

The Two-Step Program

by [Tihomir Loza and Christophe Solioz](#)

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The remaining items on the international community's "to do" list for Bosnia won't all get crossed off at once, nor do they have to be.

A second round of talks, dubbed Dayton II, aimed at nudging Bosnia closer to constitutional reform and EU integration, ended earlier this week in Sarajevo without agreement.

The scope of the discussions, which include leaders of Bosnia's seven biggest parties, is wide-ranging. The leaders are asked to address a set of conditions that Bosnia needs to fulfill before the Office of the High Representative, which oversees peace implementation, could be closed down, as well as to consider constitutional changes aimed at strengthening state-level institutions to make them fitter for the EU integration process.

These are related, but distinct goals. While Bosnia cannot submit a formal application for EU membership until the high representative's office has closed, constitutional changes are not a condition for the closure of the OHR. They, however, seem to be an unofficial condition for Bosnia's progress on the path to EU membership once the application is submitted.

The talks began with a daylong meeting on 9 October under joint U.S. and EU tutelage, with Carl Bildt, the foreign minister of Sweden, the current holder of the EU presidency, and James Steinberg, the U.S. deputy secretary of state, as co-chairs. In subsequent meetings on 20 and 21 October, all but one Bosnian leader rejected proposed constitutional changes as a basis for further negotiations. At the same time, they failed to agree on apportioning state property, one of the conditions for the closure of the OHR. The talks will continue in the coming weeks. But why, exactly, are they taking place now?

The organizers say the country's reform process has stagnated. Bosnia lags significantly behind its neighbors when it comes to EU integration. The fact that Bosnia will hold general elections next fall also influences the timing. The closer Bosnia is to the start of the election campaign, the less likely its politicians are to compromise. Perhaps more importantly, the Peace Implementation Council, a grouping of major countries and international organizations that mandates the OHR's work, is to meet next month in order to again discuss the closure of the office and its transformation into the office of an EU high representative, originally slated for 2007.

These are valid reasons. Bosnia has indeed stalled on reform at the state level, with its leaders interested more in defending their particular ethnic interests. The timing argument also makes sense, though we may be already too close to elections. Perhaps we should be asking why these talks are taking place only now when a year ago they would have stood a much better chance of success.



Bildt

A possible answer is that for the first time in years both the U.S. administration and the EU presidency are staffed with high-ranking officials with solid Balkan experience. The 1995 Dayton peace agreement was, of course, a Clinton administration baby. Now that many old Clintonians, including Steinberg, are back in power, Bosnia is back on the U.S. agenda. Carl Bildt is also an old Balkan hand. As the EU representative, he co-chaired the Dayton talks and then served as the first international community's high representative in Bosnia. Having the right lineup of individuals in place is, of course, key to any successful initiative. Things don't happen before they *can* happen, though one must note that these talks could have taken place a few months earlier, perhaps immediately after Sweden assumed the presidency on 1 July.

UNCERTAIN DOOM

Whatever its background, scope, and prospects of success, this joint U.S.-EU initiative takes place amid much doom and gloom over Bosnia. If an increasing number of [commentators](#) are to be believed, we are looking at the biggest political crisis since the end of the 1992-1995 war. The country is collapsing under renewed pressure from nationalists, they warn, with a new war a distinct possibility. While none of the officials behind the talks went this far publicly, this atmosphere of anxiety over Bosnia must have informed their decision to call the talks now.

While they should, of course, hear the widest possible range of opinions, the mediators should also be wary of doomsayers. For while Bosnia's problems are serious, the country is neither going to descend into a fresh bout of violence nor collapse.

It is, of course, evident that the levels of interethnic mistrust remain high. But it is also worth remembering that Bosnians didn't go to war against one another in 1992 out of sheer hatred. While the war equation included a number of other elements, the Bosnians primarily fought over pieces of territory. There is, of course, much to be said about how each of the three sides went about this business, with important ethical implications to be considered. But as far as the mechanics of

the conflict are concerned, the business of dividing Bosnia's territory into chunks of land that would nearly all be dominated by one of the three groups was completed at Dayton.

There hasn't been a single violent incident since that has been aimed specifically at challenging the Dayton division. While there are political forces rhetorically opposed to that division, there hasn't been any suggestion that they would be prepared to use force. In fact, apart from football hooligans and a few marginal Islamic extremist plots, no group intent on using violence has been identified in recent years. Violent incidents among citizens of different ethnic backgrounds are rare. Bosnia's neighbors, Serbia, Croatia, and Montenegro, all of whom played disgraceful, if different, roles in the 1992-1995 war, are now internationally responsible countries unambiguously committed to peace and the sovereignty of the Bosnian state. Last, but not least, since Dayton Bosnia has in effect been demilitarized, with very few weapons remaining on its territory. In other words, we are extremely unlikely to see another war in Bosnia.

The impression that the country is facing an extraordinary crisis comes largely from the strong nationalist discourse deployed by Bosnian Serb strongman Milorad Dodik, the prime minister of the Serb-majority Republika Srpska. Apart from its coarseness and vulgarity – which is, of course, a problem in itself – Dodik's language doesn't really tell us anything that we haven't heard before from Bosnian Serb leaders. Republika Srpska will always want as much autonomy as it can get. The same goes for Bosnian Croats, who clearly wish to institutionalize the territories they dominate into an entity of their own rather than remaining part of the joint Bosniak-Croat Federation, in which they feel ignored by the Bosniaks who greatly outnumber them. These are Bosnia's givens to be addressed, not dramatized, just as the Bosniak desire to tilt the country's decision-making toward the one-man-one-vote principle, which suits them better than others, is just another fact of life in Bosnia.

Things like Dodik's rhetoric or the customary fury of some leading Sarajevo-based media outlets, however, don't exactly reflect the country's real life, which in most respects goes on in a normal manner. In fact, it makes no sense anymore to treat Bosnia as a post-conflict society. Flawed as they are, its institutional structures mostly function, even if rarely in a timely manner. Tax revenues are collected in an orderly fashion from an economy that faces huge problems, but one that has also grown strongly in recent years. The country faces many fiscal issues, but pensions are being paid and health and education systems are maintained, if not at a desirable level. The Bosnian judiciary is by no means fully independent and competent, but there indeed is a functioning judiciary throughout the country. Bosnia's transportation and telecommunication infrastructures leave much to be desired, yet they have been steadily improving. Public security is no worse than in the rest of the continent. Sure enough, ordinary people too often hold ethnic and other prejudices but at the same time have an amazing ability to practice those prejudices in an abstract manner, often leaving their personal and professional relations with members of other communities unaffected. So, no, Bosnia is by no means a flourishing country, but nor is it about to collapse.

Which is not to say that foreign mediators have no business in Bosnia, only that they should make sure they get their priorities and timing right. Along with catastrophic visions of Bosnia's immediate future, they should take the positions of local leaders with a pinch of salt as well. In all likelihood, most of them will find it safer to continue rejecting the package of constitutional reforms in what will soon become an election year. But constitutional reforms are not an urgent matter anyway.

At the same time, meeting the conditions for the closure of the high representative's office must be a priority for two reasons. The vast powers that the OHR still formally holds can no longer be plausibly used because they were designed for peace implementation, not matters such as EU integration. Second, Bosnia cannot apply for EU membership before the OHR is gone. As long as Bosnia is not applying for EU membership, the fabled EU soft power, meant to transform countries through the sheer attractiveness of the membership prospect, won't really have traction. In other words, Steinberg and Bildt should push for an agreement on the state property issue before the Peace Implementation Council meeting next month and not despair if the constitutional package is rejected at this point.

Does this mean that Bosnian ethnic leaders will be certain to agree on constitutional reforms once Bosnia becomes a membership candidate? No, but they will be more likely to do so, not least because most will have won yet another election by then. After all, twice in recent years initiatives of lesser profile clearly demonstrated that a compromise exactly along the lines proposed by Steinberg and Bildt is, in fact, possible.

Tihomir Loza is deputy director of TOL.

Christophe Solioz is secretary-general of the Center for European Integration Strategies in Geneva.