

The 2013 Census in Bosnia and Herzegovina – A Basic Review

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THE 2013 CENSUS IN BOSNIA AND HERZEGOVINA – A BASIC REVIEW

1. Introduction

Following a delay of several years and much heated debate, Bosnia and Herzegovina (BiH) conducted a long-overdue census between 1 - 15 October 2013, the first in 22 years. This census is of crucial importance to both BiH and the international community, as many of the Dayton-era power-sharing arrangements between the three constituent peoples (Bosniaks, Croats, and Serbs) are based on the 1991 census. The new census results will reflect the significant demographic changes caused by wartime ethnic cleansing and displacement. Given the continuing downward spiral of BiH's current political dynamic, there should be little doubt that census results will be extremely controversial.

On 3 February 2012, Bosnia and Herzegovina's (BiH) Parliamentary Assembly adopted a law for a census to be conducted in April 2013. The delay in adopting the law meant that BiH did not hold a census in 2011, the year that all European Union (EU) member states (as well as other former Yugoslav countries) held theirs. Additional political haggling delayed the census from April to October 2013.

Even though the process of knocking on doors has finished and many are already exhausted from the politicization of the process, the issue is far from over. The aggregation, analysis, and most importantly, the use of the data will remain open questions during 2014 – a general election year. This brief provides an overview of the key issues surrounding the census in BiH and identifies a number of potential policy and political implications that will continue to both shape and reflect the politics of numbers.

2. What Counts?

In 2011, all 27 EU member states conducted a census. In addition several prospective members – including Croatia (now a member) and Serbia (now a candidate) – organized censuses. Basic data on a population's individuals and households – employment status, educational attainment, basic economic position, family size and other information – help to inform public policy decisions ranging from parliamentary districting to educational needs assessments to eldercare planning. Censuses are the purview of the statistician, the technocrat, the boffin- each seeking to view a complex society through tangible and specific spreadsheets, pie charts and coded categories of data that help to make sense of an otherwise incredibly complex world. While providing data loved by quants, a census can be much more than an objective, technical operation. The kinds of questions asked, the way questions are asked (or not asked), the way responses are coded and collated and the manner in which data collected is ultimately analyzed into snapshots, infographics and narrative explanations each require non-technical human input, subjective choices that can either reflect or in fact shape the desired policy itself.

The subjective elements of a census are nowhere more complicated and complicating than in societies experiencing flux in terms of their demographic structure, whether through immigration, economic

shock, or, in perhaps the most extreme cases, war. In the book *Census and Identity*, edited by David I. Kertzer and Dominique Arel, the contributing authors explore issues including colonial efforts to categorize population, the role of religious groups in counting their flocks, and historical and contemporary linguistic, racial and ethnic categorization efforts. Their survey explores the naming and reification of categories, the definition of collectives seen as either “ours” or “theirs,” and the choices that groups – particularly minority groups – make in allowing themselves to be counted or not.¹ Statisticians seeking clarity through categories and tick boxes can clash with varying understandings of an individual’s self-identification. As Benedict Anderson writes, “The fiction of the census is that everyone is in it, and that everyone has one – and only one – extremely clear place. No fractions.”² Identifying who may be where when and for how long links social collectives with place; in his study of identity construction and consolidation in Southeast Asia, Anderson notes, “It would be unwise to overlook the critical intersection between map and census.”³

Many countries struggle with the challenges of measuring the subjective, continually reassessing methods and techniques through either top-down or bottom-up imperatives. Kertzer and Arel point out cases of Flemish parents claiming the French language in an effort to seek access to French schools for their children; of U.S. demographers struggling with how to break down a heterogeneous category such as “Hispanic”; and what it means to be ethnically Canadian. The post-war countries of the former Yugoslavia, occupying the temporal space between Europe’s most recent war and aspirational EU membership, have faced particular challenges in recent census efforts. A very brief review of recent census experiences in other countries in the region suggests that controversy and politics are not unique to BiH.

The details of these cases are explored in a recent (2013) article on the politics of censuses by Gezim Visoka and Elvin Gjevori, who review the 2011 census processes in several western Balkan countries. Their overview foreshadowed a number of the controversies that have plagued BiH census preparations and conduct. The 2011 census in Kosovo was partially boycotted, with Serbs in the north refusing to participate, and a large number of other residents not participating.⁴ Questions on ethnicity, religion, nationality and mother tongue were included in the form, but were not mandatory.⁵ In addition, there were objections to other characteristics, including the lack of inclusion of the Diaspora population, which would exclude a large number of Albanians living abroad in the previous 12 months prior to the census.⁶ In Serbia, the census was criticized on the basis of technical and substantive reasons, and

¹ Kertzer, David I. and Dominique Arel (eds.). *Census and Identity: The Politics of Race, Ethnicity, and Language in National Censuses*. Cambridge University Press, 2002.

² Anderson, Benedict. *Imagined Communities: Reflections on the Origin and Spread of Nationalism*. London: Verso, 1991; Excerpt from Chapter 10, “Census, Map, Museum,” p. 244-5. Available at <http://jan.ucc.nau.edu/~sj6/AndersonCensusMap.pdf>

³ Anderson, p. 249.

⁴ Visoka, Gezim and Elvin Gjevori. “Census politics and ethnicity in the Western Balkans.” *East European Politics*. 30 July 2013.

⁵ Kosovo Assembly, Law on Population and Housing Census, Law Number 03/L-237, 1 October 2010, Article 3.1.1.

⁶ Collaku, Pretrit, “Kosovo Academy Seeks Delay to Census.” *Balkan Insight*. 2 March 2011. Available at <http://www.balkaninsight.com/en/article/kosovo-academy-of-science-ask-postponement-of-census>

subjected to targeted boycotts by some Albanians and Bosniaks, but as Visoka and Gjevori assess, can be considered to have been only marginally contested.⁷ The 2011 census in Montenegro – the first since gaining independence in 2006 – was generally viewed as a success.⁸ Even in Croatia – an EU member as of July 2013 – the census was accompanied by questions and criticism, particularly around counting in Vukovar that triggered the installation of dual Latin and Cyrillic signs and months of protests by Croatian veterans groups.⁹

Macedonia is a particularly interesting case. Its state structure and constitution were designed with significant international involvement, it remains rather heterogeneous, and it has experienced controversial censuses on three occasions since 1991. An extraordinary census took place in the summer of 1994, driven and funded by the Council of Europe and the EU. The role of external actors in this exercise provides interesting opportunities for consideration of BiH's recent census experience, and Friedman has written on his experiences as an observer.¹⁰ Referring to the “distrust and animosity” that characterized the atmosphere of the 1991 census, he describes the often conflicting and contradictory questions and definitions of ethnic identity, citizenship, complex or multiple identities and other controversial identity-related issues, and expresses concern over linking these varying perspectives to territorial claims. Friedman goes on to explain how the International Census Observation Mission (ICOM) observers and involved European officials, “told me they were quite surprised when they discovered that they were embroiled in highly charged political issues, as opposed to a mechanical statistical exercise, and they expressed confusion and dismay over the complex ethnic situation they encountered.”¹¹ A number of additional anecdotes reveal the disconnect between intended the technical process of the census, and the inherent and complex politics. Friedman in particular noted the problems with the definition of “mother tongue” and “nationality,” observing that, “the composition of the census form, which required respondents to declare a single mother tongue, effectively erased the multilingualism that has characterized the Balkans for centuries – if not millennia – and that is still a significant feature of Macedonian life in some areas.”¹²

Another census was held in 2002, in the wake of the Ohrid Agreement which stipulated that ethnic groups representing more than 20% of the population would enjoy certain rights and guarantees – a number that could only apply to the Albanians (and of course Macedonians).¹³ Albanians were found to

⁷ Visoka and Gjevori.

⁸ Durr, Jean-Michel and Roberto Bianchini. “Assessment of the Post-Enumeration Phase of the 2011 Census of Montenegro. Report to the Steering Committee of the Fourth Mission.” 13-15 June 2011.

⁹ See for example, “Šokantni Rezultati, Ovo Je Hrvatska.” *Jutarnji List*. 12 December 2012, Available at <http://www.jutarnji.hr/danas-objava-5-podataka--a-ostalo-mozda-nikada-necemo-doznati--/1072933/>. Results from the 2011 census in Croatia resulted in implementation of a constitutional provision protecting minority rights and ensuring the public use of the Cyrillic script. While embraced by minority Serbs, many Croats protested. “Croatia to Introduce Cyrillic Script to Vukovar.” *Balkan Insight*. 3 January 2013. Available at <http://www.balkaninsight.com/en/article/croatia-to-introduce-cyrillic-to-vukovar>

¹⁰ Friedman, Victor A. “Observing the Observers: Language, Ethnicity, and Power in the 1994 Macedonian Census and Beyond”. *New Balkan Politics*. Vol. 3/4, 2001 (page numbers not available).

¹¹ Ibid.

¹² Ibid

¹³ Ohrid Framework Agreement, August 2001.

constitute 25.2% of the population. The 2002 census process garnered its share of controversy.¹⁴ The most recent 2011 census in Macedonia failed, as many of the challenges confronted in earlier censuses were repeated.¹⁵ Concerns included the timing of the census (would it be in summer to allow for Diaspora participation?), the selection of census takers (minorities wanted enumerators from “their” group counting their communities), and other questions. Ultimately, Albanian and Turkish members of the Macedonia census commission quit the commission in February 2011.¹⁶ The census was already underway in autumn 2011 but was abruptly stopped on October 11 (four days short of the planned completion date), due to reported irregularities.¹⁷

While BiH did not have a post-war census until 2013, it had been subject to censuses in the 19th and 20th centuries under the Ottoman Empire, in the Kingdom of Serbs, Croats and Slovenes, and in socialist Yugoslavia.¹⁸ One more recent post-war experience in the Federation (FBiH) in 2002/2003 provided some insights into the politics of such a count. Markowitz reviewed the “Federation-wide social mapping exercise” held in 2002 in the Federation’s ten cantons, noting in particular that “instead of the twenty-five categories used in 1991 to count the inhabitants of Yugoslavia, the FBiH population was now grouped into four categories only,” the three constituent peoples and the Others.¹⁹ In her review of this exercise, Markowitz wrote that, “the FBiH population survey, administered under government auspices only six years after the end of a war waged on the principle of ethnic cleansing, pushed familiar but slippery notions into fixed categories so that citizens (were) identified in the census along the exclusivistic, tripartite scheme agreed upon by their (nationalist) leaders and inscribed as the constitutional base of the state.”²⁰ She further provided anecdotes that foreshadowed concerns: “...the census-taker came. My friend’s mother answered the question about national belonging by saying, ‘I am a Czech.’ The interviewer told her, ‘I have no Czechs on my list. Czechs are Catholic. I’ll put you down as a Croat.’ And my friend’s mother did not object.”²¹ The law, the chosen categories, the manner of enumeration and the potential use of the data would clearly both shape and influence any state-wide count.

¹⁴ Visoka and Gjevori; Daskalovski, Zhidas. “Census taking and inter-ethnic relations in Macedonia.” *Southeast European and Black Sea Studies*. 2013, pp. 1-15

¹⁵ Visoka and Gjevori.

¹⁶ Marusic, Sinisa Jakov, “Albanians, Turks, Quit Macedonian Census Commission.” *Balkan Insight*. 18 February 2011. Available at <http://www.balkaninsight.com/en/article/albanians-turks-leave-macedonian-census-commission>

¹⁷ Taleski, Misko. “Macedonian Census Stopped Due to Irregularities.” *SETimes.com*. 17 October 2011. Available at http://setimes.com/cocoon/setimes/xhtml/en_GB/features/setimes/features/2011/10/17/feature-03

¹⁸ Raible, Elizabeth. *Dilemmas of the Projected 2011 Census of Bosnia and Herzegovina: Enumerating Ethnic Cleansing, Refugee Return, and National Identity*. MA/MPA thesis, Indiana University, August 2008.

¹⁹ Markowitz, Fran. “Census and Sensibilities in Sarajevo.” *Comparative Studies in Society and History*. Vol. 49(1), 2007, p. 45. Author note: while Markowitz’s article is thorough and provides a fascinating study, through informal and random inquiries, the author has not found anyone in Sarajevo who recalled this process.

²⁰ Markowitz, p. 47.

²¹ Markowitz, p. 58.

3. The BiH Law on Census

The need for a census in BiH had been widely acknowledged for years, as the country experienced massive displacement during the three-and-a-half year war, with approximately 100,000 killed and 2 million displaced internally or as refugees.²² It is difficult to formulate public policy when basic data such as the number and demographics of people in a given area are subject to guesswork. Scholars yearn for such information as well, with best guesses and estimates being developed to fill the void.²³

In 2005, the United Nations Development Program (UNDP) and the Delegation of the European Commission in BiH drafted a paper in anticipation of a census to be held around 2010. The paper acknowledged the need for a count, as well as concerns, noting, “The key threat remains the impact of the results on the proportionality guarantees embedded in the Dayton Accords and subsequent agreements, and the associated domestic political reaction. It should be noted, however, that the 2002 ‘Agreement on the Implementation of the Constituent Peoples’ Decision of the Constitutional Court of Bosnia and Herzegovina’ specifically enshrines representation of the constituent peoples in the members of the Government after the completion of Annex 7.”²⁴

There have in general been opposing views among BiH political actors on when to hold a census, and, in particular, whether and how to capture “identity data” such as ethnicity, nationality, mother tongue or religion. Parties in the Republika Srpska (RS) have been most interested in holding a census and collecting this data, reflecting the interest among RS parties in demonstrating and consolidating the demographic status quo that reflects the expected Serb majority in that territory. The Serb party SNSD (*Savez Nezavisnih Socijaldemokrata*, or Alliance of Independent Social Democrats) introduced a draft law for a census in 2004, calling for a census as soon as 2005.

Parties in the Federation – in particular the Bosniak SDA (*Stranka Demokratije Akcije*, Party of Democratic Action) and the Croat HDZ (*Hrvatska Demokratska Zajednica*, Croatian Democratic Union) – have been less supportive of a census, and against capturing such identity data, fearing the impact of such data on returns, and seeking to avoid data that would confirm the ethnic homogenization of the country. Croats fear the census will show a sharp decline in the overall numbers of Croats throughout BiH, as well as a considerable drop in the percentage of Croats in the overall population. They also fear this could weaken their ability to promote Croat returns to regions where Croats traditionally constituted a relatively larger percentage of the population than today, such as the Posavina region and the Dobož – Bosanski Brod corridor, both within the territory of the RS. For Bosniaks the issue is seen not in terms of overall numbers, but rather in the expulsion of their national kin from areas that traditionally had large Bosniak urban and rural populations, especially the Drina River Valley, as well as throughout the northern part of the RS. In addition, both Croats and Bosniaks fear the RS could use census data as

²² Toal, Gerald and Carl T. Dahlman. *Bosnia Remade: Ethnic Cleansing and its Reversal*. Oxford University Press, 2011.

²³ Bochsler, Daniel. “The Distribution of Ethnic Identities in Post-War Bosnia and Herzegovina: A New Estimation Approach.” *CIS Working Paper*, Number 81, 2013.

²⁴ “BiH Census: Proposed Way Forward.” A paper by the United Nations Development Programme (UNDP) and the Delegation of the European Commission (EC) to Bosnia and Herzegovina, July 2005.

an argument for national self-determination, i.e., potential secession. At the very least, the new census results could impact the power-sharing arrangements established in ethnically cleansed areas that have been in force since Dayton.

4. The Census As A Key To Unlocking European Integration

The issue remained stalled for years. In 2011, BiH's EU Stabilization and Association Agreement (SAA) progress, and the country's ability to apply for EU candidacy status, was tied to three target goals: the adoption of a law on state aid (adopted in February 2012), the adoption of a state law on census, and the demonstration of credible progress in making the constitutional reforms needed as a result of the decision of the European Court of Human Rights in the *Sejdic and Finci vs. Bosnia and Herzegovina* case. Although political parties failed for 14 months to establish a state level government after the October 2010 elections, the government finally drafted and adopted the first two aforementioned laws. There was clearly a political compromise at work that sought to balance the need for a census and the opposing interests of the entities and political parties. While questions on "ethnicity/nationality" and "religion" were included as non-obligatory questions, a question on "mother tongue" – a potential proxy for identity – was included as mandatory. The law was adopted by Parliament without public consultation or a public comment period.

The *Law on the Census of Population, Households and Dwellings in Bosnia and Herzegovina in 2013* (hereafter, the Law on Census) consists of 48 articles. Several deserve brief but specific mention due to some concerns and implications they raise.

- Article 3 specifies the census is to be conducted from 1-15 April 2013. Inclusion of the date in the law means that any change to the date of the census would require a change in the law.²⁵
- Articles 4, 5 and 7 note the units covered and not covered by the census. Of most importance, BiH citizens with permanent or temporary residence in BiH (whether they are present or absent at the time of the census) and foreign persons legally residing in BiH are included; diplomatic staff and their families are not. Articles 4 and 7 are notable in that the requirement of residence excludes the Diaspora: "Civilian residents temporarily working in another country provided that they have not been living abroad for one year or more."²⁶
- Article 8 reviews the range of data to be collected, including "ethnic/national affiliation, mother tongue, religion" and a host of standard demographic data. Mother tongue is noted in the original as singular.
- Article 12 notes that responses to the questions on national/ethnic and religious affiliation are not mandatory.

²⁵ The census was delayed in January 2013 for 6 months. "Bosnia delays first postwar census as regions fail to cooperate." *Reuters*. 23 January 2013.

²⁶ Article 7(3)(a).

- Article 19 outlines the organization of the census, noting (1) that it will be organized by the state and two entity statistics institutes; (2) that data entry of census data will take place in East Sarajevo; and (3) that the ethnic structure of personnel working on “entering, processing and control of the census data” shall reflect the BiH population of the last (1991) census.
- Article 20 (h) obliges the BiH Statistics Agency to carry out the pilot census in cooperation with the entity institutes. Article 20 (n) notes that the state Agency will publish the census results.
- Article 21 (v) notes the entity institutes shall also publish the results of the census.
- Article 22 requires a single database for all census data that will be the property of the three agencies/institutes.
- Article 23 provides for the establishment of census bureaus and commissions at the state, entity, canton and municipal levels.
- Article 28 notes that the Director of the BiH Statistics Agency will define the two needed questionnaires (household and individual) and organizational/methodological instructions.
- Article 38 notes that funds needed to finance census activities shall be provided by BiH, entity, Brcko, international and other sources, with Article 39 noting the minimum required funding over 4 years is 42,625,603 KM (€21,859,854)
- Articles 43 and 44 set fines ranging from 100 – 10,000 KM (€51 - €5,128) for offenses, including refusal of participants to respond to required questions, and failure of enumerators to carry out their duties correctly. One of the listed failures of an enumerator is explained as, “if, contrary to the will of the person covered by the Census, they exert influence on that person to provide information on his/her ethnic or national or religious affiliation against his/her will”²⁷.

After the Law was adopted in February 2012, the draft census questionnaire posted on the BiH Statistics Agency web site began to stir up controversy. Of particular concern was the presentation of the three “sensitive” questions on 1) ethnicity/nationality; 2) religion; and 3) mother tongue.

5. The Three Controversial Questions

The bulk of the controversy surrounding the BiH census – both in past efforts to adopt a law, and in the current implementation phase – revolves around three subjective questions based on self-identification: ethnicity/nationality, religion and mother tongue. This is perhaps not a surprise in a post-war divided state. In their exploration of the role of the census in constructing social reality, Kertzer and Arel note,

²⁷ Article 44 a.

“the ways in which the census is used to divide national populations into separate identity categories: racial, ethnic, linguistic or religious.”²⁸ However, in the context of EU and prospective EU member states, guidelines clearly point out that these kinds of subjective questions **are not required by the EU**. The decision to include these questions was made solely by BiH’s domestic politicians.

There are an increasing number of recommendations, guidelines and standards regarding census practices, to ease efforts among countries in comparing data. In 2008, the EU enacted a legal framework governing the conduct of censuses by EU member states, requiring that each member state conduct a population census every ten years according to some basic requirements.²⁹ The relevant EU legislative framework on census data collection consists of: Regulation (EC) No. 763/2008 requiring compliance with subsequent implementing regulations; Regulation (EC) No. 1201/2009, focusing on technical specifications for census topics and their breakdowns; Regulation (EU) No. 519/2010, specifying the format of data which member states are required to submit; and Regulation (EU) No 1151/2010, requiring member states to submit a written report along with their statistical data. The regulations emphasize the output and harmonized transmission of information collected, rather than providing highly prescriptive instructions on how census data are collected.³⁰ An Annex to Regulation No. 763/2008 provides a list of topics that EU members are required to collect in their censuses, including geographic, demographic, economic, and educational characteristics of persons; international and internal migration characteristics; and household, family, and house characteristics.³¹ The extensive *EU Legislation on the 2011 Population and Housing Censuses: Explanatory Notes* was published by EUROSTAT (the EU’s statistical office) to provide further consistent guidance to all EU countries in their preparations for the 2011 census.³²

The United Nations Economic Commission for Europe (UNECE), in cooperation with EUROSTAT prepared the non-binding *Conference of European Statisticians Recommendations for the 2010 Censuses of Population and Housing in 2006* (CES Recommendations), in advance of the 2010 censuses, covering issues related to both core and non-core topics.³³ The non-core topic areas that reflect ethno-cultural characteristics are ethnicity, language, and religion.³⁴ CES Recommendations warn that questions related to ethno-cultural characteristics are largely subjective and politically sensitive, emphasizing the

²⁸ Kertzer and Arel, p. 2.

²⁹ *Regulation (EC) No 763/2008*, art. 1 (European Union, 2008), available at <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:218:0014:0020:EN:PDF>.

³⁰ Eurostat, *EU Legislation on the 2011 Population and Housing Censuses — Explanatory Notes*, 9 (2011), available at <http://unstats.un.org/unsd/censuskb20/Attachment486.aspx>.

³¹ *Regulation (EC) No 763/2008*, Annex (European Union, 2008), available at <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:218:0014:0020:EN:PDF>.

³² Available at http://epp.eurostat.ec.europa.eu/cache/ITY_OFFPUB/KS-RA-11-006/EN/KS-RA-11-006-EN.PDF

³³ United Nations Economic Commission for Europe, *Conference of European Statisticians Recommendations for the 2010 Censuses of Population and Housing* (2006), available at http://www.unece.org/fileadmin/DAM/stats/publications/CES_2010_Census_Recommendations_English.pdf.

³⁴ United Nations Economic Commission for Europe, *Conference of European Statisticians Recommendations for the 2010 Censuses of Population and Housing*, 96 (2006).

need to assure the “free and open declaration of respondents.”³⁵ The CES recommendations further emphasize the need to monitor data collection and protect data in light of the vulnerable nature of certain minority groups.³⁶ If a country determines there is a need to ask these non-required questions, to ensure social buy-in, transparency, confidence and trust, it is recommended that members of ethnic, linguistic, and religious groups be engaged in drafting questions, defining the classification procedures, and conducting the censuses among their own minority populations.³⁷

Further guidance is provided by the Statistical Committee of the UN, which published guidelines entitled, *Principles and Recommendations for Population and Housing Censuses, Rev. 2*, in 2008 to assist the large number of countries organizing censuses in 2010 and 2011. A number of their recommended practices are related to the collection of sensitive data. The fluidity of the concept of ethnicity is clearly noted (“Ethnicity is multidimensional and is more a process than a static concept, and so ethnic classification should be treated with movable boundaries”³⁸), as is the impact of intermarriage (point 2.162), and the interpretative definitional problems inherent in a concept that can, “*be measured using ethnic ancestry or origin, ethnic identity, cultural origins, nationality, race, colour, minority status, tribe, language, religion or various combinations of these concepts*” (2.162). It is further noted that, “the method and the format of the question can influence the choices of respondents,” and that “the pre-coding or the pre-classification of ethnic groups at the time of data capture may have a tendency to lose detailed information on the diversity of a population” (2.162).³⁹

On the matter of language, if a decision is made to include such questions then countries are urged to consider that there are three types of data that can be collected: the language one speaks at home in one’s early childhood; the language most often spoken in one’s home at the time of the census; and the ability to speak multiple languages (2.156).⁴⁰ Broadening the question in order to more generally capture functional linguistic knowledge can help ensure that language questions provide information on a population’s overall multilingualism and fluency, and thereby avoid narrow conceptions of mother tongue that might serve as an ethnic marker or proxy.

6. European Practices

A review of census questionnaires for the most recent round of censuses in EU and potential EU member states reveals a variety of practices with regard to the types of sensitive questions discussed in the preceding section (this summary is indicative, and not comprehensive):⁴¹

³⁵ United Nations Economic Commission for Europe, *Conference of European Statisticians Recommendations for the 2010 Censuses of Population and Housing*, 95 (2006).

³⁶ United Nations Economic Commission for Europe, *Conference of European Statisticians Recommendations for the 2010 Censuses of Population and Housing*, 95 (2006).

³⁷ United Nations Economic Commission for Europe, *Conference of European Statisticians Recommendations for the 2010 Censuses of Population and Housing*, 95-96 (2006).

³⁸ *Principles and Recommendations for Population and Housing Censuses, Rev. 2* (2.161), page 139.

³⁹ *Ibid.*

⁴⁰ *Ibid.*

⁴¹ The author would like to thank Amelia Randall for her assistance compiling this information.

- The following countries *do not* ask questions related to one's stated ethnicity: Austria, Belgium, France, Germany, Greece, Hungary, Italy, Luxembourg, Portugal, Poland, Serbia, Slovakia, Spain (Neither Switzerland nor Monaco ask this question either)
- The following countries ask an *optional* question regarding ethnicity: Albania, Bulgaria, Croatia, Czech Republic, Lithuania, Macedonia, Romania, Slovenia
- The following countries asked an *open* question⁴² regarding ethnicity: Latvia, Montenegro, Albania, Czech Republic, Macedonia, Romania
- Some countries ask for nationality instead of ethnicity, but the following countries *do not* ask questions on either issue:⁴³ Austria, Belgium, Germany, Greece, Italy, Slovakia, (Switzerland also did not ask this question)
- The following countries do not ask any questions relating to language: Belgium, France, Germany, Greece, Italy, Monaco, Portugal
- The Czech Republic and Hungary allow citizens to declare *more than one* mother tongue
- The following countries *ask no questions* on religion: Belgium, France, Greece, Italy, Latvia, Luxembourg, Poland, Spain (Monaco also doesn't ask such a question)
- The following countries ask an *open* question on religion: Albania, Czech Republic, Hungary, Macedonia, Montenegro, Romania, Serbia, Slovenia, Moldova
- The following countries ask an optional question on religion: Albania, Bulgaria, Croatia, Czech Republic, Estonia, Hungary, Kosovo, Lithuania, Macedonia, Montenegro, Portugal, Romania, Serbia, Slovenia
- The following countries ask an open question on religion that is also optional: Albania, Czech Republic, Hungary, Macedonia, Montenegro, Romania, Serbia, Slovenia,
- The following countries provide a tick box for atheists or people with no religious faith: Albania, Croatia, Czech Republic, Hungary, Slovenia
- The following countries provide a tick box for citizens not belonging to a religious community or with no religion: Albania, Armenia, Australia, Austria, Bulgaria, Czech Republic, Estonia, Germany, Hungary, Kosovo, Lithuania, Portugal, Slovakia, Slovenia, Switzerland, United Kingdom

In 2011, the European Commission on Racism and Intolerance (ECRI) also addressed some issues concerning the census and labels. "ECRI recalls that many persons in Bosnia and Herzegovina do not identify with any single ethnic group, and that this reality needs to be taken into account... introducing

⁴² Open-ended questions provide a space in which respondents can write their answers without constriction. No tick boxes are provided.

⁴³ Nationality refers to one's country of origin, whereas ethnicity refers to racial ancestry. While nationality is often considered a legal concept, ethnicity is considered more of a cultural concept.

the possibility of identifying oneself as ‘Bosnian’ would help to cater for the needs of these persons, and at the same time would constitute a step towards the acknowledgment of full Bosnian democratic citizenship.”⁴⁴ However, in spite of the raft of international standards, recommendations and potential good practices, and in spite of the fact that the EU does not require such data or make funding contingent upon such data, these subjective identity questions would continue to dominate virtually all census conversations.

7. The Process in BiH

Once the Law on Census was adopted, the planning process began in earnest. On 29 March 2012, a Memorandum of Understanding (MoU) by the European Commission, the Council of Europe and the BiH Council of Ministers established an International Monitoring Operation (IMO).⁴⁵ The IMO would be engaged from the preparations all the way through to data dissemination, and should “contribute to the building of confidence in the census, ensuring a broad participation of the population and advocating respect of international recommendations.”⁴⁶

While 45 questions were included in the initial BiH draft census form⁴⁷, it is not surprising that the vast bulk of time and political attention have been spent on matters concerning the three sensitive questions. As early as February 2012, a draft questionnaire was available on the BiH Statistics Agency web site.⁴⁸ The form had been developed in working group meetings involving statisticians and politicians; no representatives of national minorities, human rights or civic groups were included in the drafting process. The three sensitive questions were then formulated in a “closed” way, as follows:

ACCORDING TO ARTICLE 2 OF THE CONSTITUTION OF BIH, CITIZENS ARE NOT OBLIGED TO ANSWER THE FOLLOWING 3 QUESTIONS

23. Ethnicity / Nationality

Bosniak Croat Serb do not declare other →

24. Religion

Islamic Catholic Orthodox do not declare other →

25. Mother tongue

Bosnian Croatian Serbian other →

⁴⁴The ECRI report is available at http://www.coe.int/t/dghl/monitoring/ecri/country-by-country/bosnia_herzegovina/BIH-CBC-IV-2011-002-ENG.pdf

⁴⁵ “Memorandum of Understanding,” Ref. Ares(2012)381012 - 30/03/2012

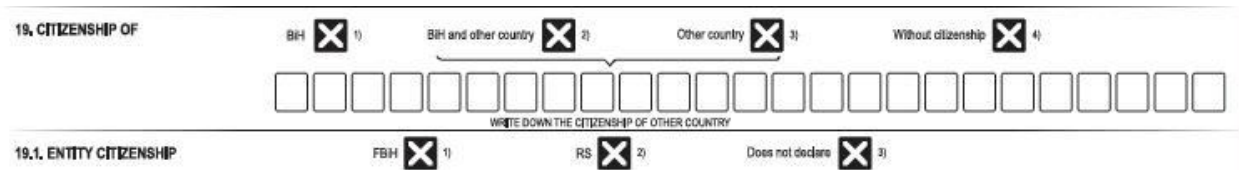
⁴⁶ Ibid, I (2).

⁴⁷ The census consists of several forms: for example, one for households, one for individuals, and one for agricultural holdings. For the purpose of this review, reference to the census form refers to the individual response form (P-1).

⁴⁸ The BiH Statistics Agency web site is www.bhas.ba. In 2013 a special site for the census was launched at www.popis.2013.ba.

responses), then the enumerator would tick that appropriate box. Any other response would be recorded as it was stated. Similar tick boxes would capture the expected most common expected responses for religion (with the addition of tick boxes for agnostics and atheists), and mother tongue as well. There remained concerns- the lack of a script for enumerators; insufficient training materials; and insufficient engagement of civil society and national minorities in census preparations generally. However, the move away from the initial closed question was considered to be an improvement.⁵⁴

In addition, in 2013 a new optional question on one’s entity citizenship was added to the new form. The English version of this question follows:



The IMO began a series of visits to BiH and issued reports regularly. By the start of the census, 10 reports were available on the BiH Agency for Statistics’ web site, (the tenth covering a visit in late May 2013), covering a range of topics and concerns that included budgets; training preparation; outreach and public communications; cartographic concerns; coordination among the state and the two entities’ statistics agencies; logistics and tender/procurement procedures; establishment of municipal census commissions; central data collection preparations; post-enumeration quality assessment surveys, and more.⁵⁵ The reports were provided to the BiH Council of Ministers, as per the MoU; they were made available to the public, but often with significant time lags (in some cases nearly two months).

8. Politicization of the Census

The pilot census was conducted from 1-15 October 2012, and by late October there were reports of initial leaked results. One leak attracted substantial attention- that 35% of respondents declared themselves to be Bosnians and/or Herzegovinians, a trend purportedly common among young people.⁵⁶ However, this data was based on a flimsy foundation. The Agency noted that it was still collecting pilot census data until December, and expected to have a usable analysis by February 2013; representatives of the IMO noted the same. Some observers suggested that journalists fabricated this information entirely; others that this alleged data was leaked by officials close to the process, possibly to attract attention and further politicize the count.

An organization calling itself Foundation Census 2013 (*Fondacija Popis 2013*), was one of the early organizers seeking to call on Bosniaks (Bosnian Muslims) to respond to the three identity questions in a structured manner: as a Bosniak, with the religion Islam, and speaking the Bosnian language

⁵⁴ Author interviews, observation, spring/summer 2012, Sarajevo.

⁵⁵ Reports available at <http://www.popis2013.ba/index.php/en/raports-imo-mission.html>.

⁵⁶ Bieber, Florian. “An Unexpected Count.” Blog post. 2 November 2012. Available at <http://fbieber.wordpress.com/2012/11/02/an-unexpected-count-results-from-the-bosnian-sample-census/>

(*Bosanski*).⁵⁷ This effort was not a surprise; the question of national identity among Bosnia’s population of Islamic heritage had always been less than rigid, with some considering themselves Bosnians, others Bosniaks, and yet others Muslims. This was especially the case following Tito’s conferral of nationhood via the term “Muslim” with a capital “M”, which some Bosniaks rejected, continuing to declare themselves as “Bosnian” during the Tito era. Also, given that Bosniaks lack a greater national-territorial program similar to those present among Serbs and Croats, this confusion was understandable.⁵⁸ Foundation Census 2013 asserted that this would put Bosniaks at risk; if BiH’s Croats and Serbs declared as Croats and Serbs, and Bosniaks divided themselves among Bosniaks or Bosnians or even Muslims, then there could be a risk of lower numbers of identified Bosniaks in a country in which constituency among the three constituent peoples represents the key to political power. While it would be mistaken to assume that BiH’s Croats and Serbs would reject the notion that they are also “Bosnian” (or “Herzegovinian”) this campaign was the logical outcome of a census question that combined and conflated notions of ethnicity and nationality into one singular question, “ethnicity/nationality.”

The Foundation effort, together with a campaign “*Bitno je Biti Bosnjak*” (It is important to be Bosniak”), urged Bosniaks to declare as such. Their campaigns started early, and have been consistent and aggressive, with a heavy media offensive and a number of YouTube videos all aiming to get the point across that if Bosniaks declare as Bosnians, then they will be “lumped in” with the “others,” and at a disadvantage socially and politically.⁵⁹

Some have called for the census to not merely count the persons legally resident in the country during the time of the census (as is standard), but to count the Diaspora, i.e., to capture information on BiH citizens worldwide, whether actually resident in BiH or not.⁶⁰ In light of the significant Bosniak displacement during the war, the Bosniaks have been active in this regard, and there have been reports of support groups encouraging BiH citizens abroad to return to BiH to partake in the census and perhaps even funding such trips. There have been allegations as well of citizens abroad being told that they would stand to risk loss of their property in BiH if they were not counted. Misinformation flowed easily in the absence of facts and comprehensive myth-busting.

While not as vociferous as the pro-Bosniak campaigns, the other main constituent communities have not been immune to subtle or more direct pressure techniques. The Roman Catholic archbishop in BiH, Cardinal Vinko Puljic, said in a letter to clergy that it was the “moral duty” of all Catholics to declare

⁵⁷ The Foundation web site is at www.popis2013.net.

⁵⁸ Tone Bringa’s *Being Muslim the Bosnian Way* (Princeton University Press, 1995) provides a useful summary of this debate.

⁵⁹ The pro-Bosniak campaign videos have attracted attention, much negative, for their use of children in highly political ads: <http://youtu.be/dYaneeixqbs>; <https://www.youtube.com/watch?v=Qz2YTk1ikN8>; <https://www.youtube.com/watch?v=fvLerWWI4js>; <https://www.youtube.com/watch?v=wDJ06knmBHM&feature=youtu.be>

⁶⁰ In early 2013, the World Diaspora Alliance of BiH noted its disappointment in this plan, noting they would seek amendments to the census law that would make it possible to actively seek to count BiH diaspora. “Ticic: Diaspora Will Not Be Enumerated.” *FENA*. 22 February 2013. Available at http://www.fena.ba/public2_en/Category.aspx?news_id=FSA1154554

themselves as such in the census.⁶¹ Croatian Prime Minister Zoran Milanovic and President Ivo Josipovic each visited Croat majority parts of BiH in the days leading up to the census; some might consider it a standard visit of a kin-state neighboring leader to relevant communities, while others might see the visit as a reminder of identity politics.⁶² In the RS, Milorad Dodik denigrated the Bosniak initiatives, while encouraging all in the RS to declare their nationality, religion and language.⁶³

As 2013 progressed, it became increasingly clear that the census was not simply a technical exercise; this dynamic was similar to Macedonia's three censuses, as noted earlier. Pro-Bosniak groups threatened a boycott unless the designations "Bosniak" and "Musliman" (Muslim) would be automatically aggregated into one count. Civic groups threatened a boycott if the wording of the sensitive questions were to be changed *back* to the original closed approach (with four tick boxes for the three constituent peoples and others), condemning pressure for such categorization.⁶⁴

In contrast to the efforts by various interest groups to politicize the census, there was little formal, official public outreach. In the first week of September the official BiH Statistics Agency public awareness campaigns had only just begun; this was noted by the IMO with some concern in its reports and conversations.⁶⁵ Misinformation campaigns were not countered with official "myth busting" or official clarifications. In late August, the NGO *Zasto Ne?* (Why Not?), together with the civic coalition *Jednakost* (Equality) launched a web site called *popismonitor.ba* (census monitor), to both provide basic information about the census, and provide a mechanism for citizens to report any noted irregularities during the run-up to, and conduct of, the census.⁶⁶ A booklet of questions about the census was also published, and distributed in the weeks leading up to the census launch. The NGOs also posted YouTube animations aimed at urging people to not feel forced to declare in any given way.⁶⁷ The interest among these organizers is to inform but also to draw attention to the ethnicization of the country, and the discrimination of people who consider themselves to be citizens or "Others."⁶⁸ On 19 September, the NGO ACIPS published a policy paper entitled, "The Purpose of the Census: A Guide for Citizens," looking

⁶¹ Sito-Sucic, Daria. "In first census since war, Bosnia's 'Others' threaten ethnic order." *Reuters*. 27 September 2013, Available at <http://www.reuters.com/article/2013/09/27/us-bosnia-census-idUSBRE98Q0DT20130927>

⁶² "Milanovic u BiH: 'Popis je vazan, prava – neupitna!'. *HRT*. October 4, 2013. Available at http://www.hrt.hr/index.php?id=vijesti-clanak&tx_ttnews%5Btt_news%5D=222383&cHash=194d8b4920; "Ivo Josipovic poziva bh. Hrvate na popis." *Vijesti.ba*. 21 September 2013. Available at <http://www.vijesti.ba/vijesti/bih/167772-Ivo-Josipovic-poziva-Hrvate-popis.html>

⁶³ "Dodik: Popis ce modelirati provredni i politicki system." *RS Press Online*. 20 September 2013. Available at http://pressrs.ba/sr/vesti/vesti_dana/story/45227/Dodik%3A+Popis+će+modelirati+privredni+i+politički+sistem.html

⁶⁴ "Popis stanovništva u BiH: Politički pritisci i pozivi na bojkot." *Radio Slobodna Evropa*. 8 March 2013. Available at <http://www.slobodnaevropa.org/content/popis-stanovnistva-u-bih-politicki-pritisci-i-pozivi-na-bojkot/24922386.html>

⁶⁵ Meeting with IMO, Sarajevo, September 2013.

⁶⁶ See www.popismonitor.ba.

⁶⁷ See <http://popismonitor.ba/pogledajte-drugi-spot-koalicije-jednakost-zastitnici-slobode-u-epizodi-stranka/>; and <http://www.klix.ba/vijesti/bih/epizoda-komsiluk-predstavljen-prvi-animirani-spot-o-popisu-stanovnistva/130926027>

⁶⁸ Sito-Sucic, Daria. 27 September 2013.

at a number of issues, including citizen rights and data protection.⁶⁹ There was little public activity among Roma communities to specifically target Roma citizens to ensure awareness of their rights.

Even prior to the first day of the census, there were reports of problems, irregularities or pressure. The initiative *Prvi Mart* (March 1st) drew attention to the fact that in the eastern RS the site of a wartime rape camp was being used for census logistics.⁷⁰ On 2 October the coalition *Jednakost* called for a boycott based on reports of irregularities, for which the BiH Statistics Agency had no explanation.⁷¹ Since the beginning of counting, there have been numerous reports of pressure by enumerators; lack of consistency and clarity when asking the questions; ignorance among citizens of their basic rights; reports of heightened pressure and irregularities in Srebrenica; and concerns for data privacy when it came to light that each night of the census the country's approximately 20,000 enumerators took forms home with them for storage rather than to a secure collection center. As the census came to a close, popismonitor.ba recorded numerous complaints collected via its web site, categorizing the complaints according to type.

9. Considerations, Implications and Concluding Remarks

Absent massive and overwhelming reported and confirmed irregularities in the conduct of the census, a Macedonian-type scenario of postponement or cancellation was highly unlikely. First, there was significant pressure from the EU to finish the census in 2013, as any delay would have meant a wait of at least two more years, due to losing 2014 for the general election campaign and the attendant politicization. Having come this far, and having spent a significant amount of money, neither the BiH authorities nor external funders (primarily the EU) wanted to see such a delay.

As noted in this paper, there are significant and substantive concerns about the quality of data collection that cannot be dismissed. However, it is likely that there will be even *more* concerns and questions about the compilation, aggregation and analysis of the data. The three identity questions have been so politicized that it is unlikely *any* results will be accepted as valid and beyond dispute; all sides will count and aggregate differently and in a manner that suits their own interests. Myths are already spreading about anticipated results; for example, reports are suggesting that the release of very preliminary meta-data within 90 days of the completion of the census will yield detailed information about the country's population, when, in fact it will not. It is highly probable that, as with the pilot census, information on the sensitive questions will be leaked during the 2014 election campaign, leading to more speculation, reaction and political manipulation. The fact that real, verifiable results may not be available until nine months after the census suggests a challenge in terms of timing, as releasing such information just months or even weeks before the October 2014 general elections will carry its own risks.

⁶⁹ Publication available at

<http://www.acips.ba/bos/uploads/publikacije/ACIPS%20Svrha%20popisa%20stanovnistva.pdf>

⁷⁰ Karčić, Hikmet. "Popis u Vilinoj Vlasi." *Građanska koalicija Prvi Mart*. 30 September 2013. Available at <http://www.prvimart.ba/vijesti/karcic-popis-u-vilinoj-vlasi>

⁷¹ Jukic, Elvira M. "Bosnian NGOs Call for Boycott of Census." *Balkan Insight*. 3 October 2013. Available at <http://www.balkaninsight.com/en/article/bosnian-ngos-call-for-census-boycott>

It remains to be seen what will happen in 2013, 2014 and beyond as a result of the census. A number of outstanding policy questions will require attention and consideration by authorities and civil society, ideally through an open and transparent process of consultation and deliberation. These include, but are not limited to:

- How will the results impact existing power-sharing arrangements, particularly if (as expected) the identity-focused questions are differently interpreted or contested entirely?
- How will the data on the optional questions (ethnicity/nationality; religion; entity citizenship) be used in public policy decisions? (e.g., public sector employment, education, etc.)
- How will information on the mandatory question “mother tongue” be aggregated and used?
- Will information on other questions be aggregated? If so, how?
- How will the information be used to inform policy decisions at all levels?
- What will be the impact on return (Annex 7 of the Dayton Peace Agreement)?
- How will data be protected to ensure the privacy of citizens? How will identifying information on census forms be disaggregated to ensure privacy?
- Who will have access to the vast store of data once the results have been finalized? Will independent researchers and social scientists have access to do independent analysis?
-and many more.

It is possible to argue that, even if imperfect, a census in BiH represents a step forward; that BiH should not become another case such as Lebanon, which has the distinction of being the only UN member state that has not held a census since the end of World War II.⁷² It is similarly possible to regret the missed opportunity of organizing a census without inclusion of subjective questions about identity; perhaps capturing necessary information on the displacement caused by the war through other questions comparing 1991 residence and 2013 residence. Whether information collected will be used in support of positive discrimination, political/ethnic symbolism, reasonable data-driven public policy, or academic/historical research remains to be seen. A flawed census – in terms of collection or data analysis – provides perhaps the best illustration of the time-worn saying that there are “lies, damned lies and statistics.” Tracking the process in BiH as it moves forward will benefit policy-makers, researchers and citizens alike.

While the process of collecting this data for the first time in over two decades is finished, it appears that the politics of the census can be expected to color discussions and impact political discourse and policies for some time to come. Each of the main groups will use the data that best suits their own very clear, widely known, political agendas. It is likely that RS-based political parties will use the census results to continue to justify weakening state institutions, rolling back reforms, and pushing for the idea of increased national self-determination. The Croats will likely cry foul, and react when their actual

⁷² Faour, Muhammed A. “Religion, Demography, and Politics in Lebanon.” *Middle Eastern Studies*. Volume 43, Number 6, 2007, pages 909-921.

numbers are found to have fallen substantially. Pressure should be expected from BiH Croat parties and Croatia for more legal protections so Croats cannot be outvoted, perhaps including gerrymandered electoral districts or other mechanisms. It should also be expected that the Bosniaks will find fault over the census results and seek either to prevent their implementation in political life, and/or use them to mobilize public opinion for their own political interests. The hoped for “technical” exercise, has now become fodder for a new and possibly reckless round of political gamesmanship.