

HEINRICH BÖLL STIFTUNG

# perspectives

Issue 1  
November 2015

POLITICAL ANALYSES AND COMMENTARY

SOUTHEASTERN EUROPE

**Bottom-up approaches  
from the Balkans  
to the EU**





## Heinrich-Böll-Stiftung

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# Bottom-up approaches from the Balkans to the EU

Srđan Dvornik

Approaches to understanding the meaning of accession to the European Union vary significantly among the post-Yugoslav countries, depending on the size and complexity of problems these countries encounter in their prolonged transition to democracy, free market economy, and rule of law. While one of them – Slovenia – was at least partially prepared to take advantage of a broader market, freedom of trade and movement, and the available forms of support for economic development, for some others the process of accession to the EU, indeed the conditionality, which was part and parcel thereof, has been an important driving force for changes in their legal and institutional systems. Furthermore, there are countries like Bosnia and Herzegovina and Macedonia, for which the relationship with the EU goes beyond legal adjustments and upgrading the institutional capacity, reaching all the way to the very constitution of the polity.

In all these cases, accession to the EU (whether accomplished or not) could be seen, among other things, as a completion of the larger process called 'post-communist transition'. This term has been criticised for assuming that the developments set in motion by the collapse of the non-democratic regime had a predetermined goal or destination in the form of a liberal democratic state and capitalist economy. The critique both is and is not justified: On the one hand, it is true that liberal democracy as a goal was on almost everybody's mind (capitalism was referred to less explicitly, mostly as a prosperous economy of free market and free entrepreneurship, disregarding the facts of inequality and capitalist exploitation) and was not imposed from outside. On

the other, it is obvious that the development of democracy has not been driven by autonomous forces emerging from the societies in question; it has not been a product of the autonomous growth of the social forces of civic societies, because such a thing as an autonomous civic society did not exist at the time of the implosion of the old regime. Democracy and free market economy were endorsed as ideologically desirable models, rather than developed as institutional solutions generated by major social forces.

Hence, the formally democratic constitutions adopted by the states established on the ruins of Yugoslavia were able to accommodate considerably authoritarian politics and structures. Thus, the process of democratisation took far more than simply adopting democratic constitutions; the true development of democracy has to include numerous policies to affirm various rights and the rule of law as limits to political power; measures which curb political control over the society; and a broad variety of provisions to reduce discrimination of specific categories of citizens. To be sure, these changes are ongoing, but are still far from completed; however, they would not have gone even this far without the impact of the EU. Combined with the benefits expected from joining the EU, the conditionality established by the "Copenhagen criteria", broad as they may be, provided the initial incentive for changes and ensured the consent of national political elites. Confronted with plenty of unforeseen difficulties and obstacles, the EU further developed and specified the conditions, on the one hand adding stricter requirements, but on the other making political compromises and concessions.

All along, the process of accession to the EU has depended on the willingness (and capacity) of the national political elites to make considerable systemic changes and implement the EU norms and standards. The societies were involved merely insofar as they provided general consent to the changes and eventually to joining the EU. As experiences from Slovenia and Croatia have shown, direct impact of relevant social groups on the course of negotiations of specific chapters was minimal, as well as the impact of the oversight of the general public.

Meanwhile, owing to various crises (from the financial crisis of 2008 and beyond, through the foreign debt crisis of Greece and other countries subject to austerity regimes, to the crisis of response to the influx of refugees), it is no longer clear that EU accession brings prosperity without heavy costs. Moreover, the strengthening of the rule of law imposes more serious responsibilities on officials of the national political elites holding public positions. At the same time, the experiences of the EU with the last wave of expansion of 2004-2007 showed the limits of the transformative power of the conditions for EU membership. All the changes implemented through the process of harmonisation with EU law were actually only carried out in legislation, procedures, and institutional structures and capacities. In a word, they were merely formal, while social, cultural, and even economic changes remain a matter of much longer processes and deeper evolution.

In such a context, the situation of the countries that are not yet members of the EU is peculiar. They too depend on the impulses from the EU to improve their systems of rule of law and fair governance, but the key factors have changed: public opinion in both the EU and the potential future members is no longer so enthusiastically in favour of enlargement/accession; the national political elites have grown more cautious, either because of more demanding requirements, or because of the prospect of strict implementation of rules and responsibilities in the not so distant future.

This is why the current issue of Perspectives is dedicated to a different angle on the relationship between the EU and some of the post-Yugoslav countries. Instead of following the standard top-down path, i.e. the 'negotiations' which generate a consent of the national elites to the conditions set by the EU, we are questioning the attitudes and roles of the societies of Bosnia-Herzegovina, Macedonia, and Serbia in this relationship. This approach reveals a lot about the societies, the real meaning of formal changes, the deficiencies of democracy-building by external initiative, and the conduct of the political elites and their EU counterparts. As shown in the contributions in this volume, during the last quarter of the century, through the trials and tribulations of transition, and through other countries' experiences, these societies have acquired the capabilities to play a more active role in relation to the EU. ■■■

# EU and changes: with or against political elites

## Yes to the EU, no to changing anything

Adnan Huskić

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Contrary to the "obvious" desire of the population, their political elites in political practice seemed to have favoured other issues over the EU integration. In all honesty, when asked, all politicians, without exception, are strongly supportive of Bosnia's bid for accession to the EU, but when it comes to making any meaningful practical steps in this direction, their determination somehow seems to lose steam

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On 1 June 2015, Bosnia and Herzegovina entered into a contractual relation with the EU, following the decision by the European Council on entry into force of the Stabilisation and Association Agreement between the EU countries and BH. The Agreement was already ratified by all member states in late 2008, but it did not enter into force due to a clear (that was the wisdom of the day at least) violation of the European Convention of Human Rights in the case of *Sejdić and Finci v BH* from 2009. The last country to ratify the SAA on the EU side in 2011 was France, but the Agreement still did not enter into force, as the EU considered it unwise to open a new legal conundrum that nobody really wanted to deal with at the time.

In short, the SAA was put on ice because if it had not been, Bosnia would be the first country to have violated the Agreement as soon as it entered into force. So, until the constitutional reform aimed at removing discriminatory provisions was implemented, the Bosnian SAA was put on hold.

Fast forward to 2015, and, with the same Constitution that (still) discriminates based on ethnicity, the SAA enters into force. This decision was made as a reward and an incentive for Bosnian political stakehold-



ers, all of whom have put their signatures under the list of things to be done that had been prepared by the BH Presidency in accordance with the input from the EU. The BH Presidency, the three governments (state and both entities), and all the relevant political parties signed and committed themselves to undertake a set of socio-economic reform measures (vaguely defined in the Presidency paper). In short, Bosnian authorities have been paid in advance for not doing anything at all in any measurable or meaningful way.

## BH elites afraid of the EU

The slightly farcical tone of the whole thing was offset by the real reasons for the apparent shift in the attitude of the EU towards BH. It appears that the EU is much more concerned with the wellbeing of Bosnian citizens, as became clear during the social unrest from February 2014, but also when in May the same year floods brought the country to its knees after the governments (all of them) proved absolutely incapable of disaster management, or, for that matter, any kind of management. Once again, the EU reached out to Bosnia rather than vice versa, frustrated by the virtual absence of any progress and by changing not the substance of conditionality but its framework. In short, Bosnia has graduated to become the subject of political, rather than technical, accession.

For quite a long time, the EU and the bulk of international actors in Bosnia operated under the assumption that has been proven valid time and again by a simple opinion polling procedure. Support for the EU integration of the country never fell below 75%. There have always been slight-to-more-pronounced differences among the two entities when it comes to supporting the country's bid to join the EU, but the general support remained rather high (2009 – 89.9%, 2012 – 76%, 2013 – 80%, 2014 – 85%<sup>1</sup>). Contrary to the "obvious" desire of the population, their political elites seemed to have favoured other issues over the EU integration when it came to their political practice. In all honesty, when asked, all politicians, without exception, are strongly supportive of Bosnia's bid for accession to the EU, but when it comes to making any meaningful practical steps in this direction, their determination somehow seems to lose steam. So much so that over the course of nearly a decade of failures to meet even the least sensitive political requirements, the EU and its western allies in Bosnia came to the conclusion that most local analysts were saying all along – Bosnia's political elites are just not interested in the country's integration into the EU.

Be it for the lack of incentive to bring the country closer, seeing as, financially and with their lavish lifestyles, they themselves already are part of an affluent west-



<sup>1</sup> Poll results published by the Directorate for European Integrations.

ern society, or (and frequently stated as the most prominent reason) because the more advanced the country is on its path towards the EU, the more pressure mounts to establish a relatively functioning and independent judicial system and rule of law. It is the latter reason that causes terror among the ranks of the *nouveau riche* political and transitional elites in Bosnia, for they have seen the results of this process in Croatia and they do not want to see that happening here.

In a nutshell, Bosnian citizens are perceived as being hostage to their own political misfortunes and power-hungry and greedy political elites. In this narrative, citizens of Bosnia are largely absolved of any responsibility for the wrongdoings of their elites, except for a small detail that seems to confuse just about everybody – their repetitive voting patterns. This one small detail was hard for the outsiders to grasp: if so many citizens are dissatisfied with the political elites in Bosnia, why do they keep electing the same people to office? The same people who refuse to bring them closer to the EU, which is what the majority clearly wants.

## Politically controlled society in the captured state

In order to decipher this particular phenomenon, one needs to take a closer look at how the Bosnian political and economic system works. Bosnia is perhaps the most prominent example of a captured state in today's world. The level of state capture by political parties, or rather a handful of selected people, is simply stunning. Not only they control the commanding heights of the economy and politics, but their reach stretches literally to the level of elementary schools as far as appointments and interventions are concerned. They micromanage to an unprecedented level.

The true volume of political control over the public domain is actually well known. According to one report<sup>2</sup> by a Bosnian watchdog organization, the Centre for Civic Initiatives (CCI), the number of political appointments in BH hovers around 25,000, which is well above the official number

2 "Policies, procedure and practice of appointment and employment in public administration in BH" ("Politike, procedure i prakse imenovanja zapošljavanja u organizaciji javne uprave u BiH"), August 2014 ([http://www.cci.ba/download/docs/drzava\\_ba\\_POLICY\\_BRIEF.pdf/03534e7f25e7726ef947d1de0df7589c](http://www.cci.ba/download/docs/drzava_ba_POLICY_BRIEF.pdf/03534e7f25e7726ef947d1de0df7589c)).

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of some 6,000. These numbers, however, pertain only to the public administration. Every single day, public enterprises or enterprises where the state owns the majority of shares sink deeper into insolvency under the burden of the irrational and rampant party-based employment policy. Only in the Sarajevo Canton, debts incurred by dysfunctional and ridiculously overstaffed public enterprises amount to roughly 80 million KM (40 million) a year. Just to illustrate this, the public transportation enterprise in Sarajevo, which is state-owned and consequently party-controlled, has got a total number of 1,700 employees out of which 300-400 are excess employees, according to conservative estimates, all the way up to 1,000 excess workers according to the former minister of transportation<sup>3</sup>.

Through rather non-transparent public procurement procedures, which consume some 4 billion KM (€ 2 billion) a year, parties exercise control over the bulk of the private sector in BH, spreading their area of influence and their clientelistic networks to unimaginable levels. Budget deficits are soaring and IMF loans are used to cover current expenditures. But the political elites of the country find this situation acceptable, as long as they can provide for their own. Their own clientele. Be that oversized public administration, privileged pensioners or quasi-social categories such as war veterans, the political elites are fine as long as these categories are left untouched.

3 <http://www.bljesak.info/rubrika/business/clanak/bubi-ca-ponudena-pomoc-u-prijevozu-iz-svih-vecih-gradova-bih/16469>



## Internalisation of reforms

The notion of reforms has all but lost its meaning in Bosnia and Herzegovina. For decades, the reform processes were driven by foreign actors and more often than not against the explicit will of Bosnia's political elites. This time, Bosnian political elites have committed themselves to undertake necessary (painful) reforms aimed at reducing public spending, increasing competitiveness, providing a better entrepreneurial environment, all of which will indirectly result with the dismantling of the system of excessive political control, crony capitalism and widespread networks of patronage. To motivate them even further, the so much needed financial aid and loans from abroad have all become conditional upon all the previously mentioned measures being introduced.

After all the attempts by Bosnian politicians to secure the money (from alternative sources) necessary to fill the gaping budget holes and keep the clientele happy have failed miserably (Republika Srpska sought favourable loans in Russia, and the Federation of BH in Turkey), the first step in the reform process came on the agenda in July 2015 in the form of the Labour Law reform. Both the opposition, which previously signed the same Reform Agenda, and unions (which still operate using terms of the XIX century class struggle vernacular and represent first and foremost beneficiaries of the budget) have rallied in public against the Law. Politicians began pointing fingers at the EU (in a similar fashion to their western counterparts, who blame Brussels for just about any unpopular measure). Unions too have been very critical of the EU, castigating local politicians for working in the interests of the EU. Social media were ablaze, describing the situation as a gargantuan struggle between worker and the Goliath of global capitalism embodied in the EU. Voices of reason pointing to the disastrous economic situation and the necessity to change things were few and far between. And all this in a country where an average of 80% of citizens support the country's bid to join the EU.

Now, this situation is about to get much worse, for the next item on the agenda is the reform of the Pension law. And all these laws will severely affect especially the political parties' clientele. As a result, the EU will increasingly be portrayed as the main cul-

prit for the painful reforms inflicted on Bosnian citizens as a whole. Just a handful will blame our own political elites for a decade of economic and social mismanagement. Just a handful seems ready to acknowledge the fact that it is us and our political elites that are to blame for the fact that the Bosnian economy has been spiralling downwards for nearly a decade now. Reforms do not just happen to a country, an abstract entity that we largely have nothing to do with. In order to get closer to the EU, we need to internalize norms and rules and we need to change.

Bosnian citizens and their political elites were so absorbed by an unproductive and futile political debate on *raison d'état* and the constitutional reform to even be able to seriously consider all implications of the country's accession to the EU. When asked about the biggest advantage of becoming an EU member, most respondents (40%) have stated more jobs, 20% mentioned peace and security, while only 7% said that they see no advantage for Bosnia in joining the EU.<sup>4</sup> How will this support change now that the years of innocence have passed and the reality kicks in? Bosnia and Herzegovina and its citizens have long been living in a state of widespread irresponsibility where neither our politicians were willing to make the necessary and decisive break with the practices of the past, nor were we as citizens willing to share that burden. What citizens of Bosnia obviously want is to become a member of the EU. At the same time, they do not really want to change anything substantially. And only now are we beginning to realize that this is not going to work.

So let's ask ourselves once again, do we support our country's bid to join the EU, now that we know what it really means? ■■■

<sup>4</sup> DEI survey, 2013.

# From a burden to an opportunity for a voice: the missing EU anchor in Macedonia

Simonida Kacarska

Macedonia has been a state largely captured by the political parties, a challenge that inevitably will stand in its way to EU accession and meaningful societal reforms. Such state capture runs the risk of debilitating the institutions and lowering the capacity for effectively negotiating with the Union in the near or medium future.

In the early 2000s it was commonly accepted that the EU has a transformative effect on the countries acceding to the Union both in terms of their democratic and economic development. The usual example for this was the push that the requirements of membership provided to the former post-communist countries, now members of the EU for more than a decade. A decade later, the idea and manifestations of the *Union* have changed dramatically, both internally and externally. Within the EU, countries have been discussing and/or preparing for exit and opt-outs from policies, taking control from Brussels back to the national capitals. By emphasizing the regional disparities within the EU, the economic crisis has also severely limited the public and political support for further enlargement. In such conditions, the Union has not been a champion of democratisation either inside or outside the Union.

The general inward turn has had an impact on the EU's position in the world as well as in its immediate neighbourhood - the Western Balkans. This region's difficult relationship with the EU has been a story of taking one step forward and two steps back. In the middle of the Balkans, the case in point where the EU's transformational power has been specifically challenged

and questioned is the Republic of Macedonia. Once a regional EU champion, for the last decade Macedonia has been stuck in a limbo partly due to the deadlock in its EU accession process. Although formally on the membership waiting-list, Macedonia has not made any formal or substantial progress towards the EU since 2009. Greece's objection to the official name of the country blocks Macedonia's road to EU membership, thus compromising the established sticks-and-carrots patterns of EU accession.

## 10 years after achieving candidate status – where do we stand?

The Macedonian circumstances have provided a real test case for the EU's operation and its impact in the Union's immediate vicinity. Politically, however, the outcome has been rather gloomy as the country has been in a perpetual political crisis since 2012, with one or more major political parties operating outside the Parliament. A major wiretapping scandal uncovered by the opposition has further complicated the political relations and dominated the public sphere in 2015. The EU has played a key role in this respect by attempting to normalize the relations between the political leaders. As happened many times over the last two decades, it was the EU and the US that pressured the country's political figures into signing yet another agreement on democratic reforms in the summer of 2015. This is not surprising since for the last decade, the international community has been



operating as the governess in the challenging Macedonian political arena.

Economically, Macedonia has recently experienced higher growth than its neighbours, coupled with increased public debt. This economic improvement has been supported through state subsidies to foreign companies that were attracted to the country due to the low salaries and tax incentives. Nevertheless, unemployment has been traditionally high, currently standing at 27%, with youth unemployment among the highest in Europe and close to double the national average. The lack of jobs has been the key underlying cause of a mass emigration wave, with a World Bank estimate that approximately 500,000 people have left the country since the early 2000s. In part, this migration was also boosted by the large number of people obtaining Bulgarian passports to be able to work in the EU. Parallel with the inward migration to the capital Skopje, the towns outside of the capital have experienced a significant loss of population in addition to the economic devastation that the transition has brought with it.

In these political and economic conditions, the ruling political party(ies) have found fertile ground for increasing their influence over the state administration as the single biggest employer in the country. By largely controlling the allocation of state resources, the parties in power have a decisive role in the success of any economic activity. In addition, the ethnically defined political parties have used this power to build clientelistic relations within their respective communities, effectively contributing to the persisting inter-ethnic divide. In fact, Macedonia has been a state

largely captured by the political parties, a challenge that inevitably will stand in its way to EU accession and meaningful societal reforms. Such state capture runs the risk of debilitating the institutions and lowering the capacity for effectively negotiating with the Union in the near or medium future.

## Voices of domestic dissent

Yet, due to the stalled negotiations process, there are no expectations for Macedonia's EU membership in the short to medium run. As a long-term goal, European accession will likely be enjoyed by the youth in today's Macedonia. The young people, however, hold a much more sombre view of the Union than older generations. In fact, the primary recollection of the former is the Europe of the financial crisis and inability to deal with the ongoing migration crisis. It is also a European Union that is very much involved in the domestic affairs of Macedonia, yet is unable to take a common stand on the launching of the accession negotiations. The combination of these factors has led to the role of the EU in democracy promotion being compromised in an idiosyncratic manner.

Possibly in response to this specific role of the EU, young people have recently made attempts at self-organizing and putting forward demands for reforms and their inclusion in the policy-making processes, demands that had not been made by other groups in the transitional Macedonian society. In 2015, major protests primarily of high school pupils and university students took place, which later bore some fruit in the form of the required legislative changes.



While the Union officials have politically employed a hands-on approach on numerous occasions over the last decade, they have not engaged in outright criticism of Macedonia's flirtations with authoritarianism. This EU position has been shaped by the lack of interest in the enlargement policy overall, but also due to the compromised EU conditionality

These informal movements, so-called plena have been a historic example of the mobilization of the civil society in Macedonia. Their inclusiveness and lack of formal hierarchical leadership were signs of a more progressive political culture than the one usually found in the country and served as an inspiration to other groups looking to self-organise. Following their students' example, the professors also started organizing and some of them also raised their concerns about the problematic legal solutions in relation to the educational reforms proposed by the government.

In parallel, civil society organisations have been making increasing efforts to act as the major corrective to the questionable governmental policies and actions. In the first half of 2015, major civic protests took place in response to excessive police violence, which represented an exception considering the rather calm and docile character of the citizenry in the country. Their conscious attempt to bridge the ethnic divides in the society was a breath of fresh air in the largely divided political scene in Macedonia. The civil society organisations and citizens that took part in these protests have been advocating for meaningful democratic reforms, rather than technocratic standard-fulfilment.

Quite significantly, the demands of these groups have been directed towards the domestic actors, rather than the international community, possibly signalling a move away from dependency on international involvement. Although the political parties in power were quick to dismiss the protests as actions of the opposition, their resilience was quite a surprise and they remain important as an example of the possibility of breaking down the political parties' control over public life.

## The EU as the missing anchor

In retrospect, these new forms of citizen mobilisation have partly been possible due to the vacuum on Macedonia's path to the EU. In fact, the EU has not been engaged in the usual game of carrots and sticks and has often been criticized for not being vocal enough about questionable government policies, due to the deadlock over the name issue. While on the one hand, Union officials have politically employed a hands-on approach on numerous occasions over the last decade, they have not engaged in outright criticism of Macedonia's flirtations with authoritarianism. This EU position has been shaped by the lack of interest in the enlargement policy overall, but also due to the compromised EU conditionality.

This idiosyncratic position of Macedonia vis-a-vis the EU has not led so far to outright rejection of membership, but has undoubtedly affected the way the Union is perceived among the public. In 2011 for the first time, a majority of the population was sceptical (i.e. expressed distrust) of the EU.

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Still, similarly as in other Western Balkans countries, the EU is mostly associated with the freedom to travel, study and work in the EU, along with economic prosperity, as shown by a recent 2015 survey.<sup>1</sup> In this context, from today's perspective, the lifting of the visa requirements for the citizens of the Western Balkans, including Macedonia, was the key political move that gave impetus to the ongoing support for EU accession in the region. Until 2009, the opportunities to travel in the EU were severely limited for all citizens of Western Balkans countries, with a majority of the youth not having visited any EU country, in sharp contrast to their parents who had owned the red Yugoslav passports. In fact, this peculiarity has created conditions for the operation of the EU in the successor states of the former Yugoslavia (with the exception of Slovenia and Croatia) that greatly differ from those in the rest of the post-communist world. The lifting of visa requirements had the most positive impact on people-to-people contacts, especially for the youth. Parallel with this, the introduction of low-cost flights to European countries has probably contributed more to bolstering the image of the EU in the region than any EU or national campaign ever could.

Overall, lacking the time pressure usually associated with EU accession, Macedonia runs the risk of losing its way, but also has a comparative advantage of a much more down-to-earth relationship with the EU. The missing EU anchor has undoubtedly created the conditions for questionable political decisions delaying the reform processes. The backsliding in democratic standards is likely to haunt the country for the next couple of years, if not longer. At the same time, it has freed space for domestic voices of dissent that could act as a powerful force for reform. In this context, the high school and student plena represent forms of political mobilization that could push for accountability and opening up the policy processes in the country. In addition, they can challenge the domination of ethnically and politically charged discourses. Yet this will not happen by default, as these forces have still not firmly taken root in the party-controlled public space in Macedonia. Nevertheless, if nurtured, these stakeholders could become a powerful additional force for leading a meaningful discussion over the transformation of the Macedonian society along with the EU accession negotiations. ■■■

<sup>1</sup> Group of Authors, GfK, ed. Erhan Turbedar, (2015). *Balkan Barometer Survey-Public Opinion Survey*. [online] Sarajevo: Printline, p. 29. Available at: [http://www.rcc.int/seeds/files/RCC\\_BalkanBarometer2015\\_PublicOpinion\\_FIN\\_forWeb.pdf](http://www.rcc.int/seeds/files/RCC_BalkanBarometer2015_PublicOpinion_FIN_forWeb.pdf) [Accessed 25 Sep. 2015].

## Public participation

# BH and Europe in media focus: EU integration as part of the problem or the solution for BH?

Lejla Turčilo

### BH media and EU integration: some introductory remarks

Bosnia-Herzegovina is a country with a large number of media outlets, especially in comparison to its population size<sup>1</sup>. There are 5 daily newspapers in Bosnia-Herzegovina, 184 magazines, 148 radio stations, 47 TV stations, 6 news agencies and 80 web portals registered by the Press Council<sup>2</sup> and Communication Regulatory Agency<sup>3</sup>. Although it is difficult to estimate how many of these media outlets deal with political issues (many of them are just entertainment-oriented and produce non-political content), this could be a good base for acquainting BH citizens with the EU integration of Bosnia-Herzegovina and related reforms. According to information from the Directorate for European Integration in BH (DEI)<sup>4</sup>, there are 235 journalists on a DEI mailing list who have been or still are reporting on EU integration. That is a big number, although the DEI claims that there are less than 10 journalists who are truly specialized in reporting about EU integration<sup>5</sup>. There are also many governmental and non-governmental actors involved in the process of EU integration that either directly participate in the EU accession process in BH or monitor it.<sup>6</sup> By looking only at these data we may say that there are many sources of information available, many channels of communication and many actors interested in, and available to perform EU-related journalism in Bosnia-Herzegovina and for fulfilling the three basic roles of the media in this regard: informing (providing reliable information), orientation (explaining the context and helping people to better understand the process) and education (political education of citizens regarding EU integration).

Is this however really the case? What is the general media discourse on EU accession and BH? And how is EU accession perceived by the public in Bosnia-Herzegovina?

The media are one of the main sources of information about the EU accession process for the majority of the population in BH. Most people use television as the primary source of news and information, while younger people prefer the Internet. However, it is important to mention that they do not use the official websites of EU-related institutions and organizations, such as the Directorate for European Integration, but prefer web portals and social networks as a source of news.<sup>7</sup> The Foreign Policy Initiative in BH<sup>8</sup> continuously monitors the public perception of EU integration processes, and one of their main findings (in 2010, 2012 and 2014) is that EU accession is not on the list of issues considered important by BH citizens. People employed in the public sector are slightly more interested in the EU integration process, as well as older and better educated

1 Which is 3,791,622 people, according to the preliminary results of the 2013 census (since final results have not been published yet) <http://www.bhas.ba>.

2 Press Council: The Self-regulatory body for print and online media <http://www.vzs.ba>.

3 Communication Regulatory Agency: the regulatory body for broadcast media <http://www.rak.ba>

4 Interview with Marina Kavaz Siručić, DEI spokesperson (September 17, 2015)

5 Others actually report on the EU integration process among other things, but do not report exclusively on this issue.

6 The abovementioned Directorate for European Integration (<http://www.dei.gov.ba>) is (or should be) the key player. As for the NGO sector, in 2013, 30 NGOs established an informal coalition, the Initiative for monitoring the European integration of BH (<http://www.eu-monitoring.ba>), which carries out research and creates policy recommendations related to the EU accession process in BH.

7 <http://eu.boell.org/sites/default/files/uploads/2013/12/lejla-turcilo-bosnia-herzegovina-and-the-eu.pdf>

8 <http://vpi.ba>

people in urban areas, but young people do not show interest in this issue at all.<sup>9</sup> Other research<sup>10</sup> shows that media reports on integration into the EU do not help citizens to better understand the process and that EU integration is reported on either too technically (only reporting on the state of the process and steps that have or have not been taken, without deeper analysis) or for the run-of-the-mill political purposes (mainly reporting on meetings between BH and EU officials, running comments by different actors on political aspects of accession etc.). Media are not shaping the agenda regarding EU accession from the perspective of citizens (what citizens should know), but from the perspective of (mainly political) actors (following their agenda, that is, helping them to send messages they believe citizens should receive). This means that an average citizen following news about EU accession could get information on how far the process has come and who are its key actors, but would understand no better what this really means for him/her and how EU accession would affect his/her life in general. It does not come as a surprise, then, that average citizens in Bosnia-Herzegovina are not very much interested in the process of integration into the EU and do not see them as part of the solution to the many political, economic and social problems in Bosnia-Herzegovina.

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## Media and EU accession: trends in reporting and their consequences

As we have already mentioned, when it comes to media reporting on EU integration, the main question is not only: do the media report on EU integration, but how they report on this issue. There is limited media interest in this topic, but the manner in which they report is also problematic.

The main conclusion of the analysis of media reporting on the EU accession of Bosnia-Herzegovina, done by the Institute of Social Research, Faculty of Political Sciences at the University of Sarajevo<sup>11</sup> is that there is a reduced interest in these questions, which is manifested primarily through a reduced number of texts and broadcast news items (86 articles in print media, 31 radio station broadcasts, 22 TV broadcasts in the three-month monitoring period) as well as through a domination of the news and reports as reporting genres (the news and reports made up 58% of the content in the press sample, 87% on the radio, while on television 41% of the content was news accompanied by images and 41% of broadcasts were TV packages). The media usually follow the agenda set by the protagonists of the events related to EU integration, that is to say, they cover the events to which they are invited and report about these in the form of the news or report (a current event was the occasion for reporting in the press in 60% of the cases, the situation on the radio was the same, while on TV a current event was the occasion in 50% of the cases). These are mostly short articles and/or broadcasts that remain at the factual level, with no thorough analysis or interpretations. This was the case in 2013. In 2014, media organisations have sent 165 requests to the DEI, in which they asked for support in reporting about EU integration: 118 requests for a short statement, 11 requests for an interview, 11 requests to send someone as a guest in a news program, and 25 requests for information.<sup>12</sup> This shows that media generally tend to report on the EU only in short formats and rarely consult representatives of the Directorate for European Integration for more in-depth explanations and interviews. Of course, representatives of the DEI are not the only actors in this process, but an interesting observation from the representatives of the DEI that one of the reasons why journalists contact them less than some other, mainly political actors, is the fact that representatives of the DEI cannot give political statements, but only neutral

9 [http://www.vpi.ba/upload/documents/Javno\\_mijenje\\_BiH\\_o\\_procesu\\_europskih\\_integracija\\_2009-2012.pdf](http://www.vpi.ba/upload/documents/Javno_mijenje_BiH_o_procesu_europskih_integracija_2009-2012.pdf)

10 By DEI, Institute for Social Research at the Faculty of Political Sciences Sarajevo etc.

11 Research conducted within Regional Research Promotion Program (RRPP); full report can be found at: [http://www.rrpp-westernbalkans.net/en/research/Completed-Projects/Media--Political-and-Social-Discourses/Europe--Here-and-There--Analysis-of-Europeanization-Discourse-in-the-Western-Balkans-Media-/mainColumnParagraphs/0/text\\_files/file0/Europe\\_here\\_and\\_there-libre.pdf](http://www.rrpp-westernbalkans.net/en/research/Completed-Projects/Media--Political-and-Social-Discourses/Europe--Here-and-There--Analysis-of-Europeanization-Discourse-in-the-Western-Balkans-Media-/mainColumnParagraphs/0/text_files/file0/Europe_here_and_there-libre.pdf)

12 Data received in an interview with Marina Kavaz Siručić, spokesperson of the DEI (September 17, 2015).

interpretation of the process, also shows that the media are interested in political observations rather than facts and explaining the process to citizens.

If we use Laswell's paradigm and apply it to the issue of media reporting on EU accession and BH, we could systematize media reporting on this issue as follows:

- Who speaks about EU integration: mainly political leaders, representatives of the international community in BH and political analysts. This is interesting because it shows a dominant narrative produced by the media, which is that EU integration is mainly a political matter and that politicians are responsible for it. Political analysts serve mostly as commentators on statements and activities of politicians, while representatives of the international community usually speak about measures taken by the international community to help move the process forward. This kind of discourse excludes the public from the discussion regarding EU integration and gives the wrong impression that the public is and should be passive in the process. That may be one of the reasons why the public remains less interested in this topic, since it is to a certain extent "estranged" from it.
- What is the key issue and a dominant message that is sent to the public: for quite a long time, the dominant message was that the EU process is some kind of a magic wand that would help solve (mainly) political problems in BH. Since the political crisis in Bosnia-Herzegovina has deepened, there has been a shift in reporting on EU accession, which implied that problems in BH are so huge that EU integration offers no solution. A difference in interpreting such a message was visible in the Federation of BH and RS media: while in the Federation, EU accession was seen as a way to preserve BH as a state (although it would not solve other problems, at least it would help prevent RS from seceding from BH), the media in Republika Srpska often report on the internal problems of EU Member States (such as demands for the independence of Scotland and Catalonia), arguing that EU membership does not guarantee a functioning state<sup>13</sup> After the economic crisis in Greece, there was more debate around the economic aspect of EU membership, while recently the refugee crisis has become the most debated issue. It is still early to discuss the narrative about the EU refugee crisis in BH media, but it is significant that reports are mainly focused on individual states within the EU, and rarely on the consequences of such crisis on the EU as a union.
- Which channel is used to discuss EU integration: according to media monitoring by the DEI, public broadcasters are more interested in EU integration in that they try to explain to citizens the process and its consequences. However, other media do occasionally report on this issue, but mainly to show the ineffectiveness of the authorities in trying to cope with the standards and procedures of accession.
- To whom these messages are sent: most of the media production about this topic is for the general public, but, as it has already been said, it is not used to explain the context of EU integration, its consequences, pros and cons etc. The aim is mainly to point at the complicated BH structure, the problems that this country is facing, and the inability of the authorities to either solve these problems as part of the EU accession process or to fulfil requirements stemming from the accession process.
- What effect this produces: this kind of reporting has not placed EU integration high on the agenda and into the focus of the general population, and even if the general public has certain information on EU accession at its disposal, it is mainly about the political aspect thereof and about the complicated reforms that need to be done, but due to a lack of political will are not. People in Bosnia-Herzegovina are still less familiar with the economic aspect of the EU accession process. A survey from March 2015<sup>14</sup> has thus shown that 29.4% of respondents have never heard of any pre-accession funds that BH could use, and only 22% of respondents are aware of a project financed from the EU funds. Also, citizens do see EU accession as a way or means to make certain reforms in BH society, but 85% of them say that reforms need to be done even if they were not a pre-condition for BH entering the EU. 39.4% respondents in the survey say that anti-corruption activities are the most important reforms that need to be done. However, citizens feel excluded from the process and think that politicians are responsible for performing all necessary activities related to accession, but there is a lack of political will to do that more efficiently. In a focus group discussion organized by the Foreign Policy Initiative<sup>15</sup>, one of the respondents

13 <http://eu.boell.org/sites/default/files/uploads/2013/12/ejla-turcilo-bosnia-herzegovina-and-the-eu.pdf>

14 Survey conducted on a representative sample of 1200 people in Bosnia-Herzegovina, by the DEI (<http://www.dei.gov.ba>).

15 [http://www.vpi.ba/upload/documents/Javno\\_mijenje\\_BiH\\_o\\_procesu\\_europskih\\_integracija\\_2009-2012.pdf](http://www.vpi.ba/upload/documents/Javno_mijenje_BiH_o_procesu_europskih_integracija_2009-2012.pdf)



said: "The EU is strictly political issue. And politicians should deal with it. But, they do not want to, because once we are part of the EU there will be some order and system and they could not do things they do now". This is, we may say, one of the dominant interpretations of the EU integration process among the BH public.

Even if the general public has certain information on EU accession at its disposal, it is mainly about the political aspect thereof and about the complicated reforms that need to be done, but due to a lack of political will are not. People in Bosnia-Herzegovina are still less familiar with the economic aspect of the EU accession process.

## What needs to be done (differently) in the future?

In general, we may say that the media provide a superficial and reductive portrait of the EU integration process, and citizens do not receive in-depth explanations and analysis. The informative function of the media is to a certain extent fulfilled, but the functions of orientation and education are not.

So far, this has not influenced citizens' support for EU integration (DEI data show that at the level of Bosnia-Herzegovina 78% of citizens are in favor of integration, while on the entity level, 91% of citizens in the Federation of BH and 58% of citizens of Republika Srpska favor integration). It is interesting that 22% of those who are not in favor of EU integrations say that this is not due to classical Euro-scepticism, but rather a consequence of the general idea that the problems of BH are so immense that not even EU accession could help solve them. This actually shows a low level of esteem for the country, and not for the EU itself.

More "down-to-earth" reporting, in which media would provide in-depth explanations of what EU really means for an average citizen and how it impacts on his/her everyday life would be of help to citizens to better understand the process. Furthermore, a shift from the political to the economic, cultural and social fields would be of help as well. This, of course, requires more specialized programs and better-trained and specialized journalists, as well as more experts from different fields to be present in media instead of politicians.

So far, citizens have been very disappointed with the political and economic situation in Bosnia-Herzegovina, sometimes to the extent that they do not believe that anything (including integration into the EU) could make it better. They have also been disappointed with incompetent political elites and their lack of willingness to resolve the accumulated issues and problems and to lead Bosnia-Herzegovina in the direction of EU integration. Nevertheless, as the public has still not turned towards euroscepticism, media influence in this context remains very important and will be even more so in the future. ■■■

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# Attitudes among citizens and local self-government bodies towards the process of Serbian accession to the EU

Vladimir Vuletić

While citizens largely favour the regulations concerning, for instance, consumers' rights protection, regulations that prohibit state (or municipal) aid for local businesses when it undermines competition in the single European market, or those that allow foreign nationals to buy real estate in Serbian municipalities under the same conditions as Serbian citizens, encounter significant opposition.

The process of Serbian Accession to the EU has in many ways influenced changes in citizens' everyday life. Some of these changes are in line with hopes and expectations, while others represent surprises that are not and will never be agreeable to most citizens.

This is understandable considering the fact that around 60% of the EU *acquis communautaire* is implemented at the local level. Harmonizing with the EU legislation implies, among other things, introducing standards into governance processes ("good governance"), reducing corruption, increasing transparency and introducing a multitude of other standards.

In order for said standards to be successfully applied, that is, for an optimal mode of involving the local level of government in the accession process to be found, it is necessary to secure both the participation of the citizens and a high level of motivation of the local administration. This aim can only be achieved if citizens and the administration are aware of the need for local self-government to be transformed in line with the European *acquis*, and if they are well-informed as to the changes being made in that regard.

This paper deals with the issue of how well-informed citizens and representatives of local self-government are, and what are their attitudes, regarding matters of significance to the accession process, especially the harmonization with EU legislation of national regulations pertaining to the local level.<sup>1</sup>

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The data at our disposal however show that only one quarter of the citizens of Serbia assess themselves as well-informed about the functioning of the EU. It seems however that the problem is not so much the lack of necessary information, but, on the one hand, insufficient interest in this subject – above all among less educated citizens – and, on the other, insufficient time to address it – which is especially pronounced among the female part of the population.

Hence, it would appear that the basic problem lies in the fact that no adequate way to bring topics related to the functioning of the EU closer to citizens who do not even have secondary-level education – whose numbers in Serbia are not insignificant – was found. The majority of items in the media represent this subject-matter in a manner that is insufficiently attractive and incomprehensible. This problem is especially pronounced when it comes to information pertaining to the functioning of local communities.

If, however, it is to be expected that citizens are poorly informed with regard

1 The text relies to a significant degree on the data and the report from the study on the role and expectations of citizens and local community representatives in Serbia's EU integration process, which the author conducted in two waves, in 2010 and 2014, for the SKGO.



to a complex issue such as the functioning of the EU, we might expect the level of informedness regarding the use of EU funds at the local level to be much higher. However, data shows that a huge number of Serbian citizens – almost nine out of ten – do not know how many projects are currently being financed from EU funds, or how much money from these funds was spent in the course of that year on realizing various projects in their municipalities. It is, however, interesting that although they are not aware of the facts, many citizens believe that EU funds have not been tapped to a sufficient extent. In other words, it is evident that there is a problem of insufficient visibility of what has been accomplished with the help of EU money.

Judging by the existing data, Serbian citizens are very realistic in assessing the level of harmonization between the Serbian and EU regulations pertaining to the local level. Namely, only about 5% of citizens believe that the regulations have been harmonised to any significant extent. Bearing in mind that, as stated above, almost two thirds of all regulations that have to be harmonised before accession to the EU pertain to the local level, it could be said that citizens are aware that the most significant changes are yet to come. On the other hand however, although the majority of citizens favour Serbia's accession to the EU, at the level of specific problems to be resolved before the accession, things are somewhat different. Specifically, citizens' attitude towards the regulations that are to be transposed into the national legislation is ambivalent. While they largely favour the regulations concerning, for instance, consumers' rights protection, others are not met with such approval.

Thus for instance, regulations that prohibit state (or municipal) aid for local businesses when it undermines competition in the single European market, or those that allow foreign nationals to buy real estate in Serbian municipalities under the same conditions as Serbian citizens, encounter significant opposition, with minimal support.

On the other hand, the current behaviour of the local administration bodies toward the citizens is among the issues that are commented on the most in the public. Although there has lately been a marked improvement in certain municipalities, there are still many complaints regarding the functioning of the local administration. A significant proportion of citizens expect the process of EU integration to improve all the important aspects of the functioning of the local administration. Expectations are especially marked when it comes to raising the level of professionalism and responsibility of officials and functionaries, as well as their attitude towards the citizens.

Concerning the place of local self-government in solving the problems faced by citizens, two opposing tendencies can be observed. On the one hand, a majority of citizens believe that local self-government, be it independently or in cooperation with other government levels, needs to be involved in solving problems ranging from unemployment, through environmental protection to the economy. Moreover, a majority of citizens believe that in these three spheres, the most efficient way of solving problems would be if the local self-government were to do it independently. On the other hand, very few citizens believe that the local self-government should be actively involved in the negotiation process

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The fundamental problem concerning the circulation of information lies in that individual enthusiasm remains the most significant channel for gathering information.

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on Serbia's accession to the EU. This belief doubtlessly stems from experience that testifies that up until today, the state and EU administration have been represented as the key actors in the accession negotiation process. However, this kind of attitude also poses the question whether citizens have sufficiently recognized the role and significance of the local level in the process of EU integration.

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Equally interesting are the attitudes and opinions of local self-administration officials regarding the accession process. The basic conclusion is that officials at the local level are ambivalent regarding Serbia's accession to the EU. This ambivalence is visible in the differences between full-on EU-enthusiasts and those who see not only the rosy, but also the dark side of the EU integration process. The number of those ill inclined towards EU integration, that is, of those who only see the ugly side of the process is negligible. However, the greater problem with respect to the general attitude towards the EU lies in the fact that, notwithstanding their position, officials are very rarely able to give an explanation for their attitude. This shows that the level of conviction is based on other grounds than the rational consideration of the advantages/drawbacks of accession for their local communities. This is also witnessed by their views on how much their local community is to benefit from EU accession. Namely, while nearly half of all the officials believe that accession benefited local communities in former socialist countries, twice as few believe that their own community has

seen any benefits from the integration process. On the one hand, this can positively influence their support to speeding up the integration in order to achieve the expected benefit. On the other hand however, it can also be discouraging, or frustrating concerning the acceptance of the integration process as experience contradicts expectations.

These data pertain to the period five years ago. Newer data show that in the meantime, there has been a rise in expectations from accession, with more than 80% of local officials and experts believing that the EU integration process will bring their local communities more investments and better functioning of the local self-government. However, seen altogether, judging by the level of local self-government representatives' interest in speeding up the accession process, the past five years have not led to significant changes in attitudes towards the EU.

As expected, local self-government representatives are significantly better-informed on the processes that concern the role of local communities in Serbia's EU integration than the citizens. The level of informedness is especially pronounced regarding topics concerning EU funds for local communities, while the level of informedness regarding general principles of the functioning of the EU, and especially the body of law that needs to be adopted is somewhat lower. In any case however, the fundamental problem concerning the circulation of information lies in that individual enthusiasm remains the most significant channel for gathering information. This means that the system for distributing information on the EU integration process at the local level has to continue to be improved, as nearly a fifth of those

employed in important positions within the local self-government consider themselves very poorly informed on these topics. In view of this, things have not significantly changed for the better in these past five years.

In contrast to the relatively high level of informedness, the involvement of local self-government representatives in the negotiations process is very weak. Namely, despite the relatively high degree of interest in becoming involved in the process, only one in twenty local self-government representatives have any kind of involvement in the negotiations. In short, there is a huge disproportion between the perception of the real and the desirable roles for the local government bodies to play in the EU negotiations process. Such a state of affairs can be frustrating and demotivating with regard to the tasks facing the local self-government.

According to a study published five years ago, there are five problems confronting local self-government representatives concerning adaptation to EU regulations that stand out in importance. These are: legislation that has not been harmonised; insufficient level of professional qualification of the personnel; inadequate capacities of the local self-government; and complicated procedures and regulations. The same problems are still around today, with the novelty that, despite the still-dominant opinion that personnel is still insufficiently qualified, it is estimated that officials are ready to learn.

In addition to surmounting the aforementioned problems, the successful development and functioning of the local self-government also demands that a number of other problems be overcome, some of which cannot be solved at the local level. This primarily concerns the high degree of

Serbia's centralization – judged to be a great obstacle by 60.1%, and an insurmountable one by a further 15.2% of respondents. A similarly large problem is posed also by: the inexistence of municipal assets; limited ability to raise funds in the financial markets; and inadequate qualifications of the local administration. Almost two thirds of local administration representatives point to all these problems as obstacles.

Almost all of them believe that help from the European Union would come in useful in overcoming the obstacles impeding the successful development of local communities. Two thirds of the local self-government representatives believe that material support would be of greatest help, primarily in the form of investments in the economy, while a little more than a fifth highlight the importance of help in education and disseminating relevant information.

In place of a conclusion, we could say that during the past few years, Serbia has taken considerable steps towards accession to the EU. This can be seen in the fact that it has gained candidate status and commenced negotiations, marked by the (announced) opening of the initial chapters. However, more modest progress, or in some cases no progress at all, was seen in the level of informedness, motivation and preparedness of local self-government bodies to accept their part of the effort in the integration process. In other words, while the state has been making leaps towards EU integration, citizens at the local level and the local self-government function more as passive bystanders than active participants in the process. ■■■

## Clashes of political cultures

# Serbia between debalkanization and EU integration

Marija Brujić

When we turn to the EU integration of the Western Balkan states, it is noticeable that the design of the legal, economic, administrative and other accession criteria, such as Copenhagen (1993) and Madrid (1995), is not culturally and historically neutral, but is, on the contrary, "culturalized, moralized and historicized".

After the breakdown of Milošević's regime in 2000 and the democratic political changes, the official foreign policy of the Serbian government has been to enter the EU. Thus, in 2004 the National Parliament of the Republic of Serbia adopted the Resolution on the Accession to the European Union, when the process of EU integration, or the transformation of legal, political, economic, judicial and administrative aspects in accordance with EU standards officially began. Among many points, this Resolution states that the "highest and undisputed political priority" for Serbia is to join the EU and the emphasis is given to "readiness to work on meeting the political conditions for joining the European Union".<sup>1</sup>

At the same time, the EU integration of Serbia is very often equated with the debalkanization of the country. In particular, in the public, political, media, cultural and literary discourse, the Balkan countries are seen as backward, violent and uncivilized, laden with the burden of wars, while on the other hand EU accession is seen as a one-way ticket to a better life (conditions), or in other words, as a "choice between the past

and the future".<sup>2</sup> The already established process of Serbia's EU integration continued in spite of the political shift in 2012, when Tomislav Nikolić, who at that time was the president of the Serbian Progressive Party (Srpska napredna stranka), and before 2008 was a member of the Serbian Radical Party (Srpska radikalna stranka), became the newly-elected president of the state. Hence, in March 2012 Serbia became a candidate country for the EU accession.

However, it is a well known fact that the accession of Central and Eastern European countries in 2004 and, later on, further enlargement had already boosted opposing sentiment among the citizens of the EU countries.<sup>3</sup> At the same time, EU countries registered a growth of right wing parties, xenophobia, racism and nationalism, which are usually ascribed to the Balkan

2 Petrović, Tanja. 2009. A Long Way Home: Representations of the Western Balkans in Political and Media Discourses. Ljubljana: Peace Institute, 13; International Commission on the Balkans. 2005. The Balkans in Europe's Future. Sofia: Centre for Liberal Strategies, 29. Available from: <http://www.emins.org/sr/dokumenti/downloads/2005/050504-balkans.pdf> [04 Apr 2012].

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1 <http://www.parlament.gov.rs/activities/european-integration/documents.611.html>

countries.<sup>4</sup> Moreover, these occurrences are becoming more and more frequent within the so called "Fortress Europe", which has as a consequence the strengthening of its external borders.

## How does the process of Serbia's EU integration fit into this image of Europe?

Serbia is seen as a part of the so-called Western Balkans countries. For a long period of time, especially after WWI, in Western scholarly and popular literature and political, cultural, economic and media discourse, the Balkans served as a counterpoint to the civilized Europe and a demarcation between Europeans and non-Europeans/so-called Europeans.<sup>5</sup> Even today, a popular image dominates in the media, according to which the Balkans are a "powder keg", ready to explode any minute.<sup>6</sup> Many scholars have discussed the issue of the "return to Europe" and EU-centrism which mainly serves as a Western legitimation for controlling others by means of a centuries long allegation of the Balkan people's "discord, immorality, savagery, violence and congenital

Many EU-oriented citizens see the EU integration of Serbia as a way of improving their everyday lives and general living conditions. Most importantly, many expect that the EU accession will further the normalization of the legal state, infrastructure, administration, personal and social security, economic and health care system in Serbia.

backwardness".<sup>7</sup> This picture of the Balkan as the European other was given a new lease of life during the 1990s. The wars and the violence in (the countries of former) Yugoslavia were interpreted as a "manifestation of the typical Balkan character of peoples inhabiting this part of Europe".<sup>8</sup> However, due to this negative image of the Balkan countries, in media as well as in academia, the term "the Balkans" is progressively becoming substituted with the aforementioned "Western Balkans".

The "Western Balkans" is a politically coined term for the countries of former Yugoslavia (that are not part of the EU, such as Serbia, Montenegro, Bosnia and Herzegovina, and Macedonia) and Albania, which have to prove their Europeanism in order to enter the EU, although there are neither historical, geographical nor cultural reasons for grouping these countries together and excluding at the same time Slovenia and Croatia.<sup>9</sup> Moreover, the Western Balkan countries, as the European internal other or the negative mirror image of the EU, should "return to Europe", especially when we have in mind that Serbia's economic status is low; and as a postsocialist country, its democracy is nascent and, as previously said, it bears the Balkan stigma.

There are two very common quips in Serbia concerning the EU, which depict very well the atmosphere in public: "until the time Serbia is ready to enter the EU, the EU will fall apart" or "when Serbia enters the EU, the EU will fall apart". Both statements, although meant as a joke, are at the

4 Op. cit. Petrović, 51; Triandafyllidou Anna and Willfried Spohn. 2003. Introduction to Europeanisation, National Identities and Migration. Changes in Boundary Constructions between Western and Eastern Europe, eds. Willfried Spohn and Anna Triandafyllidou, 1-18. London and New York: Routledge.

5 See Todorova, Maria. 2009. Imagining the Balkans. Oxford: Oxford University Press; Hammond, Andrew. 2006. Balkanism in Political Context: From the Ottoman Empire to the EU. Westminster Papers in Communication and Culture 3(3): 6-26. In his paper on British influence and Western countries' interference in the politics of the Balkan countries, drawing parallels between the late 19th century and the late 20th century periods, Hammond (op. cit., 7) elucidates that "the Balkans – Romania, Albania, Bulgaria and the countries of the former Yugoslavia – have long exemplified the non- or quasi-European in the Western geographical imagination. Caught between Catholicism and Byzantium, Christendom and Islam, the Western powers and Russia, the peninsula has been conceived as an unruly borderland where the structured identity of the imperial centre dissolves and alien, antithetic peripheries begin. From the days of the Ottoman incursion into Europe, the Great Powers have considered Western control of these peripheries essential for the preservation of peace on the continent. In the nineteenth century, France, Britain, Austria and Russia all made incursions into the region, both to master Europe's eastern border and to pursue the strategic and economic gains that proceed from conquest.... the tradition of interference persisted into the twentieth century, most obviously in the expansionism of Germany, Italy and the Soviet Union, but also in the contemporary enlargement of the European Union, in which gradual political and economic mastery is being achieved over Central and Eastern Europe".

6 Op. cit. International Commission on the Balkans, 18.

7 See for instance Fikfak, Jurij. 2009. Introduction I to Europe. Imagination & Practices, eds. Jurij Fikfak and Maria Vivod, 7-20. Ljubljana: Založba ZRC, ZRC SAZU, Inštitut za slovensko narodopisje ZRC SAZU; Op. cit. Hammond, 8.

8 Op. cit. Petrović, 21.

9 In other words, the only feature that distinguishes these countries from neighbouring EU countries is that they do not belong to the EU but they all "aspire to join the EU" (op. cit. Petrović 30, 31). Thus Petrović assumes that the term Western Balkans will disappear when all the countries of the Western Balkans join the EU.

same time a cynical comment about Serbia's development. Moreover, cynical views on Serbia's accession to the EU are not the only ones which dominate in the public. At the same time, the number of those opposed to the EU in Serbia is increasing.<sup>10</sup>

When we turn to the EU integration of the Western Balkan states, it is noticeable that the design of the legal, economic, administrative and other accession criteria, such as Copenhagen (1993) and Madrid (1995), is not culturally and historically neutral, but is, on the contrary, "culturalized, moralized and historicized".<sup>11</sup> These (e.g. rebuilding of regional cooperation, protection of minorities, repatriation of refugees) and many other criteria can be interpreted in the public as a "national identity loss", or with a "feeling of injustice" and, at the same time, can be understood as a part of the "asymmetric and unequal relationship" between the EU and the Balkan states.<sup>12</sup> Thus, this culturalization of accession criteria and different EU integration models for the neighbouring countries can be seen as one of the causes inhibiting EU-enthusiasm among the citizens of Serbia, especially when we have in mind the constantly rising number of new demands. The culturalization, historicization and moralization of these additional criteria, introduced specially for the Western Balkans countries, are a double-edged sword. Although they are meant to speed up the reconciliation within and amongst the countries in the region, there is a great danger that they are producing the opposite effect among the public. Therefore, some scholars propose that "rec-

onciliation and tolerance are to be achieved in the EU and not before the integration is completed".<sup>13</sup>

Nonetheless, there is also the other side of the coin. Firstly and most importantly, the Republic of Serbia officially accepted EU integration, as stated in the Resolution and repeated and emphasized in many other official documents.<sup>14</sup> Secondly, Serbia receives and, more importantly, accepts abundant aid from the EU, which targets various aspects of political, economic etc. development and inner stability of the country.<sup>15</sup> Thirdly, due to the EU demands, monitoring and evaluation of progress, many positive changes in the political, legal and economic sectors in Serbia were (and still are being) introduced.<sup>16</sup> For these reasons, many EU-oriented citizens see the EU integration of Serbia as a way of improving their everyday lives and general living conditions. Most importantly, many expect that the EU accession will further the normalization of the legal state, infrastructure, administration, personal and social security, economic and health care system in Serbia.<sup>17</sup> However, the recent and deep crisis in some EU countries such as Greece, Ireland, Slovenia, Spain and Portugal, in hindsight, shows that the policies of the EU are not infallible and should not be treated as such. Consequently, the candidate countries, such as Serbia, should not accept it as a rule that the development policies of the EU are always easily locally implemented and enhance progress. As a result, Serbia should strive to improve its political and economic stability, legislation, social security, human rights, infrastructure and many other issues at all costs, not due to pressures from the EU, but for the sake of its own stability and future progress. ■■■

10 See Public Opinion Poll of the Government of the Republic of Serbia, European Integration Office, Available from: <http://www.seio.gov.rs/documents/national-documents.223.html> [02 Oct 2015]; Antonić, Slobodan. 2012. Loša beskonačnost: prilozi sociologiji srpskog društva. Beograd: JP Službeni glasnik, Dosije studio, 143-195; Milenković, Miloš. 2013. O očuvanju nacionalnog identiteta i kulturne baštine u evropskim integracijama. Osnovne zablude i značajnije mogućnosti. *Etnoantropološki problemi* 8(2): 453-470.

11 Milenković, Miloš and Marko Milenković. 2013. "Serbia and the European Union: Is the 'Culturalization' of Accession Criteria on the Way?" In *EU Enlargement: Current Challenges and Strategic Choices*, Multiple Europes no. 50, ed. Finn Laursen, 153-172. Brussels: P.I.E. Peter Lang, 2013, 153, 154.

12 Anastasakis, Othon and Dimitar Bechev. 2003. EU Conditionality in South East Europe: Bringing Commitment to the Process. University of Oxford, St Anthony's College South East European Studies Programme, European Studies Centre, 1-20: 12, 15. Available from: <http://www.epus.rs/sr/aktivnosti/konferencije/solun/pdf/ostala/conditio.pdf> [23 Nov 2012]; Stojić, Marko. 2006. Between Europhobia and Europhilia: Party and Popular Attitudes Towards Membership of the European Union in Serbia and Croatia. *Perspectives on European Politics and Society* 7 (3): 316; op. cit. Milenković and Milenković, 153; 161-163.

13 Op.. cit. Milenković and Milenković, 154, 167.

14 See for instance, Republic of Serbia. Government. 2014. Intergovernmental Conference on the Accession of the Republic of Serbia to the European Union. The Opening Statement of the Republic of Serbia. Brussels. Available from: [http://www.seio.gov.rs/upload/documents/pristupni\\_pregovori/the\\_opening\\_statement\\_of\\_the\\_republic\\_of\\_serbia.pdf](http://www.seio.gov.rs/upload/documents/pristupni_pregovori/the_opening_statement_of_the_republic_of_serbia.pdf) [31 Oct 2014]

15 <http://www.evropa.gov.rs/Evropa/PublicSite/index.aspx>

16 See, for instance, the document about the latest evaluation of progress in Evropska komisija. 2014. Radni dokument Komisije. Republika Srbija, Izveštaj o napretku koji prati Saopštenje Komisije upućeno Evropskom parlamentu, Savetu, Evropskom ekonomskom i socijalnom komitetu i Komitetu regiona. Strategija proširenja i ključni izazovi za period 2014-2015. Brisel. Available from: [http://europa.rs/upload/izvestaj\\_o\\_napretku\\_14.pdf](http://europa.rs/upload/izvestaj_o_napretku_14.pdf) [04 Oct 2015]

17 Žikić, Bojan. 2013. Slike u izlogu. Kulturne predstave o Evropskoj uniji kao sredstvo opisivanja paralelne stvarnosti stanju u Srbiji 1991-2011. Beograd: Srpski genealoški centar i Odeljenje za etnologiju i antropologiju Filozofskog fakulteta.



# Political and/or civic participation in BH

Zlatiborka Popov Momčinović

## What civic participation might be in BH?

So-called civic participation is a disputed notion, for in political sciences it is often measured by perceivable concepts and activities such as voter turnout, participation in various associations, political informedness, readiness to be politically active, sense of internal political efficacy<sup>1</sup>... Such measurements often neglect the substantial dimension, and Almond and Verba, pioneers in the field of so-called political culture, admitted this as well, as people may be politically active for the sake of non-democratic values, not to mention that, on the surface, totalitarian regimes featured a high degree of manipulative political participation.

In BH this might be the case. People who vote do so out of ethno-nationalism, or because they are absorbed in the political party system for prosaic reasons such as getting a job in a country with almost 50% unemployment in return for political favors they do to the existing, predatory political elites. According to some researchers, every other family in BH is somehow connected with or influenced by some political actor<sup>2</sup>. These people do vote, they speak about politics, although there is often nothing to speak about. Furthermore, primordial ethno-nationalism is silencing any kind of political phronesis, and people who do vote and speak about politics are merely repeating an empty ethno-nationalistic rhetoric, which is always present and demands to be taken for

People in BH who do not participate in political life, despite the important difference between negative and political abstinence, are nevertheless citizens. Not because they possess an abstract citizenship from birth, but because they refuse to participate in the corrupt political system of cronyism. Both can be seen as symbols of anti-politics, which is not the same as being apolitical.

granted<sup>3</sup>. Primordial identities have always been there and must be accepted as such, without any critical reasoning, representing therefore Nietzsche's notion of the "eternal recurrence of the same"<sup>4</sup>.

Many civic-oriented people do not vote, and even avoid speaking about politics, in contrast to the disciplined voters who regularly vote for the reasons mentioned above. The question emerges, are people who do not vote citizens or not? In his *Politics*, Aristotle used to define a citizen as someone who participates in political life. But how to truly participate in the BH political system without being co-opted by the ethno-nationalism or by some sort of empty civic populism? And we do have to admit that in BH a strange sort of civic populism exists that is unfortunately used to fill the void of the non-functioning state that pretends it is there for a reason (such as fostering the memories of the medieval Bosnian state or the heritage of ZAVNO-

1 Almond, G., Verba, S. (2000): *Civilna kultura. Politički stavovi i demokracija u pet zemalja*. Zagreb: Politička kultura.

2 Tolimir-Hözl, N. (2014): "Bosnia-Quo vadis?," *Südos-teuropa Mitteilungen*, 05-06/2014, S. 103.

3 See Mujkić, A. (2010). *Pravda i etnonacionalizam*. Sarajevo: Centar za ljudska prava Univerziteta u Sarajevu i Fondacija Heinrich Böll, Ured u Sarajevu.

4 *Ibid*, p. 38.

BIH<sup>5</sup>, although such notions cannot justify the idea of an abstract state of all citizens). On the other hand, the idea of abstract citizenship has its critical function: to fill the void of non-existent citizenship so as to create an opposite image to the actually existing ethno-national state.

Some researchers and theorists also refer to the so-called political or positive abstinence that differs from negative abstinence<sup>6</sup>. The former group encompasses people who do not vote because of an insufficient political 'supply side' and who are dissatisfied with the political system in general, while the latter group encompasses people who are not at all interested in politics and "know" nothing about it<sup>7</sup>. In their research about political abstinence, Puhalo and Perišić claim that the majority of abstainers are able to give reasons why they are not voting, despite the fact that the society directs a kind of moral criticism against non-voting people<sup>8</sup>. Although without inclusion in the public sphere, people remain in an existential shadow<sup>9</sup>, the fact is that political participation in its various forms is something that always can and should be both induced through theory and claimed in practice. Indeed, what we might call "knowing nothing" is not so clearly separated from knowing but not going to vote, because people may deliberately avoid knowing anything about what is happening in the corrupt political state and fake BH democracy.

## Are nonparticipants true participants?

My opinion is that people in BH who do not participate in political life, despite the important difference between negative and

political abstinence, are nevertheless citizens. Not because they possess an abstract citizenship from birth, but because they refuse to participate in the corrupt political system of cronyism. Both can be seen as symbols of anti-politics, which is not the same as being apolitical. Maybe they represent Havel's notion of being a true citizen by avoiding co-option by the superficial measure of being participative. They may represent the ethical civic community that is not visible to the extent it deserves, but which does exist below the surface, waiting to emerge and to collect the dispersed and suppressed civic energy.

The most recent protest in BH showed us that there are evident reasons to support the idea of underground citizenship. Protesters, on the one hand, rejected the notion of abstract citizenship that smaller, civic-oriented parties are fostering and trying to impose.

Protesters demanded social rights, which abstract citizenship often neglects<sup>10</sup>. Therefore, the abstract language of "empty" citizenship cannot attract a significant number of votes, and ethno-nationalist parties are thriving because of that, since they have a concrete, ethno-national (fake) substance. On the other hand, protesters resented the ethno-politics as a performative system that is imposed as a framework of any possible politics and found themselves in the middle of No man's land. They lay on the mine that will never fully explode for their bodies are there to cover it, for eternity!

## The politics of the body as a form of perverse political participation in BH

Therefore, the notion of biopolitics is perhaps a better toolkit to explain what is going on in BH than Havel's notion of ethical civil society, although these two concepts are not mutually exclusive, the reason being that civil society in BH is in thrall to the notorious liberal concept of abstract citizenship, and its simplification to mean little more than entrepreneurship, either at the level of economy or politics.

Still, there is an overlap between the two, for, according to Hannah Arendt, modern politics is absorbed by so-called political

5 The so-called declaration of ZAVNOBIH, which is often praised by some civic oriented people and political parties, defined BH as neither Serbian, Croatian nor Muslim, but as both Serbian, Croatian and Muslim and therefore excluding Others, although in that period the concept of Others had different connotations. According to Đindić, the Others were citizens, neither workers nor member of the political elite and therefore negatively defined. The situation in today's Bosnia is similar, as Other citizens are also defined in negative terms, as non-members of the constituent people and dominant collectivist ideology. See Sitnić, A., Ždralović, A. (2013): *Gradani/ke u kolektivističkoj ideologiji: Sociološko-pravna analiza položaja 'Ostalih' u Bosni i Hercegovini*. Sarajevo: Centar za političke studije.

6 Puhalo, S., Perišić, N. (2013). *Apstinenti u Bosni i Hercegovini*. Sarajevo: Friedrich-Ebert-Stiftung, 17.

7 Ibid

8 Ibid

9 Issak, J. C. A (1996). "New Guarantee on Earth: Hannah Arendt on Human Dignity and the Politics of Human Rights", *The American Political Science Review*, 90 (1), pp. 61-73.

10 The behavior of the liberal Naša stranka is a good example to support this thesis, when the new Labour Act was adopted.

economy. In ancient Greece, being political meant not to be absorbed by private interests, while in the modern society it means to invest private interest in the realm of politics<sup>11</sup>. In BH, it means to "invest" your ethnic body at the level of both the political economy and the politics of national banality, where nationalism is produced every day as business as usual<sup>12</sup>.

But BH escapes even Arendt's insight. It is a divided country with no true political economy at the state or any other level<sup>13</sup>. The economy has nothing to do with production in a Marxist sense, but with the production of Foucault's regulated bodies that feed biopolitics. Being political therefore means to be active in the sense of primordial biopolitics, and not in the sense of being entrepreneurs, although the latter notion can and should be criticized as well, as Arendt did. Yet, to be a simple body does not mean that one is a "pure" body, without any features. To be a body is to feed both the political system and the political economy, even when they do not exist. But with the existing body politics, the political system and political economy will have a physical proof of existence! The very fact that even the bodies "buried" in the mass-graves are used for the sake of biopolitics proves that claim, as well as that BH exists as a country of dismantled citizenship inhabited by both mass graves and by those who have remained<sup>14</sup> and are continuously sacrificed for the needs of the political elites that have privatized the entire state<sup>15</sup>.

## Civil society as the alternative arena of political participation

Civil society is another arena where people can step out and stake a claim to their citizenship. Taking into account the fact that BH political society is based on exclusion,

Yet, it is still an arena for a different political culture. Voices of many marginal and discriminated groups in BH, such as LGBT people, are starting to be heard thanks to activities of the civil society. In civil society, the very notion of citizenship and political participation is not questioned, but placed within a broader context and critical thinking regarding the very possibility of participation and emancipation within the rules imposed by the system itself.

activism in civil society provides the space for extending the so-called "us intentions"<sup>16</sup>. That is to say that civic activism provides space for the inclusion of different identities that, although particular, are included in the universal struggle over citizenship.

Numerous women's groups, organizations of people with disabilities, of ethnic and sexual minorities and so forth, represent the above mentioned struggle over citizenship, based on inclusion and political activism. Yet, on the other hand, as in other so-called transitional societies, BH civil society faces some obstacles: it is often reduced to NGOs, which leads to its bureaucratization and particularization. The very fact that there are 10,000 NGOs registered in BH (although some of them do not truly exist, in the sense that they are inactive) and that, in a constant struggle for grants, their activities show signs of competition in the civil society market, shows the limits of how civil society in BH operates. According to Helms and some other researchers, it operates in a form of closed circles through which communication and different activities flow<sup>17</sup>. Yet, it is still an arena for a different political culture, based on principles such as solidarity, mutualism, anti-hierarchy, volunteering, self-definition, critical thinking and exchange, even when these principles are not fully fulfilled<sup>18</sup>. Voices of many marginal and discriminated groups in BH, such as LGBT people, are starting to be heard thanks to activities of the civil society. In civil society, the very notion of citizenship and political participation is not questioned, but placed within a broader context and critical thinking regarding the

11 H. Arendt (1998). *The Human Condition*. Chicago and London: The University of Chicago Press, pp. 24, 33.

12 Billig, M. (1995). *Banal Nationalism*. London, Thousand Oaks and New Delhi: SAGE Publications.

13 Many factories are closed, but at the same time the notorious shopping malls are flourishing. This does not make BH a "modern" consumer society, but a society, or better to say bureaucratic state which is consuming bodies of its own people. The proportion of people employed in the state administration is the highest in Europe, while at the same time unemployment is also the highest in Europe, nearly 50%.

14 See Husanović, J. (2012). "Kultura traume i identitarna politika u BiH: kritika ideologije pomirenja", *Diskursi*, Br. 3/2012, str. 12-23.

15 Lasić, M. (2010). *Mukotržno do političke moderne*, Mostar: Dijalog, str. 173.

16 Mujkić, A. (2007). *Mi, građani etnopolisa*. Sarajevo: Šahinpašić.

17 Popov-Momčinović, Z. (2013). *Ženski pokret u Bosni i Hercegovini. Artikulacija jedne kontrakulture*. Sarajevo: Sarajevski otvoreni centar, CEIR i Fondacija CURE.

18 Pavlović, V. (2004). *Civilno društvo i demokratija*. Beograd: Građanske inicijative, FPN i Čigoja štampa, str. 80.

very possibility of participation and emancipation within the rules imposed by the system itself.

## "Critical intelligentsia" and political participation

Although the very notion of an intelligentsia is disputable, I will refer to a lecture by Franciscan theology professor Šarčević that was held at the Catholic faculty during the conference *Evil of Violence in Ethical Conflicts*. According to professor Šarčević, intelligentsia is either fanatical or cynical. Fanatics refuse to accept reality as such, and cynics accept it. The former are active, the latter withdraw. But what they share is that they resent the existing ethno-political system. Yet, the problem is that they cannot be socially productive. A fanatic, eager to change the reality, will impose the rules of how to criticize the system. The same is true concerning cynics, who remain imprisoned by so-called never ending criticism.

Nevertheless, both types of critical intelligentsia represent a sort of political participation at the level of critical reasoning in the public sphere. Indeed, how to measure the social productiveness of any criticism and critical reflexion? It is there to pose dangerous questions, to bring some illumination and to induce people to think.

Being a person and citizen means to be engaged in dialogue between myself and I, and other human beings! Arendt's notion and explanation of Nazi crimes after the Eichmann trial in Jerusalem, and her conclusion that he was unable to think show the importance of these processes in the modern, alienated world. In BH, both war criminals and the existing elite show an inability to think, and notorious war criminals have succeeded in maintaining networks they have established during the war and remaining directly or indirectly in power.

The union of elite and mob that Arendt referred to while describing totalitarian systems leads to the question whether such a unity exists in the BH society. It also poses another, dangerous question: Are the people who represent the voting machine of the existing political parties a mob? And are people who live hand to mouth and are not politically active actually a mob, and not the representatives of Havel's ethical civil society? During the protests, media spin tried to represent protesters as an uncoordinated mob, although some influential intellectu-

als also joined the protesters. Yet, even if we accept this abusive terminology, calling them a mob, still a disputed term and misused by conservative ideology and thought, people in BH, especially protesters, cannot be considered a mob.

Mob per se has no critical reflexion, while protesters in BH did have it and still do. They showed as much in using the toolkits of unconventional political participation that can be seen in the eagerness to establish some form of direct democracy (citizens' plena), their discourse and mocking insights about politics in BH, but also the EU. They recognized the crises of representative democracy on the global level, which force one to choose between things that have been offered in advance. They drew some sympathy from abroad, but mostly from critical intelligentsia and non-mainstream political parties. The EU sent ambivalent messages. They stated that politicians should listen to the people, they even showed some sympathy toward the protesters and, we supposed, offered various forms of help, but at the end the EU also remained stuck within its own perception of what citizens are. Voting remained the main mechanism, and the protesters are maybe no longer lying on the mine of No man's land, but on the remnants of the empty citizenship at the global level after the explosion of the mine that never existed in the world, including the EU. For, on the one hand, the modern concept of political participation was created in a world where hierarchy is normal (e.g. it emerged in the context of the cruellest form of capitalism), and therefore, according to Žižek, it sublimates the minimal dialectic of emptiness and surplus<sup>19</sup>. Despite the openness of the citizenship concept in the West and the EU as well, current events prove Lacan's warning that democracy can offer nothing but the small pleasures (*Les petites jouissances*)<sup>20</sup> and therefore produces crises, excesses and hysteria. Therefore, BH has to be more European, but Europe must also struggle to avoid BH's and Balkan's ethno-national doom<sup>21</sup>. ■■■

19 Žižek, S. (2007). *Škakljivi subjekt*. Odustni centar političke ontologije. Sarajevo: Šahinpašić.

20 Van Haute, P. (2002). *Against Adaptation*. Lacan's "Subversion" of the Subject. New York: Other Press.

21 Lasić, M. (2010). *Mukotržno do političke moderne*. Mostar: Dijalog, str. 169.

## Asserting the society

# "Make do and Mend"

## On the place of the civil society within the process of EU integration of Bosnia and Herzegovina

Saša Gavrić

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Many issues would never have been brought up in the official Progress Report had they not been opened and given a well-argued presentation in the Alternative Progress Report of the civic Initiative for monitoring the European integration of Bosnia and Herzegovina

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The process of the EU integration of Bosnia and Herzegovina has developed in a wholly atypical fashion. For this reason, the position of the civil society within it has likewise been unusual and different than in other countries. It will be interesting to follow how the position of civil society organisations will develop after Bosnia and Herzegovina has achieved candidate state status and whether the European Union will finally recognise the civil society as a partner, rather than an "unconstructive" actor, as an employee of the European Union delegation called human rights organisations.

### Like state, like civil society

Although a large majority of the citizens of Bosnia and Herzegovina declare their support for association with the EU, hoping that this will bring about a new period of wellbeing and better living in general, few among the citizens or from within the civil society have engaged with the integration process itself.

The stabilisation and association agreement, screening, chapters, negotiating teams, subcommittees, coordinating mechanism... all of these have become terms that appear regularly in texts featured on web portals and newspapers, in evening news broadcasts and on political TV shows. Yet there are not many activists who know what exactly all this is about. It

is as if we have become bogged down in a Dayton kind of day-to-day life, which we will not and cannot abandon, as entering a new arena requires a great deal of adapting and learning, which many are not willing to undertake.

I will even venture to say that a great majority of notable and influential civil society actors (mostly citizens' associations, foundations and coalitions), who perform small miracles within their spheres in the face of perhaps limited resources and antagonism from within political parties, still have not grasped the potential and the danger that EU association brings with it and all that could happen if we are not more present, more active, and perhaps even a few steps ahead of the Bosnian-Herzegovinian political elite.

### Learning from the Croatian example, early organising in Bosnia and Herzegovina

As if through fog, some of us have recognised the need to form alliances and work together in this sphere. At the initiative of partners from civil society organisations abroad, an idea emerged in 2012 to start preparing and organising. In this, the Croatian civil society served both as a good example and a bad one.

Saša Gavrić  
Executive director of the Sarajevo Open Centre, one of the founders of the Initiative for monitoring the European integration of Bosnia and Herzegovina

On the one hand, the organisations from our neighbouring country did a fantastic job, contributing to key issues in the sphere of the rule of law and protection of human and minority rights, compelling its government to advance real reforms, all by means of pressure from the European Commission in Bruxelles. On the other hand, the Croatian example is a poor one, considering the fact that the mobilisation and involvement of civil society organisations took place at a very late hour, only a few years before Croatia was to become a member of the European Union. For this reason, the Platform 112, a Croatian civil society coalition for strengthening the rule of law, is a great example and an indicator for Bosnian-Herzegovinian activists.

This was the reason why, several years before Bosnia and Herzegovina even began considering the possibility of applying for candidacy, the Initiative for monitoring the European integration of Bosnia and Herzegovina was founded.<sup>1</sup>

Every year since then, including 2015, the Initiative has published its Alternative Progress Report, thus offering a "response" to the European Commission and its official Progress Report, published every October. Although the Progress Report seems like a dry and insignificant instrument, it actually represents an excellent platform for lobbying and influencing the agenda. It is thus symptomatic that for years, the Council of Ministers of Bosnia and Herzegovina has ignored civil society demands for work to be done on drafting, adopting and implementing a multi-year strategy to combat discrimination. However, when the issue of a strategy for preventing and combating discrimination appeared in a sentence in the 2014 progress report, it suddenly imposed itself onto the agenda of the Ministry for Human Rights and Refugees of Bosnia and Herzegovina. We are convinced that many issues would never have been brought up in the official Progress Report had they not been opened and given a well-argued presentation in the Alternative Progress Report of the Initiative for monitoring the European integration of Bosnia and Herzegovina and in written interventions by member-organisations.

Nevertheless, it has to be noted that it took us three years to arrive at a situation where the Initiative has developed and expanded

<sup>1</sup> You can follow the work of the Initiative for monitoring the European integration of Bosnia and Herzegovina on the website [www.eu-monitoring.ba](http://www.eu-monitoring.ba). Ever since its founding, the initiative has closely cooperated with the BH office of the Heinrich Böll Foundation, having received its support every year.

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European Union took the position that the place of civil society is at the end of the process, that is, in public consultations, a pro forma activity, which almost never results in relevant changes to the ministries' draft legislation. The European partners believed that civil society organisations did not belong in the working group because they were being "unconstructive"

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its membership to the extent that it has created the conditions necessary to raise all the issues linked to the so-called political criteria for integration in a responsible and professional manner.

## Excluded in inclusion

"Civil society, civil society, civil society..." EU functionaries and officials keep repeating the lines of their alleged determination that civil society organisations be involved in the integration process.

Compared to what the relationship was like several years ago, it has to be said that relations have greatly changed. While several years ago it would have been inconceivable that a European Union official would even meet civil society organisation representatives, or actively listen to what they have to say, today things look different. Even the highest-ranking actors, such as High Representative Federica Mogherini and the enlargement commissioner Johannes Hahn, hold regular and intensive meetings with civil society organisations during their regular visits, entering a dialogue with those who ought to give a critical representation of day-to-day life and thus the political reality of Bosnia and Herzegovina.

Signs of "opening up" could also be recognised in the framework of the Structured Dialogue on the judiciary, a special mechanism set up to soothe the passions of Milorad Dodik, when, last year, civil society was invited to take active part in one of the meetings within the framework of this negotiating forum.

However, these moments of opening up and dialogue are still exceptions to the rule. This was shown for instance by the negotiations regarding the so-called

Reform Agenda, in which civil society in the broadest sense, including trade unions, human rights organisations and professional associations, was nowhere to be seen, even though its participation had been announced. Additionally, it was not only civil society that had been excluded from this process, but also state and entity parliaments as the ultimate decision-makers. The exclusion of the civil society can also be seen in the process of drafting and adopting some of the legislation that is of critical importance to the citizens of Bosnia and Herzegovina.

## Special relationships with Bosnian-Herzegovinian leaders

The attitude of EU actors towards civil society stems from the specific relations with Bosnian-Herzegovinian political leaders cultivated by EU institutions and officials. The European Union and its member states have a need to play an active role in Bosnia and Herzegovina, which for instance gave rise to the "Butmir package" of constitutional reforms (2009), the Structured Dialogue on the judiciary and the negotiations on the implementation of the ruling in the *Sejdić and Finci v. Bosnia and Herzegovina* case, which were conducted by the former enlargement commissioner Stefan Füle (2013/2014).

All these special arrangements, the likes of which we never would have witnessed in the cases of other potential candidate states for European Union membership, and which were aimed at incompetent and manipulative Bosnian-Herzegovinian political party leaders, possess two characteristics. Beside the fact that all these attempts to solve the "Bosnian issue" have resulted in collapse and total failure, all three of them were conducted in near-total secrecy, without civil society participation. It is only through extraordinary and remarkable effort and presence in the political arena that civil society can impose itself as an actor, rather than that being in the interest of the institutions or European Union actors. Here we will present two cases that demonstrate the attitude of the European Union towards civil society.

### Case study I: the Labour Act of the Federation of Bosnia and Herzegovina

Liberalisation of the labour market is one of the steps that needed to be taken in every state that strove for membership in the European Union. West-European capitalism must be preserved even before we reach the stage where we can start to consider European Union membership. The actors that appeared in public on behalf of the EU have been sending very clear messages that this legislation has to be passed, that Bosnia and Herzegovina is trapped in Titoist legacy, and that we are the only state without an adequate and "modern" labour act.

The European Union was not bothered by the fact that parliamentary procedure was not given due respect in the process of adopting this legislation, that the Act was not offered up for public consultation (if at least via a website), and that not a single public discussion was held. Aside from unstructured talks with labour unions and employers' associations, not a single other civil society actor was given the opportunity to view the Act before it was to be adopted in Parliament two days later. In return, the government and the governing parties met with support and words of praise from the European Union for taking this important step forward.

It will be interesting to see how the European Union explains why the Labour Act of the Federation of Bosnia and Herzegovina has not been harmonised with the anti-discrimination EU directives, as well as, potentially, other sources of EU law, and why it violates other international obligations (such as by retaining the provision prohibiting women from working in mines).

## Case study II: The Act on the Institution of the Human Rights Ombudsman of Bosnia and Herzegovina and the Anti-discrimination Act of Bosnia and Herzegovina

It needs no repeating that the Institution of the Human Rights Ombudsman is key to the overall protection of human rights within the BH political system. It was interesting to learn that the Ministry for Human Rights and Refugees of Bosnia and Herzegovina has a working group working on reforms to the legislation that regulates the work of this institution, and that the public has not been made aware of this fact, at least through the Ministry website. Thus, having learned of this process, the Initiative for monitoring the European integration of Bosnia and Herzegovina has decided to take active part in drafting the law, sadly remaining the sole civil society actor to show interest in this issue. Unfortunately, multiple memos to the ministry were initially ignored, while the EU delegation itself did not consider it necessary for civil society organisations that showed interest in the work of this working group to be part of the process and, furthermore, to point this out to the ministry – even though the Initiative has asked for support on several occasions.

In this case too, it has become clear that outstanding and extraordinary effort and engagement are needed for civil society to even become an actor and partner. The Initiative for monitoring the European integration has only gained the opportunity to participate in drafting the Act after draft measures on enhancing the legislation on the institution of the Ombudsman were made public, and after model legislation on the institution of the Human Rights Ombudsman was drafted as an alternative solution to the Ministry draft. Throughout this time, the European Union took the position that the place of civil society is at the end of the process, that is, in public consultations, a pro forma activity that may or may not be undertaken, and which almost never results in relevant changes to the ministries' draft legislation.

A similar situation arises in the case of the Anti-discrimination Act. Although the initial plan of the Ministry for Human Rights and Refugees was that the representatives of an NGO coalition that had been active for more than 5 years on issues related to combating discrimination were to be involved in the Ministry's working group (among other things, this coalition has pursued both the key, and the majority of, court proceedings concerning issues of discrimination), the European partners believed that civil society organisations did not belong in the working group because they were being "unconstructive". It is only thanks to interventions from other partners on their behalf that civil society actors were invited to present their suggestions at the start of the process of drafting amendments to the Anti-discrimination Act.

### "Make do and mend"

These experiences have shown us that, even with the best of intentions on the part of officials such as Mogherini and Hahn, the rule to "make do and mend" still holds. Civil society organisations have to show greater interest and dedication, and use the process of European integration to work on concrete issues that are of interest to the citizens of Bosnia and Herzegovina. Civil society organisations need to focus their work primarily on the relevant governments and parliaments, so that these bodies may become our natural partners and interlocutors.

The German-British, or new European initiative for Bosnia and Herzegovina is

another in a series of special arrangements that seek to give Bosnian-Herzegovinian leaders an opportunity to drag themselves out of the ten-year crisis. It is to be hoped for that the European Union will not repeat past mistakes, that this process will be conducted with transparency, clarity and civil society participation. If the opposite is to occur, I am afraid that the British-German initiative will also meet a similar fate to the aforementioned special arrangements and efforts by the European Union. And if for nothing else, then at least for the people of Bosnia and Herzegovina, whose life is hard and hopeless, we need to strive for genuine change. ■■■

*translated to English by Hana Dvornik*



# Making way for a transformative human rights leadership: The European perspective of human rights protection in Bosnia and Herzegovina

Miroslav Živanović

More than a decade has passed since the time when domestic public officials in Bosnia and Herzegovina were removed from their positions for the sole reason of not complying with legal human rights provisions. Of course, this practice was determined by the strict peace-building agenda implemented by the strong international presence, both civil and military, and extensive use of the famous Bonn powers.

Today, non-compliance with human rights requirements will not have such an impact on political and public officials in Bosnia and Herzegovina. The ruling of the European Court of Human Rights (ECHR) in the case of "Sejdić and Finci vs. Bosnia and Herzegovina" can be taken as a perfect illustration. Moreover, the "Sejdić/Finci" case was one of the few human rights issues that rated quite high on the overall socio-political agenda of our society. Furthermore, in negotiations between the EU and Bosnia and Herzegovina, implementation of this particular ECHR decision was defined as a necessary precondition which, when fulfilled, will speed up the process of EU integration for Bosnia and Herzegovina. Unfortunately, after years of fruitless efforts invested in the resolution of this issue, the EU decided to back out and exclude this particular human rights requirement from the set of key preconditions that Bosnia and Herzegovina must meet to progress in its EU integration. This decision represents a great setback for the European perspective of human rights protection in Bosnia and Herzegovina. This withdrawal sends a clear sign that the present EU leadership, as well as the countries participating in the PIC (Peace Implementation Council), accept the domination of the constitutional prin-

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*It seems that in the past 20 years, Bosnia and Herzegovina didn't experience a change that would establish the social foundations for acceptance and further development of human rights culture in our society*

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ciple of the constitutional people over the constitutional principle of human rights as stipulated in the Constitution of Bosnia and Herzegovina. It goes without saying that failure of this kind will not contribute toward the building of public trust in the human rights system and institutions in Bosnia and Herzegovina, which is already rather low. On the contrary, one can expect that distrust toward human rights will further demobilize citizens and their active engagement in the community and public life.

So, what went wrong with human rights protection and promotion in Bosnia and Herzegovina? It is very likely that attempts to answer this question will draw the attention of the domestic and international academic community interested in the wide scientific area of human rights. This effort is certain to recognize that, since the Dayton Peace Agreement was signed, human rights promotion and development have been firmly present on the peace-building agenda of the international community in Bosnia and Herzegovina. Even today, there are no major international organizations active in Bosnia and Herzegovina without a human rights department, or at least a human rights officer dealing with the variety of issues covered by the universal human rights agenda.

Furthermore, the effort to establish and cultivate the human rights system in

the country was generously supported, with a significant amount of international funds administered through international intergovernmental and non-governmental organizations, and development agencies of some of the most developed countries in the world. These efforts covered almost all aspects of human rights, from promotional campaigns, legislation design, to capacity-building for a wide network of human rights actors and institutions as well.

Nevertheless, it seems that in the past 20 years, Bosnia and Herzegovina didn't experience a change that would establish the social foundations for acceptance and further development of human rights culture in our society. On the contrary, recent human rights reports, both domestic and international, are quite clear about the fact that there is still, a huge gap between the existing constitutional and legislative human rights framework, harmonized with the international human rights standards, and its actual practice.

If this is so, one has to raise the question of 20 years of experience in human rights development in Bosnia and Herzegovina. Are there any lessons learned, or analysis of accumulated experience followed by recommendations that will help in developing more effective and efficient human rights development strategies? There is an even more important question regarding the future of human rights in Bosnia and Herzegovina: whether the context of EU-BH relations will contribute to the advancement of human rights in Bosnia and Herzegovina or take partial responsibility for their setback, as was the case with the "Sejdic/Finci" ECHR judgement? The importance of this question arises from the fact that EU integration and its human rights component is without any doubts the strongest factor influencing the demand side of human rights in Bosnia and Herzegovina. Unfortunately, this is not enough to prevent the actual and daily EU-BH politics harming the advancement of human rights culture in our country.

The state of human rights in Bosnia and Herzegovina is constantly burdened with problems and negative records, in spite of the fact that the system as such enjoyed substantial international financial and technical assistance and aid over the last twenty years of post-Dayton Bosnia and Herzegovina. For Bosnia and Herzegovina, obviously, the development of a human rights system is a matter of significant and

demanding social change that will, eventually, lead towards widespread public awareness and acceptance of human rights, and active citizens' demand for their respect and implementation. As with any other change, this one also requires leadership as one of its key ingredients. The assumption that the problem of human rights in Bosnia and Herzegovina is actually the problem of leadership is the central point of debate for this article. In order to provide a tentative inquiry into this assumption, it is necessary to shed some light on the concept and contemporary understandings of leadership.



## On leadership

In attempting to reflect on leadership, one must acknowledge that the majority of contributions regarding leadership come from the wide scientific areas of economy and political sciences, which one can put aside as not so suitable for a human rights leadership discourse. Nevertheless, the idea here is that even a rather general reflection on leadership can provide sufficient analytical tools for a provisional investigation of human rights leadership in Bosnia and Herzegovina.

In the scientific and popular-scientific views "out there", there are a number of definitions of leadership, all of them having the human factor at the centre of their interest. Among them, a definition suggested by classical readings in leadership (Lee G. Bolman and Terrence E. Deal) states that leadership is a subtle process of mutual influence fusing thought, feeling and action to produce cooperative effort in the service of purposes and values embraced by both the leader and the led. Indeed, academic interest in leadership resulted with numerous conceptions about the subject. In the attempt to critically observe human rights leadership, the concept of leadership which makes a differentiation between transactional and transformational leadership might emerge as the most useful. Why is that so? The answer is that, by definition, transformational leadership is seen as a necessary precondition for achieving a goal of sustainable change. At the same time, there are no doubts that the development of a functional system for protection and promotion of human rights in countries like Bosnia and Herzegovina is a matter of sustainable change.

In this particular understanding of leadership, its transactional nature is described as purely managerial, focused on efficient compliance with already existing rules and regulations, applying as its tool, a system of rewards and sanctions. Transactional leadership is seen as a set of functions and roles that develop from an interaction between two or more people, where leaders are concerned with issues such as the initiation of a structure or establishing well-defined patterns of organization, channels of command, and ways of proceeding. A considerate attitude towards the human needs of subordinates is also one of the most emphasized elements of transactional leadership. On the other hand, transformational or transformative leadership is entirely about the change, defining leaders through their ability to develop and communicate visions, mobilize organizations and groups to work toward achieving these visions, and enabling the institutionalization of changes for the purpose of their sustainability.



Domestic human rights organizations and their human rights potential find themselves on the operational and service delivery level of human rights where, in terms of management, transactional leadership is usually required. The role of transformational leadership was occupied, intentionally or not, by the international community and doomed to fail because the international community could hardly be so integrated with the domestic society and capable of bringing about key societal changes in the area of human rights

## Human Rights Leadership in Bosnia and Herzegovina

With this in mind, and an interest in examining human rights leadership in Bosnia and Herzegovina, one cannot avoid describing the context of human rights development in our country, because relationship between the two facets of leadership goes in two way direction. This means that context can determine whether transactional or transformative leadership will dominate, whereas leadership can undoubtedly change the context.

Development of the human rights system in post-Dayton Bosnia and Herzegovina was always more prioritized by the international community than by domestic political stakeholders. The political will to implement some policies, including human rights policies, can be defined as the "commitment of actors to undertake actions with the aim to achieve a set of objectives and to sustain the costs of those actions over time"<sup>1</sup>, with the following defining factors:

- government initiative (a certain degree of initiative from local decision-makers must exist in order to even be able to speak of political will);
- choice of policy based on technically sound, balanced consideration and analysis of options, anticipated outcomes and cost-benefit ratios (choosing one of the available policies can be considered to constitute a willingness to act);
- mobilization of stakeholders (effort by government actors to consult and communicate with civil society and the private sector);

- public commitment and allocation of resources (public commitment to a certain policy, accompanied by assigning the resources required to achieve the established programme goals, contributes to a positive assessment of political will);
- application of credible sanctions (a serious intent to implement a policy is reflected in well-prepared and enforced sanctions);
- continuity of effort (real implementation of a policy requires long-term effort and investment of resources);
- learning and adaptation (process for monitoring the implementation of a policy and adapting to emerging circumstances),<sup>2</sup>

If we are to accept this definition, one can easily conclude that the majority of these factors were usually met in the efforts of the institutions of the international community active in Bosnia and Herzegovina and delivered through national governmental and non-governmental organizations. However, engagement of the international community in the matter of human rights and civil society in general was the subject of numerous critical inquiries which articulated the following observations concerning international community involvement:

- top to bottom approach;
- international organizations acting at the same time as donor and implementation agencies;
- financial assistance mainly aimed at the creation of, and/or strengthening non-governmental organizations, while neglecting other types of civil society organizations with a more solid and broad grassroots base;
- NGOs emerging in accordance with the donors' interests, rather than those of the citizens affected;
- failure to consider specific political, economic and cultural conditions in Bosnia and Herzegovina;
- lack of coordination between international organizations and donors regarding their priorities and activities;
- failure to define priorities in cooperation with domestic civil society organizations;
- emergence of elite NGOs;

1 Post, Lori Ann; Raile, Amber N.W.; Raile, Eric D., Defining Political Will. *Politics and Policy*, 38(4), 2010. Pp. 653 – 676.

2 Brinkerhoff, Derick W., *Unpacking the Concept of Political Will to Confront Corruption*. Bergen: U4 Anti-Corruption Resource Centre, 2010. Pp. 2.

- regional disproportion in support to civil society;
- failure to timely address underdeveloped capacities of community-based organizations.

All that was mentioned contributed to a kind of paradox, still present in Bosnia and Herzegovina. Although international aid was envisioned to develop civil society with core values such as trust and cooperation, total dependency on international financial aid created among civil society actors an atmosphere of competitiveness and distrust, making true cooperation and exchange of information almost impossible.

So what were the implications of such a context on human rights leadership? Obviously, due to the given circumstances, created by the leading position of the international community in the chain of "human rights command", domestic human rights organizations and their human rights potential find themselves on the operational and service delivery level of human rights where, on the management level, transactional leadership is usually required. The role of transformational leadership was occupied, intentionally or not, by the international community and doomed to fail because it was not very realistic that the international community would ever be so integrated with the domestic society and, as such, capable of bringing about key societal changes in the area of human rights.

Today, after twenty years of the existence of post-Dayton Bosnia and Herzegovina, its human rights community is simply struggling to survive, without any substantial potential for transformative leadership. At the same time, the prospects for human rights advancement in the society are alarming, with pressing problems in almost every segment of the broader human rights agenda in the country, from failure to implement the decisions of the Constitutional Court of Bosnia and Herzegovina to the permanent failure to implement gender equality and anti-discrimination legislation, etc.

## Conclusion

To conclude, without significantly changing the assistance paradigm of the still-active international community in Bosnia and Herzegovina, the European perspective of human rights protection will most likely stay on the same track, shaping the field of human rights protection, without really inspiring a genuine human rights movement capable of growing into a dynamic human rights community able to direct social transformation related to human rights. What, then, is to be done?

First of all, the identification of transformative leadership within the domestic human rights sector, both governmental and non-governmental, has to become the principal criterion for international community decision-making about assistance and aid for human rights development in Bosnia and Herzegovina. Genuine grassroots human rights initiatives need to be supported under few, but clear conditions, without putting too much administrative burden on the identified human rights actors.

Functional coordination between international actors and the European representation in Bosnia and Herzegovina is still a matter of essential importance. If achieved, this orchestrated international effort should find a way to deliver substantial support to further strengthen the human rights community through consistent application of a variety of community-building mechanisms, such as truly participative decision-making, quality communication systems, systematic education and training, etc. Furthermore, this emerging community is expected to reach a certain consensus around priority human rights issues and grow into a social movement able to mobilize public support, and even apply pressure on the authorities in seeking to reach an effective balance between the constitutional principles of human rights in general and the rights of the constituent peoples, as one of the most visible causes of the human rights setback in Bosnia and Herzegovina. If progress toward this particular balance becomes our reality, the potential of the European perspectives of human rights protection in Bosnia and Herzegovina will significantly increase. ■■

# Different coloured obituaries and the idea of a common future

Nedim Jahić

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Without a domestic consensus about the facts related to the war, the question remains how lasting is the sustainability of such a society, and what is the significance of such system with regards to values for the coming generations.

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On the path towards the European Union, Western Balkans countries have faced – and still do – the issues of dealing with the war crimes committed during the nineties, as one of the issues that are frequently interwoven with the reform processes set by the EU in the course of the integration process. Lessons from Croatia, where the process of transitional justice took the opposite path the moment the country entered the EU, or Serbia, where those in government consider their role to have been practically done from the moment the country delivered the Hague fugitives Karadžić and Mladić, are certainly valuable to the experience of Bosnia and Herzegovina. However, the multi-ethnic community simply is not capable of leaving this behind, letting the problems and frustrations accumulated as the result of a two-decades-long silence leave their stamp on day-to-day politics day in and day out. Without a domestic consensus about the facts related to the war, BH can continue its process of integration, but this leaves us with the question of how lasting is the sustainability of such a society, and what is the significance of such system with regards to values for the coming generations. A very important aspect of this process concerns the role of leaders from within the Bosniak political community, who, in their public statements, and less so with specific actions, are staking a claim to the title of being the one to safeguard the country.

Two decades have passed since the war in Bosnia and Herzegovina ended. Yet, the consequences of the conflict are present everywhere, both in the context of a political system that is a reflection of the divisions of war, but also in the general ‘state of mind’ within the society; in a sense that justice came undone, perpetrators still out there, at large, and, finally, in the absence of an ‘absolute winning side’, every day seems like a losing game.

Obituaries are a very common thing to see on the walls and lampposts throughout Bosnia. For the families, sometimes it is a matter of long discussions about the order in which names and surnames are going to be mentioned. Due to the multi-faith aspect of the community, obituaries actually differ in the colours of their frames. While green frames are usual when the deceased comes from the Muslim community, for Orthodox and Catholic Christians the black lines are common. It seems that in certain communities, these different colours are the only trace of what once were multi-faith towns and villages. Also, they come as a reminder of the atrocities that took place throughout the country in the early nineties.

The first Saturday in October. The International Theatre Festival – MESS is taking place in Sarajevo for the 55<sup>th</sup> time, and on the stage of the National Theatre this evening I am about to see the Maxim Gorki Theater play "Common Ground". Most of the actors



*Srebrenica, © Nedim Jahić*

are from the Western Balkans region, and the play itself relies on their personal fates and true life stories. Suddenly, one of them mentions Čarakovo, a village near Prijedor, quite distant and unfamiliar to the regular Sarajevo urban elites that tend to frequent theatre plays. Yet, as it happened, I had visited the village a few years ago, and had the opportunity to meet a number of Bosniak returnees there. Many of them had gone through concentration camps, and each had their own story to tell, the names of their own family members who died or went missing in the ethnic cleansing campaign of the spring of 1992.

Today, there are no memorials to the victims of the concentration camps in the Prijedor area. Local authorities treat returnees as second-rate citizens, banning public gatherings and encouraging denial of war crimes that took place in this area. However, the truth finds its way through. In September 2013, a new mass grave, Tomašica, was detected, with the remains of at least 385 Bosniaks who had been missing for the past 20 years.

Very few are touched by these facts, and biased media tend to safely black out any 'unwanted' contents. This especially applies to the entity of Republika Srpska, where the main public broadcasting service (RTRS) remains under heavy control of the ruling SNSD party (Alliance of Independent Social Democrats). Yet, for me, having been involved in human rights actions for a long time now, most of the questions concerning the attitudes of the Government of the RS or the way how leaders of HDZ BiH (Croatian Democratic Union BH, a party with majority support within the Croat community) position themselves in rela-

tion to war crimes and the past, have been answered many times, and sometimes the need to retell that part of the story seems redundant. The murky aspect of the issue of 'dealing with the past' is the leadership of the political parties that gain support in Bosniak-majority areas of Bosnia and Herzegovina. This is very important, because this part of the political spectrum actually tends to monopolize the claim to concern for the common future and the multiethnic society, and poses itself as the 'guarantor' of the country's integrity.

Crimes committed by members of the Bosnian Army remain a matter of taboo, without any efforts from the present-day leadership, primarily the Bosniak member of the Presidency, Bakir Izetbegović, to take concrete steps in acknowledging the victims and condemning the perpetrators, except in statements expressing 'general regret for all crimes' or similar vague and cowardly statements regarding the nineties.

The first point of our journey through the Bosniak collective conscience, the Kazani pit, is very near Sarajevo. During the siege of Sarajevo, the central government had substantial problems controlling street gangs and self-organized military troops. This led to spreading terror through the city, with a number of unresolved deaths, many of which were Serb civilians, among others also the 39 persons whose remains were found in Kazani. The government confronted the group loyal to Mušan Topalović Caco, a warlord connected with the Kazani case, in a clash that resulted with the killings of 9 young members of the special police forces sent to arrest him and his men, alongside 8 civilians held hostage by his troops. Soon after, Topalović was killed. In addition,



Bradina, © Nedim Jahić

14 persons connected with Kazani were sentenced during the war. After the war, Topalović's remains were transferred to the Kovači memorial, to the first row, near the grave of the country's first president Alija Izetbegović.

Kazani remains controversial due to the fact that the case is often used in RS propaganda aimed at relativising the ethnic cleansing campaign against the Bosniak civilian population in eastern Bosnia or the massacres and shelling of Sarajevo during the four-year siege. Also, the general public in RS, but also in Serbia, familiar with the case of Kazani, remains cut off from the information that the government did confront Topalović, but also that the Bosnian media openly reported on the topic, actions which would have been unimaginable in similar cases in other parts of the country during the war years.

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The murky aspect of the issue of 'dealing with the past' is the leadership of the political parties that gain support in Bosniak-majority areas of Bosnia and Herzegovina. This part of the political spectrum actually tends to monopolize the claim to concern for the common future and the multiethnic society, and poses itself as the 'guarantor' of the country's integrity.

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On the other side, in early postwar years, but also today, the Bosniak leadership failed to find the strength and courage to confront the groups and individuals who propagate the narrative that presents Topalović as a war hero, failing therefore to pay respect to those killed, both civilians and young men from the special police forces. Even the Social Democratic Party (SDP BiH, with voter-support mostly coming from the Federation BH), showed the level of utter hypocrisy in the course of their participation in the government (2010-2014), when they pushed their member Svetozar Pudarić (as the Serb member of the vice-presidency of the Federation entity) to discuss the topic in public, yet undertaking no real action to bring the story about the adequate marking of the site of Kazani to a close.

Another issue illustrating the short-sighted Bosniak political elites' policies towards war crimes issues, was the decision of the Cantonal Assembly of Sarajevo condemning the actions of the Prosecutors Office of BH in the Silos case in 2011, after 8 persons from the Hadžići municipality were arrested on charges of crimes against the civilian population and crimes against prisoners of war.





*Grabovica, © Nedim Jahić*

If you travel further south, you will reach the village of Bradina near Konjic. Every May 25<sup>th</sup>, families and relatives gather to mark the date when the majority of 88 people whose names are listed on the memorial plate next to the village church were killed in 1992. Up until now, the public has only known of one case related specifically to the killings of civilians in Bradina; however, the person accused died before the end of proceedings.

From the village of Bradina, a number of Serbs were taken to the Čelebići camp, which was operated both by the Croat Defence Council and the Bosnian Territorial Defence. Čelebići operated from May until December 1992. The International Criminal Tribunal for the former Yugoslavia found Zdravko Mucić, Hazim Delić and Esad Landžo guilty on the charges of murder, torture and inhumane acts against inmates. As of today, the only effort to reach across ethnic lines in condemning the Čelebići camp war crimes was made by the Association of Detainees of BH, who organized a commemoration last October.

The story does not end there. It is a different year, 1993. The village of Grabovica is situated between Jablanica and Mostar. The village has been under the control of Bosnian Army since May, and in September, members of brigades located outside the area were given accommodation to stay in Grabovica for the time being. In the night between September 8th and 9th, a massacre took place against the local Croat civilian population. Until now, Nihad Vlahovljak, Haris Rajkić and Sead Karagić were the only ones to have been convicted, limited only to the killings of three civilians from the Zadro family. All were sentenced to 13 years in prison, the verdict confirmed by the Supreme Court of the Federation BH.

In the years where war crimes and commemorations serve as a boost for war-mongering, the question remains whether there is another way. Or, to be more precise, is Bakir Izetbegović, or anyone within the Bosniak leadership, ready to take that step forward? Any move that would not come across as seeking to minimize the genocide and atrocities committed against their ethnic group, but as something that would actually ease the pressure that Bosniaks feel in Prijedor, Srebrenica or Stolac? If this step does not come any time soon, the way how we look upon the past will very soon reflect the way how so-called 'pro-Bosnian' political forces look upon our common future. ■■■



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**Publication information**

Publisher	Heinrich Böll Foundation, Office for BiH
Publication Date	November 2015
Editor-in-Chief	Srđan Dvornik
Translation	Hana Dvornik (chapters "Make do and Mend" and "Attitudes among citizens and local self-government bodies towards the process of Serbian accession to the EU")
Language editing	Hana Dvornik
Proofreading	Srđan Dvornik
Photo	SANSA Images, except "Different coloured obituaries and the idea of a common future" Nedim Jahić
Layout/Typesetting	TRIPTIH
Printed by	XXXXXXXXXXXXXXXXXX



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