

Challenges of changes in Bosnia and Herzegovina

author: mr. sc. Alen Zečević

The experiences of recent past (1992- 1995), which faced Bosnia and Herzegovina with multiple aggression, enormous human and material perishing at the end with genocide to Bosniaks, rearranged this internationally accepted state in very unstable and unacceptable political form. Geostrategical interests which always defined more and more significant political processes and events in World's history, by the example of Bosnia and Herzegovina at the end of the 20th century, demonstrated the Machiavellian these in its most cruel form.

The general peacekeeping agreement (Dayton peacekeeping agreement) signed in Paris on December 14th 1995, has the result of stopping of all military operations in Bosnia and Herzegovina. At the moment of aggression, Bosnia and Herzegovina was existing as a legal and political subject. In historical sense, it reaffirmed its international and legal continuity even after dissolution of Yugoslavia. At the time when its leaving from state community became certain and undoubtful, regime of Slobodan Milošević started to realise his own project of ethnic homogeneous Serbia.

During the three and a half years of aggression the Army of JNA and Serbian paramilitary forces killed 200 000 civils. Most of the victims were Bosniak's nationality. During the war many Bosniaks and Croats became refugees from their homes. All of the traces of their existence, tradition, culture and religion were destroyed. Then, the second aggression on Bosnia and Herzegovina started. Its protagonist was dr. Franjo Tuđman. He was the ideal partner for Serbian regime in arrangement of territorial disolution of Bosnia and Herzegovina, according to model of agreement Cvetković- Maček from 1939. The idea of announcement Croatian Republic of Herzeg- Bosnia was supported by military and diplomatic help of government of the Republic of Croatia.

The negotiations of the participants in war: the Republic of Bosnia and Herzegovina, the Republic of Croatia and the Republic of Yugoslavia supervised by the president of the USA, the Russian Federation, the Republic of Germany, the UK and the representatives of the European Union, displayed that the war in Bosnia and Herzegovina was international conflict. Slobodan Milošević and Franjo Tuđman, as the presidents of their states and co-signatories of Dayton peacekeeping agreement confessed *de facto* and *de iure* involving in aggression on Bosnia and Herzegovina.

Their obligations, according to Article 1, Annex 1 A were: The providing of conditions of „normal“ life in Bosnia and Herzegovina, which meant setting of normal political relation and cooperation between Serbs, Bosniaks, Croats and all the citizens in process of establishing state of Bosnia and Herzegovina.

Dayton peacekeeping agreement had opened more questions than it brought answers, because it was formed as a political compromise, not as an expression of essential and historically based understanding of the reasons and character of war in Bosnia and Herzegovina.

The development of war situation in Bosnia and Herzegovina changed for legal government of Bosnia and Herzegovina made an invert of International Community regarding the result of war. They divide territory on the principle (49% - 51%), which reduced 71% citizens to 51% territory of Bosnia and Herzegovina.

Those who led the war, and then peacekeeping negotiations, neglected the conclusions of the Peace Conference of Bosnia and Herzegovina held in London on 20th August 1992, which ordered stopping of aggression and to set the situation *quo ante*, to set the conditions in the state before the war. World's public, or its main part expressed its protest against brutality of aggressor, systematic killings, uncivilised treatment of people in war prisons. But, it wasn't sufficient. In focus of international political factors was the plan of reducing of Bosniak inhabitants to make them minor or less important political factor in Bosnia and Herzegovina. Genocide in Srebrenica was a tragic proving of this politics.

Dayton peacekeeping agreement, which had the power of Constitution, legalised the territory division of Bosnia and Herzegovina, based on ethnical criteria. Peace which was claimed on this settlement cannot be rightful. The enforcement and legalisation of the Republic of Srpska based on crime proved that. By this act, against common sense and legal praxis rules, responsibility for war crime, fascism politics was abolished. This form of state, by the naming only one nation had a result of national and religion conflict. According to all of mentioned facts, we can conclude that there is no much done for victims of ethnical killing in the name of the republic of Srpska.

Many experts from Bosnia and Herzegovina, as well as experts from foreign countries consider that of very strong reason for cancelling the existence of the Republic of Srpska. The problem was more complicated when we know that the entity contains prerogative of republic in its name. Although it is defined as an integral part of Bosnia and Herzegovina, its government and political structures use every occasion to negate territorial integrity of internationally accepted and sovereign state of Bosnia and Herzegovina. More than two decades, this policy had a great support of Serbian government. They developed „special relations“ so they can interfere in inner affairs in state of Bosnia and Herzegovina. Qualification of special political relation is used as a matter of subversion any type of sovereignty of Bosnia and Herzegovina, political as well as territorial. It was accepted by the International Community from 1995 until today.

The crucial question is: Was it possible to accept and legalise the entity based on crime and genocide, and also legalise republic model of statehood?

Another question is: Why did the state which existed as an internationally accepted state, lose its status of republic which it has had before the war?

Dayton has without any doubt done one of its tasks. It stopped the war in Bosnia and Herzegovina, but at the same time it created conditions for endless war, in which its inhabitants are undergone to the worst consequences.

Legally, Dayton peacekeeping agreement represents curiosity, unknown in political history. In its basis and context it represents the agreement which provided the conditions of stopping the war. This was its primary purpose, by establishing the peace in Bosnia and Herzegovina, there are no elements of its legality.

Stopping the war under the conditions of consolidation of Bosnian army and achieving surprising result in making occupied territories free, Dayton peacekeeping agreement taking „things on terrain“ divided the state according the ethnical concept. More than two decades the existing regime is keeping its governing pushing the other nations in political, legal and economic isolation.

Political situation in region, as well as the recent events in Montenegro had its impact on situation in Bosnia and Herzegovina. The Kosovo question is also used to start parallel process in case of Bosnia and Herzegovina to equalize the status of the Republic of Srpska and Kosovo. The Acceptance of Kosovo by Serbia is very certain and undoubtful. By the demonstration of national aspiration on the streets of Montenegro the doubt of involving Serbia and also Russia in inner affairs of Montenegro disappeared.

The author of this text doesn't consider that the changes in Bosnia and Herzegovina can and must be done with support of foreign factors and also with the participation of those who are in position to change this situation according to interest of their citizens.

It is necessary to cancel the principle of „constituency“ of nation and replace it with the citizen principle, on the basis of the Bosnia and Herzegovina way to the European Union. Representatives of the European Union should know that at the present state Bosnia and Herzegovina cannot fulfill the required conditions. Very complicated, unefficient and financially unsustainable system is also one of the challenges for people in this country.

Irrational state system and unemployment in increasing are the reason of migration young Bosnian citizens to many European countries. It is necessary to start changes in Bosnia and Herzegovina based on inner consensus. The Euroatlantic integrations are options and interests of the main part of the inhabitants. In political regard, its strategic interest is the membership in NATO.