



In brief: the latest crises in Bosnia

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The fragile unity of the state of Bosnia and Herzegovina is looking ever more precarious. Its complex political structures are designed to prevent the majority from taking decisions that adversely affect other groups, not to produce strong government. Hitherto the system had functioned to a certain extent through the international High Representative exercising his extensive powers; but this role is intended to be temporary, and for many Bosnians its authority and perceived legitimacy have diminished significantly. With both Serb and Croat parties increasingly challenging the legitimacy of Bosnia's central institutions, the 1995 [Dayton Peace Agreement](#) which ended Bosnia's 1992-95 war no longer seems capable of containing the pressures of the deeply divided country. Although analysts generally agree that a return to violence is unlikely, dissolution remains a possibility.

Referendum crisis

The latest crisis was over a planned referendum in Bosnia's Serbian entity, the Republika Srpska (RS), in the spring of 2011. The President of the RS, Milorad Dodik, had proposed a referendum on the legality of a federal court which deals with war crimes, the prosecutor's office and the rulings imposed by the High Representative. The RS parliament agreed. The referendum was potentially a direct challenge to the Dayton Agreement, and the High Representative, Valentin Inzko, threatened to remove Dodik from office if it went ahead. However, Dodik, "ever the master of brinkmanship", postponed the referendum following negotiations with Baroness Ashton, the EU High Representative for Foreign Affairs.

Splits in the Federation

The referendum crisis came at a particularly sensitive time for Bosnia's state institutions. Bosnia's other, larger, entity – the Federation – is at risk of its own internal split. Croat parties in the Federation (unconstitutionally) refused to join a Federation government after the October 2010 elections; the Federation's majority Bosniak party (SDP) then (also unconstitutionally) responded by forming a Federation government without them. Croat parties then created a 'Croat National Assembly' and called for the Dayton Agreement to be revised to include a third, Croat, entity. This constitutional crisis was exacerbated when the High Representative, Valentin Inzko, overruled Bosnia's Central Election Commission which had said that the formation of a Federation government in those circumstances was illegal.

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Still no state government

Moreover, there is still no state government, more than seven months after national elections. Its formation does not look likely any time soon; Inzko has said that the formation of a state government was "almost impossible" and that political parties had "continued to play zero-sum politics". The two leading parties – the Federation's Social Democrats (SDP) and the RS's Party of Independent Social Democrats (SNSD) – have little in common and indeed have been openly hostile to each other.

Football crisis

Bosnia's political fragility even resulted in a recent crisis in football. In April 2011 Bosnia was suspended from FIFA (football's international governing body) because it insisted on a tripartite presidency – one Croat, one Serb and one Bosniak – in its Football Federation, NSBiH, as in politics. But on 26 May 2011 the NSBiH adopted new statutes in line with FIFA's requirements for a single president, and a few days later Bosnia's suspension from FIFA was lifted.

What next?

There are some indications that the Office of the High Representative (OHR) could close later in 2011 or in 2012. The OHR was supposed to have been shut by 2008, with a reinforced EU Special Representative taking the lead co-ordinating role for the international community. Over the past few years, outright supervision has gradually been replaced by conditionality tied to the prospect of eventual EU accession, but Bosnia's EU accession bid appears to have come to a complete halt. In March 2011 EU foreign ministers decided to separate the position of EU Special Representative from that of international high representative, and later announced the appointment of a new ambassador to Bosnia and Herzegovina, Peter Sørensen, a Dane. He is now expected to be appointed EU Special Representative in Bosnia. The re-arrangement is apparently intended to upgrade the EU's presence in Bosnia at a time of political stalemate.

There will also have to be some constitutional amendments, to comply with the 2009 European Court of Human Rights ruling in the case of *Sejdić and Finci*. The Court ruled that the current mechanisms for electing Bosnia's state Presidency and the second chamber of the state parliament (the House of Peoples) were discriminatory because they allowed only Serbs, Croats and Bosniaks to be elected to those bodies (the applicants were Roma and Jewish). However, in view of the difficulty of obtaining political agreement for constitutional amendments, any amendment is likely to be strictly limited to redressing electoral discrimination, rather than part of a larger package of constitutional reforms.

The current crises show that Dayton's system of ethnic quotas is breaking down. As the [International Crisis Group](#) says, "with such trends, it is all too easy to imagine Bosniak parties overseeing a failed state whose institutions Serbs and Croats have abandoned".

Further reading

- International Crisis Group, [Bosnia: State Institutions under Attack](#), Europe Briefing No. 62, 6 May 2011
- Kenneth Morrison, "[Crisis Averted?](#)" *The World Today*, Vol 67 No 6, June 2011
- Office of the High Representative, [Special report to the Secretary General of the United Nations](#), 6 May 2011
- Office of the High Representative, [39th Report to the Secretary-General of the United Nations](#), 6 May 2011
- House of Commons Library Standard Note, [Bosnia's political structures](#), SN5989, 2 June 2011