

**Census taking in the Western Balkans:
a challenging and often controversial task
on the way to EU membership**

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EXECUTIVE SUMMARY

On the road towards EU enlargement, potential member states need to comply with the EU *acquis communautaire*. Chapter 18 of the *acquis* foresees the conduct of a population census by enlargement countries. This has proven to be more challenging in the post-war environment of the former Yugoslavia than in other countries. After the dissolution of Yugoslavia, the attributes of ethnicity and territory increased in importance as they were used to set or consolidate new borders and distribute rights and power according to population numbers and concentration. The sensitive aspects of ethnicity, language and religion, and the simple definition of the census category of ‘place of usual residence’ complicate the collection of census data in the region. This complication is rooted in the potential for an increase or decrease of ‘ethnic’ population numbers that can lead to the loss of rights or political influence. The significance of these aspects has been underestimated by the EU, which approaches the collection of population data as a rather technical exercise. This policy note reviews the recent census experiences in Bosnia and Herzegovina, Croatia and the Former Yugoslav Republic of Macedonia to identify similarities in problems, process and politics, and to offer lessons learned for the future.

CENSUS TAKING IN THE WESTERN BALKANS: A CHALLENGING AND OFTEN CONTROVERSIAL TASK ON THE WAY TO EU MEMBERSHIP

1. Introduction¹

The collection of census data is part of EU enlargement. Until recently it was seen as a rather small detail of the process and foremost a technical exercise. However, when the European Commission changed its methodology for drafting the annual progress reports (now just called “reports”) in November 2015, it included Chapter 18 of the *acquis* on statistics under a new regime of “strengthened reporting.”² Census data shows the demographic changes of a country over time, but also provides the foundation for compiling other statistics (e.g. as a frame of reference for other statistical surveys). In this way, the population census can be viewed as the most important element and backbone of the *acquis* statistics requirements.

The engagement of the EU in the Western Balkans “has been particularly significant, as the European Union has a particular interest in supporting the development of reliable statistics in potential member states.”³ The EU has so far assessed the adoption and implementation of the *acquis* (and therefore the census) as a technical process. What the EU has underestimated is that domestic rights and political representation can depend on census outcomes. As a consequence, a process viewed as technical by the EU as a supra-national body, is seen as inherently political by domestic policymakers and politicians. The countries in the Western Balkans have had different outcomes in their census taking processes: whereas in Croatia the 2011 census was conducted without major difficulties, the census results in Bosnia and Herzegovina (BiH) still have not been published and as of this writing there is no agreement on release of the data. In the Former Yugoslav Republic of Macedonia (Macedonia) the 2011 census was aborted. Although the EU has been involved in most of the census processes via Technical Cooperation Meetings, but also technical and financial support,⁴ it has not used its full power to push for or demand implementation of international census guidelines and the EU’s own census regulations. For example, although there are ongoing debates within BiH and Macedonia on the census terminology defining ‘place of usual residence’, this category is clearly defined by the EU. Also, all Western Balkan countries have asked questions in their censuses regarding ethnicity (and/or nationality), language and religion – questions which are

¹ Within the broader framework of my PhD research, I am analysing the Europeanization of the censuses in the Western Balkans. This policy note represents a short overview of my first findings.

² European Commission, “2015 Enlargement Package,” http://europa.eu/rapid/press-release_MEMO-15-6040_en.htm.

³ Florian Bieber, “The Construction of National Identity and Its Challenges in Post-Yugoslav Censuses*,” *Social Science Quarterly* 96, no. 3 (2015): p.11.

⁴ Pieter Everaers, “The 2011 Round of Population and Housing Censuses in the Western Balkans: A Comparative Analysis with a Focus on Ethnicity and Citizenship,” *Contemporary Southeastern Europe* 2, no. 2 (2015).

not required by the EU. The EU has only recently started to increase pressure on BiH politicians to release the final census results.⁵ In Macedonia, the EU has no real leverage to push for a new population count. Unlike in BiH, the census was not funded with EU money and Macedonia's EU integration seems to be at a standstill, leaving the EU with few incentives at its disposal.

After a short description of census taking in the Western Balkans, the importance of the population censuses will be illustrated by three countries in different stages of EU membership: Croatia has been a member state since 2013, Bosnia and Herzegovina is a potential EU candidate country, and Macedonia is an EU candidate country but has not started membership negotiations.

2. Censuses in the Western Balkans

International guidelines and EU regulations on how to collect census data enable comparisons of census results between and among countries to be made. The *Conference of European Statisticians Recommendations for the 2010 Censuses of Population and Housing* (CES recommendations)⁶ outline the international guidelines for censuses conducted between 2005 and 2014. EU regulations⁷ were formulated in 2008⁸ and are closely based on the international recommendations. They legally require member states to use the same definitions and standards for censuses. Accession countries do not yet have a legal obligation, but "new countries joining the Union are expected to have achieved the same statistical standards"⁹ as EU member states. When their most recent censuses were held, all the Western Balkan countries were at some stage of the EU integration process.

Censuses were of course conducted long before EU integration was even an option.¹⁰ During the period of time that Yugoslavia existed, the decennial census was a sign of the country's modern status and development as a state.¹¹ The first Yugoslav census results were published

⁵ Rodolfo Toe, "Publish 2013 Census Data, EU Urges Bosnia," BIRN, <http://www.balkaninsight.com/en/article/eu-urges-bosnia-to-publish-data-from-census-in-light-of-future-application-01-11-2016>.

⁶ United Nations Economic Commission for Europe, "Conference of European Statisticians Recommendations for the 2010 Censuses of Population and Housing," in *Prepared in Cooperation with the Statistical Office of the European Communities (EUROSTAT)* (New York and Geneva: United Nations Publication, 2006).

⁷ European Parliament and Council of the European Union, "Regulation (EC) No. 763/2008 of the European Parliament and the Council of 9 July 2008 on Population and Housing Censuses," (Official Journal of the European Union 2008).

⁸ As there were no EU regulations at the time of the previous censuses in the region, the focus is on the censuses from the 2010 round (from 2005 to 2014).

⁹ Everaers, "The 2011 Round of Population and Housing Censuses in the Western Balkans: A Comparative Analysis with a Focus on Ethnicity and Citizenship," p.185.

¹⁰ Censuses are not only inherent to EU accession, but have been conducted in the Western Balkans even under the rule of the Ottoman Empire and the Habsburg Monarchy. See also: Fran Markowitz, "Census and Sensibilities in Sarajevo," *Comparative Studies in Society and History* p.49, no. 01 (2007).

¹¹ *Ibid.*, p.40.

in 1948¹² and the last census was conducted shortly before Slovenia and Croatia declared their independence in 1991.¹³ However, once Yugoslavia dissolved, the attributes of ethnicity and territory were used to set or consolidate new borders and distribute rights and power according to population numbers and concentration.¹⁴

This linkage between the proportional representation of formal rights based on the census numbers makes the process of census taking particularly difficult and highly political. The most politicized issues revolve around the sensitive categories of ethnicity, language and religion. In addition, the category of 'place of usual residence' is more difficult to define in most of the Western Balkan countries than in other European countries on account of decades of economic migration, seasonal or temporary employment in neighboring countries and wartime ethnic cleansing. Inclusion or exclusion of this diaspora could potentially increase or decrease absolute and relative population numbers, with political and societal consequences, especially if formal rights are connected to these population numbers.

EU regulations have a clear definition of the category of 'place of usual residence', which is defined as "the place where the person usually spends the daily period of rest"¹⁵ and has lived there for at least 12 months or has arrived within the last 12 months and has the intention of staying there. If these cannot be established, the place of legal or registered residence shall be taken as 'place of usual residence.'¹⁶ The EU regulations do not, however, include guidelines as to whether, and if so how, to count ethnicity, language and religion, as they are not part of the requirements for conducting a census. The CES recommendations include the same guidelines for 'place of usual residence' as the EU, and also address the issue of how to gather sensitive data on ethnicity, language and religion, even though these are only addressed as 'non-core' aspects.¹⁷ While these categories might seem like technicalities, they are closely linked to the possibility of increasing or decreasing population numbers and therefore related to whether ethnic groups can potentially gain more rights and/or power. The prospect of this potential gain (or loss) can politicize the census process tremendously, as illustrated by the cases of Macedonia and BiH below.

3. The 2011 census in Croatia

The 2011 census in Croatia was, in terms of independence of the operation, one of the most

¹² Ibid.

¹³ Bieber, "The Construction of National Identity and Its Challenges in Post-Yugoslav Censuses*," p.10.

¹⁴ Gëzim Visoka and Elvin Gjevori, "Census Politics and Ethnicity in the Western Balkans," *East European Politics* (2013): p.6.

¹⁵ European Parliament and Council of the European Union, "Regulation (EC) No. 763/2008 of the European Parliament and the Council of 9 July 2008 on Population and Housing Censuses," p.15.

¹⁶ Ibid. p. 15.

¹⁷ United Nations Economic Commission for Europe, "Conference of European Statisticians Recommendations for the 2010 Censuses of Population and Housing." pp.95-98.

advanced censuses taken in the region by far. Croatia was already quite advanced in the accession process: Chapter 18 of the *acquis* had already been closed prior to the census and there was no EU involvement in the census process. In the EC 2011 Progress Report, the accession date was already mentioned, along with notice that good progress had been made with regard to statistical requirements.¹⁸ Croatia adopted its census law in 2010 with an enumeration period from 1 to 28 April 2011.¹⁹ There was a delay of about a year with regard to the data processing due to difficulties in hiring suitable staff. The Croatian Bureau of Statistics followed the EU census regulations²⁰ and also the CES recommendations with the exception of the formulation of the sensitive questions on ethnicity, language and religion. The census provided closed answer categories, even though CES recommendations advise to make them open answer categories. Unlike other Western Balkan countries, there was no major dispute around the definition of 'place of usual residence.' This is not surprising as no attempt was made to count diaspora non-Croats who might have challenged the present power structure.

As in other Western Balkan countries, minority rights in Croatia depend on the outcome of the population numbers.²¹ Minorities in Croatia are granted special representative seats in parliament if they constitute more than 1.5% of the total population.²² Representation in local government bodies and language rights are also connected to the population numbers.²³ There were reports of irregularities during the census: The Serb National Council in Croatia noted that "members of the Serb community were given suggestions as to which ethnic and religious affiliation they should declare".²⁴ There was also related controversy over the possible introduction of the Cyrillic script in municipalities where the Serb minority made up more than 30% of the population; there were protests and a referendum on changing the constitution to increase the numerical threshold for such rights.²⁵ Nevertheless, the results of the census were internationally accepted and were even made part of the Eurostat census hub, meaning the census data was checked in the same manner as all other participating EU countries' censuses – a sign of the quality of the data.

¹⁸ European Commission, "Croatia 2011 Progress Report," (Brussels 2011).

¹⁹ Croatian Bureau of Statistics, "Census of Population, Households and Dwellings 2011, First Results by Settlements," in *Statistical Reports* (Zagreb 2011).

²⁰ And these are available at the website of the Croatian Bureau of Statistics website, see http://www.dzs.hr/default_e.htm.

²¹ Antonija Petričušić, "Constitutional Law on the Rights of National Minorities in the Republic of Croatia," *European Yearbook of Minority Issues* 2 (2002).

²² Ibid.

²³ Anna-Lena Hoh, "The 2011 Census in Croatia – a (Partial) Role Model for the Western Balkans?," *Contemporary Southeastern Europe* 2, no. 2 (2015).

²⁴ Boris Pavelic, "Croatia Sees Population Drop over Decade," *Balkan Insight* 2012.

²⁵ Anna-Lena Hoh, "The 2011 Census in Croatia – a (Partial) Role Model for the Western Balkans?," *Contemporary Southeastern Europe* 2, no. 2 (2015): p.78.

4. The 2013 census in Bosnia and Herzegovina

Bosnia and Herzegovina had to cope with many more difficulties than Croatia in its census process. In October 2013, the long expected first population count since the war took place. Earlier efforts to organize a population count were unsuccessful, due to the realities of the massive demographic shifts caused by wartime ethnic cleansing, and the potential impact of the results on the post-war constitutional order, which institutionalized power sharing among the three main constituent groups: Bosniaks, Serbs and Croats.²⁶ This led to the reduction of the democratic representation to “‘ethnic’ representation, thereby privileging the group rights of the constituent peoples over minority rights and individual rights”.²⁷ As a result of such continuing post-war political dynamics and claims, there was a continuous delay on decisions regarding census taking, such as the formulation of the questions and the use of the data.²⁸

The census process in BiH is complicated and still ongoing. According to the International Monitoring Operation (IMO) led by Eurostat, the census was carried out according to international standards.²⁹ Despite the IMO’s support, the census results have not yet been published.³⁰ Although defined in the census law and following EU regulations,³¹ the final hurdle seems to be the definition of the category of ‘place of usual residence’. When linked to a required question on mother tongue (a proxy for ethnicity), it could confirm the post-war demographic shifts and potentially replace the usage of the 1991 census results in terms of post-Dayton preferential ethnic policies.

The BiH census process continues to be closely monitored by Eurostat and was mostly paid for by the EU and the Swedish International Development Cooperation Agency (the total census cost was approximately 23 million Euros).³² In the 2015 EC Report on BiH the European Commission states that BiH should “urgently complete the processing of the census data and publish its results”³³ in line with the international guidelines. In the beginning of this year, the EU urged BiH to publish the census results before officially applying for membership.³⁴ The 22nd IMO report acknowledged that BiH was at high risk of missing the deadline of 1 July 2016

²⁶ Eldar Sarajlić, "Conceptualising Citizenship Regime(s) in Post-Dayton Bosnia and Herzegovina," *Citizenship Studies* 16, no. 3-4 (2012): p.370.

²⁷ Joseph Marko, "Ethnopolitics and Constitutional Reform in Bosnia-Herzegovina," in *Bosnia-Herzegovina since Dayton: Civic and Uncivic Values*, ed. O. Listhaug and S.P. Ramet (Longo Angelo, 2013), p.58.

²⁸ Valery Perry, "The 2013 Bosnia and Herzegovina Census: Waiting for Results and Counting the Questions," *Contemporary Southeastern Europe* 2, no. 2 (2015).

²⁹ Jean-Michel Durr et al., "Steering Committee of the International Monitoring Operation on the Population and Housing Censuses in Bosnia and Herzegovina - Thirteenth Assessment Report - 27 September – 18 October 2013," (2013): p.8.

³⁰ See also Valery Perry, "To count or not to count? That is the question." (2015) Retrieved from <http://www.democratizationpolicy.org/to-count-or-not-to-count--that-is-the-question>.

³¹ Director of the Agency for Statistics of Bosnia and Herzegovina, "Methodology for Preparation, Organization and Taking the 2013 Census in Bih," (nd.), p.6.

³² Eurostat, "2011 Population Census Framework - Factsheet on Population Censuses in the Enlargement Countries," (2014).

³³ European Commission, "Bosnia and Herzegovina 2015 Report," (Brussels 2015), p.57.

³⁴ Rodolfo Toe, "June Date Set for Release of Bosnian Census," *Balkan Insight*, 05-02-2016 2016; "Publish 2013 Census Data, EU Urges Bosnia."

contained in the census law for publishing the results of the census.³⁵ BiH submitted its application for membership in the EU on 15 February 2016 without agreement on how the data would be counted or analyzed.³⁶ In May 2016, the Director of the State Agency pledged to publish the census data before the deadline, although there is still no coherent agreement on the definition of resident population within the country.³⁷

5. The 2011 census in the Former Yugoslav Republic of Macedonia

As an EU candidate, Macedonia might seem more capable of conducting a census than Bosnia and Herzegovina. The country had conducted two censuses previously (in 1994 and 2002) and the State Statistical Office seemed technically capable of undertaking the operation. Yet the 2011 census of Macedonia was aborted after just a couple of days into the enumeration. A Eurostat-led light monitoring mission was unable to prevent the census from failing. The process was highly politicized from the outset, as all population groups tried to increase their numbers.³⁸ This was one of the challenges that had been underestimated by the monitoring mission.³⁹

Based on the Ohrid Framework Agreement, language rights are granted to an ethnic group if the group makes up more than 20% of the population,⁴⁰ a threshold that has led “to further contestation of census issues.”⁴¹ As in BiH, this issue was connected to the discussion on the census category of ‘place of usual residence’. The census failure in Macedonia can be traced back to its census law, which is ambiguous as to the definition of ‘place of usual residence’ and especially with regard to whether or not to include the diaspora (counting citizens who are abroad for more than 12 months). This along with some other factors, such as a complicated organizational structure of the census committees, led to disputes and controversy around the potential increase/decrease of ethnic numbers and in the end the failure of the census. According to Eurostat, this was foremost due to “the unequal implementation of the [prepared] census methodology”.⁴² The census was declared annulled by the government of Nikola

³⁵ Jean-Michel Durr and Meryem Demirci, "Steering Committee of the International Monitoring Operation on the Population and Housing Censuses in Bosnia and Herzegovina Twenty-Second Assessment Report," (2016): p.8.

³⁶ European Union External Action, "Bosnia and Herzegovina Enters New Chapter with EU Application," http://eeas.europa.eu/top_stories/2016/150216_01_en.htm.

³⁷ Rodolfo Toe, "Bosnia Statistics Agency Vows to Publish Census". *BalkanInsight*.

<http://www.balkaninsight.com/en/article/bosnia-s-statistical-agency-approves-program-to-publish-census-results-05-18-2016>

³⁸ Zhidas Daskalovski, "Census Taking and Inter-Ethnic Relations in Macedonia," *Southeast European and Black Sea Studies* (2013).

³⁹ Interview OSCE, Skopje, October 2015.

⁴⁰ Ulf Brunnbauer, "The Implementation of the Ohrid Agreement: Ethnic Macedonian Resentments," *Journal on Ethnopolitics and Minority Issues in Europe* 1 (2002): p.5.

⁴¹ Roska Vrgova, "Census, Identity, and the Politics of Numbers: The Case of Macedonia," *Contemporary Southeastern Europe* 2, no. 2 (2015).

⁴² Eurostat, "2011 Population Census Framework- Factsheet on Population Censuses in the Enlargement Countries."

Gruevski on October 12, 2011.⁴³

Apart from the census problems, Macedonia is currently experiencing a political crisis after a huge wire-tapping scandal came to light in 2015.⁴⁴ An EU brokered deal to solve the crisis via early elections⁴⁵ was postponed but elections are now set for June 2016.⁴⁶ In addition, the EU has issued 'Urgent Reform Priorities,' the condition upon which the Commission has extended its recommendation to open accession negotiations. The main deficiency identified by the Commission in the area of social statistics remains the lack of reliable and recent census data, since this also affects the collection of other statistics, such as the household survey and per capita data.⁴⁷ This limits international comparison of population data and 'evidence based decision making', which is an "important cornerstone of European society."⁴⁸

6. Conclusion and recommendations

As has been shown by the three examples, in the Western Balkans there are differences with regard to the implementation of the EU regulations when conducting censuses. In Croatia, the census followed the EU regulations, which is not surprising since before the 2011 census the country was seen as compliant with regard to the statistics *acquis* chapter. Most importantly, the country did not have outstanding and unresolved ethnic/population issues that could be confirmed, consolidated or manipulated by a formal count of these populations. The controversy related to the Serb minority noted above was the main challenge, and while important in terms of access to rights and the rule of law, did not substantially threaten the order of the state. The census as such was therefore not seen as a challenge or as an opportunity; it can be described as more or less technical.

Unlike Croatia, the census forms a bigger challenge for Bosnia and Herzegovina and Macedonia because in these countries outstanding issues of power sharing, collective rights and the nature of the state have not been resolved. Even though there is a clear EU definition for the category 'place of usual residence,' this now seems to be one of the most contested issues with regard to population politics with serious implications. In both countries this can be connected to the failures of the respective peace agreements to fundamentally resolve the core drivers of the conflict, or to confirm an agreed-upon vision of each state. These cases show that if the

⁴³ Marusic, "Macedonia Scraps 'Failed' Census."

⁴⁴ European Commission, "The Former Yugoslav Republic of Macedonia Report 2015," (Brussels 2015), p. 4; Kurt Bassuener, "No Stability without Accountability – the West's Responsibility in Macedonia," *DPC* (2015).

⁴⁵ Dane Taleski, "Macedonia in 2016: Resolving or reinforcing the political crisis?" (2016). Retrieved from <http://www.suedosteuropa.uni-graz.at/biepag/node/196>.

⁴⁶ Sinisa Jakov Marusic, "Macedonia Postpones Elections Amid Battle of Nerves," *BalkanInsight* (2016).

⁴⁷ European Commission, "The Former Yugoslav Republic of Macedonia Report 2015," p.47.

⁴⁸ Everaers, "The 2011 Round of Population and Housing Censuses in the Western Balkans: A Comparative Analysis with a Focus on Ethnicity and Citizenship," p.185.

proportional representation in power is directly linked to the census numbers, census processes are likely to be highly politicized.

These three different yet related cases provide a basis for several policy recommendations for future census exercises in contested and divided states:

For the EU:

1. Be cognizant that census taking is always a political process and can feed on existing tensions and stoke potential conflict. Take appropriate measures when planning a census, especially if power and rights depend on the census outcome.
2. Provide financial and technical assistance only for censuses which fulfill the main purpose of a census: the provision of a socio-economic overview of a country's population.
3. Underscore that the collection of sensitive data such as ethnicity, language and religion is not necessary in order to fulfill the EU conditions for census taking and if collected, then CES census recommendations should be followed.
4. Press for a clear and coherent definition of the census category 'place of usual residence' in Bosnia and Herzegovina and in Macedonia.
5. Press more strongly for the release of the 2013 census results in BiH.
6. Take measures to prevent a further deepening of the political crisis in Macedonia.

For Bosnia and Herzegovina:

1. Take concrete steps to publish the 2013 census data in line with the IMO recommendations and excluding the questions on ethnicity, religion and mother tongue from the data processing, following the "modest proposal" of Valery Perry.⁴⁹

For the Former Yugoslav Republic of Macedonia:

1. Draft an unambiguous census law that contains a methodology in line with EU census regulations and CES recommendations.

⁴⁹ Valery Perry, "A Modest Proposal – Get this Census Finished." (2016).
Retrieved from <http://www.democratizationpolicy.org/a-modest-proposal-get-this-census-finished>.

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