Recovering from Dayton: From ‘peace-building’ to ‘state-building’ in Bosnia and Herzegovina

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Superseded by other crises (Kosovo, Timor, Afghanistan and Iraq), Bosnia and Herzegovina no longer hit the headlines. Yet, close to ten years after the signing of the Dayton peace agreement in December 1995, which brought an end to the war, Bosnia has not disappeared from the international agenda. The NATO-led Stabilization Force (SFOR) is still deployed over the whole territory with a troop level close to 11,500. The Office of the High Representative, a structure established under the Dayton agreement and which has since then taken the lead in the civilian peace implementation process and has undergone a dramatic expansion, has a staff of 575 persons, including 108 internationals and 476 locals. The OSCE Mission, whose activities have significantly decreased over the last couple of years, still employs about 200 internationals, while the European Union Police Mission, which followed on from the UN International Police Task Force (IPTF) operations, hosts a staff of 550. Despite such a massive international presence, the general situation has not much improved at first sight: the nationalist parties which waged the war (SDA, SDS and HDZ) are back in power following the 2002 elections, and the economic picture is particularly gloomy, with up to 50% of the population living under or close to the poverty threshold. The country is still divided in two entities enjoying significant (and in many respects state-like) prerogatives, rendering it extremely difficult to consider Bosnia and Herzegovina as a normal (and functioning) state.

However, a glass can always be seen as either half-empty or half-full, and there is another angle from which to examine Bosnia and Herzegovina today. First, international involvement has somehow decreased: in 1996, IFOR had close to 60,000 troops, while UN police monitors were more than twice as numerous as

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3 Data available on the OHR website, www.ohr.int, section ‘General information’.


5 40% of the population is (officially) unemployed and the GDP still stands at 60% of its pre-war level, data taken from the Commission of the European Communities, Report from the Commission to the Council on the preparedness of Bosnia and Herzegovina to negotiate a Stabilization and Association Agreement with the European Union, COM(2003) 692 final, 18 November 2003 (hereafter ‘EC Feasibility study’), § 1.2.1, p. 12 and § 2.1, p.14.
Moreover, the only organisation to have significantly developed since Dayton (OHR) now includes Bosnian officers among its staff and works increasingly in partnership with local institutions or organisations. Likewise, some of the responsibilities that were initially borne by international bodies have been recently transferred to national authorities (media monitoring, elections, refugee issues) — though remaining under international monitoring.\(^6\) In spite of being definitely a source of concern, the economic sector has also seen progress, in particular regarding macro-economic policies, price and trade liberalisation, fiscal policy or public finances.\(^7\) The nationalist parties, though still raising many obstacles, have nonetheless been driven into signing for an ambitious reform agenda, and have indeed started to implement it. Finally, it can also be argued that the worse-case scenario has not occurred in Bosnia: the resumption of hostilities is now a distant prospect, and a third (Croat) entity has not been created. Attempts to do so in early 2001 were strongly rebuffed by international agencies, including through the dismissal of the Croat representative Ante Jelavic from the Bosnian presidency. On the contrary, steps have been taken to alleviate the ethno-territorial partition of the territory that resulted from the war and was in a way secured by the Dayton agreement.\(^8\)

Whatever the favoured perspective, it remains indisputable that progress in Bosnia has been time-consuming, money-consuming and energy-consuming, resting mostly (if not exclusively) on international shoulders. This article, thus aimed, first, at analysing why state-building in Bosnia and Herzegovina has proved to be such a difficult process, identifying both structural (Dayton-related) and contextual (lack of a clear and integrated international strategy) problems. A second objective is to provide an assessment of the attempts at overcoming those various obstacles and to offer an analysis of the reform path currently followed by the High Representative Paddy Ashdown and his team. Ultimately, the aim is to assess if the massive international involvement characterizing post-conflict Bosnia has started to bear fruit and if the country today has a real opportunity to move at a quicker pace towards European integration.

**The ‘paradox of Dayton’: Bosnia’s inadequate treatment**

In December 1995, the signing of the Dayton agreement was meant both to bring peace to Bosnia and to devise a functioning state. If the first goal was ultimately fulfilled (thanks to a massive international civilian and military involvement), the second point is still today a pending issue: Bosnia and Herzegovina stands as a

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\(^6\) The first body free of any international membership was the Independent Media Commission, established in 1998; the 2002 elections were the first to be locally-organised and in December 2003, the responsibility for managing refugee issues was handed to local authorities following the Refugee and Return Task Force’s winding down.

\(^7\) *EC Feasibility Study*, § 2.1 – 2.5, pp. 14-17.

\(^8\) The most significant step to date is the decision by the Constitutional Court delivered in August 1999 and reaffirming the constitutional status of the three main Bosnian peoples throughout the country.