

Bosnia and Herzegovina

Statebuilding and Democratization in the Time of Ethnic-Politics and International Oversight

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Abstract

Bosnia and Herzegovina (BiH) remains a state of contradictions that is more a democracy on paper than in practice. International intervention stopped the violent conflict, but the peace treaty designed future state structures around the very ethnic-based power struggles that shaped the conflict. As a result, ethnic-based politics continued to dominate political space in BiH ten years after the Dayton Peace Agreement. These politics, combined with high levels of international oversight through the Office of the High Representative, have distorted the statebuilding process, and often reduced democratization efforts to zero-sum games. Internationally led physical reconstruction has resulted in a basic Bosnian state, but the prioritization of peace over building democratic governance and state capacity has meant that only targeted and sustained international actions have managed to result in some level of domestic elite cooperation and functioning state. It is unclear if the state will eventually gain enough legitimacy to be viable and democratic enough to reach its European integration objectives.

Key words: Bosnia and Herzegovina, Dayton Peace Agreement, ethnic-based politics, statebuilding process, democratization, Office of the High Representative, peace, state capacity, viable, European integration.

Bosnia and Herzegovina (BiH) is a state that survives in 2009, but has not thrived. Efforts to increase European integration after the signing of the EU Stabilization Agreement in mid- 2008 have resulted in a few more regional programs and funding and investment opportunities, as well as a degree of

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greater cooperation. But these have not been matched by any meaningful domestic political process to chart the future of BiH. This unfortunately has left the Bosnia of 2009 looking very similar to the one of 2006; most of the dynamics described below are still very relevant to the discussion of how further to support the people of Bosnia in their statebuilding project.

A Somewhat Functioning and Democratic Bosnia

Significant international efforts to enforce peace in Bosnia and Herzegovina and to foster the building of a democratic and functioning state have been realized only partially. International efforts to end the violent conflict did bring about peace, but the peace enforced was one predicated on satisfying ethnic interests of the warring parties. This resulted in the implementation of a peace and statebuilding project which was dominated by ethnic identity and encumbered by an ungainly number of state structures. The significant and ever-evolving international role in supervising the statebuilding project was successful in achieving some level of state capacity and functioning, but strong domestic ownership of either the state or its interests is not in clear evidence ten plus years after the peace implementation and statebuilding project was begun.

Democracy, security, and state capacities are not necessarily mutually reinforcing in Bosnia and Herzegovina. International efforts to achieve basic levels of security and state capacity have resulted in an only partially democratic state. By the end of 2000, officially there was democracy, but BiH still had the face of war-time victors and political elite who were seen as more interested in their pockets than their populations. The fact that this was still true at the end of 2006 (the timeline of this study), and even in 2009, speaks to the durability of the war victors.

Security concerns in 2000, particularly related to the issue of safe minority return and travel, dominated statebuilding efforts, and little progress could be made in other areas until this basic environment had improved. Since the international push to get tough on domestic security and law enforcement, security fears have abated and allowed returns, which improved initially due to international oversight and more recently due to growing confidence in domestic law and order institutions. Yet, success in security alone has not provided an environment conducive enough to transcending war-time traumas and grievances or tackling the challenge of working together to improve levels of governance, capacity, and a joint future.

Freedom House's Freedom in the World (FIW) scores for BiH correspond to this complicated reality. In Freedom House's look at political and civil freedoms, BiH continues to remain only partially "free." While there has been a steady improvement since the war years (increasing from a score of 5 in 1996 to 3 in 2006 on a scale of 1 to 7, with 1 being "free" and 7 being "not free"),¹ FIW scores reflect the fact that state institutions and other nonstate factors

continue to inhibit the basic rights of full democratic participation. Bosnian state structures have progressed greatly since 1996. However, BiH still faces clear challenges in providing a democratic playing field, partly due to the structure of the system as well as to its implementation.

The state has more public officials and administrative levels than nearly any other state, but it consistently falls short of functioning according to domestic expectations. Living standards for most are not desperate, but also are not good, and they definitely are worse than in prewar circumstances. Few see the state as having the ability to change or improve this socio-economic situation anytime in the near future. Such dynamics have done little to improve the democratic participation of citizens in their government or to ultimately allow people to feel invested in their own country. The result has been a set of populations living under an “EU-ish”-type Bosnian flag, but mostly exhausted and unwilling or skeptical of giving more energy to the statebuilding project and democracy, unless shown more clear rewards for their efforts.

The International-Domestic-Ethnic Oversight-Participation Knot

The dominance of ethnic politics, at least tacitly sanctioned by international supervisors, has squelched opportunities to foster alternative political cultures. Efforts to put the necessary systems in place for elections and the basic structure of representation and citizenry participation were accomplished early on, but the use of these structures was mainly for ethno-nationalism.

After a rough start, the basic mechanics of free and fair elections in Bosnia and Herzegovina have been entrenched within the system. By 2002, the state was able to take over responsibility for the electoral process.² This was seen as a milestone in the ability of the state to both guarantee and carry out free and fair elections. At the same time, the election laws and, particularly, the lack of election campaign transparency safeguards, combined with the ethnic quota baselines of most party lists and government compositions, have hampered meaningful debate on the issues—such as the state of the economy—that a majority of the population views as problematic.

The design of the election system and the state institutions is based on a complex set of power-sharing quotas and mechanisms among the three major national constituencies—Serbs, Croats, and Bosniaks.³ As such, it is unsurprising that the dominate set of parties continues to remain national or ethnic-based, and that their political interests shape most political life in BiH.

¹ Freedom House, *Freedom in the World 2007: The Annual Survey of Political and Civil Liberties*, Freedom House, <http://freedomhouse.org/template.cfm?page=363&year=2008> (accessed April 15, 2008).

² However, it was only in mid-2005 that the BiH Election Commission was fully nationalized.

³ Bosniak refers to Bosnians of a Muslim identity.

The ethnic-based quota system has favored the ethnic-based parties, increased the difficulty of forming issue-based politicking and coalitions, and required ethnic quotas for arguably redundant levels of government institutions, even further complicating the actual functioning of governmental institutions. It also effectively has left unrepresented those who do not fit into the three national categories. Paradoxically, being classified as an “other” in many ways locks such individuals out of the political system, even as it is often this self-identifying “other” category that exhibits the most interest in the larger multi-ethnic statebuilding projects in Bosnia.

The three main ethnic-based political parties—the Serbian Democratic Party (SDS), the primarily Bosniak-dominated Party of Democratic Action (SDA), and the Croatian Democratic Union (HDZ), which emerged from the conflict, along with similar or modified versions of them—consistently have remained the key brokers of political power in BiH. The international decision to hold elections in 1996 before the environment for a “fair” election was in place, often has been criticized as cementing—through the ballot box rather than the battlefield—the dominance of ethnic-based politics in BiH. The major constraint was the issue of voter registration; the Organization for Security and Cooperation in Europe (OSCE) estimated that, in early 1996, just a few months after the peace agreement, roughly 50 percent of eligible voters were outside of BiH, not to mention those displaced within BiH.⁴ International pressure to “show progress” in BiH is likely one reason that the OSCE decided to hold elections at this time.

This is not to suggest that politics since the Dayton Peace Agreement (DPA) of December 1995 have been monolithic. Some moderation, splits in the ethnic-based parties, or even victories by moderate coalitions have occurred, but it is telling that still at the end of 2006, the primary political parties⁵ were those most closely identified with ethnic identity and politics. The 2006 election of the Croat representative, Zeljko Komsic, for the tri-partite presidency by the (more multi-ethnic) Social Democratic Party (SDP) was hailed as an example of a new Bosnian politician. Yet the ensuing political criticism that he received from the dominant Croat party, HDZ, and the public questioning of whether he could actually represent the interests of the Bosnian Croats, illustrated the still entrenched attitudes regarding political power and ethnic identity.⁶

⁴ OSCE Office for Democratic Institutions and Human Rights, *OSCE Election Assessment Team Mission to Bosnia-Herzegovina Final Report*, Chapter 11, “Voter Registration,” January 30, 1996, http://aceproject.org/ero-en/topics/voter-registration/vry_bos1.pdf /view (accessed February 20, 2008).

⁵ Now, it is the Independent Social Democratic Party (SNSD), rather than SDS for Serbs.

⁶ The political dimensions described are generally reflective of national and subnational levels. While there have been pockets of progressive, multi-ethnic, and issue-based politics and engagement (the Tuzla area, for example), the general assessment is one that participation opportunities have improved, but the will to use them has not.

Ethnic fear has played a dominant role in Bosnian politics. Many view their own respective ethnic leaders as either corrupt or ineffective, but the years of conflict and the aftermath in rebuilding and return struggles have continued to provide a deep reservoir of support for nationalist politicians who have the charisma, or at least party support behind them, irrespective of their sketchy political platforms or achieved policies. While at the end of 2006 United Nations Development Programme (UNDP) Early Warning data suggested that just over 20 percent of the total population believed that only nationalist/ethnic parties could safeguard their interests, these data were partially countered by the fact that ethnic pride continued to trump civic pride almost two or three times in most Croat and Serb majority areas.⁷

Heavy international presence has further skewed public participation. Neither the public nor political actors have felt a responsibility for their state, as politicians have tended to see their role as mediators between international powers and local interests. For example, in the fall 2000 election campaign, five years after the peace agreement, politicians tended to campaign on behalf of their ethnic constituencies with representatives of the international community.⁸ Ethnic distinctions in attitude toward the state and international institutions somewhat converged by 2005 and 2006, but the reasons appeared to be general dissatisfaction rather than a more engaged and supportive population.⁹

The issue of participation is tied up in the larger dynamic of external-domestic interaction and responsibility. As suggested by BiH analyst, Zarko Pasic, looking to the international community—particularly the lead international actors in the Office of the High Representative (OHR)—both to “sort out” the daily problems and ultimately to make sure that the country would not fall apart—allowed many domestic elite to continue their narrow political agendas, without having to take responsibility for larger statebuilding issues.¹⁰

The OHR’s use of its powers to either develop legislation for institution building or in dismissing obstructive domestic officials has contributed to the perception that political participation (and power) in BiH started in front of the OHR offices. Whether these powers became—as suggested by the think tank,

⁷ “Civic pride” was registered at 89.5 percent in Bosniak majority areas, 32.8 percent in Croat majority areas, and 16.1 percent in Serb majority areas (UNDP 2006, Early Warning System Research, 2000-2006), Web edition, <http://www.undp.ba/index.aspx?PID=36&RID=59> (accessed February 26, 2008).

⁸ Zarko Pasic and Lada Sadikovic, “International Dimensions of Democracy,” Chapter 6, in *Democracy Assessment of Bosnia and Herzegovina*, Open Society Institute, Bosnia and Herzegovina, 2006, <http://www.soros.org.ba/en/novost.asp?id=61> (accessed February 26, 2008).

⁹ UNDP 2006, Early Warning System Research, 2000-2006, Web edition, <http://www.undp.ba/index.aspx?PID=36&RID=59> (accessed February 2, 2008).

¹⁰ Pasic and Sadikovic, “International Dimensions of Democracy.”

European Stability Initiative—“instruments of bureaucratic convenience,” rather than reflective of administration by democratic principles, continues to be debated.¹¹ But this dynamic was at least partially in response to the other key constraint at play: the continued dominant, narrow, and often zero-sum policy interests of the ethnic-based political parties.

The Challenges of Governing BiH

Governance of BiH is a complex and multitiered beast that includes international and domestic institutions. Ironically, neither the international institutions and actors nor the domestic actors and institutions that they have trained, cajoled, and pushed to be responsible, exemplify practices of particularly good governance. This has created a BiH governance structure that is opaque, costly, and often distrusted. Checks on OHR power have been weak, and this has been exacerbated by the complex set of international actors that has been carrying out joint actions in BiH. This dynamic, combined with a domestic state structure that is inherently complex, effectively hampers most efforts to achieve vertical and horizontal accountability.

Bosnian state structures have been designed around ethnic rather than state functioning considerations, and as a result, state capacity in both potential and practice has been hindered. The Bosnian state¹² is comprised of the two entities of the Republika Srpska (RS) and the Federation—itsself a combination of Bosniak- and Bosnian Croat-dominated territories—and initially provided few central government functions; however, these grew to over fifty centralized institutions by the end of 2006. Yet, even then, for those functions ceded to the central government, the decision-making process that would allow the institutions to function often has not been supported by institutional structures or political will.

The majority of political power remains with the two entities. Each entity has its own constitution and set of procedural and territorial divisions. In the Federation, a ten-canton-based system was developed with approximately five of the cantons dominated by Bosniak populations and three by Croat populations; two cantons are of mixed populations. Each canton was designed to be autonomous (also with its own constitution) and responsible for its municipalities, creating difficulties in making decisions on the Federation basis, despite Federation-level parliamentary and executive structures to coordinate

¹¹ Gerald Knaus and Felix Martin, “Lessons from Bosnia and Herzegovina Travails of the European Raj,” *Journal of Democracy*, 2003, <http://www.journalofdemocracy.org/articles/gratis/KnausandMartin.pdf> (accessed March 3, 2008).

¹² In addition to the two entities, the 1999 arbitration decision made Brcko a self-governing district, administered independently from either entity. For the history surrounding this arbitration process and governing of the Brcko District separately from either entity, please see, http://www.ohr.int/ohr-offices/brcko/historydefault.asp?content_id=5530, and http://www.ohr.int/ohr-offices/brcko/default.asp?content_id=5367 (accessed March 3, 2008).

this.¹³ In the RS, the system of municipalities that was highly controlled under a central government arguably allowed some level of greater efficiency, if not local-level democracy in the functioning of the RS.

To further complicate the system, shadow institutions—specifically in the Croatian-dominated areas of the Federation—continued to operate *de facto* quite openly until 2001, and arguably to some degree in the years following.¹⁴ This not only created parallel systems of governance, but also provided little incentive to cooperate or develop common institutions with Sarajevo, in preference to hanging on to their respective political fiefdoms.

In essence, this has created one of the most complicated government structures in modern history. Or as described by an Open Society assessment in 2001,¹⁵ BiH is a country of thirteen constitutions with thirteen governments (plus a fourteenth with Brcko), thirteen assemblies, and over two hundred ministers and thirteen prime ministers (plus the international community), with few if any talking to each other due to unwillingness or institutional inabilities—unless forced to do so by the international community.¹⁶

The complexities also have created a state of only limited success in delivery of expected services. Overall institutional capacities are uneven; they vary across the spectrum of BiH structures and the level of international guidance and/or implementation involved. The legacy of living in Yugoslavia has meant that the population has certain expectations in terms of its government's ability to provide adequate socio-economic opportunities. Many of these expectations have been dashed repeatedly, partly due to corruption and mismanagement in domestic institutions,¹⁷ partly owed to the late start that domestic and

¹³ See the Federation government Web site for more information on the specific Federation-level institutions: <http://www.fbihvlada.gov.ba/english/index.php> (accessed March 4, 2008).

¹⁴ It was not until 2004 that Mostar, the *de facto* capital of Herceg Bosna, became unified as one city between Bosnian Croats and Bosniaks in the Federation. The budget for Mostar was not passed until mid-2005.

¹⁵ Zarko Papic et al., “International Support Policies to SEE Countries—Lesson (Not) Learned in Bosnia-Herzegovina,” Chapter 1, Open Society Fund, BiH, August 2001, http://www.soros.org.ba/docs/eng_politike_medunarodne_podrske_zemljama_jugoistocne_evrope.pdf (accessed March 15, 2008)

¹⁶ Reforming the state structure in the constitution slowly became more acceptable to main parties, allowing for a real chance at constitutional reform in 2006. However, after much international facilitation, a package of reforms that would help streamline decision making was agreed upon, but ended up narrowly failing in a parliamentary vote; this set the tone for the remainder of the year and politics were as divisive as ever. The issue of state structure reform still is not resolved in 2009.

¹⁷ BiH government institutions used 56 percent of the GDP in 2004, with most of the expenses being for the maintenance of public institutions rather than for provision of services or other programs. See European Stability Initiative, *Governance Assessment of Bosnia and Herzegovina*, funded by the UK Government's Department for International Development, 2004, <http://unpan1.un.org/intradoc/groups/public/documents/UNTC/UNPAN018624.pdf> (accessed September 22, 2008).

international actors gave to addressing socio-economic issues, and partly owed to the inherent challenges of transition from a planned and war-time economy (ies) to a more market-oriented one.

The weakness of the state is perhaps best captured by examining the post-conflict economic transition process. Economic transition was repeatedly hindered by the political elites' capture, at the state level, of the most significant economic resources. As in many other former communist countries, many companies had their assets stripped while the new owners used the secured funds to build their financial empires. Arguably, some of these financial resources were used in the pursuit of ethnic-based political goals, at the expense of building institutions which would provide public goods and services.

As a result, provision of service is only a fraction of the capacity that the population experienced in Yugoslavia. This, combined with a state divided in two, but *de facto* at least three, parts (and three systems of war-time government), provided a challenging basis for strategizing and managing statewide institutions.¹⁸ The economic transition and the war years would be a tough enough challenge, but compounded by the lack of political will and accountability, most Bosnians were worse or much worse off at the end of 2000 and even in 2006 than they were in 1990.

A Relatively Secure Bosnia

The relative security of Bosnia and Herzegovina is one of the success stories of international intervention. Bosnian police, military, and border patrol now have the capacity to provide basic security in BiH, after years of technical assistance, mentoring, and oversight. As is the case in many post-conflict countries, internal security threats are dominant over external and neighborhood concerns. Tellingly, the public perception remains, at least for many, that the presence of international military and police personnel is still required to "maintain the peace," although their numbers at the end of 2006 were more symbolic than anything.

By the end of 2006, according to United Nations Development Programme (UNDP) polls, freedom of movement and citizens' sense of security was roughly similar to most Western European countries.¹⁹ This was somewhat due to better policing and coordination within the justice system (despite the lack of an agreement on a statewide police system still by the end of 2006),

¹⁸ The DPA provides for eventual statewide public companies (annex 9) in a number of key areas, including postal service, electricity, and so on. Each company was part of the Yugoslav system, therefore they are compatible, but political will to reconnect such grids has been a slow process.

¹⁹ European Stability Initiative, Discussion Paper: "The Worst in Class: How the International Protectorate Hurts the European Future of Bosnia and Herzegovina, November 8, 2007, Berlin, http://www.esiweb.org/index.php?lang=en&id=156&document_ID=98 (accessed March 13, 2008).

which was a credit to the reform efforts. However, it was likely that general attitudes and levels of public safety were also partly due to the fact that many areas of Bosnia were now populated by only a dominant ethnicity. All major security forces were under international or joint domestic oversight,²⁰ no serious lingering security forces threatened the security of the country, the State Border Service (SBS) served as a model of how a multi-ethnic statewide service-related institution could function,²¹ and the police (despite the lack of a unified statewide police force) had guaranteed a basic level of public safety.²²

This presents quite a drastic difference from the security situation immediately following the peace agreement or even several years thereafter. Borders were porous, but internal freedom of movement was highly constricted, primarily based on territorial and ethnic considerations. Minority return (a key to the reversal of ethnic cleansing during the war and guaranteed by annex 7 of the peace agreement) was effectively blocked by localized police and military control. Even after some of the most blatant police abuses were curbed, organized and sanctioned acts of violence against minority returnees and their property continued. Police duties to “serve and protect” were more often understood as “serve and protect one’s own kind,” as described by the ICG still in 2002.²³

Major international efforts to create the necessary legal and security environment for minority return started to show results by 2000,²⁴ when,

²⁰ Official command of the armed forces of BiH was transferred to the presidency in 1999, after which the Defense Commission was set up to begin the process of outlining legislation for a united military (partly in response to the NATO Partnership for Peace [PFP] requirement in 2003). Legislation to make a unified BiH army was passed by the parliament in October 2005.

²¹ The SBS took over its first set of border crossings in early 2001.

²² It should be noted, however, that multi-ethnic composition is quite slow; only 8 percent of the Republika Srpska (RS) police were of a minority in 2005, and in the Federation, the situation was only slightly better. See International Crisis Group, *Bosnia’s Stalled Police Reform: No Progress, No EU*, Europe Report No. 164, September 6, 2005, <http://www.crisisgroup.org/home/index.cfm?id=3645&CFID=15800546&CFTOKEN=61605254> (accessed February 8, 2008). Minority-related protection concerns, as reported by the Bosnian Helsinki Committee, still continued to occur in 2005 and 2006, suggesting a lack of efficiency, if not clear harassment of minorities by police. See Helsinki Committee for Human Rights in BiH, *Report on Status of Human Rights in Bosnia and Herzegovina in 2006*, <http://www.bh-hchr.org/reports.htm> (accessed March 15, 2008), and Helsinki Committee for Human Rights in BiH, *Report on Status of Human Rights in Bosnia and Herzegovina in 2005*, <http://www.bh-hchr.org/reports.htm> (accessed March 15, 2008).

²³ International Crisis Group, *Policing the Police in Bosnia: A Further Reform Agenda*, Europe Report No. 130, May 10, 2002, <http://www.crisisgroup.org/home/index.cfm?id=1500&l=1> (accessed August, 2, 2008).

²⁴ The OHR decree for standardizing and launching of BiH-wide license plates in 1998, some argue, was the single most important decision taken by the OHR to allow freedom of movement. This, combined with the OHR’s aggressive engagement with local governments (both on judicial and administrative levels) to facilitate minority return, provided the base for opening up return options.

according to the ICG, even spontaneous minority returns increased four-fold during the first four months as compared to 1999. However, it should be noted that, despite a return of over one million of the estimated 2.2 million who were displaced, BiH remained on the United Nations High Commissioner for Refugees's (UNHCR's) list of major countries with internally displaced persons (IDP), with 182,747 still listed as IDPs at the end of 2005.²⁵

The vetting and reformation of multi-ethnic police forces and the decommissioning and professionalization of military forces under international supervision have improved the security situation significantly. While three military forces are still separate, they share a joint command and have even participated under the BiH flag in several international peacekeeping missions. At the same time, incidents such as the 2004 swearing in of troops under the RS rather than under BiH oath in Banja Luka serve as a reminder of the underlying tensions still present in the security-related services and the potential impact these could have on the statebuilding process.

A Most Uncivil War

The violent conflict that took place in BiH between 1992 and 1995 has been classified by many as an ethnic civil war, but this description does not fully capture the regional dimension or the interests involved. The three main warring parties were divided roughly along the ethnic lines of Bosnian Serb, Bosnian Croat, and Bosniak, but the Serb and Croat forces received significant support from their ethnic kin in power in Zagreb and Belgrade. Serbs particularly benefited from the fact that Belgrade had the majority of the Yugoslav Army (JNA) resources and military might. As well, fighting in Croatia had an effect on BiH, both in terms of military staging grounds for opposing armies (Croat vs. the former Yugoslav JNA) and in terms of refugee flows.

On one level, the war was about ethnic identity and power. On another level, it was about securing and dividing the economic spoils of the republic of Bosnia and Herzegovina that became the new BiH state. On an individual level, military forces looted and pillaged most things of value from property that they captured. And on the governmental level, any state asset of value was taken by the new *de facto* governments and their militaries to assist in the war effort.

Such profiteering was supplemented by profits from breaking the international arms embargo²⁶ that had been imposed on the entire region in 1991, as well as by "taxes" on international aid coming into BiH.²⁷ By the

²⁵ Bosnia and Herzegovina, 2005 *UNHCR Statistical Year Book*, <http://www.unhcr.org/4641836a0> (accessed July 25, 2008).

²⁶ UN Security Council Resolution 713.

²⁷ Bosnian Serbs, having military superiority, appeared to particularly profit from the delivery

end of 1995, a number of war entrepreneurs on all sides had profited nicely from the conflict. Unlike their political counterparts or common citizens, they had both the means and interest to cooperate across ethnic lines in BiH and throughout the former Yugoslav region.²⁸

From the beginning, the Bosnian Serbian forces had the military advantage. During much of 1992, Serb forces swept through eastern parts of BiH, killing and expelling primarily Bosniak populations. This pattern of expelling citizens based on ethnicity was repeated throughout BiH, initially by Bosnian Serbs, but eventually by all sides as they attempted to secure territory. The term “ethnic cleansing” became a common description of war strategies that led to an estimated two million refugees and displaced people from a 4.4 million prewar population, and to approximately 100,000 deaths and 14,000 missing persons.²⁹ Approximately 40 percent of these deaths were civilians. According to conclusions reached by the Scholars Initiative on the Yugoslav Wars, approximately 70 percent of war displacements and casualties took place between April and August 1992, with a majority of victims being Bosnian Muslim.³⁰

War crimes were committed on all sides, but according to the International Criminal Court for the Former Yugoslavia (ICTY) in The Hague, a majority of war crimes were committed by Bosnian Serb forces, the most well-known of crimes including the killing of approximately seven thousand civilians in Srebrenica.³¹ Ethnic detention and rape camps, massive destruction of private property, and the razing of cultural buildings and monuments were all hallmarks of the conflict.

Although ethnic issues might have been only one of the causes of the war, by war’s end, the ethnic factor had become the main defining point for both domestic leaders and international interlocutors as they made and kept the

of UN humanitarian assistance. An internal United States State Department report released at the end of 1992, for example, suggested that Bosnian Serbs routinely skimmed 23 percent of all aid delivered during that time. See Michael R. Gordan, “U.S. Finds Serbs Skimming 23% of Bosnian Aid,” *New York Times*, January 13, 1993, <http://query.nytimes.com/gst/fullpage.html?res=9F0CE3DC1F3FF930A25752C0A965958260> (accessed March 11, 2008).

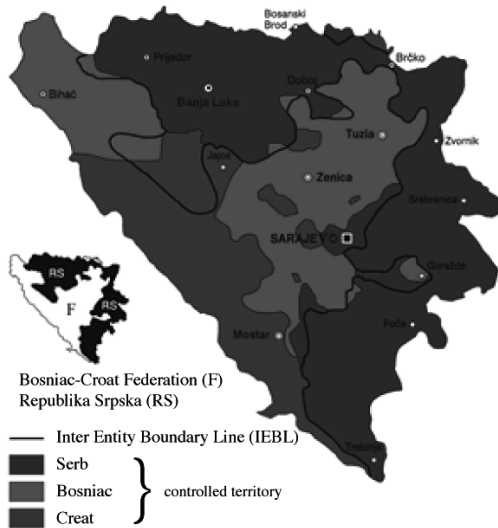
²⁸ For further discussion of the political economy of the war and its aftermath, see Peter Andreas, “The Clandestine Political Economy of War and Peace in Bosnia,” *International Studies Quarterly* 48, no. 1 (Spring 2004): 29-51.

²⁹ The Sarajevo Research and Documentation Center has documented 97,207 deaths between 1991 and 1995, comprised of 39,684 civilians and 57,523 military. See http://www.idc.org.ba/presentation/research_results.htm (accessed August 21, 2008).

³⁰ Ethnic Cleansing & War Crimes, 1991-1995 Executive Summary, “Team 4 Confronting the Yugoslav Controversies: A Scholars’ Initiative,” <http://www.cla.purdue.edu/academic/history/facstaff/Ingrao/si/scholars.htm> (accessed August 18, 2008).

³¹ The Sarajevo Research and Documentation Center confirms that 6,886 civilians were killed in July 1995, primarily males. See http://www.idc.org.ba/presentation/research_results.htm (accessed August 22, 2008).

Figure 1. BiH at the End of 1995



Source: OHR Maps, <http://www.ohr.int/ohr-info/maps/images/bih-under-dpa-and-front-lines-1995.gif> (accessed March 23, 2008).

peace and put in place the structures of the state. Ethnic division, partition, and mistrust were the chief characteristics of postwar Bosnia. The map below shows the frontlines in late 1995 and the agreed-upon borders which were an outgrowth of the peace talks.

The Nonwar Peace Agreement

Diplomatic attempts at resolving the violent conflict were not successful until late 1995. Four different diplomatic initiatives³² to stop the fighting were attempted, as well as numerous UN Security Council Resolutions. Generally

³² The plans were: (1) the Carrington-Cutleiro plan from February 1992, which proposed ethnic power sharing and devolution of power in order to avoid violent conflict (the Bosnian government eventually rejected the plan); (2) the Vance-Own peace plan of January-June 1993, which advocated a division of BiH into ten semi-autonomous regions (the Bosnian Serbs rejected this plan); (3) the Owen-Stoltenberg plan put forward in August 1993, which would partition BiH into three ethnic mini-states, in which Bosnian Serbs would get 52 percent of the territory; Muslims 30 percent, and Bosnian Croats 18 percent (the Bosnian government rejected the plan); and (4) the Contact Group Plan (United States, Russia, France, the United Kingdom, and Germany), conducted between February and October 1994, which primarily put pressure on Belgrade to cut support to Bosnian Serbs.

speaking, earlier peace plans were rejected by the Sarajevo-based government as too conciliatory to what they saw as the war aggressors, the Bosnian Serbs; on the other side, Bosnian Serbs' rejection of different offers was based on the fact that their *de facto* control of the territory was greater than what was offered as part of the peace plans.³³

The war ended on December 14, 1995, after the signing of the General Framework Agreement for Peace in Bosnia and Herzegovina in Paris by all warring parties. The internationally brokered agreement, known as the Dayton Peace Agreement³⁴ (referred to as the DPA, or Dayton) was negotiated in Dayton, Ohio, during November 1995 by the main political actors of the conflict in Bosnia and Herzegovina and the presidents of Croatia and the Federal Republic of Yugoslavia.³⁵

A string of Federation military victories in central and western Bosnia in 1995 and NATO strikes against Bosnian Serb military targets³⁶ eventually brought all sides to the table. Yet, at the beginning of peace talks, Bosnian Serb forces still controlled roughly half of the territory (down from a war-time high of about 70 percent) and had the most bargaining power. This was reflected in the ultimate agreement which ceded 49 percent of BiH territory to the control of Republika Srpska (RS) and 51 percent of control to the Federation. The Inter-Entity Boundary Line (IEBL) was the political division of the two entities, primarily representing the military front lines (except in the west and around Sarajevo).

The DPA not only covered the cessation of hostilities to improve the security situation, but also effectively served as a political blue print for the building of the state of Bosnia and Herzegovina, with annex IV becoming the constitution. Contained in its annexes was the basic political framework for

³³ One peace plan was successful (to some extent) during this time. The Washington Agreement, which ended the fighting between the Bosnian Croat and Bosniak militaries, was signed in March 1994. This agreement effectively stopped the fighting between these two sides and allowed the militaries to cooperate in their continued fight against the Bosnian Serbs. At the same time, it put in place a complicated political framework for the Federation between Bosniaks and Bosnian Croats, which became part of the Dayton Peace Agreement.

³⁴ A copy of the General Framework Agreement for Peace in Bosnia and Herzegovina can be found at <http://www.oscebih.org/overview/gfap/eng/> (accessed February 6, 2008).

³⁵ At the time of the DPA, Serbia was formally still the Federal Republic of Yugoslavia (FRY) (1992–2003), which consisted of Serbia (Kosovo) and Montenegro. This was later followed by the State Union of Serbia and Montenegro (2003–2006), in turn followed by the independence of Montenegro and the creation of the Republic of Serbia. For the purpose of clarity, the text will refer to this state as Serbia, since the dominant actors were heading what became the Republic of Serbia.

³⁶ The NATO bombing was known as “Operation Deliberate Force,” and lasted approximately one month between August 30 and September 20, 1995. According to Hendrickson, the targeted strikes were a crucial element of getting Bosnian Serbs to the negotiating table. Ryan C. Hendrickson, “Crossing the Rubicon,” *NATO Review*, Excerpt Autumn 2005, <http://nato.int/review> (accessed August 13, 2008).

the establishment of state institutions in BiH, and most notably the civilian implementation of the DPA through the Office of the High Representative.³⁷

The decisions made in the DPA determined the ethnic-based politics that have dominated BiH since Dayton. The identification of three national ethnic constituencies in BiH was reflected in all of the designs of state institutions as well as in elections. The DPA also provided for the continued existence of the RS, creating a cumbersome state of two entities that had very little shared power at the state level. A number of state-level key institutions were outlined, but additional institutions that would be needed for normal state functioning were left for further negotiation or for a more favorable political climate among the political actors.

The provisions of the DPA represent the “best that could be gotten” at the time, but they did little to transform the war-time politics of BiH from those based on ethnicity and fear to those based on more normalized political and economic issues. Calling the DPA a peace agreement is perhaps itself a misnomer. The agreement froze the gains and losses of the fighting as a cease-fire on the battlefield, asking military actors to take on the role of political actors, without any further peace process.

Those Bosnian actors who attended Dayton, or those who supported their attendance, shepherded their respective constituencies through the peace process, but with vastly different understandings and interpretations of the DPA. Bosnian Serbs accepted the DPA as a necessary concession, but they were very clear in their stance that the RS was for all practical purposes an independent state. Bosnian Croats had already sided with the Bosniaks in 1994, but key political elite continued to press for a third entity designation, meanwhile running their specific parts of the Federation without much cooperation with the Federation level or Sarajevo. Bosniaks left Dayton having saved a multicultural state, but mostly in name only. They were perhaps the most supportive of the DPA in terms of both specifics and its spirit, but they also had to deal with strong political pressure from their population which felt that they had “sold out” to the aggressors. Accordingly, no one side was completely satisfied with the DPA; all sides felt pressured by the international community; and no side had an overwhelming incentive to build bridges, as long as it had ethnic-based guarantees for a portion of power in the new BiH state.

External powers involved in the DPA included the principles of the Contact Group, primarily the United States, Russia, and European Union countries, as well as Croatia and Serbia. The principals were not unanimous in their strategy to achieve peace in BiH, but they managed to agree on most major provisions of the strategy. This was tested at times by differences on the apprehension of war criminals, and eventually on Kosovo as well as greater geopolitical

³⁷ For the full text of the DPA and its annexes, see http://www.ohr.int/dpa/default.asp?content_id=380 (accessed January 30, 2008).

considerations, but generally speaking, international community members had a similar (if not always coordinated) view on BiH.

Croatia and Serbia, on the other hand, had very different interests in being involved in the DPA. Both were still led by nationalist leaders who had managed to further consolidate their power through their war-time activities. Each had supported its respective ethnic kin in BiH throughout the conflict, and saw the political settlement as a means for continued influence in BiH. The alleged political agreement between Franjo Tudjman and Slobodan Milosevic³⁸ to divide BiH was no longer possible by means of war, but both capitals saw possibilities for eventual or *de facto* control of border territories as a political possibility. Until the death of Tudjman in 1999 and the ouster of Milosevic in 2000, both continued to play a dominant role in supporting their respective political elite (and nationalist-minded) colleagues in BiH to hamper the implementation of the DPA.

The DPA attempted to address root causes of the war through the national constituency provisions, which allowed the sharing of political and economic power based on ethnicity. This strategy was based on the theory that the war was primarily caused by ethnic rivalries and ethnic redistribution toward antagonism, rather than by a more complex set of issues related to state disintegration, state economic capture, political transition, and opportunistic nationalism. Accordingly, the DPA allowed those parties that arguably had led their respective populations into violent conflict to emerge as the postwar leaders who would dictate and implement the peace.

The DPA contained clear provisions for the demilitarization, demobilization, repatriation, and reintegration of the populations. As part of the DPA, NATO forces under a UN mandate would oversee the cease-fire agreement between warring parties and maintain the security situation. Overall, this portion of the DPA was the most successful, with progress markers reached more or less according to schedule in terms of military disengagement, disarmament, and a return of soldiers to barracks. Other security markers, such as demining³⁹ or the establishment of an environment that allowed the safe return of minorities, took much longer and more effort than initially planned.

Economically, the country was in shambles after more than three years at war⁴⁰: there was extensive infrastructure and housing damage, production of most state industry had halted, and agricultural output was extremely low. As

³⁸ The alleged meeting and deal took place in 1991.

³⁹ The danger of millions of land mines was also underestimated either in terms of security or general return of refugees. According to data submitted to the International Implementation Force (IFOR), up to 10 percent of Bosnian territory was thought to be “mine contaminated” by the end of 1995. See http://www.lsndatabase.org/country_landmine.php?country=bosnia (accessed April 11, 2008).

⁴⁰ According to estimates by the Open Society study conducted in 2001, economic impacts of the war ranged from U.S. \$50-60 billion, but this does not take into account many indirect costs,

an additional challenge, the transition to a market-based economy truly started only with the cessation of hostilities; in addition to losing much of its former Yugoslav market, BiH was economically divided among the three ethnicities in a way that provided few economically viable companies or industries.

Internationally Coordinated Statebuilding

Keeping the peace and building a democratic and multi-ethnic state in BiH were the stated objectives of the international community. But in reality, the external actors prioritized the keeping of the peace, then the building of state institutions, and, finally, democratization. This strategy resulted in a relatively peaceful BiH quite soon after the cessation of formal hostilities, but a country that consequently took many more years to reach even basic levels of state functioning and democratic governance for its multi-ethnic citizenry.

Keeping the peace and then putting in place the basic state institutions, as outlined in Dayton, were the most pressing tasks at hand. Immediately following the signing of the DPA, external actors began actively putting together the military and civilian components of the mission, first, to keep the cease-fire, and second, to begin to enforce the DPA. Before the end of December, additional forces were on the ground, and the UN had laid the legal framework for a mission.⁴¹

The UN headed the external intervention to keep and build the peace. Subsequent UN resolutions added additional duties and resources to the United Nations Mission in Bosnia and Herzegovina (UNMIBH) as the challenge of actually fulfilling its tasks were better understood.⁴²

The official UN mission closed at the end of 2002,⁴³ but for all practical purposes, the political powers of the UN mission were extended by the OHR, which previously had coordinated with the UNMIBH throughout its mandate to assist in the implementation of the peace settlement. The OHR, together with the European Union Special Representative (EUSR) launched at the beginning of 2003, were tasked with working jointly to make BiH compliant

which Papic et al. argued would make the total impact even higher. See Papic et al., “International Support Policies to SEE Countries—Lesson (Not) Learned in Bosnia-Herzegovina.”

⁴¹ However, even this delay of a few weeks fueled further population displacement. For example, Bosnian Serb leaders mobilized much of the populations in areas that were to be returned to the Bosnian government (part of Sarajevo, for example) to damage or destroy their property as they left for Bosnian Serb-held territories.

⁴² See UN Security Council Resolutions: S/RES/1088 (1996); S/RES/1103 (1997); S/RES/1107 (1997); S/RES/1144 (1997); S/RES/1168 (1998); S/RES/1184 (1998); and S/RES/1423 (2002), <http://www.un.org/Depts /DPKO /Missions/unmibh/unmibhDrs.htm> (accessed February 24, 2008).

⁴³ UN Security Council Resolution 1423 of July 12, 2002, ended the mission on December 31, 2002. See <http://www.un.org/Depts/dpko/missions/unmibh/mandate.html> (accessed February 24, 2008).

with the Dayton Peace Agreement and to prepare for the next step of eventual European Union integration.⁴⁴

The mission was one of the most complex and well-resourced peacebuilding missions of UN history.⁴⁵ As a third-generation peacekeeping mission, the objective was not only to secure the peace, but also to build (or assist the domestic leaders to build) a functioning and democratic multi-ethnic state.⁴⁶

Besides UN agency and military actors, international nongovernmental organizations (INGOs) became major international players in post-Dayton BiH. Many were tasked with humanitarian-related projects, again some of which overlapped with UN mandates. The significant presence of INGOs required traditional UN interorganizational coordination mechanisms to be expanded to include this sector. While not without its challenges, the situation forced international actors to attempt to bridge their organizational structures in order to coordinate efforts. In this sense, the model was successful, but there were many situations in which too much money and too little coordination led to the rebuilding or repaving of the same bridge a couple of times. And the amount of effort and time that coordination took, particularly in the first several years, detracted energies from the actual mission(s). Such a plethora of international actors also allowed domestic actors to play the agencies against each other, which even with the best coordination intentions, often resulted in a less than united international approach.

Part of the difficulty from the beginning was the fact that the DPA outlined objectives, but did not provide clear guidance for what would be considered a “functioning and democratic multi-ethnic” state or a clear timeline for exiting.

On the security side, the scale-down has been a gradual progression toward only a lightly armed monitoring mission, but on the political side, the end-goal has been less clear. Consolidation of peace and emergency assistance dominated the first years, however, even with the international community’s

⁴⁴ The mandate for the Office the High Representative was outlined in Dayton (annex 10), and further empowered at the end of 1997, after the international community’s Peace Implementation Council (PIC) gave the OHR powers to remove politicians obstructing the implementation of the DPA and, critically, to impose laws if the domestic actors did not, in order to fulfill the requirements of Dayton.

⁴⁵ The budget for the maintenance of UNMIBH from July 1, 1999 to June 30, 2000, alone, amounted to \$168.2 million, which was a decrease from previous yearly amounts.

⁴⁶ UNMIBH was the lead agency, but a number of agencies worked on similar areas simultaneously. For example, besides elections, the DPA tasked the OSCE with assisting to build basic governmental institutions and good governance practices. Or, in terms of public works and infrastructure, Wentz describes how the IFOR and then the SFOR CIMIC/Civil Affairs played a central role in coordinating and directly carrying out projects that would have a visible impact, such as road building, repair of hospitals, and the like. See Larry Wentz, “Lessons Learned from Bosnia: The IFOR Experience,” DoD Command and Control Research Program, CCRP, 1997, <http://www.dodccrp.org/> (accessed March 1, 2008).

May 2000 Peace Implementation Council (PIC)⁴⁷ meeting marking a clear shift in focus to institution building or “institutionalizing the state,” creation of state agencies and frameworks for a functioning state was easier than assessing the point at which it did not require international oversight.

As long as a number of Dayton annexes remained unfulfilled, the remaining tasks were clear. However, as the checklist has been filled (or partially filled), it has become more difficult to articulate whether “stable” and “democratic” are good enough for the international community to disengage. It was thought, for example, that after the energetic use of extraordinary powers by the High Representative (HR) Paddy Ashdown during his time in office from May 2002 to December 2005, his successor, Christian Schwarz-Schilling, charged to be less interventionist by the PIC, would be the last HR in BiH. This expectation, coupled with the beginning of the European Union agreement for a Feasibility Study for BiH at the end of 2003 and plans for OHR downsizing, seemed to set the course for an exit strategy. However, the domestic political stalemate that accompanied Schwarz-Schilling’s time in office convinced the PIC of the need for an extension of the OHR mission beyond 2006, and again a more aggressive personality to head the OHR from 2007 onward. This extension of mandate, in addition to the increasing profile of the EUSR, has been designed to try to frame international oversight and engagement within EU-related accession processes, in order to both plan an eventual exit and focus domestic attention on finding common European, if not Bosnian, points of policy.

Securing Peace, Eventually, Public Security

Lessons learned from the ill-fated United Nations Protection Force (UNPROFOR) mission in the former Yugoslavia, started in 1992, were applied when constructing the UN Security Council Resolution⁴⁸ for a UN-led post-Dayton mission. The NATO-led multi-national Implementation Force (IFOR) security component of Dayton included clear language for taking action against obstructionist parties, as well as the right and ability of the IFOR soldiers to take military action. With over 54,000 soldiers⁴⁹ from thirty-two countries plus relevant equipment, NATO effectively had control of land, skies, and sea around the country.

⁴⁷ Declaration of the Peace Implementation Council, PIC Main Meeting, Brussels, May 24, 2000, http://www.ohr.int/pic/default.asp?content_id=5200 (accessed March 1, 2008).

⁴⁸ The UN Security Council issued Resolution 1035 on December 21, 1995, which established the UN Civilian Mission for BiH (UNMIBH) to oversee the post-conflict reconstruction and reintegration process, as outlined in the Dayton Agreement, as well as the International Police Task Force (IPTF). See <http://www.un.org/Depts/dpko/missions/unmibh/mandate.html> (accessed March 1, 2008).

⁴⁹ Total troop numbers reached eighty thousand, when including personnel deployed in Croatia and around the region to support the BiH operation.

The Stabilization Force (SFOR) of 32,000 took over in 1997, gradually reducing in numbers and focusing more efforts on creating an environment to build a sustainable security situation. By December 2004, SFOR had been reduced to twelve thousand troops, and the seven thousand troops of the European Forces in Bosnia and Herzegovina (EUFOR), primarily staffed by EU countries, took over, with a mission to continue monitoring the security situation and to assist the security services in reform toward European standards.⁵⁰ Domestically, many came to see the troops as a guarantee for peace⁵¹; having at least a symbolic American component continued to remain politically important, even in the much scaled-down EUFOR deployment.

The troops—primarily from NATO countries and potential NATO countries—included soldiers from Russia as part of the continued joint diplomatic effort to keep and build the peace. Initially, most efforts were focused on strict implementation of the cease-fire among the three armies. Notable in the actual agreement was the decision not to disband the militaries; rather, the DPA allowed the militaries to withdraw to their agreed regions and to help contribute to keeping the peace, with heavy IFOR/SFOR oversight. Fulfilling these objectives reduced the threat of a resumption of violent conflict, but it did not stop the continued efforts by some political elite to keep the environment tense and unsafe for normal travel or return.

Addressing less clear security threats (even if outlined in Dayton) was partly a matter of interpretation. SFOR's action to take over the Serbian Radio-Television transmitters in October 1997, for example, was seen as necessary in order to improve access to reliable information that could assist in reconciliation rather than continued hostilities. Eventual security-political coordination on return through the creation of the interagency, Return and Reconstruction Task Force (RRTF),⁵² provided a more comprehensive approach to enhancing public safety. Yet, the capture of war criminals was hotly contested during the course of the IFOR and SFOR, and even the EUFOR, mandates. Early on, a number of countries with troops and the ability to capture or at least search for indicted war criminals thought that such actions could both upset the delicate security balance and unduly endanger their own troops. Other countries more vigorously cooperated with the ICTY, and through commando-type actions assisted the ICTY to capture and arrest indicted criminals.

A similar issue of interpretation made the International Police Task Force (IPTF) mission difficult. Within the specific confines of the mandate, IPTF performed quite satisfactorily, but when taking into account the larger

⁵⁰ This number was further reduced to just over two thousand in 2007.

⁵¹ By the end of 2006, concern over NATO or EUFOR withdrawal had substantially lessened, with only 22 percent of the population fearing that a military withdrawal would allow new fighting (UNDP, 2006).

⁵² For more information see <http://www.ohr.int/ohr-dept/rrtf/> (accessed August 22, 2008).

dynamics of the obstruction of Dayton by domestic elites, corruption within the domestic ranks, and collusion between officers and political or war-time elite, IPTF's mandate for oversight and training was not strong enough. Accordingly, pushing for real reforms in the domestic police was often up to the international officer in charge of the local office, and the quality of this staffing was not consistent.

Stepping-up Intrusiveness

The role of international actors in the DPA was designed to assist and shepherd—if need be—domestic political actors through the process of institution- and statebuilding. High levels of intrusiveness at the beginning were thought necessary in order to put in place the required institutions and legal frameworks. The international role in the development of everything from the constitution (annex 4 of the DPA) to the first legislative frameworks on developing economic and court systems was intense and ongoing. Key tasks in the period immediately following the signing of the DPA were undertaken by the UNMIBH or OHR.

This role of “setting the stage” was not overly controversial. A number of domestic actors clearly had no interest in cooperating in these actions, but few could formally protest the role of the international community, as it had been quite clearly agreed to in the DPA and in subsequent UN Security Council resolutions. The more controversial situation began after domestic institutions had reached some level of functioning, particularly after the 1996 elections, when war-time elite had been legitimized at the ballot box. Frustrated with the lack of progress on the part of domestic actors, the international community enhanced the international mandate in 1997 with the so-called “Bonn Powers,” which effectively made the OHR the last-stop authority that could develop laws or remove politicians at will, if it decided they were not acting in accordance with the DPA (and later, due to corruption, or aiding war criminals on the run and their support networks). The dismissal of politicians has been controversial,⁵³ partly owed to the lack of “due process” in their removal, and partly due to the fact that a number were allowed to return to some level of public life at a later point; this, at the very least, created the perception that the OHR was not above making a few deals for the sake of trying to secure the continued cooperation of all parties.⁵⁴

⁵³ One hundred sixty-one officials had been removed by the OHR by the end of 2005. See Laurel Miller and Deborah Isser, “Outsiders Can’t Build a Nation in Bosnia,” Op-Ed, United States Institute of Peace, December 2005, http://www.usip.org/newsmedia/op_ed/2005/bosnia_miller.html (accessed January 23, 2008).

⁵⁴ A look at OHR-related dismissal decisions in 2005 illustrates one of the OHR’s most interventionist periods in relation to focusing on specific individuals and their roles in DPA obstruction. See <http://www.ohr.int/decisions/archive.asp?m=&yr=2005> (accessed January 23, 2008).

Such executive powers were used strategically from 1997 through 2006, only after attempts to find consensus among local parties had failed, but the threat of such use served to make the OHR, rather than the tri-partite presidency, the executive of the country. On the one hand, the OHR's holding of this executive power has been a key constraint to the development of democratic institutions in BiH, but on the other hand, it has been the OHR that has pushed through most of the critical legislation that has created a certain level of state functionality, if not democracy (from uniform [non-ethnic based] license plates, a state court system, and a joint Valued Added Tax [VAT] system, to military command).

For example, the Dayton Peace Agreement did not provide for a state-level judicial system, leaving this to the two entities. For the first three years, entity-level rule of law was dominate and often arbitrary. Laws were often a mishmash of former Yugoslav and war-time state compilations; institutions were functioning at a low level, review of legal decisions was generally not possible on the state level, and political will to harmonize justice systems was low. Frustration at the lack of standards and consistency led the OHR to begin issuing specific reform decisions in mid-1999 to improve both the legal framework and the institutions.⁵⁵ A heavier OHR hand and progress in the creation of more state-level institutions—which has allowed further judicial oversight on the state level—have gradually improved the basic judicial framework and environment, but the process has been slow.

Diplomatic Overtures

OHR power was backed by external diplomatic pressure. Initially, diplomatic pressure was applied mostly through rhetoric, even while the same actors provided resources for humanitarian assistance and (re)building of the country—particularly in the Federation. The RS boycotted the first donors' conference, and significant international funds did not begin to flow into the RS until after a change in power from the war-time “capital” in Pale to (a more moderate) Banja Luka had taken place in mid-1997.

However, after successive donor conferences and no movement beyond a very fragile state, external actors began to apply more sticks with their carrots. For example, the use of the Bonn Powers spread to the ability of the OHR to investigate financial corruption and mismanagement by key officials. This and freezing the assets of indicted war criminals and refusing to issue travel documents⁵⁶ to them and their suspected support networks were attempts to

⁵⁵ See the OHR history of judicial reform decisions at: <http://www.ohr.int/decisions/judicialdec/archive.asp> (accessed January 23, 2008).

⁵⁶ One of the most dramatic sets of actions occurred in December 2004, when the OHR, backed by the EU and the United States, announced additional punitive measures against the RS. The United States announced asset freezes and a travel ban on the SDS party and its officials in

bring officials (and specific municipalities) in line that had varying degrees of success. The key weakness in this strategy was that, even if domestic and OHR prosecutorial powers were sufficient for conviction, gaps in the judicial process often prevented follow through.

Throughout the process, but particularly after the EUSR mission housed with the OHR in early 2003, diplomatic efforts to entice local politicians to enact reforms often were couched as part of drawing closer to the EU accession process. Earlier efforts such as the Southeast Europe Stability Pact (1999) to improve the level of democracy and state functioning in BiH and the region had few visible impacts beyond specific projects completed within the pact framework.

As neighbors also began to be taken seriously as viable candidates for the EU, however, BiH officials began to respond to efforts to reach “European standards” as key arguments (in addition to economic assistance structural funds, and so on) for finding a common ground. This regional peer pressure was not only positive—given Serbia’s back and forth with Brussels over Kosovo’s status—but also stimulus for the creation of a platform for pro-Europe actors throughout the region from which to work toward a common goal and better cooperation.

Peace If Not Democratic Statebuilding

External actors were under pressure to perform parallel tasks from day one, and while they controlled the territory and had a robust international mandate, they were far from all-powerful. Lessons learned from previous conflicts focused international attention on brokering and enforcing a security environment and improving the humanitarian situation. Success in gaining some level of stabilization in these areas was the primary priority, but took more time than anticipated. Consequently, the more delicate process of encouraging the establishment of democratic government and governance received less initial attention.

From the start, basic structures for democratic development were put in place, but the difficulty in getting nationalist parties, first, to share power and, second, to work toward objectives which would reduce their power caused the external actors to somewhat modify their working, if not official, objectives. Or, as Principal Deputy HR Donald Hayes described in a 2004 “lessons learned” speech, emergency recovery efforts and political trade-offs resulted in the OHR’s paying too little attention to reforming and strengthening the

the RS and others related to the war criminal support networks. For more details, see Mirna Skrbic, “Bosnia: Runaway Reaction,” *Transitions Online*, December 20, 2004. <http://www.ceeol.com/aspx/issuedetails.aspx?issueid=1dab3350-8ff0-440d-a933-c4ed75421d42&articleId=f8341dde-530d-4789-a08f-01bb2ecbb177> (accessed July 20, 2008).

structure of the state, which only served to retard meaningful gains in the rule of law.⁵⁷

State elite, on the other hand, saw the DPA and statebuilding project primarily as an opportunity to continue, and in some cases to further legitimize, their hold on power. The often criticized 1996 elections, for example, were supported by the domestic elite as they endorsed the three main ethnic parties' (SDA Muslims', HDZ Croats', and SDS Serbs') emergence from the war. While retailing political power was a key for each of the three parties, each party had different time horizons and views of how to work within the BiH state. The RS, initially under SDS and later SNSD rule, went about building the institutions of the RS as a *de facto* state, while viewing the BiH state as a shell that they would use for the purpose of international legitimacy. Bosnian Croats spent much effort in trying to get a better deal in power sharing both within the Federation and on the state level (some wanting a third entity), while also consolidating the power bases that they had (partly continuing *de facto* or shadow structures of the Herceg Bosna state). Bosniaks, primarily through the SDA, saw the statebuilding project as its only avenue to power.

Despite having a strong mandate, external actors were under a constant time constraint to reach their objectives. No specific timeline for pullout was public (except the much publicized downsizing of the OHR in mid-2004). But frustration at the slow progress on the political side and few ideas of how to improve this situation except by direct international community action, made those enacting the mandate constantly justify their actions.

This was partly due to the more scheduled portion of the military mandate, and especially to pressure from the United States to reduce troop numbers. This pressure stemmed partly from U.S. and EU foreign policy strategies, which could no longer focus as many efforts on BiH and the Balkans because: Kosovo also was taken on by the international community (1999 forward) and later resolved its status⁵⁸; 9/11 occurred; the EU needed to focus on preparing ten new countries for EU accession (and had its own constitutional crisis); and, lastly, subsequent wars in Afghanistan and Iraq took attention and resources far from the Balkan region.

State elites, on the other hand, in some ways had all the time in the world. As long as one or another did not "go too far," the international community

⁵⁷ Speech by Principal Deputy HR Donald Hays on "Post-Conflict Reconstruction: The Case of BiH," at the George C. Marshall Centre, Garmisch, Germany, November 30, 2004, http://www.ohr.int/ohr-dept/press/presssp/default.asp?content_id=33642 (accessed July 24, 2008).

⁵⁸ Kosovo's status, initially just a backdrop issue, has allowed Bosnian Serbs to raise the rhetorical stakes on declaring a referendum each time that other domestic politicians or international officials pressure the RS for further reforms; the issue reached a head in 2006 concerning police reform. While not backing down, the international community clearly wanted to avoid a full confrontation with the RS and found a way to diffuse the tensions until a deal could be sorted out.

appeared willing to continue to supply resources to build their state and to take on unpopular decisions that state elite would rather not make. Clearly, state elite started to feel pressure from their constituencies over the low level of service delivery and related issues, but as long as ethnic fear could be a major campaign theme, political power remained relatively secure for them.

Compromise and co-option were the general set of bargaining tools between external and internal actors. An attempt at compromise was usually the starting point, but often, particularly in the dealings with RS politicians, confrontation or the threat of it was necessary in order to implement many reforms. For example, the removal of RS President Nikola Poplasen from office in 1999 is illustrative of the most confrontational of international actions. At the same time, the international need for success and use of such executive powers allowed both domestic and international actors to give the appearance of a functioning system, or as Papić and Sadiković describe the situation, “[there was a] symbiosis between the OHR and nationalist parties.”⁵⁹

Organized crime in all parts of BiH and its links to security and former security services, as well as its embedment in many institutions, also stymied efforts of international and domestic reformers. These informal networks often were much more effective than official efforts at intra- or interentity cooperation and required even more international work to deal with some of these actors.

Some sectors of domestic civil society and some domestic media attempted to support the democratic change. Heavily funded and developed by the international donor community, only a few domestic groups, however, have managed to have the credibility and relevance to effect change in their societies beyond normal donor funding cycles. Most influential have been a number of groups related to missing persons, the return of refugees, and victims’ rights, as well as some policy and watchdog civil society organizations. However, neither these groups nor the few influential print media that have maintained a strong prodemocratic or pro-Dayton stance have the power to change their society to the extent that the politicians and officials do. Public apathy and disappointment in public officials has been high, but not high enough to mobilize an ethnically divided and exhausted population toward something else.

Neighborly Influence

The most immediate neighbors, Croatia, Serbia, and Montenegro, were not democratic until 2000. This affected BiH in a number of ways, but especially through the ability of Croats and Serbs in BiH to receive political and economic support for their sustenance without fully buying into the statebuilding project. This included the ability of Bosnian Croats, for example, to receive Croatian passports and effectively to be dual citizens, with all of the rights of a citizen

⁵⁹ Papić and Sadiković, “International Dimensions of Democracy.”

of Croatia.⁶⁰ Similar rights were part of the Bosnian Serb connection to Serbia. Common passports for all Bosnians were not introduced until 2000.

The pledge of the new Croatian and Serbian governments in 2000 to respect the borders and integrity of BiH provided more opportunity for international- and reformed-minded actors within BiH to refocus efforts on integrating Bosnian Serbs and Croats into the statebuilding project.⁶¹ Still, large portions of the populations of both continued to see the institutions and culture of neighboring countries as more reflective of their interests,⁶² regardless of the efforts at integration.

This situation was made more complicated by the fact that Bosnians tended to have better access (and an interest) for interaction with neighboring countries than with each other. On the media front, cross-Bosnia and Inter-Entity news programs were developed (the first Inter-Entity TV went on the air in mid-1996) and helped to bridge this information gap, but intra-Entity or ethnically dominant media have been more popular, causing many in Sarajevo to have little idea of what life is really like in Banja Luka and vice versa.

Travel also has been slow. Regular bus lines and other communications have developed in stages: the first Inter-Entity telephone lines were reestablished in 1997 by the OHR, and the first bus line from Sarajevo to Brcko and Bijeljina (RS) started in early 1999. However, by the end of 2006, telltale signs of separate identities still could be seen by the choice of mobile phone operator, car insurance company, and so on.

Internet and mobile phone use have improved vastly in the past decade,⁶³ but these have not necessarily served to create a shared social space for the general population. On the other hand, the use of Internet, in particular, has been critical for the development of “civil society space” in BiH. The use of basic

⁶⁰ Since holders of Croatian passports did not need visas for most European countries, obtaining such a passport was not only a matter of national identity. Croatian passports became an important commodity that were bought and sold around the region, regardless of ethnicity.

⁶¹ Already by the end of 2000, the “Igman Initiative” had brought together heads of state from Croatia, BiH, and the Federal Republic of Yugoslavia (FRY) to pledge diplomatic efforts at improving relations and regional cooperation. This was an important symbolic, if not immediately concrete, set of actions that continued beyond 2006. See <http://www.igman-initiative.org/pages/sessions.htm> (accessed February 16, 2008).

⁶² For example, the main regional daily newspaper of Croatia, *Slobodna Dalmacija*, has had a substantial readership in majority Croatian areas of BiH. Croatia’s national television, HTV, is also a main source of information in these regions. Similarly, Belgrade-based media have been popular in Bosnian Serb areas.

⁶³ In 2000, twenty-three of a hundred people used fixed and mobile phones; in 2006, it was seventy-three of a hundred. Internet use was by one person in every one thousand in 2000, but by twenty-five of every one hundred in 2006 (WDI indicators), Quick Query, <http://web.worldbank.org/WBSITE/EXTERNAL/DATASTATISTICS/0,,contentMDK:20535285~menuPK:1192694~pagePK:64133150~piPK:64133175~theSitePK:239419,00.html> (accessed March 10, 2008).

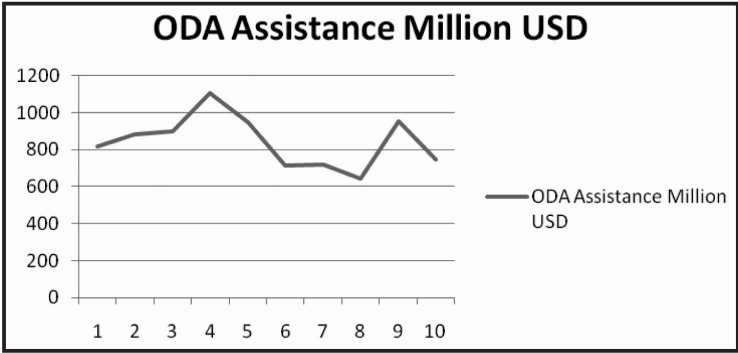
Internet through the “Zamir net” (peace net) set of hubs that was developed in every small city around BiH (and other cities of former Yugoslavia) occurred immediately after the war. This mode of communication was critical in enabling civil-society groups to be able to begin to share information and cooperate.

AID: Significant, but Sequenced

International community efforts to physically and politically reconstruct Bosnia and Herzegovina were one of the largest per capita assistance programs of the time,⁶⁴ with an initial price tag of U.S. \$5.1 billion for the planned Priority Reconstruction Program through the end of 2000 and fifty-nine major donors and agencies. According to Official Development Assistance (ODA) data, compiled by the Development Assistance Committee (DAC) of the Organisation for Economic Co-operation and Development, this climbed steadily to cover more than \$8.4 billion during the ten-year period of 1996-2005, and just under \$9 billion if including 2006.⁶⁵

In line with the objectives of the DPA, aid priorities were focused on providing immediate humanitarian and reconstruction assistance, while also pouring resources and technical assistance into building new state institutions. However, the general pattern of assistance contrasted with the general pattern

Figure 2. ODA Assistance, 1996-2005 (Years 1-10)



Source: OECD Development Database on Aid Activities: CRS Online, <http://stats.oecd.org/Index.aspx?DatasetCode=CRSNEW> (accessed February 20, 2008)

⁶⁴ According to ODA data, per capita aid in 1996 was U.S. \$246 million, declining to \$126 million by 2006.

⁶⁵ Aid figures are for a ten-year period, but if taken through 2006, the levels of total funding and its proportion of democracy-related funding present in 2005 was sustained or even increased for 2006 as part of overall funds.

of international intervention (in terms of state building): initial assistance gradually was reduced, while international intervention increased.

Most resources were initially focused on massive reconstruction efforts of individual homes as well as on basic infrastructure and initiatives to jumpstart the economy. For example, a quick look at ODA data in the peak year 1999 shows substantial expenditures on “reconstruction” and debt relief.⁶⁶ The chart above illustrates well this general focus on reconstruction over other issues.⁶⁷ Pressure was particularly great on EU countries to assist in this area in order to provide options for viable return by the many refugees residing in their countries.⁶⁸

Focus on physical reconstruction and economic revival meant that initial assistance to general institution building/technical assistance and related types of capacity building was given less priority. A report prepared for the 1999 Donors’ Conference co-hosted by the European Commission (EC) and the World Bank (WB) to examine lessons learned in the first years of reconstruction reflects these challenges. Disbursement of the collected U.S. \$4.2 billion was highest in the area of reconstruction (54 percent), then economic development projects (around 20 percent), while democratization and institution building had only an 18 percent disbursement rate by the end of 1998, three years after the signing of the Dayton Peace Agreement.⁶⁹

Or as Bieber observed, it was only after more intense intervention in overseeing the building of domestic institutions that the donor community began to put more resources specifically into building the capacities of the institutions.⁷⁰ For example, a special donor conference in October 2003 raised €15.7 million to build a domestic war-crimes chamber in the BiH Court.⁷¹ Improvement of institutions related to social service provision, and so on,

⁶⁶ These fall into the “other category” of methodology used here.

⁶⁷ Some “reconstruction” likely also falls in the humanitarian category, but most is captured under “other.” ODA CRS of humanitarian assistance for the purposes of this study include: 72010, 72040, 72050, 73010, and 74010.

⁶⁸ For example, Sweden, one of the largest bilateral donors, disbursed over 135 million euros to reconstruct approximately fifteen thousand houses, which allowed fifty thousand refugees to return to BiH. See <http://www.sverige.se/content/1/c/6/03/97/52/1141af02.pdf> (accessed September 12, 2008).

⁶⁹ “Bosnia and Herzegovina: 1996-1998, Lessons and Accomplishments, Review of the Priority Reconstruction Program and Looking Ahead: Towards Sustainable Economic Development,” A Report Prepared for the May 1999 Donors Conference, Co-Hosted by the European Commission and the World Bank.

⁷⁰ Florian Bieber, “Aid Dependency in Bosnian Politics and Civil Society: Failures and Successes of Post-war Peacebuilding in Bosnia-Herzegovina,” *Croatian International Relations Review* (January-June 2002), Zagreb, <http://www.policy.hu/bieber/Publications/BieberAidDependency2.pdf> (accessed April 14, 2008), and “Key Events since Dayton,” December 2, 2005, OHR, <http://www.ohr.int/ohr-info/key-events/default.asp?contentid=35971> (accessed April 23, 2008).

⁷¹ “Key Events since Dayton.”

was also an area of recommended focus for donors, following initial donor assessments.⁷²

In the first years following Dayton, BiH received over half of its economic activity through external assistance. Aid was initially a significant portion of the Bosnian economy; according to World Development Indicators, over 50 percent of the GNI in 1996 was aid but only 13.1 percent in 2000.⁷³ The aid percentage of GNI fell further to 5.2 percent in 2005,⁷⁴ but it is useful to also note that remittances, primarily from the over one million Bosnians outside the country, most in EU countries, accounted for 22.5 percent of GNI, according to 2006 data.⁷⁵ This suggests that although aid has dropped off, remittances have taken the place of this aid rather than other significant domestic or foreign investment economic activities and development.

It is also worth noting that still in 2005, 15 percent of central government expenditures was dependent on aid.⁷⁶ This does not include the resources put forward to run the international institutions that work closely with the domestic institutions.⁷⁷ Given that the government is one of the most multilayered and complex in Europe, maintenance fees have been high. Estimates of public expenditure from 1996-2000 were U.S. \$9.2 billion, the highest in the region (the regional average was \$1.6 billion less). But despite this expenditure, impacts were minimal, partly due to misallocations and corruption within the system.⁷⁸

External assistance was and remains an essential component of (re)building BiH. Most of the reconstruction efforts were completed by 2000, allowing at least the option of return and movement around the country. Without the massive funds first put into the country, even this level of (re)development would not have been possible. Further efforts to create an environment for economic, institutional, and democratic development have been vigorous, if less clear, in their impacts. This has been due partly to the shorter amount of

⁷² United Nations Development Programme, "International Assistance to BiH, 1996-2002: A Tentative Analysis of Who Is Doing What, Where," UNDP, 2003.

⁷³ Part of this aid, as described, needed to go directly to governmental institutions to make up for the shortfall in revenues; an estimated \$360 million in 2000, for example, was needed to shore up the budgets for both entity governments. See International Crisis Group, *Bosnia's Precarious Economy: Still Not Open for Business*, Europe Report No. 115, August 7, 2001, <http://www.crisisgroup.org/home/index.cfm?id=1494&CFID=15800546&CFTOKEN=61605254> (accessed September 20, 2008).

⁷⁴ World Development Indicators.

⁷⁵ Malte Lierl, "Transfer Payments, Individual Income Composition and Inequality in Bosnia and Herzegovina," *Journal of Development and Social Transformation* 3 (2007), <http://www.maxwell.syr.edu/moynihan/Programs/dev/volume3pdfs/lieryl.pdf> (accessed August 21, 2008).

⁷⁶ 2007 World Development Indicators.

⁷⁷ The OHR budget, for example, is funded through the PIC and paid for by members of the PIC, with the EU the largest financial contributor.

⁷⁸ UNDP, *MDG BiH Update Report: PRSP, Europe and Beyond*, UNDP, August 2004, Sarajevo.

time many of these programs have been working and partly to the fact that programs for the development of democracy were not pursued in a vacuum, but rather within a politically divided environment in which incentives to actually democratize were not necessarily as great as those to preserve the status quo.

It is particularly difficult to assess the impact and exact levels of assistance aimed at building state institutions, professionalizing political parties, developing civil society, and embedding general democratic practices. This is owed partly to a lack of systematic data on inputs, but also to the actual challenge. Assistance for the development of democracy aimed to change the political culture of the country at the same time it attempted to democratize institutions that were still lacking power and legitimacy. Or as Sabic describes,⁷⁹ its attempts at “norm building” were stymied by the lack of agreement that the political institutions should actually be empowered to represent elite interests.

Assistance patterns for democracy-related development started out modestly, increasing to more substantial portions of total aid only after 2000.⁸⁰

Table 1. Percentage of Aid for Democracy Programming

Year after conflict	Percentages	
	Total Aid	Democracy
1996	100	2.3
1997	100	0.0
1998	100	3.5
1999	100	1.9
2000	100	2.5
2001	100	5.9
2002	100	4.8
2003	100	10.6
2005	100	11.7
2006	100	11.8

⁷⁹ Senada Selo Sabic, “State Building in Bosnia-Herzegovina,” Bureau for Security Policy at the Austrian Ministry of Defense, National Defense Academy, Vienna, and the Institute for International Relations, Zagreb, 2003.

⁸⁰ ODA figures are somewhat different from an OSI study, which suggests that, between 1995 and 2000, there were \$7-8 billion in humanitarian aid, \$10-12 billion in reconstruction, economic, and recovery (including the initial \$5.1 billion), and \$5-6 billion in “other” assistance (including democratization, media, civil society, and so on), for a total of between U.S. \$22-24 billion.

⁸⁰ This would suggest that democracy-related aid (at 23 percent) was higher than ODA percentages (Papic and Sadikovic, “International Dimensions of Democracy,” 397-398).

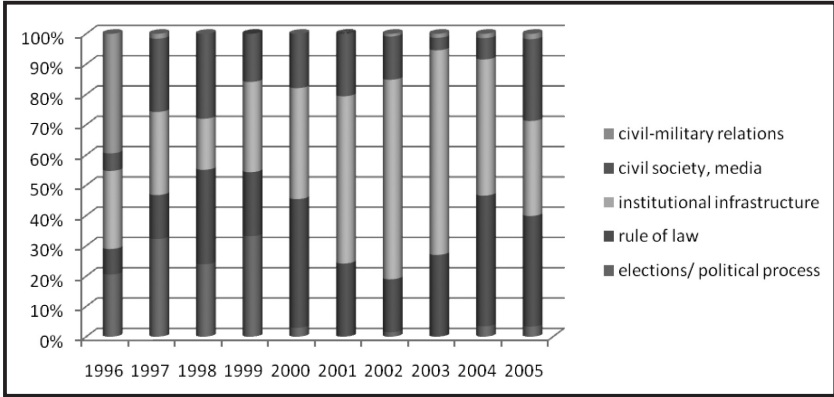
ODA figures were at just over 2 percent in 1996 and reached 10 percent of all funding only in 2003. While these figures likely do not take into account all democracy-related programming, they provide a sense of how the assistance portfolio changed (from major reconstruction to a concentration on institutions) over the ten years.⁸¹

General democracy promotion as understood in the Bosnian context includes a good portion of the Dayton objectives. After 2000, institutional infrastructure increasingly gained a significant share of democracy assistance as well as a larger portion of overall assistance; it is the substantial increase in institution building (or institutional infrastructure), combined with funding for rule of law, that dominate the democracy portfolio and increase this portfolio's overall percentage of donor assistance.⁸²

Democratic Conditionality in the Aid Sector

Conditionality was a key component of the international community's tool box for statebuilding in BiH, however, some types of conditionality were more successful than others. Outlined to some extent within the DPA, mechanisms were set up along with the first donor conference on BiH to begin to reward domestic actors for following the DPA. One of the most well-known programs

Figure 3. Democracy Assistance Breakdown⁸³



Source: OECD Development Database on Aid Activities: CRS online, <http://stats.oecd.org/Index.aspx?DatasetCode=CRSNEW> (accessed February 20, 2008).

⁸¹ Categories included were based on the methodological categories of the research project.
⁸² EU CARDS funding, for example, started in 2002 and spent just over 20 percent (of 200 million euros) on “administrative capacity building” between 2002-2004, and 28 percent (of 100 million euros) in 2005-2006.
⁸³ These five broad categories are based on research methodology and likely do not fully capture all democracy- related assistance.

was the so called “Open Cities” program, which provided United Nations High Commission for Refugees reconstruction assistance at the municipal level for those local governments that allowed minority displaced persons and refugees to return. The objective of such funding was to reward willing municipalities, to penalize obstructionists, and to convince those that were undecided.⁸⁴

Frustration over the lack of war crimes cooperation and prosecution also led to conditionality for this area of DPA implementation. Most significantly, the United States made any international financial institution (IFI) decisions dependent on cooperation in war crimes prosecution, effectively limiting International Monetary Fund, World Bank, and related assistance to neighbors (Croatia and Serbia), and within BiH, tying continued disbursement to better cooperation and help in purging indicted officials from their posts.

It should be noted, however, that conditionality was not consistently applied nor was one ethnic group pressured too much for fear that it would completely bow out of its Dayton obligations. Specific commando or political/economic actions against domestic officials and members of the population could and did inflict some pain. And on the community level, obstructionist officials and communities did not get as many resources as others. But on the macro level, at no time did either international or domestic actors believe that internationals would completely pull out militarily or economically, given BiH’s geopolitical position and the inevitable effects more violent conflict would have on the region and the rest of Europe. Accordingly, domestic actors often used these dynamics to their advantage.

Overall, conditionality has been most effective as a punitive measure rather than as a tactic to promote incentive. The OHR’s seizure of resources from corrupt, obstructionist, and/or indicted individuals (or those assisting them) allowed it to keep domestic actors from getting too out of line, but did not necessarily prompt more proactive adherence to the Dayton Peace Agreement in the spirit of statebuilding.

The key incentive for statebuilding that appears to have had a positive effect has been the promise of closer ties with the European Union. As the EU stepped up its commitment to BiH integration, its influence began to increase. In late 2003, the EU agreed on a Feasibility Study for BiH in 2004; Stabilization and Association Process (SAP) began in 2005; and agreement on the technical components of the Stabilization and Association Agreement (SAA) was reached at the end of 2006.⁸⁵ Using the EU as an alternative standardizing mechanism to “pushing Dayton,” began to signal a presentational shift in public rhetoric if not clear impact. Rather than the normal nationalist political rhetoric, these same

⁸⁴ James Boyce, “Aid Conditionality and War Economies,” Working Paper 2004-2005, University of Massachusetts Amherst, <http://www.umass.edu/economics/publications/2004-05.pdf> (accessed May 16, 2008).

⁸⁵ The SAA was initiated at the end of 2007, and eventually signed in mid-2008.

politicians began speaking in terms of an “EU future” (if not exactly together, not necessarily apart). This larger diplomatic initiative, led by Brussels, also has allowed international and pro-Dayton domestic actors to push reforms, which to some extent have been matched by additional revenue streams from the EU Community Assistance for Reconstruction, Development and Stabilization (CARDS) and related technical assistance programs.⁸⁶ Whether the gleam of an EU future remains bright enough to overcome domestic chasms of ethnic mistrust and interests remains to be seen.

Conclusion

Over a decade after peace came to BiH, the building of the state is still a work in progress. The list of reasons why the state has been slow to develop is extensive, but lack of political will by domestic actors should top the list. The intransigence of domestic actors and their pursuit of noncentralized statebuilding agendas have been at odds with the goals of the international community since the beginning. Only targeted and sustained international actions have managed to assist, encourage, and coerce domestic elites into some level of cooperation.

The significant international oversight that has been part of this statebuilding recipe in many ways epitomizes the excess of good intentions and limitations of internationally directed statebuilding efforts. Even if such complex and multiyear missions are generally well-resourced and are brokered by international community consensus, success is not inevitable, at least in five- and ten-year timelines.

After the highest per capita aid efforts of the time, Bosnia is no longer at war and is unlikely to again break down in such a bloody way. Without forceful international intervention, more lives would have been lost and further ethnic cleansing likely, resulting in a possible ethnic-based set of state, or statelet, configurations that one can only imagine.

But the absence of violent conflict may work for only so long. Today’s weak and problematic, but officially multi-ethnic state of Bosnia remains in limbo. Democratic institutions are in place, but the spirit of democratic practice is still in little evidence; state capacities have grown, but loyalty to and legitimacy of the state are far from consolidated. Aid for state budgets, for judicial institutions, and for the encouragement of general democratic governance will continue to be delivered, but the impact that such resources will have in the current domestic environment is unclear.

⁸⁶ See EU CARDS Financial Assistance Statistics 2000-2006, http://ec.europa.eu/enlargement/how-does-it-work/financial-assistance/cards/statistics2000-2006_en.htm#2 (accessed April 24, 2008).

The building of a democratic and European state is a shared and stated objective of the international community and domestic political leaders. But the slow progress in achieving this goal since the peace of 1995 further reminds us that interpretation of this internationally designed objective varies significantly between international and domestic actors and is ultimately dependent upon the latter.

