

## Bosnia Kenneth Morrison



A Bosnian Muslim woman attends a religious service at the Gazi-Husref Bey's Mosque in Sarajevo.

# Crisis Averted?

While the ghosts of the 1992-95 Bosnian war have been invoked by political elites in the North Atlantic Treaty Organization (NATO) countries as a justification for the need to provide humanitarian intervention in Libya, the political situation in Bosnia barely merited mention. Indeed, while the focus has been fixed on the events in the Middle East and North Africa, Bosnia's problems have incrementally but steadily worsened.

**R**ELATIVELY FEW COLUMN INCHES HAVE BEEN devoted to the recent political crisis which enveloped Bosnia, possibly the most acute since the signing of the Dayton Agreement in 1995.

One notable exception was Lord Paddy Ashdown, a former High Representative (HR) in Bosnia, who made a timely intervention reminding those who do not closely follow the country's affairs of the potential dangers that lie ahead if the international community continues to turn a blind eye. In an article for *The Times*, he argued that while great efforts were being made to prevent a Bosnian-style scenario in Libya, the international community's approach to Bosnia itself was, conversely, characterised by inaction.

The fundamental problem remains Bosnia's complex political structure, and the competing interpretations of what kind of state it should be. Divided into two entities - the predominantly-Serb Republika Srpska and the Croat-Bosniak Federation, the latter of which was further decentralised into ten cantons - each possess their own governments, parliament and presidency, but are linked only by weak and increasingly embattled central institutions. Consequently, political power has remained concentrated at entity, not state, level. Bosnian Serbs, in particular, have vigorously resisted constitutional reforms that would, as they see it, undermine their autonomy. Their strategy of strengthening their own institutions by blocking as much state-level legislation as possible has assured that the Bosnian state remains weak. Acting as arbiter, the Office of the High Representative (OHR) has attempted to implement its vision of the Dayton Agreement and push reforms that would make Bosnia a functioning state, and one better prepared to embark upon the process of Euro-Atlantic integration.

The HR, who from 1997 was endowed with the so-called 'Bonn Powers', possessed wide-ranging authority which could be used to exclude politicians deemed to be obstructing the Dayton Agreement. But since 2006, under the watch of Christian Schwarz-Schilling (an advocate of a less proactive role for the HR), momentum has been lost. Bosnia subsequently lurched from one crisis to another, and numerous initiatives such as the 'April Package' and the 'Prud Process' failed to bring about much-needed reform. Scheduled for closure in 2007, the OHR has remained in place, but its authority has gradually diminished. The current HR, Valentin Inzko, has attempted to take a more robust approach, but his actions have brought him into conflict with Bosnia's major Croat and Serb parties.

## POLITICAL CRISIS IN THE FEDERATION

The latest in a seemingly endless series of crises was triggered by Bosnia's last elections in October 2010. Seven months on, the country still does not have a state-level government nor, if recent events are anything to go by, is it likely to have one any time soon. The gridlock was caused primarily by the inability of the major Bosniak and Croat parties in the Federation to create a governing coalition. Months of protracted negotiations over the distribution of key



**Milorad Dodik, the president of Bosnia's Serb-dominated area, addresses the region's parliament in Banja Luka, Bosnia.**

posts produced no tangible results, further fuelling tensions between the Social Democratic Party (SDP), the big winners in the election, and the two major Croat parties, the Croatian Democratic Union (HDZ) and the Croatian Democratic Union-1990 (HDZ-1990).

So in March, five months after the elections, a group of parties led by the predominantly-Bosniak SDP - which includes the Bosniak Party of Democratic Action (SDA) and two smaller Croat parties, the Croatian Party of Rights (HSP) and the People's Party 'Prosperity through Work' (NSRzB) - triggered a constitutional crisis by moving to form a new government without the consent of the two largest Croat parties. Enraged by this, the HDZ and HDZ-1990 reacted angrily to the proclamation of the new government, both stating that they would not recognise what they deemed an illegitimately established and unconstitutional authority. The new government was, they argued, bereft of parties that represent the majority of Bosnian Croats, and thus one which would advance the interests of Bosniaks at the expense of Croats.

Matters were further complicated when Bosnia's Central Electoral Commission (CEC) ruled that the formation of the government was illegal because the strict conditions required in order to facilitate it had not been met. The CEC assessed that the proclamation was essentially illegal because delegates from all ten Federation cantons were not present when agreement was reached among the parties in attendance. The HDZ and HDZ-1990, who hold the majority in a number of those cantons, failed to send representatives to the 'House of Peoples' on the basis that no prior agreement had been reached with the SDP-led bloc. As a consequence, the CEC ruled that the decision to form a new government should be annulled.

Following the CEC's decision, however, Inzko announced that their decision was to be 'suspended until further notice',



the justification being that the HDZ and HDZ-1990 had refused to fulfil their legal obligation of electing delegates to the House of Peoples within the required timescale. With the Croat parties chastised, the new government, seemingly confident that the ruling was permanent, continued with the business of government (with the support of the HR). Suitably antagonised by the HR's intervention, the HDZ, HDZ-1990 and a number of smaller Croat parties subsequently established a parallel Croat National Assembly in Mostar which would be used as an instrument to coordinate between Croat-majority cantons. They have also demanded that the Dayton Agreement be revised to accommodate a third, Croat-dominated, entity.

## THE BOSNIAN SERB CHALLENGE

Inzko's ruling was grist to the mill of nationalists in Republika Srpska. The president and leader of the dominant Union of Independent Social Democrats (SNSD), Milorad Dodik, used the events to underscore his argument that Bosnia is a dysfunctional state; an artificial construction underpinned by the engagement of the international community. Critical of both the SDP and the HR's decision to override the CEC's ruling, he has made it clear that he considered the Federation government illegal. Moreover, in a move that would intensify the political crisis, the RS National Assembly declared on April 13 that they planned to hold a referendum, scheduled for June, which would challenge the legality of Bosnia's state court, prosecutors office and rulings imposed by the HR, all of which they perceive to be anti-Serb.

The Bosnian Serbs were, therefore, challenging the legitimacy of not simply these institutions, but the very body that established them. An inevitable stand-off between Inzko (who claimed that the referendum would undermine the

Dayton Agreement and would represent a dangerous step toward the disintegration of Bosnia) and Dodik ensued; the former threatening to remove the latter from office if the referendum went ahead. In response, Serb members in the Bosnian federal government, who argued that the referendum was needed to stem the growing power of Sarajevo and the arbitrary authority of the HR, threatened to resign their posts en masse.

However, on May 12, Dodik, ever the master of brinkmanship, announced following the visit to Sarajevo and Banja Luka of the EU's foreign policy chief, Baroness Catherine Ashton, that he would postpone the proposed referendum as a 'sign of goodwill', but on the basis that the EU commit to addressing Serb concerns. He also expressed his hope that channels of dialogue be opened on the issues most sensitive for Bosnian Serbs. By making such a concession now, Dodik may have strengthened their hand in subsequent negotiations, so while Inzko may interpret the Serb climb-down as a victory, there are significant challenges ahead for him. After all, the latest crisis has made clear that the OHR has lost credibility among Serbs while its authority has diminished among Bosnian Croats.

## CRISIS AVERTED?

These events demonstrate that the political climate in Bosnia remains fractious. Sixteen years since the signing of the Dayton Agreement, the fundamental problem remains that there exists no consensus among Bosnia's political elites, be they Serb, Croat or Bosniak, regarding the future of the state. All claim to be defending Dayton but, equally, all interpret it differently. This has led to Bosnia's three main ethnic groups increasingly indulging in rhetoric and engaging in brinkmanship akin to that which characterised Bosnian politics in the early 1990s, creating an increasingly toxic political ambience. There is a general consensus among regional analysts that a return to violence is unlikely any time soon, but both Serbs and Croats are increasingly challenging the legitimacy of Bosnia's state institutions, and the worsening political climate has only served to heighten tensions.

The latest crisis has underlined that the European Union (EU) is still an important actor, but one in need of clear strategy that will facilitate the reform necessary for Bosnian to realise the objective of EU accession. Baroness Ashton has reiterated the EU's commitment to the country's European perspective, but enlargement fatigue and Bosnia's internal political problems will likely dictate that EU accession is many years away. In his recent address to the United Nations Security Council, Valentin Inzko acknowledged that Bosnia's Euro-Atlantic integration processes had 'come to a complete halt.' After five years of intermittent crises, only a more proactive EU policy can stem the cycle of crises. Further inaction or procrastination could have wider-ranging consequences, for Bosnia, for Southeast Europe and for the EU.



**KENNETH MORRISON** is a Senior Lecturer in Modern European History at De Montfort University, Leicester.