

HUMAN SECURITY

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ENHANCING COMMUNITY SECURITY IN POST-DAYTON BOSNIA AND HERZEGOVINA. THE IMPACT OF IDENTITY POLITICS ON EUROPEAN STATE-BUILDING STRATEGIES

Abstract:	<i>Bosnia and Herzegovina have progressed extremely well in the last few years on its path towards the European Union. The latest success was represented by the opening of the accession negotiations after they successfully improved their compliance with the political criteria. But their EU membership is still far away, and they need to confront major challenges. The goal of this paper is to analyze the level of community security by looking at the influence of identity politics in both the internal political life of Bosnia and the European Union's state-building strategy during Ursula von der Leyen's Commission. This paper answers the question of a new Dayton Agreement to be worked upon by the political leadership from BiH and together with the European incentives. By looking at the rhetoric of several levels of leadership in both national and European dimensions, this paper outlines the impact of ethnic discrimination as the key factor that affects the European integration process. As a result, it could be argued that if BiH wants to achieve membership, it clearly needs to create a new constitutional framework that goes beyond ethnic narratives, reduces the interests of political elites, and needs the support of actors such as the High Representative.</i>
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Introduction and research design

Since the end of 2022, Bosnia and Herzegovina has been one of the candidate countries for European Union membership but has progressed slowly to advance to accession negotiations until respect for the required level of adherence to the membership requirements is met, and the Commission offered a report to the Council on developments by March 2024, followed by the final decision of the European Council. Looking into the main obstacles, the one that is outstanding for BiH and, at the same time, a unique issue in the history of European integration is ethnic discrimination due to the political life in Bosnia being constructed around the three constitutive ethnicities.

Thus, the purpose of this research is to examine the European Union's role in Bosnia and Herzegovina's state-building strategy to define the necessity for a new Dayton Agreement to drive a major constitutional and democratic transformation. With that purpose in mind, the research question at the core of this academic effort is "Does the advancement of European integration in Bosnia imply Dayton 2.0?". To define the state-building strategy, it is crucial to examine how the EU has been involved in BiH's state formation since the DPA, as well as the current leadership of the European Commission.

To tackle the research issue of this paper, the methodology will be a mostly qualitative interpretation of the main document or report of the EU towards the integration of BiH, combined with a discourse analysis of the different levels of the European Commission responsible for the enlargement policy. Analysis of public discourse in a poststructuralist way specific to the Copenhagen security school by presenting the speaker and his importance in context, the structure and content of the discourse, registers related to language and expression, and the connectors used. From the previously obtained results, it can be delineating the ambivalence of the construction relationship between the variables of identity and foreign policy and see how they influence each other through processes of association and differentiation through a series of discourse analysis techniques, such as the intertextual model.

Brief history of the conflict

In a recent study, I explored the international dimensions of the Bosnian War through a socio-constructivist lens, examining the intricate relationship between identity and foreign policy in Bosnia and Herzegovina¹. Building on this research, this paper aims to investigate the contemporary nexus between identity and foreign policy, focusing on the EU's perspective and the socio-political landscape post-Dayton Agreement².

The Bosnian War, integral to the dissolution of Yugoslavia³, marked a pivotal moment in the emergence of Bosnia and Herzegovina as an independent nation. Unlike other former Yugoslav states, Bosnia's multicultural composition, comprising Bosniaks, Bosnian Serbs, and Bosnian Croats, added layers of complexity to the conflict. It wasn't merely a struggle for independence from Yugoslavia but also a quest by these groups to forge their distinct national identities within Bosnia and Herzegovina.

Scholars have scrutinized various factors contributing to Yugoslavia's demise, including the leadership void after Tito's death and the artificiality of the Yugoslav project, which was largely sustained by historical circumstances and communist rule. However, ethnic nationalism stands out as a key variable. My research highlighted the nationalist rhetoric of leaders like Slobodan Milošević and Alija Izetbegović⁴, whose competing visions—Milošević's⁵ “Greater Serbia” versus Izetbegović's⁶ inclusive Bosnian nationhood—shaped the contemporary identity politics in Bosnia.

These discourses fueled intense identity politics, transcending mere political discourse to manifest in wartime realities⁷. The conflict's parties—Bosniaks, Bosnian Croats, and Bosnian Serbs—embodied their respective ethnic identities, with Bosniaks striving for independence, Bosnian Croats briefly attempting Herzegovina's secession before aligning with Bosniaks, and Bosnian Serbs seeking to establish Republika Srpska with Yugoslav army support.

The war's brutality, including ethnic cleansing and genocide in Srebrenica, underscored the depth of ethnic animosity. Despite public outcry for intervention⁸, the international community's response, characterized by the “lift and strike” strategy, was perceived as belated and inadequate. US intervention proved instrumental

¹ George Horațiu Bontea, *A Socio-Constructivist Retrospection of the Internationalisation and Outcomes of the Bosnian War*, István-József Polgár, Mircea Brie (Eds.), “The Legitimacy of New Regionalism in the European Integration Process”, Debrecen University Press, Debrecen, 2023, pp. 141-153

² Vesna V. Godina, *The outbreak of nationalism on former Yugoslav territory: a historical perspective on the problem of supranational identity*, “Nations and Nationalism”, Vol. 4, No. 3, 2004, pp. 409-422, doi: <https://doi.org/10.1111/j.1354-5078.1998.00409.x> (20.12.2023)

³ Sabrina Petra Ramet, *Balkan Babel the Disintegration of Yugoslavia from the death of Tito to the fall of Milosevic*, Westview Press, Oxford, 2002, pp. 7-35

⁴ George Horațiu Bontea, *Op cit.*, pp. 141-153

⁵ Christina M. Morus, *Slobo the Redeemer: The Rhetoric of Slobodan Milosevic and the Construction of the Serbian People*, “Southern Communication Journal”, Vol. 72, No. 1, 2007, pp. 1-19, doi: <https://doi.org/10.1080/10417940601174660> (21.12.2023)

⁶ Enes Karić, “*Alija Izetbegović (1925—2003)*”, “Islamic Studies”, Vol. 43, No. 1, 2004, pp. 181-189, doi: <https://www.jstor.org/stable/20837336> (21.12.2023)

⁷ David Campbell, *MetaBosnia: narratives of the Bosnian War*, “Review of International Studies”, Vol. 24, No. 2, 1998, pp. 261-281 doi: <https://www.jstor.org/stable/20097522> (27.12.2023)

⁸ Yaeli, Bloch-Elkon, *Studying the Media, Public Opinion, and Foreign Policy in International Crises: The United States and the Bosnian Crisis, 1992–1995*, “The International Journal of Press/Politics”, Vol. 12, No. 4, 2007, pp.20-51, doi: <https://doi.org/10.1177/1081180X07307184> (28.12.2023)

in ending the conflict and facilitating the Dayton Agreement, aimed at achieving negative peace and addressing ethnic disparities. However, the agreement's implementation resulted in a federation rife with ethnic divisions, political fragmentation, and minimal progress in democratic reforms. Over time, the US receded as a primary influencer in Bosnia's state-building endeavors, with the European Union assuming a more prominent role, driven by the prospect of Western Balkans' integration.

Shortcomings of the Dayton Agreement and towards European integration

The Dayton Peace Agreement was the basis for the constitutional framework of Bosnia and Herzegovina. DPA instituted a state-building structure with two “entities”¹ or federal units: the Federation of Bosnia-Herzegovina and Republika Srpska². The new politico-social reality established during the peace negotiations at Dayton is based on the separatism of Bosnian Serbs and their control over the Republika Srpska, the collaboration between the majority Bosniaks and the minority of Bosnian Croats, the Federation of Bosnia-Herzegovina, and obviously the special case of the autonomous Brčko District. Even in the internal political order of these entities, the reality is based on the ethnic narrative since Republika Srpska tends to have a more centralized constitutional framework. In contrast, the Federation is divided into ten cantons based on the proportionality of Bosniaks and Bosnian Croats, and its internal political order is characterized by constitutional autonomy for each region. At the level of the state, BiH, the coordination is limited to only three political levels, such as Foreign Affairs, Foreign Trade, and Civil Affairs. As a result, although the DPA was successful in ending the violent demonstration, it was unable to establish a state-building capacity for democratic political cooperation between the three constituent ethnic groups³ or to prepare the way for a potential future revision of the structural framework, which would have been overseen by the High Representative of the Dayton Agreement.

As a result of the Dayton Agreement, many scholars identified a series of structural issues that negatively impact the democratic perspectives of Bosnia and Herzegovina that are well summarized in one of the latest academic works of Roberto Belloni⁴ in three structural weaknesses. The first one outlines the idea that the DPA established political institutions that were not intended to create the conditions for effective government but to prevent each group from imposing its own views on the others. A set of institutions is not creating a democratic environment but rather forcing a consociationalistic framework that just maintains the political conflict between the three ethnic groups⁵.

The second one demonstrates that not only did the constitution of the Federation of Bosnia and Herzegovina create ineffective institutions, prey to nationalist manipulation, but it also elevated ethnic discrimination as a principle of law, with important consequences for individual human rights⁶. Based on the structural weakness, there are already two major processes at the European Court of Human Rights: Sejdić-Finci in 2009 and Kovačević in 2023.

The third one explains the main structural weakness of the Dayton Agreement, which involves the role assigned to international actors in the implementation of peace. The civilian head of the peacekeeping operation, the High Representative of the International Community, and its Office, was given the task of overseeing the implementation of the agreement but did not give it any military component⁷. The Bonn Powers

¹ Roberto Belloni, *Civil Society in War-to-Democracy Transitions* in Anna K. Jarstad, Timothy D., Sisk (eds.), *From War to Democracy Dilemmas of Peacebuilding*, Cambridge University Press, Cambridge, 2008, pp. 182-210

² Stefano Costalli, *Does Peacekeeping Work? A Disaggregated Analysis of Deployment and Violence Reduction in the Bosnian War*, “British Journal of Political Science”, Vol. 44, No. 2, 2014, pp. 357–380, doi: <http://journals.cambridge.org/abstract/S0007123412000634> (29.12.2023)

³ Paul C. Szasz, *The Protection of Human Rights Through the Dayton/Paris Peace Agreement on Bosnia*, “The American Journal of International Law”, Vol. 90, No. 2, 1996, pp. 301-316, doi: <https://doi.org/10.2307/2203694> (30.12.2023)

⁴ Roberto Belloni, *The Rise and Fall of Peacebuilding in the Balkans*, Palgrave Macmillan, London, 2020, pp. 83-90

⁵ Foreign Policy Initiative Bosnia-Herzegovina Herzegovina, *Governance structures in BiH: Capacity, ownership, EU integration, functioning state* https://vpi.ba/wp-content/uploads/2021/05/BiH_Governance_Structures.pdf (9.01.2024)

⁶ Asim Mujkic, *We, the Citizens of Ethnopolitics*, “Constellations”, Vol. 14, No. 1, 2007, pp. 112-128 doi: <https://doi.org/10.1111/j.1467-8675.2007.00425.x> (9.01.2024)

⁷ Emir Vajzović, *Bosnia and Herzegovina in the EU integration process: A Carrot-and-Stick marathon* in Branislav, Radeljić (Ed.), *Europe and the Post-Yugoslav Space*, Ashgate Publishing, Farnham, 2013, pp. 157-182

offer extremely important political leverage for the High Representative, who underperformed his attributes during several mandates.

Based on the former academic work of other scholars in this paper, it could be argued that nowadays, the Dayton Agreement could be described as one of the major issues in the European integration process of the country. The state-building framework of the DPA represents a major issue in the fulfilment of the criteria of *Acquis Communautaire*, especially in the case of the principle of rule of law, since it seeks to consolidate a democracy that confronts ethnic interests. Then the question arises: How should the democratic vote be balanced with ethnic tensions?

Before looking into the current situation of the state-building capacities of the EU, it is essential to look at the historical transition from USA influence on Bosnia and Herzegovina to the European Union and major issues that arose during these years. The European integration of Bosnia and Herzegovina has been analysed by many specialists in close connection with the integration process of the Western Balkans region, and due to the tense situation between the three constituent ethnic groups, Bosnia seemed to encounter the most extensive negotiation process. After Bosnia was given candidate membership status by the European Union in December 2022, significant discussions about the primary goals and difficulties have resurfaced. The last statement of significant impact in this sense was made on March 12, 2024, when the European Commission published the report that recommends the opening of the accession negotiations with Bosnia and by the President of the European Commission: “Since we granted candidate status, Bosnia and Herzegovina has taken impressive steps forward. More progress has been achieved in just over a year than in a whole decade. Of course, more progress is necessary to join the Union, but the country is showing that it can deliver on its membership criteria and on its citizens aspirations to be part of our family. This is the reason for which we recommend to the Council that it open accession negotiations with Bosnia and Herzegovina. And for which we recommend that the Council adopt the negotiating framework once Bosnia and Herzegovina have taken further steps in line with the Commission’s report. We remain ready to report back to the Council about the progress made by Bosnia and Herzegovina on these steps. The future of Bosnia and Herzegovina lies in our union“. It is very important to highlight that among the multitude of approaches that the academic community has taken on this subject, we will emphasize those that define this integration process from the perspective of the concept of state-building, in which the EU’s attraction factors help to develop stronger central democratic institutions that better represent citizens’ interests. Thus, by analyzing the specialized literature on this subject with an essential reference point from Roberto Belloni’s work “The Rise and Fall of Peacebuilding in the Balkans,” we will analyze three periods of the democratic consolidation of Bosnia and Herzegovina.

The first period is immediately after the installation of the Dayton agreement and the main systemic problems generated by it. Immediately after the signing of the treaty, the United States of America represented the main international actor defining the foreign policy of the Western partners in post-conflict Bosnia. The Dayton period, also called “liberal imposition of peace”¹, was characterized by the strategy of consolidating peace in Bosnia by imposing institutions modelled on Western societies, implementing a series of policies, or even suspending democratic procedures. All these measures were justified as being undesirable for the maintenance of stability, which implied the construction of internal sovereignty, the development of market economies, the defence of human rights, and multi-ethnic coexistence.

The second period was represented by a transition process in which the USA became a secondary actor in the region, and the European Union considerably increased its sphere of influence by opening the European integration process for the states of the Western Balkans. At this stage, democratic practices were no longer imposed by external decision-makers², and even the role of the High Representative was diminished *de facto* as an involvement, even though the powers in Bonn gave him a key *de jure* role. Governance was no longer carried out by the external environment but was only stimulated to help local and national authorities mature politically to respond to the needs of citizens³. The democratic reforms had to be taken independently by the representative entities and were stimulated by the political and economic support of the approach to future European integration.

¹ David Chandler, *Peacebuilding: The twenty years’ crisis, 1997-2017*, Palgrave Macmillan, London, 2017, pp. 63-67

² Timothy Donais, *Peacebuilding and Local Ownership Post-Conflict Consensus-Building*, Routledge, New York, 2012, pp. 78-96

³ Gëzim Visoka, *Normal Peace: A New Strategic Narrative of Intervention*, “Politics and Governance“, Vol. 5, No. 3, 2017, pp. 146-156, doi: <https://www.ssoar.info/ssoar/handle/document/53942> (13.01.2024)

The last stage was represented by highlighting the main gaps in the European pull factors, how financial incentives were seized by political elites, and a Eurosceptic current of Bosnian citizens starting to take shape¹. Precisely for this reason, the specialized literature talks about the need for bottom-up measures that help a much easier integration process for Bosnian citizens from each ethnic group and that help an effective political dialogue between the EU and Bosnian citizens².

Starting from the issue raised by the specialized literature, it is proposed that the main problems encountered by both Bosnia and the EU in the process of integration will be analyzed through the research, with the aim of outlining a model of democratic state-building with multi-ethnic coexistence. Through this research paper, the observation of how the European identity should be built in Bosnia is desired to reduce tensions between the three constituent ethnicities and create a democratic context that is less influenced by ethnic elites but without leading to the discrimination of one of the constituent groups.

European integration and its state-building capacities

The European path gave a series of opportunities for the Bosnian citizens and the state itself, and this part will briefly present the main negotiation process and incentives for reform offered to Bosnia³. The negotiations for the Stabilization and Association Agreement (SAA) started at the end of 2005, and this agreement entered into force ten years later. SAA represents an important framework of relations between the EU and Western Balkan countries, with the main goals of creating a free-trade area and a higher regional level of collaboration between the WB countries. Generally, this process sets out common political and economic goals⁴. All BiH citizens were granted visa-free entry to Schengen and EU countries in 2010. Another major step was in 2016, when Bosnia and Herzegovina officially applied for EU membership. In 2019, the EU offered its first response with the adoption of an opinion on the EU membership application of Bosnia and Herzegovina, identifying 14 key priorities, most of them pointing towards the negative impact of ethnic discrimination on democracy, the rule of law, and fundamental rights. The latest and most important event was at the end of 2022, when the European Council granted candidate status to Bosnia and Herzegovina. Since then, in November 2023, the Commission recommends opening accession negotiations with Bosnia and Herzegovina, and in December 2023, the European Council decides it will open accession negotiations with Bosnia and Herzegovina, with a very important condition: “once the necessary degree of compliance with the membership criteria is achieved, and invites the Commission to report to the Council on progress at the latest in March 2024, with a view to making a decision”. Finally, these goals were met, and at the end of March 2024, the EU opened accession negotiations with BiH.

Besides the clear advantages of this EU integration process that offers access to European funding, promotes liberal exchanges of goods, services, capital, people, and obviously the perspective of EU membership, this state-building framework outlines two major perspectives for the integration of Bosnia and Herzegovina. First, the EU seems to focus on the case of Balkan states on a regional approach with the SAA process in relations with Western Balkans countries. Second, an extremely important condition for the advancement of the European integration process in BiH is the issue of ethnic discrimination as a major factor in the improvement of the functionality of democracy, the improvement of the principle of rule of law, and the need to improve the respect of fundamental rights.

How could it be explained that the EU is more inclined towards a regional approach? Even the rhetoric of the leadership in the EU Commission⁵ proves that during the Ursula von der Leyen mandate (2019–2024),

¹ Oliver Richmond, *Failed Statebuilding, Intervention, the State, and the Dynamics of Peace Formation*, Yale University Press, New Haven, 2014, pp. 1-30

² Roberto Belloni, Jasmin Ramović, *Elite and Everyday Social Contracts in Bosnia and Herzegovina: Pathways to Forging a National Social Contract?*, “Journal of Intervention and Statebuilding”, Vol. 14, No. 1, 2020, pp. 42-63, doi: <https://doi.org/10.1080/17502977.2019.1579160> (13.01.2024)

³ European Commission, *Bosnia and Herzegovina – Key Milestones*, https://neighbourhood-enlargement.ec.europa.eu/enlargement-policy/bosnia-and-herzegovina_en#key-milestones (24.01.2024)

⁴ European Neighbourhood Policy and Enlargement Negotiations (DG NEAR), *Stabilisation and Association Process*, https://neighbourhood-enlargement.ec.europa.eu/enlargement-policy/glossary/stabilisation-and-association-process_en (25.01.2024)

⁵ European Commission, *Press material from the Commission Spokesperson's Service*, <https://ec.europa.eu/commission/presscorner/home/en> (1.02.2024)

the regional approach was more important. During her appearances as the president of the European Commission, von der Leyen discussed the Western Balkans 126 times and just 32 times about Bosnia and Herzegovina. At the same level of leadership, with a more emphasized role for the European integration process, Oliver Várhelyi, as the commissioner responsible for neighborhood policy and enlargement, mentioned the Western Balkans 262 times and only Bosnia and Herzegovina 94 times. Moving from the political-leadership level, even at the mission level, the Directorate-General for Neighborhood and Enlargement Negotiations (DG NEAR)¹ BiH comes in second in rhetoric relevance, with just 49 news reports compared to 195 news reports about the Western Balkans. Obviously, the Western Balkan approach is not exclusive to the problems of BiH and is still a very important step in the evolution of the European integration process from a regional perspective but taking into consideration the specific case of BiH and all the individual challenges of each state and the general evolution towards accession negotiations, the EU should start to give more importance to the regatta principle. The Western Balkans is an important strategy for the EU's state building, but it is quite hard to believe that the European process will align with all the necessities of each state, and thus BiH and all the other states should be more closely involved in the discourse of European leaders as unique member states and less as a region.

In their public discourses, there are a couple of common points regarding the European integration of Bosnia. The first one, and it could be deduced from the statistics of speaking about the individual case of Bosnia and Herzegovina and the region of the Western Balkans, is that the European Commission under von der Leyen preferred to continue the regional approach in the enlargement policy. Besides the state performance of BiH, now all countries in the Western Balkans (except Kosovo) are officially candidates for membership in the European Union. Based on the future European Commission, it will be decided if the region of the Western Balkans will evolve in the accession process in a block of states or if the new College will rather promote the regatta principle again, as was the case in Croatia back in 2013. The second important correlation between the discourse of both Ursula von der Leyen and Oliver Várhelyi and the DG Near is the high level of attention given to the 14 key points that need to be better tackled by the government of Bosnia. Now obviously, in the rhetoric of the European leaders, it is not quite clear who should take more responsibility for the important reforms in Bosnia, taking into consideration the fragmentation of political parties, the considerable level of identity politics, and the decentralized government. The only important mention in that regard is the tension situation in the Republika Srpska, the need for more democratic principles, and the need during the electoral process for the High Representative to interfere in 2022.

In the case of the regional approach towards the Western Balkans (summits evolved during von der Leyen), it is important to outline the artificiality of the term due to its short history and rather being a Europeanization of the Balkan space. The origin of the term "Western Balkan" is very complicated to define in a clear way², but many scholars have rather described it as an EU approach to the region of Balkan states that moves towards the European path and as a result needs a de-balkanization process. A defining moment for this term was during the 2003 EU-Western Balkans Summit in Thessaloniki³, when the European Union adopted very clearly the regional strategy for the WB countries and established this format for EU-Western Balkans summits. Since then, it has been more and more used by the epistemic community, which has opened a very important debate about this concept and its influence on the integration process.

The Commission believes that the implementation of 14 key points is necessary for the BiH to become a member of the EU⁴. The topics covered by these principles are broken down into four groups: fundamental

¹ European Neighborhood Policy and Enlargement Negotiations, *DG NEAR Latest News*, https://neighbourhood-enlargement.ec.europa.eu/about-us/latest-news_en?f%5B0%5D=near_news_themes_near_news_themes%3A173 (4.02.2024)

² Pål Kolstø, *Western Balkans' as the New Balkans: Regional Names as Tools for Stigmatisation and Exclusion*, "Europe-Asia Studies", Vol. 68, No. 7, 2016, pp. 1245-1263, doi: <https://doi.org/10.1080/09668136.2016.1219979> (27.02.2024)

³ European Commission, *EU-Western Balkans Summit Thessaloniki*, https://ec.europa.eu/commission/presscorner/detail/en/PRES_03_163 (27.02.2024)

⁴ European Commission, *Key Findings of the Opinion on Bosnia and Herzegovina's EU Membership Application and Analytical Report*, file:///C:/Users/horat/Downloads/Key_findings_of_the_Opinion_on_Bosnia_and_Herzegovina_s_EU_membership_application_and_analytical_report.pdf (27.02.2024)

rights, public administration reform, the rule of law, democracy, and functionality. The first structural weakness of the DPA has a significant impact on points 1, 2, 4, 7, and 8 in the context of democracy/functionality and the rule of law because most Bosnian institutions were designed to prevent each group from imposing its own beliefs on the others rather than to foster an environment conducive to effective governance. A set of institutions is imposing a consociationalistic framework that merely serves to sustain the political rivalry between the three ethnic groups without fostering a democratic environment. As with the Preamble, which states that “Bosniaks, Croats, and Serbs, as constituent peoples (along with others), and citizens of Bosnia and Herzegovina,” the second structural weakness resulting from ethnic discrimination being embodied in the Bosnian constitution could account for points 9, 10, 11, and 13 that fall under the third category, Fundamental Rights.

Out of these 14 points, nine are directly affected by the structural weakness presented in the second part of this paper. The EU Commission suggests a series of reforms, such as “The country faces several structural issues stemming from its complex institutional set-up coupled with ethnicity-related procedures that adversely affect its functionality“ and “to prevent systematic disputes and ensure effective implementation of the acquis, Bosnia and Herzegovina needs to ensure legal certainty on the distribution of competences among the levels of government”. From this opinion, it is rather expected that these reforms be implemented by the BiH, but the question is, how can they be done taking into consideration the structural weaknesses?

The reality of Bosnia and Herzegovina proves that just the internal political order is not capable enough to fully develop the constitutional reforms alone due to several failures to vote in Parliaments between 2006 and 2014¹ based on the structural weaknesses of the constitution and the ethnic elites’ interests to maintain the status quo to keep the political power based on identity politics². The constitutional reform process started with the famous “April Packages”, officially launched in 2005 and promoted in Parliament in 2006, with the main goal of these sets of reforms being to strengthen the federal institution and create a more representative structure for Bosnian citizens. Some of the main proposals were about one indirectly named president and two vice presidents, a stronger Council of Ministers, a larger Parliament, and a House of Representatives that is not so dependent on the three ethnic constituencies. Unfortunately, the pack failed to be adopted during that time and came again in several forms³, such as the Prud Process and the Butmir Process. In that case, it could be argued that it is not just about the political will of the political elite of Bosnia and Herzegovina but also about the structural framework that encourages the political leadership to use ethnic elements in their political agenda and to create a narrative of the possible comeback of the war and the discouragement of multiethnic parties.

At the same time, voters were encouraged to vote based on ethnic terms, and the recent results in 2022 show that three of the biggest parties represented could be described as rather ethnic. The Party of Democratic Action (SDA, Bosniak Party) won first place with 8 seats, the Alliance of Independent Social Democrats (SNSD, Serb Party) in second place with 6 seats, the Social Democratic Party (SDP, multiethnic party) in third place with 5 seats, and the Croatian Democratic Union (HDZ, Croat party) in fourth place with 4 seats⁴. Obviously, it needs to be mentioned that the political life in Bosnia is very fragmented with many parties⁵, but these three ethnic parties have a very long history of being represented in the general elections and are constantly based around political agendas on ethnic terms. This political reality could be described as a rhetorical choice of people validating political ideas, with Bosniaks’s discourse for more central power, Croats

¹ Valery Perry, *Constitutional Reform Processes in Bosnia and Herzegovina: Top-down Failure, Bottom-up Potential, Continued Stalemate*, Soeren Keil and Valery Perry (Eds.), *State-Building and Democratization in Bosnia and Herzegovina*, Routledge, New York 2016, pp. 15-40

² Ana Mijić, *Identity, ethnic boundaries, and collective victimhood: analysing strategies of self-victimisation in postwar Bosnia-Herzegovina*, “Identities Global Studies in Culture and Power“, Vol. 28, No. 4, 2021, doi: <https://doi.org/10.1080/1070289X.2020.1748348> (28.02.2024)

³ Michal Mochtak, Ensar Muharemović, *The Abyss of Ethnic Division: Two Decades of Discussing War in the Parliament of Bosnia and Herzegovina*, “Ethnopolitics“, Vol. 23, No. 2, 2024 doi: <https://doi.org/10.1080/17449057.2022.2120283> (3.03.2024)

⁴ Opći izbori 2022, *General elections 2022 Parliamentary Assembly of Bosnia and Herzegovina*, https://www.izbori.ba/Rezultati_izbora/?resId=32&langId=4#/2/0/0/0/0 (3.03.2024)

⁵ John Hulsey, *Party Politics in Bosnia and Herzegovina* in Soeren Keil and Valery Perry (Eds.), *State-Building and Democratization in Bosnia and Herzegovina*, Routledge, New York, 2016, pp. 41-60

discourse for a federal state, and Serbs discourse about independence. Of these four frontrunners, three (SDA, SNSD, and HDZ) are considered ethnic parties based on their political agendas. There are two common features among them, even if they have very different positions on how power should be distributed in the internal political order of BiH. Paradoxically, all three ethnic political groups assume to protect the interests of the identity that they represent, but at the same time, they fully agree with the European integration process. If it is to correlate this duality with the European Commission recommendations on the need for democratic reform, just outline how dependent the current political reality of Bosnia and Herzegovina is on the ethnic affiliations of the three constituent elite groups—a political reality that is neither tackled by the European state-building strategy nor by the citizens that are dependent on political agendas based on conflictual rhetoric. The main problem could not just be reduced to corruption, low incentives for political elites to reform, or even the lack of resources to form a more active civil society, but also the restrictive political flexibility of the consociationalism made after the Dayton Agreement and the structural framework.

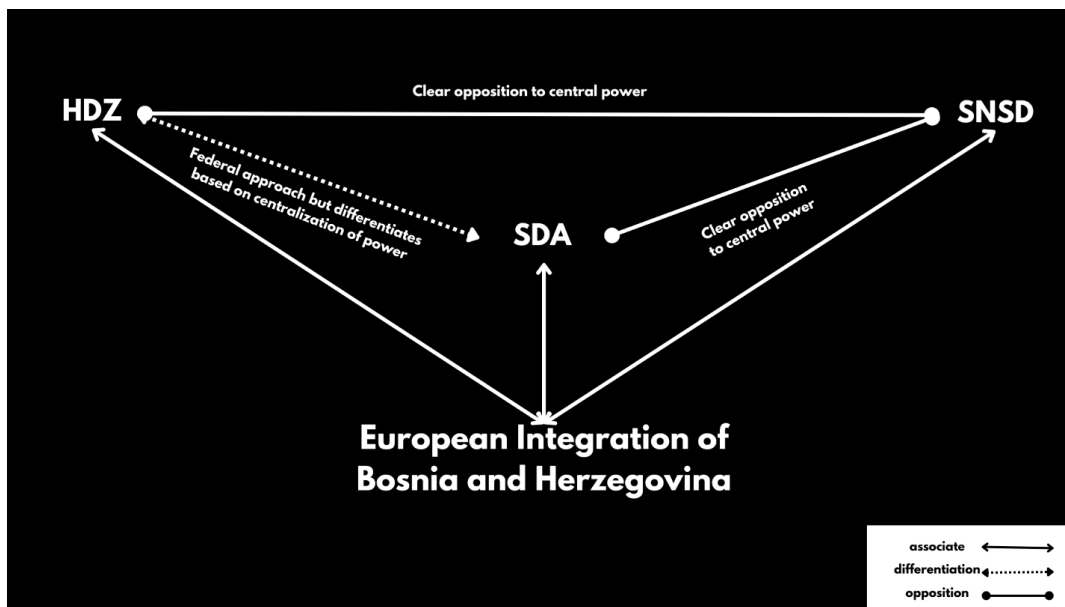


Fig. 1. Graphic based on discourse analysis of the program declaration of SDA, SNSD, and HDZ^{1,2,3}

Conclusions

The European Union played a major role in conflict resolution during the Dayton Peace Process and was one of the signatories to the final agreement in 1995. Since then, with the promise of enlargement, the EU has become the most important external factor in the state-building capacities of Bosnia. The High Representative of Bosnia and Herzegovina was held only by EU member states; the European Union Special Representative in Bosnia and Herzegovina represents a major observer of the progress in BiH, and obviously, the signing of the Stabilization and Association Agreement, the candidate status, and the opening of the accession negotiations represent major steps in the influence of the EU. In its state-building strategy, the EU focused on a regional approach towards the Western Balkans and targeting ethnic discrimination in Bosnia, both of which were questionable decisions taking into consideration the artificial construction of the Western Balkan region and the lack of political will in internal order to change the constitutional framework due to the high degree of identity politics supported by the institutional framework of the DPA.

¹ Савез независних социјалдемократа, *The Statute of the SNSD adopted at the 6th Parliament*, <https://snsd.org/dokumenti/> (5.03.2024)

² Stranke Demokratske Akcije, *Program Declaration of the 8th Sda Congress*, <https://www.sda.ba/stranica/programska-deklaracija/15> (5.03.2024)

³ Hrvatska demokratska zajednica Bosne i Hercegovine, *Statut and Progame*, <https://www.hdzbih.org/hr/dokumenti> (5.03.2024)

The Dayton Peace Agreement successfully obtained a negative peace for Bosnian citizens but failed to offer them a democratic environment and rather created a structural framework that promotes identity politics and discourages multicultural institutions and collaboration between political representatives of the three main ethnic groups. Even the European institutions describe ethnic discrimination as a major challenge in the integration process, so there is a clear need for a major structural change. Unfortunately, due to the influence of identity politics inside the internal political life of Bosnia and Herzegovina, democratic reform never happened, even though there was a high-intensity period of negotiations and proposals during 2005–2014. The European Union should work more with bottom-up initiatives, to focus on stimulating a civic context that is not dependent on identity politics, and to offer more incentives to political parties to move beyond ethnic terms and re-open the dialogue for reform to obtain their goal of progress in the European integration process, but then it is a question of leverage. Thus, the important political lever for change could be the role of the Office of the High Representative in close collaboration with the European Union Special Representative in Bosnia and Herzegovina.

Coming back to the research question established at the beginning of this research paper, the European integration process is closely connected to the need for a major reform in Bosnia. Not just a series of packages but rather a retrospective analysis of the Dayton Agreement and to work together with the European Union for Dayton 2.0 that reduces the consociationalistic framework and creates a better democratic environment. To achieve this, political life in Bosnia and Herzegovina needs to move beyond ethnic parties, and discourses of identity politics need to be reduced when discussing future reforms. This process should not be unilateral from the EU or Bosnian parties but must look upon the collaboration between political parties, civil society groups, and initiatives with the help of the High Representative and an EU special observer. Bosnia is coming closer and closer to the European Union with the opportunity offered by the opening of accession negotiations, but the challenges analyses earlier could be defining points on the agenda of the political leadership of BiH and the future European Commission.

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