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## **Foreword by the Editors**

Bosnia and Herzegovina in almost 14 years of the post-Dayton period has not become a functional state despite some successes that have been achieved in regard to the Euro-Atlantic integration processes. Continuing ethno-centric argumentation in the discourses of the local political leadership and partly dysfunctional state institutions have produced a standstill in the process of bringing Bosnia and Herzegovina nearer to "positive peace".

As a consequence of continuous antagonism and mistrust Bosnia and Herzegovina still seems to be far away from NATO and in particular EU membership. The planned transformation of the international presence from a (de facto) protectorate power towards a presence supporting mainly Bosnia and Herzegovina's integration into the EU is hindered. Alarmed by this critical situation EU representatives have declared 2009 of becoming "Bosnia's Year".

A workshop of the Study Group Regional Stability in South East Europe of the PfP Consortium of Defence Academies and Security Studies Institutes, held at the Chateau Rothschild in Reichenau, 24-26 April 2009, dealt with the difficulties in the Bosnian state- and peace-building process. As it has been also the case in the previous workshops of this study group Balkan insiders from the research community, NGO's and IGO's, the security sector as well as from the media and civil society groups discussed from different perspectives, but in a very productive atmosphere the challenges for reducing security problems and fostering a co-operative development in the region.

Having been supported by the Austrian hosts and coordinators of the study group, the Institute for Peace Support and Conflict Management at the National Defence Academy and the Directorate for Security Policy of the Ministry for Defence and Sports, the Reichenau participants focused on the necessities in terms of political, security, economic and educational means to finally reach a breakthrough in Bosnia and Herzegovina that will lead to self-sustainability, EU and NATO membership.

The editors are pleased to present the readers in this publication most of the analyses and recommendations from the Reichenau meeting on Bosnia and Herzegovina and would appreciate if this study group information could contribute to generate positive ideas for supporting this important Western Balkan country.

*Ernst M. Felberbauer*

*Predrag Jureković*

*Frederic Labarre*

## Welcome Speech

*Johann Pucher*

Excellencies,  
Ladies and Gentlemen,  
Dear Friends and Partners within the PfP Consortium,

It is a pleasure for me to welcome you here on behalf of the Austrian Ministry of Defence at the already 18<sup>th</sup> Workshop of the PfP Consortium Study Group on "Regional Stability in South East Europe" also this year.

The Austrian Ministry of Defence appreciates very much to see so many well-known and well-respected faces here in Reichenau representing national and international organisations being active in the Western Balkans.

As co-organiser, we, equally, if not more importantly, appreciate the presence of representatives and experts from the countries in the region.

A warm welcome also to many friends I personally have had the privilege to meet over the past years.

The Austrian Ministry of Defence has been a member of the PfP Consortium since 2000. Our main focus within the Consortium rests on its work in the Study Group Regional Stability in South East Europe. May I extend my sincere congratulation to Predrag Jureković from the Austrian National Defence Academy, to Professor Pantev from Bulgaria and to Professor Staničić from Croatia, for having guided the work of the Study Group for so many years.

The MOD remains fully committed to the Consortium's mission, both with two workshops organised throughout the year, a larger one hosted here in Reichenau and a regional one with one of our cooperation part-

ners. I would especially like to thank the Center for Security Studies in Belgrade, which co-organised a very important meeting right after Serbia's reopening to the EU in October 2008.

In that sense I would equally like to welcome representatives from the Albanian Institute for International Studies in Tirana, the partner institution for the upcoming workshop in September 2009 in Albania.

Austria as a direct neighbour of the Western Balkan countries has strong cultural, personal and economic ties in respect to the region. The new Austrian government has clearly underlined the continuous importance of that region for Austria.

Consequently, as far as the political processes in the region and the CFSP are concerned, Austria is among those EU member countries that strongly support a speedy integration of all Western Balkan countries into the EU, based on their own merits.

This is underlined by having accepted important positions in the region: let me mention Ambassador Almhöfer as Head of the OSCE Mission in Kosovo, and last but not least the OHR/EUSR, Ambassador Inzko.

Austria highly welcomes that in the meanwhile all the Western Balkan countries have signed the Stabilisation and Association Agreement. The next logic step after the finalization of the SAA ratification would be the opening of negotiations with all Western Balkan countries on EU-membership.

However, there are still disturbing factors, slowing down the process. One such example is the border conflict between Slovenia and Croatia. One only can appeal on the leaders in the region to look into the future and do their utmost to overcome the heritage of the past. We are strong supporters for finalizing the membership negotiations with Croatia as soon as possible. But all moral and political support is in vain if the countries do not move themselves.

As you are aware of Austria has been engaged in Peace Support Operations since 1996, when Austrian soldiers first took part in the IFOR mission, followed by our contribution to SFOR and later to KFOR.

We stand committed to the EUFOR ALTHEA and KFOR and will not unilaterally withdraw. Austria is of the opinion that the time is not yet ripe to close down ALTHEA. Actually we are the biggest non NATO contributor in KFOR with more than 700 soldiers deployed there. Additionally we contribute to the Operational Reserve Force, which is stationed outside the region to assist EUFOR ALTHEA as well as KFOR, if called upon.

But there are signs on the wall. Some nations are pressing for withdrawals; some have done it unilaterally already. Resources are urgently required outside the region.

It seems that some nations are losing patience gradually. If we do not manage the process and end it halfway, we all will have to pay a price: the peoples, the nations in the region and Europe as a whole.

I would also like to refer to Austria's engagement in the dimension Justice and Home Affairs in SEE. DCAF – and I see Ambassador Gregor Zore who coordinates the effort – and the Austrian Ministry of Interior have been engaged in supporting the Police Cooperation Convention for Southeast Europe. This is a project of outstanding importance that has the potential to change police and border police issues in SEE towards European standards over the next years, which are the first steps necessary towards Visa liberalisation, and a possible future Schengen membership. We all are aware how important visa liberalisation is for the people in the region.

Austria has profited a lot from its activities in the PfP, which our country is a member of since 1995. Having this positive experience in mind we want to suggest to our friends in the region to use membership in PfP to develop their co-operation in the military field. We also welcome Croatia's and Albania's accession to NATO at the last NATO summit, although Austria itself is not planning to become a member of the alliance.

We hope that Macedonia and Greece can find a resolution for their name dispute, so that also Macedonia can join NATO very soon. This membership would be an additional essential stabilizing factor in the region.

As regards to Bosnia and Herzegovina (BiH): further development there, which will be the main topic of this workshop, is a crucial challenge for the EU's CFSP. Globally viewed there is no area where the EU in the context of its CFSP and ESDP is as substantially engaged as it is the case in BiH with the international police mission and EUFOR/ALTHEA, an important test for the efficiency of its CFSP and ESDP capabilities.

Despite the political success achieved by signing the Stabilisation and Association Agreement BiH somehow remains a problem-child in the Western Balkans. Still some of the main tasks have to be fulfilled by the political elites in BiH. The reform processes have slowed down, the 5 plus 2 conditions not fully met, the PARP assessment is sobering and so on. The state structures in BiH are not perceived as being functional. See the example of the huge sum of 770 Mill€ available at the World Bank for infrastructural investment in BiH, however, the political leadership does draw on that resources. Some leading politicians continue with a policy rather to create new divisions than to bring closer the two state entities. The country is falling behind. But this cannot be in our common interest.

This workshop beside the description the actual status quo should come up with some practical ideas how to stimulate positive processes in this part of the Western Balkans. In the workshop outline you received, you found a lot of issues to deal with today and tomorrow. I will pick out only some of the questions, which seem to be of special importance for the general topic:

- Political dimension: Which political obstacles on the local level still prevent BiH becoming a functional state? Through which means we can motivate positively the institutional structures as well as the political leadership, in order to improve the functionality of the political institutions in BiH and to bridge the gap between the two state entities? Is it possible to overcome ethno-

centric policies for the benefit of modern and united statehood in BiH? Or will the international community have to change her approach, stop integration processes and just accept that BiH for a rather long time will remain a state with a divided society under international supervision?

- Economic dimension: Which effects will the economic crisis have on the stability in BiH and the region as such. What are the essential preconditions for foreign direct investment? Can economic progress help to overcome political antagonism?
- Regional factors of influence: What is the role of Bosnia's neighbours Croatia and Serbia in regard to peace- and state-building in BiH ? What can regional frameworks like the Regional Cooperation Council do to influence positively the neighbourhood relations in this part of the Western Balkans?
- Security development: How to proceed with the defence and police reform? What kind of international support is still needed to move the security reform forward? Is the danger of religious radicalism and terrorist activities underestimated or overestimated?
- The role of the international institutions in BiH: Which support from the international presence is still necessary for Bosnian state-building? How to increase the efficiency of the international presence in BiH (OHR/EUSR, EUFOR, EU Police Mission, NATO)? Is a deployment of an EU military mission still necessary to back up the OHR/EUSR? Is membership in the EU and NATO still a carrot to make BiH as a state more functional?
- Psycho-emotional barriers and ways of dealing with them: We are all aware of the still present war traumas among the individuals and societies in BiH. Which practical steps have to be made regarding reconciliation and confidence-building to move forward? Where do we stand with return of refugees? What should be done to prevent the cementing of parallel societies among the youth along ethnic lines? Apart from the political responsibility, what is

the role of other social actors like NGO's, the media and the educational system in this regard?

A lot of pertinent issues. They cannot be answered all during this weekend. But they show how much still has to be done.

Many in Europe hope that the leaders in BiH understand that some states increasingly are losing patience. We hope they understand that they have to take over the responsibility for their country. Most are still ready to support.

I hope that you all will be engaged in open and constructive discussions today and tomorrow and manage to extract manageable operational suggestions for policy shaping. I look forward to listening to the lectures.

Ladies and Gentlemen, in concluding, it is a privilege to officially open the 18<sup>th</sup> Workshop of the PfP Consortium Study Group on "Regional Stability in South East Europe".

Thank you for your attention.

**PART I:  
OVERCOMING POLITICAL OBSTACLES,  
FACING ECONOMIC CHALLENGES**



# A Country with Several Nations, but Without a Proper State? Why Bosnia Doesn't Work

Michael Schmunk

A joke doing the rounds  
has it that nothing  
can succeed in Bosnia,  
not even a crisis.  
*The Economist*, 2 April 2009

## 1. Introduction

Among Balkan experts there has been wide agreement for quite some time<sup>1</sup>: "Bosnia is stuck".<sup>2</sup> Even U.S.-Vice President Joseph Biden addressed parliamentarians in Bosnia and Herzegovina's (BiH) capital Sarajevo with the warning: "Right now, you are off your path to Europe".<sup>3</sup>

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<sup>1</sup> See, among others: Joseph, Edward. P./Hitchner, R. Bruce: Making Bosnia work: "Why EU accession is not enough". USIP Peace Briefing, Washington, D.C., June 2008 ([www.usip.org](http://www.usip.org)); Ashdown, Paddy/Holbrooke, Richard: "A Bosnian powder keg: We are sleepwalking into another Balkan crisis." In: *The Guardian*, 22 October 2008 ([www.guardian.co.uk](http://www.guardian.co.uk)); International Crisis Group: "Bosnia's incomplete transition: Between Dayton and Europe". *ICJ Policy Report* 198. Sarajevo/Brussels, 9 March 2009 ([www.crisisgroup.org](http://www.crisisgroup.org)); Bassuener, Kurt: "How to pull out of Bosnia-Herzegovina's dead-end: A strategy for success". *Democratization Policy Council*. Briefing. Sarajevo/Washington, D.C., 19 February 2009 ([www.democratizationpolicy.org](http://www.democratizationpolicy.org)); Lyon, James: "Halting the downward spiral". In: *International Herald Tribune*, 24 February 2009 ([www.iht.com](http://www.iht.com)); *The Economist* (Print Edition): "Bosnia's Future: A tearing sound. Could fighting resume?" London, 2 April, 2009 ([www.economist.com](http://www.economist.com)).

<sup>2</sup> Abramowitz, Morton/Serwer, Daniel: "Bosnia: What is to be done?" United States Institute of Peace. Washington, D.C., March 2009 ([www.usip.org](http://www.usip.org)).

<sup>3</sup> Address to the Parliament of Bosnia and Herzegovina, Sarajevo, 19 May 2009 ([http://sarajevo.usembassy.gov/speech\\_20090519.html](http://sarajevo.usembassy.gov/speech_20090519.html)).

Although most scholars and external state-builders tend to exclude the possibility of BiH relapsing into violent, armed conflict<sup>4</sup> – notwithstanding some urgent warnings to the contrary<sup>5</sup> – they have however come to the conclusion, first, that both the initially highly praised Dayton Peace Agreement (DPA),<sup>6</sup> (despite its unquestioned success in ending the bloody Bosnian war of 1992-1995), as well as BiH’s political leaders, have failed to create a durable, functional state. Secondly, BiH, although blessed with – in its own view – not only one but at least three constituent “nations”<sup>7</sup>, has developed, according to the constitutional design of the DPA and the ethno-nationalist policies of its political leaders, into an ethnically divided society lacking the “social glue” of a Bosnia-wide identity to form a united country with a distinctive societal cohesion and a robust statehood. Thus, BiH, legally a two-“state”<sup>8</sup>, but in reality a three-“state” confederation, has been marked by a high degree of state, administrative and juridical dysfunction, societal mistrust, lack of strategic political consensus, domestic misdirection, and international tutelage.

The result – Bosnia and Herzegovina, never fully accepted by a vast majority of its citizens from *all* ethnicities more than thirteen years after the conclusion of the DPA, is today more ethnically disentangled than ever before.<sup>9</sup> BiH’s “nations” have been more or less “compartmentalized” into a Republica Srpska with a population of more than ninety percent Serbs, and the so-called Bosniac-Croat Federation, where, for example, Sarajevo has increasingly become a Muslim-only city, with Croats moving to Herzegovinian cantons bordering Croatia proper. The

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<sup>4</sup> See e.g. Cox, Marcus: Bosnia and Herzegovina: “The limits of liberal imperialism”. In: Call, Charles T. (Ed.): *Building states to build peace*. Boulder, CO/London 2008, p. 267; Bassuener, as above in fn. 2, p. 2.

<sup>5</sup> See e.g. *The Economist* (as in fn. 2): “The unthinkable of renewed fighting is thinkable once again”.

<sup>6</sup> as of 14 December 1995 (www.ohr.int).

<sup>7</sup> The term “nation” in the Serb-Croat-Bosnian language is synonymous with “people”.

<sup>8</sup> Termed “entities”.

<sup>9</sup> Bosniac nationalists used to describe this development as the continuation of the wartime ethnic cleansing or genocide by post-war peaceful means, though with the same effect.

nearly impotent state, the “non-country”<sup>10</sup>, has thus remained highly ungovernable, characterized by an inexcusable incapability to move this country in the southern part of Europe from the stage of a post-conflict society to a reforming and modernizing society in transition. Equally worrying is, that as a consequence of all of this, BiH’s economy has never really picked up speed, and is characterized today by a toxic high degree of corruption, a dearth of determined and transparent privatization, a lack of incentives for foreign direct investment, and the absence of a functional integrated single market. Given the present global financial and economic downturn, a further slowdown of the overall economic development in BiH is inevitable.<sup>11</sup>

Thanks to its consistently weak and disappointing performance and the absence of sustainable progress, Bosnia joins the boat of fellow Western Balkans countries which are now seemingly stranded in their aspirations for full membership in an EU which is concentrating on its own integration to the detriment of enlargement. This EU perspective, however, whatever it may really mean to the EU and the Bosnians and Herzegovinians – it remains unclear – has been the only true incentive for BiH to move forward and for the EU to provide political engagement and reform support.

## 2. Why doesn’t it work?

The fresh start after Dayton, which successfully managed to end the bloodshed and the forced uprooting and migration, made everyone feel optimistic. For most of the last thirteen years, BiH succeeded in changing Bosnia’s war and communism scarred face substantially – mostly due to the unique presence of about 60 000 foreign peacekeepers and the

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<sup>10</sup> “BiH is not a country”: Serbian foreign minister Vuk Jeremić in a *Washington Times* interview “Serbia seeks Bosnian self-rule”, 23 April 2009 ([www.washingtontimes.com](http://www.washingtontimes.com)).

<sup>11</sup> See, among others, the most recent *Economist Intelligence Unit Country Report* for Bosnia and Herzegovina. London, February 2009 ([www.eiu.com](http://www.eiu.com)); Grgić, Borut: “Bosnia is a Balkan hurdle. The country’s factions aren’t moving toward the EU”. In: *The Wall Street Journal*, New York, NY, 7 April 2009.

highest per capita reconstruction assistance ever granted to such a post-conflict society. Although the average living standard has remained low, relatively few live in extreme poverty. BiH everyday life has been characterized by the absence of the threat of violence and a degree of personal security only known during its time as one of the six constituent republics of the former Yugoslavia. BiH has formed its armed forces into a unified defence ministry and army command (although it is still neither geographically nor ethnically fully amalgamated).<sup>12</sup> In principle, basic public administration and justice function,<sup>13</sup> as does education.<sup>14</sup> To a very large degree, credit for this is due to the DPA's constitution for BiH.<sup>15</sup>

### **The lack of functionality of the state**

It is precisely this constitution however, which over the last few years has become a central part of the problem. The DPA's constitutional rules on the functioning of the central state's organs and institutions have not been designed to produce strong and good government, but to prevent the voting majority from making decisions which adversely affect the ethno-political interests of other groups.<sup>16</sup>

- As a result of numerous provisions for ethnic quotas and the creation of an inequality of votes not only in electoral processes<sup>17</sup>, but

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<sup>12</sup> A substantial, entity comprehensive police reform failed in fall 2007 and has been postponed.

<sup>13</sup> Despite the tendency at times to give preference to citizens from ones own "ethnic group", and pervasive corruption and misappropriation of funds.

<sup>14</sup> Although in the entity Federation (FBiH) in some places Bosniacs (Muslims) and Croats are educated in separate schools ("two schools under one roof"); in the entity RS, Bosniac and Croat minorities are forced to accept the exclusively Serbian curriculum (language; Cyrillic writing; religion; interpretation of (recent) history, etc.)

<sup>15</sup> Annex IV of the DPA.

<sup>16</sup> According to the analysis of the Council of Europe's Venice Commission "Opinion on the constitutional situation in Bosnia and Herzegovina and the powers of the High Representative". CoE CDL-AD (2005) 004. Venice, 11 March 2005, no. 29 ([www.venice.coe.int](http://www.venice.coe.int)).

<sup>17</sup> See the Venice Commission's respective analysis and criticism, *ibid*.

also in political decision making, the will of the voting majority has been systematically ignored and the central state has been prevented from functioning properly.

- The “vital interest veto”<sup>18</sup>, which can be invoked in various decisive situations, has frequently served as a blocking mechanism far beyond genuine ethnic interests.
- The renewed blackmailing by threatening the partition of BiH (from the side of Bosnian-Serb politicians) has contributed to the further erosion of trust between the ethnic groups.
- The practice of ethnically rotating most state offices between Bosniacs, Serbs and Croats has resulted in partisanship rather than professionalism.
- The real governmental and administrative power lies with the two state-like entities, not with the central state BiH, including its financial resources. Even in fields which lie solely in the competence of the state (Presidency and foreign ministry for example), the RS has increasingly tried to go its own way, exploiting those provisions of the constitution that allow the entities certain such activities “on entity level”. This has been exaggerated to the point where the RS claims that policy or financial negotiations with international organizations have to be held separately with and for each entity.<sup>19</sup> It has always been made clear, however, that both international organizations (in particular the EU!) and national governments will insist on dealing only with a single BiH interlocutor (the central government) – not with the RS and the Federation separately. While Bosniacs in particular have consistently demanded the shift of more political and financial competencies to the central state level, since the 2006 elections, the RS government and RS National Assembly (RSNA) have not only fiercely tried to prevent new powers from being transferred, but have gone so far as trying to reverse all previous power shift decisions – which have

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<sup>18</sup> See for example the respective provisions of articles IV and V of the Constitution of Bosnia and Herzegovina.

<sup>19</sup> See most recently the RS position on loan negotiations with the IMF, BBC, London, 22 April 2009 (quoting an interview with PM Milorad Dodik on *RS Television*, 20 April 2009: “Serb PM says Bosnian entities should be allocated IMF funds separately”).

been relatively few over the last 13 years anyway.<sup>20</sup> In every attempt to increase the central state's powers and competencies, RS nationalistic politicians such as RS Prime Minister Milorad Dodik (at the same time head of the ruling SNSD) – basically only interested in the strength and freedom of action of „Srpska” – have seen the spectre of a “unitary state”, meaning the „fiction” of a BiH consisting of “Bosnians and Herzegovinians”, and not anymore of Serbs, Bosniacs and Croats.<sup>21</sup>

- Ethno-nationalist leaders both from the state and entity levels have never left any room for local community only related political decision making – giving priority instead to general ethno-power interests.

### **The lack of inner cohesion and identification with the state “Bosnia and Herzegovina”**

As we have seen in this paper's introduction, the Bosnian deadlock can only partly be explained by a substantial lack of state functionality. The lack of interethnic harmony and inner cohesion between the three main population groups which define themselves – in their language – as “na-

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<sup>20</sup> Both the RS government and the RSNA have used three political threats whenever Bosniacs or the Federation put the “ethnic voting” and the existence of the two entities (means the RS) into question, or called for a decisive strengthening of the BiH powers: introducing a vote on secession of the RS; a re-transfer of formerly shifted competencies from the central state back to the entities; and a withdrawal of all Serb politicians, civil servants and justice personnel from BiH institutions. The last respective RSNA conclusions of 14 May 2009 caused renewed political tensions both within the BiH political arena and with the international community overseeing the implementation of the DPA, forcing High Representative Valentin Inzko to issue an ultimatum for withdrawal – to avoid a similar power struggle with the RS as the one his predecessor Miroslav Lajčak had to go through in November 2007.

<sup>21</sup> For SNSD and RS Serb politicians, a BiH “unitary state” is identical with a “Bosniac state”. See, among many, Milorad Dodik, In: *SRNA News Agency*, Banja Luka, 1 May 2009 (“Serb PM rejects Bosnia as bridge to Islamic world”), quoted from *BBC online services*, 1 May 2009, and in: *Nezavisne Novine*, 5 June 2009, “Dayton forever”, quoted from *BBC online services*, 9 June 2009: “Bosnian Serb PM accuses internationals of trying to create unitary state”.

tions”, and, as a crucial consequence, the lack of identification of at least the Bosnian-Serbs – if not wider parts of the Bosnian-Croat population as well – with the country “Bosnia and Herzegovina”, has been BiH’s fundamental source of instability and failure. Successful societies which have managed to turn themselves into modern nations<sup>22</sup> are built to a very high degree on shared identity. They share some basic ideas on how to both provide domestically for the essential public good and how to survive in a competitive globalized world.

Those ethno-nationalists in BiH that call Bosnian Moslems, Serbs and Croats the country’s “constituent” nations conjure up a phenomenon which in reality creates just the opposite: a confederation of population groups where “nations” serve as political factors and contribute to fragmentation and disunity. Paul Collier’s empirical research has impressively underlined that modern states can function perfectly well if its citizens hold *multiple* social and cultural identities. In all EU member states or in the US, for instance, citizens usually have several subnational identities. “Problems arise when those subnational identities arouse loyalties that override loyalty to the nation as a whole”.<sup>23</sup> This has been the case with the large majority of Bosnian Serbs and high numbers of Bosnian Croats. To a very large extent, it has been ethno-nationalist leaders and politicians in BiH, who, because of their own power and financial interests, have prevented the creation of a shared BiH identity though, as Collier puts it, “it is the task of political leadership to forge it”.<sup>24</sup> In BiH’s post-war history it seems that it has never come to its leaders or citizens’ mind to turn the tables and to make use of the multi-ethnicity, in particular within the region, but also within Europe as a rare comparative advantage: home to Moslem, catholic and orthodox peoples speaking a language that is spoken and understood in at least seven European states.<sup>25</sup> A serious attempt from the external

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<sup>22</sup> In the universal definition, meaning a unified country or state.

<sup>23</sup> Collier, Paul: “*Wars, guns and votes. Democracy in dangerous places*”. London 2009, p. 51.

<sup>24</sup> Ibid., p. 9.

<sup>25</sup> A sad example of this attitude can be found in Sarajevo, where BiH has so far failed to make use of the fact that the city was chosen as the site of the headquarters of the Regional Cooperation Council, RCC.

state- and “nation”-builder’s side to assist in overcoming the lack of allegiance to the shared “Dayton-State” by promoting a primary identification with BiH<sup>26</sup> has never been undertaken. Although in principle, the argumentation that “nation-building” has to come “from within” is correct, the individual rights of BiH citizens compared to the (ethnic) group rights that have taken precedence end up reinforcing the positions of ethno-nationalist leaders and ethno-nationalist politics.

The result: BiH today lacks the societal and political “engine”, the driving force, to form even the very minimum of a collective will that is not only vital to make progress in the inner state-building process, but also to politically and economically survive competition in the outside world and in international organizations. Power sharing in BiH has proved to be insufficient – shared interests and a shared vision for their common country, their “commonwealth” are required as well. For experts, it is hard to imagine how such a divided, “handicapped” BiH could successfully survive membership within the EU – even if it would eventually reach the standards of the regular EU *aquis communautaire*.<sup>27</sup> By not opposing such ethno-nationalist fragmentation of the country’s political performance and economic productivity, Bosnians and Herzegovinians deprive themselves of progress and prosperity – individually a nearly masochistic behaviour, and as a state nearly political suicide.

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<sup>26</sup> Sceptical about this: Aspen Institut Berlin/Carnegie Endowment for International Peace (Ed.): “*Der trügerische Frieden. Bericht der Internationalen Balkan-Kommission*“. Reinbek bei Hamburg 1997 (first: Unfinished Peace. Washington, D.C. 1996), p. 73.

<sup>27</sup> The impact of a BiH – still divided along ethnic lines – becoming a full member of the EU and of NATO has been assessed by experts differently. While a minority has been trying to refute any related concerns (see, among others, Joseph, Edward P., “What to do about Bosnia and Herzegovina? The case for accelerated NATO membership and OSCE coordination of constitutional reform”. USIP Peace Briefing, Washington, D.C., May 2009, p. 16, the majority comes to the conclusion that neither the EU nor NATO will be able to contribute to overcoming this division, with negative consequences for the organizations concerned (“no second Cyprus”).

### 3. What can and has to be done? Elements of an Action Plan

Since the failure of the so-called “April package” for constitutional reform in 2006, experts from the EU and the US – though their respective governments managed to act in full unity at the decisive PIC<sup>28</sup> meetings – have developed increasingly different views regarding the gravity of BiH’s constitutional and political situation. While in the EU confidence has been widespread that the regular EU accession process will be sufficient to help overcome the political stability and functionality crisis, as has been the case, according to Brussels, with all the previous membership aspirants, American scholars have instead identified an „active backsliding”<sup>29</sup> with the imminent risk of permanent stagnation if not a more or less complete breakdown.

There has however, been wide agreement among transatlantic non-governmental experts about what a possible action plan to strengthen both the country’s inner cohesion and to increase its functionality needs to contain:

- Substantial constitutional reform after performing an impartial, Venice Commission report-based review of the DPA with the central goal of making BiH comply with EU human and civil rights standards, and creating an effective state conforming to the re-

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<sup>28</sup> Peace Implementation Council.

<sup>29</sup> This has been one of the central conclusions drawn at a series of Bosnia related excellent workshops and hearings in Washington, D.C. during late spring this year, all aiming at the US administration becoming forcefully reengaged in the Western Balkans, and in particular in BiH. See, among others, Bassuener, Kurt/Lyon, James, “Unfinished business in Bosnia and Herzegovina: What is to be done?” USIP Peace Briefing, Washington, D.C., May 2009; Joseph, as in fn. 27; CSIS, “Completing America’s mission in the Balkans”. CSIS conference, Washington, D.C., April 2009 (audio material under [www.csis.org](http://www.csis.org)). In this context, the US House of Representatives unanimously adopted on 12 May 2009 a (non-binding) resolution, calling for, among other things, the creation of an efficient and effective state, constitutional reform and the creation of a U.S. Special Envoy to the Balkans (House Resolution 171 EH; [www.house.gov/thomas](http://www.house.gov/thomas)).

quirements of membership in a community of states with a common order and market.

- A substantial improvement in BiH's institutions (as recommended for example by the Venice Commission) would have to tackle the present basic DPA state structure (state – entities – cantons – local communities) and thus very probably territorial questions. However, such simultaneous strengthening of the central state and the confirmation of the highly sensitive two-entity structure (meaning: the permanent establishment of the RS) has been regarded both within BiH and by the still responsible international community as a futile if not deadly attempt to square the Bosnian circle. Faced with the threat of permanent paralysis of the entire country or even the secession of the RS, most have been frightened away from such an approach – without offering any alternatives however. They argue instead for a modest “step-by-step” approach based on the minimalist, nevertheless highly agreeable 2006 “April package”, in combination with proposals from the so-called three party “Prud Agreement”.<sup>30</sup> Domestic politicians and experts from both sides of the Atlantic, however, have warned that this would not lead to the sweeping reform needed to solve BiH's functionality problems sustainably. Thus, it seems that further creative work for and sensible negotiations with the major BiH decision makers have to be undertaken behind closed doors from the side of experts representing the PIC member states. Given the pending closure of the OHR and thus the end of the trusteeship presumably by the end of 2009-beginning of 2010, BiH's declared candidature for a non-permanent seat in the UN Security Council from the beginning of 2010<sup>31</sup> and the upcoming national elections in October 2010, the time factor remains critical.
- Reduce the influence of the present type of ethno-nationalist political leaders (the “warlords without guns”) – and strengthen both the

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<sup>30</sup> As of 8 November 2008. Participants: Dragan Čović/HDZ BiH; Milorad Dodik/SNSD; Sulejman Tihić/SDA.

<sup>31</sup> To replace Croatia, whose term ends at the end of 2009.

role and power of the voters, and of those politicians representing true multi- or, more correctly non-ethnic policies.<sup>32</sup>

- Increase true political participation of BiH's citizens and of strengthened civil society organizations.
- A thorough "truth and reconciliation" process. Confidence building is badly needed everywhere. That can be done by – externally supported – action of BiH citizens and civil society groups.
- A voluntary though officially encouraged ethnical "re-mixing" of the citizens BiH-wide could ideally follow, but this requires security, legal, educational and in particular socio-economic guarantees, which would have to be backed (financed) by the EU-US-lead donor community.
- More financial and political independence for local communities, providing them with sufficient sources of fiscal income and decision making power.
- Associating partition of BiH with a criminal offence (high treason).
- Completion of the PIC's five-plus-two-formula.<sup>33</sup>
- Creation of a "new" EU Special Representative (EUSR) with a clear and strong mandate, also supported by the US. While the US side has been demanding a "robust" EUSR mandate, equipped with a set of executive powers (some wish to see them coming as close as possible to the present "Bonn Powers"), Brussels has made it very clear that such powers „systematically" do not coincide with EU political-legal standards; rather a set of so-called soft "Brussels Powers" could be expected.
- Renewed and strengthened EU-US partnership, an approach based albeit, on relatively different ideas and expectations on both sides of the Atlantic.<sup>34</sup>

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<sup>32</sup> As, for example, from the Social Democratic Party of BiH, the SDP.

<sup>33</sup> As reconfirmed but the PIC Steering Board meeting of 25 and 26 March 2009, and by US Vice-President Biden and EU High Representative Solana during their joint visit to BiH on 19 May 2009.

<sup>34</sup> At least since the end of 2009, there has been a movement in America to get the US government strongly reengaged in BiH, plus a push for a stronger EU-US involvement. Part of this strategy: appointment of a US Special Envoy for the Western Balkans (eventually matched by an EU Special Representative). Critical of such a "re-exerting of US leadership" have been Binder, David/Meyer,

- Accelerated NATO membership<sup>35</sup> compared to the slower, longer lasting EU accession process, with the intention that such full membership would help each ethnic group in BiH to feel more protected, at the same time safeguarding Bosnia's integrity and guaranteeing its borders.
- EU candidate status: Membership in the EU (as in NATO) has always been the only promising perspective for BiH. The various promises in this regard from the side of the EU have to be reconfirmed. The prospects however seem gloomy. Of the countries in line for possible future EU enlargement (leaving out Kosovo and Turkey because of their very special situations), only Iceland and Croatia have a realistic chance of joining in 2011 at the earliest. For the rest, it has become increasingly difficult to predict an entry date – separately or “in a package.”<sup>36</sup> Given the present situation of the Lisbon Treaty and the overall enlargement fatigue within large parts of the EU, a reasonable guess seems to be that Albania, BiH, Macedonia, Montenegro and Serbia may join some when between 2015 and 2020. At the same time, the attraction of EU membership continues to decline in some of the potential Western Balkans countries. This has been definitely true for BiH, which, as recently as two years ago, had still had been showing strong “pro” figures.
- A new “Dayton” conference (“Dayton II”)? Some US think tanks have renewed calls for an international effort to “reconvene a Dayton type conference with all its original participants”<sup>37</sup> as the only way out of the functionality deadlock described above and to help prepare a new constitution “that meets European standards.” In the wider international community, however, this proposal has met with strong rejection. Main argument: such a conference, with an

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Steven/Kesić, Obrad: *US policy and Bosnia-Herzegovina: An assessment*, USIP Peace Briefing, Washington, D.C., June 2009.

<sup>35</sup> This has been advocated especially by American BiH specialists such as Edward P. Joseph, see above fn. 27.

<sup>36</sup> As recently proposed for example by the former coordinator of the Stability Pact for South-Eastern Europe: Busek, Erhard: “Western Balkans should join EU as a block”. In: *EurActiv*, 17 April 2009 ([www.euractiv.com](http://www.euractiv.com)).

<sup>37</sup> See e.g. Abramowitz/Serwer, Bosnia, as above in fn. 3.

unpredictable outcome, might open Pandora's box and bring less stability and progress to BiH and the entire region than the DPA.<sup>38</sup>

#### **4. Conclusion: Confronting BiH's needs and BiH's reality**

The best "Action Plan" or „New Strategy for BiH", however, will not help, if the BiH powerholders, elites, and also the overall society, including all three BiH "nations", do not make the project truly their own. We have seen during the last thirteen years that both the possibilities and the political will to obstruct the DPA have been tremendous. The most dramatic events in this regard occurred in late fall 2007, when the then High Representative failed to find support for the badly needed functionality increase of the central BiH political decision making institutions (parliament; council of ministers). Such reforms have been seen by Bosnian-Serb political parties across the political spectrum as inimical to Banja Luka's "vital interests." A similarly serious situation occurred in May/June 2009, when the National Assembly of the RS, once again, threw the gauntlet directly in the face of their fellow Bosniacs and Croats in BiH, but even more so to the international community, the High Representative and the PIC, with the adoption of a resolution that called for a return of competencies originally transferred from the entities to the central state and an end to the Bonn Powers.<sup>39</sup> These repeated showdowns between the international community's High Representatives and the RS political institutions and parties regarding the question of the 'if' and 'how' to improve Bosnia's functionality and inner cohesion, have contributed to the apocalyptic mood that, at least since mid 2006, has been hanging over Europe's most complicated and intractable state- and "nation"-building case. This institutional dispute of principles has been sharpened by the Bosnian Serbs total rejection of and fierce rebellion against any use of the "Bonn Powers" by the High Representatives.

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<sup>38</sup> See, among others, Rathfelder, Erich: „Biden warnt vor Krieg in Bosnien. Neue US-Politik auf dem Balkan". In: *Tageszeitung*, Berlin, 22 May 2009 ([www.taz.de](http://www.taz.de))

<sup>39</sup> Qualified by Srećko Latal in *Balkan Insight*, 10 June 2009, as "the most blatant challenge to the international community so far" ([www.BalkanInsight.com](http://www.BalkanInsight.com)).

A whole range of threats have been levelled at both the International Community and BiH's non-Serb society – threats of a quality which would undermine even stronger states. They include the possibility of a withdrawal of RS office holders from all state structures (“civil disobedience”<sup>40</sup>), which would lead to complete paralysis of the BiH central state – and thus to anarchy, hostile co-existence and eventual secession. This evokes the impression of a BiH as a failing state.<sup>41</sup> The RS – this has always been obvious – has been striving to increase Banja Luka's power and to freeze, if not diminish “Sarajevo structures.”<sup>42</sup> Making the unloved, cumbersome central state more functional and encouraging RS citizens to identify more with the overall country BiH, has never been in the interest of Srpska's ruling class. The objective of their war was to create their own homeland. That the international community's intervention and the Dayton process prevented them from turning the whole of Bosnia-Herzegovina into a Bosnian-Serb state – or at least providing them with a fully independent state on a part of its territory – does not mean that nationalistic politicians in the RS, who see the existence of the RS permanently questioned by the other ethnic groups' nationalist leaders, have given up their goal of living separately from the non-Serb population.

Polls have shown that this approach is shared only by parts of the Bosnian-Serb population. Under permanent pressure from Serb nationalistic rhetoric (often provoked by Bosniac nationalist rhetoric) however, the “anti-Sarajevo” mood has been growing. Patriotism for BiH, even if only

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<sup>40</sup> Binder/Meyer/Kesic, US policy, as in fn. 34 , p.5.

<sup>41</sup> There are a few scholars and practitioners who demand the partitioning of BiH along ethnic lines. Some ask for the acknowledgement of reality, arguing from historical experience with post-war societies, where former enemies were kept together against their will in one state through a political-diplomatic solution after the conflict had ended. According to them, statistics show that most of such “artificially” integrated societies failed again and eventually broke apart. Others demand the recognition of the will of the people in ethnically divided states and want to grant the RS secession. See most recently William Montgomery's respective article, “The Balkan mess redux”. In: *The New York Times*, 5 June 2009 ([www.nytimes.com](http://www.nytimes.com)), which has triggered some strong reactions.

<sup>42</sup> A term frequently used by the RS government and by the SNSD.

“constitutional patriotism”,<sup>43</sup> on the Bosnian-Serb side has been scarce. Prime Minister Dodik has repeatedly said that he loves only the RS and Serbia and sees BiH only as a necessary evil.

This means that neither an “Action Plan” nor a “New Strategy for BiH” would contain a magic formula for success yet. Rather, in addition, or better yet, as a basis, something like a “*contrat social*”, a social contract between the citizens of BiH would be needed to put an end to the three parallel worlds or societies and contribute to at least a minimum of “togetherness.” Such a compulsory Bosnian-Herzegovinian “*contrat social*” would lay down, among other things, ways to guarantee and protect ethnic, religious and cultural rights of the individual, and serve as a blueprint for the general political orientation of the country. This would hopefully help to overcome the paralysing, unproductive and fragile co-existence of groups and citizens in BiH, and contribute to the creation of an integrated, though in many ways pluralistic society, where one would feel him/herself first as a BiH citizen, and then as Bosnian-Moslem, Bosnian-Croat or Bosnian-Serb. All relevant political parties would have to agree beforehand:

- a) to reform the DPA constitution (and other respective laws) in order to increase the functionality of the state and the relations between the various political levels in BiH,
- b) to enable *all* citizens, through enhanced means of communication, to enter directly into the debate on a “*contrat social*”, not solely, as in the past, through various political or religious leaders,
- c) not to boycott or obstruct any of the reforms adopted later on, and finally,
- d) to work henceforth for and contribute to the creation of at least a minimum of countrywide political consensus and identification with the BiH state.

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<sup>43</sup> Term coined by Sternberger, Dolf (Verfassungspatriotismus, Hannover 1982); concept further developed by Habermas, Jürgen: „Staatsbürgerschaft und nationale Identität”. In: Habermas, Jürgen: Faktizität und Geltung, Frankfurt a.M. 1992.

This is a daunting project. It will only be successful, if it is a BiH-owned project and a step-by-step process, based on confidence-building. It needs to be guided by sensible, non-nationalistic, consensus-oriented leaders, which, unfortunately, are still rare or not yet recognized “nation” wide. Thus, it is still up to the external state-builders to demonstratively support those leaders who already fit into this category, and to provide a helping hand to the process when needed. After all that has happened, to leave Bosnians and Herzegovinians entirely to themselves, alone with their inner divisions and the DPA as it stands, seems not to be a good alternative. Others, such as the new High Representative Valentin Inzko,<sup>44</sup> cognizant of negative experiences of the previous OHR and PIC, have cautiously expressed much more modest expectations, renewing calls for some widely accepted smaller elements of the failed so-called “April Package” of 2006. The 14 May 2009 conclusions of the RSNA, however, have demonstrated again that there seems to be no way around a more fundamental solution – involving the citizens and the civil society such as it is – if BiH is to be preserved even as a country, but all the more so, as one able to play in the EU league. Although constitutional reform has never been a precondition for EU membership, there has always been agreement among PIC members (leaning on the findings of the Venice Commission, among others) that with the present level of dysfunctionality and without changing the DPA constitution rules which contradict those of the EU, a full EU membership of BiH is unimaginable.

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<sup>44</sup> Interview with Banja Luka based *Nezavisne Novine* on 17 April 2009, quoted by *BBC online services* from 20 April 2009.

# **Multiple Faces of the Bosnian “Crisis Circle”: Ethnonationalism and Ethnopolitics in Post- Dayton-Bosnia and their Effects on Democratization**

*Vedran Džihic*

## **Introduction**

Ethno-nationalism as a topic and a political principle seems to be en vogue today, and Bosnia and Herzegovina (hereinafter: Bosnia or BiH) can be seen as paradigm of significance and virulence of ethno-nationalism. More than 14 years since the war ended by the signing of the General Framework for Peace in Dayton, Ohio, Bosnia is still caught in enduring crisis. The constant political turmoil and challenges of the democratisation processes characterise Bosnian present, leaving it at the end of the Balkans’ EU “regatta”. It is high time to look back, analyze the false assumptions and steps and speak a clear language about the Bosnian reality: Bosnia is still a country of ethnonationalism, ethnopolitics, a country in waiting, and a country whose people have been in a cleft stick for too long. In the following article I will discuss effects of ethnonationalism as a political principle ruling Bosnia and of ethnopolitics as a self-referential, self-sufficient and discriminatory kind of politics in the Bosnian political and socio-economic space. By discussing the effects of ethnonationalism and the recent “magnifier” in a form of the global economic crisis, I will draw contours of the current Bosnian “crisis circle” or “crisis of democracy”.

Even though Bosnia has reached a rather formal crossroad in the process of the Europeanization by signing the SAA in 2008, internal political conflicts between the ethno-nationalist parties and their leaders (good examples are conflicting politics of Milorad Dodik and Haris Silajdžić) continue to hinder real progress towards the EU, while reproducing deep

political and economic crisis of the Bosnian society. This crisis is generally marked by deep apathy, mutual accusations of political elites and widespread use of ethno-nationalist arguments to realize their particular political and economic interests. Bosnia's critical problems (or legacies) that make an obstacle to creation of a functional state as a prerequisite to EU integrations are linked to "ethnic collectivism" which 14 years after Dayton can still be identified as an intrinsic part of Bosnia's present. In the Bosnian case, democracy rather tends to become part of the problem than part of the solution. This is primarily the case because democracy addresses and empowers the rights, interests, and aims of the dominant ethnic group, which makes it much more difficult for the ethnic and other minorities to realize their rights. BiH in the years since Dayton is the best possible example to demonstrate the overwhelming influence of symbolic discourses and politics, war legacies and reserved domains in form of ethnopolitics dominating the country and making almost any progress impossible.

As long as Dayton continues to be the reference point for democratization and Europeanization of the country – thus prioritizing the rights of dominant ethnic group, rather than of individual citizens – and by reinforcing the dysfunctional state structure, it will be impossible (or at least very difficult) to move beyond the present situation and towards the EU.

This article will sketch some basic features of the present Bosnian ethnocracy. Departing from the explanation of the crucial defects of the Dayton constitution, I will examine the effects of ethnonationalism on the political representation and the socio-economic situation in Bosnia, and proceed by analysing some major dilemmas of the international intervention perspective of the Europeanisation. At the end of the article, a set of applicable recommendations for breaking the Post-Dayton "crisis circle" will be presented.

## Limits of Dayton

The Dayton Peace Agreement indeed ended the war, but proved to be an obstacle for political stabilisation and democratisation of the country.<sup>1</sup> The Dayton settlement can be seen as the best example of formally ending a conflict, however conflict endured. The conflict essentially remained unresolved – both on the battlefield and at the negotiating table. We still face a negative peace understood merely as an absence of hostilities, and continuing structural violence. This is confirmed by the kind of rhetoric being widely used within the Bosnian political space since 2006, proving that rhetoric hostilities remain unchanged in the last 20 years, primarily based on the principle of ethno-nationalism. Using fear as “political principle” became a powerful tool in the hands of political elites for maximizing their power. As Democratization Policy Council puts it in its latest Briefing Note: “The Dayton constitution makes leveraging fear politically profitable and politicians unaccountable. Bosnian politicians pursue their self-aggrandizing, maximalist goals at the expense of the general welfare. Thanks to the absence of credible options, most citizens feel unrepresented in government. This must be remedied for the country to work.”<sup>2</sup>

To recall the obvious – Dayton Peace agreement has established a state based on an ethnical division of power. Post-Dayton-Bosnia has become a giant laboratory for social engineering and – last but not least – in experimenting with state- and nation-building. And the process that has been completed in the meantime can be described as the institutionalisation of Ethnicity.<sup>3</sup> That means, to quote Nerzuk Ćurak, “by the Dayton BiH, we designated the civil community created and imagined in the war, realized through war and conditioned by its result. And Dayton

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<sup>1</sup> See for example contributions in: Solioz, Christophe/Tobias K Vogel (Ed.): *Dayton and Beyond: Perspectives on the Future of Bosnia and Herzegovina*, Baden-Baden 2004

<sup>2</sup> Kurt Bassuener: *How to pull out of Bosnia-Herzegovina’s Dead-End: A Strategy for Success*, Briefing by Democratization Policy Council, Berlin, 19.2.2009, p. 3

<sup>3</sup> See: Nerzuk Ćurak: *Obnova bosanskih utopija*, Sarajevo/Zagreb 2006 and, Asim Mujkić: *Mi, gradani etnopolisa*, Sarajevo 2007

construct, has become the political, social and cultural norm in Bosnia. We don't even remember or forget that Bosnia once was a society different than today. Dayton and the Dayton political practice created a new artificial paradigm which presents itself as a real form: only the naïve believe that something which has been artificially produced cannot last. This is one of the reasons why politics in post-Dayton Bosnia remains zero-sum."<sup>4</sup>

In analyzing some major features of Dayton, I would first like to address the Dayton-induced institutional frustrations and illustrate the present deadlock of the country by looking at the real effects of some constitutional provisions from Dayton and the ethno-nationalist policies at the situation in Bosnia.

Some instruments within the Dayton accord designed to overcome the basic ethnic dilemma of the country proved to be inefficient, good example is the Annex 7 and the right to return. The key challenge in this regard lies in the fact that the current constitutional framework (designed from outside – under international pressure) continues to be a direct source of discrimination at collective and individual level causing broad ethnic frustrations on all sides. All ethnic groups feel frustrated: Croats feel that their vital national interests are jeopardised or denied to an entire collectivity, Bosniaks feel that they are being continually and unjustifiably punished despite terrible proven mass crimes committed against them, while Serbs claim that the existence of the Republika Srpska (RS) is repeatedly undermined and questioned.

The situation is further complicated for the minorities. Two concrete examples I find in my own situation: Being a part of the category of "Others" I cannot be elected to the Bosnian presidency. Or as a citizen of RS I cannot be elected to the Parliament of the Federation and vice versa. This is due to the limits of the Dayton and the structural defects of

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<sup>4</sup> Nerzuk Ćurak: (Post)Dayton Bosnia and Herzegovina: 21.11.1995-21.11.2006 / Eleven Years of a Divided Society and an Underdeveloped State, in: Forum Bosnae, 39/2007., Unity and Plurality in Europe, Part 2 (edited by Rusmir Mahmutćehajić), Sarajevo 2007, S. 87-104.

the political representation stemming from the Dayton Constitution which fully acknowledges the ethnic principle and rights of the three ethnic groups (namely, Serbs, Bosniaks, Croats), while ignoring the “Others” and thus simultaneously ignoring the civic rights.

When it comes to the functioning of the Parliament and the question of decision-making processes as basic principles of functioning democracy, serious defects are noticeable. For a transition country to move forward, to reform the statehood and the state administration, a huge number of laws and administrative acts have to be adopted. From Dayton till now, 160 law acts and proposals have been stopped in the parliamentary procedure by using the so called entity veto right, which is a part of the Dayton Constitution. That means, for example, that out of 42 representatives in the House of Representatives only 10 from one of the three constituent groups are able to block the whole procedure. Out of these 160 laws that have been blocked, 140 times the entity veto was used by the RS. Due to this, the High Representative used the Bonn Powers 112 times to impose the legislation. But, when one side continues to use the tool of entity veto right as a political tool, lets say just to realise its own politics – to be in a better position for all the kind of games in the grey zone between legal economic practices an the one side and nepotistic, clientelistic, corrupt and even criminal activities on the other side – the reforms desperately needed to move the country towards the final goal of the European integration are weakened.

As the institutional set up stipulated by the Dayton Constitution was imposed from the outside it is obvious that this major obstacle cannot be easily removed from inside. This is due to the substantial lack of the ability and readiness of the ethno-nationalist elites for the compromise, while there is also no sense of ownership over the process and its outcomes, which provides the ground for lack of interest and accountability towards the citizens. And this is a result of Dayton, of the compromise made and designed by the international community. And speaking frankly, looking from this perspective, and thinking about the fact that a functional and working state is needed as a prerequisite for the Bosnian way towards Europe, it is rather cynical to come to Sarajevo and just say: you have to handle this issue by yourselves, we cannot do anything.

The main question remains: how to move forward? A proper institutional and constitutional framework has to be established, but the next question is again – how. And that is the point where the OHR, as an institution representing the international community, and the EU as a major democratization force, have no common strategy. At the same time, Bosnian political forces are still not able and not willing to do any major steps to make the country more functional. These two combined extend and reinforce the vicious crisis circle of the Bosnian ethnocracy.

### **The first “Circle of Crisis”: Citizens’ support to democracy**

Taking into account citizens’ views to development of democracy, a range of current surveys, especially in Bosnia, have shown alarming results. There is very limited public support for any political option in the country, while only a minority of respondents in the country feel represented by any politician or party and their political views. “This feeling of disenfranchisement about the political world was found to be particularly strong in BiH, where seven in 10 respondents denied that there was any party or politician representing their views (...).”<sup>5</sup> For instance, in BiH only 1% of young people believe that they may bear any influence on political decision-making<sup>6</sup> and a majority of the people have no trust at all or only a little in the government.<sup>7</sup> The 2006 democracy assessment of the Open Society Fund pointed at the fact that only a small part of the inhabitants of BiH have positive opinion of any elected government body whereas other societal actors such as the church and the army enjoy relatively high degree of trust. Up to 67% of the interviewees in Bosnia strongly disagree with the statement that the parties

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<sup>5</sup> Gallup: Balkan Monitor. Insights and Perceptions: Voices of the Balkans, 2008 Analytical Report, p. 23, available under <<http://www.balkan-monitor.eu/index.php/reports>>.

<sup>6</sup> Open Society Fund Bosnia and Herzegovina: Democracy Assessment in Bosnia and Herzegovina, Sarajevo 2006, p. 337.

<sup>7</sup> Gallup Balkan Monitor, p. 27.

currently in government show sufficient responsibility towards the public.<sup>8</sup>

In 2007, less than half of the respondents felt that politics in the country are getting worse, this number of people sensing growing dissatisfaction with politics in the country rose to over 50% during 2008, reaching up to 67% in the first half of the year 2009.<sup>9</sup> After almost a complete blockade of the reform processes in Bosnia due to ethno-national issues and supported by the effects of the economic crisis, the dissatisfaction, anger and even hostile position towards the political elite increase dramatically.

And – this is probably the most paradoxical issue in the whole region – the politicians do not react with concrete reform steps and attempts to improve the economic and social situation in the country. On the contrary, they continue with their political and ethno-national games. And – this is even more paradoxical – large parts of the population in some parts of Bosnia (at least in the RS) support politics of Dodik forgetting that it is exactly Dodik who uses all his political power to pursue personal interest, building up criminal and corrupt networks etc. All these findings are pointing to a very radical and deep crisis of Bosnian democracy. They at the same time point at the fundamental erosion of trust in Bosnia, which could be defined as one of the basic principles necessary for the functioning and stable democracy.

These figures have also serious repercussions when considering democratic principles such as representation and pluralism. Although not a basic pre-condition for democracy, democratic representation has developed to be a main characteristic in judging nation-democracies in their scale and form as we know them today. Questions such as – Who is represented and who represents? What is being represented? How is it being represented? – are crucial in evaluating the democratic content of the work of political representatives. This is since also a high level of trust

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<sup>8</sup> UNDP Report, Early Warning System Bosnia, 2008; Annex p. 7, available under <[www.undp.ba](http://www.undp.ba)>.

<sup>9</sup> See UNDP Report, Early Warning System Bosnia 2007 and 2008.

towards representatives is needed in order for them to exercise their mandate.<sup>10</sup> Yet, looking at the data mentioned above, majority of the Bosnian citizens do not seem to feel represented by their elected leaders. Furthermore, no political party in the country seems to provide a political option for a high number of the population. This represents a serious challenge to the legitimacy of the democratic systems in Bosnia, since the lack of alternative against the existing political status quo and (dis)functioning of the state structures undermines pluralist politics without which modern democracy is virtually inconceivable. Therefore, factors such as the lack of transparency in politics, lack of perceived progress, clientelism and corruption reflected by formal functioning of democratic structures without political content, leaves citizens in Bosnia disillusioned in democracy.

A UNDP report evaluating political developments in BiH in 2008, pointed at the practices of political officials in the country: „Instead of dealing with reforms and carrying out the tasks required for integration with Europe, the state level institutions were preoccupied throughout 2008 with themselves.”<sup>11</sup> Discussions in BiH on the police reform serve as an important example in this regard. It was in 2007 when High Representative Miroslav Lajčak took the decision to change the rulebook of the Council of Ministers and proposed changes to the functioning of the Parliamentary Assembly in order to prevent institutional gridlock. This decision followed the failure of the ruling coalition to agree upon the police reform which resulted in a negative evaluation by the EU. Even though the situation calmed down in the meantime thanks to signing the Stabilisation and Association Agreement in 2008, the danger of institutional deadlock currently dominates the political scene again. In this protraction of reform, the parliamentary assemblies at the entity and state levels serve as the main political battlefield of ethno-national elites.

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<sup>10</sup> Johannes Pollak: Repräsentation ohne Demokratie. Kollidierende Modi der Repräsentation in der Europäischen Union, Wien/New York: Springer 2007, p. 1.

<sup>11</sup> UNDP Report, Early Warning System, Bosnia, 2008; p. 21.

The limited authority the state parliament has, – as already mentioned – is furthermore decreased by misuse of veto mechanisms, such as the veto on the vital national interest and a general division along entity lines of parliamentarians and their views on where the country needs to go. One concrete example is the disaccord of the reactions of BiH state parliamentarians on the resolution of the European Parliament with regards to crucial reforms in Bosnia.<sup>12</sup> Apart from the dominance of entity interest in the state parliament, the existence and work of the entity parliaments themselves hinder progress in the country. For instance, the reform process in Bosnia is currently stalled again due to the Conclusions of the parliamentary assembly of the RS from May 14, 2009, which states that the transfer of responsibilities from entity to state level without the consent by the entities is not in accordance with constitutional law. The new High Representative, Valentin Inzko, annulled this act of the RS parliamentary assembly, since this pronouncement would undermine final and binding decisions of the BiH institutional court as well as the High Representative himself. The reactions of the RS politicians came immediately, stating that the RS politicians are going to continue implementing these conclusions and defending the constitutional rights of the entity.<sup>13</sup>

Yet, not only specific events have painted a negative picture of the BiH authorities. In monitoring the work of the BiH parliament and government throughout the 2008, civil society actors highlighted alarming backlogs in continuing essential reforms<sup>14</sup>. Civil society organisations highlighted the fact that whereas other countries are busy dealing with questions such as economic crisis, politicians in BiH leave their citizens to themselves and do not set the ground for important measures, such as

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<sup>12</sup> Radio Slobodna Evropa: Neslaganje poslanika oko rezolucije EP, 3.12.2008, <<http://www.slobodnaevropa.org/content/Article/1355900.html>>.

<sup>13</sup> Radio Slobodna Evropa: Stranke RS nezadovoljne Inckovom odlukom, 20.6.2009, <<http://www.slobodnaevropa.org/content/inckoreakcije/1758882.html>>; Radio Slobodna Evropa: Incko poništio zaključke narodne Skupštine RS, 20.6.2009, <[http://www.slobodnaevropa.org/content/incko\\_zakljucci/1758850.html](http://www.slobodnaevropa.org/content/incko_zakljucci/1758850.html)>.

<sup>14</sup> These lists of reforms have been supported by citizens' platform, so called GROZD, counting up to 500.000 citizens.

the draft law for the fight against corruption, strategy of internal financial control of state institutions or a draft law on state remedies.

With the economic aggravation resulting from the global financial crisis, public discussion on the cost of such inaction by the legislative and executive organs has risen too. Specifically, parliamentarians of the Federation parliament were confronted with criticism. During 2008, increase of the number of people who stated worsening in the political development of the county, disapproval in the whole country with the work of the presidency and state parliament as well as the entity parliaments rated up to 40%.<sup>15</sup> Consequently, we may see a large discrepancy between the expectations of the citizens on one hand, and practices of political representatives on the other. However, in taking citizens' views as a reference for democratic legitimacy and pointing at the complexity of this question in the Bosnian context, the fact that high number of citizens of the RS continue to support the work of their executive and legislative authorities to a large degree<sup>16</sup>, needs to be taken into account. This can be seen as a clear proof of the manipulations of citizens by using ethno-nationalist arguments and rhetoric and reserved domains by politicians.

When it comes to the issue of how the political support for the elites is generated, Bosnia is probably the best possible example for a government trying and succeeding in gaining citizens' support for governance not based on the benefits of a welfare state and the economic and social stability, but based on misuse of ethno-national issues and ethno-nationalist rhetoric. Since the elections in 2006 in Bosnia, the ethno-national leader on the Serb side, Milorad Dodik, and the Bosniak member of the Bosnian presidency, Haris Silajdžić, have taken the whole state hostage with their nationalistic rhetoric, thus reiterating the ethno-politics. Since state institutions have widely been reduced to instruments for executing these nationalistic and populist motivated ideas of the leaders, their social and economic ability to act and govern has further been reduced.

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<sup>15</sup> UNDP Report, Early Warning System, 2008, Annex, p. 8.

<sup>16</sup> UNDP Report, Early Warning System, 2008, Annex, p.10.

## **Weak socio-economic foundation of democracy – economic and social policies in Bosnia**

The economic and social situation in BiH is very bleak. It is getting even more dramatic due to the effects of the economic crisis. The FDI are going down rapidly, the trade deficit is also growing. On average, about 40% of the citizens in the country – depending in which area they live – would leave the country if they had the opportunity to, while generally very pessimist interpretation of the economic development of the country can be witnessed.<sup>17</sup> According to the latest estimates from the International Monetary Fund, IMF, Bosnia is facing a 1.8 percent GDP decline in 2009. This means that after an initially estimated 5.5 percent GDP growth, and more recent adjustments to 3.5 and 0 percent, Bosnia is now officially heading into economic recession this year. Bosnia also suffers serious consequences from the global recession. Industrial production and provided commercial credits have been in constant decline, while the number of unemployed has increased by more than 30,000 in the first six months of 2009. Recent data of the BiH Statistical Bureau has shown that unemployment is reaching up to 40%.<sup>18</sup> Frustrations of the people are growing. Effects of these discouraging data on the poverty rates are huge. As Vladimir Gligorov says, „the decline in economic growth will be more effective in raising poverty rates than the 6 years of growth just passed was in reducing them.” At the same time, public expenditure lies at 43%, meaning that the costs for the administration are extremely high. During the course of 2009, the country, and particularly the Federation, is just a few steps from bankruptcy and complete social break-up.

While the social and economic situation is evidently alarming, Bosnian ethnonationalist government does de facto nothing to prevent it. There are no serious plans for the crisis management. Ironically, one of the rare decisions that have been made in the first half of 2009 was a decision to

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<sup>17</sup> UNDP Report, Early Warning System Bosnia, 2008, Annex, p. 4.

<sup>18</sup> Radio Slobodna Evropa: Nezaposlenost premašila 40 posto, 22.4.2009, <[http://www.slobodnaevropa.org/content/agencija\\_za\\_statistiku\\_bih/1613920.html](http://www.slobodnaevropa.org/content/agencija_za_statistiku_bih/1613920.html)>.

increase the salaries for the members of parliaments and to buy some new representative AUDI or Mercedes cars for political representatives.

It is obvious here that a large part of the economic problems must be seen in the context of dysfunctional institutional setup and ethnopolitics' effects. Interests of the ruling alliances in sustaining the atmosphere of fear and the use of ethnonationalist arguments create a state of ethnocracy, which serves as a cover for the ongoing operations of a criminalized political economy, while ensuring a level of uncertainty sufficient to keep traumatized and fearful electorates united behind their nationalist protectors. These are diametrically opposed to the crucial issue of reforming the economy, establishing the rule of law, etc.

For the ruling parties on each side of the ethnic divide, merging of economic and political control has been and is means of generating necessary resources to continue to fight for the rights of "their" constituent people. They advocate the notion of free market, but these markets have to be ethnically based and controlled by the new rich, post-war criminals, ethno-political elites, corrupted leaders, war profiteers, smugglers and all other kind of criminals, most of them members or close to inner circles of ethnic parties.

There are too many examples of merging economic and political power in the hands of nationalist-controlled networks.<sup>19</sup> To name just a few, it is enough to point at the case of political leaders of the Croat party HDZ, who have used its considerable economic leverage – including control over one of the country's most profitable industries, Aluminium Mostar

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<sup>19</sup> See here for example: Michael Pugh: Postwar Political Economy in Bosnia-Herzegovina. The Spoils of Peace, in: *Global Governance*, 8/2002, p. 472; Timothy Donais/Andreas Pickel: The International Engineering of a Multiethnic State in Bosnia. Bound to Fail, Yet Likely to Persist. Conference paper prepared for the CPSA Annual Conference, Halifax, 1.6.2002, available on <[www.cpsa-acsp.ca/paper-2003/pickel.pdf](http://www.cpsa-acsp.ca/paper-2003/pickel.pdf)>, p. 16; Christophe Solioz: *Turning Points in Post-War Bosnia. Ownership Process and European Integration*, 2<sup>nd</sup> edition, Baden-Baden 2007; Michael Ehrke: *Bosnien: zur politischen Ökonomie erzwungenen Friedens, Frieden und Sicherheit*, Friedrich-Ebert-Stiftung, Bonn 2003.

– to finance parallel (and illegal) governmental structures that have persisted throughout much of the post-Dayton period. Another rather recent example is the case of Milorad Dodik’s economic imperia, which is probably the most radical example for clientelistic and criminalized economy and for the interdependence of ethnonationalism and economy. The situation in the Bosniak part of the country is not better: corruption, crime, clientalism and nepotism prevent the economic recovery of the Federation BIH and deepen the gap between the poor citizens and the rich political and economical elites.

It is more obvious that the ruling nationalists have little interest in pushing liberal reform agenda, while they have sufficient power to marginalize those who do. Despite declarations of commitment to the reform process by political parties spanning the political and ethnic spectrum, Bosnia’s nationalist elites have in practice resisted giving up their economic prerogatives. This resistance has been particularly visible in the area of privatization, where the process has been deeply compromised by the actions of domestic political and economic ethnonationalist actors – the outcome was a kind of wild-west type privatization. It resulted in a kind of ethno-privatization, which has strengthened the rule of ethnocracy.

At the end, this clientelistic, criminalized economy as described above, is self-reinforcing and leads to a state of elite captured economy. The ethnonationalist control of economy and resistance to reform keeps the state weak, undermines the formal social safety net, and leads citizens at the end to turn to localized nationalist ”godfathers” for subsistence. This popular dependence on local elites, in turn, helps sustain electoral support for nationalists, therefore justifying their determination to maintain the status quo. This further means that Bosnia’s nationalist political elites have a deep interest in ensuring that ethnic notions of identity do not give way to civic notions of identity, as such a move would undermine their own political bases of support and diminish their chances to continue with misuse of economic resources of the country.

Michael Pugh described such a situation as a “part of survival strategy in BiH.”<sup>20</sup> And Donais und Pickel add: “The gradual consolidation of economic power in the hands of Bosnia’s three main ethnic power blocs, who operate sophisticated networks linking the nationalist parties with state-owned enterprises, the financial system, paramilitarized veterans’ groups, and powerful elements within Bosnia’s underground economy, has been ongoing since Yugoslavia began to disintegrate in the late 1980s. Wartime links between nationalist parties and organized paramilitary groups – for whom ethnic cleansing was both an economic and a political exercise – strengthened the ties between political elites and increasingly influential criminal elements, many of whom made the successful transition from paramilitary activities to the management of underground criminal and smuggling networks at the war’s end. As one US Government report noted in 2000, in the post-war period a new symbiosis has emerged between those at the top of Bosnia’s largely criminalized political economy and the country’s political elites. In other words, ‘having used illegal networks for military and economic ends during the war, political parties are now inseparable from criminal organizations’.”<sup>21</sup>

### **The Crisis on both ends: Does the Europeanisation deliver on its promises?**<sup>22</sup>

“Bosnia and Herzegovina is facing financial collapse. You will go bankrupt by the end of the year,” Jane Armitage, World Bank country director for Bosnia is quoted in an interview with the daily Dnevni Avaz.<sup>23</sup> She urged Bosnian leaders to immediately undertake the necessary re-

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<sup>20</sup> Pugh: Postwar Political Economy in Bosnia-Herzegovina, p. 472.

<sup>21</sup> Donais/Pickel: The International Engineering of a Multiethnic State in Bosnia, p. 16.

<sup>22</sup> See here also Vedran Džihčić, Silvia Nadjivan/Hrvoje Paić/Saskia Stachowitsch: Europa – verflucht begehrt. Europavorstellungen in Bosnien-Herzegowina, Kroatien und Serbien, Wien 2006, e.g. the part on Bosnia-Herzegovina written by Džihčić; see also: Emir Hadžikadunić: Od Dejtona do Brisela, ACIPS, Sarajevo 2005.

<sup>23</sup> Srećko Latal: Bosnia’s New PM Revives IMF Deal Hopes, Sarajevo, 26.6.2009, available under <<http://www.balkaninsight.com/en/main/news/20550>>.

forms. And that is the crucial point: How to do it? How far-reaching should these reforms be? It is obvious that the country in its present Dayton shape is not functional and not prepared for the EU-integration. It is at the same time more than obvious that the local politicians are not able or nor willing to undertake such an effort and to reform the state-structure, to make it European. (See the Prud-Process) And it is also obvious that in case of such a minimalist state like Bosnia where the state-building has not yet been completed, the EU's conditionality simply does not work, and that it sometimes can even undermine the stability of such a minimalist state<sup>24</sup>. And, by saying that, I make a case by stating that the EU in Bosnia has not been clear in terms of conditions, and has not found a right and appropriate stance towards obstructions of the Bosnian political elites. At the same time, different emphases and declarations by the OHR, EUSR, PIC, EC Delegation and some EU countries reduced the effectiveness of conditionality. The complexity of the international presence and within the EU itself (together with a rather ambiguous signs from the EU concerning the EU perspective) obscures any clear state-building conditionality.

Membership conditionality does not automatically lead to a full compliance with the EU's norms, values and procedures. The politics of conditionality can only bring changes in a target state when key players desire the reward of admission or when all political parties have a feeling that the EU demands do not threaten their vital interests. There is a number of serious negative and not intended repercussions of the EU's conditionality approach in Bosnia. Thorsten Gromes differentiates between negative impacts on the underlying conflict form within the society, on the antagonism between the conflict parties in general and impacts on

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<sup>24</sup> See Sofia Sebastian: *The Stabilisation and Association Process: are EU inducements failing in the Western Balkans?*, Working Paper, FRIDE, February 2008; Solveig Richter: *Zielkonflikte der EU-Erweiterungspolitik? Kroatien und Makedonien zwischen Stabilität und Demokratie*, SWP-Studie, June 2009, Berlin and Othon Anastakis/Dimitar Bachev: *EU Conditionality in South East Europe, Bridging Commitment to the Process*, Oxford, European Studies Centre, April 2003.

the conflict actors' behaviour<sup>25</sup>. Although all major parties in Bosnia – at least rhetorically – consented over the final aim of the ever deeper integration and final membership within the EU, the reforms requested by the EU and its conditionality often have a negative impact on the internal political relations between Serbs, Croats and Bosniacs. The rhetorical and institutional conflicts between the Federation of BiH and the RS over the transformation of the state competencies from the entity to the state level are the best example for the contradictory and not intended conflicts caused by the strict application of the conditionality principle.

To be concrete: Since reform of the police structures in Bosnia has been defined as a necessary precondition for the progress towards the EU, political representatives of Serbs from the RS and Bosniaks continued to fight over this sensitive political question. Serb political parties were not ready to accept any compromise leading to the strengthening of the state level competencies in the police field, while Bosniak political parties demanded abolishing of the separate police structure of the RS established during the war and formally recognized within the framework of the Dayton peace agreement. The prime minister of the RS, Milorad Dodik, went even so far to stress that the independent police forces of the RS are more important than the European Integration.<sup>26</sup> During 2007, major political parties failed again and again to consent over the police reform. That provoked one of the largest political crises in the country since 1995, and led to the almost complete stop of any common efforts at the state level to fulfil the prerequisites for an SAA. Some actors even fuelled fears of a new war. At the end, the EU softened its demands regarding the police reform, Serb political parties made some minor concessions making some rather cosmetic changes in the decision-making procedures at the state level, and the RS police forces remained virtually untouched.

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<sup>25</sup> Thorsten Gromes, The Prospect of European Integration and Conflict Transformation in Bosnia and Herzegovina, in: *Journal of European Integration*, Jg. 31, 4/2009, p. 431-447.

<sup>26</sup> Radio Slobodna Evropa: O ustavnim promjenama ispočetka, 2.8.2007, <<http://www.danas.org/content/article/1188455.html>>.

By taking such a step, the EU made a major concession and opened a way for the signing of the SAA, which finally was signed in June 2008. But on the other side, the underlying conflict over the state structure has not been solved until today. Softening of the EU conditionality induced the parties to the conflict to openly question further demands by the EU. It also led to mutual accusations and charges by one side (the Bosniak one in this case) that the other side is the one blocking the integration. Such charges can substantially deepen the already strong cleavages within the society and deepen the antagonism, making consensual steps needed for further reforms on the country's way towards the EU much more difficult. "Demands by the EU, which the parties to the conflict have to fulfil in order to reach the next stage of the association and integration process, can fuel antagonism."<sup>27</sup> This turned out to be true in Bosnia in the years since 2006.

The ethno-nationalist parties, whose members are largely motivated by their attachment to the power structures and their private interests, present themselves – at least rhetorically – as supporters of the integration because voters and the EU demand it. At the same time, they use ethno-nationalist rhetoric accusing the others of endangering their national interests and mobilising the voters to protect "the interests" of the Serbs, Croats or Bosniaks, which in the end means protection of the private interests of the political and economical elites. As a result, the EU integration process is stalled and the democratisation of the country is stagnating while the nationalist parties remain in power.

The Western players, first of all EU and the US, are not naive, but they often forget that the intentions do not guarantee outcomes. There is no automatism in the democracy promotion, even more in such a complicated case like Bosnia is. Summing up international efforts in Bosnia since the end of the war, one rather critical conclusion can be drawn: the international community was not able to initiate fundamental transformation of the institutional system of the country, neither through constitution amendments nor any other kind of legal reform. Conflict has been

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<sup>27</sup> Cf. Gromes 2009, p. 444.

frozen – not only at the state level and within the administration, but at the same time at the level of everyday lives.

We shall also think about the role of IC in Bosnia by asking the question about the exit strategy and the connection between the exit strategy and the ethnopolitics. To be clear: international involvement and intervention – and this is the case in Bosnia too – is considered to be temporary, either explicitly, by giving concrete deadlines or by setting a particular agenda including an eventual “hand-over” to local actors and institutions, or implicitly by creating a parallel domestic institutional infrastructure which is intended to take over from the international agencies. And the question here is: what could be an agenda for hand-over to local actors and how such an agenda could be realized. And the point is, as also the Bosnian reality proves, that in order to overcome the ethno-nationalist dilemma, the IC needs not an exit strategy but a new enter strategy outside the ethno-nationalist box. This could only be the EU-integration and a kind of integrative approach in a partnership manner. But at the same time, and this is the tricky question in this regard, the ethno-nationalist logic and the state structure designed to service national and not civic interests is reproducing itself, creating a kind of self-sufficient hermetically closed system resistant to any change.

### **Is there a way out of the Post-Dayton-Dilemma? Looking back, learning from the failure, moving forward**

In order to break the vicious circle characterised by effects of ethnopolitics, new politics is needed in Bosnia. Time is a scarce commodity in Bosnia. Political and economic agenda for the next few months is very tight, and expectations are high. Action has to be taken immediately, of course both by the international community and the Bosnians. I am proposing a kind of a clear-cut and both practicable as well as symbolically effective Quick-Recovery-Package.

### **a) Constitution:**

There is a need for a broad international consensus within the international community regarding Bosnia. The EU and USA have to act in concert to push the reform processes forward.

The first step should be the constitutional reform: It is really simple as it is – Dayton is not working any more, and the Dayton constitutional framework is not designed to fulfil the conditionality criteria of the EU. It is not even designed to create a minimum of a functional state. That means that the constitutional reform can be seen as a basic prerequisite for Bosnia's Europeanization process, and this one is necessary for the normalization of the country. In the upcoming period, a broad „Constitution Task Force” should be created, and such a force should not only include leading political parties but also representatives of different initiatives of the civil society, as well as experts and technocrats. This Task Force should be borne by a broad international consensus on the necessity of this reform (I am thinking here about the EU and also the US commitment to such a reform) and should – as soon as possible – submit a constitution package to the Bosnian parliament that lists minimum criteria for a functioning Bosnian state, which – and this is very important – then will be able to fulfil the conditions of the European integration process. This package, which (starting off with a minimum consensus) should be successively implemented, has to be based on the sovereignty of the law and not of the individual political parties, and it has to accelerate the idea of efficiency and subsidiarity, and not to reinforce the ethnic principle once again. And this means, for example, that the dysfunctional entity suffrage has to be abolished, since it has become real ethno-national tool to block any decision making processes. Instead, other mechanisms have to be developed to balance the different national interests.

**b) The Visa Regime:**

The visa regime has become symbolically as well as factually the key issue in the context of Europeanization. The Visa-regulations have become a symbol for the ghettoization of Bosnia. Here, quick and effective implementation of the EU's conditions for visa-facilitation is necessary in order to enable Bosnia to be included into the list of Western Balkans countries, which will become part of the so called "white Schengen list" as of next year.

**c) Economic and social development:**

In times of global economic crisis, which immensely affects and will continue to affect Bosnia during 2010, and in view of the political barriers for the reforms in the economic and social sector, the country needs a broader basis for discussion and decision-making. The OHR/EUSR together with the local authorities should, during the autumn 2009, put all the necessary efforts to introduce an Economic and Social Committee that should include the best experts and supporters of necessary reforms, i.e. representatives of those NGOs which are really active, people from the economic sector and, of course, representatives of the labour unions. This Committee should meet on a regular basis and should constantly offer concrete and widely supported suggestions for the solution of urgent economic and social questions. Furthermore, the Committee should search for practical ways to implement those suggestions. A committee like this, issue-related and operating across the entities, would provide labour unions, the smaller and more reform-oriented political parties and forces, movements of the civil society, but also all sorts of technocrats with more visibility, power and influence. This again might be a way to open the political sphere that is now dominated by the ethno-national political and economic elites and partocratic structures.

**d) Making Europeanisation true:**

"EU membership has been the critical lever for pressing reforms in Bosnia since it was made policy in 2003. But the EU did not develop a coherent

strategy, and by proclaiming progress where it has not been achieved, the EU has weakened not only its own influence in the country, but also the Office of the High Representative. (...) The EU, fixated on a still undefined 'transition' from OHR to an EU-centred mission, seems intent on emptying its toolbox before it knows what tools it will need to enable Bosnia's transition.<sup>28</sup>

Currently, there is a deadlock and hardly any move with regard to the EU-integration. For instance, the Bosnian government did not even succeed to pass an agenda for the implementation of the obligations that are listed in the SAA and that had been signed by the country about one year ago. Bosnia will, for sure, not be able to take the hurdle of the EU-conditionality together with, for example, Croatia or even Serbia. Therefore, a privileged "EU Junior Membership" should be considered that would be guided by a set of precise procedures. As a medium term strategy, the Directorate for European Integration<sup>29</sup> should be upgraded into a Ministry for European Integration and should be resourced with new and well-trained fresh personnel, who last but not least may also come from the Diaspora. The current dilemma of the EU is obvious: should it continue the process of enlargement, given the required and still not implemented institutional reforms (Lisbon), and given the widespread enlargement fatigue, and if so, at what pace. Since 2005, this question causes huge problems. Since the summit meeting of Thessalonica in 2003, the EU fell far short of its own agenda. The last meeting of the EU foreign ministers in March 2009 in Prague and their exhausting struggle for a simple affirmation of an enlargement perspective for the Western Balkans is an allegory for this enlargement crisis. Here Bosnia cannot change anything but instead the EU has to move forward.

Yes, it is clear: At the end, the pace of Europeanization will be set by Bosnia, through the determination the country shows to fulfil their part of the bargain. EU is not a vademecum or a magic formula for solving

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<sup>28</sup> Paddy Ashdown/Richard Holbrooke: A Bosnian powder keg, in: Guardian, 22.10.2008.

<sup>29</sup> Finally in August 2009, after more than one year of political backlog, Lidija Topić was confirmed to the position of the Director of the Directorate for European Integration. See Radio Slobodna Evropa: Topić preuzima dužnost 1. Septembra, 24.8.2009, <[http://www.danas.org/content/lidija\\_topic/1806261.html](http://www.danas.org/content/lidija_topic/1806261.html)>.

all the problems of the country. But at the present moment, an initiative must come from the EU in order to change the institutional parameter of the country.

### **Thinking out of the Post-Dayton-Bosnia-Box**

Dayton State sometimes seems to be the god-given state of ethnopolitics and even more so, of the ethnicized bureaucracy – and this is also a part of the destructive role of the ethno-nationalist elites: they need a overwhelming bureaucracy as a control mechanism and, last but not least, as a kind of final evidence, final proof that this country is not working, and cannot live without them. And, states are states as long as they succeed in convincing themselves that they are states (Sloterdijk)<sup>30</sup> and I may add: ethnonationalist state is state as long as it succeeds in convincing all of us that we need them (the ethnonationalist elites) to protect us from each other. This is the life vein for nationalists. And to convince us, they need a kind of atmosphere showing us that the other is threatening me, creating an atmosphere of fear. In the time of economic crisis and the alarming effects on the Bosnian society, it is even more convenient to use fear and ethnonationalis rhetoric to maintain the status quo.

Looking at the current state of crisis of the Post-Dayton-Bosnia, it is more than obvious that ethnonationalism, ethnopolitics, ethno-institutions of the Post-Dayton kind, etc. makes true democracy in Bosnia impossible. Ethno-nationalisation of the Bosnian society and deep and ongoing inscription of the ethno-nationhood as a consequence of war, as well as the very character of the Dayton Peace Agreement, together with inadequate intervention of the International Community, creates a form of ethno-statehood in BiH which prolongs the crisis, prevents substantial normalisation of the situation, while at the same time creating obstacles to the Europeanisation process and strengthening of

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<sup>30</sup> Sloterdijk, Peter: *In the same boat: an essay on hyper politics*, 1993, quoted in. Nerzuk Ćurak: *Daytoner Hindernisse für das Brüsseler Bosnien und Herzegowina*, in: Heinrich Böll Stiftung (Ed.): *Von Außen betrachtet: Perzeption europäischer Außen- und Sicherheitspolitik in Nachbarländern der EU*, Brüssel 2005, p. 18-23.

the functional Bosnian state. The rule of ethno-nationalism and ethno-politics together with limited functioning of the Bosnian statehood since the Dayton, sustains and re-produces the conflict and cleavage lines that have emerged as a consequence of war. In order to change the ethnonationalist Post-Dayton-Bosnia, we have to think out of the box, and to take immediate steps to leave this box.



**PART II:  
REGIONAL AND INTERNATIONAL FACTORS  
OF INFLUENCE**



## **Bosnia: Hostage of Belgrade**

*Sonja Biserko*

With Kosovo's independence, the dissolution of Yugoslavia came to an end. However, the Western Balkan region has still unresolved border issues, some with neighbors and others internally, as well as serious internal ethnic frictions. But Bosnia remained as the only truly unstable point in the Balkans because Belgrade still perceives Republika Srpska as a military gain. More and more international analysts and experts indicate that the situation in Bosnia is deteriorating.

The Dayton Peace Accords often appear to be "war by other means". Since early 2006, in spite of the appearance of progress, Bosnia demonstrably slid backwards. Today elements among all three sides talk of rearming, and some now mention resorting to violence or secession to achieve political goals. Bosnia still appears unable to create functional governing structures capable of participating in the Stabilisation and Association Process (SAP) without substantial international oversight and engineering.

Milorad Dodik, leader of the Serb entity, Republika Srpska, is actively undermining state institutions. Dodik's position was strengthened by the economic linkage between Serbia and Republika Srpska. In fact the largest investor in BiH economy is Serbia. The purchase of the Republika Srpska telecommunication system by Telekom Serbia was both an act of anti-market business-making, but also a move aimed at spreading Serbia's sphere of influence to Republika Srpska. For years now Belgrade has been strategically integrating Republika Srpska both in the economic and cultural space of Serbia. The last in a series of such moves is the announced formation of the joint electric power supply company by electricity boards of Serbia and Republika Srpska. The priority of such a company would be the building of a river Drina hydro-power plant, in which Serbia should invest about 200 million Euros. However, the cur-

rent economic crisis has temporarily stalled any such project. It also bears mentioning that Russia, through Serbia, entered the Republika Srpska market, and that it jointly with Serbia controls that territory as a leverage in a possible confrontation with the EU.

Bosnia is hostage to Belgrade's policy. Through Republika Srpska, Belgrade still obstructs the full integration of Bosnia as a functional, common state. Although Bosnia, unlike other neighboring states, did not recognize independent Kosovo, relations between Sarajevo and Belgrade continue to be tense. Kosovo's independence proclamation has radicalized Milorad Dodik's conduct and raised the issue of Republika Srpska's status. Namely Dodik came up with a request that Republika Srpska be allowed to hold a self-determination referendum. That in turn implied that elites in Serbia and in Republika Srpska would step up their campaign for the self-determination referendum in Republika Srpska. In February 2008, a Resolution of the Republika Srpska Parliament, which for the first time explicitly heralded the possibility of such a referendum, indicated the beginning of a new serious crisis in Bosnia and Herzegovina, and in the region too. Responses of the international community and other BiH politicians to such a stance were very negative. Dodik was told that self-determination of Republika Srpska was a non-negotiable option.

In fact official Belgrade and Sarajevo maintain only formal contacts. On the other hand, relations between Serbia and Republika Srpska are on quite a different track, and resemble more relations between the two sovereign states, thanks to the Agreement on Special Relations (and its numerous modifications, through a set of special contracts between the two entities). For the first time after the war, some analysts and foreign media have discretely intimated the possibility of the new re-arming of ethnic groups in Bosnia and Herzegovina. An additional research indicated that the latter implies arming of various private security agencies, hunting societies, and similar activities.

The legacy of war and interpretation thereof continue to burden relations between the two important neighbours. In commenting the European Parliament's Resolution on Srebrenica calling on the EU member-states

and the West Balkans states to mark the 11th of July as the Remembrance Day of the Srebrenica massacre, Dodik underscored that “the European Parliament has a prerogative to think as it thinks...but a bitter taste remains that only one event is emphasized.” He added: “the said decision was the end of a frantic race to cleanse the consciences of some European MPs.”

Attempt to change the intra-Bosnian arrangement, in the shape of the *Prudski Agreement*, between the leading political parties (headed by Milorad Dodik, Sulejman Tihić and Dragan Čović) was not fully approved by Bosnian public opinion. In fact the true contents of the Prudski Agreement have never been disclosed. However, the statements of the three leaders indicated that in play was the creation of the third entity with its seat in Mostar, and division of the state property to be controlled by entities. The foregoing essentially provoked the most negative responses and commentaries. The continuation of the so-called Prudski process was called into question after Prime Minister of Republika Srpska, Milorad Dodik, refused to attend the meeting with the heads of Party of Democratic Action and the Croat Democratic Community in Mostar. It is still an imponderable whether the said agreements would be just another in the series of failures of the leaders of the BiH and RS parliamentary parties. In parallel that process was backed by the international community. High Representative Valentin Inzko thus stated:

“I also back all moves made voluntarily by the three peoples, notably the Prudski process. It would be good if other parties joined in that process. It is not a condition for closing down the Office of High Representative, or transformation thereof, however, it would be a sign of maturity.”

In its Resolution on Bosnia and Herzegovina, the European Parliament demanded the creation of a fully-functional state and institutions in order to accelerate its process of integration into the European Union. It is obvious that the failure of the aforementioned negotiations impacted the re-internationalization of the Bosnian issue.

In the course of 2008, Bosnia and Herzegovina saw three developments of historic importance for the country. The first one was the July arrest

of Radovan Karadžić in Belgrade. Despite the fact that the arrest took place in the territory of Serbia, it still has a momentous bearing on Bosnia and Herzegovina, because Karadžić faces the ICTY charges for war crimes and genocide in Srebrenica and in other 11 Bosnian municipalities. In addition, General Momčilo Perišić is being tried in The Hague for, according to the indictment, setting up in his position of Chief of Staff of the Yugoslav Army, a so-called personnel centre, empowered with rendering logistical and financial aid to the Republika Srpska Army and “replenishing” its command with high-ranking officers. Thus, according to the indictment, General Perišić between mid-1993 and late-1995 contributed to the commission of crimes during the siege of Sarajevo, shelling of Zagreb and the fall of Srebrenica. Both trials (of Karadžić and Perišić) shall shed light on the role of Belgrade in engineering and carrying out genocide in Bosnia.

The second important development was signing of the Stabilization and Association Agreement (SAA) between the EU and Bosnia and Herzegovina. The said agreement was signed on the 16th of June 2008 in Luxembourg, in parallel with the Interim Trade Agreement, by which, as quoted in the conclusions of heads of states and governments of the European Union, “Bosnia and Herzegovina made an important step on its road to the EU”. The signing of the former became possible after completion of reforms of some segments of the joint state: namely “the reform” of the police, public administration, and public Radio and Television Service.

The third development was the end of the tenure of Miroslav Lajčak as Head of Office of High Representative in Bosnia and Herzegovina. Lajčak failed to impose some solutions and to make use of the Bonn prerogatives in which he was vested. The new High Representative, Valentin Incko, was elected, thanks to the full backing of the US, whose condition was a full use of the Bonn prerogatives, including imposition of some solutions, if local prime movers fail to reach pertinent agreements. Incko is the last high representative, for that office shall be replaced by a new institution, with weaker prerogatives, namely the Office of the EU Representative.

After a 13-year effort, due to a weak constitutional structure of the state, fatigue and saturation of the international community in Bosnia and Herzegovina, and lack of ability of the EU to insist on implementation of the conditions have annulled all the efforts invested and the results of creation of a functional BiH. The international community let Dodik continue the process of weakening the common state, which additionally distanced Bosnia and Herzegovina from European integration. The only correct mid-term strategy for Bosnia and Herzegovina is the change in the Bonn prerogatives in the long-term, but also redefinition of the Republika Srpska's position in the BiH federation. In the long-term it shall be necessary to seriously redefine or revise the Dayton Accord, which has become a stumbling block on the road to a common state.

Serb nationalists have to a large extent succeeded in their intent: they imposed the ethnic principle as an exclusive criterium for settlement of all territorial disputes. Namely by dint of war campaigns they rounded the Serb territories, ethnically consolidated them and are now awaiting a better opportunity for unification. In the course of two decades, in the shadow of wars in Croatia, Bosnia and Herzegovina and Kosovo, they achieved ethnic consolidation of Serbia proper. A tireless militant, right-wing nationalistic radicalism, xenophobia and hatred of *others* (including minorities), reduced the minorities to the minimum, with a trend to further downscale their percentage. After having nearly attained all their goals, the Serb elite finds it unacceptable to renounce a unique historic opportunity to finally „liberate Bosnia” and round the Serb ethnic space, even at the price of disintegration of Serbia proper, as the things stand now. On the one hand, a continuing agony caused by the economic crisis, and on the other hand- a victory within reach. German historian Holm Sundhaussen in his important book “History of Serbia from the 19th to the 21st century” has lucidly concluded that the history of Serbia would have unfolded differently if her elites had been interested in arrangement of the state, and not in its territorial expansion. Serbia could have been a highly developed country, but that goal was sacrificed in the name of a great idea, which in the 90's of the 20th century made Serbia regress for a whole century.

Therefore, resolution of Bosnian problems hinges also on a more con-

structive role of Serbia. The influence which Serbia exerts on the politicians in Bosnia may prove to be of a crucial importance on future developments. Furthermore, if Serbia wants to accelerate its accession to Europe, its future stance on Bosnia shall be of great importance. However, one needs to have in mind that the lure of EU integration is not as powerful as Brussels had envisioned.

However, there is a positive move in the international community. The new US administration, or those close to it, started several public hearings on Bosnia, including one in Congress. The main message was that something had to be done in Bosnia. Morton Abramovic and Daniel Server proposed renewed EU brokering and the US initiative-taking in the process of the BiH constitutional reforms because “the current constitutional situation in Bosnia and Herzegovina is not acceptable.” They also proposed that the international community must take into consideration “convening a new Dayton conference”.

# The Regional Cooperation Council's Role

*Alphan Solen*

South East European countries, including Bosnia-Herzegovina and many actors from outside the region are members of the Regional Cooperation Council (RCC). In addition to the eleven countries from South East Europe and Kosovo, thirty three countries, organizations, and international financial institutions from outside the region are also members.<sup>1</sup>

The RCC is mandated, basically to deal with matters of an economic and technical nature. Though not stated explicitly, it is expected to decouple itself from political issues and not to deal with bilateral matters. However, it is inevitable that economic matters go hand in hand with politics and it is difficult to isolate one from the other. In fact, it was mainly the political wills and determinations of the countries of the region, including those who so recently fought each other and some who still have remaining disputes that played the major role in the establishment of this organization.

In the case of Bosnia, any instance when the three national groups in the country have disputed the establishment of either the RCC or its predecessor, the Stability Pact, cannot be recalled. Bosnia is a willing and contributing partner in the on-going activities of the RCC.

Therefore the RCC provides the opportunity, through its practical cooperative priority activities, to indirectly support the establishment of the

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<sup>1</sup> The Regional Cooperation Council (RCC) membership consists of 45 countries, organizations and international financial institutions. The RCC has a Secretariat based in Sarajevo, Bosnia and Herzegovina, headed by the Secretary General. The present, and first, RCC Secretary General is Hido Bisčević. Those RCC members contributing to the budget of the Secretariat form the RCC Board, currently comprising 29 members. See RCC official website at <[http://www.rcc.int/index.php?action=page&id=14&link\\_id=21](http://www.rcc.int/index.php?action=page&id=14&link_id=21)>.

platforms for dialogue that the parties need to resolve their domestic or international conflicts.

Before reflecting on how the RCC's existence can be of relevance for turning the conditions of Bosnia back to normal, brief reference should be made to the factors that necessitated the creation of a multinational establishment of that nature.

South East Europe and especially the Western Balkans do not continue to live together only with the legacies of the events that led to the disintegration of Yugoslavia. Parallel to these, there are a whole set of transitional issues which emerged as a result of the shedding of past structures and the adoption of new principles upon which to construct new political, economic and social foundations. The challenges posed by transition persist, with the question of how much ground forward has been covered being debated.

Another salient feature pertaining to the region in general has frequently been the necessity of having the outside actors and particularly those from the Euro-Atlantic area involved for ending conflicts. The actors in the region have not been able to resolve disputes on their own for several decades already. For example, attempts had been tried before in order to create a climate conducive to mutual understanding, cooperation and tolerance, such as the first and second Balkan Pacts. However, the first Balkan Pact of 1934 stumbled with the beginning of the Second World War and the second Pact in 1953 did not spur much enthusiasm and ended as soon as it began, perhaps due to the mindset prevalent at the time of the Cold War.

The concepts and ideas that a regional organization should provide an atmosphere of confidence is of paramount importance and gained urgency with the end of the war in the Western Balkans. The South East Europe Cooperation Process was launched in 1997 with the purpose of building a platform for political dialogue and has continued uninterrupted. The Stability Pact, on the other hand, was established mainly as an EU initiative for creating cooperation in practical terms. The experiences acquired in both initiatives demonstrated to the domestic and ex-

ternal actors that the region has matured to a level where countries of the region can cooperate among themselves and that the time is ripe for establishing practical regionally owned and led cooperation.

In addition, the prospect of accession opened by the European Union and NATO and the collective approach that these organizations generally adopted towards the region substantially motivated the inclination to cooperate within the framework of a regional organization and continues to be an element of encouragement.

The RCC was launched in February 2008. The fact that its Secretariat is based in Sarajevo, one of the sights of the tragedy of the Balkan Wars, is full of symbolism. Its priority areas were identified taking into consideration the suggestions of the EU which, in addition to its involvement through EU members, is assisting the other countries in their efforts to be successful in reform processes and meet the benchmarks that are necessary for moving forward on their path to formal membership. Therefore, the RCC has been given the role of key interlocutor for the EU, which is in fact a member of its board and a main contributor to its budget.

The difficulties of a stagnant, polarized Bosnia can be summarized in two levels. At one layer lie the differences between the entities and the disputes between the three national groups. Three constituent peoples, two entities, cantons, rotating presidents, a multitude of prime ministers, parliamentarians, etc., all of whom view things through an ethnic prism, have created such a structure that the coherence in administering the country in its entirety is almost non-existent. After the tremendous changes in ethnic structure, people are living in fragmented communities.

Even the magnetic power of the prospect of EU accession seems not to suffice to have different groups converge on major issues. In fact, the unified approach of the EU towards Bosnia in terms of integration processes is being regarded by some as a threat to their autonomy or to their autonomous existence within the entity. The resolution of the constitutional issues is probably one of the overarching steps. However, dialogue

around the Prud Process is being viewed not only with skepticism, but also as treasonous.

The other layer of dysfunctionality – in fact a consequence of this fragmentation – is the lack of administrative capacities and the lack of the rule of law, simultaneously in different administrations. One of the priority areas of the RCC is the enhancement of administrative capacities that are so necessary to carry through reforms aimed at installing the rule of law. Ensuring the impartiality of the judiciary, establishing the relevant measures in order to guarantee that the democratically-elected delegates are made accountable and not above the law is one of the most important elements for the RCC members if those delegates are to carry their societies forward. To establish the supremacy of the rule of law, verdicts given by an independent judiciary must be implemented and recognized. These are the most important elements for RCC members, Bosnia included. This achievement is the major output for winning the confidence of the people and securing their participation in the good governance of their country.

The work program of the RCC and some of the initial activities agreed to be launched within its framework involve Bosnia directly and in its entirety. Bosnia is directly involved in the project aimed at developing water transportation and management in the Western Balkans, cooperation in firefighting, transportation routes, energy infrastructure, and so on, which require dialogue among the domestic parties in Bosnia.

Hence it is possible to say that institutional links fostered by RCC not only are being established among its members, but can be elevated to more practical levels within national boundaries. The environment and the spirit of cooperation within the RCC framework can be instrumental in promoting inter-ethnic and inter-cultural dialogue, engagement on outstanding issues and compromise.

# **NATO and Reform in Bosnia-Herzegovina**

*Bruce McLane*

## **Introduction**

NATO's involvement in Bosnia and Herzegovina (BiH) began in 1992 and has been marked, over the past 16+ years by flexibility and adaptability, at a time when the Alliance itself was engaged in a long and difficult debate about its role in the post-Cold War environment. In the early days NATO's engagement included support to arms embargo monitoring and enforcement, the imposition and enforcement of a no fly zone over BiH, and the provision of support, to include close air support, for UNPROFOR operations.

Following the successful conclusion of peace negotiations and the signing of the Dayton Peace Accords (DPA), NATO agreed to lead the military implementation force (IFOR) in what became its first crisis response operation. The Alliance continued to lead this operation until handing over to the European Union Force in December of 2004. While doing so, however, NATO agreed to accept the responsibility to assist the BiH government in the area of defence reform. NATO remains engaged in this field today and maintains its headquarters at Camp Butmir, just outside of Sarajevo. As a part of this headquarters a small staff of approximately 30 military and civilian professionals work within the BiH Ministry of Defence and to assist the Ministry and the BiH Joint Staff on all aspects of reforming the BiH military and defence structures, and on the military aspects of broader security sector reform within the governments at state and entity level.

## **Defence Reform in BiH – a Never Ending Process of Change**

NATO has been assisting BiH in the area of defence reform since the earliest days of the deployment of IFOR in 1995 and 1996. Under the leadership of a NATO four star general officer, IFOR's 60,000 strong military force worked with the Entity Armed Forces to demobilize and downsize the wartime defence forces in existence at the time, brought them together regularly within the context of a Joint Military Commission, and on a day-to-day basis, mentored and guided BiH military leaders to make their armed forces more compatible with those of modern European armed forces. This process required great diligence and patience, particularly in the early years when mistrust and suspicion were still extremely strong.

However, Alliance nations realized that these military mechanisms could only go so far in helping BiH build a strong, peaceful, and enduring state. At the ministerial meetings of the North Atlantic Council (NAC) in December of 1996 ministers noted that "Securing the peace over the long-term will also require further steps to promote confidence and cooperation among the armed forces of Bosnia and to encourage the development of democratic practices and central defence mechanisms."<sup>1</sup> This led to the development of a Security Cooperation Programme with BiH (SCP).

The NATO International Staff was tasked to build a programme of cooperative activities that would promote cooperation, dialogue, and reconciliation among the former warring parties. It was to focus not just on military leaders, but civilians as well, from both state-level and entity institutions, particularly those responsible for building the new governmental structures agreed in Dayton. The result was the creation of an annual programme of seminars, workshops, and visits that brought key individuals from BiH, together with members of the International Community, to discuss defence issues, overcome misunderstandings, and

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<sup>1</sup> NATO Security Cooperation Activities in Bosnia and Herzegovina, David Lightburn, NATO Review, Vol. 46, no. 2, Summer 1998, pp. 31-34.

learn how defence structures are organized, and armed forces are structured, supported, and employed in NATO nations.

The SCP organized all cooperation activities through the BiH Standing Committee on Military Matters (SCMM), which was the only State defence structure at that time. The goal was to strengthen state-level structures by clearly demonstrating that international organizations like NATO deal with States, not sub-elements of States. However, as a practical matter, in the early days, much work was necessarily conducted with Entities, which, in accordance with the DPA, maintained their own armies and were responsible for military matters in BiH.

Keeping the long term objective clearly in sight, NATO – in cooperation with other international organizations including the Office of the High Representative (OHR), the United Nations Mission in BiH (UNMBIH), and the Organization for Security and Cooperation in Europe (OSCE) – began to lay the groundwork for future needed changes in the defence structures in BiH. To this end the NATO International Staff worked closely with OHR during the meeting of the Peace Implementation Council (PIC), held in Brussels in May of 2000, to craft communique language that would support and encourage the strengthening of the State’s capacity in the field of defence. As a result, the PIC agreed that “BiH needs to have armed forces with a unified command and control capable of joint deployment and action under international and regional security organizations” ... and urged „the authorities of BiH to develop the Standing Committee on Military Matters (SCMM) into a State defence structure.”<sup>2</sup>

The next opportunity to reinforce the political foundation for progress came in January, 2003. In preparation for the scheduled meeting of the PIC Steering Board Political Directors’ meeting in Brussels, NATO worked closely with OHR and the Secretary General of the SCMM, Mr. Stjepan Pocrnja, to help define BiH’s political objectives in the field of defence. Following from that work, Mr. Pocrnja formally declared BiH’s commitment to take the necessary steps to join NATO’s Partnership for

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<sup>2</sup> Declaration of the Peace Implementation Council, Brussels, May 23-24, 2000

Peace Programme, to include the establishment of effective state-level civilian command and control over the armed forces and mechanisms to ensure parliamentary oversight of all defence matters<sup>3</sup>.

Later that same year developments in BiH set the stage for further progress. In the wake of earlier evidence that BiH officials had aided and abetted the sale of illegal arms to Iraq, the High Representative (HR), Lord Ashdown, realized that BiH needed to accelerate work on building effective state-level defence structures, and to make BiH a credible candidate for NATO's PfP Programme. "Working with the High Representative and Bosnian officials, the NATO Secretary General set out NATO's expectations for a credible PfP candidacy. These included introduction of a state-level, civilian-led command and control structure including a state-level Defence Ministry; democratic parliamentary control and oversight of the armed forces; transparency in defence plans and budgets; development of a Bosnian security policy; and common doctrine, training and equipment standards."<sup>4</sup>

To achieve these goals the HR mandated a Defence Reform Commission, led by OHR, in May of 2003. The DRC held its first meeting, organized by the SCP, at the NATO School in Oberammergau, Germany. By September of that year the DRC had completed its report, to include a draft Defence Law of BiH. This law fundamentally reorganized BiH defence structures, creating operational and administrative chains of command. Under this arrangement Entities retained the responsibility to organize, train, and equip armed forces. However, only the State of BiH, using the operational chain of command, could employ those forces. The Law also created a parliamentary committee to provide stronger civilian oversight over defence matters.

The successful outcome of the work of the DRC was a significant step forward on BiH's path toward Euro-Atlantic integration, and, for the

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<sup>3</sup> Declaration of the Political Directors of the Peace Implementation Council Steering Board, 30 January 2003

<sup>4</sup> Reforming Bosnia and Herzegovina's Defence Structures, Mr. James R. Locher III and Mr. Michael Donley, NATO Review, Winter 2004.

first time, achieved consensus among all interested parties in BiH to move beyond the self-imposed limitations of the DPA in the field of defence. Nonetheless, the members of the Commission had ambitions that stretched beyond membership in PfP. If true Euro-Atlantic integration was to be achieved in the longer term, Commission members realized that full NATO membership should be the ultimate goal. Thus, the stage was set for a continuation of the DRC's work.

In congratulating BiH on its accomplishment, Lord George Robertson, then NATO's Secretary General, made clear that if NATO membership was BiH's goal, then a single military force would be required to achieve it. This new challenge became the DRC's next objective. While the new Defence Law was being approved by the BiH Parliamentary Assembly, NATO was handing over the majority of its responsibilities under the DPA to EUFOR. However, it agreed to accept responsibility from OHR to lead the DRC, and to continue oversight and assistance to BiH authorities for the implementation of defence reform. Despite the many difficult obstacles to overcome, and compromises to be made, the DRC completed its work in September, 2005 calling for a single defence establishment and a single military force for BiH. The report contained two draft laws – the Defence Law of Bosnia and Herzegovina, and the Law on Service in the Armed Forces of Bosnia and Herzegovina – and recommended their passage by the BiH government. Of particular interest is the declaration within Article 83 of the Law, brought forward unchanged from the 2003 Law on Defence, affirming the aim of BiH to attain membership in NATO. The 2005 Law on Defence, approved by the Parliamentary Assembly in December of that year came into force on 1 January 2006.

NATO and its international community partners understood that despite the extraordinary success of the DRC, the implementation of the Defence Law and Law on Service would require continued oversight and assistance by the IC. So, while handing over its DPA-related responsibilities to EUFOR the previous year, NATO agreed to maintain a small headquarters in Sarajevo to assist BiH authorities in the area of defence reform.

Thanks to the hard-won and broad-based political consensus among the BiH stakeholders that was reached in the DRC, the close cooperation and coordination among the principal IC actors, and the long-term, patient approach NATO has taken during the implementation process, defence reform is widely recognized as the most successful reform effort in BiH since the end of the war in 1995. A single military force has been created, under civilian state level command and control. Parliamentary oversight is assured through the Parliamentary Assembly's Defence and Security Committee. The Armed Forces of Bosnia and Herzegovina are well integrated in accordance with the provisions of the Defence Law. The Minister of Defence, his deputies, the Chief of the Joint Staff and the military leadership throughout the armed forces are working hard, and achieving success, in building an armed force that meets NATO standards. BiH soldiers have already established a track record of success in international peace support operations, and have become, in a very real sense, providers, vice consumers, of security. This is not to say that the task is complete, but the remaining challenges are well recognized and BiH officials are working hard to meet them, with assistance from NATO, EUFOR, OSCE, and key nations.

BiH officials also recognize that reforming the defence sector alone will not address their broader security needs. NATO has worked closely with the BiH government to assist in strengthening state level capacities in the security sector. For example, NATO works closely with the Ministry of Security to build a civil emergency planning and disaster relief capability. They also regularly advise the Council of Ministers on how to strengthen its interagency processes and communication and coordination between Sarajevo and BiH's ambassadors and envoys in foreign postings. And, since the creation of the Parliamentary Assembly Defence and Security Committee, NATO has regularly mentored and advised its membership, in coordination with the OSCE, to ensure strong, transparent oversight of defence and security issues.

## **Lessons Learned?**

One might question how and why NATO has been able to work successfully with BiH officials, to achieve so much progress in defence reform. The answer to this question is complex, but worth reflecting on in light of similar efforts in other countries. First, NATO has enjoyed a strong and positive reputation in BiH since the beginning of its deployment in that country in 1995. NATO has consistently employed its considerable political and military instruments wisely and even-handedly, and is viewed as an organization that can and will use those instruments for the good of the people of BiH. This is why there is still today strong political consensus on the goal of NATO membership for BiH. Second, the DRC, under both OHR and NATO Chairmanship, wisely sought to include all groups and peoples with a stake in its outcome in order to allow them to participate fully in the process. This included state and entity government representatives, all three constituent peoples of BiH, and the Parliamentary Assembly, which would eventually have to pass the recommendations into law. Third, NATO has influence in the region and used that influence well, making clear to neighboring countries that their aspirations toward NATO, PfP, and further Euro-Atlantic integration would be affected by how they dealt with BiH. Fourth, NATO set clear standards for membership in PfP and NATO and has held firm to them so that BiH political leaders know well what is required if they are to achieve their own goals.

## **The Current State of Affairs and Remaining Challenges**

Though much has been accomplished in defence and security sector reform in BiH, much remains to be done. BiH joined the Partnership for Peace in December of 2006. Since that time they have been accepted into Planning and Review Process (PARP), the Individual Partnership Action Plan (IPAP), and Intensified Dialog (ID). They now have their sights set clearly on joining the Membership Action Plan (MAP).

The implementation of the Defence Law and Law on Service continues to move forward, albeit at a slow pace. Of the challenges that remain,

two stand out above the others. First, BiH must resolve the issue of defence property. While the DRC attempted to deal with this issue outside of the broader issue of State Property, the two are clearly linked in the minds of BiH officials, and the one will not be resolved without the other. However, without a resolution to this issue the Ministry of Defence cannot and will not have the assurance it needs to invest in its military property and make the improvements desperately needed by its armed forces to properly organize, train, and equip them. The other key issue is the military budget. BiH has made strides to meet the NATO recommended defence budget of 2% of GDP. And while they have not yet achieved this goal, there is a serious problem in the BiH case that will continue to threaten the provision of adequate resources to the defence sector. This is due to the fact that the State-level government is dependent upon the cooperation of the Entities and those that act on the Entities' behalf at various levels of the government, to approve and fund the State level budget. Increasingly, budgetary resources made available to the State level are being restricted, while those in the Entities are growing. In a very real sense the Entities can limit progress in defence reform – as well as other areas of the BiH government – through their power over the purse.

So, while it is clear that the attraction of NATO membership remains strong, it is also recognized that the requirements to join the Alliance in fields beyond defence will present BiH officials with difficult decisions and compromises that, to date, they have been unwilling to accept.

For example, within the IPAP and the MAP, which are designed to help prepare aspiring nations for membership in the Alliance, NATO asks those countries to review and align their policies, laws and practices in areas of politics, security, public information, science and environment, civil emergency planning, as well as information security and resource issues. In order to make progress in many of these areas BiH will need to strengthen state level government bodies and improve communication and coordination with other levels of government. NATO expectations in these areas are similar to those of the European Union. As evidenced by the very difficult negotiations with the EU over police reform, BiH

will find that moving farther down the path to NATO membership may be more challenging than they expect.

## **NATO and the Way Forward in Defence Reform**

NATO can and will remain engaged in defence reform in BiH for the foreseeable future. But to build on the progress already achieved the Alliance must hold to its standards and criteria for NATO membership and continue to make those standards clear to BiH government officials. In the near term more needs to be done to properly educate and train the armed forces, and to use professional military training and education structures to strengthen the sense of unity and purpose of its soldiers. This process has begun, but much work remains to build a truly effective education and training system. For the near term, and perhaps beyond, BiH will need assistance in properly equipping its armed forces to NATO standards as well. NATO and member nations can and will continue to help.

While NATO works with the Ministry of Defence and the armed forces in defence reform, the Alliance must also continue to leverage its influence with neighboring states and the wider region to ensure that those countries influence developments and build relationships with BiH in a constructive way. Neighboring states can have an enormous impact on the future of BiH, and the Alliance must regularly remind them of the link between their bilateral relationship with BiH and their own aspirations for European and Euro-Atlantic integration. Lastly, the Alliance, working in concert with its IC partners, must do all it can to assist BiH in the area of public diplomacy, professional media, and education. In the end it is the people of BiH that must understand the benefits to them and their country of building a stronger state, and what awaits them in terms of security and quality of life when BiH becomes a full member of the European and Euro-Atlantic family of nations. In order to achieve this goal the public must have access to better information so they can make better, more informed decisions – especially at the ballot box.

The Alliance has a 15 year track record of success in BiH. This success has been achieved by demonstrating a willingness and ability to use military force and its political instruments constructively, by showing a readiness to embrace cooperation and dialogue, and by working in close partnership with other international organizations and nations, in a spirit of inclusiveness and transparency that has built trust between NATO, its partners, and, most importantly, the people of BiH. NATO will remain in BiH for as long as it is needed in pursuit of the goal BiH set for itself - membership in the Alliance and full integration into the European and Euro-Atlantic family of nations.

**PART III:  
RELEVANT DEVELOPMENTS IN THE  
SECURITY SECTOR**



# **The Challenge of Reaching Self Sustainability in a Post-War Environment**

*Denis Hadžović*

Although it is widely recognized that Bosnia and Herzegovina (BiH) has moved from the post-conflict reconstruction stage to development, the legacy of the 1992-1995 war is yet to be overcome. Tensions in the country are never far from the surface and ensuring continued stability is a prerequisite for meaningful long-term progress to be made in the country in every other sphere.

The road from crisis to peaceful governance is never smooth, nor is there a simple, straight forward map available to guide the route. The challenge in BiH is to make structural prevention work – by building institutional structures and democratic processes which are capable of relieving all the crucial points non-violently, offering more creative and enduring solutions.

Security sector reform is one of the corner stones of democratic reform, it is especially important in post-authoritarian and post-conflict societies and those emerging as new states in the Western Balkans, such as BiH. The successful reform of the security sector is the key precondition for the transition and development of BiH as well as rapid Euro-Atlantic integration.

## **Political context**

BiH's political context is shaped by the peace agreement that ended the 1992-1995 conflict. The General Framework Agreement for Peace (GFAP), more commonly known as the Dayton Peace Agreement (DPA) based Bosnia's institutional framework and system of government on the principle of power-sharing among the three constituent peoples (Croats,

Serbs and Bosniacs). The state-level institutions established by Annex IV or Constitution of BiH of the GFAP are commonly referred to as joint institutions and function primarily on the principle of maintaining an ethnic balance.

BiH's constitution is outlined in Annex IV of the Agreement. Its twelve articles give state-level institutions limited jurisdiction related to customs, foreign and monetary policies, trade and more recently common defence structures. The GFAP provides that all other remaining functions and powers "*not expressly assigned in the Constitution to the institutions of Bosnia and Herzegovina shall be those of the Entities.*" (GFAP, Annex IV, Article III (3a). The Entities are autonomous administrative units with their own substantive governments and wide jurisdiction over social and economic matters in their respective territories. The entity of the Federation of Bosnia and Herzegovina also has a middle level of government in the form of ten cantons established as part of the 1994 Split Agreement between Bosnian and Croat representatives (prior to the GFAP).

BiH can be described as a consensus-based democracy: its government is based on the principle of power-sharing among the three constituent peoples (Croats, Serbs and Bosnians). The state-level institutions established by Annex IV of the GFAP are commonly referred to as joint institutions and function primarily on an ethnic balance principle.

### **Security and Stability: A prerequisite for progress in BiH**

Security sector reform (SSR) in BiH remains especially important. Given the recent conflict in the country, security is an omnipresent issue which permeates the political and policy agenda in BiH, either directly or indirectly. The legacy of the 1992-1995 war presents a continuous challenge and important factor affecting conflict prevention. Issues such as providing for the security of returning refugees and internally displaced persons, trafficking, armed violence and threats to the rule of law remain. At the same time, the importance of stability for continued development means that security will continue being a critical factor for

BiH on its path to European and NATO accession. Protecting citizens from natural and man-made threats, ensuring their human rights, securing access and means to livelihoods and enforcing the rule of law are elements that underpin the long-term stability necessary for Bosnia to its transition in a peaceful and stable manner.

## **Security Framework in Bosnia and Herzegovina**

The security framework in BiH has seen recent dramatic transformations. The GFAP assigned responsibilities for security issues to the entities. Each entity had its own armed force, ministry of defence, intelligence service and ministry of interior. In 2004, a series of reforms were finally put into motion to revamp the security framework in the country into a more efficient and effective system.

Under the reforms, the entity ministries of defence were abolished and a state level ministry of defence was formed. The respective armed forces were merged into one and subsequently downsized. The defence reform provided for the supremacy of the State in defence matters and strengthened the Presidency's role in exercising civilian command and control of the Armed Forces of BiH. In addition, an integrated intelligence organization was established which saw the abolition of entity level intelligence organizations.

A state-level Ministry of Security was also established as part of the process. The Ministry of Security is responsible for all issues relating to emergency response, immigration and asylum, combating terrorism and organized crime, border management and for public protection. Responsibility for policing lies with the entities, although an agreement has been reached that a framework coordination structure for policing will be established at the state level. The necessary reforms however have yet to be put into place.

## **International Community**

The security framework in BiH also includes NATO, EUFOR, UNDP, OSCE, and the Office of the High Representative (OHR). These agencies do not have a governance role in the security sector in BiH. However, they do provide support for the improvement of the environment within which security and defence issues operate.

## **NATO**

BiH's progress on addressing the defence reform resulted in an invitation from NATO to start the „Intensified Dialogue”. This signifies that contacts between Bosnia and Herzegovina and NATO will increase in order to prepare the country for a Membership Action Plan, which is the last step before NATO accession. NATO HQ Sarajevo provides advice to BiH government authority on defence aspect of security sector reform and coordinated activities related to the PfP and integration to the Euro-Atlantic structures.

## **The EU Policing Mission (EUPM)**

Through mentoring, monitoring and inspecting, EUPM assists BiH in establishing sustainable and professional police forces, while emphasizing the importance of fighting organized crime and improving relations between police and prosecutors.

## **EUFOR and UNDP**

Within operation ALTHEA, numbering 2500 soldiers, EUFOR provides military presence in order to contribute to the safer and more secure environment and eradicate conditions that could instigate violence.

EUFOR and UNDP provide operational support for the collection and disposal of arms and ammunitions and state wide civilian movement

control of weapons, ammunition and military equipment, in order to support the safe and secure environment in BiH. NATO in parallel with EUFOR and UNDP works on issues relating to stockpile management, assisting BiH in NATO Partnership for Peace issues and the reintegration of demobilised military personnel into the economy.

Human security is an issue which affects every facet of peoples' livelihoods. In a post-conflict society such as BiH where very little is still required to ignite tensions and threaten stability, the importance of proactive and informed policy-making is essential.

UNDP is active in the field of the reduction of the presence of land mines and arms control. The wide presence of land mines on almost 4% of the territory is still a large threat to the population and the implementation of the 2019 Bosnia's Mine Action Strategy is critical.

Most of the current international activities are devoted to a certain extent on advising and monitoring. The role of the international community was more robust in the recent period. First, the OHR played a major role in the successful implementation of SSR which I have already mentioned. The *ad hoc* nature of this institution enabled some of the most significant achievements in peace building operations in general, and has labeled BiH as a success story in terms of SSR undertaken and the level of stability achieved. Critical in that pursuit was the exercise of vigorous powers by OHR, the so-called Bonn Powers. A fortunate circumstance in the case of BiH was also that the decisions of the High Representative were given legitimacy through public support as polls indicated that members of all three ethnic communities in the country were significantly in favour of integration into Euro-Atlantic structures.

## **BiH and the European Union**

In October 2005 the European Commission (EC) decided to recommend that the EU start negotiations with BiH on a Stabilization and Association Agreement (SAA). The SAA conditionality includes: substantial reforms of the civil service, implementation of new laws especially re-

garding police reform and public broadcasting, and constitutional evolution. One key priority for the SSA is cooperation with the International War Crimes Tribunal for former Yugoslavia (ICTY) in The Hague. Comprehensive public administration reform at all levels of government (state, entity and local) is of special concern for EU.<sup>1</sup> Other areas where comprehensive reforms are expected include: justice, freedom and security; economic, commercial and industrial policies; employment and education; environment; transport and communication; and research and development.<sup>2</sup> BiH is now a potential candidate for EU membership. The SAA between BiH and the EU was signed in June 2008. The Interim Agreement, which focuses on trade-related areas, has been in force since July 2008.

## Security Challenges

BiH's security sector institutions are relatively new having been established over the past 3-4 years. As a result, the capacities of the institutions are still low. The Staff is new, institutional experience in respective thematic areas is limited due to the recent-establishment of the institutions, and qualified human resources are in short supply due to financial constraints faced by the country. As a result, very little experience and opportunity exists within the institutions for thorough and consultative research to be undertaken in devising policy approaches and responses to human security challenges in the country. Moreover, the specialized expertise required in the field precludes institutions from undertaking meaningful consistent research of ongoing and upcoming issues to be addressed. Yet, the stakes are high.

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<sup>1</sup> "In the context of inclusion of BiH into the European integration processes, it is necessary to develop public administration that will be capable of implementing the Acquis communautaire. The existing administrative capacities are considerably weaker than necessary for a country negotiating EU membership." (Government of BiH, Bosnia and Herzegovina: Poverty Reduction Strategy Paper – Mid-Term Development Strategy, IMF Country Report No. 04/114 April 2004 p133,)

<sup>2</sup> Country specific report, available at <<http://ec.europa.eu/enlargement/>>.

As mentioned above, the need for informed and swift policy making is critical to address ongoing security concerns and prevent a return to conflict. It is also essential for BiH to meet its EU and NATO accession objectives by ensuring internal stability.

Informed policy responses are also critical for Bosnia and Herzegovina to meet its international obligations and secure the regional peace and stability that they intend to serve. Such obligations stem from various international instruments such as the Regional Implementation Plan to Combat the Proliferation of Small Arms and Light Weapons (SALW) and the United Nations Program of Action to Prevent, Combat and Eradicate the Illicit Trade in SALW in All its Aspects.

The manner in which security challenges are addressed is just as important as the fact that they are addressed. Transparent, democratic and inclusive decision making processes must be ensured to underwrite stability and prevent a return to conflict. Stakeholders need to be provided with opportunities to affect policy and have their grievances addressed in order for a sentiment of justice and empowerment to prevail. Justice and content among the populous at large, and in particular minority and vulnerable groups, is critical.

Similarly, informed and research-based policy making is fundamental to ensure that the actions undertaken not only contribute to the resolution of challenges, but also help BiH excel and „leap-frog” in the development process.

The role of the think tanks and the civil society sector in BiH is critical in providing the necessary research and policy analyses for the country to respond to prevailing security challenges and meet EU and NATO accession targets in the shortest possible time.

### **Promoting democratic processes in security policy**

Democratic processes need to be promoted by initiating a culture of interaction between state institutions and civil society organizations in

developing informed policy. Inclusive policy making is critical as a means of providing stakeholders with opportunities to affect policy and have their opinions and/or grievances heard for a sentiment of justice and empowerment to prevail. Justice and content among the populous at large, and in particular minority and vulnerable groups, is critical. Developing such an interaction of culture takes time. If it is to be meaningful, institutions need to feel that the processes serve a purpose and that they can benefit from pursuing a consultative and inclusive approach.

## **Reform challenges**

BiH has made major efforts in reforming its defence sector as well as progress in attaining internal stability and creating conditions for a credible NATO bid. Since it joined the PfP in 2006, BiH smoothly undertook additional defence reform and successfully passed all of the requirements for becoming a credible candidate for NATO membership. In recognition of the positive results with implementation of the Individual Partnership Action Plan (IPAP), signing the Agreement of Exchange of Security Information and many others accomplishments led to the invitation for Intensified Dialogue at the NATO summit in Bucharest. Most probably, if the general political climate allows, BiH will submit its application for MAP by the end of the year.

This would largely depend on the political will of the ruling parties to incite or make progress towards general political stability in the country. In relation to the defence sector that means, first of all reaching consensus on an acceptable and sustainable solution concerning immobile and mobile defence property. Apart from that, another challenge for the defence sector will be the process of demobilization of 2.700 members of the armed forces who reached the age limit for their service. This decision was postponed for a while, but now, this challenge has become even greater due to the very negative economic circumstances which confront the country. The permanent problem of defence sector reform are also the budgetary constrains which constantly burden the modernization and prosperity of the armed forces. Current defence expenditures are very inconsistent with the practices from other countries. Personnel costs rep-

resent 84% of the overall defence budget and that is a huge obstacle for development and planned activities. The political decision for eliminating surplus weapons and ammunition has also been delayed, causing unnecessary costs for the armed forces in guarding those locations. But as the Minister of Defence recently stated, the armed forces will easily resolve all of their internal problems if there is a political will from the ruling elite. Overall, support for BiH's accession to NATO still rides strong. A Centre for Security Studies (CSS) survey recently showed that 72% of citizens support Bosnia's accession to NATO of which 37% support comes from Republika Srpska and 82% from the Federation.

Police reform in BiH started almost five years ago on the basis of a requirement set up by the EU to create an effective single structure of police in line with European best practice and three principles. After several years of failed political negotiations, standards were lowered by EU on the issue and BiH signed an SAA in June 2008. The creation of the new agencies on the state level and the establishment of an independent commission for the appointment of police officials is still ongoing and has been delayed for several months. Progress on that front is a general reflection of progress on the reform front in BiH. It could cause some significant problems related to the forthcoming appointment of the new director of Border police. Under the new law this is a responsibility of the newly independent commission. Another permanent challenge is the inadequate legal division of responsibilities and authorities among existing law enforcement agencies in BiH. Also in recent years officials from the state level agencies, like the State Investigation and Protecting Agency (SIPA), Border Police (BP) and Ministry of Security (MoS) are compounded with difficulties relating to their financial income. In the period when those institutions were established, between 2000 and 2004, their wages were more attractive in comparison with lower levels of government. Now, the situation has drastically changed in favour of the law enforcement agencies from lower levels of government and those state institutions are faced with an erosion of officials and with problems of occupying available positions, even before they managed to fill the envisaged quota estimation they originally set up.

Civil society is still undeveloped in BiH due to the economic situation in the country and modest foreign donor support. At the same time the role of the think tanks and the civil society sector in BiH is very important in providing the necessary research and policy analyses for the country to respond to prevailing security challenges and to meet EU and NATO accession goals.

To summarize, BiH's security sector institutions are relatively new having been established over the past 4-5 years. As a result, the capacities of the institutions still require development. The Staff is relatively new, institutional experience in respective thematic areas is limited, and qualified human resources are in short supply due to financial constraints faced by the country.

Reform in the security sector can be seen as either a half empty or a half full glass of water. Progress is notable in all spheres but at the same time it is insufficient for serious euro-atlantic integration. Fourteen years ago, BiH had totally segregated armed forces, which were in opposition with each other, and now in September our reunited armed forces will organise the first NATO communication exercise in a country which is not a member of NATO. War destroyed 42% of our houses and still one hundred and fifty thousand homes need to be rebuilt. We made progress over the past year in our economic growth but our GDP is still very symbolic and far from the needs of the country. It is around 11 billion Euros and it is half of the Austrian social spending only for unemployment, or monthly US military costs in Iraq. Reforms and providing security for citizens require significant investment, and BiH is running short on the available financial resources. Therefore, we ask for more understanding and more patience from our foreign partners in drafting the conditions necessary for Euro-Atlantic integration. Politicians are devoted to progress when they find a common interest. We succeeded in a few months to fulfill 147 tasks from 174 given at the Road Map for visa liberalisation. In a period of very negative political environment of negotiation police reform, BiH adopted without any objections a state strategy for community-based policing, which could be a very useful tool for changing of the philosophy of police work and adjusting the work of police in accordance with best European practice.

Europe and US recognize that BiH needs more attention and assistance in this unstable local political climate. However, investment in the prevention is much cheaper than investment in aftermath intervention, something that is clearly indicated in the recent history of former Yugoslavia.



# **The Next Step in Defence Reform: Establishing a Military Education in Bosnia and Herzegovina**

*Heinz Vetschera*

## **Introduction**

Defence reform in Bosnia-Herzegovina (BiH) differs significantly from defence reform in other countries, due to the previous war and the subsequent State structure shaped by the Dayton Agreement.

In most other post-communist countries, defence reform could concentrate on de-ideologizing the military, establishing democratic control over armed forces, and adapting doctrines and structures towards western standards, as these countries aimed at NATO membership. Newly emerged democracies had to find, in addition, their own structures and doctrines. Finally, the countries involved in the secessionist conflicts in the former Yugoslavia overcame the legacies of the wars in reforming their armed forces.

It has been completely different in BiH. The Dayton state constitution allows for a high degree of autonomy on the side of the Entities. Furthermore, both Entities could maintain the armed forces established during the war years of 1992-1995. Finally, the situation was made even more complex as the Dayton State constitution does not contain any explicit reference to “defence” as a State matter which was – given the continued existence of the Entities separate armed forces - for a long time interpreted that “defence” would be a prerogative of the Entities rather than the State. The lack of clear provisions in the constitution for defence and the prevailing interpretation thus had led to *de facto* military division of BiH, with two separate military-political structures and two armies, practically facing each other. Furthermore, these armies followed completely different doctrines. The Republika Srpska’s (RS) armed forces by and large followed the model of the previous regime’s

military. On the Bosnian-Croat Federation side, the armed forces were structured and trained – not least under the US-led “Train and Equip” program – mostly along US lines.

Thus, the primary task of defence reform in BiH has been to establish first and foremost State-level control over the armed forces (2003), and finally merging the previously separate forces into a single military force of BiH (2005), before other reform steps could be undertaken.

Overcoming the military division in BiH had thus been the overarching objective of defence reform, with other issues mostly put on the back-burner.<sup>1</sup> This was true in particular for military education. The military division of BiH is also reflected in the training and education of armed forces. For more than ten years there has been no coherent military system in BiH, and it has not been established together with the establishing of State level forces, either.

The paper will thus

- Outline the problems deriving from the lack of a coherent system of military education in BiH,
- Present early initiatives parallel to and within the context of defence reform;
- Present the current situation concerning military education;
- Describe the processes undertaken from 2008 onwards in establishing a system of coherent joint military education to overcome these gaps; and
- Assess the process with respect to its impact.

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<sup>1</sup> The only exception has been the establishing of democratic, parliamentary control over armed forces.

## **The lack of a coherent system of military education and its impact on the military situation**

During the armed conflict 1992-1995, the various armies relied mostly on external partners and institutions for their training and education. This pattern continued with the existence of two separate armies belonging to the two Entities established also after the General Framework Agreement on Peace (“Dayton Agreement”) in 1995. As there had been no joint military institutions in general, there had been no joint military institutions for training and education, either, and consequently no joint and coherent training either.

## **The Situation before Defence Reform**

The RS relied extensively on the Federal Republic of Yugoslavia (FRY) for training of officers and specialized non-commissioned officers, sending cadets for studying to the Belgrade Military Academy. This included basic officers’ training as well as staff officers and general staff courses. Some officers were, however also trained in Greece.<sup>2</sup> There were no institutions for officers’ training and education in the RS, just recruit training centers. In substance, training of RS officers followed more or less the traditional ways of the former Yugoslav People’s Army (JNA).

In the Federation, there had also been a pattern of “outsourced” training, with Bosniaks sent mostly to Turkey but also to other Muslim countries like Pakistan, Malaysia and the United Arab Emirates. Some Croats were sent to Croatia, but not in significant numbers. In addition, officers from the Federation were sent to various NATO and PfP-countries.<sup>3</sup>

Most of the training in the Federation was, however, conducted within BiH due to the influence of the American-backed “Train and Equip”

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<sup>2</sup> All data from: BGen (ret.) Alain Lamballe, Senior Adviser to the Head of [OSCE] Mission for Military Academic Institutions, “Training of Officers of the Armed Forces in Bosnia and Herzegovina and of Civilians on Defence and Security Issues”; Sarajevo 2002; p. 9.

<sup>3</sup> Ibid, p. 8.

program which was mostly executed, with respect to training, by a commercial military company (MPRI). This led to the establishing of a western, NATO-compatible system of training and education. On the institutional side, a Training and Doctrine Command (TRADOC) was established with subordinate units – the Center for Professional Development, the Combat Simulation Center, and various Recruit Training Centers. In substance, training and educations followed a western orientation, based on translated US documents.<sup>4</sup>

An assessment at that time came to the conclusion that ... there is no link of any kind between the entity armies about training. The various training establishments which exist in the Federation and in the RS never exchange their experience. They ignore each other.<sup>5</sup>

### **The Impact of Defence Reform**

The overall military situation changed with the major defence reform initiated in 2003. It led, at its first stage, to establishing State command structures in 2004. The second stage, as mandated in 2004, then led to establishing a single State Army of Bosnia and Herzegovina in 2006.

These developments had, however, little impact on the training. It was even assessed that the Defence Reform had had a negative impact on the question of training and education. It was stated that ...one of the downsides of defence reform has been the suspension of many training programmes, including that for new officers and soldiers. In some cases, this is understandable, given the changeover from a conscript force to a professional one, but in other cases... the benefit is less clear.<sup>6</sup>

The situation appeared problematic from several perspectives:

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<sup>4</sup> Ibid, pp. 3-4.

<sup>5</sup> Ibid, p. 7.

<sup>6</sup> Ken Lindsay, Memorandum on Military Education and Doctrine in the AFBiH; NAT Transition Management Group, 10 May 2007.

- First and most visibly, the lack of training and education increasingly led to gaps in qualified personnel, as personnel on the upper end of the officers' pyramid retired, while on the lower end no adequately trained personnel had become available;
- In parallel, the overall age structure moved upwards;
- Officers in the joint armed forces had mostly no compatible educational background<sup>7</sup>, which made joint operations and joint staff work rather difficult;
- While a joint *Esprit de Corps* developed to a certain degree due to the overall professionalism of non-conscript soldiers, the strong bonding effect of joined training and education could not materialize.

In short, the effects of defence reform were visibly undercut by the lack of joint training and education within the allegedly otherwise integrated armed forces of BiH.

### **Early initiatives parallel to and within the context of Defence Reform**

The development of joint military education had already started some-time before Defence Reform had taken off, but in rather isolated steps. Then, some initiatives were undertaken within the Defence Reform itself which did not, however, lead to any results at that time.

### **The UK Study on a “Joint Leadership College” and the Peace Support Operations Training Centre (PSOTC)**

Already in 2001, the UK Joint Services Command and Staff College (JSCSC) undertook a “Study into the Feasibility of Establishing a Joint

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<sup>7</sup> Except for the rather decreasing number of those still coherently trained and educated in the pre-war JNA

Leadership College for the Armed Forces in Bosnia and Herzegovina.”<sup>8</sup> It analyzed the training and education systems of the armed forces of BiH and of RS and assessed various courses of action with respect to Peace Support Operations (PSO) which had been identified as a common feature in both Entities’ armies. Implicit in this option would be the establishment of some form of centre in which courses would be delivered to officers of both Entities at the same time.

This suggestion became the foundation for the Peace Support Operations Training Centre (PSOTC) which was established in 2003 upon the initiative of the UK Ministry of Defence (MoD) by a multinational consortium of interested States.

Its underlying philosophy had been that the only way to establish a structure for joint Higher Military Education and training was within the framework of training for PSO, where these forces would have had to present themselves jointly as the “Bosnia and Herzegovina contingent” in any international PS operation, and would thus have required a joint training before deployment. It was foreseen to be internationally managed until 2013 and then transferred into BiH responsibility.

### **Efforts within the Defence Reform Commission (DRC)**

Matters of military Education are conspicuously absent within both reports of the Defence Reform Commission. The term does appear in the second report at various places, but mostly as a matter of competencies in the context of personnel development and administration.

This does not mean that the matter would not have been addressed within the Commission’s work. Within the second round of reform (2004-2005), the then Director of the OSCE Mission’s Department for Security Cooperation and Vice-Chair of the DRC, MGen (ret.) Drewien-

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<sup>8</sup> Joint Services Command and Staff College, *Study into the Feasibility of Establishing a Joint Leadership College for the Armed Forces in Bosnia and Herzegovina*, BTSR/01/01, 29 April 2002.

kiewicz, in a presentation outlined the parameters for the Requirements for Training and Education for BiH.<sup>9</sup> It contained various suggestions, including the creation of a Defence College.

Similar ideas were also expressed within a concept paper of the DRC on “Future Individual Officer Education and Training in the AFBiH.”<sup>10</sup> It proposed a training and education regime for officers of the AFBiH which practically outlined the shape which was later followed by the MoD’s Officers’ Training Commission from 2008 onwards.<sup>11</sup> It suggested a “Commissioning Course” for officer’s cadets who should possess an academic degree before being admitted into officers’ training. It further suggested that there should be provisions for Junior Officer Education (by correspondence), for Junior Staff Training (a 14 weeks course) as well as Senior Staff Training (a 10-month course), and higher short courses for unit commanders and general officers (3 and 2 weeks respectively).

Thus, within the DRC most of the parameters for a system of military training and education had already been in principle elaborated. At that time, however, the ideas did not find their way into the report of the DRC.

## **Elements of Military Education before 2008**

The lack of a clear mandate for establishing joint military training and education within the defence reform did not mean, however, that BiH would have been completely devoid of elements of military education.

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<sup>9</sup> MG (ret.) John Drewienkiewicz, Requirements for Training and Education; PowerPoint Presentation (printed version, no date). The author has received a printed copy from the OSCE Mission’s Department for Security Cooperation.

<sup>10</sup> Future Individual Officer Education and Training in the AFBiH – A Concept Paper; DRC Team 2, draft, 21 September 2005.

<sup>11</sup> See below

## **The Legal Framework after 2006**

Following the recommendations of the DRC, the BiH parliament adopted a Law on the Defence of BiH<sup>12</sup> as well as a Law on the Service in the Armed Forces of BiH.<sup>13</sup> Again, these laws do not contain any explicit references to military training and education but establish, on the other hand, some framework of relevance for that topic, as for example the requirement of academic qualifications for officers (Article 13), gender equality (Article 28); arrangements for professional military personnel with vocation such as medical doctors, economists, lawyers and other similar occupations (Article 139); but also regulations for scholarships for studying to achieve the required qualification (Art. 141) and the duration of service after having received a scholarship (Article 143).

Also, the BiH MoD issued a decision on “The Armed Forces of BiH Training and Military Education Policy” in early 2007.<sup>14</sup> While the decision appears of high relevance within the bureaucratic framework, it does not, however, establish any single training institution or training concept.

## **Institutions and Courses**

Despite the lack of a clear mandate, there had already been various institutions and courses established in the field of military education.

On the one hand, already within the then still separated Armed Forces of the Federation of BiH and under active US support a Training and Doc-

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<sup>12</sup> Zakon o Odbrani Bosne i Hercegovine

<sup>13</sup> Zakon o Službi u Oružanim Snagama Bosne i Hercegovine

<sup>14</sup> Decision no. 06-03-4-215/07, 18 January 2007. It described the purpose, goals and guidelines for training and military education; the system of management of training and military education (including the necessity of documents as for example Guidelines for the training; Field Manuals and Doctrine publications; training plans and programmes, etc.); and the responsibilities for training and military education, including the competencies of the various departments within the MoD.

trine Command (TRADOC) was established which did some training for soldiers, NCOs and officers. With the merger of the armed forces into a single army of BiH, TRADOC became a State-level institution, with its subordinate Professional Development Centre (PDC) in Pazarić. Since then it developed various training programs up to a 4-month staff course. Training was delivered exclusively in Bosnian language. Furthermore, the Armed Forces of Bosnia and Herzegovina provided a six month basic staff course in Bosnian for majors, aimed primarily at those officers who are too senior to attend the PSOTC course and who do not speak English.

On the other side, the PSOTC since having been founded in 2003 had developed into a serious training institution. Its core was a Junior Peace Support Operations Staff Course which provided a “mix” of staff officers’ training and specialized training for Peace Support Operations (PSO). Courses began with duration of 8 weeks but were subsequently increased to 16 weeks. Training was exclusively conducted in English.

In addition, other training courses and modules have been developed by outside actors. For example, the Geneva Centre for Security Policy (GCSP) for several years has conducted specialized courses for future Bosnia and Herzegovina military attachés, first in Geneva and later in Sarajevo. Under the auspices of the OSCE Mission in Bosnia and Herzegovina, several specialized seminars were organized, including workshops on security policy, which would in substance pertain to the highest level of Higher Military Education, namely the strategic level.

On the academic side, the Faculty of Political Science of Sarajevo University had established a master’s course on security policy which also would include some military subjects. Other universities (as for example Banja Luka and Bihać) had included security policy oriented subjects into their curricula.

All these developments had, however, taken place rather unrelated to each other, and in a rather uncoordinated way. While they could be seen as a kind of “emerging pattern of Higher Military Education”, they could

not be assessed as a “*system*” due to the lack of coordination and consistency.

### **The Commission on Military Training and Education**

When after the 2006 Bosnian elections a new State government<sup>15</sup> was appointed in early 2007, the position of Minister of Defence was taken by Selmo Cikotić, a former professional officer with a strong interest in questions of training and education. He initiated the efforts to establish a system of military training and education, in close cooperation with the NATO Advisory Team (NAT) attached to the BiH MoD.

Thus, upon initiative of the BiH MoD, a preparatory meeting to establish a commission on military training and education was held on 19 March 2008 in the BiH MoD in Sarajevo. It built upon a concept paper drafted by MGen Drewienkiewicz, the former vice-chairman of the pertinent working group within the Defence Reform Commission, and was prepared by the NATO Advisory Team (NAT) to BiH.

### **The Decision No. 10-33-2-1328-1/08**

As a result from this meeting, on 24 March 2008 the minister of defence of BiH adopted a decision concerning the „forming of a working group for policy and procedures for education and training of officers in the Armed Forces of BiH”.<sup>16</sup> The group was to be led by the Assistant Minister for personnel and composed both of members of the MoD and the armed forces of BiH, as well as representatives of international organizations, other BiH ministries, and the academic community.

In accordance with the decision, a working group was tasked with drafting and merging policies and procedures for education and training of AFBiH offices and, in cooperation with other BiH institutions, with pre-

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<sup>15</sup> The formal term would be “Council of Ministers”

<sup>16</sup> No.: 10-33-2-1328-1/08

paring a single education and training concept for the AFBiH. The working group was to begin its work with entry into force of the decision and should complete its activities not later than 30 June 2008.

With the same decision, the Minister also suggested holding a workshop, to from 01-03 April 2008, to be co-organized by the NATO Advisory Team (NAT) to BiH.

## **The Workshop**

The workshop took place, as planned, at Mt. Vlašić from 01-03 April 2008. Participants came from the relevant bodies of the BiH MoD and Joint Staff, but also from universities in BiH and relevant international organizations present in BiH. It was moderated by the MoD Assistant Minister for Personnel, Mr. Muratović and based its deliberations on a concept paper provided by MG (ret.) Drewienkiewicz.<sup>17</sup>

The aim of the seminar was to draft policy guidelines primarily concerning Basic Officers' Training (BOT) which would answer the following three questions:

- a) How many new officers/NCOs are needed each year, and what should the career progression for an officer/NCO be?
- b) What are the options and contents of the basic officer/NCO training course?
- c) What should the regime be for officer cadets while undergoing training at university?

Each task was to be addressed by one working group.

- Group one elaborated a calculation of an annual requirement for 109 new officers, with the majority (85% or more) being drawn from university graduates, and former NCOs being up to 15% of

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<sup>17</sup> A Concept paper on the shaping of Higher Military Education submitted to the working group established by Decision of the Bosnia and Herzegovina MoD, no. 10-33-2-1328-4/08 on 24 March 2008.

the intake. All candidates should be under 27 at the start of basic officer training. With respect to career progression, it suggested to maintain the existing contract reviews at the 3, 6 and 10 year point. Poorly performing officers would not be given a contract extension. At the six year point the best officers would have been promoted captain, while others would leave at the end of the two year extension, i.e. at the 8 year point.

- Group two recommended a modular approach to BOT, that officer candidates should first complete a *12-week basic soldier training course*, followed by a *five month basic officer training course*, to be held at TRADOC's Professional Development Centre.<sup>18</sup> The third phase of basic officer training should be *two months of specialist / branch training* in the training sections of the appropriate specialist units<sup>19</sup>, and finally a *one month assignment* to an operational unit.
- Group three analyzed the academic requirement for new officer candidates in accordance with the Bologna process of harmonizing European University qualifications. It would require the successful completion of 3 or 4 years of full-time study.

In accordance with the current labour situation, there would be a sufficiently broad number of university graduates to recruit officer candidates. In the future, there might be a need to offer financial incentives/scholarships, but further work will be needed then.

The results of the Working Group's deliberations were then submitted to the Minister by 30 June and subsequently transformed into policy decisions. First officer's cadets should be trained from late 2009 onwards.

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<sup>18</sup> The syllabus should include tactics, first aid, weapons qualifications, military and international law, command and control, and English language training.

<sup>19</sup> The Armed Forces of BiH do not have dedicated schools for each specialist branch such as artillery, armour, engineers and signals.

## The Concept Paper on Higher Military Education

In July 2008 I had the honour and privilege to be invited to write a concept paper on higher military education (HME). It covered the structure of HME with regard to courses, but also the requirements for educational institutions. It further indicated how to integrate the existing courses and institutions into one coherent system of HME.

The paper was submitted to the minister in early December 2008. It analyzed the requirements and options for HME in BiH and argued for the creation of a Defence Academy of Bosnia and Herzegovina.

It suggested the following course structure:

- A *(junior) staff officers' course* as a 4-month course for about 40 captains, and held in the local language[s] only;
- An "*International Cooperation Course (ICC)*", qualifying for international functions, and held in English only, with an overall duration of about 15 weeks;
- A *Command and Staff Course*, qualifying for battalion command, open only for officers who had attended the ICC and subsequently served in an international function, gaining experience on the international level. The course would last about 9-12 months and should be held in close cooperation with qualified faculties/universities;
- A *Leadership/commandants' course* qualifying for commanding a brigade or for comparable levels of responsibility, held in cooperation with relevant faculties/ universities, and leading to an academic (master's) degree. The course would last 6-9 months, depending on the duration of the command and staff course;
- A "*strategic leadership course*" addressing both military and non-military top functionaries ("strategic personnel" from government agencies, the parliaments, the media, top executives of major economic enterprises (e.g. the National Bank etc.), academics, etc., held as a sequence of modules.

The institutional framework for most of these courses (except for the junior staff course) would be provided by a Defence Academy of Bosnia and Herzegovina. It should follow the standard structure of similar institutions and encompass a military teaching staff; an academic branch; a library/documentation center; a language training center; a computer training centre; and the required administrative and support staff.

The future system of HME should be as far possible compatible with academic education in the civilian sector (universities/faculties), primarily by close cooperation with civilian universities/faculties.

The establishing of the suggested courses and the Defence Academy of Bosnia and Herzegovina could be based upon existing “precursor” courses currently organized by the PSOTC.

### **The Workshop on Higher Military Education**

Against the background of this concept paper and parallel considerations already undertaken within the MoD, the NAT called for a meeting on 29 January 2009 on Officer Education and Training System Development. An outline was presented for the development of HME which was by and large based on earlier suggestions during the DRC, and the concept paper.

As a result of this meeting, the NAT then organized another seminar on Mt. Vlašić 24-26 February 2009. The seminar program was based on a “strawman paper” which followed a comprehensive approach, ranging from the overall personnel development in the armed forces of BiH to the envisaged course structure, the institutional requirements, and the future role of the PSOTC.

### **Course Structure**

The conclusions envisaged the following course structure:

- A “*Young Officer Course*”<sup>20</sup> which would be obligatory for all officers. They should attend the course during the 5/6th year of their career. The purpose of the course would be to prepare officers for assignments in Battalion HQ and in Brigade HQ as junior staff officers. The Course should be held twice a year with duration of 16 weeks, possibly preceded by some distance learning, and open for 40-45 officers. The Course would teach basic staff officer skills, including Mission Definition and Mission Planning, Battalion Tactics, Military Leadership, Tactical Operations Staff Skills and Work on International Staff. The course would be best conducted in the local language, with an opportunity for refresher training in English language, as well as having some keynote speakers speaking in English.
- A “*Command and Staff School Course*”<sup>21</sup> which would be selective, for the best officers only. They should attend the course during the 10-13th year of their career. The purpose of the course would be to provide high grade staff officers with a special status and capable of working at all levels of staff work, including in the JS, MoD and in NATO posts. It should teach advanced staff officer skills and tactics across the full spectrum of conflict. The selection process should be a combination of competitive exam and selection board. The course should be held annually, with duration of one year. It should lead in the future to the option of awarding an Master in Science degree. The numbers of participants would be still open, but the minimum foreseen would be 14 per year from a field of about 60. The group also suggested including Civil Emergency Planning, possibly with exercises involving the relevant civil emergency staff.<sup>22</sup> The course will need a permanent location and dedicated facilities, and will require a team to be set up to design it. This course will require instructors who are high grade and who are already graduates of the course, or of equivalent foreign courses.

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<sup>20</sup> The terminology changed later into “Junior Staff Course”.

<sup>21</sup> The terminology changed later into “Command and General Staff Course”.

<sup>22</sup> Some places on the course could be offered to other BiH Ministries.

- This course would be followed by a *Senior Commanders Training*. It should prepare officers for command positions such as brigade command, and senior positions in the Operational and Support Commands. The content, duration, and other criteria would have to be decided in accordance with the requirements for such leadership personnel.<sup>23</sup> This course would also be relevant to senior officials in other Ministries such as Security, Emergency Response and Foreign Affairs, and would have to be offered for participation from their side, as well. This course, too, would have to be organized by the Defence College.
- The highest level course proposed was the *War College Training for Senior Officers*. It would be foreseen for the most qualified officers who are likely to reach generals' ranks. The requirement was calculated with about 2-4 new appointments each year, corresponding to the size of the BiH Armed Forces. It, too, would have to be organized in modules, and opened for participation by other ministries, agencies etc. Also, regional participation should be considered.
- With respect to *Specialist training*, the seminar came to the conclusion that the AFBiH would not have the resources to establish stand alone branch schools. Training would then be organized within the specialty of the officer in the training company of the battalion to which young officers would be assigned. The seminar also suggested that individual countries could offer assistance each in one specific area, as for example artillery training, communications training, aviation training, etc.

## **Establishing a BiH Defence College**

The seminar took a clear position with respect to establishing a BiH Defence College as “the best solution for the delivery of staff and other high level training”, since “economies of scale favour concentrating all

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<sup>23</sup> It was, however, considered necessary to organize it in a modular system as it would address officers already in higher positions who could not leave their positions unattended for a longer period.

such professional development on one site”. It should be located in Sarajevo, for reasons of accessibility, communications, proximity to universities<sup>24</sup>, to the Joint Staff, and to the international community.

The Defence College should be the place where all professional education for captains and above should take place, while TRADOC would run courses below that level. Also, functional courses for Battalion and Brigade Commanders should be delivered in the Defence College, and it was also suggested that BiH civil administration officials could also be educated there.

While details would still have to be elaborated, the seminar came to the conclusions that the College should be subordinated to the Joint Staff rather than to TRADOC. Beyond its teaching capacity, it should include at least a “lessons learned” section as well as a “distance learning” branch, but also a department for language learning and testing.

### **The Following Steps**

As a result of the seminar, the MoD invited the PSOTC to develop the Command and General Staff Course which should last one year and should be concluded with a Masters’ degree. The MoD and the PSOTC then joined forces in establishing the Defence College out of the current PSOTC. At a meeting on 20 May they agreed to the following steps:

From early October they would set up two working groups, namely

- A project group, consisting of 6-8 officers, based on the PSOTC. This group will permanently work with the project i.e. through development of a project plan, including the curriculum etc. for the Command and Staff Course and the necessary material to establish the actual College, and

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<sup>24</sup> The seminar suggested as criteria that it should be placed close to an internationally accredited university which possesses a management studies and an international relations department. The only university in BiH containing both components is Sarajevo University.

- A steering group consisting of representatives from all relevant bodies within the AFBiH. This group should meet regularly and provide guidance to the project group. The working group will also be the „tasking-body” for the provision of specialist’s reports outside the competencies of the project group.

Furthermore, the PSOTC would draft a 6-8 page paper describing the background, rationale of the college etc. to be used as basis for preparing a BiH Presidency decision to establish the Defence College. It would also develop the Terms of Reference (TOR) for the two groups and inform the PSOTC’s partner States about the development before the next meeting of the PSOTC’s (international) Management Board Meeting.

Subsequently, the PSOTC took the initiative to change its structure accordingly, with a distinct planning element for developing the envisaged Command and Staff Course (including its academic accreditation) and managing the transition into the BiH Defence College.

## **Conclusions**

Military education is a prerequisite for functioning armed forces both from a purely military technical but also from a political perspective. This is even more true in the case of BiH where the state level armed forces had to be established out of the merger of the two previously separate Entity forces. They had been distinct in many ways, both from a political perspective when each force had been seen as protecting one entity against the other, and from a military perspective where the Republika Srpska forces continued applying the old Yugoslav military doctrines and structures, whereas the Federation’s forces had been restructured and adapted to Western doctrines within the US-sponsored “Train and Equip” program.

A coherent system of military education is thus a major cornerstone for defence reform from when it was undertaken in 2003-2005. When the main purpose was, as the Final Report of the DRC has stated, a “Single Force for the 21 Century”, it should have been expected that military

training and education would have been given a prominent role within the reform process. It would have been essential from a political perspective in forging a common *esprit de corps* within unified military forces, and it would also have been necessary from a military perspective to achieve standardized training for the interoperability of the various units within the now unified military forces of BiH.

It is thus somewhat surprising that the field of training and education had been practically ignored within the reform process. It may be to a certain degree understandable during the first phase when the main objective had been the establishing of an overarching state-level superstructure for Command and Control as much as democratic control, over the Entities' armed forces which continued to exist. As long as they were separate, joint training was not feasible<sup>25</sup>. It appears, however, less understandable for the following phase (2005) which aimed at a single state-level force. While the question of training and education of the now joint forces was obviously addressed within working group 2 with relatively concrete proposals, it did not find its way into the Report.

Thus, when the single army of BiH was established, joint training started more or less from scratch without any conceptual basis. The establishing of the first training institutions within the BiH armed forces emerged more or less out of the continued western support which had been previously been provided exclusively for the Federation. Thus, the TRADOC which had already been established within the Federation armed Forces was practically converted into an institution for the joint forces, and started to develop its own training program.

Meanwhile, the PSOTC had been established practically outside the development of defence reform and begun with some joint training, although within a rather specialized field. We could thus see the development of "parallel structures" which occasionally gave the impression of competition rather than of cooperation.

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<sup>25</sup> The only exception was the training in PSO which was used to establish the PSOTC as a joint training institution.

This changed only with the new minister's initiative to develop and establish a coherent system of military training and education in March 2008. Since then, the developments all point into the direction that such a system would be established in the near future, thus complementing earlier steps in defence reform by creating a truly professional, coherently trained and educated military force which could execute its assigned tasks on the national and international level.

There are some distinct features in this latest step in defence reform which set it apart from earlier steps.

The most important appears in the shift of initiative from international towards national actors. Early on, the reform process had to be initiated by the international community, and often against the visible resistance of some national actors, but lately, initiative for establishing a system of military training and education has sprung from within the BiH MoD. It is true that external expertise was provided both by the NAT and individual experts, but here, too, the selection at least of one of them rested on the decision by the BiH MoD. Also, it was an initiative by the MoD to invite the PSOTC – still an independent institution outside the MoD's chain of command – in developing the concept for the Command and General Staff Course and for the transition into a Defence College.

Then experts with a well-developed understanding of the particular necessities of the situation in BiH and long in-country experience must be involved. It is no coincidence that both external experts had been involved in these matters before in BiH. MGen Drewienkiewicz had worked on these matters within the second stage of Defence Reform, while the other expert combined a long-standing experience within the National Defence Academy of his country with a decade-long in-country experience.

A further issue was the involvement of the civilian sector, by including universities and educational experts into the process of deliberations on the matter. It shows the determination to include civilian expertise as much as the objective to integrate military training and education as much as possible into the overall developing educational landscape;

The effect of these efforts cannot yet be finally assessed. It appears, however, that BiH has yet again undertaken a further step to establish some kind of “normality” in the defence sector. Establishing a system of military training and education would also allow BiH to enter into a regular exchange of students and instructors/teachers with other countries both in the region and in the wider Euro-Atlantic security space, and thus become a more “normal” country in this respect, too.

Finally, there might even be benefits in the area of higher civilian education, also. Given the fragmented legal situation within BiH with respect to competencies in educational matters, the creation of a standardized educational system on the State level – if only within a rather limited sector like the military – could set a precedent for similar developments also in the civilian sector. In this respect, the establishing of such a system of State-level military education might have a wide impact on the overall situation in BiH.



# **The Religious Radicalism and its Impact on the Security Development in Bosnia and Herzegovina**

*Velko Atanasoff*

## **Introduction**

The disintegration of the former Yugoslavia, the demise of communist ideology and the Bosnian war led to the return in strength of religion at both individual and societal level in the newly emerging state of Bosnia and Herzegovina (henceforth Bosnia). In most cases the debate and research of this phenomenon has been centered on the ostentatious link between the resurgence of Islam and possible terrorist threats. Apprehensions about “white al-Qaeda” and the spread of “Wahhabi movement” have been continuously invoked as major security concerns. The adoption of the Global War on Terror (GWOT) strategic paradigm in the US foreign policy as a result of the 9/11 suicide attacks allowed for several propaganda campaigns to be launched by certain Balkan states and “terrorist experts” that demonized the Bosnian Muslims and the Islamic community in the country. Such one-sided approach has not only obscured the real manifestations of the observed phenomenon but has also hindered the development of comprehensive strategy to counter it.

Thus, this paper offers a different (social movement theory) approach to the issue of religious radicalism in general and the Islamic one in particular. Namely, this phenomenon is discussed in the context of the larger faith-based activism and across the whole spectrum of religious market whereas taking into consideration the specific socio-cultural and religious characteristics of Bosnia.

The principal contention of this paper is that since the beginning of the 1990s religion has been continuously used as a cultural framing tool while official religious institutions have been utilized as mobilizing structures for achieving political goals. While the Bosnian war (1992-

1995) allowed for the influx of alternatives to the Balkan Islam religious ideas, NGOs, Islamic organizations and sects, their continuous presence in Bosnia almost fifteen years later shows that they have been able to establish some following within certain social strata. In this regard, while obsessed with the possibility of terrorist attacks in the country, I argue that we look over the social dimensions and implications of this phenomenon. Therefore, this paper puts forward a two-level analysis – (a) of the continuous misuse of religion by official religious institutions and politicians and (b) of the activity of alternative Islamic groups and the social dynamics of their influence.

## Background

In order to examine the issue of religious radicalism and the concurrent security implications, it is pertinent to explore its emergence and development in the context of the socio-cultural, religious and political settings in Bosnia. In this regard, two main characteristics are important to elaborate on – *ethnoclericalism* and *politicization of religion*.

As Perica points out “key components of ethnoclericalism are the idea of ethnically based nationhood and a ‘national church’ with its clergy entitled to a national leadership but never accountable for political blinders as are secular leaders.”<sup>1</sup> Both the Serbian Orthodox Church and the Catholic “Church in the Croat People” have been throughout history guardians of the national identity. As Robert Donia attests:

“By the 1840s, nationalism among South Slavs had begun to develop irreversibly along religious fault lines. Among Christian communities, church and nation were closely linked. The Catholic Church and its high officials were major players in Croatian nationalism, and the Serbian Orthodox Church promoted Serb nationalist goals.”<sup>2</sup>

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<sup>1</sup> Perica, Vjekoslav: *Balkan Idols. Religion and Nationalism in Yugoslav States*, Oxford: Oxford University Press 2002, pp. 214-215.

<sup>2</sup> Donia, Robert: Nationalism and Religious Extremism in Bosnia-Herzegovina and Kosovo since 1990s. <[http://pdc.ceu.hu/archive/00003431/01/nationalism\\_religious.pdf](http://pdc.ceu.hu/archive/00003431/01/nationalism_religious.pdf)>, accessed 31.5.2009.

Thus, they started to resemble the *ethnic church* model as outlined by Donia.<sup>3</sup> As such, they have been more vibrant when an outside threat exists<sup>4</sup> - under such circumstances the two churches achieved best cooperation (i.e. during Turkish Ottoman Rule, aggressive Hungarian nationalism in 1848). In contrast, although Bosnian Muslim national identity was forged in the context of the hostile environment imposed by the neighboring Croats and Serbs, Muslim religious organization had not been established as a guardian of national identity. Still, the multi-religious mix of the country added an important and particular factor to the history of the identity in the country.<sup>5</sup> Though both Serbian and Croatian ethno-religious extremism and national policy did not support Bosnian national self-affirmation until the late 1960s,<sup>6</sup> the breaking point for the Muslims in ex- Yugoslavia came in 1971, when the then national census offered them the opportunity to declare themselves Muslim in the national sense. Thus, in the 1970s Muslim intellectuals with connections to the League of Communists made huge efforts to prove that the national name "Muslim" actually had very little to do with Islam. Nevertheless, under different circumstances in the beginning of 1990s and especially during the war of 1992-1995, political organizers of every ethnicity skillfully used the threat perception factor to mobilize religion and advance political claims. Thus, often the Bosnian war has been wrongfully depicted as a religious one. Nevertheless, it is important to

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<sup>3</sup> "Ethnic church provides 'a tangible expression of identity, a framework for community and a latent political goal of the restoration of the ethnic state'." ibid, p. 215.

<sup>4</sup> In this regard they acquire some of the traits of the fundamentalist movements and groups. For more see Gaćeša, Dijana: "Fundamentalist Tendencies of Serbian Orthodox Christianity" in: *Western Balkans Security Observer* (English Edition), issue: 7-8/2007-2008, <[www.ceeol.com](http://www.ceeol.com)>, accessed on 31.5.2009, pp. 65-81.

<sup>5</sup> Although there has been no official census since 1991, generally Muslims constitute 40 percent, Serb Orthodox 31 percent, Roman Catholics 15 percent, Protestants 4 percent, and other groups 10 percent of the population in Bosnia. See Bureau of Democracy, Human Rights, and Labor: Bosnia and Herzegovina. International Religious Freedom Report (2005). <<http://www.state.gov/g/drl/rls/irf/2005/51544.htm>>, accessed on 31.5.2009.

<sup>6</sup> Velikonja, Mitja: *Religious Separation and Political Intolerance in Bosnia and Herzegovina*, College Station: Texas A&M University Press 2003, p. 19.

elaborate on the cultural toolbox and the framings used by the three ethnicities that resonated with the target audiences. As several Catholic and Islamic scholars admitted, due to the lack of any viable cultural, economic or political reasons that could have been harnessed to justify war, Serbian and Croatian ethnic politics had to mobilize religious institutions in order to get wide social support.<sup>7</sup> Thus, the Christian Orthodox Serbian and Croatian Catholic churches necessarily depicted the war into religious cultural frames that due to the Turkish occupation of these lands easily caught up their denominations.

As Adnan Silajdžić points out the traditional rural spirit of Bosnian people was misused and utilized to mobilize Serbian Orthodox Church for the resurgence of historic dreadful memories. Thus, Karadžić's rhetoric reached deeply in Christian memory referencing the time of John of Damascus and Nikita Byzantine. It resulted in branding the Bosniaks as Turks during the war.<sup>8</sup>

Conversely, for the Bosniaks there had not been many choices, especially when they found themselves in the midst of a Serbo-Croatian rivalry in which both sides viewed them first as Muslims and second as Bosniaks or Slav descendents. Inevitably, due to the lack of myths, legends, historic symbols and values that were abundant with their enemies, Islam was the only cultural frame that could have resonated with them. Thus, as the Party of Democratic Action (Bosnian acronym SDA)<sup>9</sup> failed to unite "historically Muslim circles" in 1991, it was left with the only option to follow suit and use Muslim religion as a mobilizing frame and powerful identity modifier against the Serbian and Croatian threat. Hence, a "coup" was organized against the then mufti Jakub Selimoski and Reis ulema Mustafa Cerić was installed as the head of the newly-formed Islamic community (IC), limited to Bosnia and Sandzak. In stark

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<sup>7</sup> Radija Slobodna Evropa: *Verska tolerancija i uloga religije u ratnim i poratnim zbivanjima na području bivše Jugoslavije Iznevereno poslovanje*. Danas Vikend, 14/15. 10. 2006.

<sup>8</sup> Interview with Adnan Silajdžić. In: DANI, Broj 91, 21. Decembar 1998, <<http://www.bhdani.com/arhiva/91/inter.htm>>, accessed on 31.5.2009.

<sup>9</sup> SDA – Stranka Demokratske Akcije (Party of Democratic Action) was founded by the late Alija Izetbegović. It is the biggest Muslim political party in Bosnia.

comparison to 1971, Mustafa Cerić attested that “the Islamic tradition is the basis of the Bosniak identity,” because “without Islam, and Islamic civilization and culture – we are no one and nothing.”<sup>10</sup>

Therefore, it was rather the abuse and exploitation of religion through the mechanism of faith-based memory and past experience than political agenda and activity that were used for the justification of the war. In the meantime, while the Serbs and Serbian Orthodox Church (SPC),<sup>11</sup> and the Croats and Croatian Catholic Church have been able to draw international support from respectively Serbia and the Russian Patriarch, and Croatia and the Vatican, the Bosniaks and the IC had to turn to the Organization of Islamic Conference and the Arab countries (mainly Saudi Arabia) to ensure its survival. Apart from the financial assistance from the Muslim world and the short term effect of strengthening the Islamic religious institutions, such intense exchange led to the spread of the Islamic Transnational Advocacy Network (ITAN) to Bosnia.<sup>12</sup> These foreign agents (mujahedeen, Islamic charities and proponents of Islamist movements) infused their own agenda among the Bosnian Muslim community and after the war started to challenge the official IC.

## **Religious Radicalism in Bosnia and its Impact on Security Development**

In conjunction with the above contextual analysis, the issue of religious radicalism has to be discussed mainly in the milieu of socio-politics rather than in religion. Such reframing connotes not only the politicization/ideologization of religion, but also the activity of the alternative

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<sup>10</sup> Bougarel, Xavier: *How Panislamism Replaced Communism* (2.7.1999). <<http://ex-yupress.com/dani/dani10.html>>, accessed on 31.5.2009.

<sup>11</sup> SPC – Srpska Pravoslavna Crkva (Српска Православна Црква)  
The process that developed within the main religious communities was facilitated by what some authors refer to as “religious peacemaking”. This term basically resolves around the idea that faith-based NGOs can promote inter-faith reconciliation. For more see Smock, David: “Divine Intervention”, in: *Religion*, Vol 25 (4)/Winter 2004, <<http://www.harvardir.org/index.php?page=article&id=1190&p=>>, accessed on 31.5.2009.

religious structures against the social terrain in which they thrive. I put forward two dimensions of the radicalization of religion – (a) as a socio-political phenomenon that manifests itself through the activity and interaction among the official religious institutions and politics and (b) in the context of the influx of alternative religious structures that contest the open public space for achieving their goals and agenda.

As pointed out previously, the resurgence of religion was an emic phenomenon for Catholics and Serbs while for the Muslims it was both mainly spurred by internal dynamics but strongly influenced by foreign agents such as ITAN, Islamic movements and radical individuals (often generalized as “wahhabi” movement).

The Serbian Orthodox Church has been in a self-imposed status of isolation and spiritual conservatism for almost 20 years now. The continuous illness of Patriarch Pavle has further strengthened the position of the conservative vladikas. They are mainly influenced by radical political ideology of sustaining the Serbian nation.<sup>13</sup> At the same time, these vladikas allegedly maintain connections with anti-Hague Serbian lobby and/or with criminal groups involved in smuggling during the war in ex-Yugoslavia.<sup>14</sup> The conservatives mainly uphold the position that SPC does not need a change. They also are against inter-religious dialogue and, most importantly, firmly uphold the isolation of the Church.<sup>15</sup> In the meantime these vladikas not only deny the misuse of religion during the war<sup>16</sup> but also do not shy away from common business enterprises with the mainstream Serbian politicians. For the latter it is even more important to present themselves as being “devout Christians” that defend Christianity against the Islamic threat. Nowadays, the SPC sometimes

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<sup>13</sup> peščanik.net: Ćrkevenopoički maneври na granici (10.9.2003), <<http://www.pescanik.net/content/view/410/94/>>, accessed on 31.05.2009.

<sup>14</sup> Jevtić Ž.: “Ništa više neće biti isto u SPC” *Blic online*, 13.12.2008. <<http://www.blic.rs/politika.php/forum/forum/quiz/drustvo.php?id=69807>>, accessed on 31.5.2009.

<sup>15</sup> Ibid.

<sup>16</sup> Radijo Slobodna Evropa: *Verska tolerancija i uloga religije u ratnim i poratnim zbivanjima na području bivše Jugoslavije Iznevereno poslovanje*. Danas Vikend, 14/15. 10. 2006.

embarks on strange and outrageous measures to strengthen its ranks and defend common enterprises with Serbian political circles. The case of the decisions taken by the Church court of Zahum-Herzegovina Eparchy in Trebinje led by Vladika Grigorije is indicative of the outlined dynamics. The court basically excommunicated two Christian Orthodox believers living in the eparchy because of alleged “writings in the printed and electronic media that constitute defamation and profanation of the notables, clergy and the people”.<sup>17</sup> Nevertheless, several media investigations have shown unequivocally that the real motive for the court ruling was the protection of religious-political nexus developed between Grigorije and Milorad Dodik, prime minister of Republika Srpska and leader of SNSD.<sup>18</sup> It exemplifies what some term as “khomeinization”<sup>19</sup> (cf. Ayatollah Khomeini) and “inquisition practices” of SPC.<sup>20</sup> Such a case has been unheard of in Bosnia. Without getting at the level of journalist rhetoric, the ruling by itself constitutes a fair example of the aggressive stance of SPC and poses the major question of the role of religion in BiH in private and in public life (the issue is further discussed below in regard to the other religious communities).

Until recently, the conservative mainstream had no alternative in SPC or, at least, no opposition voices could have been heard.

It is somewhat ironic that the same Vladika Grigorije actually stirred the pot and challenged the Saint Sinod of SPC to embark on some

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<sup>17</sup> Gutić, Radivoje: Žig verskog suda. (naslovi.net, 08.04.2009). <[http://www.novosti.rs/code/navigate.php?Id=4&status=jedna&vest=142493&title\\_add=%C5%BDig%20verskog%20suda](http://www.novosti.rs/code/navigate.php?Id=4&status=jedna&vest=142493&title_add=%C5%BDig%20verskog%20suda)>, accessed on 31.5.2009.

<sup>18</sup> Ibid, see also Sveto Trojstvo: *Gospodari Trebinja sa neba i zemlje*. In: DANI, 16.04.2009, pp.24-27; SNSD – Савез Независних социјлдемократа, Stranka Nezavisnih Socialdemokrata – Alliance of Independent Social Democrats.

<sup>19</sup> Radio Deutsche Welle: “Homeinizacija” Srpske pravoslavne crkve (07.04.2009). <<http://www.dw-world.de/dw/article/0,,4159143,00.html>>, accessed on 30.5.2009.

<sup>20</sup> Radio Deutsche Welle: *Inkvizicija u SPC* (07.04.2009). <<http://www.dw-world.de/dw/article/0,,4158870,00.html>>, accessed on 30.5.2009.

changes.<sup>21</sup> Indeed, the recently held Sabor of SPC was able to produce a compromise between the conservative and liberal mainstream that was exemplified by the appointment of two younger vladikas. The liberal wing in SPC put forward the idea of resuming the inter-religious dialogue while at the same time call for re-defining the role of the Church. Their position is that the East Orthodox religion is not tantamount to nationalism and SPC should be centered on religious services and the administration of religious affairs tailored to the needs of the community.<sup>22</sup>

In regard to the influx of international faith-based organizations that challenge the authority of the SPC, the latter maintained a staunch position over the years against their existence. It never accepted the “religious peacemaking” agenda of the West on the Balkans. SPC issued several appeals after the war that proclaimed that: ... religious sects of various names and ‘doctrines’ all lead toward the destruction of integrity of the individual, while undermining homogeneity of the nation and stability of the state, making them prone to self destruction and the abandonment of the centuries-old spiritual, cultural and civilizational heritage and identity ...<sup>23</sup>

In 1997, 280 monks and 40 priests of the SPC released an “Appeal against Ecumenism“ which argued that interfaith ecumenical dialogue was a weapon of Western missionaries’ proselytism and quoted the famous statement of Archimandrite Justin, from his 1974 anti-ecumenical study.<sup>24</sup>

In regard to the issue of ecumenical relations, it should be pointed out that in 1989 the interfaith dialogue between the Christian Orthodox Church and Catholic Church practically collapsed. The post-Vatican II

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<sup>21</sup> SrbijaNet: Teške optužbe na račun crkvenih arhijereja (11.12.2008). <<http://www.srbijanet.rs/vesti/153-drustvo/5149-teske-optuzbe-na-racun-crkvenih-arhijereja.html>>, accessed on 31.5.2009.

<sup>22</sup> Ž. Jevtić, *Ništa više neće biti isto u SPC*. In: Blic online, 13.12.2008.

<sup>23</sup> Perica, Vjekoslav: *Balkan Idols. Religion and Nationalism in Yugoslav States*, p. 181.

<sup>24</sup> Ibid.

ecumenical movement came to an end as in 1990 the traditional inter-faculty ecumenical symposia held since 1974 was terminated due to the Croatians' absence in protest of Milošević's politics. In fact, the „Ecumenical Octave for Christian Unity” that took place in Osijek, Northern Croatia, in January 1990 was one of the last interfaith vigils before the outbreak of the Serbo-Croat war in 1991.

The Catholic Church and its high officials have played a major role in sustaining Croatian nationalism. Since the signing of the Dayton Peace Agreement, the Catholic Church has been closely working with the Croat ethnic parties while continuously propagating the recognition of a third (Croatian) entity in Bosnia. Such political agenda has been promoted through the Bishop Conference in BiH as an overarching organizational and regional body. For example, in April 2009 Cardinal Vinko Puljić put forward several conditions for constitutional changes.<sup>25</sup> In addition, during every election campaign, religion has been the hallmark for social mobilization.

According to the International Religious Freedom Report 2007, published by the US Bureau of Democracy, Human Rights and Labor, Bosnia's Catholic bishops issued a pastoral letter prior to the elections that was read in every Catholic Church on July 2, 2006, in place of the traditional Sunday sermon. The letter reminded believers of the importance of their vote and encouraged Croat parties to form coalitions so that no Croat vote would be wasted. It also urged them to oppose U.S.-brokered constitutional amendments “through which war horrors would be legalized and the Croat people marginalized.”<sup>26</sup>

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<sup>25</sup> Sundaz: “Hrvati su obeshrabreni i uplašeni”: *Katolička crkva postavila uvjet za ustavne promjene u BiH* (5.4.2009). <[http://www.poskok.info/index.php?option=com\\_content&view=article&id=16622:qhrvati-su-obeshrabreni-i-uplaeni-katolika-crkva-postavila-uvjet-za-ustavne-promjene-u-bih&catid=89:bh-lonac&Itemid=401](http://www.poskok.info/index.php?option=com_content&view=article&id=16622:qhrvati-su-obeshrabreni-i-uplaeni-katolika-crkva-postavila-uvjet-za-ustavne-promjene-u-bih&catid=89:bh-lonac&Itemid=401)>, accessed on 31.5.2009..

<sup>26</sup> United States Department of State: *2007 Report on International Religious Freedom - Bosnia and Herzegovina* (14.9.2007). <<http://www.unhcr.org/refworld/docid/46ee6780c.html>>, accessed on 31.5.2009.

On the other hand, it has to be noted that the Catholic Church tried several times to restart the interfaith dialogue. Cardinal Puljić was also one of the founders of the “Interfaith Council on Bosnia and Hercegovina” along with the Reis Ulema Mustafa Cerić. In addition, within the Catholic Church in Bosnia, the Franciscan order has acquired considerable prominence and respect with all ethnic groups.<sup>27</sup> Nevertheless, its influence on the Croat-based political parties is marginal although it has a great potential for reviving inter-religious reconciliation.

## **Islamic Community and the Spread of Salafism<sup>28</sup> in Bosnia<sup>29</sup>**

After World War II (WWII), the Muslim religious organization (the Islamic religious community, later renamed into Islamic Community) re-

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<sup>27</sup> Vele, F.: Bosanski franjevci obilježavaju 800 godina pokreta: Čuvaj Bosnu kao oči svoje. In: Dnevni Avaz, 18.4.2009, p. 11.

<sup>28</sup> Salafi - Salafi (Arabic: Salafiyah meaning predecessors or previous generations) - A name used to denote various branches of Islam, which have in common the notion that the earliest forms of Islam were the purest and most correct, and that Islam must be reformed by returning to those forms of Islam because innovations (Bid'a) were added over later centuries. The tradition has a long lineage. Muhammad said, "So fear Allah and have patience. And I am the best Salaf (predecessor) for you." [Saheeh Muslim: no. 2450], and others also based their authorities on the practices of predecessors.

Therefore in the most literal sense, Salafism is “fundamentalism” and some forms of Salafism are identical with Islamism or Jihadism. There are at least three types of Muslim groups or movements who claim to be Salafi or are called Salafi:

- 1- Conservatives like the Wahhabi;
- 2- Radical Islamists (or “Jihadists”) such as Al-Qaeda;
- 3- Liberal reformers like Muhammad Abduh, Rashid Rida and Jamal al-Din al-Afghani.

In Bosnia this branch of Islam has been often referred as *Wahhabism* – a derogatory term that adherents to this tradition do not use for themselves. This is why the term Wahhabi or Wahhabism is not used in this paper to denote this Islamic group.

<sup>29</sup> This section draws on the discussions and findings of the recent conference “Administration of Islamic Affairs in Secular States – SE European Experience”, held in Sarajevo, 17-19.4.2009.

built itself in socialist Yugoslavia. As Perica pointed out, in the early 1980s the Islamic community (IC) was an organization of Muslim clerical and lay officials headquartered in Sarajevo, Bosnia and Herzegovina.<sup>30</sup> During the communist era, the unified Muslim religious organization was established in all six Yugoslav Republics and two provinces. After the disintegration of Yugoslavia, the Yugoslav Muslim religious organization was abolished and the autonomous Islamic Community of Bosnia was founded in Sarajevo.

Today the Islamic community is organized according to the 1997 constitution which clearly states that the IC is the sole and united community of Muslims in Bosnia and Herzegovina, of Bosniaks outside their homeland, and of other Muslims who accept it as their own.<sup>31</sup> Nevertheless, during the Bosnian war Salafi and Wahhabi ideas surfaced for the first time in the country and sooner the first alternative Islamic organizations were established. Despite the fact that IC, based on its constitution, asked the state not to register any organization with the attribute “Islamic” in its name, at least one – Active Islamic Youth (AIY) was officially founded after the war and acquired considerable influence in the end of the 1990s.<sup>32</sup> On the other hand, due to the unresolved issue with the Islamic waqfs, after 1995 the IC became to a certain extent dependent on Saudi Arabia, Islamic charities and NGOs. After the war the web of the ITAN continued to develop freely its activities in the country until 2002 when several charities were closed down and foreign mujahedeen deported from the country.<sup>33</sup>

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<sup>30</sup> Perica: *Balkan Idols*, p. 74.

<sup>31</sup> Constitution of the Islamic Community in Bosnia and Herzegovina, Article I, <<http://www.rijaset.ba/en/images/stories/Constitution.pdf>>, accessed on 31.5.2009.

<sup>32</sup> After 2002 the organization continually waned in number and influence, although the Islamic circle SAFF is still active.

<sup>33</sup> In the spring of 2002, under U.S. supervision, Bosnian authorities raided several charities and closed three of them – the al-Haramain Islamic Foundation, the Global Relief Foundation and Bosanska Idealna Futura (BIF), which was a branch of the Chicago-based Benevolence International Foundation. As a result, these entities have been designated as financiers of terrorism under Executive order 13224 and the United Nations added these names to the list of those whose assets must be blocked by all member nations under UNSCR 1390. (For

Nevertheless, the IC had been confronted with the issue of alternative Islamic structures for more than 15 years now. Although during the war some *modus vivendi* was established, after 09/11/2009 IC has been feeling the growing pressure from all sides to publicly condemn or take a decisive stance against the Salafi activity in the country. Before delving into the intertwined issues of IC role (respectively of Islamic religion) in Bosnian society, the spread of radical Islamic ideas and the concurrent security implications, it is pertinent to briefly discuss the emanation, current status and possible development of this phenomenon in the country.

The evolution and spread of Salafi ideas has to be put in the perspective of what some term as Islamic revival in Bosnia and the ideological shift in the mother Salafi movement in Saudi Arabia. In regard to the former, the phenomenon of the three generations<sup>34</sup> should be outlined. The first generation was that of “Young Muslims” organization led by the late Alija Izetbegović. Members of this group later became the founders of SDA party in Bosnia. The Young Muslims were mainly an intellectual minority that was trying to affirm the Islamic element in Bosniak identity while professing Islamist ideas. The second generation was that of the El-Mudžahid battalion, later becoming the backbone of AIY. Through them Salafi ideas started to acquire considerable following among the Bosnian youths. Their religious views were mainly of salafiyatu –l-džihadi-š- šer`i or jihadists of legal jihad (discussed below). Finally, the third generation of Islamists in Bosnia is the one of the Bosnian students that graduated from Islamic universities in Saudi Arabia, Egypt and Jordan. There they were subjected to the influence of the contemporary Salafism that has been permeated by the da`wa and sahwa ideas. For example in February 1999, for the first time the official AIY

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more see United States Department of Treasury: *Treasury Designates Benevolence Foundation and Related Entities as Financiers of Terrorism* (19.11.2002), PO-3632, <<http://www.treas.gov/press/releases/po3632.htm>>, accessed on 31.5.2009.

<sup>34</sup> Hecimović, Esad: Politischer Islam mit bosnischem Migrationshintergrund. In: Thomas Schmidinger and Dunja Larise (Ed.), „Zwischen Gottesstaat und Demokratie, Deuticke“ im Paul Zsolnay Verlag Wien 2008, pp. 183-202.

magazine *SAFF* started to publish an article by Nedim Haračić<sup>35</sup> under the title “Islamic sahwa – the main characteristic of the 20th century”.<sup>36</sup> In the end of 1990s those students came back to Bosnia and basically took over most of the positions in AIY at the expense of the Arab muja-hedeem. There were certain tensions between the second and third generations as exemplified by the split in the AIY in September 1999.

As Muhamed Jusić points out, there had been an internal debate between the Arab members of AIY that thought the organization was ideologically drifting from the el-Mudžahid ideas where as Bosnian graduates from Middle East universities argued that AIY should be conformant with the contemporary ideas of the Salafi movement in Saudi Arabia.<sup>37</sup> Such internal debate and rivalry led to several developments that have security implications today – (a) due to the outlined generational shift Salafism in Bosnia gradually evolved from an imported (edic) phenomenon to an internal (emic) one, having its own social dynamic and indigenous supporters, and (b) it led, along with the IC restrictive policy at that time, to internal split in the organization that allowed for the formation of powerful opposition to both Bosnian Salafis and IC in Vienna, led by Muhamed Porča (further discussed below).

Although the Bosnian Salafis have been considerably influenced by the mother movement in Saudi Arabia, it should be stressed that now its main proponents are Bosniaks and their rhetoric and ideas have developed in concurrence with the socio-political dynamics in Bosnia rather than the one in the Middle East. The ideological influence coming from Saudi Arabia cannot be underestimated. Indeed, the transformation of Bosnian Salafis has been mainly a result of the growing prominence of sahwa movement in the Kingdom after its main proponents – Salman al-

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<sup>35</sup> He was the first head of AIY but he withdrew from the position as he was accepted to study in Jordan.

<sup>36</sup> Jusić, Muhamed: Kuda Idu Bosanske Vehabije. <http://muhamedjusic.blogspot.com/2008/08/kuda-idu-bosanske-vehabije.html>, accessed on 31.5.2009.

<sup>37</sup> Ibid.

Awda and Safar al-Hawali were released from prison.<sup>38</sup> Still, although Salafism is often portrayed as a movement in Bosnia, the use of such a term does not represent a fair estimate of the character and dynamics of this phenomenon. First of all, Salafism is currently split among at least four factions<sup>39</sup> that are having strenuous relation among each other:

- *Salafiyatu at-taklidiyyun*- traditional conservatives, apolitical in nature and against the militant salafiyya;
- *Salafiyatu- s-sahwa* (sahwa - awakening) or reformist salafiyya for islamization of the society through gradual reforms, education, ideological argument advanced against the secularist and western-oriented liberals. They gradually adopt more open and liberal values that take them away from the traditional salafiyya.
- *Salafiyatu -l-džihadi-š- šer`i* or jihadists of legal jihad – militant wing of the salafiyya. Fight is through religious obligation of every Muslim but only there where the Muslims are threatened and where the enemy is clearly defined. (Bosnia during the war constitutes a prime example for such a place)
- *Salafiyatu al-džihad at-takfiri* – they combine Salafi conservatism with takfiri ideas.<sup>40</sup>

Secondly, Salafis in Bosnia seem to be rather an amalgamation of several groups (sahwa and legal jihadists being the most prominent of them) that have considerable ideological differences<sup>41</sup> than a unified mainstream that has the potential of growing into a social movement. The

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<sup>38</sup> Ibid, also see Lederer, Gyorgy: “Islamists and public security concerns in Eastern Europe”, *Obcansky Institute*, March 13, 2009, <<http://www.obcinst.cz/cs/Islamists-and-public-security-concerns-in-eastern-Europe-c1429/>>, accessed on 25.5. 2009.

<sup>39</sup> Jusić: *Kuda Idu Bosanske Vehabije*.

<sup>40</sup> The concept of “Takfir” - the practice of declaring that an individual or a group, previously considered Muslims, are in fact Kafirs, or apostates.

<sup>41</sup> Antunez, Juan Karlos: *Wahhabism in Bosnia and Herzegovina* (Bosnian Institute, 16.9.2008), <[http://www.bosnia.org.uk/news/news\\_body.cfm?newsid=2468](http://www.bosnia.org.uk/news/news_body.cfm?newsid=2468)>, accessed on Gyorgy Lederer, “Islamists and public security concerns in Eastern Europe”, *Obcansky Institute*, March 13, 2009, <<http://www.obcinst.cz/cs/Islamists-and-public-security-concerns-in-eastern-Europe-c1429/>>, last accessed on March 25, 2009.

groups around Muhamed Porča in Vienna and Nedžad Balkan in Sandžak (proponent of Salafī takfiri ideas) are also adding to the mix. There have already been several rifts among the Salafīs that exemplify the outlined ideological diversions – the split between Muhamed Porča and the *SAFF* circle, within *SAFF*, the divergence between Porča and Safet Kuduzović and between Porča and Nedžad Balkan are some examples.

Thus, Salafism in Bosnia can hardly be defined as being a movement. It lacks viable mobilizing structures and cultural framings to garner considerable support or mount collective action. Being centered around several self-proclaimed leaders, it is more appropriate to view it in the ferment of the spread of ITAN and informal networks. Still, although Salafī ideas have caught up with certain strata of Bosnian society, in practice it is almost impossible to verify the extent of its influence and social base.

In this regard, the IC policy and the measures undertaken by the security services and international community are of utmost importance for the future development of this phenomenon and the possibly security threats emanating from it. Critics of the IC have often pointed out that the growth of Salafism in Bosnia is mainly a result of the inability of the Islamic administration and clergy to adapt to the challenges of modern times and to meet the expectations of the Bosnian Muslims. According to Bosnian Islamic intellectuals and scholars, the imams of the IC are mostly elder ones that cannot appeal to the younger generation, while at the same time the IC leadership is more interested in pursuing political rather religious agenda.<sup>42</sup>

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<sup>42</sup> Interview of Oslobođenje with Prof dr. Adnan Silajdžić: *Vehabizam u BiH će biti još snažniji i agresivniji*, <<http://www.dzemat-oberhausen.de/pages/aktuelno/iz-stampe/vehabizam-u-bih-ce-biti-jos-snazniji-i-agresivniji.php>>, accessed on Gyorgy Lederer, “Islamists and public security concerns in Eastern Europe”, *Obcansky Institute*, March 13, 2009, <http://www.obcinst.cz/cs/Islamists-and-public-security-concerns-in-eastern-Europe-c1429/>, last accessed on March 25, 2009.

It seems that IC has been actively involved in several business enterprises (for example with Fahrudin Radončić – owner of *Dnevni Avaz* ).

Although the IC has never openly stood against the Salafis in the country, its activity and behind-the-scene maneuverings seem to be important for countering this phenomenon. The IC is not different from any other official Islamic administration and it does not like alternative Islamic structures. Arguably, the IC cannot take a decisive action or condemn Salafis because in so doing it will legitimize them (and thus undermine its own authority). Nevertheless, IC actions seem to be evolving over time in regard to the alternative Islamic structures. Faced with the influx of Bosnian graduates from the Middle East, it adopted a somewhat restrictive approach in the beginning by banning from preaching those of them that had not previously finished a madrasa (religious school) in Bosnia. Unexpectedly, such a measure led to the unexpected consequences, i.e. to the emergence of a strong opposition to the IC led by Muhamed Porča who was eventually outcast.

His activity among the Bosnian diaspora in Vienna delivered a considerable blow to the IC, and namely Reis ulema Mustafa Cerić's ambitions to promote Bosnian Islam as a model for the European one. Analyzing the current IC stance towards Salafis, it might be concluded that the IC took a serious note. Although it is accused of not taking decisive measures against them, the IC most probably has adopted a more flexible and inclusive approach. In difference to the Serbian Orthodox Church for example, it opened itself for potential dialogue and started to draw in its structures some of the *sahwa* Salafis. Allegedly, some within the Islamic community do sympathize with the Salafis.<sup>43</sup> If nothing else, such a policy has the benefit of providing for dialogue and visibility of the dynamics within the Salafi groups. Thus, it precludes the isolation of these groups and their possible radicalization.

There is also another practical implication of IC policy. As Islamic community has been continuously involved in politics as the rest of the religious institutions (the recent example was the statement of Reis ulema before the SDA congress in which he clearly cast his support for Bekir Izetbegović), the *SAFF* circle started also changing its rhetoric towards a more nationalistic one. It clearly shows that the Salafis are

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<sup>43</sup> Lederer, Gyorgy: "Islamists and public security concerns in Eastern Europe."

trying to find new moral boosters for their ideology. At the same time such a change might be also interpreted as indicator of existing internal rifts or debates.

## **Security Implications**

The above analysis of the religious radicalism in Bosnia raises several questions in regard to the possible security implications and risks. The legacy of the ideological misuse and politicization of religion during the Bosnian war is still haunting the official religious administrations in the country. The process of religious and, thus, ethnic reconciliation in the country is hindered by the continuous mobilization of religious cultural frames for achieving short term political goals. Such a situation maintains and even deepens (through religious teaching at kindergartens, “two schools one roof” education) the ethnic separation in the country. On the other hand, such political institutionalization of religion fans the speculations of the possible role of religion in society and may endanger in the future the secular foundations of the state. In this regard, of particular concern is the growing number of mutual business enterprises that involve ethnic politicians and religious leaders. Furthermore, as evident in the case of the split of Islamic community in Sandžak, the politicization of religious institutions might have long term effect in creating “frozen” conflicts in the Balkans.

The analysis of religious radicalism in Bosnia has been for a long time bogged down almost exclusively in the strategic paradigm of the Global War on Terror. Such an approach has not been able to account for the outlined social dimensions of this phenomenon and it might have even contributed to its growing influence. Without ruling out the possibility of terrorist attacks in Bosnia,<sup>44</sup> the possibility of social mobilization of the various Salafi groups and their consequent involvement into contentious politics might have unforeseen security implications for the country.

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<sup>44</sup> Bearing in mind the current antiterrorist posture of the Bosnian security services and international community the preparation and execution of such attack remaining unnoticed is highly improbable.

Therefore, I would argue that the manifestations of this phenomenon, both in Bosnia and among the Bosnian Diaspora (as in Vienna) call for qualitatively new analytical approach based on the social mobilization theory.

## **Recent Developments in Fighting Organized Crime in Bosnia-Herzegovina**

*Stephen Alexander Goddard*

The current position in Bosnia and Herzegovina has been variously described recently as stalemate, regressing and alarming. It is clear that the widespread hope that the Dayton Peace Accord would eventually create stability and progress towards a functional state are fading rapidly. Rather than being used to build on the peace it created, it has been utilised to construct a divided and opposed society where ethno centric politics and fear mongering rhetoric are being used to reinforce and strengthen the differences between the three main self defined ethnic groups and to prevent the creation of the reconciliatory atmosphere required to begin healing the deep societal wounds left by the hostilities of the 1990's.

This paper will not attempt to detail all the problems in this dysfunctional state, nor will it defer to the often quoted reasoning used to legitimise the self interested political behaviour that has created this situation: which is that the democratically elected representatives of the people are acting responsibly for the public good (rather than their own). It will raise questions that call for closer examination of the motives for this behaviour; in particular the strong and effective blocking of any attempts to reform the law enforcement and judicial sectors to improve its effectiveness against Organised Crime and Corruption (OCC). Along the way it will briefly examine the structural and functional problems within that sector in that context, trace a brief history of the main attempts at structural reform, look at recent developments and outline current capacity. Having concluded that without the previously mooted structural changes within the sector being realistically achievable in the short to midterm (as they will require substantial constitutional reform to remove the political obstacles that always derail them) it will then make practical suggestions for sustainable improvements in function that are assessed as

achievable in the meantime in the fight against OCC coupled with some discussion points on why this is so important for the future of Bosnia and Herzegovina.

For some reason the term “Corruption” has disappeared from the acronym Organised Crime (OC) in recent years and slowly become an apparently separate issue. However, in relation to the Balkans at least, that division is inappropriate, and at present anyway, no sensible assessment could deal with them separately.

Anyone who has read any threat assessment or report on Organised Crime and Corruption in South Eastern Europe will be familiar with the term “Balkan Route” in relation to smuggling. This term was adopted historically to describe the primary route used for smuggling of the majority of the heroin trafficked from Afghanistan into Western Europe. However, it also relates to illegal migration and Trafficking in Human Beings (THB).

Before the hostilities of the 1990s Bosnia and Herzegovina figured prominently as part of this route which came across Bosnia and Herzegovina and then along the Adriatic coast into Europe. As a result of the necessary avoidance of conflict zones, the collapse of the Soviet Union and the accession of other Eastern European countries into the Union the route split and some of this traffic diverted to routes up the western coast of the Black sea. Reaction to increased enforcement at the Turkish borders has recently seen the emergence of new routes along the eastern and northern coast of the Black Sea. The classic Balkans route still remains variously divided, but seizures and intelligence suggest that a significant proportion still transit Bosnia and Herzegovina.

An increase of weapons trafficking from within the former Yugoslavian states into Europe was also noted immediately after the hostilities of the 1990’s but has subsided somewhat during the intervening years although the current level of the problem is not well documented. A particular concern in relation to ongoing security is that there is evidence that significant quantities of small arms and munitions are still being held by civilians (estimated recently at upwards of 60%) in Bosnia and Herzego-

vina. It is worrying in these days where withdrawal of the international armed forces under Operation Althea is being considered, that residential house searches for minor crimes discover assault rifles, large quantities of ammunition, rocket propelled grenades and mines on an almost daily basis.

Apart from drugs, organised crime and corruption in Bosnia and Herzegovina commonly includes commodity smuggling of such goods as cigarettes, spirits and fuel. This includes counterfeit goods as well as large scale tax evasion on genuine merchandise. The profits generated by these crimes are further enhanced by other cross border financial crime such as considerably undervaluing transnational loads for revenue purposes. The impact of all this lost income on the national economies in the region is likely substantial. The other main type of organised cross border crime is facilitated illegal migration and trafficking in human beings, the former being the most prevalent nowadays with the European Union being the commonly desired destination.

Enforcement against cross border activities is not helped by the length of the border of an almost land locked country, across terrain that is extremely difficult to monitor or police and despite ongoing investment many official border crossing points still remain unconnected to vital IT systems. The current position should be a concern for the European Union as there are also hundreds of completely unsupervised border crossings and in some areas the border has still not even been properly legally defined. It seems likely that Croatian accession is fast approaching and on that day the Bosnian border will become the EU border.

The most prevalent and visible domestic organised crime directly affecting ordinary citizens is that of extortion. This developed rapidly after the hostilities utilising loosely connected groups, many associated by wartime camaraderie. It is encouraging however, that publicly notorious and high profile leaders of these groups, some of whom have for a long time been perceived by some as war heroes, are now being actively dealt with by the judicial system. Most of the others have been murdered in inter gang feuds. Although still significant, this type of crime is becoming less apparent although it is unclear whether this is a real decrease or just a

symptom of a regional evolution into more sophisticated methods, reflecting the global trend towards using apparently legitimate businesses to disguise illegal activities.

So what is the reality today, and how can we determine how much credence to afford to the various current threat assessments and reports that attempt to evaluate the extent of these problems? These documents are readily available, and taken on face value appear to describe the situation adequately, but in Bosnia and Herzegovina, they raise as many questions as they purport to answer.

Threat assessments are developed from intelligence analysis, statistical information or both. In relation to statistics, one of the main dilemmas in relation to organised crime and corruption is that the data are generally measuring enforcement activity, so where the problems are most endemic and entrenched, the figures may actually reflect the inverse of the true picture. Assessments based on intelligence analysis can also be problematic because any deficiencies in the intelligence chain from the initial tasking and gathering, to the recording and analysis, will significantly affect the accuracy of any resulting product.

In addition, any assessment covering a particular territory or region relies upon the effective and efficient exchange of accurate information and intelligence across that whole region. So bearing this key point in mind, and rather than directly answer the question of whether, and how effectively, this currently happens, here is a brief overview of the current structures of law enforcement in Bosnia and Herzegovina to allow the readers to draw their own conclusions.

In the Federation there are ten Cantons and each has its own police force with its own Commissioner. Above them sit the Federation Ministry of Interior entity level Police and also an entity financial police force. The small Brčko District has its own single police force. In the Serb Republic there are five Public Security Centres each effectively a police division and above them sit the Republic Srpska Ministry of the Interior entity level Police.

Then above all of those are the new State level law enforcement agencies. There is the State Investigation and Protection Agency SIPA, the State Border Police, and the Indirect Taxation Agency ITA (who deal with customs and Value Added Tax). The state level intelligence Service OSA completes this complicated picture.

This is the description of the law enforcement structure of a small state of less than 50.000 square kilometres with a population of less than 4 million and if you include the Service for Foreigners Affairs SFA (who deal with immigration) there are 18 different law enforcement agencies (not including the Court and Prison police which bring the total up to 20). Some Cantons with their own complete police force, administration Minister and Commissioner serve less than 40.000 people. The State level agencies have about 3000 officers and still carry significant vacancies whereas the territorial police services between them (despite significant personnel reductions achieved in the early years of this decade under international guidance) still employ nearly 14.000 officers.

Apart from the financial and administrative burden to a country that cannot afford it; especially in these times of economic crisis, this system is fragmented and full of overlapping competencies where there are no clear lines of strategic or tactical responsibility. The systems required for effective information exchange between them all are weak and dysfunctional. Where they do exist, they are ad hoc and based on personal relationships rather than formalised systems and efficient processes. All attempts to translate optional agreements (Memorandums of Understanding) into laws requiring effective information exchange have been fiercely opposed by politicians who have clearly missed the point, that whether this exchange is between municipalities, cantons, entities or the state is entirely irrelevant as effective intelligence exchange is vital at all levels to fight organised crime and corruption.

This current situation requires continuous reform just to keep it functioning but despite several serious attempts to extensively restructure the law enforcement sector under so called “Police Reform” initiatives, it has not changed significantly, because the debate has always descended into the

usual ethno – nationalistic defences and the resulting political manoeuvring has always stalled any effective progress.

The current picture emerged from a compromise reform package that resulted from the initial failure of the country to obtain a Stabilisation and Association Agreement (SAA) regarding accession to the European Union. Despite several vehicles established for the purpose and strong international pressure, no agreement on the effective restructuring the police and law enforcement agencies was reached. The resulting police reform laws that enabled the SAA to be signed can be viewed as a victory for those who wished to maintain the Status Quo. No restructuring resulted, just the creation of a number of State Agencies and Directorates to coordinate activity between the existing state level agencies (not even including the lower levels of the structure) and the politicians have been effectively stalling the implementation of the most important ones completely (such as the Directorate for Police Coordination) continuously since the laws were passed. No further structural reform can now be realistically undertaken until constitutional reform has progressed.

On a brighter note the police forces individually do have the capability and capacity to deal with normal everyday policing to high standards – and if you ignore low level bribery at street level – they are professional and can deliver very effective results.

Given that the state level agencies are only a few years old, with the assistance of considerable international investment, they have now built up the capability and expertise to tackle serious crime and are producing encouraging results. However, capacity is one of the main issues at present as they are under target strength. In Bosnia and Herzegovina the main concerns around unjustifiable political influence and interference in the judicial system (i.e. corruption) are politically appointing key positions and close financial control of budgets. The motivation behind the political blocking of reforms that would reduce the effectiveness of such political control should perhaps be examined more carefully for other more personal agendas. The financial independence (aside from proper fiscal accountability) of the law enforcement agencies as well as releas-

ing them from the political control of operational matters is essential to enabling proper anti corruption enforcement.

Parallelism is the term popularly used locally now for the dysfunction of the proper lines of command in management structures where there are actually three separate lines – one for each ethnicity – which operate almost independently and are generally subject to political instructions. Can any law enforcement agency or Ministry operate effectively or efficiently with such a dysfunctional management system? Apart from the Directors and Commissioners of these agencies; who need to be appointed by a publicly (not politically) accountable independent body, all other appointments need to be made on merit and qualification for the role, and (in accordance with European standards on human rights and discrimination) ethnic alignment should be irrelevant.

All of this leads back to the points touched on in relation to the threat assessments that are vital to the effective identification, disruption and dismantling of Organised Criminal Networks. The first step of this chain is intelligence. Clearly good intelligence gathering is paramount to success in this field. But, – and it is a very big but – intelligence can only be used effectively against international networks if it can be collated and analysed to draw an accurate picture of activities across borders. That is ALL borders – local, entity and national. Organised Crime does not respect borders, indeed in most cases it relies on defeating them, so law enforcement must work effectively together in collaboration to be effective. This also includes the judicial sector as under Bosnian law it is the prosecutors, not the police, who lead the investigations.

However, just because the system is fragmented does not mean that the various law enforcement agencies cannot, in principle, work effectively together to exchange information and intelligence and cooperate together to tackle OCC effectively. Such complicated structures also exist (for example) in the Netherlands, England and Switzerland and the key is functional, effective systems and processes to communicate and cooperate combined with legal requirements to use them. The problem is that here they do not exist, those memorandums of understanding that do, are voluntary and vulnerable to arbitrary interference or political manipula-

tion. This is the main area of concern in Bosnia and Herzegovina, where all the different agencies at all levels will quote political control and corruption (albeit that at managerial level they amount to the same thing) as strong reasons not to share intelligence. It has to be a concern that the police and prosecutorial agencies themselves consider corruption (including at high level) as the main obstacle to progress. They are strongly supported in this contention by the visible and belligerent opposition of the politicians to all attempts to reach agreement on progress. As this is one of the main barriers to the effective identification and disruption of Organised Criminal Networks (OCN) in Bosnia and Herzegovina, questions should be asked about the motivation for such opposition, as the sharing of intelligence on OCC is routinely carried out between hundreds of nations (not just entities) across the planet despite such objections, and where such opposition is found locally elsewhere, no one is under any illusions as to why. The motives for the extreme pressure regularly put on journalists who dare to ask those questions and the vilification of anyone who stands up and tackles organised crime and corruption in the controlled media reveal the true situation.

As well as functional systems and processes for intelligence exchange and cooperation to coordinate complicated police agency structures, clearly defined lines of responsibility and accountability for achieving set goals needs to be in place. Strong guidance on the necessity for professionalism in following the rank structure chain of command (as opposed to any ethnically based short circuits or bypasses within it) is required and the mechanisms for effective and defined relationships between the Ministry of Security and all the law enforcement agencies need to be created and implemented.

So what else is needed – better communication, cooperation and coordination. With the fragmented and confusing structure that exists in Bosnia and Herzegovina this is one of the main problem areas the international community is assisting the law enforcement and judicial agencies to improve. Please note the use of the term assisting. It is time now that the Ministers, Directors and Chiefs of these agencies take the lead themselves and work together professionally to resolve these issues with the encouragement, help and assistance of the international community.

There is currently no effective obligatory formal intelligence and information sharing system across all agencies and levels in Bosnia and Herzegovina. Up until recently fighting Organised Crime and Corruption was addressed in an ad hoc manner by different agencies working in isolation. This resulted in many instances of situations described as “blue on blue” in police circles – where parallel investigations on the same targets are progressed in ignorance of each other. Apart from the obvious dangers, this is hardly an effective use of resources. In addition, different agencies were often disrupting only small sections of larger criminal networks without finding (or ignoring) the links to the larger criminal organisation. International intelligence and cooperation links have been nearly as poorly defined as the relationships between the agencies themselves, the official Interpol and Europol liaison points are not routinely utilised, although the informal cooperation across borders locally can be excellent, surprisingly, even across entity borders. This does indicate that when freed from political interference, law enforcement officers’ instincts to work jointly to catch criminals can surface and flourish.

The last area to mention is that of money laundering and asset seizure. Criminals commit Organised Crime and Corruption for money or power, or both – as those two objectives go together anyway, and as they are mutually reinforcing, the most effective disruption tool is to trace and take away the money. Mentioning the name of Al Capone is sufficient to make the point. The simple message to investigators is always “follow the money not the bullets”. It becomes very difficult to bribe witnesses, investigators, prosecutors or judges (or pay anyone to frighten or threaten them or their families) when all your assets have been traced and frozen.

With the exception of the Republika Srpska entity laws, the laws in Bosnia and Herzegovina on money laundering and asset confiscation are strong and useable. A new state money laundering law has been adopted to improve the existing state provisions, and the EUPM, along with international partners are assisting the drafting of a new strategy. This is all good news and a good foundation for progress. The problem is that in practice these laws are not being used effectively at all to disrupt or dis-

mantle the Organised Criminal Networks. As well a capacity issue, this is also a joint training need for investigators, prosecutors and judges. The Criminal Procedure Codes also need additions to support the Criminal Code provisions on asset seizure.

Work is currently underway to address some of these issues, and encouragingly, the leaders of the law enforcement agencies themselves are engaging in many of the processes. The agencies themselves are now conducting some effective joint investigations and operations internationally as well as domestically and have had many recent successes.

Joint specialist training for investigators from all agencies, prosecutors and judges is progressing and more is already planned and will be delivered by the judicial authorities themselves with support from the international community, who are also planning more joint agency training programmes together for financial investigation.

The Council of Ministers has set up a working group to find some solutions information sharing problems to achieve Visa Liberalisation conditions (although history would counsel caution in premature anticipation of an effective outcome to such processes and there will likely be attempts by some to exclude intelligence from the process).

International assistance is working jointly on effective technology for the recording and sharing of information and continues to provide expert assistance and training in intelligence analysis and covert evidence gathering techniques. The agencies themselves are working together with international support within ongoing initiatives to improve the relationships between police investigators and prosecutors.

There appears to be encouraging signs of acknowledgment now, that in the area of improving the ability to fight against Organised Crime and Corruption in Bosnia and Herzegovina much work still remains to be done and with the recent talk of strengthening European and International engagement, there seems to be support for a refocused effort to address the endemic problems in Bosnia and Herzegovina that weaken stability in the whole region.

To summarise then, despite some significant recent successes Organised Crime and Corruption is unfortunately alive and well in Bosnia and Herzegovina. Because of the structure of the judicial sector and the complicated politics of the country, in the important area of the fight against Organised Crime and Corruption, the five C's are the current strategic focus. They are:

- Communication
- Cooperation
- Coordination
- Capacity and
- Capability

Until these areas are significantly improved; particularly in the area of intelligence analysis and sharing, caution is advised against blind acceptance of assessments which purport to describe the extent of the Organised Crime and Corruption problem in and through Bosnia and Herzegovina. Lack of evidence of extensive activity may only indicate a gaping information hole. The likely reasons for the continuing existence of such gaps have already been explored.

Constitutional reform (followed by some rationalisation of the Judicial sector) remains essential. With the current political stranglehold on the law enforcement and judicial sector, the education system and the media, recent history suggests strongly that a different and more innovative approach is going to be required to achieve any significant progress. Given that the political factions in Bosnia and Herzegovina hold strong links to other countries in the region, and that all of those countries also aspire to EU membership, and also given that all attempts to leave it solely to the main local political parties and leaders have failed dismally, one suggested approach would be to make all the countries of the region responsible for solving the problems in Bosnia and Herzegovina together as part of their accession conditions. Some were part of the problem and can and should play a part in brokering the solution. Although it has been observed that the more parties involved in a decision making process the less likely they will reach consensus, it may be the case here that linking the future of the region together may have some benefit to the

process as neighbouring countries will have to balance their own interests against others, and present a clearly defined position. This may help clarify national identities and also bring a new clarity to the politicians in Bosnia and Herzegovina. Two of the three signatories to the Dayton/Paris agreements were leaders of different countries and the acknowledgement that the constitution now needs to be in accordance with the wishes of all the people Bosnia and Herzegovina, not those who live elsewhere who do not have to live with the consequences, is an important consideration.

There may therefore also be mileage to be had in the involvement of other groups within the civil society of the country not just the political parties. The current situation requires any citizen to align themselves to one of three ethnicities (and religions). If they do not, at very least they have no voice, are likely to be disadvantaged in many areas (such as employment) as well as effectively disenfranchised. Given the lack of an overall state identity at present and the suppression of investigative media, it may be that more international investment in independent media, support for state level sports teams (who are widely and enthusiastically supported when they play) and substantial outreach programs to promote the benefits of EU membership may help towards binding the people together.

Proper establishment of the Rule of Law free from political manipulation is vital to enable the creation of a community feeling of security. Until that can be achieved the process of weaning the people away from reliance on ethnic and religious based support mechanisms for the feeling of personal security that is required for the creation of community cohesion based on shared human values, and the reconciliation required to repair the torn fabric of society will remain extremely difficult. The ending of ethnically apartheid schooling should be high on that agenda. Only when this has all been achieved will it be possible to start the process of helping the people of Bosnia and Herzegovina begin the process of finding and defining the national identity that is needed to bind them together in hope to move into their future as a state as a part of a stable Balkans in Europe. Research would suggest that to expect this process to be achieved in years rather than decades and without substantial sustained

support is unrealistic. International commitment needs to be paired with patience and resolve. Meanwhile the political stalling delaying the proper establishment of all seven of the Police Reform bodies and agencies needs to cease and more international pressure needs to be concentrated on this process. Using the Directorate for coordination of police bodies (once established), the Ministry of Security needs to be a driving force for local ownership and progress in the gathering, analysis and sharing of criminal intelligence, as well as cooperation required to fight OCC together in joint operations within the State as well as internationally.

Strong and visible international community support for those who are willing to resist political interference are vital, especially when they are threatened, publicly challenged and vilified when investigating corruption.

Further strengthening of the capacity and adequate resourcing of the State level agencies is still necessary and strong leadership and direction from the Ministry of Security to draft and implement effective strategies against Organised Crime and Corruption is crucial. Some of the proposed measures in the 2006-9 strategy are commendable but have not been initiated never mind implemented. A clear and achievable replacement is required with defined action plans and clear lines of responsibility within the structure of the law enforcement agencies to implement and progress the measures it defines. This needs to be based on a national threat assessment and setting up and using an effective system to gather, collate and analyse the intelligence required from all police agencies at all levels in order to produce one is the next major step along that road.

Some articles in the existing strategy advocate the formation of a strong unit to fight corruption linked to organised crime as well as the law on criminally gained assets to require the defence to present evidence where prima facie cases are found for money laundering or criminal gain. Given the extent of the problem and the likely benefits to all of the processes holding up progress towards the EU in Bosnia and Herzegovina the organised crime unit within SIPA's Criminal Investigation Depart-

ment should be expanded (as agreement to establish another state level agency is unlikely to be supported politically). They should work much more closely with the Organised Crime section of the State Prosecutors Office. SIPA overall must be brought up to full investigative capacity and they should concentrate on cases where high level corruption is indicated as a priority. International experts in financial investigation and asset seizure should continue to work with the Financial Investigation Department and should be co-located. Whatever the government and parliament eventually decide about the continued presence of international prosecutors in an executive capacity, given the current mandate for such support and its likely limitation or expiry in the future (the opinion of the international community on that matter has been made clear and does not need to be repeated here), such prosecutors do not all need to have executive powers but can also be present to assist the investigators to gather and prepare evidence to standards that will assist the state prosecutors and the courts to ensure convictions.

If the current political stalemate is to be dissolved, then coordinated international pressure from above, combined with effective OCC investigation and sanction from below seem to offer the best chance of success. The challenges to the law enforcement agencies themselves remain many but from a functional if not structural viewpoint, the road ahead is difficult but it is clearly signposted and the first steps along it have been taken.

**PART IV:  
SOCIAL BARRIERS AND WAYS OF DEALING  
WITH THEM**



# **Lessons of Peacebuilding for the Balkans and Beyond: Towards a Culture of Dialogue, Reconciliation and Transformation<sup>1</sup>**

*Dennis J.D. Sandole*

## **INTRODUCTION**

Fourteen years after the Dayton peace process imposed “negative peace” on Bosnia-Herzegovina, the Bosniak (Muslim), Croat, and Serb parties are still putting von Clausewitz on his head by continuing to “wage war by political means.”<sup>2</sup> Although NATO has withdrawn its SFOR peacekeeping force from the war-ravaged country, the European Union has filled the void to a certain extent with its EUFOR – “Althea” peacekeeping force. If withdrawn, this might lead to a resumption of hostilities and worse, spillover throughout the historically combustible Balkans. Meanwhile, Kosovo remains a protectorate of the international community, caught in a tense transition between the UN and the EU, despite (*or* because of) the Kosovar Albanian majority declaration of independence from Serbia in February 2007 – a fact which remains contested by Serbia, the Russian Federation and even some EU members (i.e., Cyprus, Greece, Romania, Slovakia, and Spain ). A return to violence in Kosovo, especially if NATO’s KFOR peacekeeping force were to withdraw, is even more likely there than in Bosnia if EUFOR were to withdraw.

This paper addresses the question of what lessons have been learned through the ultimate expression of “soft power”, namely *peacebuilding* –

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<sup>1</sup> This paper builds on Sandole, 2010, primarily Chapter 3. Editorial note: Due to the short deadline for publication, the editor has taken the liberty of abbreviating the referencing style for this article.

<sup>2</sup> Von Clausewitz’s famous reference in this context is that “warfare is politics by other means.”

lessons that are relevant to turning the situation around in the Western Balkans from a condition of fragile *negative peace* to a culture of dialogue and reconciliation, with implications for *positive peace* for the region and elsewhere. An essential part of this process is an examination of two interventions in the Balkans: the UN's Preventive Deployment Force (UNPREDEP) to prevent the spillover of the violent warfare in Bosnia into Macedonia and the EU's overall efforts to prepare Bosnia for eventual entry into the EU, thereby rendering it an unlikely source of genocidal conflict in the future.

## **UNITED NATIONS PREVENTIVE DEPLOYMENT FORCE (UNPREDEP)**

For many observers, especially conservative American critics, the United Nations is a bloated bureaucracy that is totally ineffectual and, worse, provides a podium for enemies of the West to vent their venomous rage. For less ideologically, less emotionally-challenged critics, the UN is "merely" in desperate need of reform. On either end of the affective spectrum, there is a desperate disconnect between what this global actor should be doing and perceptions of what it actually is or is not doing worldwide to generate and maintain peace and stability.

One of the "world's best-kept secrets" is the UN's *first-ever* preventive deployment mission, the *United Nations Preventive Deployment Force* (UNPREDEP), which was established in the Yugoslav-successor state of Macedonia. Immediately following publication of then UN Secretary-General Boutros Boutros-Ghali's *An Agenda for Peace* (1992), which outlined "peacekeeping," "peacemaking," and "peacebuilding" as well as „preventive diplomacy" as relevant interventions in the post-Cold War era, the UN dispatched UNPREDEP to Macedonia in late 1992. The deployment, based upon paragraphs 28 to 32 of *An Agenda for Peace*, was a response to an invitation by then Macedonian President Kiro Gligorov, to prevent (1) aggression from any of Macedonia's neighbors; (2) genocidal warfare in neighboring Bosnia-Herzegovina from spilling over into Macedonia; and (3) local tensions between ethnic Macedonians and ethnic Albanians from erupting into open warfare.

“Preventive diplomacy” for UNPREDEP was linked to *peacebuilding* and its emphasis on addressing *root causes of violence* as the optimal approach to preventing violence. It is, therefore, an example of “*pre [violent] conflict peacebuilding*.” According to Henryk Sokalski, the head of UNPREDEP for much of its six-year existence (1993-1999):

We adopted a *proactive* approach to conflict prevention that we felt would be more effective than a *reactive* one. We also thought that dealing with the *underlying causes of conflict* was preferable to addressing their destructive postconflict outcomes. Many of the factors in Macedonia’s crisis had *very, very deep roots*, and addressing them would call for perseverance, astute methods and strategies, financial support, and educational programs (emphasis added).<sup>3</sup>

UNPREDEP’s unusually flexible mandate, allowing preventive action to be embedded within a peacebuilding frame, comprised “three pillars” corresponding to my “three levels of conflict reality”:

- (1) Troop Deployment: traditional *peacekeeping* and coercive *peacemaking* (to deal with *conflict as symptoms*).
- (2) Good Offices and Political Action: noncoercive *peacemaking* (to deal with *conflict as relationships*).
- (3) The Human Dimension: *peacebuilding* and conflict transformation (to deal with *conflict as underlying, deep-rooted causes and conditions*).<sup>4</sup>

Sokalski captures the generic *peacebuilding* richness of UNPREDEP’s mission as follows:

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<sup>3</sup> Sokalski (2003, pp. 103-104).

<sup>4</sup> Sokalski (2003, p. 151) implicitly makes this connection between UNPREDEP’s “three pillar” strategy and the “three levels of conflict reality” (see Sandole, 2004, pp. 44-46): “troop deployments (*peacekeeping*) and good offices (*peacemaking*) are highly visible and directed modalities to bring about peace and stability. The broader technique of fostering civil society through social and economic development (*peacebuilding*) is certainly more unobtrusive, but it is also a much more difficult method of trying to resolve economic and social inequalities, first and foremost because its scope is so wide: after all, how does a small UN mission try to set an entire society aright?” (emphasis added.) The three levels of conflict reality comprise: (a) conflict as *symptoms*, (b) conflict as *relationships*, and (c) conflict as *deep-rooted causes and conditions* (see Sandole, 2004, pp. 44-46).

We concluded that timely prevention in Macedonia must also tackle some underlying root causes of potential conflict. And although we [lacked appropriate] funds, we did try very hard. ... *Poverty or intolerance or both are the most common root causes of conflict in the world of today.* More crises than fewer, warranting preventive action, invariably have socio-economic ramifications, thus requiring a *complementary and coherent balance between the tools used to resolve conflict-prone emergencies.* .... [Accordingly,] *we dealt with a comprehensive preventive diplomacy operation with a multi-track and multi-functional approach, where national, regional and international actors tried to complement each other.* The logic behind such an approach to early preventive action was that the challenges involved in its practical application could not be met by any one instrument in isolation (emphasis added).<sup>5</sup>

## UNPREDEP's Profile

Six dimensions capture UNPREDEP's record:

(1) UNPREDEP demonstrated that, „under appropriate circumstances,” violent conflict prevention can succeed. One telling reason for this success is that UNPREDEP nurtured *partnerships* among, and integrated the „distinct and overlapping” contributions of, „the OSCE, NATO, the European Union, the Council of Europe, and numerous organizations and agencies of the United Nations system, as well as the NGO community ... into an appropriate peace operation”

(2) UNPREDEP indicated that an intervention to prevent violent conflict could facilitate the development of „newly independent or newly stable states,” in large part by *facilitating dialogue* among ethnic Macedonians and Albanians, in the process providing „a forum that had never before existed in Macedonia”<sup>6</sup>

(3) UNPREDEP was able to contain the tensions existing between the polarized ethnic Macedonian and Albanian communities – no mean feat given the combustible nature of their relations which erupted into open hostilities two years after UNPREDEP's abrupt termination.<sup>7</sup>

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<sup>5</sup> Ibid.

<sup>6</sup> Sokalski, (2003), pp.216-271.

<sup>7</sup> UNPREDEP was terminated on 1 March 1999. The People's Republic of China vetoed UNPREDEP's extension at a meeting of the UN Security Council on 25 February 1999, ostensibly because there was no longer any need for the mission. The “real” reason, apparently, was that the PRC was incensed that Macedonia

(4), UNPREDEP indicated “that a multidimensional and integrated approach to prevention is not only feasible but also effective”

The comprehensive three-pillar formula for action (troop deployment, good offices, and the human dimension) proved to be a forerunner of the precepts for peacekeeping missions that the international community embarked upon on the threshold of the twenty-first century. In that regard, UNPREDEP *was a unique laboratory of prevention [e.g., „soft peacekeeping”]* (emphasis added).<sup>8</sup>

(5), UNPREDEP revealed that violent conflict prevention can be cost-effective, with implications for other international interventions. While UNPREDEP’s annual costs came to U.S. \$55 million, an intermediate war of some two years duration could have cost U.S. \$15 billion, with a larger conflict between Macedonia and several other countries costing as much as 144 billion USD: „Hardly anything else can better illustrate the maxim that prevention is better – and indeed cheaper – than cure”

(6) By providing a “blueprint for early noncoercive prevention,” UNPREDEP set into motion a dynamic toward further development “of preventive concepts and their application”.<sup>9</sup>

### **UNPREDEP’s Lessons**

Among the “lessons learned” from UNPREDEP, a significant factor underlying its success – that according to Sokalski “preventive action can make a difference” – was that UNPREDEP “privileged the local”:

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and the “other” China, Taiwan, had entered into diplomatic relations (Sokalski, 2003, pp. 207, 211, 214-216) . Shortly after, NATO’s 78-day bombing campaign against Serbia began, in response to Serb “ethnic cleansing” of Albanians in Kosovo. The subsequent empowerment of the Kosovar Albanians, the shared border between Kosovo and Macedonia, and the absence of UNPREDEP, helped unleash six months of hostilities between the Macedonian government and ethnic Albanians during spring/summer 2001 (shortly before the events of 11 September 2001).

<sup>8</sup> Sokalski, (2003), p.218.

Sokalski, (2003), pp.218-219.

UNPREDEP's mandate was to use good offices, as appropriate, in cooperation with the country's authorities; consequently we took particular care to show that the UN presence provided a stimulating asset – rather than a handicap – to Macedonia's efforts toward peace and stability. ... We pointed out that the [UN] did not deploy to Macedonia to solve the country's problems single-handedly but, rather, to create a climate conducive to *self-reliance*. In other words, we tried to convince Macedonia's political leaders that we came *not* to teach, but to share international experience, and that our purpose was to seek and identify points of convergence among parties to a potential conflict and bring them closer together. *We treated our hosts as partners, not as supplicants. Impartiality* was the name of our game, and it determined the degree of our *credibility* (emphasis added).<sup>10</sup>

Privileging the local includes *public relations* to appropriately inform local as well as elite audiences (domestic and international) about the mission and all of its activities.<sup>11</sup> Without *transparent* information and educational campaigns about, among other issues, human rights, electoral processes, rule of law, and the *accountability* of all involved in the mission, especially the military peacekeepers, local acceptance of, participation in, and *ownership* of the process would likely be impaired.

Part of privileging the local is that, whenever peacekeeping troops are deployed, as they were in UNPREDEP, it is essential that they are *well behaved*, “befitting the dignity of a disciplined, caring, considerate, mature, respected and trusted soldier”; that they show respect toward the locals' land, „culture, traditions, customs and practices”; treat the locals “with respect, courtesy, and consideration”; and affirm “the human rights of all.”<sup>12</sup>

Part of this respect toward the locals is that peacekeeping troops should not sexually, physically, or psychologically abuse or exploit locals (or international staff), “especially women and children.”<sup>13</sup> This overlaps with Sokalski's observation that “The empowerment of women figured prominently in UNPREDEP's human dimension outreach.”<sup>14</sup>

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<sup>10</sup> Sokalski, (2003), pp. 104-105.

<sup>11</sup> Ibid., pp. 164-169.

<sup>12</sup> Ibid., pp-118-119.

<sup>13</sup> Sokalski (2003), p. 120.

<sup>14</sup> Ibid., p. 163.

For two years running, we organized the March 8 observance of International Women's Day with local NGOs and representatives of relevant government agencies. The 1997 observance coincided with a symposium we organized with an interethnic panel of speakers, „Gender Equality: Fact or Fiction?“ which reviewed women's position in Macedonian society regarding political participation, health, employment, law, social status, and mass media. In subsequent years, UNPREDEP joined Macedonian organizations in observing International Women's Day at the national level.<sup>15</sup>

Locals, in contrast to governmental elites, clearly include youth. Leaders of political youth organizations, ethnic Albanian and Macedonian alike, were far more receptive than their elders „to joint cooperative ventures [proving] to be excellent and imaginative partners who ... saw their past, present and future as *citizens of Macedonia*“ (emphasis added).<sup>16</sup> Indeed, in 15 monthly working discussions involving a total of 46 youth leaders, “[t]hey did not need any intermediaries”.<sup>17</sup>

Youth organizations were most active in UNPREDEP's work with NGOs, which relates to the value of partnerships. Partnerships with other IOs and NGOs

...are precisely what a preventive operation must seek in order to consolidate its accomplishments on behalf of peace and stability; the wider the scope of the mission's work, the more international partners it will need.<sup>18</sup>

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<sup>15</sup> Ibid., p. 163.

<sup>16</sup> Ibid., p. 142.

<sup>17</sup> In his seminal classic on the nature of “*paradigms*” (collective worldviews) and their maintenance and transformation, Thomas Kuhn (1970, pp. 89-90) tells us that, “the new paradigm, or a sufficient hint to permit later articulation, emerges all at once, sometimes in the middle of the night, in the mind of a man deeply immersed in crisis. What the nature of that final stage is – how an individual invents (or finds he has invented) a new way of giving order to data now all assembled – must here remain inscrutable and may be permanently so. Let us here note only one thing about it. *Almost always the men who achieve these fundamental inventions of a new paradigm have been either very young or very new to the field whose paradigm they change.* ... obviously these are the men who, being little committed by prior practice to the traditional rules ... are particularly likely to see that those rules no longer define a playable game and to conceive another set that can replace them.”

<sup>18</sup> Sokalski (2003), p. 173.

Once established, partnerships “must be carefully *coordinated* in an *integrated approach to human security*” (emphasis added)<sup>19</sup> in which the efforts of the various actors must be *complementary*.<sup>20</sup> Just among the UN and other IOs (e.g., the OSCE and its High Commissioner on National Minorities (HCNM)<sup>21</sup>, there was a need:

...to enhance their cooperation for conflict prevention [and] collaboration, including regular consultations, better flows of information, exchanges of liaison officers, extended working-level visits between headquarters, and similar measures as determined on a case-by-case basis.<sup>22</sup>

In significant contrast to “[p]ast experience [which] had left much prejudice toward NGOs among different political quarters”<sup>23</sup> NGOs were already in Macedonia doing good work when UNPREDEP arrived; for example, the Open Society Institute—Macedonia; Search for Common Ground; the Friedrich Ebert Foundation; National Democratic Institute; Catholic Relief Services; International Research and Exchanges Board (IREX); Institute of Sustainable Communities; and the International Red Cross.

[Such NGOs] had monitored the first general and presidential elections, launched projects to tackle national political and ethnic cleavages, and started conflict resolution training and the establishment of national NGOs.<sup>24</sup>

The objective of UNPREDEP’s partnerships was to replace the prevailing *culture of reaction* with a *culture of prevention*, in the process laying “important groundwork for establishing an organic link between conflict

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<sup>19</sup> Sokalski (2003), p. 174.

<sup>20</sup> Ibid., 176. Sokalski mentions that, “organizations, programs, and agencies of the [UN] system are normally the first allies of action on behalf of peace. Yet at the field level, individual UN entities involved in operational activities all too often pursued their *programs independently and without sufficient regard to, or benefit from, one another’s presence*” (emphasis added).

<sup>21</sup> For a comprehensive account of the peacemaking activities of Max van der Stoep, the OSCE’s very first High Commissioner on National Minorities (HCNMs), from 1 January 1993 until early 2001, see Kemp (2001).

<sup>22</sup> Ibid., p. 174.

<sup>23</sup> Ibid., p. 195.

<sup>24</sup> Sokalski (2003), pp. 196-202.

prevention *and* peacebuilding” (emphasis added). In this regard, another lesson was that:

Success in peacebuilding can be assured only if action on its behalf is consistent and carried out in a *continuum of action*. In the conditions surrounding UNPREDEP, this was a giant task. One major obstacle, for example, was the *international community’s underestimation of the need for peacebuilding initiatives in preventive actions* and the consequent failure to organize a large-scale conference of donors in support of more developmental policy projects in Macedonia (emphasis added).<sup>25</sup>

Another lesson, therefore, is the need for appropriate funding:

Had sufficient international assistance been given to [Macedonia], a rapidly growing economy could have alleviated much of the interethnic tensions. ... whenever its underlying socioeconomic problems were neglected, political tensions were exacerbated. [Hence,] we learned that a preventive peacekeeping operation cannot be deprived of funding for humanitarian and developmental projects [as UNPREDEP was] and still be fully effective.<sup>26</sup>

Embedding UNPREDEP’s supportive, complementary partnerships within John Paul Lederach’s “leadership pyramid” of top, middle-range, and grassroots levels, we can understand that:

Conflict prevention is a *top-to-bottom* and *bottom-to-top process*. Unless we understand this axiom in both word and deed, the chances for real success are pretty slim. Exercises in ethnic or political rapprochement start at the top with the [UN], and NGOs initiate the crucial corresponding action at the bottom; individual governments and regional organizations normally add their projects and actions to fill the space in between (emphasis added).<sup>27</sup>

It is clear that, without such partnerships in both pre- and post [violent] conflict prevention, UN and other “efforts will tend to wane” (ibid.). Such *complex* operations, however, require a good deal of the head of

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<sup>25</sup> For various perspectives on such a “continuum of action,” see Fisher and Keashly (1991), Fisher (1997, Ch. 8), and Lund (1996, Ch. 2).

<sup>26</sup> Sokalski, p. 221. In other words, UNPREDEP was deprived of funding in the critical areas of conflict reality levels 2 and 3 dealing with relationships and underlying causes and conditions of why relationships become fractured.

<sup>27</sup> Sokalski (2003), p. 202.

mission's time as "there are many programs, people, and organizations to *coordinate* [where] the *careful timing* and *sequencing of events* can mean everything to the mission's success"<sup>28</sup> (emphasis added).

In Macedonia, we saw all our efforts as a singular preventive operation with a *multitrack* and *multifunctional approach*, in which *national, regional, and international initiatives complemented one another*. In conflict prevention, major issues and partnerships function *interdependently* and *reciprocally*. Our comprehensive approach clearly distinguished between the preconflict peacekeeping we were practicing and the UN's more conventional troop deployment, whether pre- or postconflict.<sup>29</sup>

Complexity, multi-level actors, coordination, timing and sequence, interdependence and complementarity, all argue for still another lesson, the need for a *regional approach*:

As long as the international community approached the Kosovo crisis [of 1999] in terms of endemic nationalist conflict and ethnic hatred rather than in terms of its own remediable policy failures, it was hard to imagine that Macedonia would be unaffected. The sudden removal of [UNPREDEP] from the Macedonian side of the border left the country considerably more vulnerable. As one analyst noted, „A lessening of interest on the part of the West or a lack of a concerted plan of action could eventually leave the *region* as it is – weak, unstable, and a persistent security concern.” Carl Bildt, former UN special envoy for the Balkans and EU special representative to the former Yugoslavia, shared similar concerns: „If we approach Kosovo in isolation, we will never succeed. *Any solution will have to take in the region as a whole. Our approach to Kosovo should be a consequence of our approach to the region as a whole – not the other way round*” (emphasis added).<sup>30</sup>

Perhaps the most critical “lesson learned” from UNPREDEP, „the first major example of noncoercive prevention in UN history, [was] that the premature withdrawal of an operation can prove harmful to its very purpose.”<sup>31</sup> The abrupt termination of UNPREDEP on 1 March 1999, shortly before NATO launched its 78-day bombing campaign against Serbia for the “ethnic cleansing” of Albanians in Kosovo on Mace-

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<sup>28</sup>

Ibid.

<sup>29</sup>

Ibid., p. 104.

<sup>30</sup>

Sokalski (2003), pp. 226-227.

<sup>31</sup>

Ibid., p. 219.

donia's border, helped set into motion a dynamic that propelled ethnic Albanians and Macedonians toward open warfare two years later during the spring and summer of 2001.

Sokalski frames this development appropriately as a “counter factual experiment,” stating that, “In the spring of 2001, a former colleague in Skopje, Kannan Rajarathinam, sent [him] a brief e-mail message: ‘The problem with preventive peacekeeping is that peace has to be breached for it to be vindicated – in retrospect’”<sup>32</sup>:

Indeed, two years following UNPREDEP's termination, peace in Macedonia was breached; by a stroke of bitter consolation, preventive peacekeeping was vindicated – too late. The lethal shots had been fired and the whole country had almost been set aflame. While students of history will have much to ponder as to what really happened in and around Macedonia at the beginning of the new millennium, the lessons of the international community's initial response to Macedonia's external and internal instability should not be forgotten: *prevention is indeed less costly and less disruptive than cure* (emphasis added).<sup>33</sup>

## THE EUROPEAN UNION EXEMPLAR

While the United Nations has had only one experience in violent conflict prevention as a form of peacebuilding – *pre [violent] conflict peacebuilding* – the European Union's *raison d'être* has been all about peacebuilding, not just among its current 27 members, but among others as well in its “neighborhood” and worldwide.

The EU is the exemplar par excellence, anywhere on the planet, of Immanuel Kant's (1795/1983) classic concept of “*perpetual peace*.” This may appear to be an extraordinary assertion, given that, for many, the EU is an unwieldy bureaucratic nightmare that generates more yawns than positive affect. Consider, for example, that turnout for elections of Members of the European Parliament (MEPs) has been on a steady de-

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<sup>32</sup> Sokalski (2003), p. 239.

<sup>33</sup> Ibid.

cline since 1979<sup>34</sup> in contrast, say, to the number of Europeans watching World Cup football (soccer) on television.<sup>35</sup>

As with many phenomena, the reality of the EU is complex: it may be tedious, but everyone wants in. Simply put, the EU is *transformational*, turning “national interest” – as framed by the historically and cross-culturally dominant *Realpolitik* paradigm – on its head. Using the developmental momentum generated by the Marshall Plan to rebuild Europe after the Second World War, the EU initially comprised six members in 1952 as the European Coal and Steel Community. The ECSC was a response to the prevailing security paradigm that had led to the war and the Holocaust, finally and resolutely shutting down the system that had spawned the horror:

First, the obsolescence of war [see Mueller, 1989] is not a global phenomenon but a European one; second the disappearance of war after 1945 created both a dramatically new international system within Europe and a new kind of European state ... This system provided the incubator within which the states of Western Europe were gradually *transformed*. They became *civilian states*, states that retained the capacity to make war with one another but lost all interest in doing so. The result was an eclipse of violence in both meanings of the word: violence declined in importance and it was concealed from view by something else – that is, by the states’ need to encourage *economic growth, provide social welfare, and guarantee personal security for its citizens*. The eclipse of violence happened gradually. It was a slow, silent revolution, hidden in plain sight, but it was nonetheless a revolution as dramatic as any other in European history (emphasis added).<sup>36</sup>

By transcending the Westphalian state, inviting candidates for membership to voluntarily surrender some of their sovereignty to the European Commission, European Council, and European Parliament, the EU allows national interest to become collective (regional and global) interest.

The EU is both cause and effect: it reproduces and expands itself by holding out the prospect of voluntary membership to others who wish to

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<sup>34</sup> Leonard (2005), p. 97.

<sup>35</sup> See Pfanner (2004).

<sup>36</sup> Sheehan (2008), xvii-xx.

enjoy the manifold benefits of a growing, robust *commons*: The EU's „gravitational pull” has proved to be the ultimate tool of conflict prevention.

The *tacit „theory-in-use”* of the EU, articulated by, among others, Jean Monnet, is that peace and prosperity can be a positive-sum, collective good enjoyed by all and not just a few, at least within the parameters of agreed membership. As already implied, the ultimate objective of founders such as Monnet was to provide Europeans with means other than war for achieving their goals, including further development and security, by reframing the nature of their interaction. But to realize these benefits, candidates for membership must comply with political and economic criteria established in June 1999 by the Copenhagen European Council:

Membership criteria require that the candidate country must have achieved stability of institutions guaranteeing democracy, the rule of law, human rights, and the respect for and protection of minorities; the existence of a functioning market economy as well as the capacity to cope with competitive pressure and market forces within the Union; [and] the ability to take on the obligations of membership including adherence to the aims of political, economic and monetary union.<sup>37</sup>

In addition, members must bring their national laws into conformity with the body of EU law known as the *acquis communautaire* (i.e., covering 80,000 pages of EU legislation in 31 volumes).<sup>38</sup>

Since the end of the Cold War, the “EU-as-Kantian peace experiment” has expanded from 15 to 27 members, absorbing states from the former Soviet empire in Eastern and Central Europe (Czech Republic, Hungary, Poland, and Slovakia), former Soviet Union (Estonia, Latvia, and Lithuania) and former Yugoslavia (Slovenia, with Croatia next in the queue).

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<sup>37</sup> Copenhagen Declaration, 1993, paragraph 7[A][iii]).

<sup>38</sup> Leonard (2005), p. 42, p. 45.

There have, however, been challenges along the way. The EU's tacit theory-in-use, „*Membership conditionality*, has been identified as by far the most powerful (though not necessarily always effective) *conflict-resolution* mechanism at the EU's disposal" (emphasis added).<sup>39</sup>

In Bosnia-Herzegovina, another example of the EU's less-than-stellar success in the Balkans, the problem remains that, in contrast to Macedonia, this war-ravaged Yugoslav successor state continues to be bogged down in virulent ethnocentrism and ethnopolitical paralysis. Indeed, in Bosnia, Clausewitz' dictum that „War is politics by other means" has been turned completely upside down into, "Politics is war by other means," suggesting that "a new outbreak of violence remains a possibility."<sup>40</sup>

In addition, the bureaucracy is so bloated and convoluted that in a country divided into two "entities" needs at least three ministries for most functions (e.g., education). In the Muslim-Croat federation alone, there are 60 government ministers, "11 health funds and 11 employment agencies." Further, it takes 60 days to start a company in Bosnia, according to the World Bank, compared with 5 days in Hungary or 9 days in Afghanistan.<sup>41</sup> This "surrealism" renders EU efforts to negotiate with a "coherent" national voice nearly impossible. As the BBC's Allan Little (2008) put it on his recent return to the country:

The entities, not the Bosnian state, have real executive power. *The Bosnian state barely functions*. It is incapable of carrying out the reforms that Bosnia desperately needs. And so as Croatia and Serbia continue their respective journeys to the European mainstream – to EU and possibly Nato membership – *Bosnia, still broken, still paralysed, is being left behind, and is in danger of sinking further into corruption, poverty and organized crime* (emphasis added).

Despite these challenges, the EU is expanding, with some commentators contemplating a future EU of 50 members, perhaps eventually including

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<sup>39</sup> Çelik and Rumelili, (2006), p. 207.

<sup>40</sup> See Mrkic (2009). Such statements have been frequently uttered during Reichenau meetings over the years (editor).

<sup>41</sup> <[www.worldbank.org](http://www.worldbank.org)>

even Morocco, Israel and Russia.<sup>42</sup> In addition, the EU is a *model* for regional governance elsewhere and, arguably, for global governance as well, with China, among others, adopting the EU model.<sup>43</sup>

Somewhere between the *EU as enlargement* and the *EU as model* are the recent efforts by Turkey to further the introduction of EU norms and values into the South Caucasus region, site of the Russian-Georgian war over South Ossetia in August 2008. Turkish President Abdullah Gul visited Yerevan, Armenia, on 6 September 2008, in response to Armenian President Serzh Sargsyan's invitation, ostensibly to watch the World Cup playoff match between their two teams. (Turkey won: 2-0.) This was the first trip ever by a Turkish leader to Armenia since the 1930s.

The temporal context of the visit heightened the urgency to understand the meaning of this historic meeting. One framing of the sequence of events begins with the eve of the spectacular opening ceremony of the Beijing Olympics, when Georgia launched a military assault on South Ossetia, one of its two breakaway regions (the other is Abkhazia). This was followed by Russia's swift retributive attack on, and occupation of Georgia for committing aggression against Russian "peacekeepers" and "Russian citizens" in South Ossetia.<sup>44</sup> One result of this multi-level conflict was a renewed fear worldwide of a resurrected East-West confrontational standoff. Gul's visit to Armenia occurred approximately one month after the onset of hostilities.

The spatial setting added to the drama: Armenia has a "frozen conflict" with "Turkic" Azerbaijan over the Armenian enclave in Azerbaijan, Na-

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<sup>42</sup> Leonard (2005), p. 104.

<sup>43</sup> Ibid., Chs. Pp. 9-10, see also Söderbaum and Stålgren, (2009).

<sup>44</sup> Russian "peacekeepers" have been protecting the South Ossetians and Abkhaz since the end of hostilities in both breakaway regions in the early 1990s. After ministers announced at the NATO Bucharest Summit in April 2008 that Ukraine and Georgia could be invited to become NATO members, Russian issued passports to the South Ossetians and Abkhaz, thereby transforming them into "Russian citizens" worthy of Russian defense from any future Georgian or other (e.g., NATO) aggression.

gorno-Karabakh, which has been in a state of *negative peace* framed locally as „neither peace nor war” since a ceasefire was agreed to in May 1994.<sup>45</sup>

Adding to this challenge is Armenia’s historical conflict with Turkey over the meaning of atrocities committed against Armenians during the final days of the Ottoman Empire which has certainly exacerbated Armenia’s conflict with Azerbaijan over Nagorno-Karabakh. Accordingly, we could well join with Armenians and others in wondering what the implications of Gul’s visit to Yerevan might be: Opening the Armenian-Turkish border? Establishing lucrative trade relations? Working collaboratively toward *common security* in the tumultuous Caucasus region? Resolving the Armenian-Azerbaijani conflict over Nagorno-Karabakh? Establishing an oil pipeline from Georgia through Armenia into Turkey? Finally laying to rest the Armenian-Turkish conflict over the 1915 genocide issue? Making the region more attractive to foreign direct investment? *All of the above?*

To offer answers to these and other questions, let’s briefly examine the foreign policy objectives of the Armenian and Turkish governments. Turkish Prime Minister Recep Tayyip Erdogan has made great strides in taking his country into the European Union, including improving Turkey’s human rights record. Turkey has also evolved into a credible mediator between Israel and Syria over the Golan Heights. Nevertheless, Prime Minister Erdogan’s government is sufficiently „Islamist” to have incurred a direct assault on its legitimacy by Turkey’s secular establishment that nearly succeeded in toppling the government through constitutional means. Turkey also claims that the 1915 genocide never happened, although it does admit that thousands of Armenians *as well as* Turks were killed in civil war. Hence, Turkey aggressively lobbies Western governments not to accede to the Armenian Diaspora’s demands to recognize the genocide.

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<sup>45</sup> Personal communication with Prof. Dr. Lyudmila Harutyunyan, Director of the Center for Regional Integration and Conflict Resolution, and Chair, Department of Sociology, Yerevan State University, Yerevan, Armenia, 17 September 2008.

The Armenian government of Serzh Sargsyan, elected in the tumultuous presidential elections of February 2008, does not want to forget the genocide issue, which is kept alive primarily by the more prosperous and populous Diaspora than by Armenian citizens themselves. On the other hand, Sargsyan wants to improve relations with Turkey. Indeed, in April 2009, President Sargsyan told the *Financial Times* that for him the improvement of relations with Turkey is the „greatest achievement of his presidency.”

So, what is the verdict? Given Prime Minister Erdogan’s and President Gul’s post-Russian/Georgian war development of the *Caucasus Stability and Cooperation Platform* – to comprise Turkey, Armenia, Azerbaijan, Georgia, and Russia – it seems likely that the region could be on the precipice of a radical shift toward collaborative peace, prosperity, security, and stability, with clear implications for resolution of the Armenian-Turkish, Armenian-Azerbaijani, and Georgian-Russian conflicts.<sup>46</sup> Much depends on what happens between Armenia, Turkey and others, including newly elected U.S. President Barack Obama and his Russian counterparts.<sup>47</sup>

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<sup>46</sup> The Platform was inspired by the European Union’s *Stability Pact for South Eastern Europe* (which was succeeded by the *Regional Cooperation Council* on 27 February 2008). The SP was designed to prepare the states emerging out of the implosion of Yugoslavia for EU membership, so that southeastern Europe would never again be a source of genocidal conflict (see Kardas, 2008; SPSEE, 2008). This, plus the fact that the Platform builds on the EU’s *European Neighbourhood Policy* for the region (see ENP, 2008; Leonard, 2005, pp. 106-110), and that Turkey is currently negotiating entry into the EU, is a powerful hint that the Platform calls for some kind of integration within the region that would dampen tensions that might otherwise escalate the secessionist conflicts that have characterized it until now.

<sup>47</sup> At the 45<sup>th</sup> Munich Security Conference on 7 February 2009, U.S. Vice President Joseph Biden asserted President Obama’s objective of improved relations with Russia, to which Russia responded with “cautious optimism” (see Blitz and Peel, 2009). President Obama’s subsequent meeting with Russian President Dmitry Medvedev one day prior to the G20 Summit in London on 1 April 2009, was far more positive, resulting in offers to restart nuclear arms talks to replace the Strategic Arms Reduction (START) Treaty due to expire on 5 December 2009, plus an invitation for Obama to visit Moscow in July to discuss

The probability that this sanguine view is valid has been strengthened by subsequent developments. For example, building upon its European Neighbourhood Policy, the EU has proposed the “Eastern Partnership” – to comprise Armenia, Azerbaijan, Georgia, Ukraine, Moldova and Belarus – as its “boldest outreach to ex-Communist nations since the EU expanded in 2004 and 2007 to embrace the Baltics and all the former Warsaw Pact nations of Eastern Europe.”<sup>48</sup> In addition, right before Barack Obama was sworn in as 44<sup>th</sup> President of the U.S., Turkish Prime Minister Erdogan “arrived in Brussels ... aiming to revive the country’s stalled bid for [EU] membership, which [has been] under threat from tensions over Cyprus, political stasis within Turkey and waning EU enthusiasm for enlargement.”<sup>49</sup> Further, shortly after President Obama’s inauguration and meetings with Turkish and Armenian leaders in Istanbul, the two countries announced that, on 22 April 2009, they had agreed on a “comprehensive framework for the normalization of their bilateral relations” with implications for addressing their disputes. Thus far, this historical breakthrough in Turkish-Armenian relations has led the two countries to agree to reopen their border and to establish a commission to examine the 1915 genocide issue.

Against this increasingly favorable background, continuation of “football [soccer] diplomacy” between Armenia and Turkey can only help to strengthen prospects for this admittedly idealistic vision of regional integration *and* peacebuilding in the South Caucasus region to become reality, as “ping pong diplomacy” did nearly forty years ago in helping to restore U.S.-Chinese relations.

## CONCLUSION

Given how far and wide the EU has traveled with a *tacit* “theory-in-use” based primarily on membership conditionality, one can imagine what might be possible if the EU’s traditional processes of expanding its in-

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remaining issues prior to the December signing of the new treaty (see Borger, 2009).

<sup>48</sup> See Castle (2008).

<sup>49</sup> See Strauss (2009).

fluence as a Kantian peace system were complemented in Bosnia-Herzegovina by the addition of *explicit peacemaking and peacebuilding components* similar to the second (*good offices and political action*) and third (*human dimension*) pillars of the under-resourced, abruptly terminated UNPREDEP mission in Macedonia.

Indeed, given the remarkable structural convergence, i.e., *triangulation* (Brewer and Hunter, 2006), between the (1) three pillars of UNPREDEP; (2) three levels of conflict reality; (3) Lederach's peacebuilding framework, and (4) the three "d's" of President Barack Obama's foreign policy approach – *defense, diplomacy, and development* – it seems clear that for any intervention in Bosnia or anywhere else to be successful, relationships and what causes them to become destructive must be dealt with as well as their symptoms which tend to capture our attention immediately, monopolizing concern at the expense of other, far more important dimensions. It is also clear that the results of peacebuilding would likely be more positive for all concerned if the international community committed itself, *at the outset*, to various iterations of "Marshall-Plan" interventions of 10-20 years.

Accordingly, the EU presence in Bosnia-Herzegovina, which is essentially an "*a priori*" *form of violent conflict prevention*, should be complimented by something like UNPREDEP, an "*ad hoc*" *form*, with its three pillars of troop deployment (*conflict-as-symptoms*), good offices and political action (*conflict-as-relationships*), and the human dimension (*conflict-as-deep-rooted causes and conditions*).<sup>50</sup>

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<sup>50</sup> According to Lund (2009, p. 291), *ad.hoc prevention* consists of "actions directed at specific countries [e.g., Macedonia] facing imminent conflicts." By contrast, *a priori prevention* includes the actions of global and regional organizations [e.g., the UN and EU, respectively], premised on "legal conventions or other normative standards, such as in human rights and democracy ... that whole classes of states are expected to stay within." In either case, preventive action may be *direct* and/or *structural*, the former dealing with "conflict-as-symptoms" and the latter with "conflict-as-relationships" and/or "conflict-as-underlying causes and conditions" (ibid., pp. 289-291).

What may be lacking is an appropriate *integrated conceptual, spatial, and temporal framework*, ensuring, for example, that *all* “preventive action [strives to deal with] issues by implementing effective development activities through what some experts term ... a ‘*conflict prevention lens*’.”<sup>51</sup>

There may be other examples in Bosnia-Herzegovina of omitting to adhere to some of UNPREDEP’s “lessons learned.” It would be useful, therefore, for EU and other architects of post-Cold War peace and security in Europe to revisit those lessons in search of further potential policy options for the international intervention in Bosnia-Herzegovina and missions elsewhere.

An added value, which builds on the remarkable overlap between UNPREDEP’s 3 pillars, the 3 levels of conflict reality, Lederach’s peacebuilding framework, and the 3 legs of Obama’s foreign policy “stool,” is that UNPREDEP’s lessons correspond remarkably well to the findings on “lessons learned” from peacebuilding efforts in general compiled by the *Working Group on Lessons Learned* of the United Nation’s Peacebuilding Commission.<sup>52</sup>

One consistent conclusion that emerged from comparative experiences is that each post-conflict country is unique: there are no “one-size fits-all” models in peacebuilding. There are, however, useful lessons and common principles for effective peacebuilding that have relevance across different contexts which include the following:

- Adopting a *holistic and strategic approach*
- Promoting *national ownership*
- Strengthening *national capacities*
- Providing *sustained engagement*
- Achieving *effective coordination*

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<sup>51</sup> See Kenneth Boulding (1956), Sokalski (2003), p. 175 and Paffenholz (2009).

<sup>52</sup> UN Working Group on Lessons Learned of the Peacebuilding Commission (2008), p. 1.

- Fostering *mutual accountability*
- Ensuring *prioritization and sequencing*
- Integrating a *gender perspective*
- Encouraging a *regional approach*

Given the enhanced, “triangulated” value of UNPREDEP as an *experiment* and *model* for peacebuilding, each of whose lessons *in Macedonia* corresponds to those generated by the UN/PBC assessment of peacebuilding *in general*, integrating this “ad hoc” model with the more “a priori” EU would clearly constitute a reinforced basis for improving the chances of the EU to successfully prepare *all* countries of the Western Balkans, including Bosnia-Herzegovina and Kosovo, for successful entry into the Union.

In both cases – exacerbated by the worst global financial and economic crises since the Great Depression – the need (but regrettably not the demand) is great for well funded, regional, integrated, coordinated, multi-issue, interdependent, sequenced, transparent, and conflict prevention-oriented processes that empower local women, children and youth as well as men within a comprehensive framework structurally biased to address conflicted relationships and their underlying causes and conditions as well as symptoms.

Implicit here, and certainly within Lederach’s leadership and peacebuilding frameworks is the need, as part of “privileging the local,” for interveners to explore and apply the human dimension, including designing, implementing, evaluating, and continuously revising appropriate trauma healing and reconciliation encounters. Otherwise, well-established psycho-emotional resistances within the “walking wounded” will most likely defy all efforts to paradigm-shift the locals from a culture of virulent, zero-sum ethnocentric exclusivity and demonizing of the “Other” to a culture of positive-sum dialogue, reconciliation, and sustainable transformation at all levels.<sup>53</sup>

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<sup>53</sup> Dennis Sandole (2008), pp. 183-189.

Also implicit here is the need to design, implement, evaluate and continuously revise appropriate forms of global and regional *governance* necessary for future peacebuilding interventions to reflect the aforementioned UNPREDP/UNPBC “lessons learned,” and for the United States to play an appropriate role. Whatever it is, President Barack Obama seems well equipped – morally, intellectually, and psycho-emotionally – to transcend the simplistic, “Europe is from Venus and America is from Mars” image so characteristic of the previous Bush era.

In a world of increasing complexity comprising multiple and multiple-level conflicts, and other interconnected global problems, where U.S. domestic “culture wars” waged over health care reform could totally undermine President Obama’s global problemsolving agenda, there is a need for American and other policymakers to enhance the prospects for maximalist (“transformative”) to trump minimalist (“technical”) peacebuilding, and in the process, close “the painful gap between rhetoric and action in peacebuilding.”<sup>54</sup>

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<sup>54</sup> Fischer and Schmelze (2009), p. 6.

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# The Role of Media in the Process of Peace-Building

*Drago Pilsel*

Maybe some of you will think that the things I will mention are obvious and basic things. And you are right. Just as the fight against corruption is fundamental in the process of state-building, so is the establishment of a free and healthy media.

The media is a double-edged sword. It can be a terrible weapon of violence when it is used to propagate messages of intolerance or disinformation which manipulate public sentiment. *Radio Mille Collines* in Rwanda is one of the most appalling contemporary examples.

Using a blend of popular entertainment and proselytizing, the government-supported broadcasts demonized one group of people and provoked resentment and fear among the other.

The messages implanted and legitimized the belief that genocide was an appropriate reaction of self-defence. As a result, hundreds of thousands of people were slaughtered in that country.

However, there is also another aspect to the media. When the information it presents is reliable, respects human rights, and represents diverse views, it can be an instrument of conflict reduction and resolution. It does so by upholding accountability and exposing malfeasance. It enables a society to make well-informed choices, which is the precursor of democratic governance. It reduces conflict and fosters human security.

The media has become so pervasive and influential that anyone currently working in the field of conflict reduction must consider both edges of the sword just described. If a project is launched without having examined the media environment, such as taking into account any indigenous media which are fomenting hatred, it is quite likely to fail. Similarly, any

effort to resolve or prevent deadly conflict which ignores the media as an opportunity and instrument in itself, is incomplete.

A Bosnia-Herzegovina assistance program was launched in 1996 by international organizations to rapidly create a diverse, independent media industry. Its purpose was to counter state propaganda and to educate, enhance democracy and empower audiences. It failed. I presented this case in the meeting of this group during the 5<sup>th</sup> Reichenau Workshop in May, 2004 (“From Peace Making to Self Sustaining Peace -International Presence in South East Europe at a Crossroads?”). This program failed because it produced an artificial, low-quality, donor-dependent industry which lost all credibility. Its unrealistic timelines, lack of localized “ownership” of the initiatives, and unattractive programming produced modest, or at best minimal, contributions to democratization.

The international community cannot afford to repeat these mistakes.

Around three-fourths – and possibly more – of the communications media in Bosnia-Herzegovina depend on the financial aid which they receive in the form of marketing and advertisement from state-run as well as private companies.

Speaking in general terms, it can be said that the nationalistic discourse of the 1990s has diminished considerably in the first decade of this new century. However, the media does continue to transmit the intolerable discourses of the politicians. We have heard a lot about Milorad Dodik. When, for example, Haris Silajdžić, the leader of the Bosnian-Muslims, criticizes Milorad Dodik, the leader of the Bosnian Serbs, and accuses him of destroying Bosnia-Herzegovina and pursuing a policy of separatism for the Republica Srpska, he is also indirectly criticizing those who support Dodik. And vice-versa.

I am not saying that Milorad Dodik is not a separatist. He is. He recently declared that Bosnia-Herzegovina is only a name, and that his true homeland is Serbia. I am simply pointing out the collateral effects which political discourses can have in the media.

The directors of the various media as well as the editors and journalists have opted for a form of self-censorship. They are not willing to confront the politicians at any level because they are afraid of losing financial contributions and support in the form of marketing, as mentioned earlier.

As always, and without a doubt, there are always exceptions to the rule. One example is the very respected and professional weekly, «Dani» from Sarajevo. Another is the paper, „Nezavisne novine” from Banja Luka which is directed by a very respected journalist named Željko Kopanja. He lost both legs in a bomb attack for having written and published stories about the war crimes committed by his countrymen in Srebrenica and in other parts of Bosnia. Without a doubt, we would also be able to find a Croatian media in Mostar which serves as an example for the promotion of peace, the process of reconciliation and the construction of civil society.

On the other hand, a very recent development is a very good example of how the media can contribute to consolidate society. All the different types of media – from the electronic to the traditional print – are enthusiastically reporting about the successes of the National Football Team of Bosnia-Herzegovina, led by the charismatic and successful Croatian coach, Miroslav Ćiro Blažević. If Blažević and his team achieve their goal – to qualify for the Football World Cup 2010 in South Africa – this will obviously also be a success for the media which are closely following and accompanying this project. This is not only a sports event, but also a cultural and political one.

None of the projects introduced and carried out by local politicians or by foreigners in Bosnia-Herzegovina have been able to produce the kinds of results which these football matches, since Blažević has become coach, have. All of a sudden we see all of Bosnia celebrating each goal – whether it is scored by a Serb, a Croat or a Bosnian Moslem.

If Bosnia-Herzegovina manages to qualify for the World Cup in 2010, this will, without a doubt, definitely be “Bosnia’s year” – as the title of this workshop suggests!

What lessons have we learned in the past years in the region? What can be done to help establish a healthy media, which will not only be an instrument for peace-building in this post-conflict society, but also lay the foundation for a democratic society?

The following is an analysis based on my experience of three years of living and working as a journalist, an educator and trainer of young journalist, and a media analyst in Sarajevo, from August 1996 to September 1999. It also includes observations made in the almost 15 years I have been studying the role of the media in Bosnia-Herzegovina and in the region. This analysis includes guidelines for donors and implementers, as well as some general lessons which have been learned:

## **Donors**

Donors must avoid the temptation to parachute in projects of their own design. It is far more effective to fund the process of working with indigenously owned and operated media sources on a sustainable basis.

In emerging democracies, basic journalism skills and the diversity of outlets may improve long before the countries themselves are fully independent. It is also true that a democracy cannot function without a free media. With reference to Bosnia-Herzegovina, this means that until the country's media is functioning in a good and healthy way, they will not be able to create a stable democracy.

International donors must also be aware of the fact that local media operators may be working under prolonged local constraints and pressures to advocate certain interests and positions. The difficult position of those who make an effort to defy these pressures must be understood and supported.

- Anticipated results should be defined with the local people who are involved in the specific project. They are the partners who must continue the work after the original intervenors are gone. To do so, they must believe in the project.

- The faster the journalism codes of conduct and the state's mechanisms of media regulation and protection are in place, the sooner all interest groups can benefit from the rights and obligations of the media. Reforming legislation will help produce long-lasting institutional change.
- Ideally, non-governmental donor organizations should be involved in similar work in their home country. This is important in order to be able to avoid charges of hypocrisy or condescension.
- It is a significant advantage if other non-governmental organizations are willing to cooperate. Coordination, information-sharing and the appropriate distribution of services and equipment, are essential.
- Language skills are vital. Team members should speak the languages used by those members of society who are or have been in conflict.
- There needs to be a sense of ownership of the programmes by the audience itself. If what the media project offers does not interest or is not relevant to its audience, it will fail.
- It is crucial for projects to be as transparent and accessible as possible in order to avoid accusations of partisanship.
- Relations with local authorities need to be carefully monitored. In an environment where the authorities are hostile, a respectful but distant position should be maintained.
- Poorly paid media workers are vulnerable to bribes and biased reporting and are therefore a major deterrent for a free media. Adequate pay and respect for independent journalism are essential to any project's sustainability.

## **Conclusion**

Without committed local interest groups, peacebuilding interventions are likely to fail. It is also true that the media's influence alone is insufficient to produce the changes necessary for a society's reconciliation, stability and security. Media initiatives must work closely with other actors and initiatives, must be timed appropriately, and must demonstrate patience and longevity.

At the same time, however, other initiatives such as emergency relief, democratic development, health and education must recognize that they also benefit from media initiatives which focus on conflict reduction. The potential for synergy is high.

The significance of the media is obvious: It is often among the first elements of a society to be disrupted in an overt conflict.

Even beforehand, parties seek control of the media in order to influence news and opinions for their own interests. The resulting harm has been documented repeatedly. The mass media played a central role in pre-war Nazi Germany, molding popular opinion against Jewish people.

More recently in the former Yugoslavia, Serbian media revived news-reels of decades-old conflicts and atrocities as part of a campaign of propaganda and hate mongering disguised as news. This was done to motivate popular sentiment against Albanians and others.

However, as mentioned earlier, the media is a double-edged sword and also has the ability to create and influence positive change. A reliable, diverse and independent news media in Bosnia-Herzegovina, as in every post-Yugoslav country, has a great potential for contributing to conflict resolution, reduction and preparing the way for true democracy.

The international community should not forget the power of the media. They should not overlook the few small, independent, non-profit medias in Bosnia-Herzegovina and the rest of the region who are bravely raising their voices and who are dedicated to helping consolidate civil society.

# **The Role of Education for Sustainable Peace-Building<sup>1</sup>**

*Wolfgang Benedek*

## **Introduction**

The challenges of reaching self-sustainability in a post-war environment include the role of education, which has often been neglected in the past. In the case of Bosnia and Herzegovina, for instance, it took many years until the importance of a reformed educational sector in line with European standards has been recognized. For economic development and for state-building, for overcoming ethnic divisions as well as for meeting the future challenges of European integration, reform is essential. The historical legacy of the Dayton Agreement is a burden for these necessary reforms. However, there are also examples of best practices, where NGOs like World University Service (WUS) Austria in cooperation with local partners were able to contribute towards better quality education which helps Bosnia and Herzegovina develop the human resources necessary for building its future and for countering the brain drain due to the 1992-1995 war.

## **I. The Dayton Agreement: Education Sacrificed to Ethno-National Interests in Bosnia**

### **1. Decentralization**

The main purpose of the Dayton Agreement was to end the war. For this reason important principles and institutions were sacrificed and this had a very negative effects. In particular, the competence for culture and education was decentralized and the Ministry for Education was abol-

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<sup>1</sup> The author would like to acknowledge the helpful comments received from Admir Kovačević, director of WUS Austria and Dino Mujkić, head of office of WUS Austria in Sarajevo.

ished. The Dayton state structure allowed a weak state with two entities and the district of Brčko to emerge. One of the entities, the Federation of Bosnia and Herzegovina, was sub-divided into ten cantons, and the units given a general competence for education including higher education, which they could hardly live up to. Each canton had to draft new laws on education, including also laws on higher education even if it did not have a university. The outlets of the University of Sarajevo in Zenica and Bihać became separate universities, while the University of Sarajevo was divided between the University of Sarajevo in the canton of Sarajevo and the University of East-Sarajevo in adjacent parts of Sarajevo (like Lukavica, where the Faculty of Electrical Engineering was taken over and in Pale), where the government of Republika Srpska was located during the war as well as in a number of other places like Foča, where the Faculty of Medicine was located.

The University of Mostar which had been divided already during the war between the so-called „Sveučeliste” („University”) of Mostar, which remained in the original premises in Mostar West and the University of Džemal Bijedić, which was the original name of the University of Mostar, but which has to be relocated to the Eastern part of Mostar where it was hosted in former military barracks. In spite of efforts of reunification, which was also discussed in the framework of the Higher Education Committee of the Council of Europe, this situation became permanent after the end of the war because the Croatian side claimed that there was a need for a university in Croatian language. Therefore the non-Croatian teachers and students had to continue to study at the University of Džemal Bijedić, where courses were held in Bosnian. Only few exchanges of teachers between the two universities took place, because the „Sveučilište” was supported from universities from all over Croatia (by sending teaching staff) and by the Croatian government with material support, whereas the Džemal Bijedić University was assisted by the University of Sarajevo and other universities with teaching staff. Without the massive support of Croatia, which still continues – because Croatia sees it as a national interest to preserve its culture in Bosnia and Herzegovina – two universities in one relatively small city could not have been viable. Today, the situation has normalized and the two universities co-exist

peacefully side by side and exchanges of teachers and students have increased.

This example shows that a new principle emerged after the war, which had – ironically – also been one of the motivating principles of the warring factions, namely the principle of ethnicity.<sup>2</sup>

## 2. Ethnicity

Ethnic purification was one of the war aims in particular of the belligerents. It replaced the principle of a civic culture, in which every citizen have the same rights. The new Dayton constitution, however, foresaw that numerous rights were connected to the membership in one of the constituent peoples, i.e. Serbs, Bosniaks or Croats, like the power to declare an issue a vital interest in the parliament and thereby block it from adoption or to stand for elections as a member of the presidency of Bosnia and Herzegovina. Again, this principle of ethnicity was accepted in order to make peace sacrificing the former egalitarian approach of the Yugoslav state, which had tried to overcome the principle of ethnicity by a common Yugoslav citizenship.

Ethnic purification was not only largely achieved, but the Dayton Agreement froze the social divisions in place. This affected the organization of education, bringing *apartheid* at primary and secondary education levels. For example, the students of one ethnicity would go to school in the morning and the other would go in the afternoon. In a few cases, the same teachers would be used for lack of sufficient teaching staff. As a matter of clarification, it should be said that the differences between the Croatian and Bosnian or Serbian languages are rather slim and students understand lectures in both languages without difficulty. But a language also has cultural connotations and is crucial for creating ethnic identity, which made it so important for the proponents of sepa-

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<sup>2</sup> See Chandler, David, *Bosnia, Faking Democracy after Dayton*, (London: Sterling, 2<sup>nd</sup> ed. 2000) and Haller, Gret, *The Limits of Atlanticism, Perception of state, nation and religion in Europe and the United States*, (Oxford: OUP, 2007).

rate education. Certainly, religion also plays an important role: Croats are usually Catholics, Bosniaks are, at least culturally, Muslims and Serbs are generally Orthodox.

### **3. The Role of the International Community**

The role of the international community in this respect was of a divided, partly contradictory nature: On the one side it largely accepted the principle of ethnicity in practice and on the other side it made efforts to overcome the same principle by various measures, for example towards integrated schools. It accepted the principle of ethnicity by accepting the right of ethnic groups to use the school books of, and to entertain close relations with, neighboring countries, where the majority of the ethnic group was living. Accordingly, Croat children in Croat classes in Bosnia-Herzegovina learn from Croat school books imported from Croatia and Serb children are using Serb books from Serbia, while the Bosniak children were learning from books produced in Bosnia and Herzegovina. Children from mixed marriages therefore had to make a choice which forced them to join one of the ethnic groups and thus establish their cultural identity. The Office of the High Representative (OHR) did not consider the issue important enough to maintain a sizable unit for education but soon left the responsibility for this field to OSCE which, in a bit atypical way for this organization, became a major player in the field of education. The Council of Europe also got involved, in particular through programmes of education for democratic citizenship in which it worked partly in rivalry, partly in cooperation with US-funded efforts of civic education. The importance of education in general and higher education in particular, was originally neglected by entity authorities and international financial institutions alike.

Therefore overcoming ethnic division was always declared a priority of the international community did very little in practice for the education system. In addition, a problem of quality assurance evolved with the growing number of private universities.

The ethnic approach also had implications on the quality of education, which additionally suffered from the fact that teachers travelling around

gave their classes at different universities, but were hardly available for supervising students or doing research. This poor quality of education together with the limited prospects of economic development resulted in a continuous phenomenon of brain drain, which had already started during the war, when refugee students were pouring out of Bosnia and Herzegovina in order to continue their education elsewhere while their universities were under siege or being shelled. After the war the conditions were very poor and reconstruction took time. However, there was also the problem of the quality of the education provided by some teachers which had been employed because of their ethnicity rather than their qualities which generated a continuous exodus of some of the brightest minds among the students. Several opinion polls, like the ones in the report of the International Commission on the Balkans of 2005<sup>3</sup> showed that more than 60 % of the students would leave their country in order to get their education elsewhere if they only could.

## **II. Overcoming Ethnic Divisions**

There were, however, a number of remarkable efforts to counter ethnic divisions, which can be reported from all levels of education and in which non-governmental organisations like WUS Austria played an important role. A few examples should suffice to illustrate these initiatives.

### **A. Higher Education**

#### **1. World University Service for the Whole of Bosnia and Herzegovina**

The experience of World University Service in Bosnia and Herzegovina can serve as an example how existing divisions can be overcome. World University Service (WUS) Austria started to operate in Bosnia and Herzegovina in 1994, when it established its Sarajevo Office in a damaged building in Titova street, which was later transferred into the Rectorate building of the University of Sarajevo. As an Austrian NGO based in

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<sup>3</sup> See International Commission on the Balkans, *The Balkans in Europe's Future*, 2005.

Graz, it could operate as an international humanitarian organization and in fact its first activities were largely humanitarian, i.e. delivery of books and journals, of equipment, computers and copying machines, even the payment of the salaries of university staff in lieu of the state (for the Universities of Sarajevo, Mostar-East and Tuzla in the Federation of Bosnia and Herzegovina). However, WUS Austria soon extended its activities to the Republika Srpska, where another office was opened in Banja Luka, and eventually cooperated with all public universities of Bosnia and Herzegovina. One programme concerned joint projects from teachers of different universities of the still divided country, which worked perfectly well and allowed academics to re-establish their contacts or to make new ones across ethnic lines.

Soon efforts were made to also establish a local WUS organisation, which was to operate in the whole of Bosnia and Herzegovina. This proved to be quite difficult because of the existing regulations regarding registration. In spite of the clear priorities of the international community to see NGOs operating across internal borders, it left it to the local politicians to work out a proper NGO law, which was only ready by the beginning of the new millennium.<sup>4</sup> Nonetheless, WUS managed to bring together academic teachers from all universities in Bosnia and Herzegovina to form a board and create together Svetski Univerzitetski Servis – World University Service Bosnia and Herzegovina in April 1999. However, it decided to also continue the activities of WUS Austria, because they proved to be instrumental for certain services where the local committee had difficulties overcoming internal problems, which is the situation until today. With the help of the Austrian Foreign Ministry, and later on the Austrian Development Agency and its programme for cooperation with South-Eastern Europe, WUS has been able to assist the public universities of Bosnia and Herzegovina with a number of programmes, ranging from supporting centres of excellence, printing new books, sharing information on academic opportunities, increasing mobility and countering the brain drain by a “brain gain” programme, which

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<sup>4</sup> See Živanović, Miroslav, “Civil Society in Bosnia and Herzegovina: Lost in Transition”, in: Benedek, Wolfgang (ed.), *Civil Society and Good Governance in Societies in Transition*, (Belgrade, 2006), pp. 23-53.

brought former professors of universities in Bosnia and Herzegovina back to give lectures and courses and share their experience. Furthermore, two student centers were created, one in Sarajevo (ACCESS – Academic Cooperation Centre for Students in Sarajevo) in 2000 and one in Banja Luka (EXIT) in 2003<sup>5</sup> which offer pertinent information on study opportunities and scholarships abroad as well as summer programmes, and serve as a meeting place to people interested in higher education in Bosnia and Herzegovina. Furthermore, WUS Austria has been supporting all eight public universities in Bosnia and Herzegovina in curriculum development. It has been guiding and supporting the establishment of a Quality Assurance system, the establishment of research and development structure and the innovation management system at all eight public universities. Through a variety of capacity- and institution-building measures, WUS Austria has supported student unions in Bosnia and Herzegovina as well.<sup>6</sup>

## 2. Creation of Human Rights Centres at Universities

Another approach to overcome ethnic divisions was the creation of human rights centres in Bosnia and Herzegovina. The basic idea was that although the Dayton Agreement had human rights very high on its agenda and a number of institutions were created in order to deal with complaints against violations, there was no institutionalized way or place to re-establish a civic culture. The project started as a project of WUS Austria and later was taken over by the European Training and Research Centre for Human Rights and Democracy (ETC), also based in Graz, Austria, after its creation in 1999.<sup>7</sup> The first such human rights centre was established at the University of Sarajevo, where it found its premises in the Law Faculty. However, it was made clear from the beginning that it should serve the whole university and thus was not a part of the Law Faculty, but an institution of the University. A launching conference, which was attended by human rights experts of the international community present in Bosnia and Herzegovina, European experts as

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<sup>5</sup> See <<http://www.exitcentre.org>>.

<sup>6</sup> For more information see the website of WUS Austria, <[www.wus-austria.org](http://www.wus-austria.org)>.

<sup>7</sup> See <<http://www.etc-graz.at>>.

well as local experts was organized already in 1996 around the human rights day and is documented in a pertinent publication.<sup>8</sup> Similar centers were then created at the universities of Banja Luka and, with the help of the Council of Europe, also in Mostar, where it was possible to set up a human rights centre in the so-called „central zone” allowing it to serve both universities as well as the whole community of Mostar. The Human Rights Centre of the University of Sarajevo today is located at ACCESS, while the centre in Mostar is operating from a private apartment to which it had to withdraw when the support of the Council of Europe was discontinued. The Human Rights Centre in Banja Luka stopped its operations after the loss of its director, Ljiljana Mijović, to the European Court of Human Rights. However, the Human Rights Centre at the University of Sarajevo had gained a reputation as one of the best in the Balkans.<sup>9</sup> It serves also the master programmes organized at the Centre for Interdisciplinary Post-graduate Studies next to ACCESS, which runs for example the European Regional Master Programme for Democratisation and Human Rights bringing together students from all over Bosnia and Herzegovina, but also other South-East European and European Union countries.

### 3. Human Rights Education at All Universities

One project implemented was to promote human rights education at all universities, by the joint elaboration of a textbook for human rights education, which would be used at all universities, the “Čitanka ljudskih prava”.<sup>10</sup> The articles were contributed from experts of human rights from Sarajevo, Banja Luka as well as Mostar, but also from the European Union, who had cooperated on this project. The texts were set in local languages and English in order to make them usable to the widest audience. The book also contained relevant local materials for the con-

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<sup>8</sup> Benedek, Wolfgang et al (ed.), *Human Rights in Bosnia and Herzegovina after Dayton, From Theory to Practice*, (The Hague: Martinus Nijhof Publishers, 1999).

<sup>9</sup> See <<http://www.hrc.unsa.ba>>.

<sup>10</sup> Bakšić-Muftić, Jasna and Mijović, Ljiljana (ed.), *Čitanka Ljudskih Prava*, (Sarajevo: Centre for Human Rights of the University of Sarajevo, 2001).

venience of teachers and students making it relevant in all participating universities providing a basic introduction to human rights.

The issue of human rights education was widely discussed regarding the approach to be taken, i.e. whether there should be an obligatory introductory course for all students or whether it should rather be dealt with as a cross-cutting issue. The latter proved to get more support, because a general subject of human rights would have risked to become a subject which students did not do out of interest, but as a necessary obligation, which is never popular with students.

## **B. Primary and Secondary Education**

The international community focused on primary and secondary education, which, as outlined above, was largely organized along ethnic lines with the notable exception of schools in Sarajevo or Tuzla. In addition, the curriculum, which was partly outdated and tendentious, suggested that

the current fractured system, in which students learn according to several biased, ethnically-colored curricula, and are therefore either assimilated or segregated, is having the effect of creating three separate sets of citizens, each ignorant and distrustful of the “other”.<sup>11</sup>

### **1. History Project**

In order to deal with a biased perception of history, several projects were launched in the context of the Council of Europe as well as the Stability Pact supported by the European Union in form of the so-called “Graz Process”. The purpose was to review the history books in schools in order to find common ground and to eliminate everything which could instigate to hatred or to a distorted version of history. Ideally, a common conception of history was to be furthered, which, however needs more time. This project, in which also experts from Austria and other coun-

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<sup>11</sup> See <<http://www.oscebih.org/education/?d=2>>.

tries were involved proved to be very difficult, but was also quite successful.<sup>12</sup>

## 2. Teacher Training: Civitas and Council of Europe

Of crucial importance for primary and secondary education is the field of education of teachers, which after the war had to be retrained as they had either been educated in the communist Yugoslavia or during the war under very difficult circumstances. One major concern of the international community but of Bosnia and Herzegovina as well was to offer civic education as a contribution to building the society and the state, if not the nation, of Bosnia and Herzegovina. The Council of Europe took the lead by organizing numerous trainings on education for democratic citizenship while the American organization Civitas, which worked first in competition and later in cooperation with the Council of Europe, offered civic education. These training activities were of utmost importance in creating a new generation of students familiar with democratic values and basics of human rights. However, they had their limitations with regard to the range of the training to be offered to the large number of teachers who would have needed such training. Anyway, these programmes also made important contributions to overcoming ethnic division, in primary and secondary education.<sup>13</sup>

## 3. OHR and OSCE

The Office of the High Representative, since the start of its activities, had a unit which covered all levels of education, but was chronically

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<sup>12</sup> See Promitzer, Christian, “Whose is Bosnia? Post-communist Historiographies in Bosnia and Herzegovina”, in: Ulf Brunnbauer (ed.), *(Re)Writing History. Historiography in Southeast Europe after Socialism*, (Münster, 2004), 54-93.

<sup>13</sup> See Bender, Christof, “Bosnia and Herzegovina, Searching for a Strategy ...: Multiethnicity, Tolerance and National Sterotypes in the Education Systems of Bosnia and Herzegovina”, in: *Education and Media in Southeast Europe: Country Reports*, <[http://www-gewi.kfunigraz.ac.at/csbsc/country\\_reports/Education\\_Bosnia.htm](http://www-gewi.kfunigraz.ac.at/csbsc/country_reports/Education_Bosnia.htm)>; see also civitas@BiH at <[www.civitas.ba](http://www.civitas.ba)> and Council of Europe, Education for Democratic Citizenship, <<http://www.coe.int/t/dg4/education/edc>>.

understaffed. Therefore it could hardly follow what was going on and only had a limited impact. The major initiatives were taken by local authorities. However, there existed also a kind of parallel coordination meeting of all actors in the field of higher education, which started during the war and continued for some time. In this respect NGOs like WUS Austria played a major role from 1997 to 2000 as chair organization of the Task Force on Higher Education (HE), then from 2000 to 2007 as co-chairing organization together with SUS BiH for the NGO Committee of HE in Bosnia and Herzegovina and since 2007 as co-chairing organization together with SUS Bosnia and Herzegovina for the Higher Education Cooperation Board.

The OSCE took over the mandate from the OHR in the field of education after OSCE had largely accomplished its role in organizing elections in post-conflict Bosnia and Herzegovina. Therefore, the new competence was seen as partly compensating the loss of its role in this field. OSCE committed itself first to address ethnic divisions on the primary and secondary levels of education, and then also to develop its role in higher education.<sup>14</sup>

### **III. Future Challenges**

There are several challenges facing education for sustainable peace, in particular the need for significant reforms and quality assurance for all levels of education as well as the agreement on common curricula. The international community, in particular the European Union can be a major actor in this respect in providing incentives and assistance. More specifically, education in the form of human rights education and peace education can also make important contribution to sustainable peace.

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<sup>14</sup> See <<http://www.osce.org/education>>.

## **A. Reform of Higher Education**

The period of decentralization of higher education had the expected negative effects. As there was no institution in the country to look after quality assurance, accreditation, comparable levels and harmonization of studies, a number of problems arose. Students who had started their studies in one university did not get their courses recognized in another university of Bosnia and Herzegovina. The cantons were eager to enlarge their universities by setting up new faculties often without a minimum staff which led to an erosion of standards. One example in case is the University of Tuzla, where the Law Faculty of University of Sarajevo had started an outlet while the University of Tuzla was eager also to set up its own Faculty of Law. Both had hardly the resources for law studies at a minimum level and still were competing with each other. This phenomenon shows that academic freedom and university autonomy can also have negative effects. While it is necessary on the one side to assure freedom of teaching and research and protect the university against state influence, academic freedom and university autonomy can also be misused in order to offer programmes at very low standards and set up studies without adequate staff and infrastructure. Therefore the issue of quality assurance became all important.

### **1. Centralization: New Higher Education Laws at State and Cantonal Levels**

In view of the problems in higher education, efforts were undertaken to recentralize higher education at the state level and for better standards through regulations at the entity and cantonal levels. A new law on higher education was adopted at the state level in July 2007 after several years of opposition in particular from Republica Srpska and the Croat community.<sup>15</sup> The law gives the Ministry of Civil Affairs the mandate to look after education, in particular higher education, but it was provided with only a very limited staff.

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<sup>15</sup> See <<http://www.oscebih.org/documents/12893-eng.pdf>>.

The Framework Law on Higher Education prescribed institutional autonomy and envisaged a six month deadline for introducing models of integration at all eight public universities in Bosnia and Herzegovina. Specifically, all responsible government levels were given a six-month period to align their Higher Education Laws to the new state Framework Law on Higher Education. Unfortunately, this task at the time of writing has only partially been implemented.

The current situation in BiH higher education is highly heterogeneous. Universities differ in terms of legislative frameworks, integration and autonomy levels and consequently also reform directions and processes.

Table 1:  
Overview of university legislation and integration status in Bosnia and Herzegovina

University	Responsible government level	Existence of a new Law aligned with Framework Law on HE	Status of integration	Expected date of integration
University of Banja Luka	Republic of Srpska	Yes (July 2006, later amended to fit the Framework Law)	Integrated	
University of Bihać	Una-Sana Canton	No Law	Non-integrated	?
University Džemal Bijedić in Mostar	Herzegovina-Neretva Canton	No Law	Non-integrated	?
University of East Sarajevo	Republic of Srpska	Yes (July 2006, later amended to fit the Framework Law)	Integrated	

University of Mostar	Livno Canton Posavina Canton, Central Bosnia Canton, Herzegovina-Neretva Canton, West Herzegovina Canton	No Law	Non-integrated	?
University of Sarajevo	Canton Sarajevo	Yes (December 2008)	Non-integrated	December 2009 <sup>16</sup>
University of Tuzla	Tuzla Canton	Yes, July 2008	Integrated	
University of Zenica	Canton Zenica-Doboj	Yes (March 2009)	Integrated	N/A
<b>Legend</b>				
Integrated university <sup>17</sup>				
Non-integrated university, no law				
Non-integrated university; integration foreseen by new law				

The new higher education law foresees also a Centre for Information and Recognition of Documents as well as an Agency for Development of Higher Education and Quality Assurance. Pursuant to the Framework Law on Higher Education, the Agency for Development of Higher Education and Quality Assurance (QA Agency) was established in December 2008...

and now is in the phase of staffing and preparation of internal documents in Banja Luka. Criteria and procedures for external reviewing and accreditation, and selection of national and foreign experts, in accordance

<sup>16</sup> According to the Cantonal Law on Higher Education passed in December 2008, the University of Sarajevo was given one-year to integrate.

<sup>17</sup> To achieve full university integration, a number of functions and segments need to be integrated; currently university integration in Bosnia and Herzegovina higher education mostly encompasses financial matters (abolishment of faculty accounts and centralized coordination of finances based on a single university bank account) and abolishment of a faculty's legal status within a university.

with ESG [editor: European Standards and Guidelines], are under adoption. We may say that the stage of implementation of BiH external QA system is at the very beginning.<sup>18</sup>

The QA Agency in Bosnia and Herzegovina, as a young institution, has still not achieved full compliance with the ESG<sup>19</sup> and consequently has not applied for membership in the European Association for Quality Assurance in Higher Education (ENQA)<sup>20</sup> yet. Despite its recent establishment, swift progress and strengthening of the QA Agency can be expected in the short-term. One of the main drivers of progress will be provided within a SUS BiH program entitled „Strengthening BiH Agency for Development of Higher Education and Quality Assurance – Creating assumptions for BiH QA Agency membership in ENQA”, which will be implemented as a sub-project within WUS Austria’s project “Strategic and Structural Development of QA in Bosnia and Herzegovina 2008-2010”, financed by Austrian Development Cooperation and the Liechtenstein government.

## 2. Strengthening the Rector’s Conference of Universities in Bosnia and Herzegovina

With the regression of Bosnia and Herzegovina away from European integration, the European Union got increasingly interested in the future of higher education in Bosnia and Herzegovina and offered funds for improving existing structures. One major project in this context was the strengthening of the conference of rectors of Bosnia and Herzegovina, which existed since the war, but in a very loose way. The practice was to rotate the chair of the Rector’s Conference among the public universities of Bosnia and Herzegovina and give the responsibility for all business of the conference to its chair, which was presiding for one year. Accordingly, in spite of several efforts of the Council of Europe and other parts of the international community the Rector’s Conference was only partly

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<sup>18</sup> *BiH National Report on Higher Education: 2007-2009*, p. 20

<sup>19</sup> European Standards and Guidelines, forming part of Quality Assurance in the Bologna process.

<sup>20</sup> See <<http://www.enqa.eu>>.

able to deal with the pressing needs of higher education in Bosnia and Herzegovina, one of them being the integration of universities which still largely operate as an association of independent legal units, i.e. the faculties, resulting in many duplications and making coordinated reforms impossible. However, the eight public universities in Bosnia and Herzegovina were divided on the issue of the role of the Rector's Conference.

The University of Mostar (Sveučilište) was in favour of continuing the informal association claiming that a similar approach was prevailing in Croatia. The University of Banja Luka also saw little interest in strengthening the body, which could have resulted in an obligation to implement joint decisions for the whole of Bosnia and Herzegovina. The other universities were largely ready for a stronger cooperation, but only if the problem of resources for a secretariat of the Rector's Conference could be resolved. To provide advice in this situation the German Academic Exchange Service (DAAD) in cooperation with the German Rector's Conference and the Austrian Ministry for Science and Research won a project funded by EU for strengthening the Rector's Conference. A number of joint sessions as well as visits to all BiH universities took place and papers were elaborated half-heartedly. However, the Rector's Conference is also foreseen as an institution in the new higher education framework law which should allow it to have a stronger role in the future.

### 3. Introducing Bologna Standards

A major issue in the reform of higher education in Bosnia and Herzegovina and across Europe are the so-called „Bologna standards”. Efforts of the European Union to create a European space for higher education with similar standards and increased mobility forced also the universities in Bosnia and Herzegovina to reform their studies as well as their curricula. WUS Austria has contributed to this process by managing several projects in the framework of TEMPUS on the reform of curricula, in particular in the field of law studies. In parallel to that also the Council of Europe has undertaken a project on the reform of law faculties in Bosnia and Herzegovina. Given the similar problems, which exist at all

faculties this has resulted in a good cooperation between the faculties. However, not all of them finally engaged into the reforms. For example, the law faculty of University of Mostar (Sveučeliste) is not ready to introduce the Bologna model of Bachelor and Master Studies, which in Bosnia and Herzegovina generally means 4+1 years, but followed the University of Zagreb law faculty, which had strangely opted for 5+0. However, also other elements of the Bologna process from strengthening mobility to the harmonization of curricula have been implemented only in a very limited way. Again the higher education framework law has to play a role in this respect.

## **B. Primary and Secondary Education**

With regard to primary and secondary education, the problem of ownership for the curricula still remains. As it is the cantons which have the final word, there are at least three curricula if not more and the issue of harmonization is still high on the agenda of the international community, which also gives considerable support. However, it is always difficult to decide to what extent the international community should get involved and to what extent ownership of the local actors should be respected.

## **C. Human Rights and Peace Education**

### **1. European Master Program on Democratization and Human Rights**

The European Master Programme on Democratization and Human Rights has been set up in 2000/2001, as a cooperation of three European Union universities and a number of universities from all countries of the Western Balkans. The main responsibility for the programme lies with the University of Sarajevo and the University of Bologna, which both recognized the programme of master studies. The teachers and the students thus come from all participating universities. The programme which is divided in five clusters looking at all aspects of the topic<sup>21</sup> en-

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<sup>21</sup> See for the European Regional Master's Degree in Democracy and Human Rights in South-East Europe (ERMA), <<http://www.cps.edu.ba/ENGLESKI/ermaprogramme.html>>.

compasses twelve months including seven weeks of practice with an NGO or other relevant institution in the region but not in the home country, and six weeks at the University of Bologna, normally at its campus in Bertinoro, where the students finalize their Master thesis. What is interesting about the composition of students is that they do not only come from the region of the Western Balkans or the European Union, but there are also regularly several students from the United States or Canada with a background from the region, who use this opportunity to touch base with their region of origin again. The students come from all parts of the Western Balkans and therefore need to work together across ethnic lines, which hardly creates any problems. After one year they share a unique common experience and become part of an alumni programme which is devoted to building local capacities to engage into the big debates of the region. The 30 or so students who graduate every year are thus an important investment into a sustainable peace for the region and can today be found in all state and non-governmental institutions of the region and beyond.<sup>22</sup>

## 2. United World College in Mostar

The United World College in Mostar was a creation of a number of young students, one of them from the ERMA programme, who, with the support of the international movement of United World Colleges, managed to establish a college which brings together students of secondary education from around the world in the still divided city of Mostar who such make an important contribution for giving an example of joint education across nationalities and cultures. Accordingly, to set up the college in Mostar had a strategic objective and should also be supported for this purpose.<sup>23</sup> This is reminiscent of the abortive European Union Administration of Mostar (EUAM) in Mostar in the 90s.

It should be noted that there are also a number of “European” and “UNESCO” schools in Bosnia and Herzegovina, who have undertaken a

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<sup>22</sup> Association of Alumni of the Center for Interdisciplinary Post graduate Studies (ACIPS), <<http://www.acips.ba>>.

<sup>23</sup> See United World College in Mostar, <<http://www.uwc-ibo.org>>.

commitment to provide “European” education or education according to UNESCO’s objectives. They are often involved in efforts of education for democratic citizenship and usually are having ethnically-mixed student bodies.

### 3. WUS Balkan Case Challenge

Another example of good practice, which is supported by the Austrian Development Agency is the Balkan Case Challenge, organized by WUS Austria since 2001, which consists of a number of competitions, including a Moot Law Court, a business case competition, an ICT (Information and Communication Technology) case competition and a Model European Council. For the finals, the students are working in mixed teams after having passed the sub-competitions in the various countries they come from. Today, sub-competitions take place in twelve countries including Slovenia and Austria and the finals are held in Vienna with more than 140 students from all participating countries. This project not only makes a contribution to provide the students with procedural experience and allow them to network but also makes an important contribution to sustainable peace by overcoming ethnic and cultural barriers. There are also similar projects which help students to cross borders into the Schengen area, which normally can provide insurmountable barriers like the internship programme „Experiencing Europe Serbian Young Professionals in Austria – Zoran Djindjić Internship Programme” organized by WUS Austria with the Djindjić Fund of Serbia, which provides students selected with four months-scholarships for working with Austrian institutions in various fields.<sup>24</sup>

One major obstacle to all these initiatives is the current visa system of the European Union, the requirements for which are often prohibitive for the students, but also academics and creates a major obstacle to educational cooperation. Although the European Union has facilitated visa regimes for educational purposes the actual practice still is very cumbersome with the result that many are discouraged to apply for visa at all. This leads to an isolation of people of countries like Bosnia-

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<sup>24</sup> See <<http://www.wus-austria.org>>.

Herzegovina, which can have negative effects on the attitudes of the young generation towards Europe, because they feel excluded and marginalized. The fact that the visa regime will be opened for Macedonia, Montenegro and Serbia in January 2010 leaves Bosnia and Herzegovina in a particularly delicate situation. Many citizens of Bosnia and Herzegovina have, as members of the Croatian nationality, the right to Croatian passports with which they can travel freely to the European Union. Now, also the citizens of Republika Srpska will easily get Serbian passports with which they then also can travel freely. The ones who will not be able to travel are the Bosniak or Muslim citizens who have been the major victims of the war of the 90s and now will feel victimized again.

It is true that Bosnia and Herzegovina has not fulfilled all the criteria of the European Union for abolishing the visa regime, but this is also partly due to the lack of cooperation of Republika Srpska and the Croat group in the Parliament of Bosnia and Herzegovina which has to adopt a number of pertinent laws. Those groups will benefit from visa free travel anyway and it is the Bosniak group who will suffer from their lack of cooperation. That should not be tolerated by the international community, which is present in Bosnia and Herzegovina through the Office of the High Representative and other agencies, and shares part of the responsibility for the lack of progress in that field.

In this context it should be noted that as a result of the war, there is a large diaspora of people from Bosnia and Herzegovina who suffer from the lack of progress in the abolishment of the visa requirements and have many problems in inviting their relatives and leading normal relations while the Dayton Agreement has foreseen that Serbs and Croats from Bosnia and Herzegovina have the right to engage into „privileged” relations with their neighboring countries in Croatia and Serbia in order to take the existing close interlinkages into account.

The contradictions just shown have contributed to a negative image of the international community in Bosnia and Herzegovina and overshadow the positive achievements gained with the help of the international community over the last 14 years. People who cannot travel freely have a tendency to leave their country more permanently than people who can

come back and go out any time. Therefore, although significant progress has been made in the field of education with positive effects on sustainable peace, there are important issues remaining which need to be resolved if efforts in other fields should be sustainable.

At the same time, Bosnia-Herzegovina is still quite fragile, mainly because of the centrifugal tendencies of part of its constituencies, but also because of international debates which openly discuss the separation of Republika Srpska as a means to reduce the tensions between the two entities. Accordingly, the international community has also to live up to its responsibilities which it has undertaken as part of the Dayton Agreement and to support those active in education at all levels who struggle for European values and European standards as a contribution to sustainable peace.

## **Conclusions**

Education has a crucial role to play for post-conflict reconstruction and societal development in order to contribute to sustainable peace. Civic education or education for democratic citizenship, human rights and peace education are of particular importance to overcome ethnic division. However, the quality of education in general determines the capabilities of a country like Bosnia and Herzegovina in its development from a war economy to membership in the European Union.

Improving the quality of education through reforms and quality assurance mechanisms like accreditation of universities can be confronted with ethnic interests, which in the context of Bosnia and Herzegovina are often indistinguishable from economic interests. The necessary partial re-centralization of higher education at the state level tries to address this problem. However, since the adoption of the framework law on higher education already more than two years have passed and the law has only partly be implemented. This shows how difficult reforms are in the context for an ethnically divided Bosnia and Herzegovina, where each group is pre-occupied with maintaining its influence in the system and the students are the ones to suffer.

As a mitigating force to existing national interests, the international community on the one side and civil society on the other side together with the newly established institutions and the universities need to assure that the problems of the educational sector are properly addressed. International NGOs like WUS Austria help improving the situation of education and thus work against the brain drain and for strengthening international educational cooperation and in this way contribute to the integration of Bosnia and Herzegovina in the European educational space. A lifting of the visa regime is needed if Bosnia and Herzegovina is to be given equal opportunities with neighboring states and to overcome the isolation of students, which is counter-productive to a sustainable peace.

**PART VI:**  
**CONCLUSIONS AND RECOMMENDATIONS**



## **Conclusions and Recommendations**

*Predrag Jureković*

### **General Estimation of the Peace- and State-building Process in Bosnia and Herzegovina**

Since more than three years progress in the peace-building process has been lacking, when the Bosnian and Herzegovine (BiH) parliament in April 2006 failed at deciding a new constitution which should make “Dayton-Bosnia” a more viable state with rational state institutions compatible to a future membership in the EU and NATO. As a consequence BiH remains to be a dysfunctional state – which manifests itself, for instance, in the frequently blocked decision-making mechanism, nationalistic rhetoric and policies as well as in the lack of cross-entity and cross-ethnic cooperation.

The “Prud Process” – a political dialogue started on the future of BiH in 2008 between the heads of the leading Serb, Bosniac and Croat party – raised hope that a political culture of compromise could be developed in this post-war country and that the local actors in BiH could finally become “the owners” of their state as well as of the peace-building process. Apart from the common decision in the parliament of BiH to amend the Dayton constitution by anchoring the status of the Brčko District, concrete political results are missing. The Prud Process itself has shown contradictory signals, being partly discredited by the anti-state and separatist rhetoric of its Serb member, Milorad Dodik, the Prime Minister of the Serb dominated entity, Republika Srpska (RS). Obviously clientelistic interests of the leading politicians in both entities, above all in the RS, prevent BiH from functioning as a “normal” state.

As a consequence of continuing nationalistic rhetoric beside the political and economic field further reforms in the security sector – that have shown some successes in the past – are hindered. This is primarily evi-

dent in the police sector, which is still an area of strong political influence and manipulation. In order to prevent BiH from becoming a failed state, which could then again represent a considerable security risk inside Europe, in all fields of the reform processes effective measures supported by the international actors present in BiH are necessary.

The appointment of a new High Representative for BiH (HR), the Austrian diplomat Valentin Inzko, in March this year could be used as a catalyst for a more pro-active policy of the international actors towards BiH. On the other hand the time slot for inducing such a policy is short-termed bearing in mind that 2010s parliamentary elections will forestall any constructive idea to find a way out of BiHs black hole situation, causing it to fall behind the other countries in the region as far as the integration in the Euro-Atlantic organizations is concerned.

### **Concerning the Political Development**

The leading politicians in BiH seem neither to be willing nor able to achieve an agreement on a proper constitutional framework for this country, which – beside other factors – is a precondition for peaceful interethnic relations and normally functioning state institutions. What is needed is a new contrat social which enables the civil society to contribute more than it has so far to positive changes.

In concrete a constitutional task force could be established by the HR/EUSR that alongside delegates of political parties and legal experts would comprise of civil society representatives. An input of vital civil society groups of this nature would reduce the danger of political manipulation in vital fields and could guarantee that the reforms really meet the interests of the citizens of BiH.

An extended involvement of civil society groups from different parts of BiH in relevant reform processes could enhance solidarity between the different ethnic groups. This would be helpful for delegitimizing nationalistic politics in BiH. As a consequence a real truth and reconciliation process could start.

The initiative for an action plan for BiH has to be launched by the HR/EUSR. His role as a protectorate power with far reaching competencies – the so called Bonn Powers – was terminated de facto in Christian Schwarz Schilling's mandate.<sup>1</sup> What remains is the necessity for the HR/EUSR to act as a driving factor in the state- and peace-building process. This demands a substantial mandate for the future EUSR and a close cooperation between the EU and US government as the most influential international actors in BiH.

There should be a strong single point lead of international assistance and influence in BiH. This has to be the HR/EUSR. All international partners need to agree not to pull in different directions and give contradictory signals. Otherwise the local politicians will take full advantage of such situations and play international actors off against each other.

Such an action plan for BiH beside the mentioned constitutional task force should include: the launching of a broad task force responsible for the social and economic challenges that BiH faces; the changing of the partly discriminatory electoral law in order to guarantee the equality of all citizens regardless of where they live in BiH and which ethnic group they belong to as well as the push for youth programmes. The latter is closely connected to visa liberalisation.

BiH's progress towards EU accession needs to be assessed on the implementation of effective measures not promises, treaties, laws or agreements, as the politicians in BiH know how to play this game. Otherwise EU credibility will drop even lower and future progress will be even slower.

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<sup>1</sup> Although formally still in function the Bonn Powers are not used anymore by the HR as an instrument for influencing actively the peace- and state-building process in BiH. They are regarded as a "last mean" to prevent political radicalization, as demonstrated by the HR's Inzkos decision in June 2009 against a declaration of Republika Srpska's parliament which was considered as "anti-Dayton".

### **Concerning the Economic Development**

In BiH the interplay of a criminalised economy, a weak state, informal security networks and ethno-nationalistic political elites produces a vicious circle. Corruption represents a huge obstacle for economic recovery. As far as the privatisation process is concerned the procedures are not transparent; companies directly linked to the political sphere are privileged.

In order to break this vicious circle the international actors have to change their strategy towards corrupt politicians in BiH. So far, documented corruption was used by the international actors to put political pressure on them to be more constructive in the peace- and state-building process. This strategy has not proven successful. Instead the strengthening of law enforcement agencies is demanded in order to prosecute criminal politicians in BiH for their illegal activities. Bringing criminal politicians from BiH to trial could increase the chances to normalize political relations in this post-war country. Nationalistic mobilization would probably lose its significance as a tool to secure special zones of interest and to maintain clientelistic relations.

### **Concerning the Regional Factors of Influence**

Croatia and Serbia substantially influence ethnic Croat and Serb politicians in BiH. The EU, the US government and NATO should use their influence on the governments in Zagreb and Belgrade for achieving their support in regard to the peace-building process in BiH. Especially the EU could promote a constructive policy of the neighbouring countries (above all of Serbia) towards BiH becoming a core condition for future membership. Due to the fact that the successor of the Stability Pact for South East Europe, the Regional Cooperation Council, is situated in Sarajevo the position of BiH as a centre for regional cooperation should be promoted more effectively.

## Concerning the Defence Reform<sup>2</sup>

Generally the defence reform in BiH can be regarded a success. NATO's support for this reform, the setting of clear standards which are not negotiable as well as the prospect of a future membership of BiH in the alliance has contributed a lot to the formation of single armed forces out of three previously antagonized armies. However, some important tasks have to be performed:

The acceptance of BiH's application to NATO's Membership Action Plan (MAP) by the end of this year would be an additional award for the successful implementation of reforms. It could be also an important signal for some nationalistic political leaders in BiH that the process of state-building is irreversible. BiH's entering into the MAP-process would probably silence those politicians who demand the dismissal of the Armed Forces of BiH (AFBiH).

There is a necessity for NATO to support the MoD in rearranging a very negative budgetary distribution. At present the personal costs are reaching 84% of the total defence budget. For that reason there is almost no money left over for the modernization, appropriate education and training of the AFBiH. Furthermore, a strengthening of the NATO Trust Fund as a support for BiH seems to be appropriate, bearing in mind the forthcoming demobilization of 2,400 officials who will reach the age limit next year ending the service in the AFBiH.

In regard to the critical budgetary situation in BiH more pressure on the local politicians is necessary to adopt the law on immobile and mobile arms property. This would enable the AFBiH to reduce the financial and human resources which are presently needed for guarding the surplus of weapons and for keeping storage locations.

By recognizing NATO's important role in the defence reform process it seems to be reasonable to induce for the AFBiH some mechanisms for

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<sup>2</sup> With special contribution of Mr. Denis Hadžović, Secretary General of the Sarajevo based Centre for Security Studies.

cooperation on the level of the European Security and Defence Policy as well. This could send a very positive signal to the public in BiH that the defence reform is contributing twice – to NATO and to EU integration.

A joint system of Armed Forces demands beside other criteria the establishing of a joint system of military education in BiH. In strengthening the state's role in the field of higher education there is a greater chance for the Esprit de Corps to develop inside the AFBiH. Joint military operations of the AFBiH conducted abroad in the context of UN, EU or NATO engagement could gain efficiency.

### **Concerning the Police Reform<sup>3</sup>**

Aiming to promote, in sense of the EU integration, further police reform, constitutional reform is urgent – the current system is dysfunctional and offers the possibility to block any other effective reforms by small minorities, including any improvements to all the other points below.

Additional efforts are necessary in strengthening state police institutions that are dealing with border control, fighting organized crime and terrorism. Compared to the entity police forces, who offer better conditions for officials, they are disadvantaged. The state police institutions need more staff, better equipment and adequate training. It is necessary to create a better legal regulation of the existing structure as some of the tasks and authorities overlap and are not clearly defined in the current regulation.

Threat assessments of Organised Crime and Corruption (OCC) in BiH are characterized by huge information gaps. They result from political control and influence on the police and prosecutors. No ministry or agency at present has the capacity to formulate an accurate OCC threat assessment for BiH. To improve the situation:

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<sup>3</sup> With special contribution of Mr. Stephen Goddard, Head of the Anti Organised Crime Department of the European Police Mission in BiH.

Properly defined lines of responsibility and accountability between the Ministry of Security and police agencies are required and new OCC strategies with action plans need to be implemented.

A focus on the current limited capacity of the State Investigation and Protection Agency (SIPA) on OCC cases where high level corruption is indicated is required; strong and visible international political support to them (especially those individuals who resist political interference) needs to be provided. Outreach is required to combat the strong voice of the political parties in the local media in this regard. The citizens put great store in media reporting and some balance needs to be restored. Financial independence of the police agencies would limit political (corrupt) interference into operational matters.

The state level law enforcement agencies need to be strengthened and brought to full capacity (provide adequate budgets).

The encouragement (outreach for public accountability) of professional functioning of rank related lines of command, the discouragement and sanctioning of ethnic bypassing of the proper structures of responsibility and the command and promotion of the reform to remove political appointments as well as the huge conflicts of interest this promotes is required.

The laws on the seizure of criminally gained assets to include placing some of the burden of proof on the defence and making it a requirement in all OCC cases for an assets investigation to be ordered by the court/prosecutor need to be strengthened.

More training and international expert co-located mentoring to OCC corruption investigations teams including prosecutors and financial investigators (as expert mentors not with executive capacity) and also to intelligence analysis units need to be provided.

Strong international pressure to stop the political blocking of the establishment of the police reform bodies (law passed May 2008) in particular the appointment of the Independent Board is required.

### **Concerning the Danger of Religious Radicalism**

BiH's weakness as a state maintains and partly extends the influence of radical religious representatives and groups that interfere in the political sphere. Raising BiH's "state functionality" by fighting criminal politicians, strengthening tolerant civil society groups and inducing positive economic development while approaching the EU would bring religion back to where it belongs – to privacy.

### **Concerning the Media and the Educational System as Important Factors in the Process of Peace-building**

The media play a significant role in the BiH peace process. They can either contribute to a relaxation of inner-state relations or can be instrumentalised by nationalistic politicians for negative purposes. While international actors in the first period after the Dayton Accord was agreed paid attention to media development this important sector has been neglected after the removal of the most nationalistic politicians from the political scene. Ca. 75% of Bosnia's media depend on financial support by state or entity institutions. This dependency causes the self-censorship of most journalists. Especially in the Serb dominated entity huge pressure is exerted on the media.

Western donors should again be more active in supporting independent media in BiH. Unprofessional media reporting has led to social apathy in respect to criminal activities of the local politicians.

The role of education in the peace-building process in BiH has been generally underestimated by the international actors. A lot of different curricula present in the educational sector and nationalistic political interference hamper initiatives for educational cooperation inside BiH.

Conceptualizing a strategy of brain gain instead of accepting a situation of brain drain is regarded of high importance. There is big necessity for a further support of educational institutions that contribute to the formation of new elites which strive for interethnic tolerance and cooperation.

Examples for this are the human rights centres that have been established at the universities in Sarajevo, Banja Luka and Mostar.

Projects for primary and secondary education supported by the EU Commission and targeting a common approach to history should be extended to the field of higher education. In the course of approaching the EU in BiH educational policies aiming to freeze ethnic division should be pushed back as far as possible. Otherwise BiH's new generations will not be able to define a common vision for their future. Reform measures inside BiH have to be accompanied by enabling young people from BiH to gain new experience abroad in order to overcome isolation.



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