

Will the next elections in Bosnia and Herzegovina help to solve anything?

Antonio Cortiñas | Officer (Retd.) in the Spanish Armed Forces with diplomatic and military experience in the Balkans.

Theme

On 12 October 2014 Bosnia and Herzegovina will be holding general elections. What can be expected from them? Not much. Neither the people will see their problems solved nor will the EU achieve any of its objectives for the country.

Summary

On 12 October 2014 Bosnia and Herzegovina will be holding general elections. What can be expected from them? Not much. Neither the people will see their problems solved nor will the EU achieve any of its objectives for the country.

Analysis

On 12 October 2014 many will celebrate the fact that general elections are being held in Bosnia and Herzegovina (BiH). This will be the third after the wars of the 1990s. The voters will elect representatives for the country's three administrative levels: the state as a whole, the two 'entities' in which the country is divided and the 10 cantons corresponding to one of the 'entities'. At the state level, they will vote for both the President and the members of the House of Representatives. At the 'entity' level, the Republika Srpska (RS) will vote for its President, Vice-President and members of the RS National Assembly, while the Federation of Bosnia and Herzegovina (FBiH) will elect the members of its House of Representatives. Finally, the FBiH will vote for its 10 Cantonal Assemblies. The OSCE will deploy observers for the elections.

Experience suggests that nothing really out of the ordinary is likely to happen during the elections. The election campaign started officially on 12 September and all should be well: people will vote (although perhaps not many) and observers will report no major failures or problems in the voting process and the electoral commission will cooperate with the OSCE. Many politicians from European nations, or from the EU itself, will repeatedly express their confidence that violence in BiH is at an end and that progress will steadily be made once the economy improves. If that is the case, why worry? However, it might be useful to look at a few reasons that are a cause for concern.

Political and ethnic geographical organisation

The political entity called BiH is the direct result of the implementation of the 1995 General Framework Agreement of Peace (also known as the Dayton Agreement), a treaty that put an end to one of the civil wars in the Balkans in the 1990s, caused by both internal and external factors. Nevertheless, despite the pressure exerted by the international community, local politicians have failed to move forwards in a political sense in the past 20 years and, with only small changes, the BiH 'Constitution' remains as designed in the Treaty. BiH's political and territorial organisation is extremely complex: in an area of only 51,000 square kilometres with a population of 3.8 million and three main ethnic groups (although the official number is 17), the Dayton Agreement recognised 'three constituent peoples': the Muslim-Bosniaks, the Catholic-Croats and the Orthodox-Serbs. Thus, those not declaring themselves as belonging to any of those three 'peoples' are automatically classified under the label 'others'. Dayton furthermore establishes that BiH is made up of two 'entities' –the FBiH and the RS– in addition to the small self-governing Brčko District, which geographically divides the RS in two.

Suffrage is ethnicity-based: BiH's presidency is a three-member institution, with three presidents rotating every eight months and each of the 'constituent peoples' electing their own candidate for the position for a four-year term. At the state level, the many Ministries have, as a rule, one Minister and two Deputy Ministers or Secretaries (with the same ethnic division applying). BiH also has executive, legislative and judicial bodies.

However, the BiH 'state' as such has few responsibilities. Real political power lies in its two main 'entities': the RS, with a Serb majority, and the FBiH, with a Bosniak majority but a substantial Croat minority. Each of the two 'entities' has its own president and ministries, as well as its own executive, legislative and judicial bodies. Furthermore, while the RS is sub-divided into municipalities, the Federation is sub-divided into 10 cantons, each with its own ministers, cantonal assembly and police force. Each canton is further subdivided into municipalities. Foreign visitors note wryly that it is difficult to find someone in BiH who has never been a minister and that to govern 4 million people perhaps it would be sufficient to have just a mayor and some municipal councillors.

Crowning BiH's political architecture Dayton created the 'Office of the High Representative', an international body with the mandate to oversee the Agreement's implementation. The High Representative is a proconsul with extensive powers who can impose legislation or remove officials, although in recent times his prerogative has been used sparingly in order to encourage local politicians to find solutions through compromise rather than by resorting to a higher authority. The position has clearly suffered some wear-and-tear and been manipulated by the country's political class, and 20 years on some even consider it to be part of the problem although others have a vested interest in maintaining it as it perpetuates the *status quo*.

BiH has a large number of political parties divided along ethnic lines, including the few that claim the opposite. In any political discussion, the three ethnic groups have tended to appeal to a threat to their 'national interest' to side-line issues and kill debate. Over the past 20 years, political parties have tended to agree only on not agreeing about almost anything except keeping their seats, lobbying the international community and permanently asking for help. Aid poured into the Western Balkans after the wars, especially into BiH, but has more often than not been diverted into the pockets of local politicians and their client networks. Some local politicians (particularly Ministers of Defence) have been known to paraphrase Clausewitz: 'in BiH, peace is the continuation of war by other means'.

How can such a complex –as well as expensive and corrupt– structure function properly in a country with only 4 million people? The answer is that it does not. Its practical purpose has been to distribute all kind of international aid to a fortunate few, to trade positions for favours –whether contributions from donors or highly lucrative privatisations of state or 'entity' enterprises– or simply to forge mutually beneficial links with organised crime. Voters can see no end to it.

The international community

Besides the institutions created by the Dayton Agreement there are international players also involved in the BiH question, although their number has decreased slightly in recent years. Some of them have expressed doubts about the BiH experiment. Others consider that, in time, the RS should split away from BiH. Most, however, believe a 'united' BiH should be preserved but find the course of events deeply unsatisfactory. Some are openly mistrustful of BiH's political stability and regularly lobby and vote every 12 months at the UN for the renewal of the High Representative's mandate and the continued presence of the EUFOR's 'Operation Althea'. Simultaneously, most international actors are reluctant to actually participate and prefer to have the regional powers (including Germany, Austria, Hungary and Turkey) foot the bill and provide the troops. Only Turkey is willing and committed, with other major powers, in a time-honoured way, preferring to look at the experiment from the outside while retaining a mandate to act if they deem it necessary.

NATO still has a small HQ in BiH that no longer has troops on the ground but devotes itself to the usual after-conflict activities of public diplomacy and information, mainly trying to convince the Serbian population of the benefits for BiH of joining both the EU and NATO. After being bombed by NATO in 1999, Serbian politicians understandably tend to procrastinate and have so far refused the offer.

In July 2011 the EU created the office of the Special Representative to BiH. Located in central Sarajevo in the same building as the German Embassy, its mandate is to achieve the EU's policy objectives for the country: ensuring a 'stable, viable, peaceful, multi-ethnic BiH, co-operating fully and peacefully with its neighbours in the region'. The EU places a great emphasis on the rule of law, security and the

need for coherence with its policies, and has the economy as its goal, with public communication being the key. The EU sees itself as the carrot, believing –quite wrongly– that the local politicians consider belonging to the European club a distinction well above their local quarrels and interests.

There are also many other external players: OSCE, several UN agencies, Embassies, NGOs and GOs. Historically speaking, the Balkans have always been subject to tension, having been known not so long ago as ‘Turkey in Europe’. Different attitudes to lifestyle, culture and everything else derived from considering oneself a Catholic, a Muslim or an Orthodox Serb are still present in daily life. This is not necessarily related to religion but more to its social and cultural implications. It is understandable that Russia and Greece, are not indifferent to the fate of their Orthodox brethren. The same can be said about Muslim countries –like Turkey– supporting the Muslim Bosniaks and other countries –like Germany, Austria, the Vatican and the US– being concerned about the Catholic Croats.

The social aspects

The population’s disenchantment with its politicians is notorious. The current system reinforces their dependence on local bosses, and strictly along ethnic lines. There is no such thing as civil society in BiH, despite some social unrest last year. Unemployment is soaring. Young people see their future outside BiH, in self-employment or working for local strongmen. For those in their 30s or 40s, often with excellent qualifications, the decision is more painful. Corruption is an everyday occurrence, whether in hospitals for basic medical treatment, in the police, the border police or any other individual position of power. The difference between urban and rural areas is appalling. Religion continues to play a fundamental role in the country as in centuries past, with a persistent attachment to very traditional values. It is easy to find residents of the Muslim part of Sarajevo (85%) or, for that matter, of the Serb part, who have travelled to Germany, Austria, Turkey or even the US but never dared to cross into each other’s neighbourhoods, 500 metres away. In the countryside, the wars have turned BiH into one of the most heavily-mined countries in the world. De-mining, if it continue, might easily take up to 30 years.

In the Federation they still enforce the ‘two schools under one roof’ system. Children of the dominant minority in a particular village use local school’s classrooms and main gate while those from minority groups have to use other rooms, other schedules and other entrances. And, of course, they use different textbooks, with different contents, particularly as regards history and language. Serbo-Croat was the official language of the former Yugoslavia, in Latin characters for Catholics and Muslims and in Cyrillic script for Orthodox Serbs. Now there are three official and separate languages: Serbian, Croat and Bosniak.

The generations that lived through the war are too weary and fearful to contemplate the possibility of another one, but there is now a whole new generation that knows little about it. Surprisingly, there is some nostalgia for Tito’s times also in those who

were born after Yugoslavia disintegrated. Unfortunately, hooliganism and a passion for weapons are not uncommon, a problem shared with other Western Balkan countries. BiH has been well provided since Tito's day with all manner of firearms and ammunition. The huge arsenals left over from the wars in the 90s are in private and party hands, as well as in insecure depots. A small difference now is that neighbouring Croatia has been a member of the EU since 2013. Croatia has a frontier of almost 1,000 km with BiH but only three official border crossings and smuggling has been a way of life for centuries. To this can now be added human smuggling, drugs, money laundering and Internet crimes. The mafias in the new countries that arose out of the dissolution of have no problem in cooperating regardless of any political or ethnic considerations: business is business.

Events in July and August 2014

Floods are a recurrent problem in BiH and are a yearly occurrence due to powerful rivers and insufficient civil engineering works. Unfortunately, this year's floods have had devastating consequences. The Assistant Minister for Search and Rescue Operations of the BiH Ministry of Security, Samir Agić, said last month that sadly the existing search and rescue efforts were ineffective because coordination was poor 'due to the way the country is organised' and because 'we have a decentralised law on search and rescue, but the entities have never harmonised'. Furthermore, the recent floods will hinder the current plan for mine clearance operations as they have displaced mines.

During his tour of flood-affected areas the current Chair of the BiH Presidency, Bakir Izetbegović (a Muslim), visited Dobož, a municipality located in the RS, and held a meeting with Dobož's mayor, Obren Petrović. He was accompanied by Christopher Perry, the Commander of NATO HQ in Sarajevo, Zekerijah Osmić, BiH Defence Minister, and BiH armed forces' commanders. They visited the Dobož barracks, a health centre and a soup kitchen established by the *Majlis* of the BiH Islamic Community. Several small villages in the municipality are known to have connections to Muslim extremists and Wahhabi sects, which have so far been alien to the Balkans' Muslim culture.

The President of the RS, Milorad Dodik (a Serb), commented on Izetbegović's visit to Dobož that it was not in accordance with the Dayton Agreement or the BiH Constitution, as it was not supported by a decision of the BiH Presidency. Dodik considered the visit to Dobož a manipulation and politicisation of the role of the members of the Armed Forces during the floods. He also saw Izetbegović's visit as simply sightseeing and useful public relations stunt for the upcoming elections. Izetbegović answered that he would act in the same way on any future occasion. But for Dodik, who is a stickler for complying with the Dayton Agreement and the BiH Constitution, the RS Presidency is the only competent authority to decide on military matters in the RS.

Additionally, the population's perception of crime has not improved. The results of a survey on organised crime recently issued by the Centre for Security Studies of the EU Delegation to BiH show that the population is aware that organised crime in the country is on the rise because criminals can count on the support of both politicians and political parties. As many as 80% of the respondents agreed that the political parties in power were consorting with criminals. The respondents listed drug trafficking, money laundering, human trafficking and car theft as the most common offences, adding that financial crime, tax evasion, illegal arms trafficking and racketeering were also flourishing in BiH thanks to the connivance of those in power. Terrorism has always been an issue in BiH. It is believed that some 350 Muslim Bosnians have travelled to Syria in the past two years, with a number of suicide deaths already confirmed.

Meanwhile, for the international community it is business as usual. Last month, the British Ministry of Defence issued a press release to the effect that additional British troops were to be deployed in BiH in order to 'assist EUFOR to maintain a safe-and-secure-environment over the next six months, including the election period'.

Conclusions

BiH has an ethnic-based and very limited democracy in which the pressure exerted by the international community has forced people who not so long ago were killing each other to live together. It is a post-conflict country, whose inhabitants can have full political rights only by declaring themselves members of one of the three main ethnic groups. Those who do not (whether Jews, Roma or others) cannot stand in the elections. Many citizens of Brcko will not have the right to vote in these upcoming elections due to administrative problems. Conversely, internally displaced people will be given the opportunity to vote either where they live now or where they were living in 1991 (last census).

During the wars, ethnic cleansing was widespread. This has occurred several times in the area over the past 100 years. As the Bosnians say, 'historically the shortest period in between wars among us has been four years, and the longest, 50 years'. Those who fought or had to live through the wars of the 1990s have had enough: they can live together, as long as they do not have to socialise too much. A serious problem is that political parties make a good living out of the stalemate and of exploiting ethnic differences. The availability and abundance of weapons is no help. The enormous areas of arable land that still contain minefields will continue to be a problem for the next 30 years.

The influence of Bosnia's powerful neighbours, Serbia and Croatia, should not be overlooked. It is not the purpose of this paper to analyse either their roles today or how differently they are perceived by the international players involved. Their roles during the wars are not easy to ignore. Nevertheless, they are parties to the Dayton accord's implementation, at least on paper. As a carrot, the EU decided two years ago to remove the visa requirements for BiH citizens to travel to the EU (but not to

work). However, the result was a notorious increase of immigration abuses in several EU countries.

Despite the signing in 2011 of a Stabilisation and Association Agreement between BiH and the EU, nothing further has been achieved with the pompously named 'BiH roadmap to the EU'. Local politicians do not agree on how –or even if– laws in BiH should be aligned with EU standards.

The bottom line is that local politicians have very different views on how BiH should function. Some are openly dubious about the future or the existence itself of BiH: short-term interests and ethnic views prevail.

Consensus is a word that means nothing in BiH. Overlapping responsibilities at the state, 'entity', cantonal and municipal levels are a heavy economic burden, particularly in the FBiH. Corruption is rampant and nothing has really been achieved in the fight against organised crime and money laundering. Despite agreements, the processing of war crimes is lacking impartiality and accountability, despite all the money provided for that purpose by the EU through the Instrument for Pre-accession Assistance (IPA). There have been several cases of journalists being harassed and intimidated. The Bosnian economy is contracting and having Croatia, its main neighbour, in the EU has helped much in economic terms. The reality is that BiH is an artificial state in which two quite completely different political 'entities', the FBiH and the RS, are pursuing divergent political goals. Given these structural conditions, how can the 2014 elections in BiH help to resolve any of the country's problems?