

EU Policies Boomerang: Bosnia and Herzegovina's Social Unrest

A DPC Policy Brief

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TABLE OF CONTENTS

EXECUTIVE SUMMARY AND RECOMMENDATIONS	I
INTRODUCTION.....	1
THE EU HIDES BEHIND DOMESTIC POLITICAL ELITES.....	1
UNREPRESENTATIVE POLITICS GENERATE EXTRA-INSTITUTIONAL PROTEST.....	3
POLICE FRAGMENTATION, POLITICIZATION, AND INCOMPETENCE.....	5
DESPERATE POLITICAL OPPORTUNISM DRIVES ESCALATION.....	6
SHORTSIGHTED POLICIES COME HOME TO ROOST	8
CONCLUSIONS AND RECOMMENDATIONS.....	10

EXECUTIVE SUMMARY AND RECOMMENDATIONS

The social discontent manifest in Bosnia and Herzegovina (BiH), begun with violent protests in Tuzla on February 5, spread throughout the Federation, was a new phenomenon. But it was long in the making. As manifest in demands for non-partisan and technical governments, much of the general population has clearly lost hope that the country's political system can represent them or deliver any meaningful change. Such misgivings are well-founded: the problem is structural and institutional, not simply a question of who occupies given offices. It is hard to see any solutions being arrived at institutionally – or the current political menu offering hope of meaningful change at the ballot box in October.

The protests arose for legitimate reasons, were anti-incumbent and anti-establishment, not ethnic in nature, and appear to have spontaneously grown and spread. But existing political elites have sought to either redirect this anger or harness it, often with ethnic and ethno-territorial argumentation.

This situation owes directly to the EU-led international posture of the past eight years. Hopes that the EU enlargement process would impel reform and progress by BiH's political class were shown to be clearly misplaced by late 2006. Yet larger EU member states, especially Germany and France, as well as the European Commission and EEAS, hew to this failed policy to the present day, attempting to mold the Bosnian reality to their preference to avoid further responsibility and entanglement. The rules-free environment engendered by this policy allowed BiH politicians unlimited room for venality and irresponsible action (and inaction). Such a policy was bound to have a nasty confrontation with reality. It has finally arrived.

Berlin, Paris, and Brussels in particular – and the international community in general – need to heed this wake-up call and finally launch an overdue comprehensive policy needs assessment on BiH. Elements of this must include the following:

- Leaders of key EU member states and of the US need to clearly signal to the political elites in Bosnia that they must refrain from deliberately trying to inflame the current situation or face painful consequences.
- To be credible with such a policy, the EU must demonstrate that it takes its responsibility to maintain a safe and secure environment seriously. To do so, EUFOR requires reinforcement so that it has the strength and mobility to deter threats to the peace.
- Now that popular dissatisfaction has been so clearly manifest, the EU and broader international community must attempt to catalyze this into a constituency for positive change.
- EU leaders need to make use of the 2014 election year to – in cooperation with the US and other relevant actors – develop a new, unified Bosnia policy approach.
- The still-prevailing obsession in Berlin, Paris, and Brussels to eliminate OHR – either literally or effectively through disuse, must finally cease. Until the Dayton structure of the state is replaced by a system that allows real political accountability, it must remain a vital part of the international architecture.
- Only Germany can lead such a policy shift. During the Munich Security Conference in January, German officials announced a new era in Germany foreign and security policy, with the country embracing its international responsibility. Bosnia is the first occasion to transform this pledge into actual policy.

Introduction

On Friday February 7, Bosnia and Herzegovina (BiH) underwent its most serious violent social unrest since the 1992-1995 war, fuelled by long-simmering social frustration. Workers from four bankrupted socialist-era companies in the northeastern industrial city of Tuzla had long demanded social benefit payments and judicial review of the privatization of their companies. Their demonstration on Wednesday stoked a wider outpouring of social anger at the devastating effects of prolonged malgovernance. By Friday, tens of thousands came out for protests which spread across more than 20 cities in Bosnia – mostly, but not exclusively, in the Federation of BiH. Violent confrontations in Tuzla between demonstrators and the police snowballed. Young men and teenagers, many of them masked and with a soccer hooligan background attacked police and set fire to government buildings. This scenario spread to other major towns in the Federation – Zenica, Mostar, and the capital Sarajevo. By the end of the day, 17 buildings were damaged, including cantonal and municipal government buildings, as well as the state Presidency in Sarajevo. In the ethnically divided town of Mostar, the offices of the main Croat and Bosniak parties, the Croatian Democratic Union of BiH (HDZ) and Party for Democratic Action (SDA) were also burned. Altogether, 200 persons were injured, among them many policemen. 100 suspects were arrested. The prime ministers of Tuzla, Zenica and Sarajevo cantons resigned. Nonviolent protests and popular “plenums” continue one week later, as ash and debris are being cleared from the Sarajevo cantonal building.¹

The EU hides behind domestic political elites

Images of these violent clashes were transmitted worldwide; for the first time in years Bosnia returned to the headlines. But the buildup to this outburst has been nearly a decade in the making. Bosnia and Herzegovina’s structural political, economic and social crisis has been largely ignored by Western policymakers and the public.

Reports uniformly identified the country’s political elites, whose corruption and disconnection from popular concerns had brought the country to the verge of social collapse, as the ultimate source of the riots. Such media reports followed a line similar to that made by EU and US policymakers since 2013, when they had to finally admit that the country’s reform and EU integration process had hit the wall. But the reality was obvious to all those who chose to see for far longer. Croatian Foreign Minister Vesna Pusić, reacting to the violent events in Bosnia, noted that despite the worrying incidents, the country retained its EU membership perspective.

While all this is true, it is also profoundly misleading and self-exculpatory. Without a doubt, BiH’s political elites have been increasingly corrupt and irresponsible. But Western policymakers – particularly in the European Union – have long enabled and rewarded their malfeasance, encouraging

¹ Direct author observations, Sarajevo, February 12-13, 2014. Popular demands are coalescing into calls for a non-party/technical government, further reflecting the (in the authors’ view correct) conclusion that there is no institutional, including electoral, solution to the political elite’s disconnection from popular concerns.

their descent to ever greater depths. The origins of Bosnia’s current chaos date back to 2005, when the international community decided that it could safely (and conveniently) withdraw from its guiding role and give “ownership” of reform and Euro-Atlantic integration to local political leaders within the same dysfunctional constitutional framework. While clearly desirable for BiH to propel itself, the expectation that the country’s politicians would act in the public/state interest under the Dayton incentive structure was fundamentally misplaced. Milorad Dodik, who in 2006 assumed the leadership of the only monoethnic entity in BiH, the Republika Srpska, quickly grasped the implications of this policy shift: a power vacuum. He employed the country’s traditional political recipe – a combination of social populism and ethno-nationalist conflict rhetoric, and began filling that void with threats of secession and by challenging the post-Dayton rules of the political and institutional game. He also launched a systematic campaign to hollow-out and ultimately abolish state-level institutions.

The false assumption upon which the Western policy shift rested were laid bare by late 2006, but nobody wished to acknowledge this. The gap between policy and reality became ever wider. The dynamic would have been easily reversible at that stage – but the EU (and the US) was first too busy dealing with Kosovo in 2007-08 and then occupied with the Euro crisis. While the majority of EU countries thus continued to push forward their original plan of leaving Bosnia to the Bosnians, some member states, notably Great Britain and the Netherlands,² were increasingly worried about developments on the ground. Yet instead of holding an open discussion of the situation and calibrating the approach to the reality, the intra-EU discourse became increasingly theological. In this awkward debate, the main institution of the international community’s postwar policy, the Office of the High Representative (OHR), was identified by Germany, France, Italy and the EU bureaucracy as the problem, preventing BiH political elites from taking political responsibility. Meanwhile, in the absence of political will to deal with this self-inflicted problem, EU (and US) actors got caught-up in their constant attempts to adjust the reality on the ground to their own political disinterest. They tried to appease Dodik and other domestic actors of destabilization. But these attempts did not have the desired effect. Instead, the political elites’ progressive stretching the limits of what had been the internationally-enforced rules, beginning in the RS, metastasized into a completely rules-free environment. EU actors attempted to keep the dead EU integration “process” alive and conjure new “momentum” by lowering previously established reform conditions (for example, a Ministry of Agriculture) and/or bending to political resistance from the RS and elsewhere and accepting the gutting of existing institutions, as has been the case with the Structured Dialogue on the judiciary. Momentum developed – but only in a negative direction.

The EU’s ill-conceived attempts to convince political leaders to compromise on implementation the European Court of Human Rights’ 2009 Sejdić-Finci ruling faltered last year. Yet the Union has yet to finally concede the inescapable conclusion that Bosnia’s EU integration path is totally stalled. To cover for the continued lack of an honest policy reappraisal, EU officials have found themselves ending up in

² Turkey, the United States, Canada and Japan shared these misgivings. But the US remained reluctant to challenge the EU’s management of Bosnia policy.

doing the opposite of what they were paid for – striking backdoor compromise deals with RS leaders that turned them into *de facto* accomplices in undermining the state and in rolling back postwar democratic reforms.³ Naturally, this damaged the EU integration process. What’s even worse – these reactive, tactical maneuvers profoundly discredited the EU and the EU path in the eyes of BiH citizens.⁴

The EU’s bureaucratic autism created an ideal environment for short-term and ultimately self-destructive politics in BiH. Unlike in Kosovo, where German Chancellor Angela Merkel told Belgrade that borders in the Balkans were fixed and to forget any hope of partition, the “strongest” signal sent to BiH politicians and citizens alike came from then-US Secretary of State Hillary Clinton, who stated in 2011 that the RS should not pursue its secession threats because the US would not recognize its independence. The EU and the US generally stuck to the mantra that whatever compromises political leaders could agree upon were fine with them. This posture effectively put Dodik and those with the most destructive agendas in direction of not only Bosnia, but Western policy toward the country. This dynamic led to a political free-for-all, pitting post-electoral allies the Social Democratic Party (SDP) and SDA against each other, leading to government paralysis in the Federation – both at the Federation and cantonal levels. In addition, it led to a total blockade of institutions in the ethnically divided town and canton of Mostar, where no elections have taken place for eight years. This permanent constitutional crisis blocks the functioning of communal services. It is exactly in these parts of the country where last week’s protests mainly took place. Political elites’ behavior became ever more short-term, tactical, and avaricious – with increasingly unpredictable consequences. Political miscalculations multiplied.

Unrepresentative Politics Generate Extra-Institutional Protest

It is both cynical and completely logical that after years in which they tried to “solve” the problem in Bosnia by forging backroom deals with the leaders of the main political parties EU officials started to attack those very same politicians they had selected as their “partners” for politically irresponsible performance when they finally hit the wall in 2013. At the same time, they blamed BiH citizens for not

³ The most drastic such case was the deal a high-level DG Enlargement official struck in 2012 with RS government representatives over a new entity Law on Courts. The law was clearly aimed at undermining the independence of the judiciary in the entity and undermining the authority of one of the most important central state level institutions and a cornerstone of EU-supported post-war judicial reform, the High Judicial and Prosecutorial Council (HJPC). The law was assessed by the HJPC as delivering a death-blow to judicial reform. In addition, the HJPC qualified some provisions of the RS law “illegal.” The law drew resistance from judges and prosecutors state-wide, including from within the RS, despite heavy political pressure there. The compromise deal was a slap in the face of brave local officials who had stood up to defend judicial independence. Parts of the agreed compromise provision for an amendment to the RS law clearly made a mockery out of the principles of the rule of law. This backroom deal, which was never publicly announced or explained, exposed Commission officials to manipulation by RS officials. The RS continued to resist implementation of even this compromise – yet the Structured Dialogue continues... On this and other examples see Bassuener and Weber, “House of Cards: the EU’s ‘reinforced presence’ in Bosnia and Herzegovina,” DPC policy paper, May 2013, p.8-12.

At: <http://democratizationpolicy.org/pdf/briefs/may.pdf>

⁴ A fascinating reflection of popular discontent and the EU’s shrunken credibility can be found in an October 2013 public opinion poll conducted by the USAID-funded project “Constitutional Reform in BiH: Engaging Civil Society,” conducted by the Public International and Policy Group (available upon request from the authors).

holding their politicians democratically responsible. Yet despite proclaiming BiH to be a democracy, the EU and international community in general demonstrated through its behavior – such as endless rounds of EU-facilitated party leader negotiations abroad – that the country functions as an oligarchy. To BiH citizens, exhortations to take responsibility for their own misfortune seem like blaming the victim.

Given the context, Friday's social unrest makes perfect sense. But it is profoundly worrying. The protracted and dire socio-economic situation – over a quarter of the potential workforce is effectively unemployed⁵, much higher for youth, drove the recent demonstrations, not ethnic nationalism. The destructive social and economic effect of government policies, along with top-down, systemic corruption based on access to institutional resources, are determining factors of everyday life. Citizens have given up on being able to foment social progress through representative politics; governing institutions are in any case not genuinely representative, nor do they perform their institutional roles. Yet desperately needed political alternatives are difficult to forge in the current structural environment. This explains what seems like a civic confrontation with the entire Dayton establishment: political elites, governments and state institutions altogether.

Leaderless Social Anger

The protest movement at present appears inchoate – neither composed of unified groups behind a common agenda nor generating new leaders. In Tuzla, protests assembled groups which had never aligned before: workers from four bankrupt, former socialist companies; trade unions that traditionally have failed to become an autonomous, socially potent actor in post-war Bosnia because of their traditional dependency on links with the ruling party(s); associations of unemployed that normally receive no solidarity from trade unions; previously marginal Facebook activists; and soccer hooligans. There seems to be no clearly identifiable cause that brings these groups together. Even in the case of the four companies whose workers protested in Tuzla against alleged criminal privatization that ruined their former employer, the reality is less simple than it appears. One company was bought by the workers, while another was also bought by the workers who later sold their company to another enterprise; in both cases the companies only later went bankrupt. Consequently, there are no unifying, clearly identifiable political demands originating from the protesters.⁶ There is however a remarkable absence of one distinct political theme – while at least parts of the protesters seem to have been inspired by ongoing protests in Ukraine.⁷ Yet unlike demonstrators in Kiev, none of the protesters in the two dozen cities in BiH appealed to the EU or advocated the country's EU perspective as a path out of their misery.

⁵ IMF Country Report No. 14/39, p. 5, available at: <https://www.imf.org/external/pubs/ft/scr/2014/cr1439.pdf>.

⁶ Indeed, various citizens' proclamations have started to appear in the days following the Friday violent clashes. Demands contained ask for governments to step down, privatization of enterprises to be reversed, government officials to have their salaries cut down substantially and for arrested demonstrators to be released. See for example:

<http://www.jasminmujanovic.com/1/post/2014/02/the-demands-of-the-people-of-tuzla-sarajevo-english.html>.

⁷ In Tuzla, one of the leaders of the protests named his Facebook group after Ukraine opposition leader and champion boxer Vitali Klitschko's party – Udar ("punch").

The only factor which unifies protesters across Bosnia and Herzegovina is long-brewing social frustration and anger. What we see is a dangerous combination of popular discontent, a protest movement without political direction, leadership and guidance, and hooligan groups for which violence and destruction is the aim in itself. The weakened capacity of law enforcement institutions to defend the state and the escalating performance of politicians are an additional factor in this cocktail.

Police Fragmentation, Politicization, and Incompetence

Police agencies throughout the institutionally fragmented state have demonstrated almost complete truancy in handling the violent escalation of the protests. Burdened by bad equipment and institutional fragmentation, as well as persistent attempts by ruling elites of both entities to roll-back postwar achievements in democratic policing and de-politicization, the police reacted with excessive force against peaceful demonstrators *and* shied away from effectively quelling groups of violent protesters.⁸ In Mostar, the cantonal police were utterly inert as buildings were burned. The post hoc explanation was that the lack of a cantonal police commissioner (due to the political standoff between the HDZ and SDA) left nobody to give orders.⁹ Since Friday's violent events, political leaders have instrumentalized the police's weak performance to exert even greater pressure on police agencies. The Bosniak member of the BiH Presidency, Bakir Izetbegović, attacked the State Information and Protection Agency (SIPA) for not defending the presidency building, though SIPA is not at all in charge, but the Directorate.¹⁰ Under immense political pressure, police agencies have begun arbitrarily arresting alleged perpetrators, including people based on their mere participation in social networks.¹¹

Minister of Security Fahrudin Radončić condemned the Directorate for the Coordination of BiH Police Bodies for not properly defending the Presidency building. He welcomed the resignation of Director Himzo Selimović while concealing the reason for his departure. On the day of the violent attacks on the building, SIPA rejected the Directorate's call for assistance. A crisis intervention unit waited nearby the Presidency waiting for a green light from SIPA Director Goran Zubac that never came. Zubac argued that there was no legal basis for him to order action. As Selimović told the press, the SIPA law and the Directorate law oblige other agencies to assist. Yet the SIPA director, picked by RS President Dodik, refused to agree to a proposed memorandum that would regulate assistance.¹²

It is worth recalling that the European Union effectively withdrew from contending with the deep fragmentation of BiH police agencies in 2007, when it backed down on its own police reform demands.

⁸ Conversations with eye witnesses at Sarajevo and Tuzla protests, corroborated through social media reports.

⁹ Interview with representatives of international organizations in Mostar, February 2014.

¹⁰ Vijesti.ba, "SIPA nije došla da brani Predsjedništvo BiH, pustili su da se ono pali," February 11, 2014. At: <http://www.vijesti.ba/vijesti/bih/196472-SIPA-nije-dosla-brani-Predsjednistvo-BiH-pustili-ono-pali.html>.

¹¹ Conversation with civic activists, Sarajevo, February 2014.

¹² <http://www.klix.ba/vijesti/bih/celnik-direkcije-za-koordinaciju-policijskih-tijela-bih-podnio-ostavku/140209061>, Law on SIPA, article 21, Law on the Directorate for the coordination of police bodies, article 11.

This began the process of reducing conditions in the EU-integration process in the face of resistance from domestic political actors. There was no strategy or long-term planning. The Directorate for the Coordination of BiH Police Bodies was one of the two institutions agreed in late 2007. In return, the EU agreed to initial a Stabilization and Association Agreement with BiH.¹³ In 2011, the main advocates of this EU policy approach, Germany and France, ensured the closure of the EU Police Mission (EUPM). The EUPM was then fighting attempts in both entities to bring police agencies under stronger political (party) control. None of the benchmarks for EUPM's closure were actually met; indeed, they were moving further away. But the mission was declared a success nonetheless.

Desperate Political Opportunism Drives Escalation

The reaction of the political elites in the wake of Friday's violence was at least as worrying as the protests themselves. Politicians remained silent throughout that entire day, reflecting their own shock – and surely also fear, given that this was an attack on their entire operating system. Recovering from their initial paralysis, political leaders have devoted themselves to attempts to harness, divert, or otherwise exploit the situation, rather than to de-escalate it. Minister of Security Fahrudin Radončić, leader of the party Alliance for a Better Future (SBB), stated in a February 7 TV interview that the social discontent was rooted in the privatization of state companies by “party tycoons,” which led to the loss of hundreds of thousands of jobs. However, he himself is one of the most prominent of those postwar tycoons who benefitted from privatization and political connections before he became a formal political leader. He warned of a “citizens’ tsunami.”¹⁴ SDP leader and Foreign Minister Zlatko Lagumdžija retorted that “those who stand behind the events and the instrumentalization of the participants of the unrest could have sent them against the symbols of tycoon privatization if they had to burn something” and labeled the events as an “attempted coup d’etat.”¹⁵ Lagumdžija at the same press conference tried to portray the protests as an organized attempt against Bosniaks aimed at the ethnic division of the country and conjured the spread of protests to the RS. The former theme was taken up by the SDA, which in a press statement warned: “we draw public attention to the fact that violent protests have been exclusively organized in parts of the country where Bosniaks form a majority of citizens.”¹⁶ Party vice-president and former BiH Minister of Security Sadik Ahmetović, told the media that “I possess information that a group of fans from the Eastern Sarajevo soccer club Slavija [located in the RS part of town] burned the Presidency, that is the flag of BiH” without offering any evidence.¹⁷

¹³ Another part of the deal was a law passed by the Parliamentary Assembly of BiH that announced the future police reform based on the EU's three stated principles and a future Constitutional reform. Such a reform never came into being. The EU let it slide.

¹⁴ *Dnevni Avaz*, „Radončić: nema govora da je ovo državni udar, ovo je udar na nesposobnu vlast i korupciju,” February 7, 2014, at: <http://www.avaz.ba/vijesti/iz-minute-u-minutu/radoncic-nema-govora-da-je-ovo-drzavni-udar-ovo-je-udar-na-nesposobnu-vlast-i-korupciju>.

¹⁵ „Lagumdžija and Nikšić pozvali na smirivanje strasti”, February 8, 2014,

at: <http://www.sdp.ba/novost/21457/lagumdžija-i-niksic-pozvali-na-smirivanje-strasti>.

¹⁶ <http://sda.ba/home/sda-poziva-na-prestanak-nasilja-i-zajednicku-akciju-ocuvanja-drzave>.

¹⁷ <http://sda.ba/home/sadik-ahmetovic-bojim-se-da-je-cilj-protesta-podjela-federacije-bih/>.

The main Croat party, the HDZ, also attempted to ascribe an interethnic character to the violence *post hoc*. In a press statement, the Mostar branch of the party asserted – without evidence and ignoring the fact that also the (Bosniak) SDA’s local office had also been destroyed – claimed that “an organized group of 350 hooligans from the [majority Bosniak] eastern Mostar went over to the Western [majority Croat] part in its anarchic assault... a nationally and politically instructed group that had the aim to lead the town of Mostar into inter-ethnic conflicts and a state of war.”¹⁸ HDZ leader Dragan Čović and BiH Council of Ministers Chair Vjekoslav Bevanda sent out similar messages in subsequent days.¹⁹

In the Republika Srpska, where only a few limited protests (in Banja Luka, Prijedor and Bijeljina) took place, President Milorad Dodik declared the protest an attack on the RS, with the obvious aim of ethnically homogenizing his entity’s citizens in order to prevent spill over. Dodik’s fears are justified – the social and economic situation is even worse in the RS, where the overall number of unemployed and pensioners is more than 50% higher than the official number of those employed. Consequently, Dodik declared the events to be an anti-RS conspiracy: “unrests in our surrounding have been initiated with the aim to provoke similar protests in the RS.” At the same time, he attempted to transform the protests which coalesced in the RS into an interethnic issue. “Protests in the RS were organized by the representatives of the associations of Bosniaks” in the RS, he alleged.²⁰ Dodik asserted that the protests proved his perennial contention that BiH is doomed and that ultimately the international community will have to recognize the independence of the only allegedly functional part of the country – the Republika Srpska. Front pages in the RS, where the government holds great sway in the media environment, tried to convince readers that “weapons have been promised to demonstrators in order to attack the RS.”²¹

Despite this spin, it is obvious that demonstrations and their violent escalation had no interethnic character at all. It is less clear as to whether there is validity to allegations that the demonstrations were politically organized and not spontaneous. Many analysts and Western diplomats seem to tend to believe in the existence of an SBB-Radončić plot. No evidence yet available substantiates such accusations. But Radončić’s and his party’s public performance after the events clearly aimed to promote further social protests in order to bring down the SDP-led government at the Federation and

¹⁸ „Priopćenje za javnost Županijskog odbora HDZ BiH Hercegovačko-neretvanske županije,” February 7, 2014, at: <http://www.hdzbih.org/vijesti/5811-priopenje-za-javnost-upanijskog-odbora-hdz-bih-hercegovako-neretvanske-upanije.html>.

¹⁹ Istinomjer.ba, „Uspjeh protesta u BiH:Ipak je i srpska i hrvatska i bošnjačka”, February 10, 2014.

At: <http://istinomjer.ba/uspjeh-protesta-u-bih-ipak-je-srpska-hrvatska-bosnjacka/>.

²⁰ *Blic*, „Dodik: Zabranimo ulazak demonstranata u RS,” February 9, 2014, at: <http://www.blic.rs/Vesti/Politika/441363/Dodik-Zabranimo-ulazak-demonstranata-u-RS>, vijesti.ba, “Dodik; BiH ne može da preživi, klizi ka raspadu,” February 09, 2014, at: <http://www.vijesti.ba/vijesti/bih/196059-Dodik-BiH-moze-prezivi-klizi-raspadu.html>.

²¹ *Press RS*, “Demonstrantima obećano oružje za napad na RS”,

levels.²² The fact political leaders are attempting to capitalize upon (or ride out) the situation by trying to convince their citizens of a conspiracy is an obvious survival reflex. But it is nonetheless dangerous, given the history of the country. A general atmosphere of conspiracy as promoted by political leaders and party controlled many media can set the stage for even larger scale violence.

Shortsighted Policies Come Home to Roost

This turn of events cannot come as a surprise to Western policymakers. As early as 2008, the Democratization Policy Council warned that the deteriorating political situation in the country could lead to (ethnic) violence.²³ US Vice President Joseph Biden, with his May 2009 visit to Sarajevo, forced the EU to recognize there was a political crisis in Bosnia. But the Union has turned the denial of any security threat into the last defense line of its lack of political will. This blanket and reflexive denial became dogma for the majority of EU member states which were resistant to any re-evaluation of Bosnia policy. Germany decisively joined this camp, which already included France, Italy, and the EU institutions in Brussels, in 2010.

DPC, in cooperation with the Sarajevo-based security think-tank the Atlantic Initiative, in October 2011 published a comprehensive security risk analysis²⁴ which presented the whole cocktail of security relevant factors – performance of political elites and state institutions, state of security agencies, potential social hotspots for the outbreak of ethnic violence and the international community’s dismantling of its instruments established to guarantee a safe and secure environment – namely EUFOR and the OHR. Many of these ingredients were on display in last week’s outburst of violence: the failure of institutions to serve citizens’ needs, inflammatory political rhetoric of the elites, weak and increasingly politicized police forces and judiciary, football hooligans, juvenile delinquency, and above all the potential of the structural socio-economic crisis to boil-over into social unrest. The authors concluded that “under current circumstances, local incidents that might otherwise not have a broader effect could spark escalation from below that would be beyond ruling elites’ ability to control – and tempting for them to support.”²⁵

The study gained a wide readership among international policymakers and security experts, who had not received anything comparable for some time. But it had no discernible effect on policy. Foreign ministries and EU institutions continued to demonstrate that they would rather maintain failing policies

²² <http://www.sbbbh.ba/saopcenja/5771-sbb-bih-odmah-osloboditi-nevine-demonstrante>, <http://www.sbbbh.ba/vijesti/5768-radoncic-nema-govora-da-je-ovo-drzavni-udar-ovo-je-udar-na-nesposobnu-vlast-i-korupciju>, <http://www.sbbbh.ba/vijesti/5773-sbb-nije-organizator-ali-smo-uz-opravdani-narodni-revolt>.

²³ See Kurt Bassuener, James Lyon and Eric A. Witte, “Sliding toward the Precipice – Europe’s Bosnia Policy,” Democratization Policy Council, November 2008, At: <http://www.democratizationpolicy.org/pdf/briefs/policybrief4.pdf>

²⁴ Vlado Azinović, Kurt Bassuener, and Bodo Weber, “Assessing the potential for renewed ethnic violence in Bosnia and Herzegovina: A security risk analysis,” Atlantic Initiative and Democratization Policy Council, Sarajevo 2011. Available at: http://www.democratizationpolicy.org/uimages/pdf/DPC-AI_BiH%20Security_Study.pdf.

²⁵ Ibid, page 198.

than confront their political masters with unpleasant realities. The reactions of officials from Germany and France, which led the EU's policy approach towards Bosnia, were the most telling. For example, in a closed-door briefing, French diplomats told one of the authors that they agreed with the analysis and conclusions of the study – serious potential for violence existed. Yet they could not support the recommendations – that in the light of such a threat, the EU needs to maintain some deterrent capacity (in the form of EUFOR). A high-level German diplomat at another closed event for policymakers in late 2011 dismissed the potential for violence out of hand.

Yet while countries like Germany and France – and the EU institutions – explicitly rejected the existence of any security risk they've long *implicitly* recognized it by continuing to pour taxpayers money into Bosnia to counteract the destructive socio-economic effects of the domestic political elites' – their "partners" – performance. Some member state diplomats explicitly made the linkage, stating that ceasing to deliver such infusions would be akin to "stopping feeding the rats in the cage – they'll eat each other."²⁶ In 2013, the EU gave €100m in budget support to Bosnia. The money was earlier earmarked as support to compensate for economic effects of the Euro crisis on the country, but the economic decline Bosnia experience throughout the Euro crisis period was more homemade, the economic effect of the political crisis, corruption, and weak rule of law. Conditions for the approval of the two tranches of aid were far below the EU's benchmarks for budget support to developing countries. Yet when a couple of EU member states launched an initiative to tighten conditions, or at least seriously apply the existing ones, Germany and France strongly resisted. They succeeded. Germany was traditionally the fiercest opponent within the Western developmental aid community of adding budget support to the toolbox of policy instruments. In the end, Germany insisted on tying budget support to strict benchmarks of good governance. In a reflection of the deep-seated will to avoid the ugly outcomes of their own Bosnia policies, a number of embassies have been instructed by headquarters not to deliver *any* negative reporting from Bosnia.²⁷ The main marching orders seem to be to ensure that the High Representative's Bonn Powers are not employed under any circumstances. The OHR, hollowed-out by the EU, was tasked by Brussels to deal with Mostar – a hopeless endeavor when rendered toothless.

Last month, one of the authors briefed a German diplomat on developments in Bosnia. When he raised the security risk issue he was asked whether he saw an imminent security threat. He replied that he could not identify an *imminent* threat of the outbreak of violence, but that given the ingredients on hand, it was harder to explain why no violence had broken out so far than to explain the potential security risk. He warned that political leaders, faced with the social and economic consequences of their (self-)destructive policy could be tempted to escape their loss of power by turning social unrest into ethnic violence. The diplomat wrote down what he had wanted to hear: that there was no imminent threat of violence, while commenting that potential security risks existed in many countries.²⁸

²⁶ Conversation with diplomat from large EU member state, Sarajevo, January 29, 2014.

²⁷ Conversations with EU member state diplomats, Sarajevo, 2011-14.

²⁸ Discussion with German MFA representative, Berlin, January 2014.

Conclusions and Recommendations

February 7's violent unrest was the most serious such outburst since the war – and it is far from exhausted. This is an initial manifestation of long-term political, economic and social degradation – in every sense of the term. This is a systemic and institutional incentive-generated problem, not one which can be resolved with simple substitution of political leaders. Only changing BiH's constitutional operating system to ensure political accountability can resolve it. The hope that there was a shortcut – that Dayton's structures could be preserved essentially unchanged while removing its enforcement mechanisms in the hope that the EU's magnetism would compensate – made some sort of violent collapse inevitable.

Ever since the negative effects of Western retrenchment became evident, the leading EU actors have engaged in trying to adjust the evolving reality on the ground to their lack of political will to make a serious policy shift. They have ended up actively contributing to the deepening structural crisis. Denying the existence of any security threat or the potential for Bosnia's structural crisis to turn violent was the cornerstone of this awkward approach. It has been finally *proven* wrong.

For years, many dedicated policy makers concluded in frustration that only violence would generate a policy shift on Bosnia by the EU. Developments in Kosovo seem to have proven them right. The outbreak of violence in northern Kosovo in summer 2011 compelled Germany into taking leadership, which in turn forced the EU to become a serious policy actor. Clear messaging and a policy of tough conditionality pushed Serbia's political leadership to accept a political reality which the same EU actors had for years had insisted that Belgrade could never be made to accept.²⁹ The EU, the West cannot afford such a scenario in Bosnia. Demographically and structurally, BiH is far more volatile than Kosovo.

Preventing such developments remains well within the EU's (and US') abilities, should there be a will to do so. This would require a posture and tailored policies calibrated to channel social anger and frustrations in Bosnia in a constructive direction. A few short- and medium-term steps are needed:

- Leaders of key EU member states and of the US need to clearly signal to the political elites in Bosnia that they must refrain from deliberately trying to inflame the current situation. If they do so, they must face serious consequences (including asset freezes, visa bans, and boycotts on contacts). They must also be told in no uncertain terms that they will be prevented from pursuing ethnic division or state dissolution.
- To be credible with such a policy, they need to demonstrate that the EU takes its responsibility to maintain a safe and secure environment seriously – and defines this more expansively. The EU and the US must realize their strategic interest in keeping Bosnia stable and that they need to retain and employ the Dayton instruments to realize that strategic interest. To do so, EUFOR requires

²⁹ In fact, the EU enabled Serbian politicians and citizens to believe they could have EU membership while never recognizing Kosovo's separation and independence. Berlin's belated leadership put paid to that delusion.

reinforcement so that it has the strength and mobility to deter threats to the peace. The will to employ it must be made evident to the BiH citizenry at large and political leaders in particular.

- Now that popular dissatisfaction has been so clearly manifest, the EU and broader international community must attempt to catalyze this into a constituency for positive change. First, the EU must show that their own approach will no longer accept the lowest common denominator offered by political elites. Politicians' performance must be assessed by the degree to which they meet citizens' needs and demands. Where possible, for example on privatization, agriculture, and energy/environmental issues, the EU must demonstrate concretely how particular politicians' agendas, which deviate from EU norms, have direct negative impact on citizens.
- EU leaders need to make use of the 2014 election year to – in cooperation with the US and other relevant actors – develop a new, unified Bosnia policy approach. It must include clear messaging on what kind of overall structural reforms Bosnia needs to implement if it wants to become a member of the Union – just like the EU is doing it in the case of Serbia. This must also include strict financial conditionality.
- The still-prevailing obsession in Berlin, Paris, and Brussels to eliminate OHR – either literally or effectively through disuse, must finally cease. So long as the Dayton Annex 4 constitution is in force, OHR must remain as its enforcement mechanism – not to relieve domestic elites of responsibility, but as a necessary firebreak against attempts to instigate ethnic violence and/or break-up the state. Time would be better spent on calibrating the role of the High Representative and his Office to an integrated strategy led by the EU. DPC has repeatedly argued that a division of labor, with an American High Representative defending the Dayton order and an EU-led effort to catalyze the needed constitutional and institutional reform to supersede that order, is desirable.
- Only Germany can lead such a policy shift. During the Munich Security Conference in January, German officials announced a new era in Germany foreign and security policy, with the country embracing international responsibility. Bosnia is the first occasion to transform this pledge into actual policy.