

DESPERATION AND ATTEMPTS TO EUROPEANIZE "THE CROAT QUESTION"



What Gives, Zagreb?

In the latest Democratization Policy Council report, Bodo Weber and Kurt Bassuener analyze Croatia's take on the new EU approach in BiH

The Croatian Government, both in a non-paper by Ambassador to the United States Josko Paro presented to Assistant Secretary of State Victoria Nuland, was already advocating for a new Western approach to BiH in December 2013. Subsequent proposals made by Foreign Minister Vesna Pusic and a paper reportedly prepared for the March 17 Foreign Affairs Council meeting, added some additional elements.

"Clear Deliverables"

No single document or statement includes every proposal; the policy may indeed be evolving. But the basic elements of Zagreb's desired approach appear to be the following in the aggregate:

1: A "tailor-made accession process for BiH," bypassing the standard accession process - including the SAA with the Sejdic-Finci condition. This "new sui generis accession process" would see the country granted "special acceding country status" by an as-yet undefined set of criteria. 2: Linking BiH's internal integration on the basis of "full equality of constituent peoples" to EU accession - "double integration," as Ambassador Paro terms it. 3: Instituting "pre-screening" of Acquis chapters prior to BiH candidacy. 4: Privatization of remaining publicly-owned enterprises. 5: "Synchronized assistance and cooperation:" development assistance, twinning, cross-border projects, and coordinated funding from international financial institutions.

There are a number of problems with this proposed approach. Most obviously, recent protests and assemblies demonstrate outright popular antipathy toward further privatization, given perceived (and actual) cases of private enrichment of officials and other abuses in past privatizations. Ambassador Paro's blithe statement that "a Bosnian spring is unlikely to happen" may have seemed conventional wisdom when he wrote it late last year; it is far less clear-cut

now. But there are far deeper problems. Despite decrying the current integration process under the SAA as hopeless, the proposal is based on precisely the same unfounded attractive force. It calls for "clear deliverables", neglecting to note that Sejdic-Finci implementation and a "coordination mechanism" were supposed to be exactly this sort of short-term deliverable when set by the Commission. The Croatian proposal implies that the EU has practiced strong conditionality toward BiH on the SAA, and that developments proved that implementation of Sejdic-Finci is impossible. Yet the EU demonstrated an almost unlimited flexibility instead of firm conditionality. The Commission accepted Sejdic-Finci's linkage to the "Croat question," rather than the rights of the "others" in BiH, or the privileges to be accorded to the constituent peoples over and above citizens. This led to negotiations with political leaders on constitutional changes that had nothing to do with SAA conditionality. The Commission had no mandate from the EU to do so. Effectively, the Croatian policy proposal would formally import the "Croat problem" into EU policymaking.

It is also hard to see how transparent privatization could be achieved without new, compelling conditionality. Finally, the Zagreb proposal makes only passing mention in its latest iteration of the other EU condition beyond Sejdic-Finci which impedes a "credible application" for membership: a so-called "coordination mechanism." While not central in the presentation, woven throughout this loosely sketched-out approach is the presumption that the "Croat question" is central to government dysfunction and lack of progress. In fact, as recent protests have demonstrated it is the lack of accountability of any public officials which is the main impediment to self-propelled progress. In addition, there is a prevailing assumption, also without evidence, that the forward movement of Croatia and Serbia will drive forward movement in BiH. Fur-

thermore, the RS' constant political efforts to undercut the state are not addressed. But most importantly, as is the case with Commissioner Fuele, the "pre-screening" proposal put forward by Ambassador Paro, Foreign Minister Pusic in the February 10 Foreign Affairs Council, and the latest Foreign Ministry paper, ignores the fact that the EU has already tried to use such "pre-screening" through the Structured Dialogue as a reform driver. It has failed. Zagreb's advocacy for reducing EU conditionality and a "tailor-made accession process" for BiH in the current political atmosphere of skepticism toward further enlargement - and its own direct experience of a rising EU bar - demonstrates a lack of realism. The newest paper is heavily focused on throwing additional resources at the problem in a broad spectrum of areas. But BiH authorities have repeatedly left money on the table; it is therefore hard to see increased funding as a likely driver of reform. Zagreb's proposal has already drawn critique from a couple of member states on its Bosnia proposal for exactly those reasons.

More of the Same

So Zagreb's ideas thus far display a central contradiction: they recognize and declare the failure of the current approach, while offering essentially more of the same as a remedy. The latest policy paper proclaims that "it is the hour of Europe" and states that "the (enlargement) process should be the way for resolving individual obstacles," which has actually been the EU's standard line for some time. At the same time, the proposals are also imbued with the general perception from Zagreb that Croats are disadvantaged by the current system and any further progress demands their greater collective empowerment. The recent debate in the Croatian Sabor, in which a third entity in BiH was debated, was at least more honest in declaring it an option.