



## **Weekly Briefing**

**Bosnia-Herzegovina external relations briefing:  
BIH relations with Croatia – four controversial issues in the relations  
with the western neighbor**

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## **BIH relations with Croatia – four controversial issues in the relations with the western neighbor**

### **Croatia-BIH relations-introduction**

Diplomatic and political relations between Croatia and Bosnian and Herzegovina might not be among the most controversial in the Southeastern Europe, but are one of the most complicated. The current shape of the bilateral relations were laid in Dayton in 1995, when Croatia as one of signatories of the General Framework Agreement for Peace in Bosnia and Herzegovina (also simply known as the Dayton Agreement) assumed responsibility for maintaining inter-ethnic peace, political and social stability of BIH, providing the assistance to ethnic Croats in BIH, participating in the Peace Implementation Council and guaranteeing the sovereignty and territorial integrity of BIH in its entirety. This set of foreign political principles in bilateral relations towards BIH, were not always fully uphold, recidivist ethno-nationalist paternalism towards (Bosnian) Croats from the war period would sometimes reemerge, but following the death of Tudjman and the end of political transition in Croatia, Croatian foreign policy was increasingly losing ethno-nationalist and paternalist traits in its BIH policy and Dayton principles in conducting the relations with Sarajevo were consolidated on official level. In fact, during the Croatian pre-accession period (up to 2013) political representatives of Bosnian Croats would often hold a grudge on the way Zagreb was neglecting the political status of the Bosnian Croats in order to fulfil EU expectations. Regardless of which political party was incumbent, Zagreb was often accused to protrude European formalism in upholding Dayton principles and displaying not much tactfulness in conveying sensitivity for entanglements Croats were facing in Daytonian BIH.

Obtaining EU membership status in 2013 changed the way Croatian foreign policy dealt its immediate non-EU neighborhood, but the transition of its BIH policy will go through a slow and not entirely consistent direction. Obviously, Croatia was relieved of strict adherence to common foreign and security policy (CFSP) and was looking to make a new profile to its regional approach, but this was frequently challenged with internal government crises, upsurge of nationalism in part of Croatian public and miscalculated capacity in projecting assertive role to non-member neighbors.

Plenkovic`s HDZ government managed to hold a grip to a foreign policy course Croatia was having within the EU community. But assuming a new norm-giving role Croatia as a EU member-state with highest stakes in accession policy towards the Western Balkan countries

from Croatian perspective was often mistaken for asymmetric bilateralism (when a member-state uses or projects its EU wielded veto powers to force settlement of bilateral issues with neighboring candidate-country) and blunt interference in the internal affairs of neighboring non-EU countries. The example of the former was the row with Serbia during the migrant crisis in 2015, while the latter was the case in BiH through perceived neo-paternalist role Croatia displays towards BiH's Euro-Atlantic integrations.

It is fair to say that this is also a result of the conflict between different actors within Croatian foreign policy decision making bodies (among which great deal of confusion exists in differentiating the government from traditionalist right wing of ruling HDZ), which also reflect on some ongoing controversies in current BiH-Croatian bilateral relations. Four of the most outstanding we will present below:

#### **Four controversial issues in BiH-Croatia bilateral relations**

The first controversial issue in BiH-Croatian relations is reengagement of Zagreb for redefinition of the political status of Bosnian Croats within the Federation (FBiH). The political support Croat political parties (mostly HDZ BiH) were getting from Zagreb in demanding an equal status in the Federation was always perceived as unofficial and party-based. Only after the Croats have "lost" their representative in the State Presidency following the October (2018) elections, Croatian government started to show more protective attitude towards the Croat political parties close to the Croatian HDZ. By hosting the representatives of the Croat National Assembly (supra-partisan body of the Bosnian Croats, perceived also as a springboard for accomplishment of the main political goal, i.e. "third entity") in the Croatian Parliament and drafting Declaration on the status of the Croats in BiH with their assistance, Croatia practically endorsed extra-constitutional political demand to have a separate entity for the Croats. From October 2018 to March 2019, Croatian leadership was accused several times by Sarajevo and international community for attempt to undermine BiH constitutional order when some of Croatian politicians stood more openly behind HDZ BiH in demanding electoral reform for the Croats. Croatian PM Plenkovic however was not scared off but continued to made demands to the EP to tackle Election Law reform and the Verdict in the Ljubic case, all pertaining unequal representation of Bosnian Croats in federal bodies. Knowing that the current HDZ government in Croatia will likely continue to address the position of Bosnian Croats on the EP floor, Bosniak politicians were voicing concerns with Croatian BiH policy becoming more aggressive and the support for BiH's Euro-Atlantic integration more as an excuse for meddling into its internal inter-ethnic affairs. Besides SDA and conservative Bosniak parties, politicians arriving from the so called civic block are frequently complaining to international community on what they

perceive as interfering into BIH affairs by sponsoring and supporting Croat national(istic) institutions and politicians. Although this support is almost certainly meant to foment domestic reaction in Croatia, the impact traditionalist Croatian Right (including HDZ) on ecology of Croat political parties in BIH is worrisome for all non-ethnic political platforms in the Federation BIH as well as current Croat-Bosniak political bargain. Civic parties would not like to see Croat parties regressing into ethnic particularism while Bosniak parties don't like Croat parties standing on the shoulders of a big Croatian brother.

The extension of this critical opinion towards Zagreb is evident in the war-related issues, where protective policy towards Croats in BIH is denounced as open nationalist paternalism from the war period. This is a stance SDA politicians tend to espouse whenever the war crimes committed by Croat(ian) army in BIH or tacit rehabilitation of HZHB (Croatian Republic of Herzeg-Bosnia, unrecognized, de facto independent state of Bosnian Croats during the war) leaders in Croatian media came to the limelight. Contrary to war crime controversies in Serb-Bosniak inter-ethnic reconciliation process, war related issues in Croat-Bosniak inter-ethnic relations were mostly downplayed in the media and political circles, but it does not mean they cannot stage a comeback. Whenever official Zagreb fails to distance from the Croats who were accused or sentenced for war crimes, Bosniak politicians react. No matter how much Croat-Bosniak war conflict was sided down to Serb-Bosniak conflict in local media and public discourse, aggravating paternalist approach to the Bosnian Croats tend to restore the old rhetoric on the both sides within the Federation. Recent example was when HDZ political secretary Miljan Brkic paid a visit to Bruno Stojic, a Croat sentenced for the war crimes. In these circumstances, Bosniak parties are less constrained to accuse Zagreb of condoning to nationalism in BIH or even, as it was stated by Bosniak MOP Dzaferovic in July, to condemn "xenophobic and aggressive policy with elements of fascism Croatia has towards BIH and Bosniaks".

Third issue is the border demarcation, where despite the common border with dozen unsolved territorial issues, all attention is still focused on the controversy over the construction of Peljesac bridge. In the previous reports it was introduced historical background of Peljesac bridge dispute and divergent opinions on BIH side regarding the dispute. Sarajevo based political circles close to SDA are mainly behind the idea that the construction of Peljesac bridge imposes into procedure for the bilateral settlement of territorial waters in Neum bay which Peljesac bridge traverses. However, their powerful ally is Croat MOP Komsic, who much to the Croat anger supports the proposal to handover Peljesac bridge dispute to the International Arbitration Court and to make a dispute an official diplomatic problem.

Last move regarding the Peljesac bridge was in mid-July. The BIH Presidency, at a regular

session, by two votes in favor and one against, reached a conclusion calling on Croatia to halt the construction of the Peljesac Bridge before resolving all outstanding issues that might have impact on BIH right of access to open sea. As a declaration initiated jointly by Croat and Bosniak MOP has it, if the construction project continues to be carried out, BIH will initiate conciliation proceedings and, if necessary, initiate proceedings before the International Tribunal for the Law of the Sea. The issue was on the verge to become a diplomatic problem, if it wasn't Serb MOP Milorad Dodik who opposed the declaration and in a turn became unexpected Croatian ally by volunteering to refer the issue as against the vital national interest of the Republika Srpska and requested RS Assembly to confirm his opposition by issuing separate statement that will make BIH Presidency declaration null and void. According to the media, his opposition to the declaration is reflected in strategic construction project of Gradiska bridge on the BIH-Croatian border in Republika Srpska and some personal interests in obtaining state contracts, both of which require a nod from Zagreb. With the veto arriving from the Republika Srpska attempt to bring the Peljesac bridge dispute to a diplomatic level failed. However, it is not very certain that Sarajevo-based politicians will soon give up idea to make their opposition to Peljesac bridge an official state position. In the current constellation, only Serb MOP should be talked into the official declaration against the Peljesac bridge construction, a task much easier than it would ve been with any Croat MOP before Komsic. Again, around Komsic's figure is intertwined maybe the most essential dilemma in BIH-Croatian relations: should Croat MOP be against Croatian national interests even if they are perceived against BIH interests. The answer to this question is believed to be a ground reason mobilizing both sides in the current Peljesac bridge dispute.

Fourth controversial issue in the BIH-Croatian relations is tackling the migration crisis. From the last year the second wave of migrants and refugees from Middle East and North Africa are using so called Balkan route to reach the Schengen Europe. Most of the migrants had gone through Bosnia and Herzegovina from where they try to enter Croatia. However, lately there are the reports on Croatian border police turning violent to migrants arriving from BIH. In the last few months, reports by investigative journalists showed the brutality of Croatian police and BIH police claimed to have evidence that Croatian police are returning illegal migrants from their territory back to BIH. The issue provoked reaction of both sides, Croatian denying the allegations and BIH pointing on the brutality of Croatian police. BIH politicians have also called "shameful and disgraceful" silence form Europe on this evidence from Croatia. For many in BIH, sealing off Croatian borders for migrants is regarded as an attempt to destabilize BIH with stranded migrants. It is regarded as going parallel with alleged attempt of the Croatian government to present BIH as unstable and wrecked by potential terrorist elements in order to

get more leverage for pursuing paternalist or aggressive policies towards BIH. From this perspective unconfirmed statement allegedly made by Croatian President Grabar Kitarovic on her visit to Israel by end-July, calling BIH unstable country, unable to control migrant inflow got much undeserved attention in international circles and, as a reaction, flared tensions between Zagreb and Sarajevo. Croat MOP Komsic's reaction in the media that followed the statement made by Croatian President - accusing Croatia of inserting refugees "that have never been to Bosnia and Herzegovina" in BIH and calling Croatian PM Plenkovic to show respect for BIH borders and territorial integrity - are words that are chosen to resound in the European circles against nuanced nationalism that is feared to overtake Croatian policy towards BIH.