

# MP-IDSA *Backgrounder*

## Decoding the Bosnian Crisis

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### *Summary*

The Backgrounder focuses on the crisis plaguing Bosnia as well as its impact both domestically and internationally. Bosnia is going through a period of crisis in both of its administrative units. On the one hand, it is a clash of interests between the Bosnian Serbs Republic and the rest of the country, while on the other hand, there is the electoral clash between the Bosnian Croats and the Bosniaks. Such identity-based clashes could spark the flames of separation, ethnic violence and major conflicts. The relevance of the Dayton Agreement meant to connect the three identities also comes into question.

Bosnia and Herzegovina, situated in the western Balkan Peninsula of Europe, had been plagued by ethnic strife and civil war for 26 years until 1995. The main conflict was between the three dominant ethnic groups in the country—Bosniaks, Bosnian Serbs and Bosnian Croats. The present-day Bosnia is also going through a period of crisis, the main issues being the conflict of interest between the Bosnian Serb republic and the rest of the country, also called the Republika Srpska conflict, and the electoral conflict between the Bosniaks and the Bosnian Croats in the Federation of Bosnia and Herzegovina.

In order to understand the present crisis and the complexities of the nation, it is important to understand the Dayton Agreement which was signed in December 1995, to bring peace and stability to the region and acts as an essential guide, particularly regarding the functioning of the nation and its government.

## **The Dayton Agreement**

After the breakup of Yugoslavia in 1991, six republics were carved out from the federation, namely Bosnia and Herzegovina, Croatia, Macedonia, Montenegro, Serbia and Slovenia.<sup>1</sup> The collapse of Yugoslavia saw the rise of ethnic nationalism, and the groups began to show aggression towards one another, which led to a war from 1992 till 1995.<sup>2</sup> In order to maintain peace and stability in the post-war period, the Dayton Agreement or Dayton Accords was signed in December 1995.

The crux of the agreement was the division of Bosnia into two administrative units namely, the Federation of Bosnia and Herzegovina (for Bosniaks and Croats) and Republika Srpska (for Bosnian Serbs) (Map 1).<sup>3</sup> Another important section pertained to the sharing of leadership among the three main ethnic groups. This basically meant a four-year presidency, with the chairmanship as the presiding member of the Bosnian Presidency rotating every eight months.<sup>4</sup>

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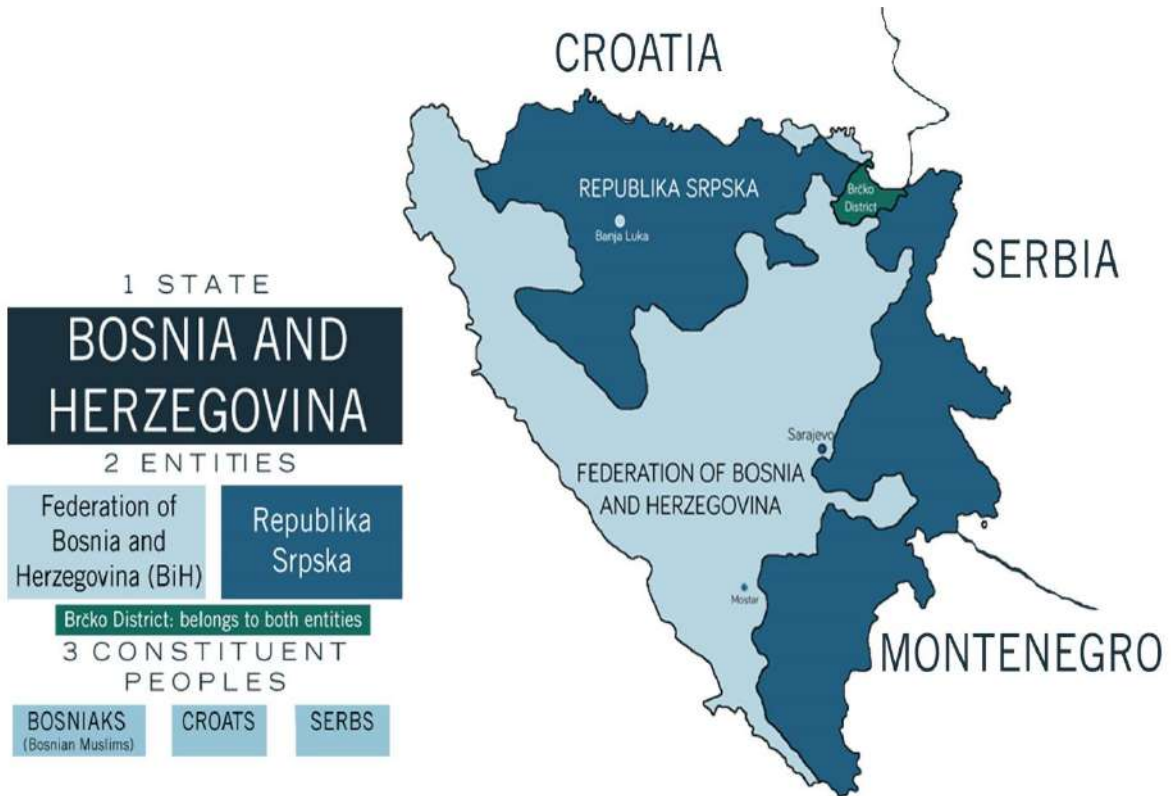
<sup>1</sup> [“What is the Former Yugoslavia?”](#), United Nations International Criminal Tribunal for the former Yugoslavia.

<sup>2</sup> [“Bosnian War-An Overview”](#), *Remembering Srebrenica*, Ministry of Housing, Communities and Local Government, 2021.

<sup>3</sup> [“The General Framework Agreement for Peace in Bosnia and Herzegovina”](#), Organization for Security and Co-operation in Europe, Poland, 1995.

<sup>4</sup> Ibid.

**Map 1: Bosnia and Herzegovina Republic and its two administrative units: the Republika Srpska (Serbs) and Federation of Bosnia and Herzegovina (Bosniaks and Croats)**



**Source:** “Bosnia and Herzegovina General Elections”, Centre for Strategic and International Studies, 7 October 2018.

The present post of the High Representative was created to ensure implementation of the agreement.<sup>5</sup> The agreement also gave the power to the High Representative to authorise decisions in case of clash of interests or when political and economic interests are at stake.<sup>6</sup> The spirit of the agreement was maintained to a large extent until the recent crisis.

### The Republika Srpska Conflict

The Bosnian Serbian President Milorad Dodik, is a known genocide denialist who had made genocide denial a central theme of his platform and dominance in Republika Srpska.<sup>7</sup> On 23 July 2021, the High Representative Valentin Inzko

<sup>5</sup> “The Main Elements of the Dayton Agreement for Bosnia And Herzegovina”, Directorate-General for External Policies, European Parliament, 2005.

<sup>6</sup> Ibid.

<sup>7</sup> Una Hajdari, “Bosnia’s Peace Envoy Bans Genocide Denial”, *Politico Europe*, 23 July 2021.

introduced amendments to a Criminal Code which sanctioned the glorification of war criminals convicted by final and binding judgements, genocide denial, crimes against humanity, and war crimes.<sup>8</sup> The genocide mentioned in the amendment is the Genocide of Bosniaks by the Serb Army in July 1995 during the Bosnian War. About 7,000–8,000 Bosnian Muslims were executed by Bosnian Serbs in Srebrenica.<sup>9</sup> This amendment has been the main bone of contention between the Bosnian Serbian leadership and Bosnia.

Dodik is trying to push for laws that would see Republika Srpska withdraw from the central institutions and threatens to create their own Bosnian Serb Army.<sup>10</sup> The genocide law has been declared void in the Republika Srpska. President Zeljka Cvijanovic has said that the law would not be imposed and that they would not cooperate with the Bosnian state level institutions to implement the law.<sup>11</sup> Legal expert Lejla Gacanica has emphasised that any law imposed by the High Representative cannot be declared void, and that it would be applicable to the entire Bosnia and Herzegovina including Republika Srpska.<sup>12</sup>

Members of the Parliament of the Republika Srpska have passed a set of conclusions which is a step further towards transferring competencies from the state level to the entity level.<sup>13</sup> This step would see the Republic opt out of many state institutions, including the army, judicial institutions and the taxation authority.<sup>14</sup> This is being seen as a threat to secede, and could open up old wounds of ethnic conflict and lead to the old Serbian–Bosniak divide. The divide on sectarian grounds could escalate into a civil war-like situation in the nation.

## The Bosnian Croats Electoral Conflict

The second major crisis plaguing Bosnia is a difference of opinion between the Bosnian Croats and the Bosniaks on the eligibility and election of presidential candidates within Bosnia and Herzegovina.<sup>15</sup> Under the Dayton Agreement and existing election laws, both Croats and the Bosniaks can vote for both the Bosniaks

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<sup>8</sup> Y.Z., [“Law Sanctioning Genocide Denial to Enter into Force after Eight Days”](#), *Sarajevo Times*, 23 July 2021.

<sup>9</sup> [“Facts About Srebrenica”](#), United Nations International Criminal Tribunal for the Former Yugoslavia, June 2005.

<sup>10</sup> Aleksandar Brezar, [“Bosnia’s Biggest Political Crisis for 26 Years Fuels Anguish and Discontent”](#), *Euronews*, 17 December 2021.

<sup>11</sup> Lamija Grebo, [“Bosnian Serb Decree Rejecting Genocide Denial Law Sparks Uncertainty”](#), *Balkan Transitional Justice*, 13 October 2021.

<sup>12</sup> Ibid.

<sup>13</sup> [“Bosnian Serb Entity MPs Adopt Conclusions on Withdrawal from State Institutions”](#), *NI*, 10 December 2021.

<sup>14</sup> Ibid.

<sup>15</sup> Samantha Wong, [“A Brewing Crisis in Bosnia and Herzegovina”](#), *The Interpreter*, 17 November 2021.

and Croat candidates since they fall under the Federation of Bosnia and Herzegovina.<sup>16</sup> This had led to post-electoral dissatisfaction among the Croats. The winner did not have the backing of the nationalists. They feel that the last elected Croat did not represent them, which led to the protests by the nationalist Croats.<sup>17</sup>

Dragan Covic, the head of the nationalist Croat Party the Croatian Democratic Union of Bosnia and Herzegovina (HDZ), has further fuelled the demands for a separate electorate for the Croats.<sup>18</sup> These demands for a separate electorate have been resisted by the Bosniaks, thereby prompting Covic and his party to abandon cooperation with them in various forums.<sup>19</sup>

With elections due in October 2022,<sup>20</sup> this electoral crisis is currently at a slow pace. However, if no solution is found, it could eventually lead to a race against time. This issue has further complicated the situation in the country, which is already struggling with an ethnic crisis and which could quickly escalate and fuel the flames of separation.

## External Reactions to the Crisis

The present Bosnian crisis has received reactions domestically as well as from significant players like the United States, European Union and Russia, which are discussed next.

### **United States and European Union**

The United States has threatened to impose sanctions against all those who are opposing the functioning of the Dayton Agreement, particularly hinting at Milorad Dodik.<sup>21</sup> According to the US Embassy, “there is no constitutional way for a single entity to unilaterally withdraw from state institutions”.<sup>22</sup> US has sanctioned Dodik, accusing him of corruption and threatening to destabilise the region.<sup>23</sup> US has

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<sup>16</sup> R. Bruce Hitchner, [“The Time for Electoral Reform in Bosnia and Herzegovina is Now”](#), *Balkan Insight*, 27 October 2021.

<sup>17</sup> Radio Free Europe/Radio Liberty Staff, [“Bosnian Croats Protest Election of Moderate Komsic for Presidency's Croat Seat”](#), *Radio Free Europe? Radio Liberty*, 12 October 2018.

<sup>18</sup> Bruce Hitchner, No. 16.

<sup>19</sup> Andy Heil, [“Bosnia On The Brink Again: Is 2022 Going To Be The Year Everything Falls Apart?”](#), *Radio Free Europe/Radio Liberty*, 16 December 2021.

<sup>20</sup> Y.Z, [“The CEC of BiH has Started Preparing for the Elections”](#), *Sarajevo Times*, 30 January 2022.

<sup>21</sup> Radio Free Europe, [“US Prepared to Use Sanctions Against Those Who Undermine Dayton Agreement”](#), *N1*, 20 October 2022.

<sup>22</sup> Ibid.

<sup>23</sup> Aleksandar Brezar, [“Further US Sanctions Against Bosnia's Dodik for 'Destabilising and Corrupt Activity’”](#), *Euronews*, 5 January 2022.

decided to weigh in the electoral crisis as well. In order to ensure some solution to the crisis, it has sent an envoy Matt Palmer to work with the European Union (EU).<sup>24</sup>

EU has, within its capacity, tried to solve the electoral crisis. Bosnia is not a member of the EU but had applied for its membership in 2016 and awaits the opportunity to join it.<sup>25</sup> It is therefore understandable why EU has a strong influence in the country. The EU representative in Sarajevo, Johann Sattler has been working hard on the election reforms,<sup>26</sup> and held talks with the nationalist parties to make changes to the election law as per the conditions set by the EU, without amending the constitutional framework of Bosnia.<sup>27</sup> The EU has initiated debates for sanctioning Dodik and the Republika Srpska including travel bans, restrictive measures and freezing of assets.<sup>28</sup>

Relatively speaking, there has been reduced interest from the West vis-à-vis Bosnia in recent times,<sup>29</sup> however the recent crisis has brought a reaction from both US and Europe. Since US has its hands full with COVID-19, China, and the Ukrainian crisis, its attention can be considered as waning but not completely removed. However, EU is seemingly more proactive as it has more stakes at hand.

The reaction of the Dutch United Nations Protection Force (UNPROFOR) and North Atlantic Treaty Organization (NATO) during the Srebrenica genocide in 1995, is also important. The UNPROFOR had failed to take necessary military action to save Srebrenica, a town located in the easternmost part of Republika Srpska.<sup>30</sup> Airstrikes requested from NATO to keep the Serbian onslaught were never authorised despite requests from peacekeepers on the ground.<sup>31</sup> These slow reactions in the past worry the Bosnians, if there is any civil war or conflict in the future. Therefore, it is important to have a more proactive EU involvement in the current crisis.

### **Russia**

Russia is considered a supporter of its Slavic Serbian brethren in the conflict. Milorad Dodik had met the Russian President Vladimir Putin on 2 December 2021, and the latter stated that attention was being given to the happenings in the Republika

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<sup>24</sup> Matt Palmer is a former United States envoy for the Western Balkans. See Hina, [“U.S. Appoints Matthew Palmer to Oversee Bosnia Election Reform”](#), *NI*, 18 September 2022.

<sup>25</sup> [“Bosnia and Herzegovina”](#), European Commission.

<sup>26</sup> Marko Prelec and Ashish Pradhan, [“Grappling with Bosnia’s Dual Crises”](#), *International Crisis Group*, 9 November 2021.

<sup>27</sup> Toby Vogel and Bodo Weber, [“The EU’s Perverse Agenda in Bosnia”](#), *EU Observer*, 4 March 2021.

<sup>28</sup> Zeljko Trkanjec, [“EU Preparing Sanctions against Dodik”](#), *Euractiv*, 14 February 2022.

<sup>29</sup> Marko Prelec and Ashish Pradhan, No. 26.

<sup>30</sup> [“The Legacy of Srebrenica”](#), *Human Rights Watch*, 10 July 2005.

<sup>31</sup> *Ibid.*

Srpska.<sup>32</sup> Russia could use this opportunity to further its influence and control in the region.

This support for Bosnian Serbs by Russia could have regional implications particularly after Russia's warning of a reaction if Bosnia joins NATO.<sup>33</sup> Russia and NATO are currently in a state of war in Ukraine.

Though Russia is currently at loggerheads with Ukraine, Bosnia is a different situation. Ukraine belongs to Russian immediate neighbourhood and any NATO involvement in Ukraine is seen as a direct threat to Russian security, whereas Bosnia is far from the neighbourhood and therefore, remains a region of interest. Russia's future plans of expanding its sphere of influence post Ukraine could see Bosnia play an important role, particularly with Serbia, a Russian ally located next to Bosnia. There could be a direct clash with NATO whose member Croatia shares a border with Bosnia. Thus, any plans of expansion of influence could lead to another front of conflict between bitter old rivals—Russia and the West.

## Conclusion

The two crises in Bosnia and Herzegovina have put the nation in a red alert situation and there are high chances of it erupting into a major conflict or civil war. If no serious efforts are made to solve the current crisis, there could be political instability, which could in turn fan ideas of disintegration and separation. This situation could take Bosnia 26 years back to the civil war era and ethnic conflicts, devastation and loss of life.

If the situation worsens, it could also lead to a refugee crisis which would further burden Europe, which is already suffering from an ongoing refugee crisis. Russia's involvement in Bosnian domestic politics would spark another front for conflict and have an impact on the European regional security paradigm. The crisis, if it flares up, would also interfere in NATO's quest for military expansion into the Balkans and Eastern Europe.

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<sup>32</sup> [“Kremlin Spokesman Confirms Putin Received Milorad Dodik in Kremlin”](#), TASS, 3 December 2021.

<sup>33</sup> [“Russia Warns it will 'have to react' if Bosnia Moves to Join NATO”](#), Reuters, 18 March 2021.



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