International State-building in Bosnia and Herzegovina

A case study of a post-war country under international supervision

International Relations & National economics focus on South- Southeast Asia

Bachelor Thesis in Political Science

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Abstract

This essay investigates the post-war international intervention in Bosnia and Herzegovina. The Dayton Peace Treaty was welcomed as the first multilateral agreement amongst countries since the end of the cold war, including Russia. The treaty sought not only to end a war but wrote the Bosnian constitution. We see examples of state-building through international intervention in other parts of the world post-9/11 (Afghanistan, Iraq). The state-building actions in Bosnia was the first multilateral action after the cold-war it is therefore interesting to research the measures that were taken and to follow-up and investigate if it was a success or a failure. Bosnia today is falling behind other neighboring countries, economically and democratically speaking. Neighboring Croatia has just recently become a new member state of the EU, many scholars along with member states of EU and the International Community agree that Bosnia should aim to reach the same goal as Croatia in order to ensure political and economical stability. However there seems to be conflicting agendas between the International Community and the local politicians. The essay will focus on the effects of the international intervention through state-building operations in Bosnia and how the international community took upon itself a major responsibility and the results of those efforts till today.

Keywords: Bosnia & Herzegovina, State-building, International Community, EU
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<tr>
<td>BiH</td>
<td>Bosnia and Herzegovina</td>
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<td>DPA</td>
<td>Dayton Peace Agreement</td>
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<td>IFOR</td>
<td>Implementation Force (NATO-led)</td>
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<td>FBiH</td>
<td>Federation of Bosnia and Herzegovina</td>
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<td>GFPA</td>
<td>General Framework Peace Agreement for Bosnia &amp; Herzegovina</td>
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<tr>
<td>H.R</td>
<td>High Representative</td>
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<tr>
<td>NATO</td>
<td>North Atlantic Treaty Organization</td>
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<td>OHR</td>
<td>Office of High Representative</td>
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<tr>
<td>OSCE</td>
<td>Organization for Security and Cooperation in Europe</td>
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<tr>
<td>PIC</td>
<td>Peace Implementation Council</td>
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Introduction

"Bosnia and Herzegovina shall be a democratic state, which shall operate under the rule of law and with free and democratic elections" - Constitution of Bosnia and Herzegovina, Article 2.1

The war in Bosnia ended in 1995 with a signed peace treaty that marked an end to the bloodiest war in Europe since WWII. The Treaty's main purpose was to bring stability and peace to an ex-communist state and to promote a fully functioning self-governing democratic state. 18 years later Bosnia is still under International supervision who play a major role in the countries domestic politics. The government today consists of nationalistic parties whose ideas and agenda is not much unlike those of the responsible for the war in the first place with the goal to decentralize the state and divide the country along ethnic-boundaries with the overhanging threat of referendum.

In the Dayton Peace Agreement (DPA) it is stated that the power must be divided between the three constituent peoples, Bosnian-Serbs, Bosnian-Croats and Bosnian-Muslims. In theory this would mean that the ethnic parties are able to protect their interest and jointly (inter-locking) reach agreements in the state.

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1 Dayton Peace Agreement, Article V annex. 1-B.
2 The Office of High Representative has the highest legislative power in the country, this will be discussed later on in the text and explained thoroughly.
3 International Crisis Group "What does Republika Srpska Want" p. 1
apparatus. Instead the political parties have used their veto rights (inter-blocking) to hinder the political progress which has stagnated in the recent years.\textsuperscript{45}

It's a downward spiral and the next elections the country will have the first eligible voters that were not born when the Dayton treaty was signed yet there seems to be little hope that the newly eligible voters would vote differently then people in have done in previous elections i.e. ethnic voting.

In D.A it was agreed that a 'civilian peace implementation agency was to be deployed', this came later to become The Office of High Representative. His role (since 1996 there have been only men that have held the position\textsuperscript{6}) was to supervise that the civilian implementation of the peace treaty was not opposed by politicians in Bosnia.

The political stalemate in Bosnia due to unwillingness of politicians to implement the D.A along with aggressive and hostile rhetoric pushed the International Community (IC) to empower the authority of the High Representative. Bosnia today is a country divided in two entities the Serb-dominated Republika Srpska (henceforth RS) and the Muslim-Croat coalition, the Federation (henceforth FBiH). The aim of the IC was to create a self-governing multi-ethnic state however the ethnic fragmentation and cantonisation, agreed by all parties in GFPA, has instead hindered this aspiration\textsuperscript{7}.

1.1 Problem formulation
It is quite simple to pin-point the problems of post-war Bosnia, the country is bound by a constitution that was created in the peace negotiations where all parties, to some extent were eager to reach a resolution and to end a war.

18 years after the Dayton-treaty was signed the political situation in Bosnia is to this day still a urgent matter. The main objective of the D.A was to obtain peace, this goal has been achieved through military presence and international intervention empowered by the Dayton Treaty. The misguided hope that the

\textsuperscript{4} Inzko, Valentin (High Representative) "Time to reconsider our approach in BiH"
\textsuperscript{5} McEvoy, Joanne (2013) Power Sharing in Deeply Divided Place, University of Pennsylvania Press. pp. 266-67
\textsuperscript{6} For full list of High Representatives; http://www.ohr.int/ohr-info/gen-info/
\textsuperscript{7} Guzina, Dejan. Dilemmas of Nation-building and Citizenship in Dayton Bosnia in National Identities p.1
previously warring parties would put aside their differences, forgive and forget and live alongside in harmony in unified state was, however, largely misjudged\(^8\). Several high-profile politicians in the country today are using the same rhetoric used by the nationalistic parties that sparked the civil war in '92\(^9\). Bosnia today is a highly decentralized state with divided authority between two entities where the elected politicians are chosen mostly due to their ethnical belonging rather than political aspirations, Horowitz calls this "ethnic outbidding\(^{10}\). Although the Federation and R.S fall under the same constitution and common foreign policy, economy and taxation the previously mentioned veto-rights have excessively hindered the political process. The latest report by Valentin Inzko, the High Representative, draws a picture of a state in decline politically and economically rather than a country with a functioning governmental body\(^{11}\).

According to Inzko Bosnia is falling behind the other countries in the region. The main issue seems to lie within the country rather than the unwillingness of the international community, considering many of the member states of the EU have expressed urgency in Bosnia joining the EU. The institutional malfunction of BiH is clearly shown in several disfunctionalities of the state such as failing to implement European Court Decisions on minority human rights which will be discussed in the paper. It is evident that the political zero-sum game between the two entities is perplexing the decisive power of the state. The creation of the D.A, the international community took upon itself to construct the constitution and then seeing its implementation backfire to the brink of threats for passing referendums for independence from the Republika Srpska President Milorad Dodik. Previous high representative has clearly stated on numerous occasions that "the international community will not tolerate any attempt to undermine the territorial integrity or sovereignty of Bosnia and Herzegovina"\(^{12}\). The nationalistic parties continue to be victorious in every election since 96' both on local and governmental level. The reasons for this will be discussed later on but

\(^{8}\) International Crisis Group (1999) "Is Dayton Failing" p.126
\(^{9}\) The threats of referendum by Dodik is the same used by Karadzic in 1991 that "created" Republika Srpska in; Toal, Gerard "Republika Srpska will have a referendum; The rhetorical politics of Milorad Dodik." Routledge 2012, pp. 1.
\(^{11}\) Valentin Inzko, High Representative Report on Dayton Implementation 14/5/2013
\(^{12}\) Lajcak, "Referendum, a fairy tale that cannot be realized" 2008-03-14.
http://www.ohr.int/ohr-dept/presso/pressr/default.asp?content_id=41439
seeing as the country, the people rather, are in dire need of proper governance that can lead the country forward socially, economically and politically and not hindering Bosnia's way into the international community which can have a positive effect on the economy as a whole. One way to ensuring sustainability in these three areas could be through EU.

There are certain goals that the EU demands has to be set in order for a country to join the Union therefore the rule of law is and the consensus amongst the three constituent peoples (Bosniaks, Croats, Serbs) is of essence to investigate.

Bosnia was formed as a democracy yet it remains a controlled democracy by supervision of such as HR, feeling that the need of supervision was essential in the following years after the Dayton Peace Treaty it is in this authors opinion healthy to question if the same power are legitimate today. Bojkov points out that a "controlled democracy is undermining its own justification in the sense that sustainable peace and cohesion will hardly ever be achieved if not owned by the Bosnian people themselves"13. For the IC the tensions mostly deriving from the RS wish of referendum is one of the reasons why the OHR has been prolonged from time to time. The ambition of this paper is to answer the following questions;

- Has the international community been successful in creating a politically stable country?
- What measures can Bosnia take to be a self-governing state without international intervention?
- Does Bosnia have the sufficient mechanisms to be self-governing

1.2 Purpose
What is then the purpose of this paper? Considering how Bosnia was the first joint international intervention after the cold-war it is necessary to acknowledge the difficulties creating a democratic state that previously had no experience of democracy. State building through international intervention is today more up-to-date in two other countries in the world, the difficulties that Bosnia is facing today is seen in other countries that faced state-building through international

13 Bojkov, 2003. pp.1
intervention (Afghanistan & Iraq). Because of this it is essential that we can draw some conclusion of the complex problems involved in state-building through international intervention in order to learn for future premises.

We have recently seen different approaches by the international community leaving it to the people to choose and construct a new constitution, this was the case in Egypt and in Libya with difficulties of its own. This has also proven to involve hardship in securing long-term stability and development. Similar to Bosnia the democratic elections held in Egypt were rushed and without proper institutions and without rules and common norms, or as Fukuyama calls it the "Rule of law," gave little chance of successful elections.

1.3 Theory
I will use institutional theory as I feel this theory is well applicable to post-war Bosnia. Being the first state under international intervention, and later supervision, after the Cold War Russia, USA and EU agreed on a common agenda in Bosnia. Following that, Dayton brought peace to a unstable area that had over 50 years of communist rule. Understandably the challenges of democratization were even greater after 3.5 years of civil-war.

There are numerous ways to apply a theory to research that focuses on international state-building. This author has chosen institutionalism. The main reason for this is due to the main agenda of the international community intervention in Bosnia and Herzegovina, namely to shape and form institutions for a post-communist state in order to unify it and implement democracy and stability. Institutionalism focuses on the both the formal (constitutions and organizational structures) and informal conventions of political life. In Bosnia the international community has through institutions tried to create common values and norms shared by the people, as institutionalism focuses on these interactions between institutions and individuals it provides a broad analyses of the complex state-building agenda in Bosnia. Institutions are needed for the

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14 Fearon, D. James. "Neotrusteeship and the Problem of Weak States" pp.6
15 Fukuyama p.88
16 Such as Office of High Representative and Peace Implementation Council.
17 Lowdenes, Vivian p. 91
people and are meant to provide the common sense of that some things are taken
for granted in determining other things. In order to have governance
institutions are also essential in order to have a sustainable society. Bosnia is
the perfect example of institutions being formed to create a norm, these rules and
norms are not standardized but are rather given room for variation and deviation.
As the political situation has changed in Bosnia since the D.A this has allowed for a shift in the IC stance in the country. Following the first years
after D.A the supervision of the H.R evolved into a intervention stance as the
local politicians failed to cooperate in accordance to the D.A. Understanding
the complex situation in Bosnia and to take into aspect the post-war status that
still is highly applicable, rational-choice institutionalism that structure
individuals choices as well as the 'new-intuitionalism' that focuses on the
interaction between individuals and institutions is highly applicable, therefore
they are both applicable when discussing Bosnia. As mentioned above,
understanding that Bosnia is a ex-communist state with no previous 'knowledge'
to democracy such as freedom of speech, free elections and so on, normative
institutionalism argues that political institutions shape and form actors 'values,
norms, interests, identities and beliefs'. Rational choice intuitionalism argues
that political institutions are set of rules where each individual attempts to
maximize utility. "Processes of socialization and persuasion are a mechanism
for the EUs domestic impact, which rationalist approached discard, but
constructivism or sociological institutionalism are well equipped to analyze". As
Bosnia is a state where change had to be made in the governmental sphere (law
enforcement, democratization) and individual sphere (norms, values,
reconciliation) it is hard to exclude any form of intuitionalism when applying
the theory to how Bosnia is governed today and how it could be in the future.
Institutionalism emphasizes the endogenous nature and social construction of

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18 ibid. p.95
19 Lane & Ersson (1999), "The new institutional politics" p.38
20 Lowdenes, Vivian p.95
21 This enforcement of the so-called Bonn Powers by the Peace Implementation Council will be
discussed and evolved later on in the essay.
22 Lowndes, Vivian. p.95
23 ibid. 96
24 Trancoa, Miruna. p.71
political institutions. Institutions are a number of collections of structures, rules and standard operating procedures. In essential they provide the political framework for any country and are therefore not solely based on interactions between state actors but also how the citizens interact with the state.

1.4 Method & Material
In order to investigate state-building under international intervention this will be a Case study of Bosnia using qualitative research method. I will try to generalize to some extent and show what lessons can be learned from this particular case, however it is important to keep in mind that other state-building operations such as in Afghanistan and Iraq are during other premises but maybe there is a common denominator, without going too much into other countries the main objective is to investigate third-party state-building.

As previously mentioned this essay will not be limited by choosing one part of intuitionalism as it is in the opinion of this author that several directions of institutionalism can be used to conduct a broader understanding of the complex political situation in Bosnia, both amongst politicians that constitute the government and the common citizen. The third section will consist of a discussion of what we by then have acknowledged as the main problems in Bosnia along with a suggestions of how the country can progress followed by a conclusion

Material used for this essay are primary sources such as the Gallup Balkan Monitor that started extensive qualitative research in Bosnia 2006. Considering the empirical nature of this particular essay I have tried to use as current sources as possible, such as the latest Gallup Balkan Monitor research of 2010 that presents gives a clear insight of the perception that the citizens of Bosnia have today regarding, international intervention, neighboring relations to other ethnic groups, confidence in the government and so on. But as the essay will show, questions raised regarding the international intervention and the Dayton Treaty in the first years following the signing of the treaty are still relevant as they give

us a relatively long time perspective to investigate if some assumptions of various outcomes have indeed occurred.

There are extensive sources of secondary nature such as articles and books written by distinguished and well recognized scholars, some that have served as consultants to the high representative in Bosnia. The books used will be on focused on the post-war era as is the main focus of the essay, in that field there are more articles on specific matters (such as the Office of High Representative or the issue of two-entity matter in Bosnia) these articles tend to have a critical stance of the international intervention, we will see this by presenting statements from articles conducted by non-profit associations such as the European Stability Institute with acknowledged academics such as Gerald Knaus. As mentioned the articles in general express a critical stance on the ICs intervention in Bosnia but as it might be clear now, things are seldom one-sided in Balkans. Rory Domm provides a different stance in using statistical data to show how the international authocratic intervention in post-war countries have a remarkably high success rate of sustainable peace. To get a deeper perspective in the Dayton Treaty the book by Richard Holbrooke, the chief negotiator for the U.S in Dayton, "To end a war" will also be used as this might provide further insight in the negotiations that followed the General Framework for Peace Agreement in Bosnia and Herzegovina (henceforth GFPA or Dayton Peace Treaty).

1.5 Structure of the Thesis
The essay is divided into 5 sections. In the first section that you have read I try to give the reader basic information of a highly complex matter without venturing too much into the war itself. Further I present problem formulation and research questions that are followed by a theory section that describes how institutions are the essential building blocks and solid foundation upon where further state-building can be applied such as shaping the norms and values of the citizens. Section two begins with a brief background to give the reader a short insight in the conflict and the hardship brought by a ethnic conflict as the one in Bosnia, this problematic issue will be stressed as the essay progresses. Further section two gives insight in the Dayton Treaty briefly described in section one and the implemented of it through the High Representative. In third section, as
intuitionalism is the theory used in the essay I will give real concrete examples of forming and efforts of upholding of these institutions by the IC. Here we will discuss the Dayton Treaty and its implementation as well as The Office of High Representative where the reader will take part of various reports from different sources in order give a as broad understanding of the matter as possible, since the war in Bosnia is a complex matter and the prerequisite for the Dayton Peace Treaty. In section for the reader will take part of an analysis of the concrete problems that are evident in Bosnia today, at this point the reader will have the background info to understand some of the difficulties that Bosnia faces. The last part of this thesis is a result and conclusion part where we look back and reflect on what has been discussed and, if possible, draw any conclusions on international state-building capacity.

1.6 Delimitations
The essay will not venture into the reasons of the civil war nor will it investigate actions takes during the war by warring parties and the now war-criminals that either have been convicted by the ICTY\textsuperscript{26} or stand to face trial. The historic background of the civil war in Bosnia will be described briefly in the essay to give the reader a understanding of the fundamental clarification to as why the war started and why the post-war aftermath was a infected issue. The essays primary focus lays in the post-war era and on state building operations by the international community. Domestic politics will be discussed briefly but the essay will not venture deeper into the political parties and their interconnection since the essay will aim to investigate how the international community and mainly OHR have exercised their power in constructing institutions and state-building operations

2 Background

\textsuperscript{26}International Crime Tribunal in Hague was established in 1993 to convict those that have breached the conducts of war and on many occasions this means the needlessness killing of civilians. Similar tribunals have been established to other areas of war such as ICTR which tries war criminals from the war Rwanda.
In the backyard of Europe the bloodiest war since the WWII took place in Bosnia and Herzegovina. The civil war involved the three different ethnicities living in the country, Bosniaks (Muslims), Croats (Catholic), Serbs (Orthodox). How and why this war came to take place is an essay in itself, however the ethnic dispute is important to highlight since this extended the war and has in the post-war years obstructed reconciliation. Between the years of 92-95 100,000 civilians had been killed. Ethnic cleansing and genocide contributed to hundreds of thousands displaced both within the country and abroad. Bosnia and Herzegovina was a part of the larger state previously known as Yugoslavia. Bosnia was the place where all ethnicities were fairly evenly spread with a small majority being Bosniaks (Bosnian-Muslim). The International Community was paralyzed in enforcing the right measures at the right time in order to prevent the civil war. It was essentially the U.S-led bombings of Bosnian-Serb military deployments that eventually brought the parties to the negotiation table in Dayton Ohio, USA.

The Dayton Treaty was a Peace Treaty that marked the end of the war. The treaty was negotiated and signed by three political leaders of the warring parties in Bosnia and under U.S supervision by the chief negotiator Richard C. Holbrooke. The three political leaders were Alija Izetbegovic for the Bosniaks (Muslim), Franjo Tudzman for Bosnian-Croats (Catholic) and Slobodan Milosevic as a representative of the Bosnian-Serbs.

The Dayton Peace Treaty was signed and acknowledged by all warring parties in Paris 1995. In order for it to be a sustainable peace agreement it also formed the new constitution for Bosnia and Herzegovina. A constitution that sought to adhere to the demands of the three constituent peoples (bosniaks, Croats and Serbs). It was created in a way that no ethnic group would risk being left out or ruled out by the others, the veto right was signed into the constitution. This has caused numerous problems in the political sphere in Bosnia today, the cooperation and the ‘teamwork’ that was required for the country through inter-

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27 Weller & Wolff p. 1
28 Other countries in Yugoslavia were Slovenia, Macedonia, Kosovo, Croatia, Serbia, Montenegro.
locking became instead inter-blocking\textsuperscript{30}. Seeing as the country experienced a civil-war, it might be hard to argue that the warring parties would just put aside their difference and co-operate in the political realm. During the war the ethnic cleansing and forced migration divided the nation into ethnical boundaries. These boundaries were later the precedent which directed how the boundaries would be drawn of the two entities in Bosnia.

The Federation side with majority of Bosnian-Muslims and Croats and the Serb-dominated Republika Srpska. Further The FBiH consisted of, Swiss-like, cantons. These 10 cantons are divided with 5 bosnian-muslim dominated areas, 3 Croat and 2 mixed. The D.A agreement invested many political functions to the local level, such as education, despite there being a Federal Ministry of Education, Culture and Sport.\textsuperscript{31} The two entities (FBiH and RS) lack common agenda and the conception on in which path the country should be heading is not jointly agreed.\textsuperscript{32} For instance, following the elections in 2010, it took nearly 16 months for the political leaders to form a state government.\textsuperscript{33} We will look more into other matters where the government fails to implements laws and amendments. These inactions of the Bosnian government/parliament is the basis of the argument that Bosnia would not be able to govern itself without intervention from the IC namely the Office of High Representative and the European Delegation to BiH\textsuperscript{34}. It is in this authors view, appropriate to question the Bosnian government ability to serve its people when it faces such troubles to form a government.

\subsection*{2.1 The Dayton Treaty}

The D.A was the first unilateral peace agreement since the end of the cold war. Not only did it bring peace to the region it also provided Bosnia with a constitution, a constitution that had its base in ethnicity and later was to considered as a tool of ethnical discrimination, but more on the matter later. Essentially the Dayton was to initiate peace, with the aforementioned ethnical

\begin{thebibliography}{9}
\bibitem{V} Giulio Venneri, p. 8
\bibitem{B} Beer, 2001
\bibitem{J} Jelisic, 2012, pp- 125-126
\bibitem{J2} Jahic, Dino 2013 p.130 Nations in transit.
\bibitem{J3} Jelisic, 129
\end{thebibliography}
basis it was clear the ethnicity played a large part in the negotiations. It was however the question of territory that became the most important question.

Before the Dayton Treaty there had been previous cease-fires but these were all short-lived and never really left the drawing table. The Dayton Treaty is constructed of 11 Annexes all of which had the focus of guidelines that constitute of settling a peace and constructing a new constitution for Bosnia and Herzegovina. A cease-fire in October 1995 agreed by the warring parties eventually lead to months of preparation by under U.S supervision culminated in the Peace Agreement being signed on an American military base in Dayton, Ohio. Holbrooke's notes on several occasions in his book "To end a war" that the negotiations in were intense and outdrawn and many times it seemed that the peace talks would fail, as previous peace drafts had been dismissed (such as the Vance-Owen plan). After three weeks of negotiation the General Framework Agreement for Peace in Bosnia and Herzegovina was agreed and then formally signed on December 14th in Paris.

It became quite clear from the beginning of the negotiations that forming a constitution and peace agreement that would withstand further conflicts in the nearby future would be impossible without International supervision, therefore the highest military power was to be held by NATO and a special unit for Bosnia, IFOR. The plan was to hold democratic elections no longer than a year after signing the agreement meaning that the 'power', in that sense, would be given to the people. During this period the supervision would be carried out by a "High Representative" in accordance with Annex 10.

The Treaty itself consisted of 11 Annexes and the most important ones are summarized below, it is in this authors belief that these are the most important annexes of the Dayton Treaty, I do acknowledge the problematic issue of not

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35 There are four distinctive "peace plans" that were were presented during the war. The most known was the Vance-Owen plan that divided the country into 10 semi-autonomous areas. A common nominator between the peace treaties presented was the focus on territorial dividence based on ethnicity. The other (owen-stoltenberg and the contact group-plan)

36 Chivvis (2010, p48


38 Cousens & Cater 2001, p.33
involving all of them leaves room for criticism however I am of the conviction that in order for the reader to gain a overall understanding it was therefore important to summarize the most important annexes and exclude the others\textsuperscript{39}.

**Annex 1 - Military Aspects**

- The NATO-led force IFOR would be the highest military power and police force in the country. And the only foreign military force that is allowed to operate in the country.

**Annex 2 - Inter-Entity Boundaries**

- The territorial division was the hardest aspect of the D.A. It nearly all fell on the Brcko district where Milosevic finally gave in and allowed the districts status to be decided by arbitration within one year.

**Annex 3 - Elections**

- Free and fair elections were to be conducted no later than 9 months upon signing the agreement by supervision of the OSCE.

- Refugees and those displaced due the conflict will have the right to vote in their original place of residence if they choose to do so.

- The parties must ensure conditions in which free and fair elections can take place and to ensure freedom of expression.

**Annex 4 - Constitution**

- Bosnia and Herzegovina will continue as a sovereign state\textsuperscript{40} with is presented internationally recognized borders and consist of two entities: The federation and the Bosnian Serb Republic.

- Protection of human rights, free movement of people, goods, capital and services throughout Bosnia and Herzegovina.

\textsuperscript{39} The full General Framework For Peace Agreement in Bosnia and Herzegovina can be found on the Office of High Representative official website. www.ohr.int

\textsuperscript{40} The wording here is of interest, by choosing that particular wording that Bosnia will 'continue' as a sovereign state. One could argue that its signatories justifies the vote for independence in Bosnia pre-war that was boycotted by the Serb-population.
- The government will be situated in Sarajevo, the central government will be responsible for foreign policy, law enforcement, air traffic control. [add more on the central governments responsibilities.

**Annex 6 - Human Rights**

- A guarantee of internationally recognized human rights for all persons in Bosnia and Herzegovina. A human rights chamber is to be established with a human rights ombudsman that has the authority to investigate human rights violations and bring proceedings before the Human Rights Chamber. The parties must also agree to give full monitoring rights to UN human rights agency, the OSCE, the International Tribunal and other organizations.

**Annex 7 - Refugees and displaced persons**

- Refugees and displaced persons are to be given back lost property or just compensation, all persons are to be able to move freely within the country without harassment and discrimination.

**Annex 10 - Civilian Implementation**

- The parties request that a High Representative is to be assigned to monitor the peace settlement, promote cooperation and facilitate the resolution of any difficulties.\(^{41}\)

The DPA has been argued to be the "most impressive example of conflict resolution" of the post-cold war era\(^{42}\) yet it ended with almost every party feeling unsatisfied by the outcome, which has been made clear by several threats of referendum by the R.S\(^ {43}\). As Wolff and Weller points of in their contribution of "Lessons learned by state building in Bosnia" there were no particular losers or winners in the battlefield\(^ {44}\). Which could be the reason for the unhappiness of all

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\(^{41}\) The entire General Framework Agreement for Peace in Bosnia and Herzegovina is available at www.ohr.int - last checked 2013-08-21

\(^{42}\) David, "Alice in Wonderland meets Frankenstein; Constructivism, Realism and Peace building in Bosnia"

\(^{43}\) International Crisis group ( )) "What does republika srpska want?"

\(^{44}\) Wolff, Stephen & Weller, Marc “Bosnia and Herzegovina ten years after Dayton; Lessons for internationalized state building” 2006. p. 2-4
parties, no clear winner and no clear loser leaves everybody with the hope that they could win yet they feel as they have lost.

Bosnian-Serbs, that were represented by Serbian President Slobodan Milosevic were given the entity now known as Republika Srpska which holds 49% of the territory. The Bosnian Muslims argued that by granting an entity within the state for the Serbs legitimizes ethnic cleansing and genocide and in the long-term sends a messages to warlords worldwide that such violence might grant land areas (Srebrenica & Prijedor). Further the Bosnian-Croats felt as they were not given areal land but had to "share" it with the Bosnians following the Washington Agreement of 1994.

However accurate this assumption from Wolff & Weller might be, another perspective could be considered, it could be argued that all parties reached (in some sense) their goals in Ohio. The Serbs did not get their country within Bosnia, however they got 49% of the land territory and their own entity and much of the decisions made could not hereafter be finalized without the consent of the Serbs. The Bosnian-Muslims got to keep Bosnia and Herzegovina as a whole with a central government from Sarajevo along with promises of the International Community that the Republika Srpska would not be allowed secession or alignment with Serbia. The signing of the peace agreement concluded the end of the war and the beginning for consolidation and reconciliation of the warring parties. The international community came to play a large role of the surveillance for peace-keeping operations where NATO troops were deployed in order to ensure sustainable peace by military force if needed.

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45 Slobodan Milosevic was extradited later to the ICTY (International Crime Tribunal for Yugoslavia) for war crimes committed under the Bosnian War.
47 Srebrenica was a UN protected area, in the UN camp which was under control of Dutch forces the refugees from the town Srebrenica and surrounding villages sought refuge in the camp when Bosnian Serb forces under Ratko Mladic took the town of Srebrenica. Nearly 7000 Muslim men and boys were executed on the surrounding hills of Srebrenica and mass graves are still being found. In Prijedor 5,200 bosniaks and Croats were executed by Serb forces and 14,000 in total in the larger area Prijedor Polje.
48 Weller & Wolff, p.2
49 GFPA, Annex 4.
Holbrooke mentions this in his book that Alija Izetbegovic was the most reluctant in the last stages of DPA uttering the words "It is a peace, but it is not a just peace".\(^{50}\)

3 The implementation of the Dayton Treaty  
This chapter will look into what the D.A essentially meant for Bosnia as a state more concrete. The idea is to give the reader a broader understanding of the problems with the implementation of the treaty. As we all might acknowledge at some point in our lives, things/ideas/thoughts sometime sound better in our heads than they pan out in reality. In the case of post-war construction in Bosnia the International Community faced many difficulties many of which were the direct consequence how the treaty was designed. The following years after signing of Dayton Peace Agreement became crucial in shaping liable institutions where norms, values and rules can be take root and be acknowledge by the people. As mentioned before, Bosnia being a on one hand a ex-communist state and on the other a post-war country faced challenges economically, politically and stability-wise.

3.1 Power-Sharing in Bosnia and Herzegovina following Dayton  
The complex matter on how to divide power between the state and R.S has its foundation in the former state of Yugoslavia where the idea is to not give too much power to any ethnic group that might lead for that specific group to take power over the other ethnic groups.\(^{51}\) Therefore the power-sharing became essential in order to reach an agreement that every party could sign. As is written under Annex 4:

"the Republic of Bosnia and Herzegovina, the official name of which shall henceforth be 'Bosnia and Herzegovina', shall continue its legal existence under international law as a state." The Constitution also specifies that "Bosnia and Herzegovina shall be a democratic state" and "shall consist of the two entities.".

\(^{50}\) Holbrooke, 2001, pp. 311  
To underline, Annex 4 states that the entities are under the Bosnia and Herzegovina constitution whilst Bosnia and Herzegovina as a sovereign state is under international law. This is to ensure that there will not be any doubt about the legal status of R.S. In addition to the two entities there are 10 federation cantons and 149 municipalities. The federal government was to be responsible for foreign policy, international trade, customs, communication & transport system, a central bank and upholding of law and order. Initially the D.A did in fact grant the R.S much self-sustainability. The cantons and municipalities were also given decisive rights on educational matters. The schools in Bosnia don't have a common education plan although there exist a federal Education Agency. Considering what ethnicity in majority in the city or part of the city the education plan is based on ethnicity where Croat (catholic) children have book that are being taught in schools in Croatia and vice versa for Serb-dominated areas, education comes from Serbia and not from Bosnia. This has a rather long-term effect that further divides the coming generations along ethnic lines. The attempts by the International Community to strengthen the state and centralize the power will be discussed in the chapter of the Office of High Representative but both OHR and NATO has had the same abovementioned agenda. The federal power was increased by the value-added taxation imposed by the H.R Paddy Ashdown in 2003 along with common currency. As can be understood nothing else than strengthening the federal state, NATO launched in the year 2010 NATO a Membership Action Plan. Actions taken by the country could lead to full membership one of these conditions are that all immovable military property would fall under the control of the state Bosnia and Herzegovina. Therefore on can conclude that the central state-mechanism in Bosnia and Herzegovina was weak initially following D.A, measures have however been taken from several International actors in separate areas to enforce the state-capacity.

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52 Cox, 2001. p6  
54 Jahic, (2013) p.135
3.2 The hardship of the elections

The D.A main objective, as described before was to mitigate peace and promote stability. It was stated in the agreement that elections should be held no more than a year after signing of the agreement. Although there was a need from the IC to transform the power to the people they substantially misjudged political situation in the country. Seeing as Bosnia was still suffering from the infected civil-war the concern of the OSCE was initially that the elections would be corrupted the main focus was that the electoral process would be fair. By 1997 there were still warlords and paramilitary troops roaming Bosnia, wartime leaders did their best to undermine Dayton and the new constitution blocking returnees to return home, the OHR at this moment had little power to help.\(^{55}\)

Nationalism was still much evident in Bosnia at the moment and the nationalistic parties at the moment seized the opportunity and gathered momentum for the upcoming national elections. Distrust and suspicion between the ethnic parties that had persisted after the war increased as the entities still put much effort and resources on military preparations increasing the tension and the insecurity amongst the citizens\(^{56}\). It is inevitable to ask the question why the voters chose to elect officials that used the same nationalistic rhetoric during the civil war. However it is imperative to acknowledge that Bosnia at the time of the elections was still to be considered in post-war context. Suspicion and mistrust amongst the ethnicities was not something that could be solved in a year that the IC through D.A acknowledged for the transition of power, let alone in the elections itself. Larry Diamond in this article "Lessons From Iraq" calls this premature democratization. He continues to point out that the institutions at the time did not have the legitimacy among the people therefore the intervention of International actors was seen as more interrupting the democracy rather than enforcing it\(^ {57}\).

The elections of 2002 was the first year that the country itself was responsible for the elections, previous elections had all been under the supervision of the OSCE\(^ {58}\). The failure of the elections pushed the IC community to extend the powers of the High Representative, the so called 'Bonn Powers', the following years saw the H.R make usage of these legislative powers by excluding members

\(^{55}\) Knaus & Martin, "Travails of the European Raj" p.63
\(^{56}\) Chivvis, 51.
\(^{57}\) Diamond, Larry p.13-14, p.18
\(^{58}\) Burwitz, Bernd 2004 "The Elections in Bosnia-Herzegovina, October 2002" p.1
of political parties and thus hindering them to be elected in the democratic elections. This leads us directly to the next session where we discuss the High Representative and the powers invested in him.

3.3 Office of The High Representative
In the GFPA there was an agreement that the civilian implementation and surveillance of the peace in alignment with the treaty should be monitored by a High Representative\(^\text{59}\). First and foremost it would be through military stabilization by the NATO-led implementation force (IFOR), some 60,000 troops were deployed,\(^\text{60}\) and furthermore a High Representative whose job was to monitor that state officials not counteracting the Peace Agreement\(^\text{61}\). Since the warring regimes were still intact this action-plan was intended to secure the cooperation of the parties and to 'promote' compliance. Over time the authority of the High Representative changed. This as a direct result following the elections of 1996 described previously.

The High Representative held the highest international civilian authority in Bosnia, his agenda was to make it possible for local parties to establish political and constitutional institutions\(^\text{62}\). Along with the International Organizations such as OSCE, the EU and the UN to coordinate and mobilize several sub-agencies in a joint effort to ensure peace and stability in the country. The first year of the High Representative mandate gave little or no power to impose laws and legislation let alone to dismiss politicians in Bosnia. However this changed with the PIC (Peace Implementation Council) meeting in Bonn 1997. The Peace Implementation Council was to be held in order to give European states as well as other actors a say in the peace process since they were excluded from participating in the negotiation in Ohio. For Bosnia to become integrated in the European community there had to be a joint mission by European Nations, therefore PIC was created. PIC consists of representatives of 55 states (such as Russia, USA, England, Turkey and so on). The High Representative is a person chosen by the Peace Implementation Council and is usually a European, he then

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\(^{59}\) Annex 10.

\(^{60}\) Domm, Rory "Europeanization without Democratization: A critique of the International Community Peace building Strategy in Bosnia and Herzegovina", 2007, pp. -

\(^{61}\) GFPA, Annex 10

\(^{62}\) Kaplan, p. 55
reports to PIC as well as to the EU and UN and the progress in Bosnia and Herzegovina. At the meeting in Bonn 1997 the High Representative (H.R) was given the power to issue binding decisions to take affect when local parties are either unwilling or unable to reach an agreement, in accordance to that H.R could remove officials that obstructed the implementation of the Dayton Agreement, the so-called "Bonn Powers". We look deeper into the complexity of this matter in the following sub-chapter.

3.3.1 The Democracy problem of the OHR
Every annex of the 11 that compose the GFPA has a international body as a supervisor or with rights to 'promotion-rights' The framework created at Dayton was an extremely flexible one, which has enabled international actors, to shape and reshape the agenda of post-war transition.

The Bonn Powers mentioned above were in effect immediately and used by Wolfgang Pietrisch(1999-2002), between the years of 1997-2001 Pietrisch dismissed 81 officials and imposed 166 laws and amendments. Understanding that the media coverage and propaganda was one of the initial sparks that lead to the civil war and the same propaganda was used in the peace process OHR seized the Republika Srpska public television transmitters and fired the board of the Bosnian Serb broadcaster. However the following years of H.R Paddy Ashdown would show that the previous intervention by the H.R was insignificant in comparison. Ashdown improved the rule of law in order to deal with the widespread corruption in Bosnia in which, due to the status-quo between entities, only benefitted the corrupt structures to take form. This was done to stabilize the political and economical structures of the country and to attract foreign investment since the country more or less depended on foreign aid. In 2002 he shut down a weapon manufacturer in Republika Srpska that supplied weapons to Saddam Hussein, 2005 he combined the three entities

63 Full reports by all the High Representatives can be found on www.ohr.int
64 Caplan p. 56-57
65 Chandler, David "State-building in Bosnia: The limits of 'informal trusteeship'. p
66 Knaus & Martin, "Travails of the European Raj" p.68
67 Caplan, p. 57
68 Knaus & Martin p.64
69 Chivvis, S p. 59
military forces into one that was to be a national military force of Bosnia. Also in 2005 he imposed a value-added tax reform in Bosnia cutting thus minimizing the flow of revenue to Karadzic and other militants. Overall Ashdown invoked Bonn Powers 447 times during his four year tenure.\textsuperscript{70}

The supervision by the High Representative has given the local politicians the ability to avoid the delicate matters and leave it up to the international community to impose legislation in areas where they lack either the will or the support of the voters. In some sense this has created a situation where the political leaders seem to push the boundaries to see what they can get away with, instead of being held accountable by the people, the responsibility is pushed over to the ever criticized High Representative whose actions, with the enforcement of the Bonn Powers, is seen not to be in alignment with Bosnia's aspirations to join the EU.

The delicate matter of the political standoff in Bosnia forged in the Dayton shows the difficulty in state-building by international intervention however, it also shows how difficult it is to avoid\textsuperscript{71}. The need of international intervention became evident when the will of local politicians to ensure safe return of refugees and displaced people was non-existent. OHR created a paradox on where in order to ensure democracy and basic human rights, such as the same rights of citizens across the entire nation, required the intervention of a High Representative. The unwillingness of the politicians is as clear as it has ever been with the reluctance of imposing the European Supreme Court decision on the right of minorities to compete for office (Sejdic-Finci).

Following the first elections in Bosnia post-war, the elections went in a direction that the IC could not predict. The initial response by the Peace Implementation Council was to extend the powers of the OHR. By investing the aforementioned powers onto the HR pushed the IC from a mere supervision aspect to a direct state-building agenda.

\textsuperscript{70} Chivvis, p.60-62
\textsuperscript{71} Chivvis, S. Christopher (2010) "The Dayton Dilemma, survival: Global Politics and Strategy" p. 68
4 Analysis

In this section we will discuss and analyze which direction BiH can pursue in order to be self-governing as we have seen OHR still has much say in domestic matter. Previous chapters have shown the international presence in the country with the main focus being on the OHR. As mentioned above the IC goal for Bosnia was initially to transfer the power to local politicians, however the elections proved that the country lacked the stable institutions and a strong state. We will look into some cases that show the how the state is weak and decentralized but also the unwillingness of the politicians to reach agreements across ethnic lines. It is imminent to understand in the discussion and the debate amongst scholars on the positive versus the negative consequences of international intervention, in order to do we have to analyze specific cases to prove just that. Fukuyama argues that failed states such as Bosnia are in need of international intervention in decisive matters since the citizens lack the experience needed. He acknowledges however that the international community must eventually and gradually give up their intervention-politics in Bosnia in order for the legitimacy of democracy and the voters possibility to hold the elected politicians accountable.

4.1 EU membership - from abstract to reality

Many scholars agree (Knaus, Cox 2006) that in order to uphold peace and maintain a strong nation-state is that Bosnia becomes a member state in the EU. This is also recognized by the IC and the agenda to move Bosnia towards EU membership is outspoken by the sitting H.R Valentin Inzko who was also appointed as the EU special representative in Bosnia just two days before becoming the H.R, in his mission statement he states that his mission is to coordinate the EU bodies in Bosnia - politically, economically, security wise and in the social fields- to integrate the country in the European community. According to Knaus & Cox (2006) there are (3) strategies that can push Bosnia into membership status.

72 Fukuyama, p.84
73 Fukuyama p.85-87
1) Authoritarian state-building. This is according to the authors applied in Bosnia (and Kosovo) and is a rarely used method that is undemocratic and consists generally of unaccountable powers such as the OHR to promote and create institutional powers through international intervention. The method is considered to be used in post-war countries (such as Bosnia and Kosovo) in order to achieve political stability in a regions where these cannot be achieved otherwise. The matter on who should have the decisive power to conclude whether a country is politically unstable or not is not discussed.

2) Traditional capacity-building - Is a common used method by the EU. It is a noncoercive method where development agencies promote institution-building and democratization in order to attract countries to become candidates of the EU.

3) Member-state building - Is the method which the authors Knaus & Cox acknowledge as the most efficient one and has proven to be a often used method by the EU to include new members in the Union. This model is unique to the EU and has been used to countries recently applying for candidate-status. At the time when the article was written these were Romania, Bulgaria, Croatia and Turkey, all but one (Turkey) has now become a full member of the EU. The idea of this method is that eventually every country reaches a "tipping point" where the political spectrum reaches a common goal and focus which is to fully integrate with the EU. This was the case of Turkey where the country made economic reforms, empowering democratic institutions by removing military from politics, lifting restrictions on military rights, abolishing emergency courts and supporting the UN-sponsored peace plan for Cyprus in just 5 years\textsuperscript{75}. As a direct result of accepting Turkey as a candidate state in 1999 the country, the authors argue, the mindset shifted from acknowledging EU membership as abstract to something achievable.

The situation in Turkey is different than the one Bosnia where the nationalistic parties that receive continued support from voters. Harry Anastaciou offers some insight in this particular matter. In order to remove the nationalistic ideals that are evident in the country today Anastasiou argues that these can be deconstructed through shared sovereignty to ensure withstanding peace. Further

\textsuperscript{75} Knaus & Cox, "The 'Helsinki Moment' in southeastern Europe" p. 40-42
the absolute sovereignty of a state is given up willingly in order to become a EU member state where sovereignty is overlapping, redistributed and shared.\textsuperscript{76}

\textbf{4.2 The move towards EU}

The EU has since the end of the war been a big contributor to peace-building operations and forming institutions that promote democracy, rule of law and respect for human rights.\textsuperscript{77} There is no debate whether the peace building operations by the international community has been successful or not, the citizens of Bosnia have not taken to arms when in dispute even after the military presence in the country has diminished from 60,000 NATO-led personnel in 1995 to nearly 600 in 2012 by the EU-lead EUFOR ALTHEA.\textsuperscript{78}

In July 2013 Croatia became a member state of the European Union. For Bosnia this meant the country now had a direct border to the EU. Croatia is one of Bosnia largest trading partners. With the trade restrictions on agriculture within EU member states Bosnia will not able to export eggs, meat and dairy products to Croatia since the government in Bosnia cannot reach an agreement on who should certify that their products meet EU sanitary and veterinary rules. The Federation wants a central body and the R.S does not want to shift their decisive powers to the central government but instead argues that this matter be solved by the two entities independently.\textsuperscript{79} As trivial as this matter might seem it is another indicator of the entities unwillingness to cooperate for the better of the country.

In 2003 in the Thessaloniki European Council Summit Bosnia and Herzegovina was recognized as a potential candidate for EU membership and in 2008 the Stabilization and Association Agreement (SAA) was signed where Bosnia and EU agreed on conditions that need to be met for full membership.\textsuperscript{80} However of the 5 essential requirements that were required by the EU only 2 have been met to this day. Most criticism towards Bosnia coming from EU is on the case of

\begin{itemize}
\item Anastasiou, Harry pp.37
\item Paris, Roland p. 26
\item \url{http://www.euforbih.org/index.php?option=com_content&view=article&id=15&Itemid=134}
\item The Economist (March, 2013) "Bosnia and the European Union - A Balkan dysfunction"
\item \url{http://www.economist.com/news/europe/21573595-politicians-need-work-together-if-bosnia-join-european-union-balkan-dysfunction}
\item Endrodi-Kovacs, Viktoria (2013) "Bosnia and Herzegovina’s way to the European Union" p.2
\end{itemize}
Sejdic-Finci on electoral discrimination, In the next sub-chapter we look deeper into the Sejdic-Finci case.

4.3 Sejdic-Finci Case

As mentioned previously, the Dayton Agreement concluded that some forms of the government to be divided by ethnicity of the three constituent people. These are Bosniaks (Muslims), Croats (catholic) and Serb (orthodox). It demanded that the three-member Presidency consist of one each constituent people and that one chamber in the House of Peoples that consist of 15 member be of 5 each of the 3 constituent people.\(^{81}\)

The Peace agreement was written during a time when all parties sought to end the conflict and meanwhile preserve the interest of their people (bosniaks, Croats, Serbs), seeing how every party suffered substantial losses, reaching a peace agreement whilst not budging too much in order to some extent satisfy the public opinion was certainly an agenda of each of the three presidents. This along with urgency to reach a agreement

The Sejdic-Finci case is probably a matter that sums up much of the problems in Bosnia today. The unwillingness of the political parties to implement changes to the D.A the lack of the D.A itself as a constitution rather than just a peace treaty and finally one of the few coherent things that overarches the political parties: not following guidelines by the international community.

In the Dayton Treaty it is stated that the each of "three constituent peoples" must be represented in the Presidency (3 seats with one seat each to the constituent people) and in the House of Peoples (15 seats, 5 seats each to each of the constituent peoples), thus dividing some state institutions to be run on the basis of ethnicity. As mentioned before, we must again take into account under what premises the Dayton Treaty was signed. All three warring entities with neither having a much greater advantage on the field than the other meant that at the time of the peace agreement the parties all felt equally capable of winning the

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war thus fighting for the ones territorial ethnicity became the main priority in the discussions.

Roman population represented by Sejdic, and Finci of the Jewish minority in Bosnia challenged the state on discrimination of human rights since not belonging to either of the "three constituent peoples" Sejdic and Finci could not. The case went to the European Court in 2006 and in 2009 the judgment from the European Court of Human Rights was that Bosnia was indeed violating human rights and urged the country to change its constitution. The constitution was, as we know, The Dayton Since the European Court ruling of 2009 nothing has happened as the politicians fail to reach consensus over the constitutional reform required. Without implementing the Court ruling on the Sejdic-Finci case Bosnia will not be allowed to become a member of the EU. One way to simply change the ethnical discrimination in the election is to simply remove the ethical dividence in the House of Peoples and the Presidency to only consist of number of votes rather than to be based on what ethnicity the elected official is. With the current situation should there be 99% Bosniaks and 1% Croats the presidency still would have to be held by the three constituent people. In whatever way the parliament in Bosnia decides to resolve the matter it has to be done before the elections of 2014, there simply no way to acknowledge the elections as valid should citizens be excluded from political missions solely based on their ethnicity. As the Commissioner for Enlargement and European Neighborhood Policy Stefan Füle said in his press release following the meeting with government officials in Sarajevo 2011:

"Until these conditions are fulfilled it will not be possible to consider further steps for Bosnia and Herzegovina on its EU path"

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82 Milanovic, Marko p. 636
84 http://www.neurope.eu/article/bih-must-implement-sejdic-finci-judgement
4.4 The Issue of ID-numbers

One of the direct and most concrete consequences of failed government politics is the most recent case failing of the entities to reach agreement of the common identification numbers of the citizens. In dealing with health checks, vaccinations, passports and so on, one is required to have a personal identification number. In February 2013 the Constitutional Court ruled that the current ID-numbers signifies the place of birth and therefore should be changed in order to have the same national identification numbers of all citizens born in Bosnia and Herzegovina. Republika Srpska opposed this idea claiming that it further provided more power to the state and less to the entities themselves, this lead to a political deadlock and as of February 2013 newborn babies lacked a ID-number and did not legally "exist".

As the international community have on several occasions been blamed to undermine the democratic process in the country by having a direct impact in the state affairs, what happened in the events following the Feb 2013 Constitutional Court Ruling might prove otherwise.

Massive protest and demonstrations were visible across the country culminated with the death of newborn baby came as a direct consequence of the political stalemate. Berina Hamidovic not issued a ID-number and therefore not being able to have a passport could not cross the border in order to receive the medical attention that could only be provided abroad. Thousands of citizens formed a human chain around the parliament house in Sarajevo claiming they would not let law makers and politicians leave the building unless they came to a agreement over the dispute for ID-numbers. To onlookers this could portray the starting point where the mindset of the citizens shift and demand for the politicians to reach an agreement across ethnicity lines and entity 'borders' is held directly

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85 Lana Pasic on Al Jazeera: "Bosnia's Babies in limbo" 2013-06-20
http://www.aljazeera.com/indepth/opinion/2013/06/201361913650303543.html

86 Zuvela Maja on Reuter: "Bosnians mourn baby who died for lack of ID-number"
http://www.reuters.com/article/2013/06/17/us-bosnia-identity-baby-idUSBRE95F0HR20130617

87 Dan Bilefsky "In Bosnia, a protest over IDs traps hundreds in Parliament"
accountable to the elected parties, not the International Community. On July 18th 2013 the Parliament reached an agreement that the issuance of the national ID-numbers would be consistent throughout Bosnia thus not showing where one is born. In a country that is divided and in remembrance of the atrocities that took place in Bosnia during the civil war where civilians were executed based on the ethnicity, a national marking system of the citizens based on place of birth is more troublesome in Bosnia than many other places in the world.

5. Result/Conclusion
What conclusions can then be drawn from Bosnia? The political stalemate that the politicians reach come to when quarreling over matters that might undermine the entities and empower the state or vice versa is due to a direct consequence of the Dayton Treaty where the entities were given much of the decisive power and shaping the decision making to be represented on ethnic basis gives voters the wrong inclinations towards who and specifically why the elect their politicians.

As a Peace Treaty the Dayton Accords have proven its efficiency, there has been no indicators that the country could be heading towards another civil war. The idea of the D.A was to bring peace and stability its success is therefore evident, the transfer of power has however become proved to be a much bigger issue than anyone could have anticipated. Knaus & Cox point out that the authoritarian state-building had been used in Bosnia and the matter is quite indisputable. What is important to discuss is however the necessity of such measures, Domm argues by presenting research done by Collier, Hoeffler and Söderbom (2008) that in case of post-war countries there is a 40% risk of return to war in a 10 year period. For autocracies (as Bosnia) this risk falls to 25% and in democratic states the risk goes up to 62%.

The democracy problem of the OHR is still problematic, however it is also important to note that the H.R in recent years has been reluctant in intervening in domestic affairs which can interpreted as some form of exit strategy and to simply supervise domestic affairs and only intervene when there are serious breaches against the constitution. The path towards EU lays open for Bosnia with several member states expressing their desire for Bosnia to become a member.
The unwillingness of politicians to reach important measures needed in order to be incorporated in the EU cannot be seen as nothing else but deliberate counteract for such secession.

Has the international community failed in implementing sufficient institutions in the country? I wish that there could be a direct answer to that question, however it is not a clear "yes or no" question. Bosnia even to this day has to be considered as a post-war country considering the ethnic diversity that still is clear in the country and was one of the reasons for the civil war. I am of the strong belief that the risk of war is low in Bosnia however diverse it might be, this considering a few aspects. The EU has invested vast amount of money, resources and personnel in order to lead the country towards membership this because the interest of EU is of a stable region of Western Balkans. Croatia became a member state this year (2013) and Serbia has proven with solving the Kosovo-issue and extraditing war-criminals to the war crime tribunal in Hague that the country is moving towards the EU as well. If Serbia becomes a member state it would be of great significance for Bosnia on several levels. As mentioned above, the newly membership of Croatia has meant that Bosnia has to regulate and shift its import-export strategies in order to comply with high demands that the EU sets. This would become a even more urgent matter if Serbia should join too.

In the globalized world of today where regional cooperation is of great importance politically, economically and socially Bosnia would have no other choice than to apply itself to the requirements made by the EU. Credibility wise a black hole in the heart of Europe provides less legitimacy for the EU as a whole and therefore I fail to see any real danger in EU giving up on Bosnia. The threat of referendum coming from Republika Srpska shows that the international community cannot totally leave Bosnia to its own fate. International supervision, in some shape or form has to continue in the country. The time of firing officials based on the fact that these are not working in accordance with the D.A is passed as we have seen from the current H.R Valentin Inzko. Instead the focus has shifted in integrating Bosnia in the European Union this is security wise, in this authors opinion the best path towards a stable Bosnia. As hinted above, the European Union is an unfinished job until Southeastern Europe is included. Bosnia today lacks the institutions needed in order to be self-governing proved
by the case of Sejdic-Finci and as well as the ID-numbers issue. These questions are not something that are occurring in Bosnia following the years after the war, these issues take place in Bosnia 2013, 18 years after Dayton Peace Treaty. Will the country ever move towards EU? I believe so but it will only happen when the voters in the country see beyond ethnical division and start voting for a brighter future as citizens of a larger region. The scars afflicted by the war are constantly reopened by politicians to ensure that the ethical aspects in society are kept fresh and strong. There is no simple solution on how to heal Bosnia and its population from the war, International Community has put its faith in the European Union but as we have shown, domestic issues prolong this accession. Bosnia is still a post-war country and will continue to be so for the foreseeable future this has to be taken into account in every discussion about the country. The post-war issues will continue as long as the ethnic lines are clear in the country, following a EU accession these lines along with national borders are blurred, maybe blurred lines are essential in order for people to see clear and choose their future based on politics not on ethnicity.
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