



Bosnia-Herzegovina - 15 years after Dayton

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Declaration

I declare that I worked on this thesis on my own, only with use of stated references.

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Abstract

The fundamental question of this thesis is: what impact has the process of Europeanization had on Bosnia-Herzegovina's (BiH) constitutional development, political process, economic development and security sector reform? Also how much it has contributed to maintaining territorial integrity of BiH? The thesis does show the obstacles and problems associated with existence of BiH, particularly hinting at historical often hatred and struggle among the main ethnics – Bosniaks (Muslims), Serbs and Croats and their lack of trust especially after the 1992-1995 war atrocities. It also deals with the possible threats that could endanger the territorial integrity of BiH and addresses the weaknesses of the current political arrangement. Nevertheless, it attempts to convince the reader that BiH is indeed capable of surviving as a single territory and avoid its disintegration. This is attributed to the process of Europeanization. In particular, Europeanization in constitutional development, political process and security sector reform of Bosnia-Herzegovina. The thesis provides several examples supporting the argument that Europeanization process in these three areas has indeed had an integrative effect. The Logic of Consequence and Conditionality concepts furthermore lead to the conclusion, that the external pressure exercised by the EU upon BiH, strengthened by the financial incentive, have indeed helped to maintain, despite ever-present threats of RS to secede, territorial integrity of BiH, having positive influence on the overall progress in the country, and no matter how insufficient and slow these reforms were branded by the EU, they are incrementally taking place, with all major BiH political representatives having one thing in common now, that is EU membership. The very concept of Europeanization is thus a driving force in BiH development and guarantor of a territorial integrity, if not for an indefinite period than for a longer period of time until BiH fully integrates into the EU, which by conditionality must do as one territorial unit.

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Introduction

Bosnia-Herzegovina (BiH) has already, under the Dayton Peace Agreement (DPA), existed as a federal arrangement for 15 years now. The declaration of its independence in 1992 was not celebrated as it is normally common when a country obtains its full sovereignty, but it had instead brought one of the largest conflicts on the European territory after the World War II (with over 100,000 people killed). It was not until the Dayton Peace Agreement was officially signed in 1995 when the war was eventually ended. The DPA divided the territory of BiH into two federal entities – Republika Srpska (RS) and Federation of Bosnia-Herzegovina (FBiH), but territorial integrity of the whole BiH remained intact. The main objective of the agreement has been to, first of all, stop the war and prevent the break up of BiH. Another objective has been to restore the cohabitation of all 3 main ethnics – Bosniaks (Muslims), Serbs and Croats. BiH today however still struggles with forming the very common Bosnian identity. Nations in BiH simply do not trust each other after what they had to go through during the war. Bosnian Serbs are repeatedly threatening with calling up a referendum about secession of RS, provided that the entities are abolished and country is more centralized, as desired by Bosniaks. Serbs as well as Croats are still very much attached to their mother states – Serbia and Croatia. What is more, the Croats within the FBiH fear domination by the Bosniaks and have not entirely given up the idea of declaring their autonomous statelet within BiH.

As a result of these continued tensions and unresolved identity issue, **what impact has the process of Europeanization had on Bosnia-Herzegovina's constitutional development, political process, economic development and security sector reform? Also how much it has contributed to maintaining territorial integrity of BiH?** The purpose of this research is to provide an answer to these fundamental questions as well as offer the reader a comprehensive review of the overall situation in BiH focusing, in particular, on the post Dayton period until the present time.

The methodology used in this work is a disciplined case study – an analysis of the state, development and interactions with the the environment of individual actors, groups and institutions (here, for example, ordinary people, politicians, political parties) that are studied in order to explain their relationship to the internal and external factors (in this case conflict, cohabitation, economic situation and international community presence).

After this introduction and literature review (listing major authors writing about BiH and the concept of Europeanization), the thesis takes the reader into a theoretical part. It explains the concept of Europeanization and divides it into several sub-chapters among which the most important for this thesis are the Europeanization as a Logic of Consequence and Conditionality. It describes the Europeanization further in Constitutional Development, Political Process (incorporating also economic development upon which Europeanization had a major influence as well) and Security Sector Reform which enables the reader (after learning about the history of the conflict, ethnic composition of BiH and getting to know the peace agreements), to be able to learn how the concept of Europeanization impacts upon constitutional development, political process and security sector reform in Bosnia-Herzegovina itself. The major chapters – Constitutional Development, Political Process and

Security Sector Development, allow the reader to learn about constitutional arrangement, political actors, administrative division, economy of BiH as well as provide the analysis of ethnic returns, self-identification with all these being influenced by the very process of process of Europeanization. At the end of each of these chapters there is an analytical part summarizing the Europeanization in these three sectors as applied on BiH. The Logic of Consequence and Conditionality concepts as defined in the theoretical part persuade the reader, in the conclusion, that the external pressure exercised by, in this case, the EU upon BiH, strengthened by the financial incentive, have indeed helped to maintain, despite ever-present threats of RS to break away, a territorial integrity of BiH, positively influencing the overall development in the country, and even though branded as insufficient and slow by the EU, the reforms are incrementally taking place in BiH, with all major BiH political representatives having one thing in common now, that is EU membership.

Literature Review

In General, the sources used in support for this thesis incorporate scholarly literature, newspaper articles (both present time and historical), renowned international bodies' publications and releases dealing with history, politics, economy, demography and social trends of Bosnia-Herzegovina. The maps showing ethnic division and composition of BiH, graphs and tables with statistical data are also part of this thesis.

Bosnia-Herzegovina has been a topic of several renowned authors; most of these are cited in this thesis. Among them, for instance, those writing about history of Bosnia-Herzegovina - Marko Attila Hoare ("The history of Bosnia: from the Middle

Ages to the present day”), Malcolm Noel (Bosnia A Short History) or Ladislav Hladký (“Bosenská Otázka v 19.a 20. století/Bosnian Issue in 19 and 20th century“). Peace plans and Dayton agreement are dealt with by Kumar Radha (“Bosnia’s Failed Peace Plans”), Sumantra Bose (“Bosnia After Dayton-Nationalist Partition and Intl.Intervention”). War years, ethnic conflict and national intervention are described by Steven L. Burg and Paul S. Shoup (“The War in Bosnia-Herzegovina...” Institutions), Carole Rogel (“The breakup of Yugoslavia and the war in Bosnia”). Other authors such as Mustafa Imamović (“Bosnia and Herzegovina-Evolution of Its Political and Legal Institutions”) or Damir Kasum (“Politický Systém podaytonské Bosny a Herzegoviny/Political System of Post-Dayton Bosnia-Herzegovina“) discuss evolution of Bosnian political and legal institutions.

As for the main theory of this thesis, the concept of Europeanization, there are several well known authors who address and discuss this model from different perspectives. Europeanization and its influence on domestic policy is analyzed by Thomas Risse-Kappen, Maria Green Cowles, James A. Caporaso (“Transforming Europe: Europeanization and domestic change”), or Tanja A. Borzel (“Conceptualizing the Domestic Impact of Europe”). Othon Anastasakis focuses with Europeanization on the region of the Balkans itself (“The Europeanization of the Balkans”). Frank Schimmelfennig & Ulrich Sedelmeier discuss Europeanization in Central and Eastern Europe as a whole (“The Europeanization of Central and Eastern Europe”). Mechanism of Europeanization are studied by Heather Grabe (“Stabilising the East While Keeping Out the Easterners: Internal and External Security Logics in Conflict”) or Florian Trauner (“The Europeanisation of the Western Balkans: deconstructing the EU’s routes of influence in justice and home affairs”) . The conditionality in connection with Europeanization is explained by Karen Elisabeth

Smith (“The use of political conditionality in the EU's relations with third countries: how effective?”). After researching the field, I am not aware of any study discussing specifically the Europeanization in constitutional development, political process and security sector reform as such directly. This thesis thus fills out the blank space for defining Europeanization in these areas and its application on Bosnia-Herzegovina.

I. Concept of Europeanization

A. Europeanization theory in General

The theory on which this thesis is based on is the concept of Europeanization.

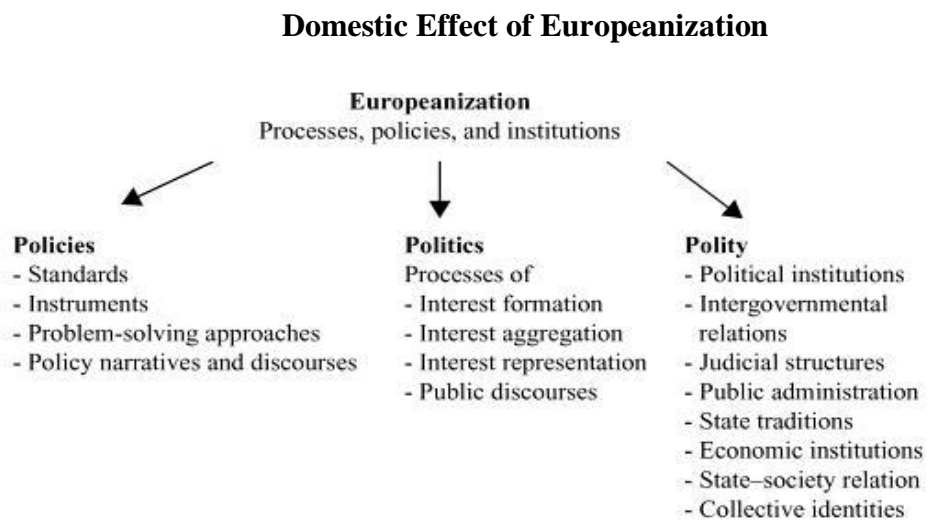
Europeanization has become a popular term among many political scientists, and has several different interpretations. It is, in most cases, connected to the European Union integration process and enlargement. It therefore concerns the existing EU member states as well as the candidate states and those desiring to receive an official candidate status.

Europeanization has been defined as a means and an end, being both method as well as a substance and at the same time project as well as a vision. Its meaning may constitute certain political, socioeconomic and cultural perceptibility but at the same time can stand for an ideology, be a symbol and possibly represent an allegory (Anastasakis, 2005: 78).

According to Anastasakis, Europeanization has also different significance, varies by country and region where this concept is applied. Whereas for the new and less developed EU member states, the Europeanization means hard work associated with

structural reforms and modernization, for the more developed countries, this concept signifies more of an adjustment and balanced reforms, if necessary.

For others, “Europeanization process is associated with reform of domestic structures and institutions and policies in order to meet the requirements of the systematic logic, political dynamics and administrative mechanisms of European integration“(Joseph, 2006: 2). It is also simply seen as “interaction between the national and the European levels” (Risse, Cowles, Caporaso, 2001: 2) or “as process of institution building at the European level in order to explore how Europeanization process impacts upon the member states”, also referred to as as a merger of the top-down and bottom-up perspectives (Boerzel, Risse, 2003: 57-60). Boerzel and Risse here distinguish between policies, politics and polity (shown on the graph below) where one can analyze domestic impact on Europeanization and track processes of domestic change.



Source: (Boerzel, Risse, 2003: 57-60)

Last but not least, “incremental process reorienting the direction and shape of politics to the degree that European Community political and economic dynamics become part of the organizational logic of national politics and policy making” (Ladrech, 1994: 69)

Europeanization has been also labeled as a process whereby the states espouse EU rules. Among these rules belong for example regulation and distribution in specific policy areas, rules associated with administrative and judicial process, set-up and competencies of the state and its sub-units. More specifically, these include association of the EU rules into national law and setting up formal institutions and procedures that would be in line with the European Union rules (Schimmelfennig & Sedelmeier, 2005:7).

B. Europeanization as a Logic of Consequence

According to Schimmelfennig and Seidelmeier, the proces of Europeanization can be externally or domestically driven. They created the logic of rule adoption shown on table below.

Alternative Models of Europeanization

Principal actor in rule adoption process	Logic of rule adoption	
	Logic of consequences	Logic of appropriateness
EU-driven	External incentives model	Social learning model
CEEC-driven	Lesson-drawing model	Lesson-drawing model

Source: Schimmelfennig& Seidelmeier, Cornell University Press, 2005

In this table, the alternative models of Europeanization are divided, as already mentioned, for EU-driven and CEEC-driven (in this case Schimmelfennig and

Seidelmeier talk about the EU 10 countries which entered the EU on May 1, 2004). This thesis deals only with the EU-driven rule adoption and a Logic of Consequence concept. It is the European Union which forces rules to be adopted if a country wants to become a member (e.g. adopting the EU aquis into the national legislation). The external incentive model (in the table above) means that the EU aspiring countries must comply with the rules to qualify for the membership and to be able to receive incentives – e.g. financial support such as PHARE program and others. (Schimmelfennig& Sedelmeier, 2005: 9).

C. Europeanisation and Conditionality

The term conditionality or, to put it more precisely, membership conditionality is connected with the requirements the EU has upon the potential members of the club and which they need to fulfill first to become full members. It is important to note that such tool concerns rather the new or potential EU members but not the old ones. “Membership conditionality gives the EU significant leverage in transferring to the applicant countries its principles, norms and rules, as well as in shaping their institutional and administrative structures” (Grabbe, 2002: 93).

According to Karen Elizabeth Smith, conditionality could be divided into two types. These are positive and negative conditionality. “Positive Conditionality” means that the EU is evaluating the progress of candidate states and offers them a chance to carry on with negotiations, if their development is in line with EU requirements. On the other hand “Negative Conditionality” occurs when the EU delays the implementation of subsequent stages of accession process due to non compliance of the applicant state (Smith, 1998).

The concepts of positive and negative conditionality are further illustrated in the empirical part of this thesis.

D. Europeanization in Constitutional Development

In general Europeanization in constitutional development involves not only getting national constitutions to be developed in line with the basic requirements of the EU, such as guaranteeing the freedom of expression, free movement of goods and people, treatment of minorities and social rights, which, for example, the Lisbon treaty, references in the Charter of Fundamental Rights, but also changing some parts of national constitutions to enable transfer of some sovereignty rights to the EU and therefore enable supremacy of EU law over the certain passages of domestic law (Boulangier, 2006: 263). Therefore particularly the EU aspirant countries amend their constitutions according to the EU requirements and are aware that some of the purely domestic stipulations of their constitutions will be overruled by those of the EU ones. This is true in the areas where the EU has exclusive competence- e.g. in the customs union, competition rules or common commercial policy.

If one is to speak about Europeanization as simply the Europeanization model of developed western European countries in general, this would mean adjusting the constitution by the terms common in developed western European countries (in this case for example referring also to non-EU countries such as Switzerland or Norway). The word Europeanization does not necessarily indicate that it is always connected with the EU but since there are already 27 members of the EU, the EU Europeanization and model in this sense prevails in constitutional development.

The constitution of a nation is as a result of the Europeanization process undergoing a change which is to modernize it and make it be on the par with the other

constitutions which have been modernized as well during the process of constitutional development.

Looking into this theory more in detail, the Europeanization in constitutional development is measured by looking at how it influences formation or modification of a country's constitution to be in line with the EU requirements. The external pressure, coming from, in this case, the EU or EU Special Representative in a certain country, suggests that it can, by using, for example, a negative conditionality – delay the pre-accession negotiations to force a country that is desiring an EU membership to rectify and adjust its constitution in line with the EU requirements, if further talks about possible membership are to continue at all.

It also influences rulings of a constitutional court, for instance. The court is aware that should there be any ruling that discriminates against a minority or makes the free movement of people difficult etc. the court and the respective country where it sits, will be subject to a criticism (coming from e.g. European Commission or Council of Europe etc.) and calls for rectifying these rulings according to the EU principles.

People may be similarly encouraged to vote positively for a certain matter in a referendum being told that if they vote yes for a change of an election law, for instance, to allow for an equal representation of ethnics in political parties, this will help a country towards coming closer in accession talks with the EU. The European symbolism, which is promoted by the concept of Europeanization, plays a role here as well. A country desiring an EU accession is repeatedly told that it will become a member of a world respected family of European democracies, if it is willing to change its state apparatus and rules of state functioning. The positive conditionality used by the EU, with potential states being praised for their progress so far and strengthened by a pre-accession financial aid is another example illustrating how a

country is willing to change the rules of its functioning in order to be granted a potential membership in the European Union.

D. Europeanization in Political Process

The Europeanization in a political process is again very much attached to the European Union and its influence on the party politics of the existing and potential member states. The end product of this is that the national parties of the member or aspiring members of the EU not only belong or are aligned to the political groups of the European Parliament but also tend to adjust their policies in line with the commonly agreed European policies.

The European Parliament members, for example, are divided into political groups and what is important in these groups is not a nationality but a political affiliation. There are currently 7 political groups in the European Parliament (Europarl.europa.eu, 2010).

The Europeanization can have impact on the individual party manifestos, organization of the party members, party competition, party - government relations or relations beyond the national party system (Ladrech, 2009). By this, it is meant and can be further developed that parties insert their stance on different EU issues in their manifestos, there are experts on the EU policies in each political party, the parties compete with each other on the best stance on the EU issues, opposition parties provide counter arguments to the government parties with regards to tackling EU matters. Lastly the national party members align with their European partners in order to influence the decision making process.

To isolate Europeanization from the EU effect, it can again be argued that in such a case, the Europeanization – copying the model of Western Europe – is helping those

who want to follow it to adopt democratic rule with fair and regular elections where all the parties from the political spectrum have right to stand for elections and potentially form a government.

To be again more specific, the Europeanization in a political process is measured by looking at how the parties and political representatives view the EU or potential membership in the Union, if they are not yet members. This incorporates how they ally with other European parties/fractions, to what extent their manifestos deal with the EU, what stages of accession talks they are at - be it anticipatory or adaptive stage, for instance. The Europeanization in a political process often leads the otherwise rival or nationalist parties to make concessions or, in some cases, even sacrifice parts of their program, in order to be able to access the EU. This may, besides the external influence of the EU itself, be also attributed to the pressure coming from the ordinary people who, if local politicians act inefficiently or get involved in a corruptive behavior, do show their willingness or even preference to become a part of a larger organization, assuring transparency and economic development, rather than always believe in a nationalistic rhetoric of the local politicians.

Europeanization in a political process follows the EU top-down approach, whereby the EU requires potential members to adjust their legislation and adopt rules in line with those of the Union, if they want to become a member. However, at the same time it also allows for the so called bottom up approach, and oftentimes for the sake of a regional stability, may necessitate finding a compromise, in areas where a potential member is not willing or able to accept all the required conditions of the entry.

E. Europeanization in Security Sector Reform

To begin with, the security sector reform itself means transforming the military and security bodies, oftentimes reducing them in size for more effective operations, training personnel in these new bodies, proposing reforms of judicial and penal systems and incorporating the previously excluded sectors of society (Anderlini, Conaway, 2010).

Europeanization in security sector reform (SSR), can be defined as influencing the development and reform process of a security sector in a certain country by a third party; in this case the European Union setting standards and monitoring reforms and development. In other words, in a country which undergoes such a reform process or is restoring peace and order in its territory, the EU has a say and impact on such a reform process. Also a country desiring to reform its security sector may be encouraged by receiving incentives to carry out such reforms. Among them financial ones, being provided with training personnel or possibly even offered a potential membership in the EU upon meeting the required standards.

The Europeanization in the security sector reform is also associated with the existence of the non-governmental organizations involved in helping to overcome, for instance, ethnic clash, post war trauma and lead both sides of the former conflict towards restoring trust between each other by facilitating dialogue and setting forth guidelines for cooperation at, particularly, regional and local level.

If one is to again look at Europeanization as an isolated process from the EU, which is again less likely, the Europeanization in such a case can mean a country who desires to reform its security sector, taking inspiration from other Western European countries in forming its security sector policy.

The Europeanization in the security sector reform is, in other words, measured by looking at major security sector organizations and how much it is the EU that controls their operations. The European Union through its institutions, e.g., through an Organization for Security and Cooperation in Europe (OSCE) sets up its offices often in countries that have undergone a security crisis or a war and attempts to restore peace and order by monitoring its compliance. Similarly the EU Police Missions (EUPM) have been set up to help a country to establish a sustainable and oftentimes multi-ethnic police forces. The influence of the EU can also be traced in the military sector since the EU is closely tied with the NATO - being its supreme defence organization. Those states desiring to enter the NATO in most cases may want to access the EU as well. As a result, the wish-to-be members should thus adjust their army forces according to the not only NATO but also EU requirements, in many cases.

The effect of Europeanization is oftentimes also evident in the sub national and non-governmental sector. This is because the EU itself promotes the sub national units and NGOs. For the EU, the sub national actors views and opinions should be heard along with the central actor ones. As for the NGOs, the EU considers these as an extension of democracy in the Union but also outside.

Lastly all the above described theories be they a theory of Europeanization in constitutional development, political process and security sector development are, in most cases, measured upon its implementation and application rather than just in general terms where it is often difficult to ascertain how the theory behaves in practice.

II. History, Identity and Peace Proposals

The origins of BiH

The name Bosnia was allegedly derived from the Illyrian name for the flowing river – Bassinus (in Slavic Bosna). The Illyrians occupied the central parts of the Balkans already in the second millennium before Christ. The river Bosna is one of the main rivers flowing across most of the north and central part of Bosnia. Another view is that the name Bosnia was simply created by the Slavs who later populated this region (Imamović, 2006: 46). The word Herzegovina, on the other hand, is derived from the powerful nobleman Štefan Vukčić Kosaca who called himself the Herzog of Saint Sava – “Herzog”, being German word, means “Duke” in English. The lands he later occupied became known as Herzog’s lands or soon after also referred to as Herzegovina (Imamović, 2006: 59). The current Slavic nations – Croats and Serbs - occupying today’s Bosnia came already in the 8th and 9th century AD. In the 10th century, Bosnia was part of the Kingdom of Croatia, most notably during the rule of the nobleman Tomislav. It was the so called third “banate” of the Kingdom which also comprised of the Seaside and Slavonia banates. The development of the Kingdom of Serbia in the 12th century later also influenced the development of the region. The territory of BiH started to be a place of an interest from the 11th century when it began to repetitively gain and lose its usurpers. For example, in 1018-40, it was controlled by Byzantine Empire, in 1058-74 part of the Kingdom of Croatia, later in 1081-110, the control of the territory was taken over by the Serbs and their Kingdom of Zeta (Hladký, 1996: 15).

First Bosnian Medieval state (ca. 1200-1463)

Those who tend to argue that Bosnia-Herzegovina is only an artificially created territorial unit, with often Croats and Serbs doing so, are not right and their claims are not supported when looking back into the history. The mediaval state of Bosnia did indeed exist and has managed (even though interrupted) to remain in existence with peace and stability for a substantial period of time. The first mention about independent Bosnia came with the rule of the notable Bosnian monarch Ban Kulin in 1180-1203 (Hladký, 1996: 15). He, even though being the Hungarian vassal, kept the region united for nearly 3 decades. The territory of Bosnia was also significantly extended under Kulin's rule. He was successful in acquiring new territories such as Sol (today's Tuzla), Usora, the region alongside of the southern part of Bosna river and Donje Kraje, the region west from the Bosna river. The true independence came with the arrival of Stefan Tvrtko who crowned himself on the 26 October 1377 as the king of Serbs, Bosnia, Seaside and the Western lands – that were the regions which Bosnia was composed of and he had control over. Bosnia thus had an access to the seaside – today's Croatia and incorporated even parts of today's Serbia (Malcolm, 1996: 19). The state of Bosnia carried on with its independence until 1463 when it officially fell into the hands of the Ottomans and ceased to exist as an independent state until its disputed renewal in 1992.

The Era of the Ottoman Empire (1463-1878)

This period is very important to note, perhaps even more important than the later discussed Austro-Hungarian rule, since it influenced the development of Bosnia until

present and meant the creation of the third nation – Muslims (from 1880-90s referred to also as Bosniaks) who began to settle and increase in number during the very Ottoman rule. The Ottomans thus created a third nation in Bosnia, which was previously only consisting of mostly Croats and the Serbs.

There are two views on this period (Hladký, 1996: 25). On the first hand, there is the so-called “turkophile” view (spread amongst mostly the Muslim authors) which claims that the Ottomans actually brought new legal order and religious tolerance (e.g. converting into Islam was voluntary) to previously torn middle ages society and the Bosnians were also enriched by the oriental values. It is obvious that this view will be mostly supported by the Bosniaks living in today’s Bosnia since they are proud of and always refer to their history. On the other hand, and this may be logical, there is the so-called “turko-phobial” view supported often by, and not surprisingly, the Serbs and Croats. According those in accord with this view, the Ottomans, on the other hand became the conquerors and occupiers who for centuries stopped the political and cultural development of Serbs and Croats. In addition, the people had to often convert to Islam by violence losing their rights and living in misery if they isolated themselves. This Hladký’s analysis of the views is very important and is basically still very current. The whole Bosnian conflict and future depends on whether the Croats and Serbs will be willing to live long term with their Bosniak co-nation with whom they are still uncomfortable as to whether to accept it among themselves.

Returning to the Ottoman rule, as of 1463, Bosnia is becoming a part of the Ottoman Empire and with this a complete transformation of the region. What is interesting about Bosnia, unlike other countries which the Ottomans conquered, is that Bosnia’s identity could be preserved under its original name (precisely called Eyalet of Bosna) and importantly territorial integrity (Riedlmayer, 1993). Bosnia became the

so-called Ottoman Sanjak. As already mentioned before, the four centuries of the Ottoman rule meant a complete change in the make up of the Bosnian population. The Slavic speaking Muslims eventually became the largest ethno-religious group in Bosnia. Why the Slavic nations converted to Islam and accepted the Ottoman culture? The answer is because, even though different religion and culture was indeed tolerated by the Ottomans, the proponents of Islam however requested the non-compliant folks to be absolutely subordinated with regards to their political and social rights. Only Muslims could cast votes, own property and take part in the government, the non-Muslims could not have such rights and moreover they had to pay special taxes on their work (Domin, 2001). The Ottomans were thus smart since they realized that if people wanted to grow in their careers, get educated and be, for example, politically active, they had to convert to Islam and thus obtain the status of the Bosnian Muslims. The reason for their lenience towards religious freedom was mostly fear of the potential revolts, which were not fitting into the overall Ottoman strategy of conquest. The fact that this has been happening over the four centuries guarantees a solid creation of the Muslim ethnic in Bosnia. The Ottoman Empire, when at times of its greatest fame and success in expansion, did also brought the prosperity to the region of Bosnia-Herzegovina with many today's cities (e.g. Sarajevo or Mostar being built) and famous mosques being built (Hladký, 2006: 47). As it was usually common with the great Empires, the Ottoman Empire in the end started to lose control of its territories and the later weak leadership and rebellions and the pressure from the Great Powers eventually forced the Ottomans to hand over the administration this time to the Austro-Hungarian Empire.

Bosnia under Austro-Hungarian control (1878-1918)

The Austrians officially gained control over Bosnia with the treaty of Berlin in 1878. Their control over the territory lasted only 40 years until 1918. During this short period of rule, it nevertheless helped to enhance Bosnia's economy significantly. By 1907, Bosnia had a well developed infrastructure including new roads and rails, new mines and factories, improved agricultural procedure and many new schools built (Britannica.com, 2007). Austria-Hungary attempted to create also pluralist and multi religions Bosnian nation. Here comes the notion of the Bosnian nation again. This plan was of course not liked by the Croats and Serbs still living in the territory of Bosnia and who started to nationally awake, similarly as other nations in Europe, such as the Czechs or Slovaks within the Empire. Vienna was of course afraid of this rising nationalism and only one Bosnia and the nation was a way towards maintaining the territorial integrity of Austria-Hungarian Empire. The emperor was not though successful. The nationalist feelings of Croats and Serbs grew more and more especially when they saw that other Slavic nations were rising again in the Empire. Now comes the first moment when the Muslims started themselves fear of losing their identity if Croats obtain their independence in due course and Serbs, who gained their independence from the Ottomans in 1878, would claim Serb parts of BiH. At the end of the 1880's and beginning of 1890s, this became very evident. The Austrian-Hungarian minister of political tactique Kallay supported the movement of the intellectual Mehmed-beg who was the first to advocate the Bosniak nationhood. Mehmed-beg started to issue the periodical which advised to Bosnian Muslims not to get swayed by the Croat and Serb national propaganda and to keep to their old tradition. To end the period of Austrian control, and before starting the period of the first Yugoslavia, it is worth citing the statement Ladislav Hladký mentioned in his

book “Historie nešťastné země” (History of Unfortunate Land): “when Bosnia again started to live again, the Serbs came rushing towards Muslims and said “Join us, you are Serbs”, when the Croats noticed that, they said “not to Serbs, you are Croats”. The Bosniaks were not however fools, they did not go either way and realized the potential of their own ethnicity” (Hladký, 1996: 50)

Interwar Yugoslavia (1918-1941)

The last but one period depicting the nations of Bosnia-Herzegovina prior to the 1992-1995 war was the period first in the Kingdom of Serbs, Croats and Slovenes and later called Kingdom of Yugoslavia. The creation of the Kingdom of the “South Slavs” came into existence by declaration of independence and official secession from Austria-Hungarian Empire on 29th October 1918. The proponents of the Yugoslav Idea were optimistic and believed that the larger territory amongst the many enemy states, e.g. Italy, Austria, Bulgaria would be able to defend itself and Serbia was in many ways referring to the Yugoslavian state as the de facto Greater Serbia controlling the other southern Slavs nations. However the failure of the idea of Yugoslavism has been argued that it was not defined what and who the Yugoslav was (Djokić, 2003: 4). Back to Bosnia - how did the situation look like there after its territory started to be controlled by yet another party? The situation was at the beginning of the new kingdom, in many ways very, chaotic in BiH. This was particularly true in the countryside where there occurred series of fights for the arable land control. The Muslim owners of the land were by violence being expelled and many of them killed. The relationship between the Croats and Serbs was not as well very friendly either. In the 1920s and 1930s, the regime became dictatorial. The Croats thought that they would become equal partners to Serbs and would enjoy more autonomy but the result was the opposite - reduced autonomy even less than during

Austro-Hungarian rule. The turning point came when the Croat leader of peasant party Stjepan Radić was killed by a Serbian radical deputy in 1928. The national tension further escalated with the coup against the king Alexander in 1929 (Riedelmayer, 2007) At the same time the continued violence and hatred towards Muslim community in Bosnia resulted in the creation of the Yugoslav Muslim Organization (YMO) representing not only the agrarians but also and importantly the business people, craftsmen, intelligentsia and religious representatives. The Muslims were again approached by both Serbs and Croats who wanted to turn the Muslims on their side but to drop their beliefs. Another great example is the speech of the Serbian nationalist Milan Skriskic who denounced the Yugoslavian patriotism and appealed to the Muslims that if they do not want to become Serbs, they should then become Croats because there will never be any real Yugoslavism (Hladký, 1996: 67). This points out to the uneasy situation of the Bosniak community. As the tensions between the ethnics in Bosnia but also in the entire Kingdom persisted, the King Alexander in 1929 decided to put forward a new constitution that would strengthen the ideals of Yugoslavism and centralize the rule from Belgrade. This also meant redrawing the map of Yugoslavia, this time not including the national division but only regional division often decided based on the river or city that was in the region. Bosnia was, for example, partitioned into Vrbaska, Drinska and Primorska Banovine. Such solution did not at all work and lead to even greater tension between Serbs, Croats and Muslims (Malcolm, 1996: 169).

The Second World War (1941-1945)

During the war The Croat quasi-independent State of Croatia (controlled and supported by Nazi Germany) was created and Bosnia was later incorporated into it. The Croats and Serbs were standing against each other with the Muslims again

becoming the victims. The aim of the Croat Ustasha regime was to persuade Muslims to join greater Croatia by even offering to build Muslim mosques on the Croatian territory. Not surprisingly Serbs attempted to do the same. The idea of the Greater Serbia was again alive. According to the activist Stevan Moljević, the main aim of the Serbs was to unite all the Serbs living in Bosnia and in Croatia and to create greater Serbia (Moljević, 2007). To fulfill this objective, the sufferers of this plan were naturally the Muslims. In 1941, the Serb created so called Chetnicks (militia established to protect Serbian nation and religion against the Croats). The first thing to do was to expel the Muslim from eastern Bosnia. For example in 1941, 1,100 Muslims were killed by the Serbs in the district of Bileća and Višegrad (Malcolm, 1996: 176).

The Communist Yugoslavia (1945-1990)

The effort to oust the Fascists and end the World War II changed the situation and all the nations of Yugoslavia started to build bridges among them. The leadership of the charismatic communist and general Josip Broz Tito further strengthened the cooperation of the nations virtually almost until his death in 1980. What made Tito succeed to unite so enmious and different but at the same time all originally Slavic nations? The answer could be argued to be his charisma, popularity but manly also that fact that Yugoslavia was divided into federal and relatively autonomous republics. Nontheless the strong communist centralism was remaining in place and the concept of nationalism was something strictly forbidden. Before the creation of the federation, the status of Bosnia was however a big question. It was the Council of National Liberation of Yugoslavia (AVNOJ) and its second key session in Jajce in 1943, which declared federation of Yugoslavia and also granted BiH a status of a republic for the historical reason (Rusinow, 1995: 382). Initially Bosnia was to

become an autonomous territory either belonging to Croatia or Serbia. The Muslims though strongly resisted such autonomy and in the end persuaded the negotiators that based on its historical integrity; Bosnia should become another federal republic with all its rights. BiH thus became the 6th federal unit of Yugoslavia. The communists allowed Bosnia their own republic nevertheless oppressed any Muslim religious movements. Similarly, nationalism (except for national identity) was a great taboo during the Tito's regime (Domin, 2001). Also with the 1948 census, the Muslims had to either associate themselves with the Serbs or Croats, e.g. Croat-Muslim or Bosnian Muslim or "unclassified" group. The situation only improved in the 1970's (Tito started to ally with the Muslim nations of the near and middle east) when the Muslims could finally claim their right to Muslim nationality. In 1971 census, the Muslims in Bosnia – 39.57% outweighed the Serbs – 32.02% (Stanković, 1973). Tito was indeed successful with his Yugoslavism in Bosnia particularly in the 1970's when Bosnia experienced a period of the greatest stability in its history. Also the amount of mixed marriages was on its constant increase as compared to the after war period. The figures revealed that about 16% of marriages in Bosnia were mixed in the 70s and 80s, in Sarajevo up to 22%. This percentage further increased shortly before the Bosnian war. In 1990, 41% of all marriages in Bosnia were between partners from different religious background (Blagojevich, Johnson, 2004). The situation in Bosnia was thus very positive with even the 1984 Olympics games held in Sarajevo, however not long lasting.

What factors lead to the end of the Yugoslavian dream as created by Tito? Except for the death of Tito in 1980, it was also the economic crisis with increasing unemployment and inflation and inability to compete with the developed west, secondly the weakening of the communist ideology and a political fight.

Reawakening of BiH Identity

Disintegration of Yugoslavia (1986-1992)

This chapter is called reawakening of Bosnian identity as this work considers Bosnian identity to have existed already during the first Bosnian Medieval state.

The second half of the 1980's was a period which only paved a way towards destruction of Yugoslavia. It was the nationalism which again emerged and this time not in Croatia but in Serbia with the arrival of Slobodan Milošević and his attempts to protect Serbs interest and revive the idea of great Serbia. In 1983 there was a court proceeding with the Muslims (including again Izetbegović) who were allegedly trying to turn BiH into republic based on Islamic principles (S. L. Burg, 2000: 44). Serbs also started to accuse the Muslims for cooperating with Iranian regime aiming to destruct Yugoslavia and protect the Muslim religion in the Balkans and spread anti Muslim sentiment. The reason of these court proceedings were the fact that the Bosnian government and politicians were calling for political and social equality. Apart from the nationalism, the factor leading towards dissolution of Yugoslavia was also corruption among the politicians, utilized by Milosević. The next political attack on the Muslims by Milosević was associated with the very corruption - the 1987 Agrokomerc affair. This affair was about the financial fraud by Branko Mikulić from Cazinska Krajina (in north-western Bosnia) who borrowed funds from many banks in order to not only help the region but to use the funds himself. The affair was followed by revelation of the luxurious lifestyle and corruption among the Bosnian and also Croat politicians and thus undermined the trust in the political elite ruling at that time (S. L. Burg, 2000: 44-45). The end of the 1980s up to 1991 marked the end of the one

party rule and gave rise to the polarization of the public opinion along the nationalistic lines.

Free Elections and the beginnings of 1992-1995 War

The first free elections in Yugoslavia in 1990, held in all republics, including Bosnia, turned out to be not elections about the right or left wing policies but about strongly nationalist lines. The fact that the nationalist parties won and governed the territory of Bosnia-Herzegovina did not mean anything positive since nationalism proved to be very dangerous for the stability of Yugoslavia and Bosnia. The elections were won by the Bosniaks (Muslims) but they did not have sufficient majority in the parliament to form the government. Another surprise was that the leader of SDA (Party of Democratic Action) Alija Izetbegović (who became president of the state presidency) did not form the coalition with the non-nationalist parties which also got into parliament (e.g. socialists) but with the nationalist parties such as HDZ BiH (Croatian Democratic Union, given a post of prime minister in government) and SDS BiH (Serb Democratic Party, given a post of the president the National Assembly). This was argued to be a big mistake and paving the way towards an ethnic conflict in Bosnia (S. L. Burg, 2000: 56). It is important to note also that HDZ BiH and SDS BiH were tied to HDZ party in Croatia and SDS party in Serbia – the mother parties. The tensions in the newly formed coalition were apparent even from the (for many) trivial issues such as ceremonial oath – where the parties argued in which language the oath should be written. The declaration of independence by Croatia and Slovenia in June 1991 and later recognition of these two republics in December 1991 and their subsequent cessation from Yugoslavia made the situation in Bosnia even worse. As Serbia lost the access to most of the seaside and Croats insisted on keeping the republic borders, Serbs wanted to increase their influence at least in the region of

Bosnia with the substantial Serbian minority. In 1991, the presidents of Croatia Tudjman and Serbia Milošević held the same opinion that one of the ways of solving the Yugoslavian crisis would be the partition of Bosnia between Croatia and Serbia (Mahmutćehajić, 2006). The actual plan of dividing Bosnia included in the Karadjordjevo Agreement of 1991 was later confirmed by Ante Marković, cross examined at The Hague War Crimes Tribunal. In his own words: “Milosević said the division of Bosnia and Herzegovina would not be a problem since Croats and Serbs were a majority and that they would leave an enclave for the Muslims” (BBC.co.uk, 2003). Fearing the possible deal about the partition and being influenced by Croatia and Slovenia, Bosnia-Herzegovina started to consider independence as well. The Serbs however threatened the Muslims (who started to call themselves again Bosniaks) that if they separate from the remnants of Yugoslavia, the Bosniaks will be surrounded by the Serbian minority that will declare its independence too. The international community already trying to settle the Serb-Croat war was afraid of yet another conflict and was reluctant to recognize independent Bosnia as so much craved for by Izetbegović who feared the dissolution of the Bosniaks among the Croats and Serbs. The European Commission as a result created new criteria for allowing an independent state and the so called Badinter Commission, which was to review if BiH had right to claim for an independence and later conditioned it on holding a referendum, was set up (Rich, 2003). Serbs on the other hand feared the dominance of the Muslims in such a new state. The independence of Bosnia was thus to be decided by the public vote. There was a referendum held on 29/2-1/3 of 1992. The result of a referendum was 99.4% for an independence (the voters were although mainly the Bosniaks and Croats since the Serbs boycotted the referendum claiming that they do not agree with an independent Bosnia) (Republic-bosnia-herzegovina.com, 2006)

The aftermath of the referendum marked a beginning of the 1992-1995 war which will be discussed later in this thesis in association with the possible peace plans. The nationalist feelings led to the break out of the largest conflict in Europe in the post world war II history.

The first major conflict, and according to many the real start of the war, started with the case of alleged shooting of the Serb holding a Serbian flag during the wedding ceremony by a Muslim. The reaction to this was first barricades by Serbs in Sarajevo against the free movement of the Muslims. On 27 March 1992, the Serbian regional assembly approved the creation of the constitution of the new territory in Bosnia - Republika Srpska (RS). Already on 5 April, there were first strong clashes between the armed groups of Serb Muslims and also Croats and despite the public protests and demonstrations towards the peaceful solution; the war solution was in the end used. Fearing another war conflict and possible extermination of the Bosniaks by the Serbs and Croats, the international community, under strong pressure of USA, decided to grant independence to Bosnia on 7 April 1992 (S.L.Burg & Paul S.Shoup, 2000: 123).

Bosnia – Ethnic composition within Yugoslavia

First of all when looking at the map of former Yugoslavia during the war (image #1), with the situation being similar in the pre-war period as well though, one can see that the ethnic composition of not only BiH but its members has been very complex. Former Yugoslav republics borders, as established by Tito, did not in truth divide the republics according to ethnicity (with exception of perhaps of Slovenia which is the only mono-ethnic republic; blue in the image #1) but rather only administratively.

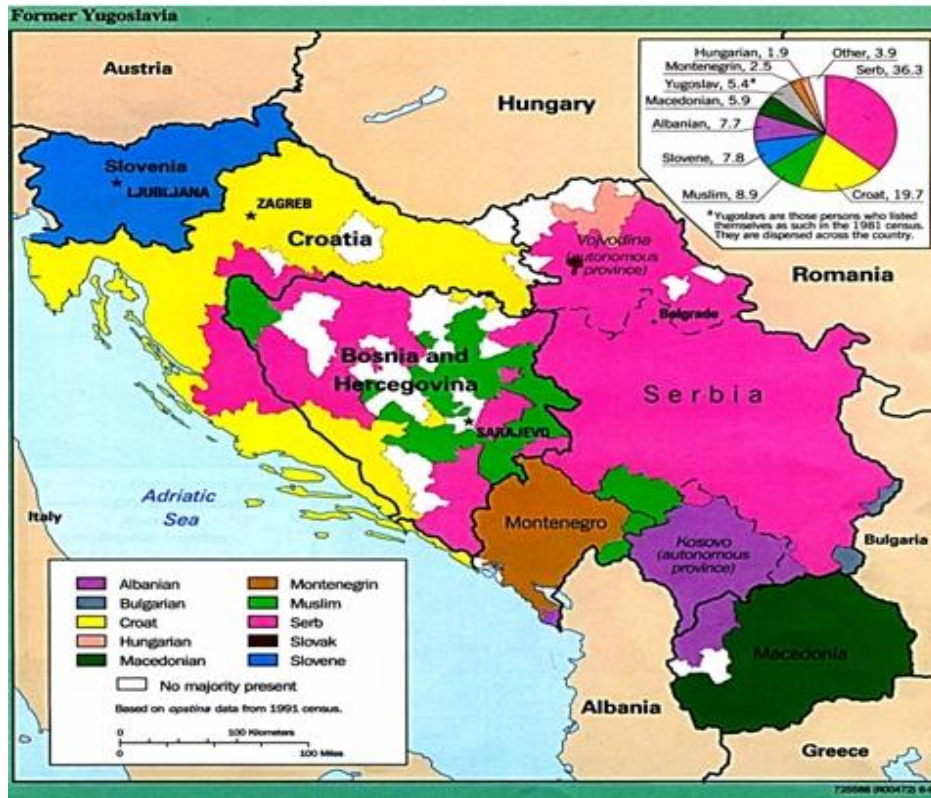


Image #1. Source: www.lib.utexas.edu

Let's now take a detailed look at Croats and Serbs first. As already above described, there have been many deals (e.g. Tudjman/Milošević Karadjordjevo talks) or suggestions to divide Bosnia between the Croatia and Serbia (BBC.co.uk, 2003). The map reveals that it is quite logical. When Croatia declared its independence in 1991, it did so even though there was a significant Serbian minority in Croatia, particularly in the Serbian Krajina, which declared its independence at the time when Croatia demanded secession from Yugoslavia. Serbian Krajina is marked on the map as purple and is surrounding the borders of Bosnia from the North West. The second area populated with Serbs but not neighboring with Bosnia is the Eastern Slavonia (on the map white because of a mix with Croats but being nearly a majority), west from Vojvodina (North part of today's Serbia). Since Serbia was already losing substantial portion of the seashore, it was, in a way, logical from Serbs to "tear off" some territory from Bosnia and realize the once dream about the Greater Serbia.

Dubrovnik shelling in 1992 was one of the strategies of the Serbs to usurp the territory of southern Croatia – Dalmatia (Vego, 2000). The Serbs also saw an opportunity to usurp the region of Dubrovnik as it was cut off from main Croatia by the so called Neum seaside strip belonging to BiH – though occupied primarily by the (Bosnian) Croats. Now, the Croats themselves (marked yellow on the map), who already declared their independence were also at one point of time considering a larger territory – Greater Croatia (which was in existence in the past, particularly during the Ustasha regime in the course of the WW II). Tudjman's vision of was indeed an annexation of part of BiH (Hedl, 1999). The Croats are represented in Bosnia, particularly in the south west alongside the border with Croatia (today's Herzegovina Neretva Canton, West Neretva Canton and Canton 10) and are also intermixed with the Bosniaks in central Bosnia (again white places on the map) and in the so called Posavina region..

Geography of BiH

Looking at the detailed map of Bosnia-Herzegovina in 1991 – (image #2), the Bosniaks (light green color on the map) have been concentrated in central parts of Bosnia, south east and east and the west.

Ethnic composition before the war in BiH (1991)

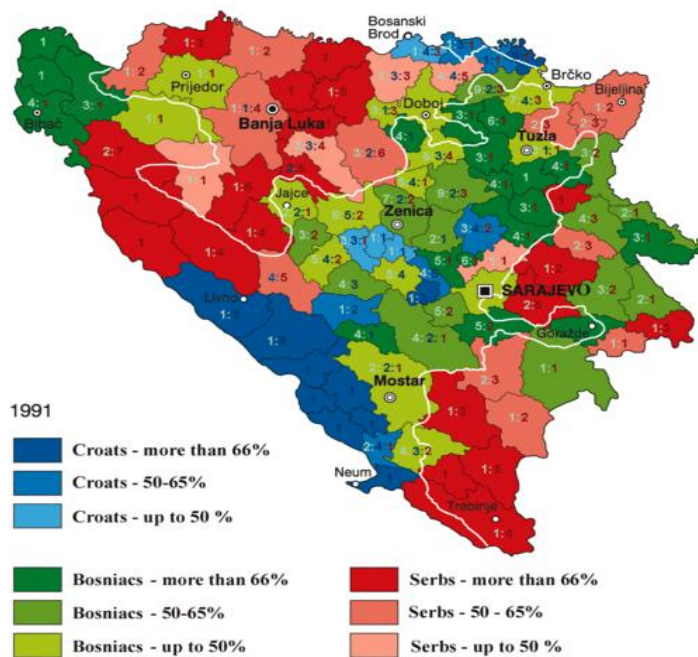


Image #2. Source: www.ohr.intl

The split of Bosnia between the Serbs and Croats had thus not been possible since Bosniaks do have a strong presence in Bosnia (about 43.47%; CIA Factbook, 2007) and often consider the entire territory to historically belong under the control of the Bosniaks rather than the Serbs and Croats as the territory of Bosnia-Herzegovina was, apart from the initial history, always under control of somebody else but Serbs and Croats directly. At the same time the strong presence of Serbs (31.21%; CIA Factbook, 2007), makes the claims of the Bosniaks not realistic since the Serbs are also largely populated in Bosnia, not to talk about the presence of also Croats with about smaller but still substantial minority representation of 17.38%. Bosnia-Herzegovina is thus a multiethnic state and none of the ethnic can claim the total control over the territory.

The War, Peace Proposals and the Maps

Carrington-Cutileiro Peace plan



Image #3. Source: www.partitionconflicts.com

This was the first official peace plan designed to avert the war. It was put forward by EU mediator Jose Cutileiro at the Lisbon peace conference already in February 22-23, 1992, one week before the referendum on Bosnia's independence was held. Cutileiro conditioned signing this peace plan by officially recognizing the independent Bosnia-Herzegovina by all three parties (Serbs, Croats and Bosniaks) who would be sharing power together. There was supposed to be a weak central government with devolving most of the administrative affairs to the regional/canton level. As illustrated on the above map, the cantons were supposed to be divided by ethnicity. So there would be cantons which Bosniaks, Serbs and Croats would have under control, no matter if they held a majority in that canton (Kumar, 2007). Even though this plan was supposed to protect the minorities within cantons (where mixed ethnic were), such plan was not greeted by any of the parties. The SDA party of

Izetbegović (representing the interests of Bosniaks) flatly refused such proposal already on February 1992, arguing that the central government powers would be further weakened. Karadžić (party leader of SDS, representing Serbian interests) was on the other hand happy about such plan which for the first time talked about a possible partition. The Bosnian Croat representatives were also quite happy since they were granted the autonomy of the west Herzegovina cantons (S. L. Burg, P. S. Shoup, 2000: 108). However the plan did not have ready precise canton borders that were only estimated. The plan and the peace talks were followed by the declaration of the independence of Bosnia-Herzegovina on April 7, 1992. The independence was declared however without taking into account that the Bosnian Serbs were not participating in the preceding referendum at all as a protest and all unanimously declared their refusal with the independent state of Bosnia-Herzegovina. The Serbian paramilitary (officially still part of the Yugoslav Federal Army) responded to this declaration of independence by heavy shelling from north western to eastern Bosnia. As already described in this thesis, the Serbs saw in Bosnia the only hope for maintaining a larger territory, and protecting the interests of the Serbian substantial minority in Bosnia. Belgrade and Milošević still believed that Bosnia could remain the part of the new Yugoslavia, incorporating the loyal Montenegro. Milošević did already give up his claims on Croatia but Bosnia, with its 32% Serb population and Karadžić was still obtaining his support.

The first signs of protracted war started already during the peace demonstration in Sarajevo where 40,000 people were present and protested against a possible war. Five people were killed as a result of the Serb paramilitaries shelling at the participants; this skirmish was even one day prior to declaration of independence of Bosnia. Three days after declaring the independence, Izetbegović already pleaded international

community for providing help in stopping the conflict. By this date, the conflict had already 300 victims (Mujanović, 2007). Another blow to the conflict was the first surrender and shelling of Sarajevo by both Yugoslav National Army (JNA) and Serbian paramilitaries on April 21, 1992. The war in Bosnia intensified when General Ratko Mladić was made commander of the newly formed army of the Bosnian Serb republic on May 20, 1992. The official war state in Bosnia was declared on June 19, 1992. The Bosnian Croats and Bosniaks were first forming an alliance in order to fight together against the Serbs (just as June 17 cooperation agreement), but it was often misused by the Bosnian Croats for their own interests. Even though Bosnian Croats and Bosniaks were still partially cooperating, the situation was further worsened by the declaration of the community Herzeg-Bosna on July 3rd, 1992. The Bosnian Croats claimed that this was a reaction on creation of Republika Srpska (RS) by the Bosnian Serbs and was not meant to be a separation from the Bosniaks initially. The Bosniaks had however seen this as a potential threat to their existence already. In the summer of 1992, the fighting was already going on all over BiH with many people being displaced from their homes, killed and women raped. For example, during the Višegrad killings, e.g. 71 Bosniak men were forced into the school which was locked and they were set on fire (Sells, 1996). As the horror scenes and casualties were rising, the international community was again thinking what to do next when the Carrington-Cutileiro Peace plan did not work out.

The Vance-Owen Plan

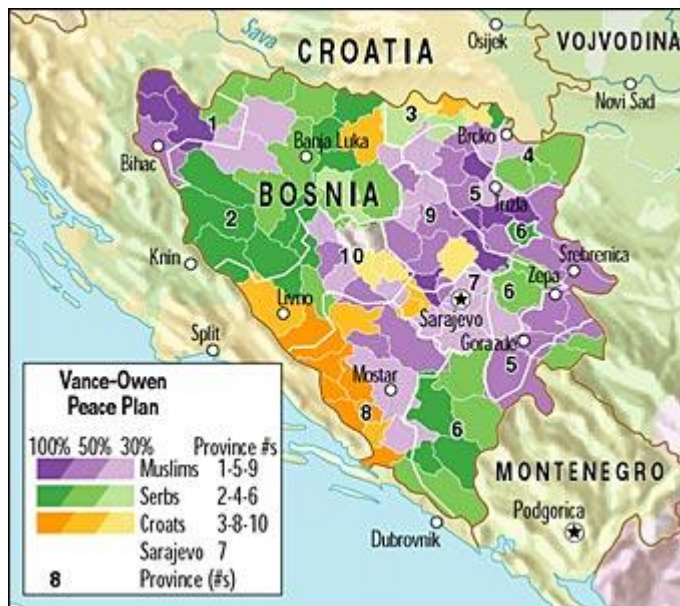


Image #4. **Source:** www.partitionconflicts.com

The new mediators trying to stop the already raging conflict were Cyrus Vance and David Owen. In January 1993, they presented a new plan that was supposed to create a loose federation of ten ethnic provinces. They were not longer districts but larger provinces to be decentralized (image #4 above) (Kumar, 2007). During negotiations over this plan, the only satisfied were the Bosnian Croats since their territorial demands were fulfilled by this map. The Bosniaks raised several objections to this plan arguing that the map favored the principle of ethnicity and legalized the occupation of territory that was taken by force and giving amnesty to war criminals (Maass, 1993). Another objection was for example that the Muslim majority counties were part of the Croat-majority provinces (for example Province 8 with Mostar). The Serb delegation was divided over this plan. What was nonetheless interesting was that Slobodan Milošević for the first time ever acted contrary to the demands of Bosnian Serbs and forced Karadžić to accept the plan (Karadžić was actually ready to approve the plan at one point of time). One of the reasons why Milošević acted like this was

argued to be the worsening reputation of the Serbs (with reports published accusing Serbs of mass killings, rapes, obstructions of the humanitarian aid) and sanctions imposed on Serbia (S. L. Burg, P. S. Shoup, 2000: 224-227). The Bosnian Serbs would have devolved provinces but separated from each other due to the creation of the Bosniak provinces (as illustrated on the map above). The intention of this plan was actually to scatter the provinces in order to avoid the creation of the three territories within Bosnia. According to the Slovenian analysis published at that time, the Serbs would lose main industrial and mining areas and would be left without coherent transportation network. Moreover, Serbs would have to give up 24% of territory they previously occupied (S. L. Burg, P. S. Shoup, 2000: 246). Another problem was that David Owen himself, helped to the eventual failure of the plan. Based on the negative response from the Serbs and Bosniaks, Owen considered territorial exchanges for the first time. This was counterproductive and instead led to heavy fights of paramilitaries in order to gain new territories. For example, Serbian paramilitary groups acquired by force eastern Bosnia and Croatian ones similarly acquired west central Bosnia (Maass, 1993). This meant a definite end to the Croat-Bosniak cooperation as well. From April 1993 onwards, there were heavy fights over territorial control between Bosnian Croats and Bosniaks in Mostar and central Bosnia and concentration camps of Bosniaks set up by both Serbs and Croats became shockingly a norm. The Serbs themselves held a referendum on the pace plan in May 1993 and 96% of the Bosnian Serbs were opposed against this peace proposal (Burns, 1993). The plan therefore was not capable of surviving.

Owen-Stoltenberg Peace (Union of 3 republics) plan



Image #4. Source: partitionconflicts.com

With Vance-Owen peace plan failing, the previously feared partition came again on the agenda. In order to solve the crisis, when all three ethnics became by this time great enemies including also Bosnian Croats and Bosniaks who were no longer in alliance, Owen together with another Norwegian UN peace mediator Thorvald Stoltenberg put forward the so called Union of 3 republics plan which would partition Bosnia-Herzegovina into three republics within the federation. The reason for partition was far more than obvious. Bosnian Serbs would not accept any other arrangement than the one that would guarantee their acquired territory a significant autonomy within Bosnia if not a complete independence, which they were still pondering about; in particular, Bosnian Serb territory joining the Yugoslav Federation of Serbia and Montenegro (Woodward, 1995: 310). The Croats on the other hand, fearing of Serbian proceeding in acquiring their territories and the Muslim control over their territory decided to follow a similar path as the Serbs and that is to acquire as much territory as possible but at the expense of the Bosniaks, who became the victims. Even though Bosniaks and Bosnian Croats were allies against Serbs at the beginning, in practice they became rivals (Lewis, 1993). The Union of three republics

was to be de facto a confederation that would consist of the already mentioned number of republics with their own constitution and democratic government. This in point of fact already resembles the arrangements of future Dayton agreement that will be discussed later. The main problem of this plan was that Bosniaks should get only 30% of territory whereas the Bosnian Serbs would gain 53%, this is even more than they owned in the pre-war period including the scattering of Serbian peasants over Bosnia entire territory. The correct percentage of the Serbs living on the territory however was only 37% (Malcolm, 1996: 253). It is very logical that this plan would be completely rejected by the Bosniaks would be again squeezed as compared to their original demographics. The division itself was not an easy process. In addition to the division of Bosnia into three parts, each of the party of this conflict tried to gain additional advantage for themselves. So for example, the Serbs conditioned giving up parts of occupied Sarajevo in exchange for the two towns in eastern Bosnia – Goražde and Srebrenica (with Bosniak majority; on the Owen-Stoltenberg map above) and demanded also an access to the seaside in the eastern part of Dalmatia (S. L. Burg, P. S. Shoup, 2000: 274). Croats on the other hand demanded, if the Serbs were to get the narrow strip of the seaside from Croatia, they would demand an annexation of the Neum area (the only 24 km seaside strip of Bosnia, populated mostly by Croats). It is again very obvious that the deal was again to be decided by the Croats and Serbs themselves, with a complete disregard of the Bosniaks. The only offer the Bosniaks received from the Croats was to be granted un inspected access to the Croatian port of Ploče. Even though Izetbegović was at one point of time willing to accept this agreement, due to the ongoing massacres on the Bosniak population, he was stopped and threatened by a coup by his party colleagues.

The situation on the “battlefield” was again very chaotic and furthermore new conflict between the Bosniaks themselves happened. Izetbegović was on the one hand under pressure of his party members but at the same time there was an opposition towards SDA stance towards delaying signing a peace agreement. The opposition figure became Fikret Abdić (from Cazinska Krajina, Bihać region), the once well known entrepreneur of Agrokomerc (who brought prosperity to this region of Bosnia and was very popular among the local community), decided to turn away from Izetbegović claiming that he is representing pro-Islamist policies. He declared an autonomous region of Western Bosnia and decided to rather cooperate with Karadžić and Boban. Izetbegović saw this as a revolt and sent his loyal troops to fight against Abdić local forces (Habul, 2001). These fighting continued until 1995. The international community, bewildered by these happenings, attempted to see how the most resistant Bosniaks could be satisfied. Croat and Serb leaders, including the representatives of the warring parties were invited for the so called Invincible negotiations where Croats and Serbs offered concessions to the Bosniaks; among them, for example, access to the Adriatic sea however Bosniak demands for a larger territory were not really met. Moreover the US envoy Redman himself saw the Croat and Serb concessions as not really sufficient (S. L. Burg, P. S. Shoup, 2000: 281).

Creation of Bosnia-Herzegovina Federation

As the conflict in Bosnia became fighting of all against all, it was the US administration under the Clinton that started to put a tense pressure on both Bosnian Croats and Bosniaks to again cooperate. The Bosnian Croats themselves were also tired of fighting with both Bosniaks and Serbs and realized that pacting with the Bosniaks is a smaller evil than face losing its territories to the Serbs. The new US

brokered plan called for a creation of Bosniak-Croat Federation. The radical Mate Boban was replaced by a more moderate Krešmir Zubak and this also meant an end to the Herzeg-Bosna Republic at later stage. On March 18, 1994, in Washington under supervision of Bill Clinton, F. Tudjman and A. Izetbegović signed an agreement confirming the creation of the Federation of Bosnia-Herzegovina along with the new constitution (Greenhouse, 1994). Later on Bosnian Croats and Bosniaks decided to divide the new Federation into 8 cantons, and soon after two more added.

Even though the creation of the Federation of Bosnia-Herzegovina (FBiH) brought hope of the war soon coming to end the Serbs were determined to carry on with acquiring further territories and already controlled 70% of the territories. The US administration realized that they need to win the support of both the Europeans and the Russians (who were from the very beginning of the conflict rather siding with the Serbs because of the same cultural beliefs and particularly the same orthodox religion). The so-called Contact Group who created (in late April 1994, incorporating US, Russian, French, German and British representatives to find a solution would end the conflict with all sides being satisfied. The new proposal was the percentage division of the Bosnian Serbs and FBiH at the ration of 51% for the Bosniaks-Croats and 49% for the Serbs (Cohen, 1995). Bosnian Serbs however did not agree to this plan. Instead they continued their fightings and in July, they for example conquered the Srebrenica enclave that was officially under the UN control, then another Bosniak enclave – Žepa followed. As the situation was still not solvable, the new US mediator Richard Holbrooke was appointed to see a possible solution. He was indeed partly successful and managed to persuade all the parties to come to a ceasefire promising that the new agreement and negotiations will be initiated.

III. Constitutional Development

A. Towards Dayton

It was not until the summer of 1995 when the tide started to turn finally against the Serbs who began to lose their acquired territories as this time joint Bosniak-Croat forces started to recapture them. The NATO airstrikes (particularly from May 1995) also helped to drive the Serbs out of the outskirts of Sarajevo and other areas. The final tragedy nonetheless came between July 12 – July 16, 1995 with Srebrenica and nearby villages massacre and en masse killings (under the orders of General Rato Mladić and Radislav Krstić) of Bosniak men and boys who were separated from their wives and transported to the places (mass graves or even graves which the men had to dig out for themselves) of where they would be killed. According to the red-cross listing there has been 7,079 dead and missing at Srebrenica only (Genocide.org, 2007).

These cruelties and ethnic cleansing made international community and in particular US mediator Richard Holbrooke to act and no longer only talk. From August 1995 onwards Holbrooke had attempted to meet and negotiate with all the parties to the conflict and was travelling from one capital to another to try to reach a deal that would satisfy all the parties although requesting each party to reduce their excessive demands and remain realistic. When meeting Milošević, for example, he was also forced to talk to Karadžić and Mladić whom he hated for the atrocities they caused but he realized that their involvement was important since they were (even though already accused war criminals) de facto still political and military leaders of RS. Holbrooke at the same time was well aware that his peace initiatives are about creating a new map of Bosnia not only by diplomatic means but also encouraging

ethnic transfers by force. While in Zagreb, he urged Tudjman and his defense minister Susak (well known for approving the atrocities of the Croats on the Bosniaks) to take all important towns in northwestern Bosnia (among them e.g. Sanski Most and Prijedor) and the areas which became well known for the ethnic cleansing by the Serb side but not to go to Banja Luka which became the place of arrival of the expelled Croatian Krajina Serbs and for centuries was a city with Serbian majority (Bose, 2002: 58). This reveals that “realpolitik” concept was indeed used this time.

Holbrooke explained this to his superiors as follows:

“The basic truth is perhaps not something we can publicly say right now...In fact, the map negotiations, which always seemed to me to be our most daunting challenge, is taking place right now on the battlefield, and so far, in a manner beneficial...In only a few weeks, the famous 70-30 division of the country has gone to around 50-50, obviously making our task easier”. (Bose, 2002: 60)

Holbrook thus recognized that force was necessary to create more territorially integral units (in this case integral units of Republika Srpska and Federation of Bosnia-Herzegovina) viable of its self rule and territory control within BiH.

The real success moment for giving new peace settlement a chance was when in Geneva, on September 8, 1995, Croatia and Federal Republic of Yugoslavia, under auspices of the Contact Group and thanks to great endeavors of Richard Holbrooke, officially recognized BiH in its existing borders and foreign ministers of Croatia, Serbia and Bosnia agreed upon dividing BiH into two entities Republika Srpska (RS) and Federation of Bosnia-Herzegovina (FBiH) and with the 51:49 parameter of the Contact Group to be part of negotiations of the new agreement. The two new entities would also be allowed to establish relationships with their neighbours but not to endanger the integrity of BiH and would be bound to respect international standards of human rights (US Department of State Dispatch, Sept 11, 1995)

The details of the Geneva agreement were negotiated by the leaders of Croatia (Tudjman), Bosnia (Izetbegović) and Serbia (Milošević) during the talks (which started on November 1, 1995) at Air Wright Patterson Base in Dayton, Ohio, USA. Among the remaining issues were primarily the territorial disputes. The main problem areas became the territory around Sarajevo, Goražde corridor and the Brčko District (Sciolino, 1995). The 3 leaders finally found a compromise and agreed on the stipulations of the Dayton Agreement on November 21, 1995 and the agreement was officially acknowledged by signatures on December 14, 1995

B. Dayton Peace Agreement in General

Dayton peace agreement is composed of the General Framework Agreement and 11 annexes. The General Framework Agreement is basically confirming that BiH, Croatia and the Federal Republic of Yugoslavia (now Serbia) respect their mutual sovereignty and current borders and that any disputes arising between their countries would be solved peacefully. They also acknowledge fulfilling their commitments as set in the annexes, including respecting humans rights and also rights of refugees and people who were left without their homes due to the war conflict. The parties also agree to coordinate implementation of the peace settlement among them, for example, also investigating and prosecuting the war crimes together with an international community such as UN Security Council, European Union and others involved (Umn.edu, 1995).

The annexes are divided as follows: Annex 1-A: Military Aspects, Annex 1-B: Regional Stabilization, Annex 2: Inter Entity Boundary, Annex 3: Election, Annex 4: Constitution, Annex 5: Arbitration, Annex 6: Human Rights, Annex 7: Refugees and Displaced Persons, Annex 8: Commission to Preserve National Monuments, Annex 9:

BiH Public Corporations, Annex 10: Civilian Implementation and finally Annex 11: International Police Task force (Ohr.int, 2007).

C. Dayton Peace Agreement – Annexes

The details of the General Framework Agreement are stipulated in the very annexes. According to the Dayton Peace Agreement (DPA) the parties “welcome and endorse” these stipulations.

Annex 1-A - deals with the “Military Aspects” of the agreement. The accord is first and foremost stipulating that it will ensure stopping arms. Creating ceasefire was thus a necessary precondition towards negotiating further aspects of the peace agreement. This annex also confirms that the parties must move their militaries so that they do not touch the zone of separation (4 kilometers from the zone). Special requirements were also set for Sarajevo and Goražde. As for Sarajevo, for example, the parties were asked to withdraw from the ceasefire zone within 30 days. In Goražde, parties, for instance, agreed that the 2 interim roads will be shared by both entities until the new main route is constructed in the corridor leading to Goražde (Ohr.int, 2007). Another important part of this annex is the approval of a multinational military Implementation Force (known as IFOR) with NATO command and authorized by UN. The role of IFOR was supposed to watch for compliance with the agreement on military aspects. The DPA also stipulated that the IFOR will have a right to use force if necessary and it had unlimited freedom of movement over territory of BiH. It also created a joint military commission, excluding war criminals, which became a central authority to which information e.g. on mines was to be reported or any remaining guns were to be returned.

Annex 1-B – called “Regional Stabilization” has required both entities, including also Croatia and Federal Republic of Yugoslavia (now Serbia) to start cooperating

with the Organization for Security and Cooperation in Europe (OSCE) and notify about any military activities. The main aim of this was to stabilize the tense situation in the whole region of former Yugoslavia, reducing import of the heavy weapons and also decreasing the number of the military equipment. OSCE was given a task to monitor this and if not complied with, the force was to be used.

Annex 2 – sets the “Inter-Entity Boundary” between Federation of Bosnia-Herzegovina (FBiH) and Republika Srpska (RS). The boundary is allowed to be altered but only with consent of both entities. DPA also acknowledges that Sarajevo will become a part of the FBiH (today, canton number 9 on the image #5 below) but will be open to all 3 ethnics of BiH. Goražde will be open and accessible to all 3 ethnics but will be a part of FBiH entity territory connected to it by a land corridor (today, Bosna Podrinje Canton, number 5 on the image #5 below). Article V. of the Annex 2 also deals with the issue of the Brčko District which became a disputed territory claimed by all 3 ethnics. DPA demanded that the status of this district was to be determined by arbitration in one year period. This annex also includes maps that were to be acknowledged by all parties to this agreement.

The Administrative and Ethnic Map of BiH as Set Forth by Dayton

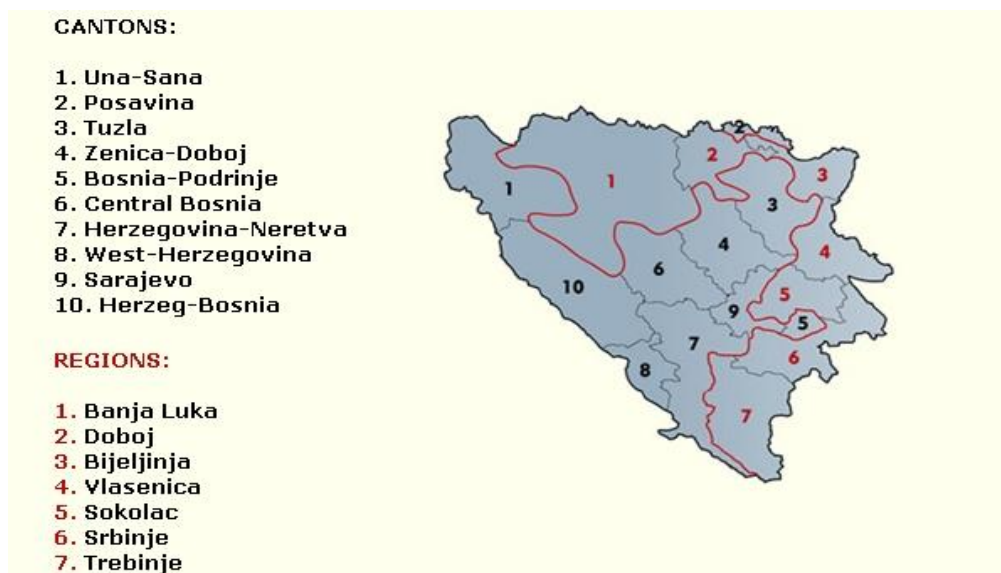


Image #5. Source: www.unhcr.ba

Annex 3 - stipulated that free and fair “Elections” were to be held within six up to nine months for the Presidency and House of Representatives of BiH, for the House of Representatives of FBiH and National Assembly and Presidency of RS. The annex also stipulates that those eligible for voting are also refugees and displaced persons. Elections are conditioned by granting the freedom of expression and the press. The established OSCE was to monitor the course of these elections.

Annex 4 – “The Constitution of BiH” – it, in general, sets the framework of functioning of the state of Bosnia-Herzegovina, which becomes an official name for the country. It grants Bosnia-Herzegovina to exist as a sovereign state with its pre-war borders remaining unchanged, having common state symbols and the capital city of Sarajevo. The constitution also reaffirms the existence of the two entities – Federation of Bosnia-Herzegovina and Republika Srpska and their rights and responsibilities. Among them, for example, the right to establish parallel relationship with neighboring states. It incorporates clauses ensuring protection of human rights and the basic freedoms such as the freedom of movement of people, goods, capital and services within the entire territory of BiH and not only in entities. The constitution also stipulates the structure of the central government and its responsibilities and spheres of control (the government structure will be discussed more in depth later in this thesis). It further provides the rules for holding elections at the presidential and parliamentary level. The constitution moreover prohibits any person accused of war crimes or a person who failed to comply with DPA provisions to stand as a candidate in the elections. Finally, it also details the establishment of the central institutions such as a Central Bank and monetary system and military coordination between the entities (Ohr.int, 2007).

Annex 5 – establishes Arbitration which will decide upon any controversies should they arise between FBiH and RS.

Annex 6 – addresses guaranteeing the “Human Rights” as founded by international community and that is for all people of BiH. It also sets up the post of Ombudsman who is to review and inquire into any violations of human rights and helps solve disputes. It also establishes Human Rights Chamber responsible for hearing and deciding on human rights claims. The human rights maintenance is further to be monitored by international community agencies such as the ones of UN or OSCE and others.

Annex 7 – reviews “Refugees and Displaced Persons”, granting them right to come back to their original place of residence, without being harassed by the other ethnics, and to be able to obtain or to be compensated for their lost property. Similarly as with the human rights it established the Commission for Displaced Persons and Refugees, the body that is in charge of dealing with the issue of e.g. lost property and compensation.

Annex 8 – sets up a “Commission to Preserve National Monuments”. The aim of this body is to preserve the places of historical interest, e.g. Mosques, (Orthodox) Churches around BiH and other objects that have been subject to damage in the war period and make sure that these are repaired and preserved as national monuments. It is to employ professionals in this area and the costs for financing its functioning are to be born by both entities equally.

Annex 9 – founds “Bosnia-Herzegovina Public Corporations” such as common transportation facilities, including rail/road communications and airports. It also establishes common utilities and postal services, for instance.

Annex 10 – called as “Civilian Implementation”. This annex is creating the Office of High Representative (OHR) which main role is to coordinate, report periodically on progress and enforce civilian stipulations of DPA. Among them, for example, reconstruction of the country, protecting the rights citizens of BiH and holding free elections. The office is to also maintain close contact with the party members ensuring that they do follow the provisions of DPA and do not employ nor cooperate with any individuals accused of war crimes. The high representative being the head of the OHR is in addition to remain in close contact with IFOR commander. The representative is also to coordinate and assist to the office and the Commissioner for the International Police Task Force, as set in the annex 11 – whose aim is to provide danger-free environment for all the citizens of BiH, by monitoring the situation, training people on law enforcement and addressing the non-compliance (Ohr.int, 2007)

D. Constitutional Court Rulings

Together with the office of High Representation, the Constitutional court and its rulings over the time are said to have had the most important role for integration of the territory, unlike the federal government which has earned a reputation for being relatively weak, lacking enough powers. It should be noted however that oftentimes there was a pressure exercised by the Office of High Representation on the court to act (Marco, 2005).

For the first time, it was in 1998, when constitutional court acted against disintegrative tendencies. In case U-5/98 decision, it prompted both RS and FbiH to adjust the stipulations of entity constitutions in accordance with the Dayton one. This meant that 20 provisions, among them for example official languages, status of Orthodox Church, authority of the entities presidents over armed forces,

were declared as not complying with Dayton constitution (Sluzebni Glasnik BiH, No. 11/2000).

It, for instance, in case U-1/99, ruled that ethnically divided co-chairs cannot appoint ministers (Ccbh.ba, 2010).

There have been also tendencies by entities to amend their own constitutions contrary to Dayton. Such amendments included clauses providing ethnic representation and representation of others or possibility to block the entire decision making process at the expense of the state. The Constitutional court again tried to mitigate these, specifically in rulings of cases U 2/04, 8/04 and 44/01. In 2/04, the draft bill amending the law on refugees and displaced persons was declared to be anti-constitutional and the court ruled that it is necessary to grant a return of displaced refugees to their original homes to allow for multi-ethnic society. In the case U 8/04, the court ruled, and to help de-block work of Parliamentary assembly that it is not acceptable for one group to dominate and that efficient participation of all constituent people is vital.

In this case the Constitutional court made also a ruling on the Proposal of a framework law on BIH higher education. The court classified this proposal as against the constitution due to the fact that the requestors of this bill included only a stipulation about Croatian language but did not allow for other languages to be used also if there are other BiH ethnics attending a high school (Ccbh.ba, 2010).

Another significant ruling limiting powers of entities was the case U 44/01, where constitutional court declared renaming Bosnian cities and municipalities by Republika Srpska representatives with Serb suffix as unconstitutional and discriminatory (Glasnik BiH, No. 18/04).

Similarly in 2009, in reference to case UV-2/09, the Constitutional Court ruled that the removal of prefix of “Bosnian” in Republika Srpska municipalities Brod and Kostajnica (rejected by Bosniak community appellants), is not unlawful, on the grounds that adjective “Bosnian” does not relate to any constituent people of BiH. The omission of this prefix thus, according to the Court, does not represent any discrimination to constituent people (Ccbh.com, AP 2821/09)

The Constitutional Court has powers to make rulings that are according to the existing Dayton federal constitution. As already known however, the constitution by itself has been criticised to have many flaws and the European Union called many of its passages as still discriminatory and improper. One flaw is for example treatment of ethnic minorities, other than Bosniaks, Serbs and Croats. A few months ago representatives of Jewish and Romany ethnic minority groups protested and demanded changes of the constitution to allow for representation of all minorities to run for tripartite presidency and parliament (Alic, 2010). Just recently, the Council of Europe, where BiH is a member of, warned that if there are not changes done to the constitution with regards to minority rights, it may be excluded from the council. The same stance was taken by the EU itself putting pressure on BiH to start working on the changes of its constitution if it wants to gain a candidate status of the EU.

E. Summary of Europeanization in Constitutional Development of BiH

In spite of the everpresent rivalries between BiH entity politicians and threats of the RS to secede from Bosnia-Herzegovina, if its status within the BiH is diminished at the expense of the stronger central institutions, both FBiH and RS have the same objective and that is to become a member of the EU. Europeanization thus plays a major role in shaping BiH politics these days. RS, for instance, realizes that if their entity is to become a member of the European family they must do so as part of BiH and not without it because the EU conditions this entry on BiH entering the EU (if it fulfills the accession criteria) as a single state and already used a negative conditionality when RS politicians resisted creation of the stronger central institutions-being part of the required constitutional reform. EU is simply unwilling to move forward with accession negotiations unless BiH politicians will show at least some efforts to introduce constitutional reforms. The current RS president (previously PM) Milorad Dodik, recently confirmed that the RS wants to join the EU alongside with BiH in the letter to the EU High Representative on Foreign Affairs representative Catherine Ashton, who previously advised her concern over Milorad Dodik's secessionist rhetoric. Quoting part of Dodik's words in this letter, "My government is committed to having a cooperative relationship with the European Union as BiH continues on the path of EU integration" (Vladars.net; Official Letter to Baroness Catherine Ashton, April 2010). This further signifies that Europeanization in general is a major factor shaping the near future development in BiH. Furthermore the parallel Europeanization process in the neighboring Croatia and Serbia also makes the local Croat and Serb politicians unwilling to slow down their accession process into the EU

by directly involving in the internal politics of BiH by supporting the nationalistic rhetoric of the local politicians nor even accepting the break up of the Bosnian state.

Despite the unwillingness of, particularly RS politicians, to initiate further constitutional reforms and create stronger central institutions (and unwillingness of the previous Bosniak presidency under Haris Siljadžić to seek for a compromise solution with RS), the effect of Europeanization with regards to constitutional development of BiH have not been insignificant however.

The very Dayton Peace Agreement that is de facto the constitution of BiH, specifically the Annex 4, is in line with the Europeanization concept. The stipulations of the Dayton agreement, even though devised by American peace negotiation team, incorporates several requirements that are pre-requisite items for EU to even begin the accession talks. Among them for example right to hold democratic and fair elections, ensuring protection of human rights and basic freedoms such as freedom of movement of people, goods, capital and services in the whole BiH territory, right for refugees to return to their original homes not matter whether these are in FBiH or RS. The agreement also establishes central institutions, among them e.g. central bank and requires military coordination between the entities – these are again pre-requisites of the EU in the negotiation process with BiH.

Moreover the stipulations of the Dayton Peace agreement have been monitored, if adhered to, by the Office of High Representative, which is argued to have been practically running Bosnia-Herzegovina alongside with the central government and tripartite presidency. The high representative is also referred to as EU special representative (EUSR), representing both the international community and EU in BiH.

The reputation of the High Representative has not however been flawless. Even if the role of the OHR (Office of High Representative) is to work towards transforming BiH, many of their decisions have not been accepted across the entire BiH. One of the most disputed powers of OHR are the so called Bonn Powers. Here the high representative has, for example, a right to sack legitimately elected leaders if they act contrary to the stipulations of the Dayton Peace Agreement, but is argued to lack legitimacy for such strong involvement (Lajh& Krašovec, 2007).

Despite being criticised, OHR carries on with the top-down form of Europeanization. OHR has been regularly releasing statements to all Bosnians that only the EU membership can secure their better future and do away with all the wrongdoings of the past (Ritter, 2008). No matter how unpopular the OHR has been in BiH, it has been a body through which also the financial aid coming from the EU has been coordinated and thus being a body assuring the implementation of Europeanization in BiH. The European symbolism was also, for example, tied to the referendum which was called at the occasion of passing the common election law of BiH in 1999. People in the referendum were shown many images among them catchwords as “The Way into Europe depends on You” (Coles, 2001).

Perhaps the most important evidence of Europeanization pattern in BiH are undoubtedly the numerous Constitutional court of BiH rulings that have had important role on integration of the territory required by the EU. Among these, for example, the Constitutional court, already in 1998, prompted both RS and FBiH to adjust the wording of their entity constitutions in accordance with the Dayton one as they were not in compliance (Sluzebni Glasnik BiH, No. 11/2000)

Similarly the entities were trying to amend their constitutions according to what was for their advantage. Such amendments were e.g. blocking of the voting process at the expense of the central state level. Constitutional court acted similarly here and classified these as unconstitutional.

Conceivably the most significant decision of the Constitutional court was to guarantee the return of the refugees to their original homes – one of the main prerequisites of the EU – free movement of people and respecting human rights. This was done in refusing the bill amending the law on refugees (2/04), which the court deemed insufficient and still contrary to the constitution of BiH.

Another example was the discriminatory wording was the framework law on BiH higher education where the party submitting this proposal included only Croation language and did not allow for other languages to be used parallely if different ethnics attend the school (Ccbh.ba, 2010).

Last example with regards to Europeanization in constitutional development of BiH is the recent statement of the Council of Europe, reacting to the complaints of other ethnic minority groups (e.g. Roma and Jews in this case), threatening that if BiH does not change its constitution to allow for even more equal representation of the ethnics, it may be excluded from the Council (Alic, 2010).

IV. Political Process

A. Dayton Agreement and Reality – Analysis

The signing of Dayton agreement can be said to be more of a compromise than a success for all its parties. If this agreement is to be praised it, for sure, deserves it for brining a permanent peace or better put “permanent ceasefire” – at least for the time being since an escalation of any new conflict cannot yet be ruled out. The annexes 1-

A and 1-B were successfully fulfilled. It was about more than 55,000 of soldiers of international units of IFOR which entered the territory of BiH to ensure the permanent ceasefire and return of weapons. Also in about one month period after the official stop of the war all foreign military units withdrew from BiH (Hladký, 2006: 295) For now, the DPA indeed helped BiH to bring elements of stability into the country. Most of the damaged infrastructure has been repaired and almost half of the people who were forced out of their original homes returned. (Bieber, 2006:43). Hence the Annex 7 has been also followed to some extent (the thesis deals with this issue more in depth in section “Ethnic returns”). Political and Ethnic violence has been reduced to minimum and no longer destabilizes the country. However the problem is that none of parties to war be they Bosnian Serbs, Croats and Bosniaks are entirely satisfied with the result of the negotiations. The political arrangement and ethnic division as set by Dayton does not really support the creation of unitary and more efficient BiH but rather, by contrasts, paves way towards a partition and ethnic apartheid (Caplan, 2000: 213). Dayton Agreement also stresses ethnic and not civic principals of political arrangement (Caplan, 2000: 222). Critics of the DPA argue that the agreement contains elements of utopia and makes it impossible to unite ethnicities who support irredentism than be willing to build a common Bosnian nation (Gerry, 2001). The willingness of, for example, Bosniaks and Croats to fully comply and recognize the agreement is not completely easy. Bosniaks, for example, who have always advocated a unitary Bosnian state, had to sign an agreement which in contrary gave a green light to a nearly confederal territory whereby the Bosniaks (the largest ethnic) lost their control over the entire territory of Bosnia at the expense of establishing of Republika Srpska and are even partly losing control over the cantons with Croat majority in Federation of BiH – the common territory of Bosniaks and Croats. The Croats

themselves, paradoxically, feel domination by Bosniaks in FBiH and HDZ of BiH have many times suggested a creation of a separate third entity to be able to better preserve their autonomy within BiH – so revising the map set by the Dayton. The party for which the DPA brings benefits is arguably the RS as the Dayton made it possible for Bosnian Serbs to achieve the international legitimacy they demanded at the outset of the war in BiH (Caplan 2000: 219). Bosnian Serbs have been, for example, the only ethnic celebrating, to a certain extent, the signature of the DPA and are unwilling to revise the stipulations of it fearing that their special status autonomy would be endangered by the very attempts to reform the agreement. Despite the criticism however the DPA gave the two entities an exceptional autonomy and self rule not possible before. Nevertheless, even though the entities are relatively free, and BiH is a quasi-confederal state it is still an international protectorate, which should be kept in mind (Cabada, 2007: 108). The international community, namely the Office of High Representation (OHR) has in many ways transformed or amended the DPA to its political goal of further centralizing BiH to the dislike of particularly Bosnian Serbs and Croats (Tzifakis, 1997: 96). To further analyze situation in the post Dayton BiH it is important to look at the political structure of the state of BiH as defined by the constitution (and being part of DPA) and at political/administrative division of BiH territory.

B. BiH State Structure and Political Division

The above Caplan's criticism that the DPA has created rather an ethnic than civic arrangement is particularly true when one looks at the structure of the BiH state. The powers of each entity, particularly Republika Srpska further leave the possibility of partition still open. Despite the fact that BiH is often referred to as being a confederation state (and it indeed can be argued to be in some ways) is it nevertheless

a federal unit. The reason for this is that if BiH was to be really looked upon as a confederation, the international community such as the EU and other institutions would be dealing with BiH entities separately and this is not happening (Cabada, 2007: 109). It is still the federal government that is the main contact body for the international community.

Image #6, below, reveals the whole structure of BiH state.

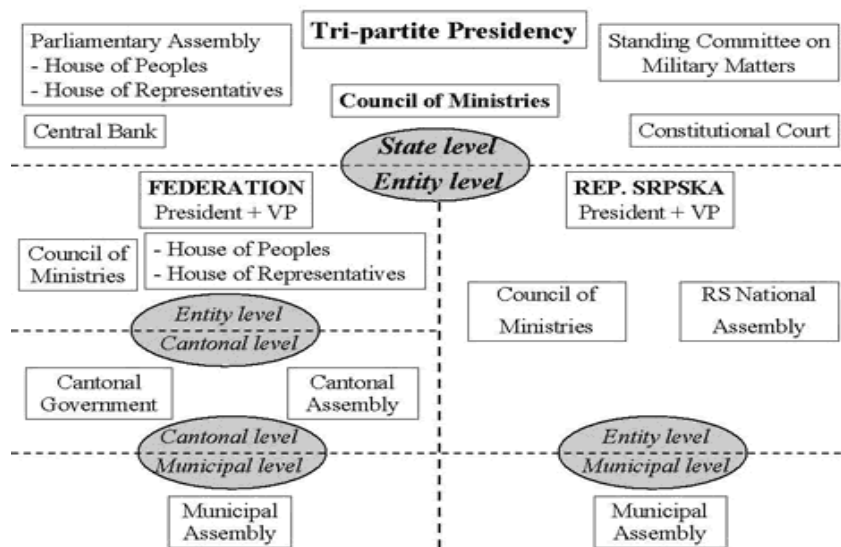


Image #6. Source: www.nato.int/sfor

The structure of the Bosnian state is set in the constitution of BiH under article 4. The constitution is paradoxically not only the result of the work of the local BiH nationals but also reflects heavily the work of US government lawyers, particularly the article 4 (Bose 2002: 61). This only suggests and confirms that the state structure of BiH was forced upon the nations of BiH to some extent.

The federal arrangement is rather different from the classic federation in a way that particularly as far as the presidency is concerned, there are actually 3 presidents controlling the country (image #6 above – tripartite presidency). To be more specific the chair of the presidency rotates among three members each of them representing the Bosnian ethnic (e.g. Bosniak, Serb and Croat) where each is elected for a 8- month

term with the total presidency mandate being 4 years. The presidents are directly elected by the people of each entity – that is by the entities Bosnia-Herzegovina is composed of – the Federation of Bosnia-Herzegovina (FBiH) and Republika Srpska (RS). The latest 2010 elections confirmed as rotating president Željko Komšić (Croat) Nebojša Radmanović (Serb) Bakir Izetbeković (Bosniak) (Predsjednistvobih.ba, 2010). Despite the direct election of the presidential candidates, there is nevertheless, contrary to the BiH constitution, a discrimination against Serbian candidates in FBiH and Bosniak and Croat ones in RS (Europeanforum.net, 2008). Therefore, the election is clearly along the ethnic and not civic lines as the BiH constitution requires. In addition to the rotating presidency, Bosnia has got also a federal government known as a “Council of Ministers”, headed by Nikola Špirić. The powers of the federal government are rather weak though. The federal government is only responsible for affairs such as foreign policy, foreign trade, customs policy, monetary policy (with internationally supervised Central Bank), immigration, refugee and asylum policy. The only main progress (except for the recently approved Police Reform) made was in the area of the common army which after long and protracted negotiations was formed in 2006 and this is at this point of time probably the only major success in the federal government trying to draw more attention on its existence. What is however interesting is that the article 3 of the BiH constitution stipulates that the entities (FBiH and RS) can transfer their competencies into the federal level and thus make it stronger. So the BiH constitution encourages the central state in some ways. The reality is of course different and the entities (with exception of the Bosniaks who would gladly see the stronger central rule), particularly Serbs and also Croats are distrustful towards the central institutions which are considered to be Bosniak/Muslim dominated (Cabada, 2007:109). Besides the government and the presidency there is

of course also a parliament called Parliamentary Assembly of Bosnia-Herzegovina. It is divided into the House of Representatives (42 members – 28 from FBiH and 14 from RS) and House of Peoples (15 delegates, 5 from each ethnic) (Bose, 2002: 60). The responsibilities of these two chambers are not very significant but important. They include, for example, approving of the state budget, ratification of international treaties and implementations of the decisions reached by the federal government. Both chambers had to also, for example, give a greenlight to the Police Reform package approved 2 years ago. Despite the roles of the Parliament are not so insignificant, the parliament itself works inefficiently. Decisions are always taken based on the presence of the members of the parliament, and if any law is viewed as harmful to the national interests, each ethnic can veto and thus block such legislation. It is thus rather entity parliaments which decide if the law has got a chance of getting at the federal level. The recent example (before the compromise was found in 2008) illustrating this was when the RS parliament vetoed of the police and institutional reform package fearing it would endanger the existence of their “mini-state” (Moore, 2007). The striking example of the low status of the federal political arrangement (central institutions) is the allocation of the budget towards it. According to Paul B Spahn, for example, the budget of 2001 allocated only 1.3% to Federal Government of Bosnia and Herzegovina and the rest nearly 99% went to the entities moreover strangely allocated in ratio 3:1 (FBiH, RS respectively) (Cabada, 2007: 112).

Surprisingly and paradoxically, the strongest institution at the federal level is argued to be the Constitutional Court of BiH. It consists of 9 judges, 6 of them from BiH (2 Bosniaks, 2 Croats, 2 Serbs), and 3 of them are appointed by the president of the European Court of Human rights after him/her consulting it with tripartite presidency (Bose, 2002: 65). This only adds to the arguments that Dayton agreement did indeed

create an international protectorate in BiH since the members of the Bosnian state structure are also foreigners. The Court is to guarantee that the stipulation of the BiH constitution will be kept. The strength of the Court is that unlike the parliament, the voting is based on majority rather than on consensus. This thus does not allow for any blockade of a decision as it is common in the Assembly. For example, in 2000 (at the request of Alija Izetbegović) the Constitutional Court ruled that both Constitutions of entities included stipulations contrary to the Federal Constitution – i.e. They did not include statements that all ethnics in FBiH and RS will be treated equally (Bose, 2002: 66). The constitution of RS, for example, only included mention that the RS is a state of Serbs and others – and there was no mention about equality. The both entities had to thus rectify this and the ruling of the federal Constitutional Court was thus binding. Influenced by this decision, there was also an agreement by 8 representatives of the most significant political parties including the Office of High Representation (OHR) to modify the DPA to include the so called Sarajevo Agreement (of March 27, 2002), whereby all BiH nations would be represented in the institutional sphere of entities' personal politics. The decision of the Constitutional Court also created the “magic formula” for filling out the ministries in both FBiH and RS in ratio of 8:5:3. Therefore in FBiH 8 Bosniak, 5 Croat and 3 Serb ministers and in RS 8 Serb, 5 Bosniak and 3 Croat ministers (Kasum, 2006). In spite of this however, the entities do enjoy the greatest autonomy which any autonomous region in Europe, for example, can only dream of.

C. Entities' structure

As for the entities, they both have also their own president, government (called also Council of Ministers) and parliament (FBiH – House of Peoples and House of

Representatives and RS National Assembly of RS) and entity symbols and RS moreover uses the official Serbian anthem – to show allegiance and historic roots to mother Serbia. In FBiH, the posts are divided by two ethnicities, where the president is Croat (Borjana Krišto), and prime minister is Bosniak (Mustafa Mujezinović) (Fbihvlada.gov.ba, 2010). Republika Srpska is composed of only one ethnic – Serbs, the president (Milorad Dodik) and the Prime Minister (Aleksandar Dzombić) (Vladars.net, 2010). However the 2 vice-presidents of RS are Bosniak (Enes Suljkanović) and Croat (Emil Vlajki). In 2003, RS had to also establish (based on demand of BiH Constitutional Court for maintenance of equality of nations in BiH) the second chamber of parliament called The Council of Nations (Hladký, 2006: 300). The competencies of these entities are much wider, they are responsible for entire internal affairs, including own police forces, postal offices, FBiH and RS telecommunication operators. They both have also their own constitution. For example the constitution of the RS closely resembles the constitution of the sovereign state. The notion of sovereignty is also reinforced by the parallel relationship both entities can establish with its neighbors referring to of course to Croatia and Serbia (Bose, 2005: 68). Such competencies suggest how powerful the entities are and how symbolic the federal government is. For instance, the RS constitution has even a clause which says that if enactments of institutions of Bosnia-Herzegovina and those of FBiH are in contravention with the constitution of RS, it can pass provisional enactments to protect its interests until the Federal Constitutional Court will decide on the dispute (Bose, 2002: 68). What's more, the RS representatives have never really ended the rhetoric of RS to become an independent state or part of Serbia, if the situation would necessitate it, in the future. Nevertheless the recent compromise over the Police reform indicates that it is not likely to happen in the near future. RS has

been indirectly also supporting Serbia. FBiH is further divided into 10 Cantons (each with self-government headed by prime minister and cantonal assembly; the Cantons will be discussed more in depth in the section of “Administrative and Ethnic division of FBiH and RS”).

It should not be forgotten to mention that BiH state structure also includes the once disputed territory between FBiH and RS, district of Brčko. In 1999/2000, the international arbitrary body decided that the town will not be controlled by the RS as before but will become an special district. Brčko now belongs to both FBiH and RS. It is thus both entities nations that govern the town. The district is headed by an international supervisor, currently Raffi Gregorian (Ohr.int, 2008). The voters in District of Brčko (BD) have the same voting rights as all the other citizens of BiH, however to be able to vote they themselves have to decide if they want to vote as citizens of FBiH or RS (Kasum, 2006).

The running of BiH state is a very costly affair. To summarize, BiH does have 13 constitutions. They include one (con)-federal, two entity ones and 10 cantonal ones, they all create 13 parliaments with nearly 700 hundred members of parliament (Cabada, 2007: 112). In total, there are 124 ministries (most of them in FBiH) and the administration is 4 times as higher than the average of the EU! (Kasum, 2005: 14).

D . International Supervision

As BiH is still an internationally supervised state, the federal and entities governments are controlled by the Office of High Representative (and EU special representative), the post crated by the Dayton Peace Agreement, whose original

purpose was to oversee the implementation of this agreement. This supervision was supposed to be ended already by mid of 2008 but due to still relative tension and unresolved constitutional reform it is still in place, with the official title changed to European Union's special representation. The main reason for this extension was to prepare grounds for proceeding with Bosnia-Herzegovina future membership in the EU. EU Special Representative (EUSR), as this post is also referred to now, is, in line with Europeanization process in BiH, setting forth goals and conditions for BiH to achieve an EU candidate country status. The current EU representative is an Austrian diplomat Valentin Inzko (Ohr.int, 2010). His particular role is to not only oversee if the Dayton agreement is complied with but also trying to find ways how to make the institutions of Bosnia-Herzegovina more effective and less expensive. It is important to mention that the powers of the High Representative (HR) were significantly increased by the so called "Bonn Powers" in 1997. These powers made it possible for the High Representative to call off any BiH politicians from their posts, no matter which office they represent. Furthermore, they allow the HR to freeze the accounts of those politicians which would try to sabotage the stipulations of the DPA. What is however dangerous for the process of democratic development of Bosnia is the powers of HR in the legal area which made it possible for the HR to avoid the democratic process in BiH (Kasum, 2006). For example in 2004, HR Paddy Ashdown fired leading politicians from their office as they disagreed with HR and RS political goals. Ashdown, for example, froze financing to the entire SDS party and fired 59 SDS officials (Europeanforum.net, 2008).

E .Administrative Division of FBiH and RS

Administratively but also ethnically (with exception of FBiH’s mixed cantons), BiH, as depicted on the image # 7 (next page), is divided among the two main entities - Federation of Bosnia and Herzegovina (FBiH –green-yellow-blue part on the map) and Republika Srpska (RS- red part on the map) and the District of Brčko, whose control is shared by both FBiH and RS but also an international community.

Republika Srpska is composed mainly of ethnic Serbs (89%), but there are of course Bosniak (10%) and Croat minorities (0,7%) and remaining percentage of others in its territory (Mujanović, 2008). Overall it is nevertheless ethnically very “clean” territory. It is composed of 7 main regions (see image #5) with municipalities which are directly responsible to Banja Luka central government. The municipalities are thus not autonomous units but carry out administrative tasks and implement directions from Banja Luka (Bose, 2002: 74).



Image #7, Source: www.ohr.int

FBiH is rather a complex federation within the federation. The federation is based on the so called “consociational” model which aims to maintain functional governance in otherwise deeply divided territory. The principle of parity and opinion consensus of this model makes the functioning of federation very uneasy though (Hladký, 2006: 301).

According to 2002 census, Federation as a whole is composed of 80% of Bosniaks, 17% of Croats and 2.4% of Serbs and 0.6% of other ethnics (Mujanović, 2008).

FBiH It is divided into 10 Cantons. Five of these Cantons are Bosniak majority ones (Una Sana, Tuzla Podrinje, Zenica Doboje, Sarajevo and Bosna Podrinje), 3 of them are Croat majority ones (Posavina, West Herzegovina, Herceg-Bosna (correctly referred to as Livno or Canton 10)). The remaining 2 cantons are (Central Bosnia and Herzegovina-Neretva Canton) mixed with the Croats and Bosniaks living there together (S.L.Burg & Paul S.Shoup, 2000: 376). The cohabitation of the main ethnics is however still not easy in FBiH. When, as already mentioned, in 1993 the Herceg-Bosna Community and later Republic was created (in reaction to the establishment of the Republika Srpska; today Herceg-Bosna is not recognized but notoriously known for the atrocities made to Bosniaks) with the aim of freeing the Croats from the Muslim control and with Mate Boban (former leader of Herceg-Bosna), even pondering of merging Herceg-Bosna with Croatia. Mostar, which is the centre of the Herzegovina-Neretva canton and second most significant city after Sarajevo, had experienced the largest massacre and fighting between the very Croats and Muslims and there is also still a minority of the Serbs living in this town. It is thus one of the most susceptible places for the break out of a possible new conflict. Despite the declared unity of FBiH, the cantons tend to be institutionally divided along the ethnic lines. For example, there are separate Bosniak and Croat postal system, separate

Bosniak and Croat telecoms. Even the police forces are separated on the ethnic lines. The police forces from FBiH are now forbidden to enter into the RS entity and Republika Srpska's police cannot cross the interentity border into FBiH. There are about 13 separate and independent structures of police forces at the level of the entities, cantons and even the district of Brčko (Siegl, 2005: 9).

F .Ethnic Division of FBiH and RS

Even though the used map (on the next page) is dated from 1998, the general ethnic composition and location of Bosnia in 2008 remains nearly the same because the ethnic returns have not been so significant. The IEBL (Interentity Boundary Line) as set by Dayton almost perfectly divided Serbs and “citizens” of FBiH (Bosniaks and Croats counted together). The only thing to be noted is the northern part of Livno Canton of FBiH which holds substantial portion of Serbs (approximately 12.4%), who originally belonged to the majority population (see image #1).

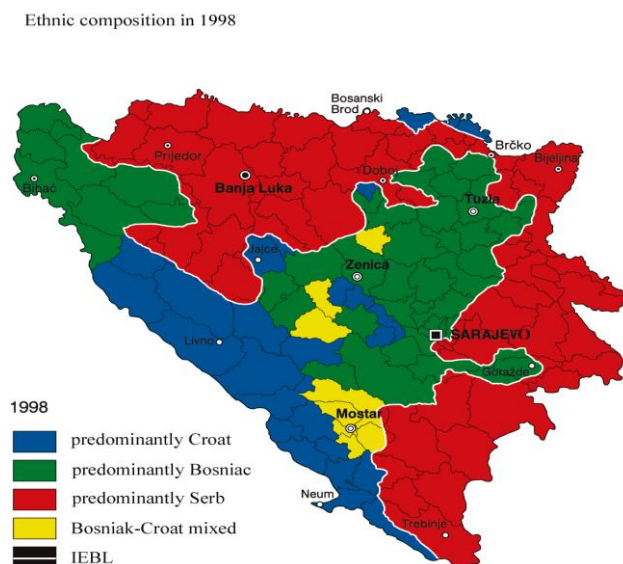


Image #8,

Source: www.ohr.int

As compared however to the ethnic composition from 1991 (image #1), BiH today looks significantly different, particularly the Bosniaks who lost the control over the once Bosniak majority or near majority districts such as Srebrenica, Zvornik,

Doboj and Foča at the expense of RS and were now moved more to the center of BiH. Such ethnic composition rearrangement enabled RS to have a unified and almost uninterrupted territory and makes it much easier to eventually declare and independence or join mother Serbia. Also the usurping of the once Bosniak districts in the east enabled RS to have its eastern border with befriended Serbia. The ethnic mixture on the other hand with Bosniaks and Croats (particularly the 2 mixed cantons) make it very difficult for Croats to declare the third entity, which is still considered by some Croat politicians.

G. Main Political Parties and Actors in BiH (FBiH and RS)

1. Party System in General

The party system of BiH has been influenced by the division of the political scene particularly after the free elections of 1990. Each entity decided to create their own party system but, at the beginning, with domination of only one major party. Among Bosniaks, it was the Party of Democratic Action (SDA), Bosnian Croats - the Croatian Democratic Union of BiH (HDZ BiH) and Bosnian Serbs - the Serb Democratic Party (SDS). During the war, the elections held were not really formal and competitive as these dominant parties each acted along the ethnic and not political lines (Cabada, 2004: 253). It was not until 1996 when the situation finally started to change with new parties beginning to emerge. One of the reasons why was, for example, that many Bosnian Serb politicians could not run for party members due to their status as war criminals. The very SDS was the first party whose unity eroded during the period of 1996-1998. There was a split between M. Krajšnik and B.Plavšić where, for instance, Krajšnik was determined to pursue the politics of animosity towards the West while Plavšić wanted to, on the other hand, cooperate with the West

particularly realizing the extremely bad reputation Bosnian Serbs earned during the war (Cabada, 2004: 254). Another example of party split has been, for instance, the creation of the Party of Bosnia and Herzegovina which had challenged the Party of Democratic Action or the creation of HDZ 1990 which has strived to achieve more equality for Bosnian Croats in BiH blaming HDZ BiH for inactivity in this area.

It is also appropriate to mention that despite the progress in democratization, BiH is not yet completely democratic society because of not fully developed Non-Governmental Organizations sector, which is mainly active only because of the foreign NGOs in BiH. Furthermore, the media and their free expression are still often subject to interference by the entities. In RS, for example, many international observers noticed the uniformity of views in this entity's media ascribing it to political self-censorship (Haraszti, 2007:3). The opposition parties are being discriminated against as the ruling parties control also the system of the courts (Cabada, 2004: 255).

Coming back to the actual parties, the most politically active and historically rooted parties in BiH are thus Party of Democratic Action (SDA), Party for Bosnia and Herzegovina (SzBiH), The Croatian Democratic Union of BiH (HDZ BiH), Serb Democratic Party (SDS), Alliance of Independent Social Democrats (SNDS) and Social Democratic Party (SDP) (Economist Intelligence Unit, 2007). Each party's history and agenda, particularly with regards to future status of BiH is detailed below.

2. SDA

The SDA is a Bosniak party which was founded by Alija Izetbegović in 1990 and has been very popular throughout the 1990s since Izetbegović was a hero politician for Bosniaks (helped BiH to become an independent state and Bosniaks as a nation), similarly as Tudjman for Croats and Milošević for Serbs. Izetbegović did indeed

strived to make Bosniaks less secular and more Islamic (as oftentimes criticized by his opponents, be they be party or ethnic rivals) but he unlike the radical Islamists recognized that Western Civilization is what Bosniaks should also lean on (Malcolm, 1996: 221). Izetbegović also naturally fought against creation of the third Herzeg-Bosna entity since he always strived for more centralized BiH. The SDA started to lose its voters particularly in 2000 elections when it came second because of allegations and later confirmation of having been involved in a corruption (Tzifakis, 2007: 91) Izetbegović was, because of his age, replaced by Sulejman Tihić in 2001. He has been contrary to Izetbegović trying to reduce the influence of Islam and modernize the party to become more center oriented. He has been also open to international community policies in BiH and reconciliation with other ethnics. Even though he was elected in 2002 as Bosniak member of tripartite presidency, he lost this post in 2006 general elections to Haris Siljadžić (SzBiH) because of SDA internal division. Despite this defeat he has nevertheless remained the party leader and SDA secured most seats in parliamentary elections. Currently SDA is a strong supporter of centralization of BiH's institutions, supports BiH membership in the EU and is emphasizing the social policies (Economist Intelligence Unit, 2007). The 2010 elections put SDA back on political agenda, with the son of Alija Izetbeković, Bakir becoming the Bosniak memeber of the rotating Presidency. Sulejman Tihić however remains as the party leader.

3. SzBiH

The SzBiH, or in English the Party for BiH is a largely moderate Bosniak party. Haris Siljadžić, the party leader and also the Bosniak member of tripartite presidency from 2006 to 2010, to a surprise of many, managed to get very close to SDA – SzBiH received 22.16 % of vote and SDA 25.45 % of vote (Izbori.ba, 2008). The party of

Siljadžić's goal is to abolish entities and hence create more centralized BiH. His critics however say that he has not yet put forward any proper plan how to do this (Europeanforum.net, 2008). The SzBiH paradoxically follows similar policies as SDA in cooperating with international community and OHR but downplaying the interests of Serbs and Croats in BiH. At the beginning of April 2008, it was a key party to along with SNSD which helped to push through the Police Reform in BiH parliament (BalkanInsight.com, 2008). Nevertheless despite the efforts to agree on certain aspects of a political reform, Siljadžić has been labeled by many as a person not really willing to seek a compromise, particularly on the constitutional reform, insisting mostly that BiH federal institutions should become more centralized at the expense of the entity ones. This is argued to have been one of the factors, why, primarily, Bosniak voters turned its support back to SDA and its new leader Bakir Izetbeković, calling for greater cooperation and seeking the very compromise with the other ethnics. In 2010 elections SBiH recorded a significant drop of its support, receiving only only 7.25% of the vote (Izbori.ba, 2010).

4. HDZ BiH

The Croatian Democratic Union of BiH (HDZ BiH), also referred to as Community, was officially founded by Franjo Tudjman as the wing of HDZ (Croatian Democratic Union). Today, even though an independent party, it remains still closely in contact with HDZ. The HDZ BiH was originally founded to struggle for seceding from Bosnia and joining Greater Croatia (the once dream of Tudjman). It has been argued that HDZ BiH only accepted the Dayton agreement by seeing economic advantages and military support (Tzifakis, 2007: 94). The HDZ of BiH also was until December 1999 strongly in support of parallel institutions with Croatia supporting the so called Herzeg-Bosna institutions. After Tudjman death and change of government

in Zagreb but also by the intervention of international community (particularly SFOR help), the parallel institutions such as central bank of Herzeg-Bosna were closed down (Tzifakis, 2007: 95). These events lead to the first split of HDZ BiH in 2000 with Krestmir Zubak taking the lead of the party but soon to be “fired” by OHR for his anti FBiH policies and replaced by moderate Bariša Čolak (leader in between 2002-2005). As of 2005, the new leader of HDZ BiH was elected Dragan Čović (becoming also the Croat member of the rotating presidency). He was later paradoxically also fired by Paddy Ashdown (OHR) based on allegation of misuse of the office based on financial corruption (Europeanforum.net, 2008). Despite his sacking as the presidency member, he still remained the leader of HDZ BiH until now. The party, under his leadership, was making progress and started, to some extent, support the international community plans for strengthening FBiH institutions and creating, for example common BiH army which came into existence in 2006. The policies of Čović though made some of his party members’ revolt against him and to create their own party in 2006, called HDZ 1990. This new party, lead by Bozo Ljubić, is returning to the original ideals of HDZ BiH including less cooperation with international community and creation of a third Croat Entity in BiH. HDZ has also a support of Croatian HDZ (Economist Intelligence Unit, 2007). Ljubić was (until 2010) the Council minister responsible for Transport and Communication thus having an influence even though his party received only 6.1% of the vote, nevertheless getting into the BiH parliament (Ec.europa.eu, 2008).

HDZ BiH under Dragan Čović, has however, and this could be contributed to losing votes to HDZ 1990, changed its rhetoric towards centralization of BiH and is now advocating also the creation of a third - Croat Entity to allow for equal representation of Bosnian Croats. HDZ BiH despite, they obtained only around 10%

of the vote in 2010 general elections, is still a major political player in FBiH and Milorad Dodik from SNSD now sees HDZ BiH as their potential partner since they find it hard to fully cooperate with multiethnic SDP of BiH for their politics of compromise and not really opposing stronger central institutions of BiH.

5. SDS

SDS, Serbian Democratic Party, was founded by the most controversial person in the entire conflict of BiH and the once most sought after war criminal – Radovan Karadžić in July 1990 and still escaping the justice - Ratko Mladić. Karadžić was the supporter of containment of Yugoslavia and when he realized it is impossible he started to support Milošević in his concept of uniting all Serbs into the so called “Greater Serbia”, as already pointed out in this thesis. Dayton agreement was imposed on the Serbs but they in the end saw Dayton as a possibility for the Serbs to be able to control at least those territories they acquired. It enabled them to be granted a special autonomous status, to keep their identity and because of the lack of clarity, Dayton also made it possible for them to de facto divide Bosnia (Tzifakis, 2007: 92).

The SDS representatives took advantage of the situation and started to populate those areas empty from expelling Bosniaks and Croats (e.g. Srebrenica) by the very Serbs (e.g. expelled from Croatian Krajina) to be able to build a homogenous autonomous territory in BiH. As Dayton banned those who were directly involved in the war from being in the office, Karadžić had to go and was replaced by paradoxically his opponent Biljana Plavšić in 1997 – who later revolted against the corruption practices of the former seat of SDS in Pale and formed her own party and called for new elections in RS in 1998 (Tzifakis, 2007: 93). Plavšić was nevertheless defeated by new leader of SDS who along with the leader of the Serbian Radical Party (SRS RS) – Nikola Poplašen wanted to form a new government. The international

community and OHR however did not support such government and banned its forming and instead helped the Serb's Peoples Alliance (lead by Milorad Dodik) and a group of smaller parties to form this new government. The reason of banning SDS from office was that in coalition with Serbian Radical Party, RS could not only follow and take advantage of Dayton stipulation for RS but additionally call for a sovereign RS and unification with Serbia since both parties still have this in their agenda and SRS RS supports actions of SDS (Globalsecurity.org, 2008). From 2000, SDS has been constantly on watch by an international community. For example in 2002 about 80 of SDS members were banned to actively participate in politics and their access to money was frozen. The SDS started to be viewed also domestically very negative as trying not to cooperate and fulfill the Dayton requirements (Economist Intelligence Unit, 2007). Strangely enough, the new leader of SDS from 2004 Dragan Čavić was later accused of recognizing the crimes in Srebrenica and working too much with an international community and lost the 2006 elections to Milorad Dodik (from SNDS), who has been commonly known as a moderate but turned 2006 election campaign along totally nationalistic card – promising even a referendum about an independent RS (Tzifakis: 2007, 94). SDS is currently headed by Mladen Bosić. Despite SNDS is taking a significant amount of votes from SDS, it has, nevertheless, remained the second strongest party. In 2010, SDS received 22.19 % of the votes in the House of Representatives of BiH (to be precise from RS voters; Izbori.ba, 2010).

6. SNDS

While until 2006, it was the nationalist parties (e.g. SDS, SDA and HDZ) who were dominating parties the 2006 elections changed the situation completely. The reason was the emergence of the SNDS (Alliance of Independent Social Democrats)

lead by Milorad Dodik (Keil, 2006). In the October 1 general elections to the Assembly of RS, SNSD obtained 46.9 percent of vote as compared to e.g. SDS who obtained only 19.4 % (Izbori.ba, 2008). SNSD is thus a relatively new active party in RS and BiH even though Milorad Dodik was already politically active and was the prime minister of RS in the years 1998 – 2000. SNSD is officially western oriented party and wants all 3 ethnics to cooperate among each other. Apart from overwhelming victory in 2006 parliamentary elections, SNSD successfully pushed forward its candidates for the posts of Serb member of BiH rotating presidency – Nebojša Radamović and Milan Jelić became the president of RS.

Even though SNSD is to be argued a pro western party, it was largely influenced by the 2006 elections and fear of losing to SDS and changed its rhetoric towards for becoming more pro independent RS, if the people of RS would wish that in a referendum (Economist Intelligence Unit, 2007). The referendum was not nonetheless held as of now and in December 2007, Dodik, even though originally not agreeing, signed the police reform so much crucial for the effective working of BiH. Thanks also to SNSD and Milorad Dodik, the police reforms were finally approved by BiH parliament on at the beginning of April 2008, which gives a signal that SNSD was willing to retain BiH as one territorial unit. The SNSD again reconfirmed its popularity in the October 3, 2010 elections, with Dodik winning 43.3% of the vote in the federal House of Representatives and unbelievable 50.53% in the RS presidential elections (Izbori.ba, 2010). Unfortunately, Dodik obtained a lot of votes again thanks to his nationalistic rhetoric and a referendum on cession of RS from BiH was gain part of SNSD 2010 manifesto.

7. SDP B&H

Social Democratic Party of BiH (SDP B&H), is unlike the above mentioned parties multiethnic and probably the strongest supporter of centralized Bosnian state with strong institutions and supporting the other Social Democratic parties in Europe. It was founded already in 1909 (but interrupted during the communism) by left wing intellectuals BiH Trade Unions and became a successor of the former Union of Communists of BiH (Globalsecurity.org, 2007). The Social Democratic Party gained most of its support in 2000 general elections by obtaining 21.5% of vote and led the so called Alliance for Change coalition government with other moderate parties. Even though it set itself a lot of goals towards improving the overall situation in BiH it was constantly under a great criticism by the BiH nationalist parties for unfinished reforms and little concern about the ethnics of BiH and too much focus on centralization of Bosnian institutions. The result was that in 2002 general elections it received only 16.5% and it further split because some members of the party wanted to enter into the government with the nationalists. In 2006, it came third behind the SDA and SzBiH with 15% of vote (Economist Intelligence Unit, 2007). The situation completely reversed to SDP B&H during the recent 2010 elections, where on the contrary it received most of the votes in the House of Representatives of BiH (26.07% of the vote from FBiH and 2.96 % in RS, Izbori.ba, 2010) and the party is become the main representative in the central government of BiH.

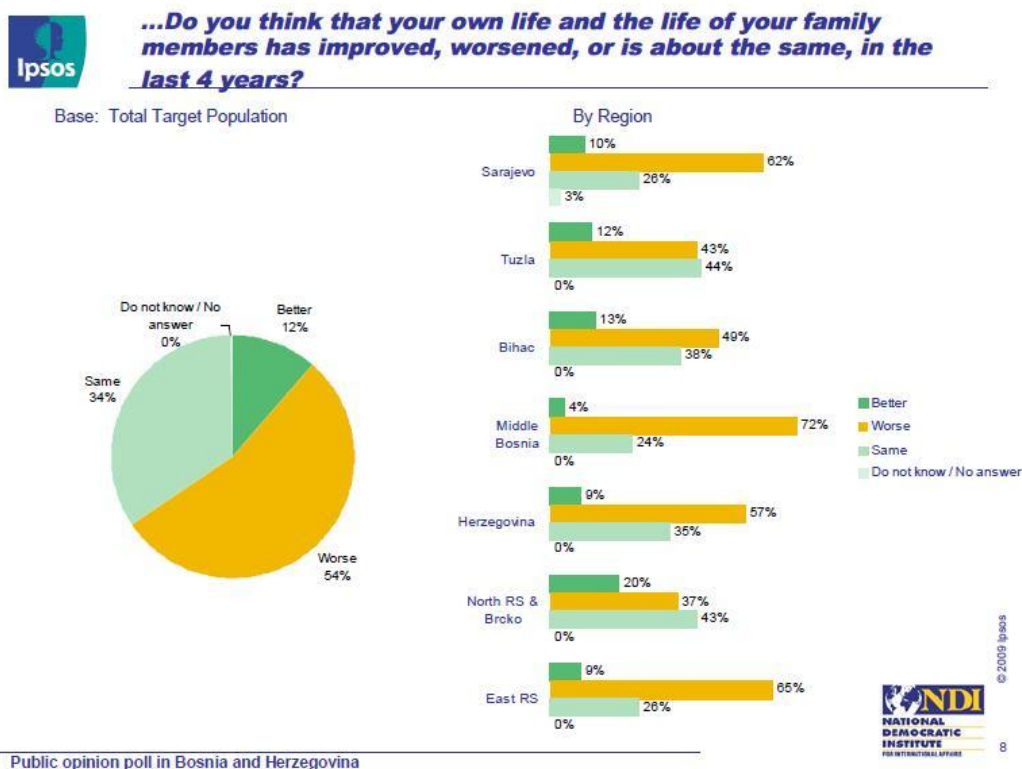
8. Union for a Better Future of BiH (SBB BiH)

in Bosniak Savez za bolju budućnost BiH, is a party that can, particularly, after the 2010 general elections, be placed among the main parties in BiH. This party was formed only in 2009, by Fahrudin Radončić, the founder and owner of the main BiH

daily newspaper Dnevni Avaz. Radončić decided to form this party in order to oust from power Haris Siljadžić, who according to many moderates, unnecessarily lead an overly nationalistic rhetoric and never managed to find a real compromise with Milorad Dodik, particularly to potential constitutional reform of BiH. Even though SBB BiH was to, according to pre-election survey, rank high in the amount of the votes received. It obtained 12.16% of the vote from FBiH and 2.03 % in RS, Izbori.ba, 2010). Nevertheless for it being a brand new party, it scored relatively well. It scored even higher than the HDZ BiH – well established party.

H. 2010 and Past Elections

The Survey of Ipsos, conducted before the 2010 general elections showed the entire dissatisfaction of the BiH public with the economic situation in the country.



Graph#1, Source: www.ndi.org

When the people in different regions of BiH were asked (in the graph #1 above) whether their life in the last election period improved or worsened or is about the same, for most it worsened. In the capital Sarajevo, which tends to be a better off region, for 62% of inhabitants the situation got worse and for only 10% the situation improved. The even worse figures were reported in central Bosnia, which tends to be ethnically mixed region, where nearly 72% of people were dissatisfied with only tiny 4% being happy.

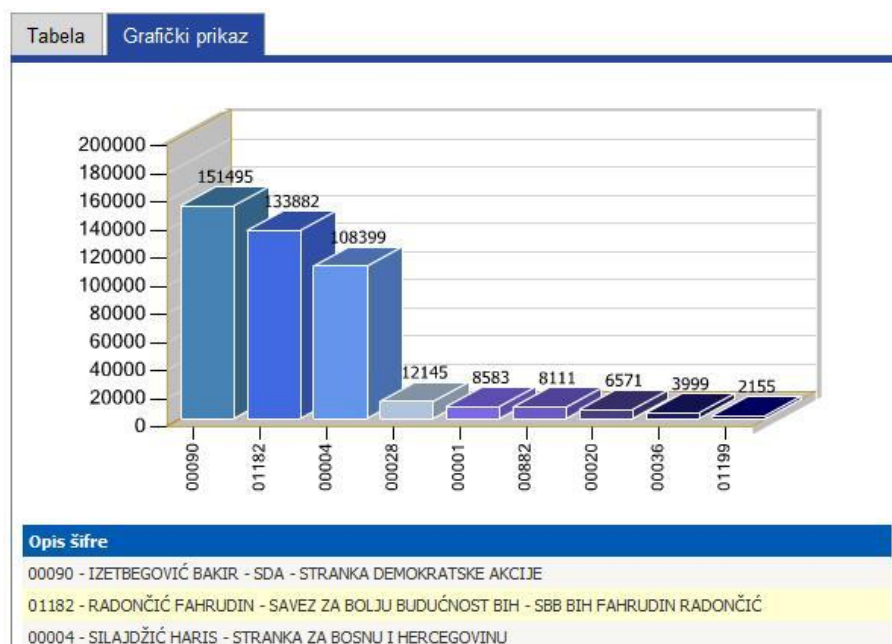
Here it should be noted however that this survey was conducted in the period after the economic crisis which hit Bosnia quite hard, but the economic situation is nevertheless getting better again, e.g. significant export increase in 2010 (see more at the economy of BiH).

2010 Elections Results and Analysis

The elections on the 3rd of October 2010 were held for the rotating presidency, BiH parliament, FBiH parliament, Parliament of RS (so called Narodna Skupšina RS), moreover president of RS (so called Predsjednik RS) was elected. Lastly, the cantons of FBiH elected their representatives into local cantonal parliaments (so called Skupštine kantona u FBiH). The turnout at the elections was around 56%, being a similar number with the 2006 elections.

As for the rotating presidency, these are the results:

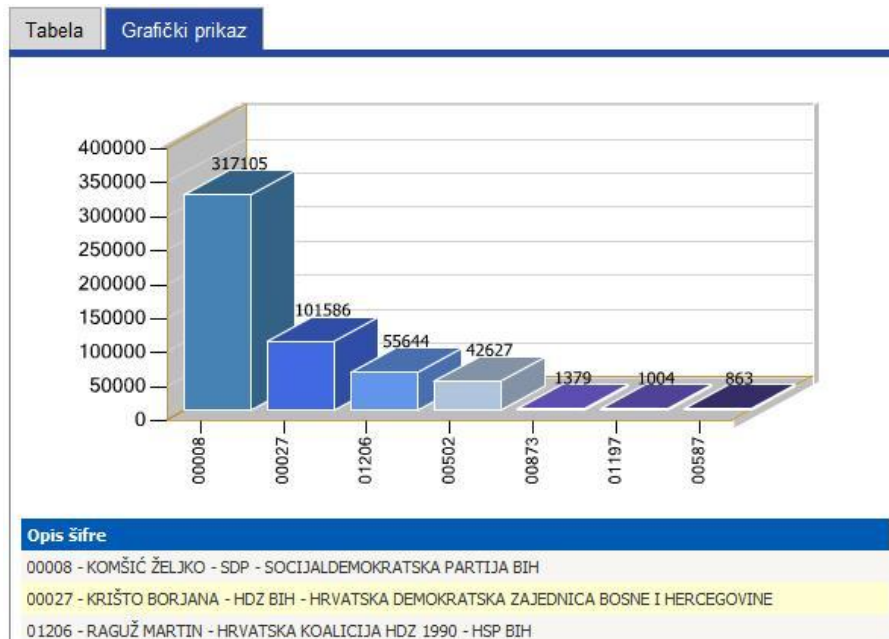
For the Bosniak representative, the winner was announced Bakir Izetbeković, the son of the late Alija Izetbeković, coming from the Party of Democratic Action (SDA)



Graph #2 Source: www.izbori.ba, 2010

He officially received 34.86% of the vote (Izbori.ba, 2010). He was followed by Fahrudin Radončić, who leads the newly established party called Union for a better future of BiH. These two figures can be said to be the biggest surprise of the 2010 elections. Originally, the, by many expected, winner was supposed to be the more radical Haris Siljadžić, from the Party of BiH (SBiH). Bakir Izetbeković unlike Haris Siljadžić promised to search for a compromise between all ethnics in Bosnia and has been labelled a moderate by many (Arslanagić, 2010)

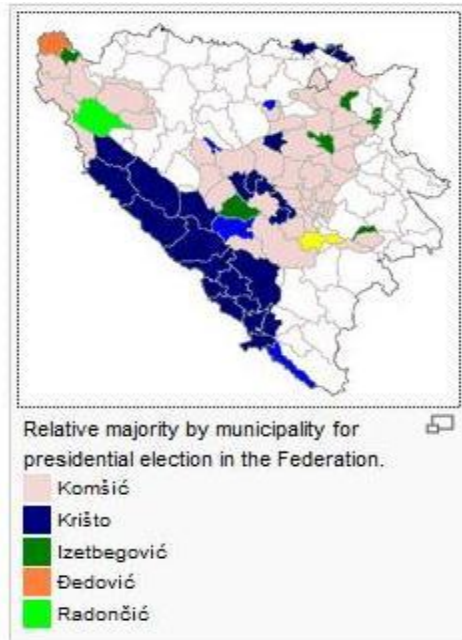
As for the Croat representative, see the graph#3 below, most of the votes received,



Graph#3, Source: www.izbori, 2010

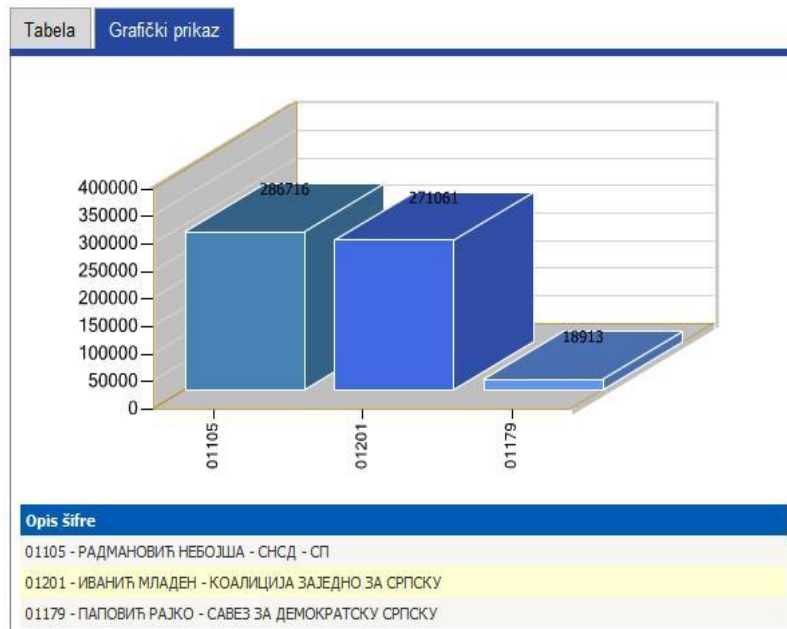
Željko Komsić (60.61% of the vote), from the Social Democratic Party of Bosnia-Herzegovina. Komsić is also argued as a moderate politician and the SDP is a multi-ethnic party. His victory has been criticized by the Croat majority cantons, where the Bosnian Croats argued that it were Bosniaks who strategically voted for Komsić. Such strategic voting for Komsić, is already known to have taken place in the 2006 elections (Vogel, 2010). Some of the Bosnian Croats even do not consider Komsić to be their legal representatives in the rotating presidency (Trt-world.com, 2010).

Looking at the map on the next page,



the Croat majority cantons, marked in dark blue, voted for Borjana Krišto, from HDZ BiH, which advocates the creation of a third entity in Bosnia and is far more from being a moderate as SDP.

As for the Bosnian Serbs, the incumbent Nebojša Radmanović was re-elected

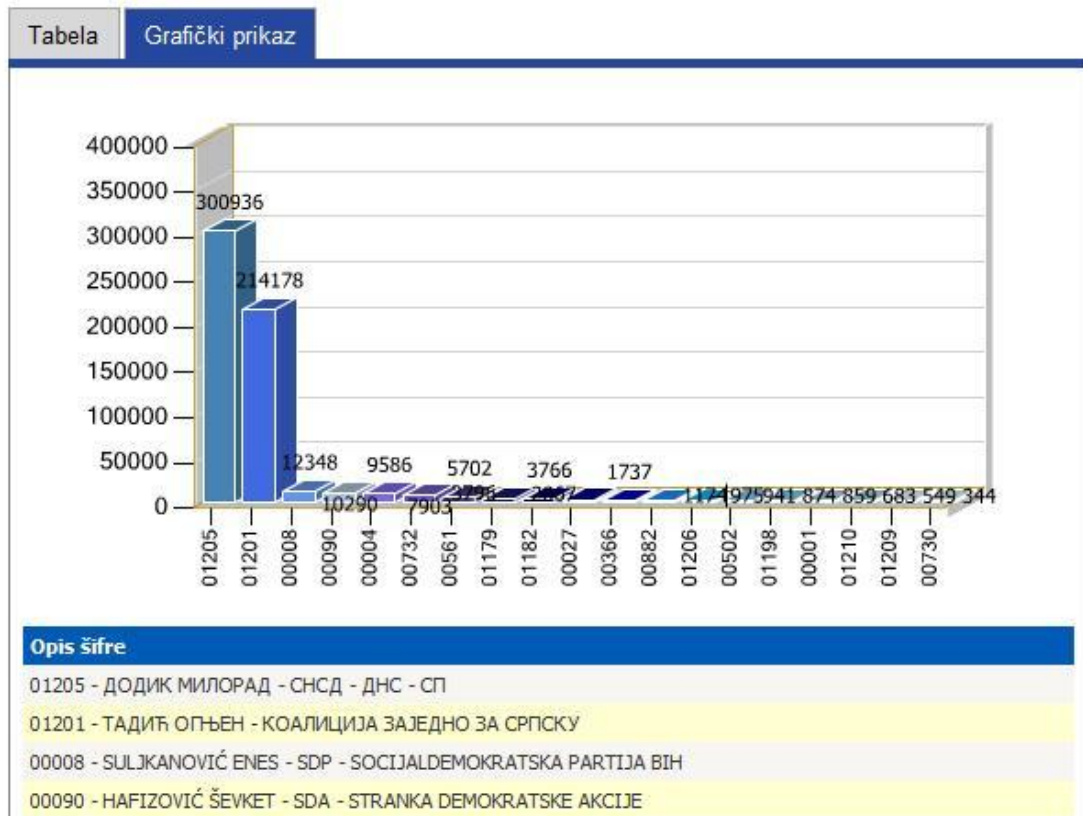


Graph#4, Source: www.izbori, 2010

However looking at the above graph #4, Radmanović's (Party of Independent Social Democrats, SNSD) victory was nearly stopped by Mladen Ivanić, representing the

party Coalition Together for Srpska. Radmanović received 48.92 % whereas Ivanić 47.3% of the vote. This suggests that even the Bosnian Serbs tended to vote for a change.

Looking at the election of the president of RS (Predsjednik RS; graph#5)



Graph#5, Source: www.izbori.ba, 2010

one can observe that the elections in RS were not about a change but confirming the current nationalistic way of ruling by Milorad Dodik (winning 50.52% of the votes), who from being a prime minister between 2006-2010 became a president of RS. The Bosnian Serbs being upset with the everpresent corruption and economic downturn in the end selected no change but continuation of the nationalistic way of ruling of Milorad Dodik.

The outcome of these elections thus produced an uneasy situation – on the one hand FBiH seems to be more moderate now as for presidency, whereas RS more radical and nationalistic. This may create a problem for the future ruling together, particularly on the side of viability of central government of BiH. On the other hand, Bakir Izetbeković (SDA) and Željko Komsić (Social Democrats) may find ways of forming a compromise with RS on at least some constitutional reform, which would be satisfactory to Dodik more than Haris Siljadžić who just insisted on forming strong central government with limiting powers of the entities.

House of Representatives of BiH Elections

Looking at the results of the elections into the House of Representatives of BiH (below table), one can see that voters in FBiH voted mostly for SDP BiH (26.07% of vote), whereas the voters in RS for the SNSD (43.30% of vote). The total winner of these elections became SDP BiH, followed by SNSD, SDA, SDS and SBB BiH.

Summary of the 3 October 2010 House of Representatives of Bosnia and Herzegovina election results

Parties	Federation of Bosnia and Herzegovina			Republika Srpska			Total votes	Total	+/-
	Votes	%	Seats	Votes	%	Seats			
Social Democratic Party of Bosnia and Herzegovina (SDP BiH)	265,952	26.07	8	18,406	2.96	0	284,358	8	+3
Alliance of Independent Social Democrats (SNSD)	8,810	0.86	0	269,007	43.30	8	277,817	8	+1
Party of Democratic Action (SDA)	197,890	19.40	7	16,371	2.64	0	214,261	7	-2
Serbian Democratic Party (SDS)	—	—	—	137,843	22.19	4	137,843	4	+1
Union for a Better Future of BiH (SBB BiH)	124,076	12.16	4	6,329	2.03	0	130,405	4	+4
Croatian Democratic Union of Bosnia and Herzegovina (HDZ BiH)	112,067	10.99	3	2,361	0.38	0	114,428	3	0
Party for Bosnia and Herzegovina (SBBiH)	73,946	7.25	2	12,640	2.03	0	86,586	2	-6
Croatian Coalition HDZ 1990-HSP BiH	49,524	4.86	2	522	0.08	0	50,046	2	0
People's Party Work for Betterment (NSRzB)	49,039	4.81	1	—	—	—	49,039	1	0
Party of Democratic Progress (PDP)	—	—	—	40,070	6.45	1	40,070	1	0
Democratic People's Alliance (DNS)	1,147	0.11	0	28,511	4.59	1	29,658	1	0
Democratic People's Community (DNZ)	14,839	1.45	1	—	—	—	14,839	1	0
Total	1,019,973	100.00	28	621,227	100.00	14	1,641,200	42	

Table#1, Source: www.Izbori.ba

Comparison Elections 2006 versus 2010

The 2010 elections, even though thought to copy the 2006 ones, did indeed bring some change. First of all, the moderate Social Democrats of Željko Komsić did far better off than in 2006 (won 15.4 % of the vote then) and became the total winning party of these elections (this time receiving 26.07% of the vote). SBiH of Haris Siljadžić lost significantly at the expense of the very Social Democrats but also the new party of SBB BiH took significant amount of votes from SBiH (while the party scored 22.99% of the vote in 2006, then only 7.25% in 2010) . The SNDS showed a similar pattern as with last elections, with the party's leader Milorad Dodik still maintaining a stable support at the expense of the formerly strongest Bosnian Serb party SDS, which is far behind in receiving support as compared to SNDS.

Another change of 2010 elections, as compared to 2006, was the arrival of the new party of Bosniak Savez za bolju budućnost BiH of Fahrudin Radončić, the founder and owner of the main BiH daily newspaper Dnevni Avaz, obtaining 12.16% of the vote from FBiH and 2.03 % in RS (Izbori.ba, 2010).

Despite the overall dissatisfaction with the bad economic situation and ever-present corruption, the 2010 elections showed unfortunately that nationalism plays a more significant role than the willingness to completely change a political scene, with the only exception being the victory of the multi-ethnic SDP in the House of Representatives of BiH. This is particularly true about the election results in RS which shows strong support for the nationalist Milorad Dodik (SNDS) and Croat Cantons of FBiH where Borjana Krišto (HDZ BiH) scored also very well, and there was thus no change in this trend as compared to the 2006 elections.

I. Present-day Political Situation in BiH

The survey of UNDP does indeed show a trend towards a change in viewing the BiH however the recent past developments associated, for example, with the OHR package of the reform of BiH institutions and introduction of coordinated Police forces do show how politicians do still have a great impact on their voters who can change their views based on a nationalistic propaganda. This thus leaves a likelihood of BiH getting more centralized open, and particularly RS, could be argued, still holds the future development of BiH in its hands.

The federal government of BiH is now faced with a rather uneasy situation. There is on the one hand a great pressure from the OHR or EU Special Representative Office, headed by Valentin Inzko, who has been indirectly threatening that the EU accession talks with BiH would be put on hold if BiH politicians across the ethnic line do not bring forward at least some constitutional reform necessary for granting Bosnia-Herzegovina EU candidate country status. On the other hand, there have been protests particularly on the side of Bosnian Serbs on the way how the reforms have been forced on the people. Banja Luka was, for example, witnessing a few demonstrations in the recent past whereby people (even though encouraged by the local nationalistic politicians) protested and called for an independence of RS should the international community, particularly OHR, continue with the policies of a dictate. It may be true and it may be natural that people do not like the presence of a foreign force, which they often view as an occupying force, (e.g. resistance of Iraqis to the US presence and control of the current government), however the OHR with the backing of the EU is trying to help Bosnia accede to the EU eventually. The RS government in the end gave a green-light for proceeding with the police reform and it was finally

approved by the federal parliament in April 2008. The approval in BiH parliament was however preceded by protracted quarelling, this time paradoxically on the side of the Bosniaks, who wanted even more centralized police forces. Sulejman Tihić, leader of SDA called the proposed version of the Police reform as still not envisaging the complete unification of the police forces (Latal, 2008). This suggests how difficult it is to reach an agreement with 3 BiH ethnics' differing views combined with nationalistic rhetoric. The reform package as introduced by former EUSR Lajčák includes not only the controversial police reform, but, as already stated, the reform of the institutions as a whole. These reforms include speeding up the decision making proces of the federal government and parliament and, for example, stopping the politicians in failing to show up in the institutions (often misused by ethnics when the federal law proposal was not favored by them) (Moore, 2007).

The main issue of current politics of BiH today, can be argued, is the continued and still strong nationalism on the side of the Bosnian Serbs. The paradox of recent history was the resignation of the federal Bosnian Prime Minister Nikola Spirić who is normally supposed to show allegiance towards the federal ideals and help build the common Bosnian identity. This is not however case and his resignation is a great example of how difficult is to stick together in Bosnia even at the central level. Spirić had resigned arguing that the international community cannot run the country when he was given a responsibility by the electorate do to so (MacDonald, 2007). Spirić was trying to protect the governing principles but was nevertheless indirectly showing that he is very much tied with the Serbian nationalism. The, now former, RS prime minister Dodik's first reaction to the Spirić resignation was threatening to walk out of the national institutions. This only confirms that both act along the nationalistic lines and will protect the Serbian interest at the expense of the Bosnian unity.

Moreover, they are both the members of the same party and acting contrary to their policies promised to their electorate would only lead to a decrease of their popularity. Another paradox comes, Spirić after the RS representatives finally agreed on the Police reforms package was reinstalled in this office in December 2007.

Current development with regards to Bosnian Croat politicians does also shows surprisingly nationalistic patterns. As the Bosnian Serbs like to travel to Belgrade to discuss policies or invite Serb politicians to Banja Luka, the Bosnian Croats like to travel to Zagreb. In the recent past, the leader of Bosnian branch of HDZ Dragan Čović invited former Croatian president Ivo Sanader to come and discuss HDZ latest proposal to divide BiH into 4 entities. Čović suggested, instead of proposed centralization of BiH – favored by Bosniaks and international community to a certain extent, to de-centralize it by forming 4 equal entities – Bosniak, Serb, Croat and Sarajevo ones. He also proposed that Bosnian Croat entity should have its separate television and radio broadcast (B92.net, 2008). Such move was of course welcomed by Bosnian Serbs who favor this suggestion because it disapproves centralization of BiH.

The strong nationalism shows how it can blind people's thinking. The states of central and Eastern Europe have all showed their great interest and overwhelming support in joining the EU, seeing it as the institution for improving their living standards. The paradox is that some Bosnian politicians have been downplaying the importance of the EU accession at the expense of nationalistic rhetoric. At the same time however, even though nationalism is indeed strong, neither RS nor Bosnian Croats have yet taken any radical action towards dismantling of BiH.

The Bosnian Serb and Croat politicians are indeed strongly nationalistic but likewise they do everything to keep their power and the posts. There have been also arguments that politicians like acting as nationalists so they can mask their insufficient engagement in building state institutions. Popular nationalistic parties also place their interests above the interests of Bosnian public (Chandler, 2008:90). It is therefore important to stress that apart from the nationalism, power politics also plays a great role in BiH. Dodik, for example, feels very comfortable with the current arrangement and the position of the RS, which was negotiated at Dayton, so why should he have his competencies taken away at the expense of the federal institutions? Politics in combination with the nationalism is the worst combination for developing the Bosnian identity. The position of the Croats is also still unresolved and is waiting to be decided. If the Bosnian Serbs act as they do, the Croats may only get inspired and may try to separate from the Bosniaks by creating their autonomous statelet.

Another reason why there is so much resistance to BiH going more centralized is the fact, and as already mentioned in the survey, the everpresent corruption. For politicians, entities and cantonal arrangement are very convenient tools how to make the financial transactions less transparent when the central control is missing. BiH citizens do feel very little attached to the institutions and distrust them because of this very corruption and bad governance (Chandler, 2008: 84). Thus, it is only politicians that can have a great influence on fighting corruption, but there is still very little will to do so.

Lastly, despite the above issues associated with BiH political development, there is nonetheless in general a common will of all major political representatives, be they Bosniaks, Bosnian Croats and Serbs to enter into the European Union as one state. The new members of Tripartite Presidency, appointed after the 2010 general election

(including compromise seeking Bosniak Bakir Izetbeković, moderate social democrat Željko Komsić, and Bosnian Serb Nebojša Radmanović) set the EU entry as one of their common main goals for the upcoming election period. They all acknowledge the positive side associated with EU membership and are already drawing significant pre-accession financial aid. Bakir Izetbeković is also seen as a hope in searching a compromise with RS with regards to a new constitutional arrangement. At the same time, it should be noted that Bosnian politicians must, by EU conditionality, simply comply and carry out reforms in order to meet accession criteria. This will require a lot of compromise but the potential membership in the EU is still a big lure to refuse it and let BiH break apart.

J. Economy of BiH

1. The War and the Aftermath

Before analyzing the current economic situation it is necessary to mention that the war in Bosnia which ended in 1995 caused that about 97,207 of people were killed (Ahmetasević, 2007); 2 million people were forced to leave their homes and the infrastructure was highly damaged (e.g. mines were spread all over the country) (Worldbank.org, 2007). According to the recent study Sarajevo itself suffered damages amounting to 14 billion euros (Sito-Sučić, 2007). The once region that set an example for 3 ethnics peaceful co-existence, and with for example Olympic games in Sarajevo in 1984 having attracted millions of tourists, boosting the local economy, thus came into ruins with Bosnia ranking among the poorest countries in the world as a result. It should be pointed out however that even though the war brought the economy into the shatters, the region of Bosnia-Herzegovina even during the old Yugoslavia belonged to the poor regions together with, for instance, Kosovo or

Macedonia. The only country which really exceeded its 1990 status from former Yugoslavia has been Slovenia (Vujadinović, 2008: 49).

When the war officially ended in December 1995, the BiH industrial output fell to only 10-30 percent of the prewar level and GDP per head was only 20% of its prewar level. Majority of the even basic infrastructure was seriously damaged. Also because of the great extent of damages, they were not really being able to be calculated. According to the local study in the Sarajevo region, damages caused by the 1,417 day siege of the city only accumulated to about incredible 14 billion euros (Worldbank.org, 2007).

15 years after the war, the country has undergone a tremendous reconstruction and managed to repair most of its damaged infrastructure and the private sector is growing, with exception to the economic crisis year 2009. It is important to note that the privatization was partially stopped because of the war conflict. As a result, BiH economy was being able to undergo the transformation process only ten years after as compared to e.g. new EU member countries. BiH economy started to grow at a significant level from 2003 when the GDP growth exceeded 5 per cent per year. Such growth continued until 2008 when BiH economy grew by 5.4% (Economist Intelligence Unit – BiH economic figures and outlook for 2008-2010). The fact the BiH common currency – Convertible Marka (introduced in 1998), became pegged to the Euro further increased the interest in the BiH economy by foreign investors. The continued privatization has however been criticized for being slow, particularly in the FBiH. The important thing is that the economic reforms have not been done only at the entity level but centrally. Even though originally being against, Republika Srpska in the end agreed to the creation of the common value added tax that would be applied

in the whole territory of BiH and which came into existence in 2005 (FT Special Report, 2007).

2. Current Economic Indicators

Looking first at the recent past period of Bosnia-Herzegovina, one can see indeed a great development as compared to early post war years in many areas. In 2006, for example, the economic GDP growth rose to 9.2 billion Euros, which is estimated to be about already 85% of pre-war economy state (Ec.europa.eu, 2008). As compared to 1995, this is therefore almost 65 percent rise. This economic growth was however worsened by the influence of the world economic crisis, with BiH economy being mostly hit by the crisis in 2009 were the trend reversed and economy shrunk by 3 percent (FT.com, 2009). This downturn was however in the end not so marked as in other European countries with Latvia GDP declining by incredible 18%, for example, or Germany, the strongest European economy, shrinking by 4,9% (www.cia.gov, 2010). The current economic outlook for BiH as well as other economic indicators are shown in the table #2 below.

Economic summary	2008	2009*	2010**
Total GDP (KMbn)	24.7	24.1	24.7
Total GDP (\$bn)	18.6	16.8	17.5
Real GDP growth (annual % change)	5.4	-3.0	1.0
GDP per head (\$,PPP)	8,650	8,476	8,622
Inflation (annual % change in CPI)	7.3	0.6	1.5
Industrial production (annual % change)	11.6	-3.0	2.7
Money supply, M1 (annual % change)	-2.7	-5.0	5.0
Foreign exchange reserves (\$bn)	3.5	3.8	4.0
Budget balance (% of GDP)	-4.0	-4.5	-2.5
Current account balance (\$bn)	-2.8	-1.6	1.4
Exports of goods (\$bn)	5.2	4.4	4.6
Imports of goods (\$bn)	12.3	10.0	10.2
Trade balance (\$bn)	-7.1	-5.6	-5.6

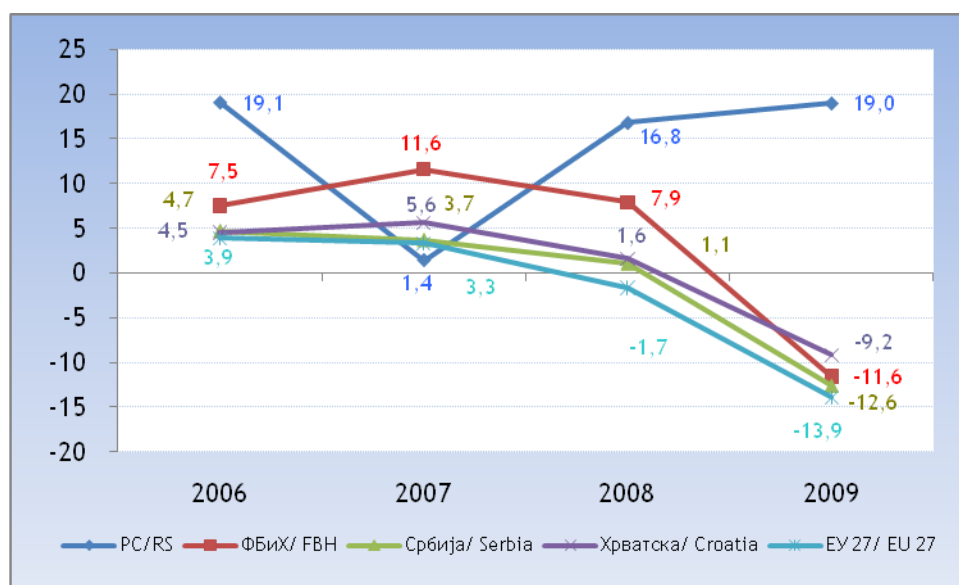
Table #2, Source Financial Times Report on Bosnia-Herzegovina of 2009

The table #2 predicts the growth for BiH to rise again in 2010. For example, real GDP growth, to grow from -3 % in 2009 to +1% in 2010. Also GDP per head which declined to 8476 USD is predicted to increase in 2010 to 8622 USD (FT.com, 2009) Industrial production is also going to recover as well. It should reach a rate of 2.7% in 2010 from -3% in 2009. The inflation level even though being at 6% in 2006 due to an introduction of the common BiH Value Added Tax is supposed to remain low at 1.5 % in 2010 (FT.com, 2009). The VAT introduction is hailed by many as a sign that BiH can exist as a unitary state and despite some initial disagreement; the government in Banja Luka finally accepted the introduction of the VAT seeing the economic gains above the national interests. The VAT also made BiH politicians talk about other ways how to economically integrate BiH further (FT Report on Bosnia, 2007). Not to forget the Bosnian currency – Convertible Mark, officially launched 12 years ago has become one of the most stable currency in the Balkan Region (News.bbc.co.uk, 2004). The Dayton agreement thus, in many ways, showed to be a permanent ceasefire also for creating good economic conditions. The remaining great problem of Bosnia-Herzegovina nonetheless is a high level of unemployment, which was estimated at still incredible 40% in 2009 (Eubusiness.com, 2010). As for the foreign direct investment in Bosnia, it has also been hit by the economic crisis, from the level of 2 077 million USD of Inward FDI flow in 2007, it has decreased to only 501 million USD in 2009 (UNCTAD.org, 2010). As the economy is slowly recovering across Europe, it is, nevertheless, expected that the inward FDI into Bosnia will also go up as a result. Moreover the second half of 2010 showed a significant increase in exports out of BiH. Exports so far has grown by 33% thanks to the recovery of the steel industry. Both F BiH and RS companies - Mittal Steel, Aluminium Mostar,

Prevent (FBiH corporations) and Birac Zvornik (RS corporation) have participated on this steel export (Kester, 2010).

3. Economic Situation in Entities

If we are to look at the entity level there are significant differences in the overall economic performance though. For example Republika Srpska is doing generally better than FBiH. For instance, privatization has been more significant (even though not completely successful), in RS then in FBiH. This may include a rather successful sale of RS Telecom or an effort of the Serbian Avax group grocery chain to establish its branches also in the once enemy neighbor FBiH (FT Report on Bosnia, 2007). Avax is also a good example in a way that business may be the factor healing the past rivalries and indirectly unifying the territory of BiH economically. The divide between RS and FBiH is also evident with other economic factors. This is, for example, industrial production. Whereas in 2008 the industrial output rose by 16.8% in RS, it was only 7.9% in FBiH (Irbrs.net, 2010). This difference in the output over the time, with exception to perhaps 2007, is nicely illustrated in the graph #6 below.



Graph#6, Source : www.irbrs.net

Other economic indicators further strengthen the economic divide of BiH. Looking at the unemployment figures of 2009, the number of unemployed people was 139,536 in RS and 347,146 in FBiH (Irbrs.net, 2010). It is thus not only political but economic forces which tend to divide Bosnia into two distinct territories.

It has been argued that RS (even though right after war being the poorest area in BiH because of RS initial unwillingness to cooperate with an international community), has greatly benefited from easier administrative division and fewer layers of government as compared to FBiH, whose running is moreover very costly (FT Report on Bosnia, 2007). As already mentioned, RS is a relatively unitary territory with a significant central rule in Banja Luka. Federation is on the other hand split into cantons with each of them deciding also on its economic policies. The more difficult communication between ethnically different cantons makes the economic progress slower and different in each canton. RS is also said to have managed to be economically better off because of the policies it has set. For instance the corporate taxes are significantly lower in RS than in the Federation (FT Report on Bosnia, 2007). Low tax level is of course one of the factors encouraging investment into a certain territory. Despite the differences in both entities it is interesting to see that regardless of BiH had experienced one of the greatest conflicts in the new European history; the poverty level for the whole BiH is at a lower level than that of its south eastern neighbors. For example the extent of poverty in BiH is estimated to be about 18%. If we are to look at for example at Moldova, for instance, its poverty level is about 46%, Albania is nearly at 25% and even Bulgaria with its approximately 21% is having a greater poverty than BiH that was one of the most destroyed country in Europe in 1995 (Seerecon.org, 2008).

Despite the economic growth, the social status of people across all BiH is still not very easy. As already pointed out in this section, the percentage of unemployed is still around 40 % even though this number is decreasing. Recently however increasing again a little bit due to the world economic crisis. Many people have until recently lived and were dependent on the humanitarian aid from an international community. The fact that many people had to leave their original homes meant also that, for example, farmers lost their agrarian land and cannot cultivate it now (Foco, 2001: 40). Even though the ethnic returns in Bosnia were some, they have not been completely significant. The returnees to RS (particularly Bosniaks) are faced with a greater poverty level than returnees to FBiH (Vujadinović, 2008: 50). The reason is obvious here. RS is as well known doing everything to keep its territory ethnically as clean as possible and ethnic returns to RS have been very modest with returnees facing uneasy conditions to settle (more of this topic will be discussed in the next section). The fact that most of the factories were destroyed during the war makes it difficult for people find work as blue collar workers as well. Coming back once more to the dissimilarities between entities' social status and poverty level, the differences between entities are obvious again. In RS, 14.04% of people perceive themselves as poor whereas in FBiH this number is 33.33% (Vujadinović, 2008:52). Social cleavages between the entities are thus marked and divide BiH as well.

4. Inter-entity trade

Despite the economic development differences, the economic space of BiH is not divided as such into entity economic spaces but can be said to function as a single economic area. That is why it is also hard to find any real inter-entity trade figures as

there is no economic boundary between the entities and, in theory, all 3 main ethnics are free to set up their businesses and do trade across the entire territory of BiH. In reality however and due to past animosities, the mutual business exchange has been limited. However, situation is changing and besides the above mentioned Avaz, Serbian supermarket store, setting up its branches in FBiH, there are other major examples suggesting that BiH starts to indeed function as a single economic space. Among them, for instance, is the construction of RS government headquarters. Here, several FBiH construction companies were invited to participate on this project and the construction was not limited only to RS companies. Another example is a large RS road construction corporation –Integral Inzenjering Laktasi- was invited for the construction of the highway corridor “Vc” (image#9 below), leading through most of the FBiH and part of RS territories, to provide easier access of central European countries to the Adriatic Sea (Brusselspress.com, 2010). This highway is argued to provide a further stimulus towards greater economic cooperation between FBiH and RS.

Corridor Vc, Highway across BiH



Image#9, Source: Petar Marjanovic

Very recent example of another step of economic unification of BiH, is the announcement of FBiH, RS railway companies, *Zeljeznice FBiH* and *Zeljeznice RS* (by the way already having a joint transportation of passengers between FBiH and RS), to join the project for the establishment of a regional railway alliance, and creation of Kargo 10 common rail freight operator (Ekapija.ba, 2010).

5. Financial Transfers Entities vs Center

As already mentioned in this thesis there is a marked imbalance of funds being allocated between the central government level of BiH and entities. Most of the funds are distributed among the entities since they hold most of the competencies, e.g. education, healthcare, judicial functioning etc. There is also an imbalance of transfers between the entities themselves.

Single Account Allocation over period 2006-2009

	01.01.- 31.12.2006.	01.01.- 31.12.2007.	01.01.- 31.12.2008.	01.01.- 31.12.2009.
Reserves for refunds	444 130 739,98	528 808 836,95	934 555 864 37	740 592 775,78
BiH institutions	566 000 000,00	637 513 999,93	675 000 000 00	729 000 000,00
Federacija BiH	2 253 438 141,62	2 669 411 265,55	2 743 882 151 50	2 345 190 483,96
Republika Srpska	1 069 995 346,27	1 307 738 407,17	1 360 364 229 15	1 167 678 318,31
Brčko Distrikt BiH	122 320 711,51	144 615 858,73	151 063 500 81	129 296 881,66
Total	4 455 884 939,38	5 288 088 368,33	5 864 865 745,83	5 111 758 459,91

Table#3, Source: Antič, Dinka

The trend of allocation of funds between Central government FBiH and RS over a longer period tends to follow the same pattern, with FBiH receiving always over 2 billion BAM, RS only slightly above one billion whereas the central government allocation has been, looking at the above table #3, slightly increasing but never reaching and being far away from one billion.

The table#4 on the next page, from the Bulletin of Indirect Taxation Authority of Bosnia-Herzegovina illustrates this when looking at expenditures on accrual basis. Looking at, for instance, March 2010 figures, from the total entity single account transfers of 185,74 million Convertible Marka (BAM), 150,31 million BAM are transfers to FBiH cantons whereas only 25,42 million BAM and 10 million BAM to RS and district of Brčko (Regoje and Kadić, 2010).

BiH: entities and SA, I-V 2010

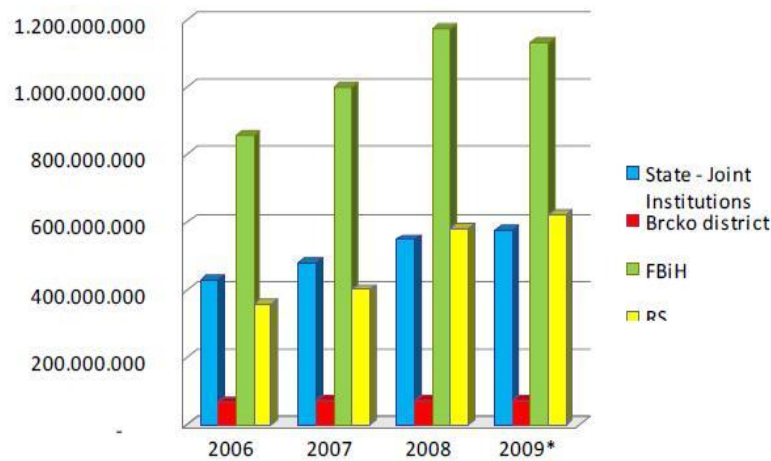
	I	II	III	IV	V	Total
Current revenues	397,27	376,69	432,13	536,34	444,29	2.186,71
Taxes	366,66	344,7	391,22	446,35	414,47	1.963,41
Indirect taxes	349,58	325,06	351,17	378	393,51	1.797,33
VAT	203,17	206,85	223,46	232,17	246,86	1.112,51
VAT on imports	104,71	150,93	175,26	182,11	187,14	800,15
VAT from VAT returns	145,92	114,51	97,28	108,08	117,2	582,98
VAT from automatic assessment done by ITA	0,02	0	0	-0,01	0,06	0,08
One-off VAT payments	0,24	0,2	0,04	0,04	0,21	0,73
Other	2,11	2,38	1,88	2,49	2,24	11,11
VAT refunds	-49,83	-61,17	-51	-60,55	-60	-282,54
Custom duties	16,6	22,16	26,57	24,68	24,98	114,99
Sales tax	0	0	0	0	0,01	0,02
Excises	106,54	76,03	77,99	95,23	94,93	450,72
on imports	65,23	52,46	54,87	61,64	57,64	291,83
on domestic production	41,31	23,57	23,13	33,6	37,28	158,89
Railroad tax	22,98	19,17	22,29	25,62	26,63	116,68
Other	1,06	1,19	1,75	1,46	1,32	6,78
Other refunds	-0,77	-0,35	-0,88	-1,16	-1,22	-4,37
Direct taxes	17,08	19,64	40,05	68,35	20,97	166,08
Profit tax revenues	9,35	10,81	29,18	57,57	11,75	118,66
Income tax revenues	7,1	8,1	9,89	9,8	8,31	43,20
Other direct taxes	0,63	0,73	0,98	0,98	0,91	4,22
Contributions	0	0	0	0	0	0,00
Non-tax revenues	28,47	30,05	39,89	89,83	27,83	216,09
Grants	2,14	1,93	1,01	0,16	1,98	7,22
Expenditures on accrual basis	443,83	360,88	521,79	473,26	467,65	2.267,41
Wages and compensations	106,66	109,03	120,73	119,06	119,19	574,66
Purchases of goods and services	11,03	15,25	29,03	21,94	28,74	105,99
Subsidies and transfers	102,08	93,61	178,51	147,07	121,53	642,80
Interests (domestic and foreign)	2,47	3,67	10,97	5,16	8,97	31,24
Interests on foreign debt	2,47	3,57	9,09	5,14	8,97	29,24
Interest on domestic debt	0	0,1	1,88	0,02	0	2,00
Other current expenditure	4,6	10,71	9,75	9,75	14,44	49,24
Capital expenditures	12,14	12,27	17,32	5,13	6,35	53,23
Other expenditures	58,29	7,4	-27,16	10,11	9,33	57,98
SA transfers	146,76	109,34	185,74	155,61	164,4	761,85
o/w: BiH budget	0	0	0	0	0	0,00
o/w: FBiH/cantons, municipalities, Road Fund	104,84	77,11	150,31	120,5	124,96	577,73
o/w: RS/cities, municipalities, Road Fund	31,11	22,93	25,42	23,76	27,31	130,54
o/w: Brčko	10,81	9,3	10	11,34	12,13	53,58
Net lending and capital gains	-0,2	-0,4	-3,1	-0,56	-5,3	-9,56
Overall balance	-46,56	15,81	-89,67	63,08	-23,36	-80,70
Financing	46,56	-15,81	89,67	-63,08	23,36	80,70

Table#4, Source: Bulletin of Indirect Taxation Authority of Bosnia-Herzegovina

This imbalance is also evident wage wise. When looking at the actual wages expenditures by the entities and central level, it is very clear that particularly expenditures on wages by FBiH are significantly higher than those by RS not to speak

about the central government level where the workforce is not as large because of limited competencies.

Trend of expenditures for wages for all 4 governmental levels + cantons



Graph #7, Source: <http://www.oma.uino.gov.ba>

Graph#7 shows, that for instance, in 2008 the expenditure on wages by FBiH reached almost up to 1,2 billion Convertible Marka (BAM) whereas the expenditure of RS on wages was below 600 million BAM, with central government wages being even lower (Eskić, 2010)

These imbalances only just show that the overall administration apparatus of Bosnia-Herzegovina and particularly that of FBiH is extremely costly and inefficient for the long run. The constitutional reforms as suggested by several advisory bodies, among them also the European Union would like to do away with these imbalances by placing more competencies at the central level at the expense of entity/canton level.

6. Pre-accession financial aid for BiH

EU is providing BiH its aid and technical assistance. Specifically this is referred to as an instrument for Pre-Accession-Assistance (IPA). For the EU budget period 2007-2013 is involves 11.5 billion euros and includes 5 parts: transition assistance and institution building, cross-border cooperation, regional development, human resources and rural development – where the potential candidates receive the first two parts and the official candidates all of these (Tranuer, 2008). BiH is currently receiving the very transition assistance and aid for institution building. The EU has invested in total around 2.5 billion euros to BiH since 1991. BiH has been receiving funds through programs such as the ECHO, PHARE and OBNOVA (Eusrbih.org, 2007).

The current financial aid for the region, including BiH, is referred to as Pre-Accession Assistance (IPA). From the below table, one can see, in case of Bosnia-Herzegovina that this financial assistance is increasing year by year. While, in 2007, this aid was 62.1 million euros, in 2011 is already expected to reach the level of 108,1 euros.

IPA national allocations, Western Balkans, 2007-2011 (Euro millions)

	2007	2008	2009	2010	2011
Croatia	141,2	146	151,2	154,2	157,2
Macedonia	58,5	70,2	81,8	92,3	98,7
BiH	62,1	74,8	89,1	106	108,1
Serbia	189,7	190,9	194,8	198,7	202,7
Montenegro	31,4	32,6	33,3	34	34,7
Kosovo	68,3	124,7	66,1	67,3	68,7

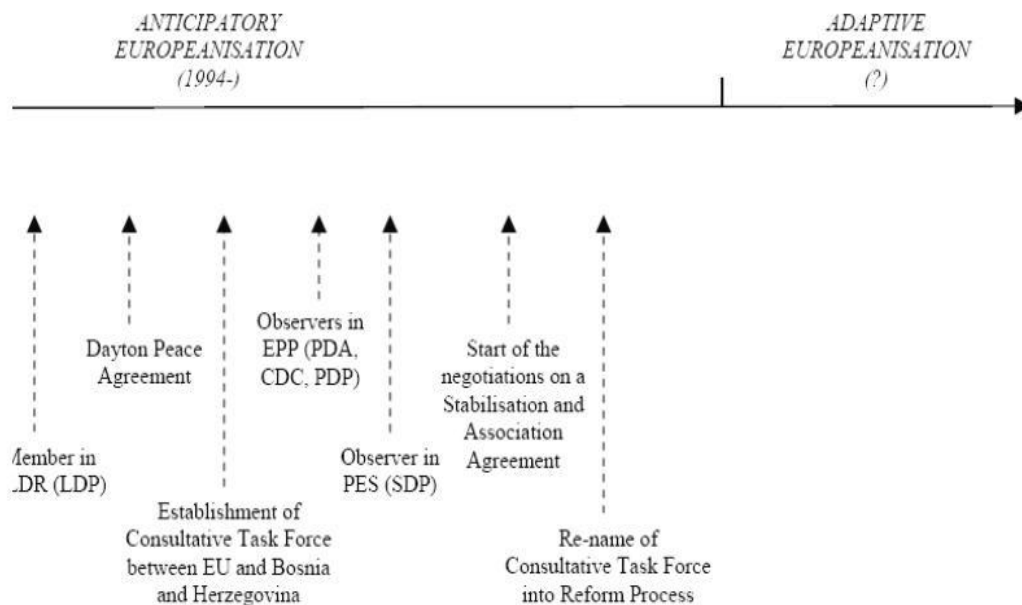
Source: Communication from the Commission to the Council and the European Parliament. Instrument for Pre-Accession Assistance (IPA) Multi-annual Indicative Financial Framework for 2009-2011: 4-5.

Table#5, Source as above

K. Summary of Europeanization in Political Process of BiH

As already mentioned, despite the setbacks associated with numerous disputes particularly with regards to whether BiH should get more centralized and entities have their powers reduced (something strongly opposed by RS, threatening with referendum for secession if these powers are cut), both FBiH and RS political representatives do more and more accept the common state. The letter of Milorad Dodik to Catherine Ashton (mentioned in the previous chapter) only confirms this trend. “The conflict parties dissented over almost all issues. Becoming an EU member country, however, was the most important goal they shared. This common vision underlined that their antagonism was not unlimited” (Gromes, 2007).

Party Politics in Bosnia and Herzegovina and European Integration



Graph#8, Source: Damjan Lajh and Alenka Krašovec, 2007

Legend:

CDC – Croatian Democratic Community of Bosnia and Herzegovina

ELDR – European Liberal Democrat and Reform Party

EPP – European People's Party

LDP – Liberal Democratic Party of Bosnia and Herzegovina

PDA- Party of Democratic Action

PDP - Party of Democratic Progress of RS

PES – Party of European Socialists

SDP – Social Democratic Party of Bosnia Herzegovina

Looking at the above graph #8, one can see that from 1994 the BiH party politics have undergone the so called anticipatory Europeanization with the Liberal Democratic Party of BiH (LDP) being the first to cooperate with European Liberal Democratic Party, later the Dayton Agreement came into place. This was followed by the establishment of Consultative Task Force between the EU and BiH. Another important step towards Europeanization of BiH politics was the observer/affiliate status of BiH parties such as PDA, CDC and PDP at the European People's Party, followed by SDP being an observer in the Party of European Socialists. The next step in this anticipatory Europeanization was the start of negotiations on Stabilization and Association agreement (Lajh&Krašovec, 2007).

Currently BiH may be argued to have come nearly to the adaptive Europeanization since, after the Stabilization and Association Agreement was signed on June 16, 2008, BiH and many of its political representatives consider the EU membership as their priority.

It should be mentioned, nonetheless, that there is still a hurdle to a complete Europeanization of BiH political process. This hurdle is represented by the very nationalism that has been ever-present in the Bosnian politics. Those opposing the conditionality and do not really accept the lesson-drawing model are for example Milorad Dodik and his Alliance of Independent Social Democrats, which is currently

not affiliated in any of the European party, being only member of Socialist International. Despite Dodik assurances that he wants RS to enter into the EU as part of BiH, he has, with this nationalistic rhetoric and threats of calling a referendum on secession, showed for multiple times that he is not willing to give in to all EU conditions on BiH EU entry, among them for example stronger central institutions and weaker entity ones. To the anger of many Bosniak politicians, Dodik even set up a representative office of RS in Brussels in 2009, without properly notifying the central government of BiH about such a move (Latal, 2009). This move may be argued is in part of Europeanization whereby RS is interested to become the EU member however, at the same time, reveals that its being pro-European is self-created with often ignoring EU recommendations.

Even though more pro-European, and importantly part of the European People's party, the HDZ or Croatian Democratic Union of Bosnia and Herzegovina under Dragan Čović, has also disregarded EU suggestions to form more centralized institutions of BiH and instead suggested creation of 4 stronger entities (B92.net, 2008).

The smooth process of Europeanization and many call this also democratization of Bosnian politics is thus hindered by the nationalistic and corruptive behavior of the regional politicians. Around 78% of Bosnians are of the opinion that politicians also obstruct improvement of ethnic relations and 30% of Bosnians reject the established political parties completely (Touquet, 2008).

Nevertheless, as aforementioned, the EU membership of BiH, despite the national rhetoric, remains the ultimate goal of most BiH political representatives and the very EU realizes, after the unsuccessful Butmir talks, attempting to draw up proposals for

the constitutional reform of BiH, that it needs itself to reconsider its original proposals for making BiH institutions more centralized, taking into account that, for example, RS representatives do need a guarantee that their entity existence and relative autonomy will not be completely endangered. It can be argued that the EU will utilize the so called bottom up Europeanization approach as well, besides the already used top-down approach, incorporating reactions and suggestions of people and political representatives in BiH in shaping the process of Europeanization in Bosnia-Herzegovina. Nevertheless the top-down approach and conditionality will prevail. Also after the 2010 elections, there are, despite the initial pessimism, also hopes, that both the central level and entity politicians, under their common goal of entering the EU, will work constructively and attempt to find a compromise on some kind of a constitutional reform that will eventually be accepted by the EU. The newly elected Tripartite Presidency with moderate Bakir Izetbeković (SDA; Bosniak) and Željko Komsić (SDP; Croat) and Nebojša Radmanović (SNDS; Serb) have already issued a statement, after their inauguration, that they want to work together in bringing BiH successfully into the EU, however Radmanović did not omit to say that the EU should at the same time offer guidance but not always impose solutions on BiH (Arslanagić, 2010).

The Office of High Representation has played also an important role in Europeanization of BiH party politics. As already mentioned the High Representative, or EU Special Representative, have in the past used the Bonn powers to sack those politicians which acted contrary to the Dayton agreement stipulations. The specific cases of such actions are described in the chapter called International Supervision (IV. Political Process, part D).

V. Security Sector Development

A. Ethnic Returns

The Dayton Agreement, specifically the Annex 7 recognizes the right of return of those who were expelled from their homes due to ethnic cleansing. Is this clause being respected and fulfilled?

According to the ministry for Human Rights and Refugees of BiH and from data by UNHCR, it is estimated that in general it is about 50 % of refugees and displaced persons who returned to their homes in 2005, with the number slightly increasing today. So out of about 2.2 million refugees more than one million is alleged to have returned (Helsinki Committee for Human Rights in BiH Report, 2006). No matter how optimistic number this may seem to be, the reality is somewhat different though. Mirhuniša Zukić (president of the Union of Associations of Refugees and Displaced Persons in BiH), claims that only one third of the total displaced persons have returned to their homes as opposed to the official figure published by UNHCR. He has based his research on the actual returnees who settled in their homes and have been living there. There are cases when the people do indeed move to their homes but then sell their houses only to the usually major ethnic living in the area.

It has been estimated that the most of those who return are mostly elderly people who usually go there to complete their pension age and plan no investments there. There is actually a trend that original residents are no longer interested to return to their homes since they do not see a future in there – reason, they certainly feel that they would be, if not directly, then definitely indirectly discriminated by the ethnic majority population (Helsinki Committee for Human Rights in BiH Report, 2006).

For example according to the UNHCR, in 2003, 38 returning residents were subject to assault and abuse, with 5 who died as a result to this abuse. 54 people returning in total were constantly harassed, threatened and intimidated by, for instance, ethnic majority damaging the property of the returnees, graffiti inscriptions on their houses with even explosives having been used (UNHCR Report on Conditions for Return to BiH, 2005). In February 2007, there was a case in town of Bugojno, FBiH, when 78-year-old returnee (Bosnian Croat) was beaten to death for no clear reasons (Amnesty International Report on BiH, 2007).

The following examples will illustrate what the real situation indeed is. For example in RS there was about 220,000 Croats living on its territory before the war broke out in 1992. As per 2006 census, it is only about 15,000 and we are talking here about a period of 12.5 years after Dayton agreement was signed. More specifically, for instance, out of 73,000 Croats in Banja Luka there are now only 6.500 of this ethnic. In the municipality of Foča, today RS, there were 20,790 Bosniaks prior to war but today there are only 3,500. Another striking number is in the municipality of Modriča where out of 10,600 Croats there are now only 150. It is also Serbs who have not returned to their original homes. For example out of 39,000 Serbs from the historical region of Herzegovina , only 9,000 of them have returned (Helsinki Committee for Human Rights in BiH Report, 2006). One more shocking fact is that more than 3,000 of displaced people are still forced to live in the Canton of Sarajevo, in a center for displaced persons, because they cannot simply return to their original homes. The centers for displaced persons are also in FBiH with about 4,500 people and unofficially also in RS (where the centers were abolished but people are still gathering in the oftentimes run down buildings where they used to reside) (Helsinki Committee for Human Rights in BiH Report, 2006).

B. Treatment of Returnees/Minorities

As already said, the figures of returnees are distorted by the fact that those who come back usually sell their house to the majority ethnicity. This has caused that instead of BiH becoming ethnically same as before war, it tends to separate itself clearly on entity basis. Those who dare to live on the territory of their “rival ethnicity” are subject to a real discrimination. For example, when in March 2006 a Bosniak decided to return to Bratunac, RS, he received a threatening letter literally saying “How many of you do we need to slaughter so you finally understand that this land is not Turkish, but Serb?” (Freedomhouse.org, 2007). The discrimination of returnees is ever present in BiH overall. Those who want to build their new house, representing an ethnic minority, are often faced with obstruction from authorities themselves, delaying the construction permits. To hide this obstruction, the mayors of the towns listening to the nationalists often obstruct fixing of the utilities in the areas where the returnees originally lived. For example, Croatian returnees to the town of Derventa, RS, had to wait for unbelievable 6 years to have their low-voltage electricity supply (Helsinki Committee for Human Rights in BiH Report, 2006). The discrimination is present also in the labor market due to high unemployment. There have been cases when the minority ethnics were completely laid off in order the majority ethnic would hold on to work. For example, the Aluminij factory case. This has been one of the largest aluminum factory in entire Yugoslavia based in FBiH, Mostar. Not only during the war but after the war Aluminij has pursued policies of employing largely only Croats workforce and dismissing Bosniaks and Serbs overwhelmingly. According to Nebojša Spajić, former Aluminij employee: “During the war we wanted to keep the factory going, even though it was being shelled. But then they (Aluminij’s management) fired us, because we were Serbs or Muslims”. Another case is a

discrimination of non-Serb workers in Ljubljana iron ore mines in RS, where Bosniaks and Croats were being dismissed en masse just because of their ethnicity (Amnesty International Release, 2006).

One would not expect that but the discrimination and tension between RS and FBiH is ongoing also in healthcare. For instance, Bosniak returnees to RS are complaining about constant mistreatment in RS hospitals. Many returnees were requested to register in FBiH instead of RS for medical services. In Srebrenica, today RS, for example 30 % of Bosniaks had to register in FBiH for medical services (Mustajbegović, 2007). One way to solve this according to the experts would be the creation of a federal health ministry to deal with such issues. So far there has been a very limited political will to do so but with the Police reform compromise 2 years ago, the health sector may be the next target of reform.

Ivo Miro Jović, a Croat representative of the BiH tripartite presidency, stated in March 2009, for example, that Bosnian Croats feel "unsafe and humiliated" with many of them desiring to leave BiH "that seems to have been set up for two other peoples." Furthermore, according to Bosnian Croat organizations, around 500 Croat families have left Sarajevo as of the beginning of 2008 (Human Rights Watch, 2009).

The reintegration of returnees does not work as the Dayton stipulated and the above examples show how difficult it is for the returnees and displaced persons to return to their original homes, work and obtain social services. Ethnic nationalism is still very strong in BiH and does obstruct further development. Dayton stipulations with regards to the returnee's rights are thus still only half fulfilled. Despite the above described, the relations among neighbours themselves tend to work relatively well, and this is even in the mixed communities, where the discrimination mostly tends to come

from the authorities rather than the neighbours doing things on purpose to each other these days (Fischer, 2007).

How do 3 ethnics view their identity in BiH?

1. Identity View in general

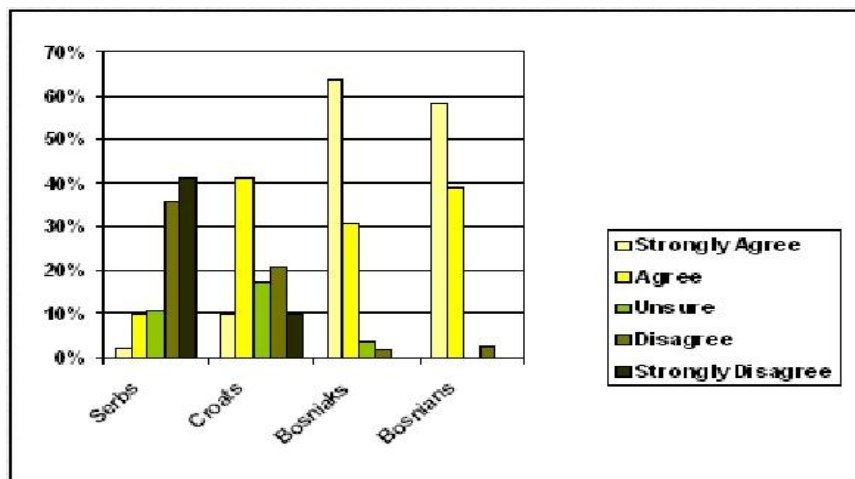
It has been 15 years after DPA was signed. Did the agreement and international community help to unify the ethnics and make them feel true Bosnians and honor their citizenship similarly as e.g. Swiss or citizens of United States? The answer is not yet, even though the general view of BiH citizenship has changed over the years towards a more positive view. The unity of Bosnia and Herzegovina and Bosnian national identity is thus questioned and this has not changed dramatically after Dayton peace accord was signed. The main issue is that the ethnics still feel and identify themselves as more e.g. Croats, and Serbs. The only exception represents Bosniaks who, on the contrary, have always tried to revive the Bosnian identity and build Bosnian national feeling on the whole territory of BiH. Bosniaks also fear about the split of BiH between Croatia and Serbia with them remaining in a minority that will be having their rights curbed and be put pressure on to either “croatize” or “serbitize” ultimately. Their fear is however substantiated historically, as the Bosniaks (Muslims), were oftentimes oppressed and their territory was subject of rivalry between the Serbs and Croats but and the great powers.

2. Survey Findings

The national feeling and thus relationships between the 3 main ethnics will now be illustrated graphically by different surveys. According to a research conducted by Steven Oulic, for instance, Interentity Boundry Line (IEBL) created by Dayton is

sensed, by Bosnian Serbs, as a security element and keeping Bosniaks away from the territory of RS. Bosniaks naturally consider this as a barrier to a more centralized Bosnian state, which they desire. The survey of Oulic also touched the topic of dissolution of the entities and IEBL. As it can be seen from the graph # 1, where the question statement raised to the respondents was: “Both the IEBL and entities should be dissolved and a strong government and state based in Sarajevo be created in Bosnia based on ethnic group”.

Below graph #9 reveals that Serbs are over 40% against any such centralization whereas Bosniaks are overwhelmingly (more than 60%) for such an arrangement. Croats themselves did agree to a certain extent but were not sure as convincingly as the Bosniaks. The Croat voters however in the Canton number 10 (also referred to as Herceg-Bosna) did express their satisfaction with the IEBL and expressed their wish to create the third BiH entity which would be at the same level as RS (Oulic, 2004).



Graph #9, www.faoa.org

When asked whether a new conflict and violence would be started if the IEBL was removed and centralization was forced upon the people by the OHR, 57% of Serbs answered that yes whereas 32% Bosniaks were unsure and 48% of Bosniaks disagreed with this to happen (Oulic, 2004).

3. Serbian View

Generally Serbs are the greatest supporters of the status quo arrangement as set by Dayton and oppose or delay the process of reforms as long as possible they can. Also the large majority of Bosnian Serbs was in support of RS declaring independence when Kosovo seceded from Serbia, for example (Stanić, 2007). It should not be forgotten that Milorad Dodik and his SNSD party still do not rule out a referendum on the independence of RS, as set in their elections manifesto. Dodik wanted to include the right of self-determination into the Bosnian constitution, for example (Zuvela, 2008). In the campaign before the 2010 general elections, Dodik again used referendum as a possible means for pursuing RS interests. Such moves were naturally greatly condemned by Bosniaks. After Dodik having pondered about the referendum, it were also Bosniaks living abroad who recently protested. One example may be the protest of the Congress of North American Bosniaks who even demanded sanctioning Dodik for allowing extremism and irredentism (Bosniak.org, 2008). The special relationship of RS with Serbia also suggests that Serbs significantly block the deepening of the Bosnian citizenship as proposed by OHR and Bosniaks, naturally. The fact that Serbs do still have problems to identify themselves as Bosnians also confirms that Serbs still feel more attached or consider Belgrade as more of the centre of politics than Sarajevo (Lippman, 2007). Nevertheless even though, Bosnian Serbs did threaten with a referendum for independence, it was actually not called when Kosovo declared its independence, for instance. Instead, the Bosnian Serbs, when approved the Police Reforms package – gave a certain signal that they will not secede from BiH and that the EU membership is still more important to them. At the same

time, they did not forget to mention that RS has to have its current autonomous status retained to remain cooperative.

4. Croat View

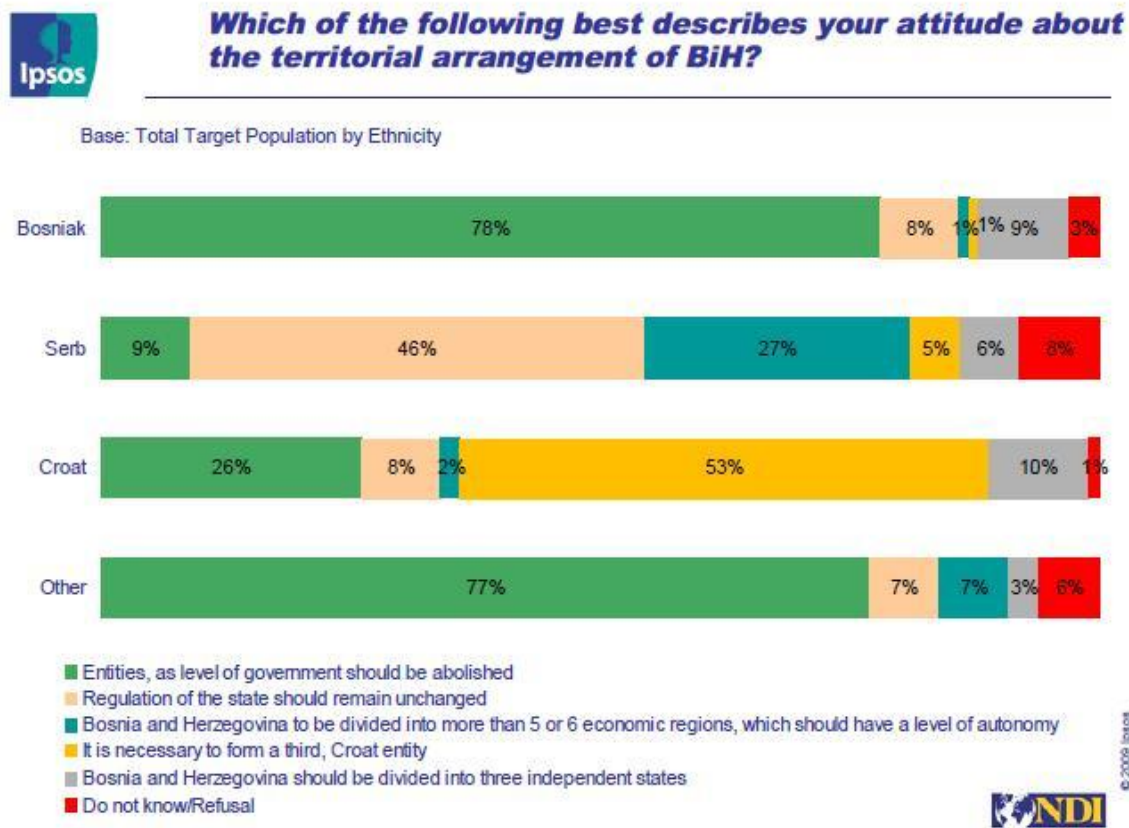
Bosnian Croats are themselves more pro-Bosnian however have never really given up the idea of them becoming more visible within BiH and one of the solutions suggested has been the creation of the third entity. Quite surprisingly Dodik, even though not being particularly a friend of the Bosnian Croats, suggested a creation of the third separate entity incorporating the Croats only (Birn.eu, 2007). This move is ascribed to his efforts to do everything but to allow the centralization of BiH and helping his “rivals”. According to the recent opinion poll, 53 % of Croats still call for a third separate Croatian entity that would be on the same level as the RS (Ndi.org, IPSOS Survey, August 2010). Dragan Čović, leader of the Croat Democratic Union (HDZ BiH), confirmed how difficult it is to form a common Bosnian identity as follows: “We do not support a civil, unitary Bosnia-Herzegovina concept of the state, nor do we support its current structure with two entities” (Alić, 2007).

5. Bosniak View

As for Bosniaks, their view towards a more centralized or unified Bosnia is generally known. Haris Siljadžić, the member of the tripartite presidency is well known opponent of the entity arrangement in Bosnia, arguing that the entity arrangement just gives a free hand for RS to secede from Bosnia one day. The international community can be said to be a supporter of the very Bosniak view – that is more centralized and efficient BiH. For that the OHR has been under a great pressure and criticism., by mostly Serbs, for its attempts to centralize BiH and

conditioning it for successful beginning of the entry talks with the EU (Financial Times Report, 2007). It should be however pointed out that even though the international community supports more centralized state, it always attempts to achieve a compromise acceptable for all parties. The Police Reform, for example, greatly illustrated this.

View on entity arrangement by Bosniaks, Bosnian Serbs and Croats



Graph#10, Source: National Democratic Institute, Ipsos Survey August 2010

The above graph#10 latest survey, published just before the general elections 2010, confirms that the views of Bosniaks, Bosnian Serbs and Croats remain the same with regards to the entity arrangement these days. In this IPSOS survey conducted for the

National Democratic Institute, the 3 main ethnics of BiH were asked for example if the existing entities should be abolished or if the regulation of the state should remain the same or whether BiH should be divided into more economic regions as well as if a third entity should be formed, for instance. 78% of Bosniaks want to abolish the entities as opposed to only 9% of Bosnian Serbs, for instance. Bosnian Serbs, as above mentioned, still prefer the current entity arrangement – about 46% of them. What is however interesting though is that 27% of Serbs want BiH to be divided into 5 or 6 autonomous economic regions. This suggests that for a great amount of Bosnian Serb population the current entity arrangement is not completely ideal however. As already mentioned Bosnian Croats view, currently nearly 53% of them want to create a third entity. This is a significant percentage and the new politicians coming out of the 2010 elections should think about ways how to make representation of the Bosnian Croats more equal as compared to the Bosniaks.

7. General View

When looking at the co-existence more at the examples of actual groups and people we may see that the 3 ethnics in BiH do not still trust each other as it would be desired. In 2001 (already 6 years after Dayton) when there was a ceremony held at the occasion of the rebuilding of the Ferhat Pasina Mosque in Trebinje RS (which was dynamited by Bosnian Serbs during the war), thousands of Serb protesters requested cancellation of the laying the foundation stone ceremony. This resulted in a clash with several injured and one dead Bosniak (Vučinić, 2001). The division of BiH is also viewed by people by the very parallel relationships Bosnian Croats have with Croatia. The Bosnian Croats can for example still vote in Croatian elections. (Ipu.org, 2008). Many Bosnian Croats also have a privilege of using Croatian passport. Similarly the

special relationship of RS with Serbia is evident. According to a Bosnian Croat priest Stojan Marković, who has been known for helping the returnees to settle and has fought for a restoration of a Bosnian society by establishing an organization trying to bring all 3 BiH religions together, it is the nationalism which divides the people in BiH. He argues that the nationalist politicians hold on power only to create an unnecessary and everpresent fear. He also admitted that among the members of Catholic Church, several of them also supported and were swayed by the nationalistic wave (Obradović, 2008).

Bosniak youngsters, such as the hip hop band “Dubioza Kolektiv”, or the “Dosta” group, which has organized its concerts in protest of the current political situation in BiH, see the cohabitation of the ethnic nation in BiH as still very divisive but see particularly nationalism and greediness of the politicians as a cause of blocking BiH normal development. They argue that Bosnia is a sort of a private enterprise where the people only share power and nationalism is the very way how to keep their power. They also argue that the costly institutions and unreformed police forces contribute to further division of Bosnia. The reason why they have their band is not only to play music but make people aware to actively participate in politics and change the status quo situation. According to Branko Jakubović, member of Dubioza Kolektiv: “People just want to have a decent job and decent meals to eat. Normal Bosnians just don't care about different nationalities” (Walton, 2006).

Despite the fact that Bosnia is still strongly divided ethnically and BiH citizenship and identity is still being built, there are however signs of this improving. According to a survey of United Nations Development Program (UNDP), people in BiH overall start to be more concerned with the everpresent corruption. E.g. 9 of 10 respondents believe that the official sector is corrupt and work of politicians, who amount to

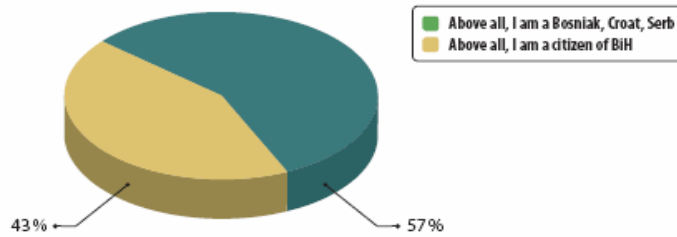
themselves great funds but distribute very little to ordinary citizens and public services, just reflects this. This paradoxically leads to ordinary people aligning themselves more with the idea of BiH citizenship with strong and transparent central institutions and future membership in the EU. The fact that EU parliament voted for lifting visa requirements for people of Bosnia-Herzegovina in October 2010 can encourage further dissatisfaction with the local nationalistic politicians and more and more, particularly youngsters, may demand central institutions reform seeing the benefits the visa free regime and potential EU membership (and the effect of Europeanization as a whole) can bring to their lives in BiH (Sopinska, 2010).

A. Self-identification

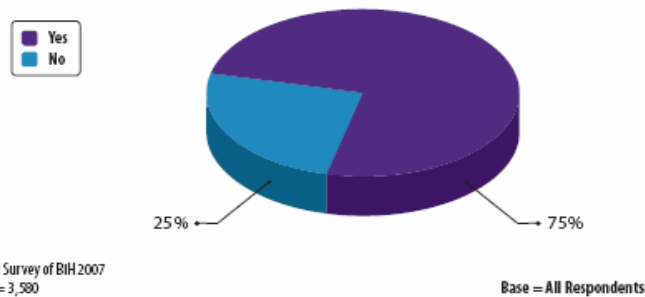
With regards to identification it is interesting to notice that the number of those who consider themselves above all as citizens of BiH has increased and is currently at about 43%. As compared to those who still identify themselves as Bosniak, Croat and Serb, the percentage is still higher (57%) but the numbers are coming closer. Furthermore another part of the UNDP survey posed a question if when the surveyed considered themselves as Bosniak, Croat and Serb, if they felt themselves also as the citizens of the entire BiH. The Graph #11 below illustrates this also. 75 % interviewed consider themselves as the citizens of the whole BiH whereas 25% of them not (Undp.ba, 2008).

Self - Identification A

Q: Which of the following best describes you?



Q: As well as thinking of yourself as a [Bosniak, Croat, Serb], do you also think of yourself as being a citizen of the whole of BiH?



Graph #11, source: www.undp.ba

It may be argued that the change in people's thinking towards more integrated Bosnia may indeed reflect the general dissatisfaction with the expensive and corrupt arrangement of the entities and cantons. It is a signal that people would like to see a change and this may mean a certain amendment or possibly even annulation of the DPA and replacing it with a new constitutional agreement. The percentage of people satisfied by DPA is now almost half by half (49.7 % arguing it did not work and 50.3 % arguing it worked) (Undp.ba, 2007). This suggests that the current arrangement where Bosnia is divided into entities and cantons is not considered as entirely satisfactory. Lastly, the survey also revealed that nearly 70% of those surveyed expressed as their top five – being incorporated into the European Union. Such public opinion thus passes the ball to the supporters of further centralization of BiH and does not help those who crave further decentralization.

What has been very interesting to watch, particularly in the recent past, was the strong identification of all 3 ethnics in BiH with the team of Bosnia-Herzegovina in its successful move towards qualification for the football world championship in South Africa in 2010. Be it Bosnian Croat, Serb and naturally Bosniak, they all eagerly supported the team of Bosnia-Herzegovina, and gave more cheers to this national team as they approached more to the qualification. The BiH national team Miroslav Blazevic, is a great example of a person showing that an ethnic Croat born in Bosnia, and moreover being a coach of Croatia itself in the past, can be an eager coach of the team of Bosnia-Herzegovina recruiting all 3 ethnics into the one national team (Minshull, 2009).

B. Army of BiH

As of 2006, the armed forces of the former armies of FBiH and army of RS were integrated into the Armed Forces of BiH under the control of federal Ministry of Defence of BiH. This has been an important step towards a territorial integrity of BiH and a necessary step of BiH to apply for NATO membership. Moreover on 22 April 2010, BiH signed the Membership Action Plan (MAP) a necessary step towards becoming a NATO member in the near future (BBC.co.uk, 2010). Before Dayton Agreement signature, there were about 419,000 soldiers in three mono-ethnic armies while today the Armed Forces of BiH are composed of approximately 10,000 soldiers and 5,000 reservists under a unified command (Ssrresourcecentre.org, 2010) The Army of Bosnia-Herzegovina currently undergoes several tasks such as it participates in collective security operations – restoring peace, fighting against terrorism, provides defence of an overall territory of BiH in case of attack, assists in natural disasters (the common Bosnian army was, for example, very active during the

spring 2010 floods across BiH) and is responsible for demining of BiH territory (Mod.gov.ba, 2010).

All three ethnics, Bosniaks, Bosnian Serbs and Croats together serve and represent the interests of Bosnia-Herzegovina in several international missions. Armed forces of BiH have been present, for example, in Iraq, Afghanistan, and in the Democratic Republic of Kongo. Moreover Army of BiH have participated in common exercises under auspices of NATO, e.g. “Cooperative Lancer” and “Cooperative Longbow” in Georgia (Mod.gov.ba, 2010)

C. Police Forces of BiH

Even though the police forces in Bosnia are still divided along the entity lines (with RS and FBiH still having their separate police forces, with different uniforms and police car designs), the 2008 compromise, being a pre-requisite towards signing an association and stabilization agreement with the EU, brought into an existence a common Directorate for Coordination of Police Bodies. This body has been established to oversee setting up of a structure composed of 7 bodies. 4 of these bodies are to improve the interaction of the entity police forces at the state level, for instance (Maras, 2009).

Bosniak Himzo Selimovic is currently the leader of the Directorate for Coordination of Police Bodies and the Bosnian Serb Uros Pena and Bosnian Croat Mile Juric serving as his deputies. So this Directorate is again composed along the ethnic lines and allows for equal representation of all ethnics.

Besides the Directorate for Coordination of Police Bodies, there is also a common BiH Border Police, currently headed by Vinko Dumancić. Another important part of

the in process reformed common police forces of BiH is the State Investigation and Protection Agency, headed by Marko Dominković (Ramadanović, 2010).

Besides the above bodies, there is also a Police Support Agency (unifying data related to police personnel, standardizing equipment of the entity police forces etc.) , Personnel Education and Professional Development Agency (harmonizing curriculum plans and trainings for entity Police forces), Forensic Examinations and Expertise Agency, that all have been a part of the police reform package of BiH (Polis.osce.org, 2009).

The creation of these bodies was also a pre-requisite for granting BiH a visa free regime within the EU, with the EU parliament approving it in October 2010. The police reform has however been criticized by many as not sufficient and there have been calls for a more unified police forces, particularly by the EU and its requirement for the constitutional reform of BiH.

D. Summary of Europeanization in Security Sector Reform of BiH

The Europeanization process can be argued to have had the most visible impact on the very security sector reform.

As a result with the Dayton Peace Agreement, and especially annexes 1a and 1b, Military Aspects and Regional Stabilization respectively, besides stopping arms, the agreement stipulated that the security of BiH would be monitored by military Implementatation Force, also known as IFOR under the NATO command. The first notion of real Europeanization influence comes with with Organization for Security and Cooperation in Europe (OSCE) setting up its offices in BiH in order to monitor the peace process and making sure that the stipulations of the DPA (especially with

the process of disarmament and minority rights; Annex 7 – “Refugees and Displaced Persons”) are adhered to.

From around 2003, EU has started to have a significant role in the stabilization and security of BiH. This is particularly because of deployment of EUFOR and EUPM missions.

EUFOR, or precisely European Union Force Althea is a successor of SFOR and IFOR, above described. It replaced, the previously NATO led SFOR on 2 December 2004. EUFOR has at present around 2014 troops in BiH: 1659 from EU states with largest number of personnel being from Spain and Italy. There are also 355 non-EU troops mostly from Turkey (Ssrresourcecenter.org, 2010). The main objective of EUFOR is to provide the military presence which will maintain secure and safe environment in BiH. EUFOR is also in charge of helping the Armed Forces of BiH, established in 2006, to assist them with capacity building and training (Briljavac, 2010).

Another organization with European influence is The European Union Police Mission (EUPM). Created in 1 January 2003 and extended till 31 December 2011, The EUPM is in charge of creating lasting policing arrangements in BiH that will comply with the European and international practices. Besides this, the EUPM is responsible for helping the further police reform process and help combat organized crime. It also reports to the EU special representative. Its staff consists of 92 international police officers, 30 international civilian staff and 157 local staff. Its budget for 2010, for example, is EUR 14.1 millions (Consilium.europa.eu, 2010).

The EUPM achieved to transform the State Investigation and Protection Agency (SIPA) into a fully operational police agency and increased its executive powers to fight crime and corruption. It also contributed to the creation of Ministry of Security

and Border Police – being a part of the Police Reform package required by the EU for signing the SAA with BiH. Most importantly and being again part of the Police reform package, and among the most required elements of the reform, the EUPM has worked on establishing the Directorate for the Police Coordination at the state level (Consilium.europa.eu, 2010).

Further elaborated in this thesis (in the Police Force of BiH section), the actual reform process of the Police Forces of BiH is another element of Europeanization of BiH. For the European Union to sign the SAA agreement with Bosnia, it requested the creation of the Directorate for the Police Coordination, Common Border Police and Common State Investigation and Protection agency, with which the EUPM was helping. The creation of these agencies was also conditioned for granting BiH the visa-free regime with the EU member states (passed by EU parliament in October 2010).

The Europeanization has had also influence on the Military reform in BiH. The EU and NATO insisted on creation of common BiH army, if Bosnians were to become the members of each association.

The previously divided armies of FBiH and RS merged into Armed Forces of BiH under the control of Ministry of Defence of BiH in 2006.

Also in 2006, BiH became a member of the Partnership for Peace program (PfP), which has further put pressure on BiH to reform its defence sector according to the NATO and thus also European requirements. For example, in 2007, there were EUR 5.8 million allocated from the NATO/PfP Trust Fund for civilian training of those who were laid off from the Army of BiH as a part of Army reform necessary for eventual NATO membership (Ssrresourcecenter.org, 2010). In 2010, BiH proceeded

to eventual NATO membership by signing the Membership Action Plan (MAP) being a necessary step towards joining this association.

What's more, in connection with Security System Reform (SSR), EU has also invested and became engaged in prison reform of BiH. For instance, for the efficient running of the prisons, the financial requirement was estimated at EUR 788,376, out of this amount, the EU has contributed EUR 600,000 (Coe.ba, 2010).

Sub-national actors and NGOs development

Sub-national actors as well as Non-Governmental Organizations (NGOs) have also been part of the security sector reform in Bosnia-Herzegovina. Here comes the Europeanization and EU again. The main aspect of the regional policy of the EU is to get the sub-national actors involved and participate in the governing process assuring that their voices will be heard. For example in 2003 the EU helped to establish the Sarajevo Economic Region Development Agency (SERDA). This has been an unprecedented move involving areas across the Inter-Entity Boundry Line (IEBL) thus both FBiH and RS together. Specifically 18 municipalities in FBiH and 13 in RS are part of this largest economic market in the territory, with the population of around 700,000 people (Ritter, 2008). Interesting to note here that while RS central government politicians are often unwilling to always listen to the EU proposals, in this case, the RS local politicians did accept this concept, as a part of dealing with economic and social issues (Ritter, 2008).

There are also several NGOs that have been created in BiH over recent years. Among them there are NGOs involved directly in security sector. They are, for example, European Commission for Democracy through Law (also referred to as

Venice Commission). It consists of independent experts who became well known for their contribution to betterment of law and politics. In BiH they offered a legal advice on setting up of the Human Rights Court (King, Dorn, Hodes, 2002). Another well known group acting in the security sector of BiH is, for example, the International Crisis Group (ICG). In BiH it has been responsible for creating reports with regards to peace implementation progress.

Last but not least, there has been a development of the NGO's as citizen action organizations trying to voice their disagreement with actions of local and national level politicians. These include, for example NGO "Dosta" (meaning enough), trying to point out that the nationalism in BiH politics is pretention for keeping the seats by the politicians. Another NGO, is, for instance, "Omladinska Informativna Agencija", who wants the issues of the youth to be addressed by the politicians. Next important NGO, or actually an association incorporating around 400 local NGO's, "Grozd" is regularly exchanging experience with other NGOs in the Balkan region, attempting to remove ethnic barriers, and reform institutions as often suggested by international organization such as EU (Ritter, 2008). The effect of Europeanization in connection with non-governmental organizations and sub-national actors in BiH is thus also present.

Summary of Europeanization Process in Bosnia and Herzegovina - overall

To summarize the overall process of Europeanization in BiH it is appropriate to look at the below table.

Europeanization Process in Bosnia and Herzegovina

Humanitarization	(Phare, ISPA, SAPARD, Obnova, CARDS, IPA)
Stabilization	(Royaumont Process, Regional Approach, EUSR)
Securitization	(EUFOR/ALTHEA, EUPM)
Integration	(SAP, Road Map, European Partnerships, SAA)

Source: Case study, "A Europeanization without Democratization", Bedrudin Brljavac

According to Bedrudin Brljavac, the author of this table, the Europeanization in BiH has undergone several stages. Starting with humanitarization, continuing with Stabilization and Securitization and ending with Integration. These stages suggest that for the Europeanization in BiH to take full effect, it has been necessary to, first and foremost, support its reconstruction financially. Royaumont initiative/process, being a result of Stability Pact of Europe/DPA and supported by the Council of Ministers of the EU, reasserting its presence in the region, meant creating conditions for permanent peace in BiH and recognizing the importance of citizens groups such as NGOs. These groups would develop democracy and dialogue among the citizens (Roumeliotis, 2010). The securitization phase came with setting up of EUFOR and EUPM. Lastly the Integration phase is to bring BiH into the European Union structures with BiH becoming a full member eventually. First step, has been signing the SAA, for instance.

VI. Current Trends, Scenarios and Way Ahead for BiH

This last chapter is not linked to the main argument of the thesis but enables the reader to contemplate and think about possible scenarios in the near future development of BiH offering possible ways ahead.

When pondering about stabilization of BiH, one has to realize that Dayton Peace Agreement created on the one hand central government but on the other hand devolved most of the power to the entities and what is more to the cantons. There are ones who argue that the DPA did indeed stopped the unbearable war conflict in BiH but failed as a tool for building an efficient state (Cabada, 2007: 116).

The possibility of future EU membership and effect of Europeanization nevertheless does not really support the idea of an independent RS, and Bosnian Serb politicians are of course aware about this. RS is also content about EU supporting regional and cross regional cooperation within the EU and formation of the so called “Euro-regions”. This would enable Bosnian Serbs, even though locked in the borders of BiH to form and more cooperate with Serbia itself. Furthermore the general public view towards the citizenship of BiH has been improving and many people in BiH, including also Serbs can imagine continued living in the state of Bosnia-Herzegovina. The problem however is that the common idea of being Bosnian has been missing also historically and in spite of how much the superpowers tried to create it, the nations living inside have not really recognized it. One way to try to revive it, besides the external incentive model of Europeanization, is that this idea comes from inside of Bosnia and not from outside (Hladký, 2006: 348) Nations living in BiH should be striving for building BiH on democratic principles, stability and economic

development from which they would benefit. If the majority of people are satisfied with the way how the BiH state functions and are economically well off, the Bosnian identity could possibly be enhanced, if not formed completely.

The question which arises these days is what to do next? Is Dayton arrangement efficient? What are the alternatives?

The key challenge of Bosnia is now the reform which would reduce the complexity and simplify the decision making process and thus make BiH less dependent on international guidance (Bieber, 2006: 62). It is true that the organs govern in some ways in BiH, nevertheless it is a question what happens if the international community no longer engages in BiH? It has been argued that under the current arrangement, should the international community leave, the BiH Dayton arrangement could collapse (Smrčková, 2006). On the other hand, the international community has been viewed with mixed feelings in BiH (perhaps with the exception of Bosniaks). The nations of BiH have indeed seen a success in international community bringing the stabilization into the country that was in ruins. This success can be seen on the economic performance and also on growing allegiance towards the BiH citizenship. The recent past achievement was the creation of common Bosnian armed forces. The reform which was agreed by three ethnics after initial disagreements has paved way towards creating a compatible military force as required by NATO. Furthermore the reappointed member of the presidential tri-partite Nebojša Radamović gave consent to a framework agreement for Partnership for Peace in 2006 (Fco.gov.uk, 2008). The common military force would be something unthinkable in the war years or even after the war was started. The nationalistic rhetoric often voiced by the Bosnian Serbs but also Croats was hinting however at the excessive use of powers and control of the local Bosnian politics. The temporary demise of Spirić over

the introduced police and institutional reforms in 2007 was one of the examples where a Federal Bosnian politician was questioning why he has to be in the office when the work is done by the OHR in this case. Even the past cases illustrate that the international community in certain ways did indeed use its powers excessively but with the goal of maintaining stability in BiH. The examples were monitoring media and suppressing those reporters who would be criticizing Dayton Peace Agreement. In the first years of DPA arrangement of BiH, the monitors for example even used the methods of fining. In one of the cases the SDS party was, for instance, asked to pay 50,000 USD for statements that allegedly endangered territorial unity of BiH (Carpenter, 2000: 5). The often strong approach of the OHR, for example, was in ways effective but many times counterproductive and dangerous. In case when Paddy Ashdown in December 2004 sacked major police and political officers in RS and demanded that RS would provisionally pass the control of the army and police to the central authority, the reaction of the RS was immediate with them issuing a declaration of opposing strongly any recentralization (Kuperman, 2006: 42).

With regards to the way forward suggested for BiH development, there are following five scenarios of the way ahead:

1) Status quo, whereby the international community would follow the pressure politics towards further centralization of Bosnia (e.g. current constitutional and police reform package approval), but reducing the peace keeping forces in order to save the cost of the extra administration.

2) Actual partition of the country. The critics of this approach however fear that this could only support further secessionist movements in Europe, e.g. Muslim Sandjak declaring independence from Serbia and Montenegro?

3) New international conference that would start dealing with reforming the DPA and existing borders in BiH.

4) Maintaining status quo ante. This means that BiH state structure would remain exactly the same as it is today with no further centralization pursued. According to Alan J. Kuperman, the best option for remaining territorial integrity of BiH would be to allow RS to have its strong autonomous status within BiH, allow for a loose confederation but do not press on centralizing Bosnia to the point where it was before the war (Kuperman, 2006: 43-44).

5) Making Bosnia a partially federal state. Currently BiH is de facto administratively divided into entities, cantons and RS. This proposal means that entities would be abandoned and BiH would only consist of cantons including the District of Brčko and the territory of RS. In other words, BiH would be composed of 12 cantons. This could be also an argument for Bosnian Croats to stop demanding the third entity as this would be already unnecessary (Riegl, 2005).

And what about current politicians and their view on future arrangement of BiH? Most of politicians have been divided exactly by the ethnic lines. Haris Siljadžić (previously Bosniak member of tripartite presidency), declared his will to abolish the entities and leading BiH towards becoming a centralized state. However at the arrival of Bakir Izetbeković (SDA) who replaced him in the Bosnian presidency after the 2010 national elections, Bosniaks now show more reconciliatory and compromise seeking politics towards future arrangement of BiH. Croatian politicians such as, already mentioned, Čović ponder about the idea of 4 entities (Bosniak, Croat, Serb and Sarajevo) and the current representatives of the RS, particularly (now president of RS) Milorad Dodik, lean towards a more confederal arrangement of BiH, not ruling out cession of RS from BiH or possibly even merging it with Serbia. This is now

however less likely as the Bosnian Serbs not only approved the police reform package, but Milorad Dodik in his letter to Baroness Catherine Ashton confirmed that RS is not seeking an independence from BiH but only want to keep the current level of autonomy for RS.

The more realistic view towards development of BiH state structure, for the time being, is most likely the current arrangement of decentralized Bosnia divided into 2 entities. The three ethnics do not yet seem to be prepared for any radical changes since the diversity among them continues to be still significant (Hladký, 2006: 348-349). If the reforms are introduced gradually and combine ethnic interests and international community has got patience implementing those then BiH could eventually move towards a more but not completely central arrangement, RS will never accept this. The radical solution, and that is partition, is also not ruled out but less likely at this time since all BiH politicians do realize the advantages of joining the international structures such as the EU and NATO, for example. The process of Europeanization and conditions set forward by the EU for BiH to enter the EU (as one territory only) prove this. The UNDP survey mentioned in this theses confirmed that BiH citizens are indeed in favor of joining the EU, apart from their nationalistic rhetoric. This nevertheless does not mean that the RS representatives will not demand such solution in the future.

Pre-conclusion

The people living in the territory of current Bosnia-Herzegovina are at the crossroads as to how to identify themselves and what state unit they should belong to in the future years. Many, moreover, question the Dayton Peace Agreement and

country's arrangement and particularly Bosnian Serbs have not given up craving for an independent Republika Srpska. Why is that? The answer is because the Bosnian identity has been historically questioned for many times. Those who argue that the Bosniak national formation had indeed existed (particularly stressed by Bosniaks but not denied by Serbs and Croats either) argue that the territorial unit of Bosnia-Herzegovina was indeed an independent territory and provide examples of Ban Kulin and most importantly Štefan Tvrtko who ruled Bosnia as a truly independent state in the 14th century. The Bosnian Serbs and Croats on the other hand incline more to reasoning that the Bosnian identity came with the Ottoman occupation of the territory of Bosnia, when the Ottomans artificially created a third nation (originally only populated with Serbs and Croats, according to them) and forced local people to accept Islam, even though they allowed them to freely decide if they want to convert. This very sort of soft approach by the Ottomans is said to have led to the strengthening of the idea of Bosnian identity and the relative prosperity under the Ottoman empire made those who accepted Islam feel they belong to Bosnia. The Ottomans also cleverly allowed the name of Bosnia to remain one of the Ottoman's Sanjak (region), realizing that BiH must remain one integral unit and not to be split as it represented the most significant territory for the Ottomans being the base for future expansion to Europe. When Austro-Hungarian rulers took control over the territory in 1878, they managed to revive the region economically however the national awakening in the Empire led also the Bosnian Serbs and Croats to uprising and build upon the idea of them becoming independent from the Empire along with Croatia and Serbia. The tension and rivalry between the Catholic Croats and Orthodox Serbs was evident with each of them trying to get Bosniaks on their side. To put it more crudely, they attempted to dissolve this third entity among themselves reasoning that their

identity never really existed. The newly created Kingdom of Serbs, Croats and Slovenes, later renamed to Yugoslavia was even more evident example of tensions among the ethnics in Bosnia. First years were marked with the Serbs and Croats forcefully taking arable land from Bosniaks seeing this as a revenge to the treatment of Bosnian Serbs and Croats during the Ottoman years and forced them to either Serbize or Croatize. The ethnic tension between the Croats and Serbs in the entire Kingdom however led to a further escalation with king Alexander redrawing the ethnic map of this time already Yugoslavia to prevent civil war and force on the people the concept of Yugoslavism. The Second World War showed that this concept was not able to function with particularly Croats showing that they were not able to live with Serbs in one state. The situation significantly changed under Tito, who, with his charisma and Second World War's victory, managed to remain popular among all ethnics of Socialist Federal Republic of Yugoslavia. What comes however as surprise is that the territory of Bosnia-Herzegovina under Tito showed great improvements and demonstrated that the 3 ethnics could indeed peacefully co-exist under "one roof". Nonetheless it should not be forgotten that Tito did not allow for democracy and thus freedom of expression, and many people had to as a result keep silent. The end of Tito rule and arrival of Milošević unfortunately led to the new wave of nationalism and Serb-centrism. This naturally led to the resentment by Croats, Slovenes and Macedonians who after free elections declared their independence and secession from Yugoslavia. Such decision paved a way towards a new conflict in Bosnia which again became a territory of contest by Serbs and Croats. Why there was such a bloody and protracted war in BiH between 1992 and 1995? The reason is that the independence of BiH was a blow to the Serbs who lost control already over Croatia, Slovenia and Macedonia and could not simply come to terms that they would

lose another territory with over 31% of ethnic Serbs. Croats on the other hand feared the domination by the Bosniaks and total isolation from Croatia. Bosniaks in contrast saw the independence as freeing themselves from oppression by Serbs and Croats and reviving the idea of Bosnian nation.

History thus showed that the territory of BiH has not been belonging to only Serbs and Croats but that the Bosniaks were indeed able to retain and strive for the new Bosnian state and identity despite the fact that the true Bosnian kingdom only existed for only several decades and was artificially sustained by the Great Powers. The war brought the international community to try to help end the war in Bosnia. There were several peace plans introduced to help stop the violence. It however took only until 1995 when all parties agreed to end the war. The Carrington-Cutiliero peace plan was seen as unfair by Bosniaks because it decentralized BiH and created cantons which the ethnics would control no matter if they had a majority in those. The Vance-Owen Plan also failed because it legalized the occupation of territory taken by force and suggested territorial exchanges, the proposals which were not acceptable for the Bosniaks at that stage of negotiations. Owen-Stoltenberg Peace proposal, for the first time, suggested an ethnic partition of BiH, and this plan already resembled Dayton Peace Agreement in many stipulations, but the reason why it also failed was that it granted only 30% of territory to the Bosniaks whereas the Serbs would have 53%. This would reduce the original size of Bosniak territory control and was of course strongly opposed by them. The turning point came with the Dayton Peace Accord which finally brought an agreement by all parties to stop the war. It should however be also acknowledged that everybody was striving to reach some kind of an agreement because all parties were already exhausted from the war. DPA confirmed the division of BiH into the Federation of Bosnia-Herzegovina (controlling 51% of

territory) and Republika Srpska (controlling 49% of territory), granting both an unprecedented autonomy and giving both a rather fair share of territorial control which was the main obstacle in reaching an agreement previously.

The Dayton agreement itself has been viewed as more of a compromise than total success. It is undoubtedly true that since 1995 there has not been any real conflict or new escalation of violence between Bosniaks, Serbs and Croats, except for perhaps, the violence during the ceremony of reconstruction of the Ferhat Pasina Mosque in Trebinje in 2001. The DPA has not nevertheless been flawless. It helped BiH to remain one territorial unit but at the cost of strong decentralization supporting in many ways irredentism and has allowed particularly RS to ceaselessly threaten to become independent. As a result of this arrangement, the federal BiH government and the tripartite presidency are rather weak and often powerless. The DPA administrative division is often very ineffective and running of the entities and cantons is an extremely costly affair. As already mentioned, BiH, where there are 2 entities and in FBiH 10 cantons, has got in total unbelievable 13 constitutions, parliaments and 124 ministries. Moreover in FBiH there are still separate Bosniak and Croat postal offices and telecoms and police forces.

It can be argued that the very process of Europeanization – defined among others as a process connected with reforms of domestic institutions in accordance with the mechanisms of the EU - did help BiH to get back on track and has lead, as a part of the EU driven external pressure, conditionality and logic of consequence – to a greater cooperation among the entity political representatives initiating reforms that are crucial for territorial integrity of BiH and moving it towards a potential EU membership. If it was not for the external pressure and a lure of BiH membership in

the EU, the Dayton Peace Agreement by itself would not have such integrational effect.

The influence of Europeanization on constitutional development of BiH has led to strengthening the stipulations set forth in the DPA with regards to freedom of expression, movement and minority rights. Even though there is still a significant discrimination against the returnees particularly Bosniaks and Croats in RS, there is more and more pressure exercised on the politicians (as a result of pressure coming from the EU connected with required constitutional reform) to do away with the discriminatory procedures such as delaying the process of returning the property. The Sarajevo agreement, for example, signed in 2002 also amended the DPA to allow the representation of all 3 ethnics in political representation and the Constitutional Court set the so called magic formula ordering 8:5:3 ratio for filling out ministries in both FBiH and RS. Therefore, for instance in RS, ministries should be composed of 8 Serbs, 5 Bosniaks and 3 Croats. Such formula would be unthinkable to be even talked about in, for instance, in 1994.

If it was not for the actions of the international community, and particularly the Office of High Representation/EU Special Representative (EUSR), the situation could get even more out of control and that is why the territorial integrity will be for at least some more time dependent on the intervention of the EUSR. In spite of accusing the EUSR of imposing an international protectorate on BiH and unwanted reforms (particularly voiced by Serbs), it managed to persuade all 3 ethnics to, in the end, cooperate and accept, for example, the common currency – Convertible Marka, accept the Value Added Tax collection on the entire BiH territory and create joint armed forces of BiH and coordinated body of FBiH and RS police forces.

The Europeanization in constitutional development has also positively influenced other parts of the constitution. For example passing the common election law of BiH was considered as getting BiH back to “Europe“ in a referendum campaign. The Constitutional court by itself, which the EU considers as the supreme guarantor of constitutional rights also contributed to a territorial integrity of BiH. It for example deemed as unconstitutional the attempts of entities to adjust their constitutions in order to enable to block voting process at a central level or in accordance with the EU principles of free movement of people and respect for human rights, the Constitutional court rejected the new amendment bill on return of refugees which it considered as insufficient for guaranteeing equal treatment of all ethnics of BiH.

The Europeanization also impacted upon political process of Bosnia-Herzegovina and brought about important changes associated with strengthening territorial unity.

The BiH party politics have undergone the so called anticipatory Europeanization with the Liberal Democratic Party of BiH (LDP) being the first to cooperate with European Liberal Democratic Party. This was followed by the establishment of Consultative Task Force between the EU and BiH. Another important step towards Europeanization of BiH politics is the observer/affiliate status of BiH parties such as Party of Democratic Action (SDA), Croation Democratic Union of BiH (HDZ BiH) and Party of Democratic Progress of RS at the European People’s Party, and Social Democratic Party being an observer in the Party of European Socialists.

The fall of Milošević and Tudjman’s regimes in Serbia and Croatia changed the previously strongly nationalistic profile of BiH’s main political parties. All these parties are now more or less for not breaking the territorial integrity of BiH in its current borders. It is true that Milorad Dodik’s SNSD won in the 2006 elections and that one of the items on its manifesto has been a referendum on the independence of

RS. Even though it has been a hot topic, up until now no referendum has been called. Dodik also, after initial blocking and disagreement, accepted the OHR new Police reform package, including also the constitutional changes speeding up the decision making process and putting an end to no show up if the legislation is not particularly liked by an ethnic. Thanks also to Dodik and his SNSD, the police reform package, prerequisite for BiH obtaining an official EU candidate status (importantly, confirming the territorial integrity of BiH) was approved beginning of April 2008.

Even though the declaration of independent Kosovo indeed raised the nationalistic spirit in RS, which has been continually supporting its main ally Serbia, this declaration of independence by Kosovo, did not result in any similar action by RS declaring independence from BiH. It is evident that all parties in BiH do try to monitor the wishes of their electorate and according to the latest surveys all three ethnics see their future and further development within the EU structures. The main issue of BiH politicians these days is not how to divide BiH but how to reform the current administrative arrangement and entity division, in accordance with the EU requirements. Everybody knows that any changes introduced must be incremental to succeed in BiH.

BiH economy, which is also closely connected with the political process, has been also positively influenced by the effect of Europeanization. EU has been providing BiH its aid and technical assistance referred to as Pre-Accession Assistance (IPA). For the EU budget period 2007-2013, for example, is involves 11.5 billion euros as a part of transition assistance and institution building. Overall, the EU has invested, through its programmes such as ECHO, PHARE or OBNOVA, in total around 2.5 billion euros to BiH since already 1991. The economy of BiH has showed an enormous development as compared to the first post war years when the economy

was in ruins. The introduction of the common currency KM and VAT, lead to the increase of foreign direct investments in BiH and a reduction of the unemployment which is still however a great pain of the BiH economy and burden to future development. Nevertheless, the economy has continually risen ever since 2003, only interrupted by the world economic crisis, now back at growth. The inter-entity trade has been also developing. For example, the Serbian Avaz grocery group established its branches in FBiH. RS company Integral Inzejnering Laktaši is to build parts of Vc highway corridor leading through mostly FBiH entity. The railway company of FBiH and RS now operate a joint transport of passengers and have entered into common rail freight alliance with other states of former Yugoslavia. The BiH's economic development is however not equal in entities and RS is economically more well off then FBiH, for example. The same goes for the level of poverty which is also unequal with FBiH being a significantly poorer. The greater cooperation between the entities could though equalize these differences.

The Europeanization has also significantly impacted on security setor reform of BiH. From around 2003 EU has started to have a momentous role in the stabilization and security of BiH. This is particularly because of deployment of EUFOR and EUPM missions. The EUFOR has provided military presence to secure safe environment in BiH and has helped, for example, Armed Forces of BiH, with capacity building and training. The European Union Police Mission (EUPM) on the other hand has worked on creating policing arrangements in BiH complying with the European and international practice, and on helping with the police reform. It contributed, for instance, to the creation of Ministry of Security, Border Police and

most importantly to the Directorate for the Police Coordination, being part of the police reform package.

The Europeanization impacted the security sector also by encouraging formation of sub-national actors and Non-Governmental Organizations (NGOs) in BiH. For example, the EU helped to establish the Sarajevo Economic Region Development Agency (SERDA). This unprecedented project involves areas across the Inter-Entity Boundry Line (IEBL) thus both FBiH and RS together. Specifically 18 municipalities in FBiH and 13 in RS are part of this largest economic market in the territory, including populaton of around 700,000 people. There are also several NGOs that have been created in BiH over recent years. For example, the International Crisis Group (ICG), providing reporting on progress of peace implementation in BiH. The NGOs as citizens' action organizations have been also set up. Among them, for instance, "Grozd" being association of several NGOs whose main goal is to remove ethnic barriers and reform institutions as required by the EU and international community.

Lastly, the impact of Europeanization on overall territorial integrity of BiH has been considerable. This is attributed to the fact that it indeed positively influenced and, to some extent, forced constitutional development, political process change and security sector reform in BiH, incorporating all walks of the BiH society.

The perhaps most important area concerning the territorial integrity of BiH, influenced also by the process of Europeanization, is the issue of Bosnian identity and BiH citizenship. There is no doubt that Bosnian Serbs and Croats do still think of themselves as having distinct identities and do still feel more Croat and Serbs then Bosnians. This is undeniably still a great problem and nationalism is still present in people's minds. However, the latest trends show that the situation is slowly turning more towards realization of common BiH citizenship. The recent past survey of

United Nations Development Program revealed that even though 57% of BiH citizens still feel themselves as Bosniak, Serbs and Croats, there is already a significant portion – 43% who feel above all Bosnians. The even better result is shown when people were asked if they felt of themselves as well as Bosniak, Serb or Croat and the citizen of the BiH, the survey revealed that 75% do so whereas only 25% do not consider themselves both.

The ordinary citizens also see the high level of corruption among the entity politicians as the main obstacle in future development in BiH. The surveys revealed that people are willing to give more power and therefore support more centralized state if the politics of BiH becomes more transparent and less costly. The public is aware and considers this as unfair that great amount of funds does go for financing of the entities and cantons' bureaucracy and top officials instead of larger funds to be put into development of BiH overall. The politicians, particularly those of the RS, are oftentimes playing the nationalist card but often only to keep their power and the posts. It is therefore important to stress that apart from the nationalism, power politics also plays a great role in BiH. Milorad Dodik, for example, feels very comfortable with the current arrangement and the position of the RS that was negotiated at Dayton, so why should he have his competencies taken away at the expense of the federal institutions? In ethnic nationalism is thus oftentimes a hidden desire to keep power rather than work towards a constructive solution for BiH as a whole.

Conclusion

After introduction and literature review, the thesis took the reader into a theoretical part. It explained the concept of Europeanization and divided it into several sub-chapters among which the most important for this thesis have been the Europeanization as a Logic of Consequence and Conditionality. It described the Europeanization further in Constitutional Development, Political Process (incorporating also economic development upon which Europeanization had also a major influence) and Security Sector Reform which enabled the reader (after learning about the history of the conflict, ethnic composition of BiH and getting to know the peace agreements), to be able to learn how the concept of Europeanization impacted upon constitutional development, political process and security sector reform in Bosnia-Herzegovina itself. The major chapters – Constitutional Development, Political Process and Security Sector Development, allowed the reader to learn about constitutional arrangement, political actors, administrative division, economy of BiH as well as provide the analysis of ethnic returns, self-identification with all these being influenced by the very process of process of Europeanization. At the end of each of these chapters an analytical summary of Europeanization in these three sectors was provided. The Logic of Consequence and Conditionality concepts as defined in the theoretical part indeed lead to persuade the reader that the external pressure exercised by, in this case, the EU upon BiH, strengthened by the financial incentive, have indeed helped to maintain, despite ever-present threats of RS to break away, a territorial integrity of BiH, positively influencing the overall development in the country, and even though branded as insufficient and slow by the EU, the reforms have been incrementally taking place in BiH, with all major BiH political representatives having had one thing in common, that is EU membership.

The above example area studies showed that there is indeed, boosted by the very influence of Europeanization, a will in BiH to attempt to build a common state and identity and even if not fully accepted then at least live under one territory as separate ethnics to avoid another bloody conflict which could easily be connected with the actual partition of BiH if done today. Yes, reforms aimed at more centralized Bosnia, as required by the EU, have been hard to accept but what is respectful is that BiH politicians have been, even though it oftentimes involved even several months or even years, able to reach a compromise on certain policies eventually, despite their differences. One of the examples have been the police reform package which was in the end approved in the federal parliament in April 2008, granting BiH EU applicant status and thus confirming its territorial integrity. Everybody also realizes that BiH, if partitioned or if RS declared its independence, would mean delaying the process of European integration, which the people so much rely on as a factor which could improve their lives. The fact that even Croatia and Serbia are now themselves more occupied with entry talks with the EU suggests that they would not suddenly stop the process of accession negotiations just to help their Bosnian Croat and Serb “brothers” and merge their territories with Bosnian Croat and Serbian ones, particularly when the Bosniak status would again cause a simply unsolvable problem in a short period of time. The dramatic development in BiH with RS declaring independence is not completely ruled out but less likely particularly after Bosnian Serbs gave a clear signal, when approving the Police reform package, or with president of RS Milorad Dodik assuring the High Representative of the EU in foreign affairs baroness Catherine Ashton that RS is not seeking independence from BiH, that they give a priority to BiH’s EU membership application as one state, including RS. The cross

entity politicians are also aware that if BiH is to join the EU it must do so as one territory only. The very concept of Europeanization is a driving force behind BiH development and guarantee of a territorial integrity, if not for indefinite period than for a longer span of time until BiH fully integrates into the EU, which by conditionality and logic of consequence it must do as one territorial unit.

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