

25 AFTER DAYTON: The EU and the accompaniment of Bosnia's future

Pol Bargaés, Research Fellow, CIDOB
@polbargues



643

NOVEMBER
2020

This article has received funding from the European Union's Horizon 2020 research and innovation program (grant agreement No 769886—EU-LISTCO)

November 2020 marks the 25th anniversary of Dayton Peace Accords, which ended the three-and-a-half years war in Bosnia and Herzegovina (BiH). 25 years since the end of the war also mean 25 years of international supervision. First it was the United Nations, in cooperation with organisations such as NATO and the Organisation for Security and Co-operation in Europe (OSCE), who led an ambitious hands-on project of democratisation, peace and state-building. Then, from the early 2000s, supervisory powers were transferred to the European Union. While anniversaries are useful to remember the phantasmagoria of images of the past, and their legacies in the present, they are also an opportunity to think about the future. For EU-LISTCO,¹ I travelled to BiH to assess how the EU is fostering resilience and facilitating the European integration of the country. This is a short reflection on how people are increasingly estranged from a process that stagnates. Hope, however, still lies in the EU.

In 2020, while peace seems stable in BiH, the consensus is that 'order contestation' among parties constantly paralyses or rolls back political progress and rule of law reforms needed to access the EU. 'The political environment remained polarised', writes the EU in the **BiH 2020 Report**, published in October, and mentions a daunting list of longstanding disputes, unstable coalition partners, prolonged caretaker governments, and resistance to reforms in the past months. This political paralysis is the worst legacy of Dayton, an agreement that has been described repeatedly by **officials** and **academics** alike as 'a superb agreement to end a war, but a very bad agreement to make a state'. Dayton instituted power-sharing and decentralisation mechanisms to maintain peace among Bosniaks, Serbs, and Croats. Nevertheless, it also reinforced ethnic division and made the country ungovernable until today.

On every occasion, in every meeting and interview, the EU reiterates its commitment to supporting BiH in acquiring a European perspective that could overcome nationalist rhetoric and order contestation. Yet reforms

1. A longer contribution is included in the 'Report on case studies on successes and failures of the EU and member states to deal with ALS/CO', edited by David Cadier and submitted to the European Union as Deliverable 5.4 of EU-LISTCO in October 2020.

are unfinished. In response to BiH's application for membership, the EU boldly stated in 2019 that BiH 'does not yet sufficiently fulfil the criteria related to the stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities'. The message was clear: 'the country needs to dedicate considerable efforts to sufficiently fulfil such criteria by strengthening its institutions in order to guarantee democracy, the rule of law, human rights and respect for and protection of minorities'.

People in BiH have little trust in governance actors to accelerate the reform progress. 'I do not want to see the present politicians leading us to the EU. They can't do it', says Selma Tobudic, a social activist, in the film *Silent Hope: the EU in Bosnia* elaborated for the EU-LISTCO project. According to the 2020 Balkan Barometer, only 20% of the people admit to trust or totally trust the Parliament and government; the judiciary, the media, the ombudsman have a low reputation, too, because they are not considered free from political influence. The low legitimacy of governance actors is connected in part to the high perceptions of corruption, but also importantly to how people perceive the efficiency and ability of governance actors to address their needs and wants satisfactorily. The Balkan Barometer confirms that people in BiH are worried about unemployment and the economic situation, and these do not seem to improve. According to the National Democratic Institute poll of 2019, 87% of citizens stated that the country is moving in the 'wrong direction' and only 15% expect that next year their life will improve.

While the majority of Bosnians support EU accession (Bosniaks 88%, Serbs 54% and Croats 75%), because they think it will benefit the economy and strengthen the rule of law, they perceive that the accession process is 'too slow'. They blame national politicians, the nationalist agenda of the main parties, but are increasingly dissatisfied with the EU. They perceive that enlargement is secondary to the priorities of the EU and it is impossible to achieve. As a commentator put it, people feel like hamsters in the wheel, 'regardless of how much effort they make, they are not getting closer to joining the EU even by 2030'. The Balkan Barometer reflects that 33% of Bosnians believe that the country will never access the EU. Because the country does not advance, people leave BiH in pursuit of a better future. Indeed, the outflow of Bosnians is a growing preoccupation, and 60% of young people admit being attracted to opportunities elsewhere. A common, sarcastic saying is that one should rush to hang out with people today, because they may not be there tomorrow.

After 25 years, the institutional constraints of Dayton accords are still difficult to overcome, and the EU seems uninterested in accelerating the accession process.

However, EU officials do not seem worried about the pace of the process. 'There are no shortcuts to the EU', affirms in the film Jamila Milovic-Halilovic, spokesperson of the EU Delegation in BiH. What is considered 'slow' for the people, as well as for the critics, it is considered a virtue for the EU. Time, dedication and endurance is the only way to get all democ-

ratification and rule of law reforms done thoroughly. 'Rule of law changes, anti-corruption, education... these are things that you can't do overnight', explains Ambassador Kathleen Kavalec from the OSCE. Therefore, 'EU accession is indifferent to the speed', says another official. For the EU, the main concern is to foster **resilience** (both internally, for example, containing polarisation, working on post-Covid socio-economic recovery, and addressing the migration issue; and externally, intervening in the Balkans and the neighbourhood), promoting a constant adaptability to crises. The latest example of fostering resilience in the Balkans has been the submission of 3,3 billion euros to address the health crisis and humanitarian needs generated by the coronavirus pandemic.

The EU is the principal investor, trading partner and assistance provider in BiH. After 25 years, the institutional constraints of Dayton accords are still difficult to overcome, and the EU seems uninterested in accelerating the accession process. The current process of supervision seems geared towards avoiding that internal order contestation evolves into conflict and preventing institutional breakdown. Today, it is the EU presence that matters to keep everything moving. The idea of accompaniment in times of uncertainty and disorder is the EU most powerful tool. It gives **credibility**, it keeps promises alive, it sells hope.