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# **BOSNIA AND HERZEGOVINA AT THE CROSSROADS**

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# Introduction

Bosnia is a former Yugoslavian state that gained independence from the larger state of Yugoslavia as a result of a war that lasted from 1992 to 95. The war was fought over 3 years and 8 months among the Bosnian Serbs who aligned with Yugoslavia, Bosnian Croats, and Bosnian Muslims. The war ended with a peace agreement, the Dayton Agreement, setting the terms for a ceasefire and withdrawal of forces, boundary-related issues, elections, and the Constitution of the newly formed state. The agreement managed to reduce this conflict from a three-party conflict to a two-party conflict. The state that resulted as a product of the Dayton agreement was composed of the three ethnicities and was divided into two main regions - the Federation of Bosnia and Herzegovina (for the Bosnian Croats and Bosnian Muslims) and the Republika Srpska (for the Serbs) – and one autonomous region – the Brčko District (for both and is a mix of laws of both regions as well). Bosnia today is at a crossroads.<sup>1</sup> For a country set on the path of a slow peace process, expected to be moving towards a positive peace, it has become fertile for a recurrence of a very similar conflict as the one that led to its independence.

At this juncture, it is important to reflect on the past mistakes over the last few decades that are now leading Bosnia and Herzegovina to the brink of another crisis. We must also evaluate the potential threats that may consequently arise in the future, considering the history as well as the past and present political landscape surrounding this issue. This brief explores the historical missteps driving Bosnia and Herzegovina toward another crisis and assesses the possible risks that may occur in the future.

## The Breakup of Yugoslavia

The ethnic divide among the Bosnians dates back to the decades before Balkanisation. Yugoslavia was a country based on a common Slavic identity. This idea disregarded differences among the Slavic population itself and focused on a common movement and identity. These differences evolved over time into new ethnic tensions and remained fairly latent during the presidency of

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<sup>1</sup> Organization for Security and Co-operation in Europe. (n.d.). *Dayton agreement and General Framework Agreement for Peace in Bosnia and Herzegovina*. <https://www.osce.org/files/f/documents/e/0/126173.pdf>

Josip Broz Tito. A son of a Croatian father and a Slovene mother, he united the country under his leadership. He played a pivotal role in the non-alignment movement and focused greatly on “harmonisation of views,” two of the many things he was revered for during his term.<sup>2</sup>

After President Tito's death, inflation and unemployment rose. Still, the most severe challenge faced by Yugoslavia was the loss of unity among its six states and, thus, among the various ethnicities.<sup>3</sup> As a result, the presidency was turned into a rotational post, hoping to satisfy the demands of all. Yugoslavia became an ethnocracy, with every president having a term of not more than a year. The hope was to bring back stability and assure the ethnicities of fair and equal treatment, but that did not last for very long.

Ethnic tensions peaked in the 1990s, and regions started declaring independence one after another. Bosnia and Herzegovina held a referendum in March 1992, asking to vote for or against an independent Bosnia and Herzegovina. The referendum was boycotted by the Serbs, while 60% of the remaining voters said yes.<sup>4</sup> This triggered not just a war between the Bosnians and Yugoslavia, but also among the three ethnicities within the state fighting for control of the state. What then ensued was a series of massacres and bloodshed, further wounding the people and the relations between the ethnicities. The war only came to an end with the Dayton Agreement in December 1995, which was a reattempt at peace after the failure of the Washington Agreement, both brokered by the United States. This peace agreement also managed to bring down a conflict between three ethnicities to one between two ethnicities.<sup>5</sup>

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<sup>2</sup> YUGOSLAVIA AFTER TITO, A Seminar Sponsored- by the U.S. International Communication Agency, the U.S. Department of State and the Kennan Institute for Advanced Russian Studies, The Wilson Center, [https://www.wilsoncenter.org/sites/default/files/media/documents/publication/op157\\_yugoslavia\\_after\\_tito\\_burg\\_et\\_al\\_1982.pdf](https://www.wilsoncenter.org/sites/default/files/media/documents/publication/op157_yugoslavia_after_tito_burg_et_al_1982.pdf)

<sup>3</sup> YUGOSLAVIA AFTER TITO, A Seminar Sponsored- by the U.S. International Communication Agency, the U.S. Department of State and the Kennan Institute for Advanced Russian Studies, The Wilson Center, [https://www.wilsoncenter.org/sites/default/files/media/documents/publication/op157\\_yugoslavia\\_after\\_tito\\_burg\\_et\\_al\\_1982.pdf](https://www.wilsoncenter.org/sites/default/files/media/documents/publication/op157_yugoslavia_after_tito_burg_et_al_1982.pdf)

<sup>4</sup> The Conflicts, About the ICTY, United Nations International Criminal Tribunal for the former Yugoslavia. <https://www.icty.org/en/about/what-former-yugoslavia/conflicts>.

<sup>5</sup> The US State Department, Bosnia and Herzegovina (1/09), Previous editions of Bosnia and Herzegovina Background notes. <https://www.usmm.org/genocide-prevention/countries/bosnia-herzegovina/1992-1995>

# The Peace Agreement

The Dayton Agreement was signed in December 1995, ensuring more than just a ceasefire. It set the foundations for the newly formed state of Bosnia and Herzegovina and hopes for a long-term peace solution in the years to come. To start with, Bosnia and Herzegovina were divided into three regions – Republika Srpska (for the Serbs), Federation of Bosnia and Herzegovina (for Bosnian Croats and Muslims), and an autonomous region of the Brčko District (a condominium of both) under this agreement.<sup>6</sup> It also defined the executive, legislative, judicial, and electoral processes of the country.<sup>7</sup> This agreement became the document from which the Constitution was directly derived, thus serving as the “legal and institutional framework” of the country.<sup>8</sup> This has caused several problems that today contribute to the rising conflict.

The agreement formed an ethnocratic state, similar in structure to that of Yugoslavia, with a rotational 8-month presidency between all three ethnicities, which has once before failed to provide stability, equality, and justice to the same people.<sup>9</sup> “The presidency is a rotating tripartite—Bosniak, Croat, and Serb—and ethnically determined. A resident of Republika Srpska may only vote for the Serbian member of the presidency—regardless of her ethnicity or candidate preference. Likewise, Federation voters can only vote for candidates in the Croatian or Bosniak slots, respectively. This gives rise to concerns over diminished voter rights of full expression in denying voters choices merely based on geographic residence.”<sup>10</sup> This “Institutionalized Ethnic Division,”<sup>11</sup> is becoming a significant contributor to widening ethnic tensions in the country today.

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<sup>6</sup> Organization for Security and Co-operation in Europe. (n.d.). *Dayton agreement and General Framework Agreement for Peace in Bosnia and Herzegovina*. <https://www.osce.org/files/f/documents/e/0/126173.pdf>

<sup>7</sup> Organization for Security and Co-operation in Europe. (n.d.). *Dayton agreement and General Framework Agreement for Peace in Bosnia and Herzegovina*. <https://www.osce.org/files/f/documents/e/0/126173.pdf>

<sup>8</sup> Organization for Security and Co-operation in Europe. (n.d.). *Dayton agreement and General Framework Agreement for Peace in Bosnia and Herzegovina*. <https://www.osce.org/files/f/documents/e/0/126173.pdf>. Office of the High Representative. (n.d.). *Constitution of Bosnia and Herzegovina*. <https://www.ohr.int/ohr-dept/legal/laws-of-bih/pdf/001%20-%20Constitutions/BH/BH%20CONSTITUTION%20.pdf>.

<sup>9</sup> Organization for Security and Co-operation in Europe. (n.d.). *Dayton agreement and General Framework Agreement for Peace in Bosnia and Herzegovina*. <https://www.osce.org/files/f/documents/e/0/126173.pdf>

<sup>10</sup> Gelazis, N., Benjamin, R., & Lloyd, L. (2007). Institutionalized Ethnic Division in Bosnia: A Way Forward for Iraq? *Wilson Center*. <https://www.wilsoncenter.org/publication/338-institutionalized-ethnic-division-bosnia-way-forward-for-iraq>

<sup>11</sup> Gelazis, N., Benjamin, R., & Lloyd, L. (2007). Institutionalized Ethnic Division in Bosnia: A Way Forward for Iraq? *Wilson Center*. <https://www.wilsoncenter.org/publication/338-institutionalized-ethnic-division-bosnia-way-forward-for-iraq>

The Dayton Agreement merely served as a ceasefire in the larger picture of the conflict, putting a stop to the violence and separating the conflicting parties into two regions with porous borders - an attempt at negative peace. Neither side's concerns were addressed, and neither of them were satisfied with the result for the same reason. The lack of social justice was and still is evident. In an interview with a Spanish paper, El Mundo, Milorad Dodik called Bosnia and Herzegovina a failed project and suggested a "civilised" separation of all three ethnicities.<sup>12</sup>

The agreement also failed to obligate measures for positive peace within this framework, without which the hope for an eventual peace was perhaps a sweet delusion.<sup>13</sup> Constitutional reforms in pursuit of positive peace are known to play a crucial role in preventing a recurrence of conflict. The Dayton Agreement focuses on aspects such as regional stabilisation, human rights, and refugees & displaced persons. However, the lack of an effective framework in either of the documents that would ensure social justice paints a grim picture.<sup>14</sup>

It is therefore no surprise that tensions have only risen within the country. Despite the extra measures to enforce peace in Bosnia and Herzegovina, measures such as the peace settlement, regional stabilisation, and the deployment of the United Nations International Police Task Force, emotional and social aspects of the conflict have not been addressed and are continually being ignored. The desires of people on both sides are facing off against each other, with the Bosnian Croats and Muslims being supported by the United States,<sup>15</sup> and Republika Srpska supported by Russia.<sup>16</sup>

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<sup>12</sup> Ferenčić, D. (2022, January 23). **Dodik: Bosnia and Herzegovina is a failed project - Croats, Muslims and Serbs should separate**, HRT – The Voice of Croatia. <https://glashrvatske.hrt.hr/en/foreign/dodik-bosnia-and-herzegovina-is-a-failed-project-croats-muslims-and-serbs-should-separate-4944956>.

<sup>13</sup> Organization for Security and Co-operation in Europe. (n.d.). *Dayton agreement and General Framework Agreement for Peace in Bosnia and Herzegovina*. <https://www.osce.org/files/f/documents/e/0/126173.pdf>

<sup>14</sup> **Dayton Agreement**. (1995). **General framework agreement for peace in Bosnia and Herzegovina**. Peace implementation council. Retrieved from <https://www.osce.org/files/f/documents/e/0/126173.pdf>.

<sup>15</sup> Radovanovic R. (2024, January 9). As Bosnian Serbs mark controversial national day, US warns celebration amounts to 'criminal offense'. AP News. <https://apnews.com/article/bosnia-us-serbs-holiday-separatists-republika-srpska-7166ede63eca698d10f466e60697f133>.

<sup>16</sup> Koseva, D. (2024, April 25). **Russia already treating Bosnia's Republika Srpska as an independent state**, BNE Intellinews. <https://www.intellinews.com/russia-already-treating-bosnia-s-republika-srpska-as-an-independent-state-322678/>

## The U.S.-Russia angle

The conflict that is shaping up today appears to be a continuation of past rivalries between the United States and Russia through Bosnian and Serb allies. The international community treats the Serbs as rebels to the current order, which to a certain extent they may be if one were to forget the fact that peace was enforced on both sides, and in the process, the Serbian dream of joining their homeland was never taken into account. The Serbs had never truly accepted the Dayton Agreement as a long-term solution to their demands. Enforcement of an agreement does not imply a moral standing; it cannot alone decide who is right and who is wrong.

The United States and the European Union have both shown support for the state formed under the Dayton Agreement and have used their influence to drive the narrative in support of the Federation of Bosnia and Herzegovina. We commonly see news updates such as, “The United States warned on Tuesday that ongoing celebrations of a Bosnian Serb self-proclaimed national holiday - which included a parade of paramilitary and police troops - were in violation of Bosnia’s constitution and a 1995 peace agreement, and as such amounted to a criminal offense”<sup>17</sup> or “In a very harsh statement, Stano (Peter Stano, Spokesperson of the External Affairs of the EU) was crystal clear that ‘any action against’ Bosnia and Herzegovina’s principles of sovereignty, territorial integrity, and constitutional order ‘will lead to serious consequences’ from Brussels as a reaction to draft legislation that goes in a direction contrary to the European Council’s decision last March 21 to start EU accession negotiations with Sarajevo.”<sup>18</sup> The United States has put sanctions on many Bosnian Serb politicians in relation to this conflict.<sup>19</sup> While Russian media, although not as strongly networked, counters the same with their own narratives, such as, “NATO has carried out more than fifty reconnaissance missions, with airplanes flying over the skies of Bosnia and Herzegovina, but more predominantly over the Republic of Srpska. Bosniak threats of

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<sup>17</sup> Radovanovic R. (2024, January 9). As Bosnian Serbs mark controversial national day, US warns celebration amounts to ‘criminal offense’. AP News. <https://apnews.com/article/bosnia-us-serbs-holiday-separatists-republika-srpska-7166ede63eca698d10f466e60697f133>.

<sup>18</sup> Baccini, F. (2024, April 18). **Republika Srpska wants to adopt several laws that risk undermining Bosnia’s path to the EU**. *EU News*. <https://www.eunews.it/en/2024/04/18/republika-srpska-bosnias-eu-path/>

<sup>19</sup> Kurtic, A. (2024, March 14). Newly US-sanctioned Bosnian Serbs ‘honoured’ to be blacklisted. Balkan Investigative Reporting Network (BIRN). <https://balkaninsight.com/2024/03/14/newly-us-sanctioned-bosnian-serbs-honoured-to-be-blacklisted/>

war and ethnic cleansing have yet to be condemned by NATO and no statements condemning Bosnian hate speech have been issued.”<sup>20</sup> Despite such headlines, this issue has largely been suppressed in the mainstream Western media in light of the Ukraine war, where the image of European unity is prioritised.

## Friends and Enemies

“There is a decision to cede, but a specific day hasn’t yet been set. A lot of research has to be done, the analysis has to be completed. We would like to do it now, but there are two other parties involved in this issue. Of course, it takes time,’ Dodik told Russian news agency Tass in an interview on the sidelines of the St. Petersburg International Economic Forum in the Russian city.”<sup>21</sup> This is a decisive step towards the independence of Republika Srpska in a series of steps taken to distance itself from the state of Bosnia and Herzegovina. There have been referendums before to challenge the authority of the systems established by the Dayton Agreement but never one that completely obliterates the agreement itself. As quoted in a news article by The Hindu, “‘We are mentally integrated with Serbia. Of course, we are part of Bosnia now, but that’s because we have to be. It is not something we want,’ Mr. Dodik said.”<sup>22</sup>

Such a mindset raises the question of whether Serbia itself supports this movement. It turned out that Serbia was rather quick to distance itself from any step or referendum conducted by the Bosnian Serbs that played against the Dayton Agreement. A testament to such policy can be seen in the Serbian statement on the January 9<sup>th</sup> referendum. “Serbia has declared it will maintain a neutral position toward the controversial Bosnian Serb referendum that has challenged the international community in Bosnia and heightened ethnic tensions more than 20 years after the war.”<sup>23</sup> This was neither the first nor the last referendum held by the Bosnian Serbs, but the fact

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<sup>20</sup> Milacic, S. B. (2024, July 23). **Possibility of a new war in Bosnia and Herzegovina.** *Russian International Affairs Council.* <https://russiancouncil.ru/en/blogs/s-milacic/possibility-of-a-new-war-in-bosnia-and-herzegovina/>.

<sup>21</sup> Ozturk, T. (2024, June 7). **Serb entity to hold referendum on independence: Bosnian Serb leader.** *Anadolu Agency.* <https://www.aa.com.tr/en/europe/serb-entity-to-hold-referendum-on-independence-bosnian-serb-leader/3243005>.

<sup>22</sup> **Bosnian Serbs are ‘mentally’ in Serbia, their leader says.** (2024, January 10), The Hindu. <https://www.thehindu.com/news/international/bosnian-serbs-are-mentally-in-serbia-their-leader-says/article67723262.ece>.

<sup>23</sup> VOA News. (2016, September 1). *Serbia says it will remain neutral on Bosnian Serb referendum.* Voice of America. <https://www.voanews.com/a/serbia-says-it-will-remain-neutral-bosnian-serb-referendum/3490203.html>.



that they stressed ‘maintaining’ a neutral position indicates a continuous policy of neutrality in relation to this separatist movement.

Despite the lack of assurances from Serbia, Bosnia and Herzegovina has been walking down a spiral that experts say does not end peacefully. “‘This is...secession by another name, and it is dangerous, irresponsible, anti-Dayton, and puts the territorial integrity, sovereignty, and multi-ethnic character of Bosnia at risk... Republika Srpska can only exist inside Bosnia-Herzegovina. [It's] secession or 'disassociation' does not mean Republika Srpska's independence or the end of Bosnia-Herzegovina, it means the end of the Republika Srpska,’ Murphy (Ambassador of the US in Bosnia and Herzegovina) wrote.”<sup>24</sup> Another statement read, “The suggestion that Serbs could form their own military ‘endangers not only the peace and stability of the country and the region, but – if unanswered by the international community – could lead to the undoing of the [Dayton Accords] agreement itself,’ Schmidt wrote in his first report since becoming Bosnian overseer.”<sup>25</sup> Considering the prevailing and further escalations of ethnic tensions on both sides, the involvement of the United States, European Union, and Russia, and the lack of any reconciliation or fruitful communication, a violent conflict is not hard to imagine in the future.

## The Trump Effect

There are speculations in the European Union that the Trump administration will not take the same ‘power balancing’ stance in the Balkans as Trump does not see the Balkans, as strategically important to the interests of the United States.<sup>26</sup> However, many experts predict no such impact on the conflict due to Trump’s re-election as President. Faculty of Political Science in Sarajevo, Šaćir Filandra says, “Campaign speeches and rhetoric are one thing, but when you become the head of

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<sup>24</sup> RFE/RL's Balkan Service. (2024, May 24). *Bosnian Serbs' move toward secession 'dangerous, irresponsible,' U.S. envoy warns*. Radio Free Europe/Radio Liberty. <https://www.rferl.org/a/dodik-secession-resolution-murphy-dayton-srebrenica/32962229.html>

<sup>25</sup> The Week. (2022, October 7). *Could war return to Europe? Bosnia's deepening political crisis*. <https://theweek.com/news/world-news/europe/954657/could-war-return-to-europe-bosnia>

<sup>26</sup> Nuttall, C. (2024, November 5). **Fears a Trump comeback could empower Balkan nationalists**. *BNE Intellinews*. <https://www.intellinews.com/fears-a-trump-comeback-could-empower-balkan-nationalists-351540/>.

a state with such developed and autonomous institutions, I don't expect any serious disruptions, nor any such 'witch hunts.'”<sup>27</sup>

## Conclusion

Bosnia and Herzegovina is becoming yet another case of a recurring unresolved conflict and is preparing to face the brunt of the continually building ethnic tensions within the country. As far as peace agreements go, due importance needs to be given not just to the superficial stabilisation of a region but also to its sustainability through special efforts in the direction of positive peace. Further complications have been created due to the involvement of the international community in a conflict that should have been an internal matter among the conflicting ethnicities. Bosnia and Herzegovina has passed the point where simply adding constitutional measures and continual effort to build harmony among the ethnicities would be enough. There needs to be communication and trust in diplomacy to prevent the ensuing crisis. While it is hard to put a moral tag on either side, there is still hope for negotiations and a peaceful agreement before violence takes control of the narrative once again. The only hope that remains is that the stakeholders can agree to not let this conflict escalate, as instability in Europe would be detrimental to the interests of all.

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<sup>27</sup> N1 Sarajevo. (2024, November 6). **Political analyst says Trump's victory unlikely to impact the Balkans.** *N1*. <https://n1info.ba/english/news/political-analyst-says-trumps-victory-unlikely-to-impact-the-balkans/>.

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