Parliamentary Assembly of BiH. Taking into account the lack of agreement on these measures among the BiH leaders, the Russian Federation considers that the elaboration of the measures in a more stable environment would have been more productive. It is essential that the efficiency of BiH institutions be improved not in an atmosphere of growing tensions, but in a more stable context.<sup>16</sup>

Russia has expressed special opinion on numerous PIC decisions.

Dodik's political behaviour in BiH corresponds fully to Russia's strategy. It includes maintaining the tension by frequent mentions of the right of RS to secede with occasional "concessions" on mostly cosmetic reforms required by the EU in order for BiH to get closer to membership. The essential issues, however, such as the constitutional reform, will hardly find a solution.

Russia's economic influence in BiH is in line with its energy dependence strategy across the Balkans. In 2007, Russian state oil firm Zarubezhneft bought Bosnia's sole oil refinery Brod, a motor oil plant and a fuel retailer for a total of some 120 million euro. All three companies are based in RS, and Dodik claimed a privatisation victory after the deal was signed.

To sum up, the status quo in BiH is not only the key political objective of Bosnian Serbs but also of their powerful ally Russia. Even if the West takes up the Bosnian issue more seriously and intensifies its engagement, Bosnian Serb and Russian interests will act in a way as to limit any reform effort at centralisation, functionality and closer EU integration.

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<sup>16</sup> Peace Implementation Council. *Declaration by the Steering Board of the Peace Implementation Council*. October 31, 2007. Available at the OHR website: [http://www.ohr.int/pic/default.asp?content\\_id=40758](http://www.ohr.int/pic/default.asp?content_id=40758)

## Conclusion

BiH is again the focus of international attention, more than thirteen years after the Dayton Peace Agreement put an end to the hostilities in the country. The reason is that BiH's political leaders have heavily relied on inflammatory nationalist talk since the 2006 general elections, hampering the functioning of joint state-level institutions and democratisation and abandoning EU-required reforms. A combination of factors has contributed to the situation. First, BiH is a special polity with no single ethnic majority group which could work towards nation building and establishment of national priorities, like all other Balkan countries. BiH is a divided country among three ethnic majorities, each having its own agenda, but living together under international monitoring. The country's constitution is still no more than an annex to a peace agreement and is designed in such a way as to foster ethnic divisions by its main purpose to guarantee the inviolable rights of each group. The principles of participatory democracy and inclusion are superseded by ones of inviolability of the rights of the three "constitutive nations." Second, the international approach to BiH is mistaken. Involvement has declined with the years, with the hope that the "carrot and stick" approach that worked for other Balkan nations would work for BiH, too. It hasn't. Bosnian politicians, and especially Serbs, are not lured by EU membership to such an extent as they are driven by goals of national assertion.

Bosnia's future is clearly within the EU. But the interplay of domestic and international factors, combined with the historic heritages in the country, point to the only viable option for BiH in the medium term – preservation of the status quo. War is unlikely to break out again in BiH because none of the players has this scenario on the agenda. Fast reform and clear EU perspective is also uncertain, given the inherent interest of Bosnian Serbs, backed by Russia, to preserve Dayton as it is. The EU should adopt a more flexible approach, in which BiH will be considered worthy of membership in its present form, and the interests of all involved parties will be observed.

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