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BOSNIA-HERZEGOVINA AT A STALEMATE?

Andrea Oskari Rossini

The February 2014 protests in Bosnia-Herzegovina (BiH) have highlighted a crisis which is more than social and economic. The paper summarizes the latest events in the BiH political scene in the context of the failing EU integration process, debating the different stances about renewed international engagement in the country. It argues that the Dayton system, which brought war to an end in 1995, needs reshaping and that the recent protests could represent the emergence of a new political actor, ready to move the country out of ethnic quagmire

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On Wednesday 5 February, a few hundred protesters rallied in the northeast Bosnian town of Tuzla demanding the Cantonal Government to take action in the face of crisis at five of the area's privatised factories: Dita, Polihem, Poliolhem, Gumara and Konjuh.

The privatised factories had failed, and the Tuzla protestors were mostly laid-off factory workers calling for compensation and the repayment of their healthcare and pensions payments.

Officials from the cantonal government refused to meet them, saying that because the companies were now private, workers should address their concerns to the current owners¹.

Some clashes between protesters and police followed, with some demonstrators breaking into the cantonal government building and others setting garbage containers and tyres on fire.

Over the next few days, the outcry sparked by Tuzla workers swept more than 30 towns in Bosnia-Herzegovina², resulting in the biggest mass protest in the country since the end of the 1992-1995 war.

Tuzla

The Tuzla area was once one of the most important industrial districts of the region. Today, the unemployed outnumber people with a job. According to the official data³, in November 2013, within a cantonal population of 477,278, just 81,145 were employed while the unemployed numbered 98,766.

These figures are similar to those in the rest of the country. According to the National Agency for Statistics, in 2013 Bosnia-Herzegovina's unemployed population numbered 551,456⁴. Depending on the methodology adopted and on the account given to the grey economy, those numbers comprise between 27.5% and 44% of the working population. Figures are particularly harrowing among youth, with unemployment rates skyrocketing to over 60%⁵.

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¹ E.M. JUKIĆ, *Redundant Bosnian Workers Protest in Tuzla*, BIRN, Sarajevo, 5 February 2014.

² In this article also as "BiH" or "Bosnia", always indicating Bosnia-Herzegovina.

³ Quoted in: D. ŠIMIĆ, *Failed Privatizations Come Back to Haunt Bosnia*, BIRN, Sarajevo, 12.02.2014

⁴ Agency for Statistics of Bosnia-Herzegovina (BHAS), Sarajevo, 15.01.2014 http://www.bhas.ba/saopstenja/2014/NEZ_2013M11_001_01_bos.pdf

⁵ South East Europe Regular Economic Report, No.4, *From Double - Dip Recession to Fragile Recovery*, The World Bank, 18.06.2013. Online at: <http://documents.worldbank.org/curated/en/2013/06/17872878/double-dip-recession-fragile-recovery>

Like many other workers across the country, the Tuzla protesters had suffered the consequences of a shady privatisation process in the aftermath of the war, leaving them unemployed soon after.

The story of Polihem, one of the factories at the heart of the protests, could epitomise that of hundreds of similar companies across Bosnia-Herzegovina.

Once a factory of about 1,200 workers, after the 1992-1995 war privatisation was presented as the only chance for survival. However, investments promised by the new owner, Polish company Organic Trade, never appeared, and the company went bankrupt as the new owner used the factory assets as collateral for bank loans, which never materialised as new investment in the factory. Banks started selling off pieces of the company, such as land and buildings, while workers were left with unpaid salaries and with unpaid pension and health contributions⁶.

This story spoke to so many Bosnian workers, who had experienced the same ordeal in previous years, that the Tuzla demonstration resonated across the country. Allegations that police officers had beaten people (among the injured was a journalist for Tuzla Radio-Television “Slon”, Branimir Pavičić), only added fuel to the fire⁷.

On the second day, the Tuzla demonstrators were joined by protesters in other towns, with rallies mobilising around more general discontent about economic hardship and continuing high unemployment. On the third day, Friday, mass unrest rocked the country, with demonstrations taking place in 34 towns. Protests turned violent in different cities, with government buildings set on fire in Sarajevo, Tuzla and Zenica. Demonstrators torched government buildings (or tried to) also in Mostar and in the northwestern town of Bihać. The most bitter confrontations, however, took place in Sarajevo, with the local government, the cantonal and the Presidency buildings torched and over a hundred people injured. The protesters slogans included “Death to nationalism”, “We want the names of the

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⁶ D. ŠIMIĆ, (2014).

⁷Reports of police brutality continued in the following days. On February 21st, Human Rights Watch released a comprehensive report with interviews to alleged victims of police brutality, documenting nineteen cases of excessive use of force against protesters, bystanders, and journalists on the streets during demonstrations and against protesters in detention in Tuzla and Sarajevo between February 5 and 9, 2014. Six cases were in Tuzla, five of them in the streets and one in detention. The other thirteen were in Sarajevo, eight in detention and five on the streets. The accounts show clear evidence of excessive use of force against protesters both on streets and in detention. Victims include two women and three children. The full report is online at: <http://www.hrw.org/news/2014/02/21/bosnia-and-herzegovina-investigate-police-violence-against-protesters>.

billionaires”, meaning those who took advantage of the privatisation process, and “End nationalist terror. Where is the money?”

The protests continued in the following days, despite the resignation of the Prime Ministers of the cantons of Tuzla, Sarajevo, Mostar and Bihać, the release of most of the protesters arrested during the demonstrations, and the resignation of Himzo Selimović, a chief police officer in Sarajevo and the head of security of the Bosnian Presidency.

The ethnic card

The mobilisations took place mainly in the Federation of Bosnia-Herzegovina, the entity with a majority of the population of Bosniak (Bosnian Muslim) or Croat origin, and not in Republika Srpska (RS), with the exception of smaller demonstrations in Banja Luka and Prijedor⁸. In Bijeljina, a northeastern town in the RS, close to the border with Serbia, a demonstration in solidarity with the Tuzla workers was met by a pro-government counter-demonstration, with protesters also shouting slogans in support of indicted war criminal Ratko Mladić.

While the asymmetric development of the protest movement does not reflect radically different economic conditions in the two Bosnian entities, it highlights the presence of two distinct public spheres within the country.

Authorities in RS, from the very beginning of the protests, in spite of the absence of any ethnic sign or claim in the demonstrations, presented them as ethnically biased, namely as a Bosnian Muslim phenomenon whose ultimate goal was that of threatening Republika Srpska.

The President of the entity, Milorad Dodik, stated that the protests wanted to "destabilise RS by causing the international community to intervene in the affairs of the country" and that "the chaos in the Federation [...] shows that BiH cannot survive challenges at home and that it does not work".

Mainstream media in the RS went along with this account of the events⁹, or played them down.

At the same time, regional leaders held meetings with different Bosnian political representatives in Belgrade and Mostar, raising concerns of possible confrontations along ethnic divides, although no national matters

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⁸ Since the signing of the Dayton Peace Agreement (November 1995), BiH is divided into two entities, the Federacija BiH and the Republika Srpska.

⁹ Glas Srpske, the most widely circulated daily newspaper in the entity, led with a cover story claiming that protesters in the Federation were being armed and prepared to break into to the Serb-dominated entity. See E.M. JUKIĆ *Bosnia Protesters Press Demand for PM to Go*, BIRN, Sarajevo, 11 February 2014.

had emerged in the protest movement. The vast majority of demonstrators' demands – as stressed by the slogans - were in fact largely “bread and butter” issues, together with calls for resignations addressed to a political elite considered ineffective and corrupt.

In the first days of the crisis, Aleksandar Vučić, former deputy Prime Minister of Serbia and the undisputed winner of the general elections of 16 March, met Bosnian Serb leaders Milorad Dodik and Mladen Bosić in Belgrade to discuss developments of the situation in Bosnia-Herzegovina. On February 11, the Turkish Minister for Foreign Affairs, Ahmet Davutoğlu, flew to Sarajevo, meeting the next day the Presidency representatives (Komšić, Izetbegović and Radmanović), the BiH Minister for Foreign Affairs, Zlatko Lagumdžija, and the head of the BiH Islamic community, reis ulema Husein Kavazović. Prime Minister of Croatia Zoran Milanović travelled to Mostar instead, in order to “calm the situation”. Bosnian co-president Željko Komšić criticized Milanović, who he said should have gone to Sarajevo instead of visiting the Herzegovinian town with a Croatian majority¹⁰.

In sum, while it is true that demonstrations took place mainly in one of Bosnia-Herzegovina's two entities, the ethnic factor seems completely absent from the protest movement, its demands and symbolic representation. Many of the demonstrators' slogans have been directed to the contrary (i.e. “Death to nationalism!”), and solidarity with Bosnian protesters also came from demonstrations in Belgrade and Zagreb. Some regional leaders, however, could not avoid playing the ethnic card by libelling the movement or indirectly undermined BiH sovereignty by holding parallel meetings.

Regrettably, the High Representative of the international community in Bosnia-Herzegovina, Valentin Inzko, did not contribute to easing the tensions, telling Austrian daily Kurier after the 7 February demonstrations that “if the situation worsens, we could have to resort to sending EU troops to the country”¹¹, as if the crisis was of a military nature.

Hooliganism

Political representatives and part of the media in the Federation also played down the protest, portraying demonstrators as “hooligans”. Zlatko Lagumdžija, Minister of Foreign Affairs and leader of the Social Democratic Party, said that “the unhappiness of people - which is understandable – was

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¹⁰ M. RISTIĆ *Serbia, Croatia Meet Bosnian Leaders to ‘Calm’ Unrest*, BIRN, 10 February 2014.

¹¹ “Wenn die Lage eskaliert, werden wir eventuell an EU-Truppen denken müssen.” The statement was later clarified, see F. BIEBER, *Is Change coming (finally)? Thoughts on the Bosnian Protests*, 9 February 2014.

hijacked by groups with different agendas, destructive ones”¹². Other high-profile representatives of the political élite in the Federation pointed directly at hooligan groups as those responsible for the protests, condemning the protests themselves while condemning the violence.

Some even compared demonstrators in Sarajevo to the city aggressors during the war years, while analysts¹³ warned that the comparison with the 90s was setting the ground for the lynching of protesters. Bosnian journalist Mile Stojić thus commented on Radio Sarajevo¹⁴ that "hooligans are those in the structures of power", while those who participated in the riots are the generation "of those who were born during the war, in poverty and hopelessness, raised in chauvinism, hatred, xenophobia, and material and spiritual misery, and now seek to bring attention to their existence in this way, because they have no other".

In spite of manipulation efforts, however, demonstrators seem to have succeeded in making their programmes known to the wider public through the broad use of social media and resorting to new forms of public discussion. After the first days, in fact, protests gradually turned into a lower scale but continuous mobilisation in the major towns of the Federation, while citizens' assemblies (Plenums) started working on a tight schedule finalising claims, proposals and demands (besides Sarajevo and Tuzla, plenums have been organised in Brčko, Bugojno, Fojnica, Konjic, Mostar, Orašje, Travnik and Zenica). Plenums' demands, although different in the different towns involved, have been focusing on two main issues: reduction and or abolition of salaries and privileges for public officials; the revision of the privatisation process¹⁵.

Calls for a new government made of non-political experts and resignation requests addressed to different elected politicians have also been important Plenum demands. Citizens' assemblies also asked for independent commissions to be set out in order to determine the facts about the February 7 violence and the responsibility of the police for using excessive force and mistreating detainees.

In some cases, the political élite responded. Prime ministers and cantonal governments in Sarajevo, Tuzla, Zenica and Bihać resigned, as did Mario Sulenta, Interior Minister in Mostar. Protesters also demanded the

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¹² D. DZIDIĆ *Bosnia Surveys Debris After Nationwide Unrest*, BIRN, 8 February 2014.

¹³ A. ARNAUTOVIĆ, *After the Unrest in Bosnia: Arrest Facebook!*, BIRN, 9 February 2014.

¹⁴ *Huligani su u strukturama vlasti*, Mile Stojić, Radio Sarajevo, 10 February 2014.

¹⁵ E.M. JUKIĆ *Plenum in Bosnian Capital Finalises Demands*, BIRN, Sarajevo, 19 February 14. The Sarajevo Plenum namely asked that "the privatization agency review the privatization of public companies in the canton, such as Feroelektro, Holiday Inn Hotel, Sarabon, Zora and Kljuc".

resignation of the entity government and namely of the Federation Prime Minister, Nermin Nikšić. The Bosnian politician refused, saying he would only do so if parliament would call for early elections.

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On 24 February, also the Sarajevo Cantonal Assembly voted to accept all requests formulated by the Sarajevo Plenum. The list included the formation of a government made of experts, excluding representatives nominated by political parties; the setting out of an investigative commission on privatisations; the end of benefits for Cantonal ministries (“white bread”) as well as reductions in salaries of elected officials and of civil servants¹⁶.

Some activists have already spelled the series of events, and especially the resignations of the four cantonal governments, as a “collective victory for the citizens of BiH”, calling for the establishment of provisional governments in the four Cantons (“forming all-party coalitions until the scheduled October elections take place”) and for internal “lustration” within political parties, asking them “to clean up their governing bodies and candidates’ lists, and leave out all of those who have been responsible for governing the country so far”¹⁷.

A systemic crisis

The crisis in Bosnia-Herzegovina has been ignited by the suffering of large segments of its population cause of the high levels in unemployment, the failure of the privatisation process, and the dire economic conditions overall.

However, the crisis in Bosnia-Herzegovina is not only the Balkan version of the crisis experienced in Europe since 2008. It is the crisis of a political system. The Dayton system, which served to stop the war, no longer works. Richard Holbrooke, its creator, confessed 10 years after the signing of the Dayton agreements that he never thought they would last so long¹⁸. To stop the war, in fact, the Dayton negotiators agreed upon the creation

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¹⁶ A. DE NONI, « Révolte sociale en Bosnie : première victoire pour le plénum de Sarajevo », *Le Courrier des Balkans*, 25 February 2014.

¹⁷ D. BRKAN, “Four Suggestions for the Bosnian Protesters”, *Balkanist*, 12 February 2014.

¹⁸ A. ROSSINI, *Sejdić-Finci, a judgment ignored. Interview to Jakob Finci*, Osservatorio Balcani e Caucaso, 19 July 2013. “In January 1996 I met Richard Holbrooke and told him that they [the Dayton Peace Agreements] violated my rights. Years later, in 2005,

of a non-functional State, which places the rights of ethnic groups above those of individuals. The complex institutional structure, organised so as to please the different national leaders at the negotiating table, besides being unfunctional, is also unsustainable. Bosnia-Herzegovina is a country of some 3.7 million people made of two entities, one district, ten cantons, five presidents, and over 130 ministries. The 551,456 registered unemployed, the 627,978 pensioners and the workers with an average monthly wage of 422 euros simply cannot afford all the above¹⁹.

The Dayton constitution, moreover, is in conflict with the European Convention on Human Rights, as stated by the 2009 ruling of the Strasbourg Human Rights Court on the grounds that it violates the rights of minorities²⁰. The Bosnian political élite, however, has been so far unable – or unwilling – to deliver and to harmonise the country's constitution with the ECHR, of which BiH is a part.

The EU has therefore actually suspended the integration process of Bosnia-Herzegovina. The Stabilisation and Association Agreement signed between Sarajevo and Brussels in 2008, in fact, has never entered into force. In 2013, €47 million of pre-accession funds were frozen, and preparations for the granting of a new package of funds have been postponed indefinitely.

The current BiH political representatives, apparently, have no incentive to change a system that ensures their survival. The very electoral mechanism, in fact, is structured so as to perpetuate the division at each level of the institutions, benefiting the so-called national leaders²¹.

The debate

Following the recent wave of protests, the debate on Bosnia-Herzegovina's future has resumed and almost everyone, in the academic community and among local and international observers, seems to share the need for changing the country's current political framework. Who should lead the

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he confessed to me that "in Dayton the priority was to stop the war" and that "no one believed that Bosnia would survive for 10 years". Unfortunately, this created a discriminatory system."

¹⁹ National Agency for Statistics, November 2013

²⁰ The 2009 ruling by the European Court of Human Rights in the case filed by Dervo Sejdić, a Romany activist, and Jacob Finci, who is Jewish, states that the BiH Constitution must be changed in order to guarantee the right of all citizens, regardless of ethnicity, to be elected to all electoral positions, including the collective presidency. The current Constitution reserves certain electoral positions to Bosniaks (Bosnian Muslims), Croats or Serbs.

²¹A. ROSSINI, *Bosnia-Herzegovina, the ethnocracy factor. Interview to Nenad Stojanović*, Osservatorio Balcani e Caucaso, 18 November 2013.

process, however, is the main element of disagreement.

The protests have namely reignited a debate about whether interventions by the international community are the solution in Bosnia – or part of the problem. Paddy Ashdown, a British politician and former High Representative of the International Community in the country, said in a CNN interview in the aftermath of the protests that "the international community has to act now²²."

Doris Pack, a German member of the EP who wrote a report on Bosnia's progress towards EU membership, stated that "the country's structure – based on an unworkable constitution deepening ethnical divisions instead of binding the people together - needs reshaping". However, Pack added that "we cannot do it from the outside²³".

Of these two perspectives, the EU overall seems to share the latter. Brussels, in fact, does not seem willing to impose solutions. High Representative for Foreign Affairs and Security Policy, Catherine Ashton, visited Sarajevo in the aftermath of the protests, and so did Štefan Füle, the EU Enlargement Commissioner. The two high-profile visits did not mark a significant change in the European attitude towards Bosnia-Herzegovina. The last European direct endeavour to move the country from the Dayton quagmire, in a joint effort with the US, resulted in the so-called "Butmir package"²⁴, which unfortunately had no results. That was in 2009. Since then, the EU has stepped back from directing the Constitutional reform process – pivotal for any progress towards EU integration – crediting local politicians with the ownership of a process which enjoys EU support, not leadership.

In a recent visit to the country, Commissioner Füle held a further nine-hour meeting with leaders of the main Bosnian political parties on the Sejdić-Finci ruling, currently the main obstacle on the BiH possible advance towards EU integration. Once more, the meeting ended without result. Füle blamed leaders of Bosnia's seven main parties for the failure of the meeting: "I didn't fail, your politicians did."²⁵

The problem, however, does not seem to lie so much with the nature of the EU role, if that of the director of an orchestra or of a *primus inter pares*

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²² D. ROHDE, *In Bosnia, are outsiders the answer, or the problem?*, Reuters, 15 February 2014.

²³ *Doris Pack on Bosnia: "We cannot fix the situation from outside"*, European Parliament News, 19 February 2014.

²⁴ *Bosnia's Dual Crisis*, Europe Briefing no. 57, International Crisis Group, Sarajevo/Bruxelles, 12 November 2009.

²⁵ E.M. JUKIĆ, *Füle Blames Bosnian Leaders for Rights Logjam*, BIRN, Sarajevo, 18 February 2014.

within the framework of a structured dialogue. Rather, the main problem seems to lie with the definition of the local partners.

Since the war years, European diplomacy and the international community at large have taken for granted that Bosnian problems were “ethnic”, and that the only way out of those problems was finding ethnic solutions. This attitude is ongoing, resulting in the current standstill. Dividing the country, its elected representatives, its constituencies, public spheres and schools along ethnic lines has created many more problems than it has solved.

As former High Representative Wolfgang Petritsch clearly stated in a recent op-ed advocating a Marshall Plan for BiH, “the EU needs new partners. The old elites - many still active since the war - have to admit that they have totally failed, and draw the consequences²⁶.”

Even if the old elites step back, however, the Dayton system will produce new ethno-national elites, sharing the same unwillingness to change. This is why the reform of the Dayton Constitution cannot be separated from a reform of the overall framework, the end of the division in two disfunctional entities (and, in the Federation, of the even more disfunctional ten cantons), and a change in the electoral system, allowing new forms of representations bypassing the ethnic ones.

Reforms should be aimed at enabling the country to conduct dialogue with Brussels with one voice, instead of three. This does not mean advocating a rigidly centralised state. A federal system, decentralised and bearing a strong framework for protection of the rights and interests of the different communities, should however be articulated on a functional – non ethnic – basis, and citizens must have the right to be considered as such.

The Dayton reform must be implemented by the signatory states: Serbia, Croatia and Bosnia-Herzegovina, with the support of the international community and namely a strong EU role. One of those three countries is now an EU member²⁷, while Serbia is a candidate. Both have an interest in boosting the European chances for BiH, as they have an interest in the region's stability and prosperity. The problem lies with building a consensus within BiH on the much-needed reform. Who can drive the change that will put the country back on its European path, creating an effective political system, able to raise hopes for overcoming the current appalling economic conditions? A new generation of civil and social

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²⁶ *Bosnians Are Hungry in Three Languages*, BIRN, 19 Feb 2014

²⁷ Former Croatian President Stjepan Mesić on 5 March advocated a “Dayton 2” international conference revising the Dayton Agreement in order to maintain peace and security in Bosnia Herzegovina, see H.F. BÜYÜK, “Croatia’s Ex-President Mesić calls international community for Dayton-2”, *The Journal of Turkish Weekly*, 7 March 2014.

activists has emerged from recent protests. Labelled as hooligans, discredited as ethnically biased, and portrayed as troublemakers, they could be the hope for Bosnia's future.