



## **Weekly Briefing**

**Bosnia-Herzegovina political briefing:  
BIH- long year without central government (overview of political  
developments in 2019)**

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## **BIH- long year without central government (overview of political developments in 2019)**

BIH will soon bid farewell to 2019 with not much results to show on political board. A single political issue this year will be remembered for is surely the crisis in forming central and federal government following the 2018 October elections. By the end of 2018, BIH was relatively far from forming a new government, 20 days before 2020, it seems much closer but still without one. This issue could make a lengthy topic of this report if the most of the time in period from January to November wasn't squandered in intransigent quarrels without much arguments and transparency in negotiations. To borrow a phrase frequently used in BIH public, main political actors "lacked political will" to untie BIH political deadlock, and this was convenient excuse all of them used against each other throughout the year.

Things started to roll, without particular reason, just as they stayed blocked for 13 months. In mid-November, BIH Presidency finally decided to nominate SNSD candidate, Zoran Tegeltija, who was on stand-by from the beginning of the negotiations. After the House of Representatives confirmed his nomination, he is expected to come out with "pre-approved" list of ministers, as he promised, by December 19, precipitating the entry into a new year with a new government in place. However, it is still early to say that remaining procedures will go smooth. His list of ministers could be refused or, more likely, stalled in the House, pending final deal between HDZ BIH and SDA regarding the formation of FBIH government. Some analysts are not dismissing possibility that the whole thing could again reverse to deadlock, only this time blocking institution will be House of Representatives, not Presidency.

From the current perspective, a year-long government crisis was prolonged due to various reasons. Most will say the most dividing and stalling reason was divergence regarding the NATO accession and relations BIH should maintain with this military alliance. Nevertheless, despite media coverage and the first annual evaluations telling otherwise, this issue as much as it seemed divisive, wasn't so controversial after all. BIH managed to form a government without making very clear inter-party and inter-ethnic consensus on relations with NATO. As mentioned in the previous monthly report, although "MAP issue" was claimed to be a main hot potato to make breakthrough, only ruling Troyka would go far to admit that it was "solved" with sending "reform program" to NATO, a decision that preceded nomination of Tegeltija for a new COM Chairman.

If Bosnian public is asked, maintaining deadlock was only triggered with NATO issue, electoral law reform or secessionist claims from RS, while “real diagnosis” is to be found in elusive political will structurally absent in programs and actions of “other” political parties, and combination of ethno-political, clientelist, captured, corrupt political system that reproduces itself through crises and instabilities.

### **Electoral law reform**

BIH entered 2019 when no one thought the government will soon be formed. As a matter of fact, it was then when some media predicted that current post-electoral situation will resemble to the “long 2011” that followed the 2010 general elections. Everything was set for Croat HDZ BIH to re-open “Croat question”. In reenactment of a play seen in 2010, many officials of HDZ BIH and its all-Croat platform HNS (Croat National Assembly) have claimed that the re-election of Zeljko Komsic (leader of ‘civic’ DF) as the Croat member of the presidency was due unfair electoral law enabling Bosniaks within the federation (FBIH) to vote on the Croat list. Indeed, most of the votes Komsic received came from predominantly Bosniak areas while he fared quite poorly in predominantly Croat municipalities (West Herzegovina, Posavina) Furthermore, Croat politicians were now more determined to demand their own entity or federal unit to stop “illegitimate representatives” to be elected on Croat ticket. In previous post-electoral situations “third entity” was dismissed by internationals, Bosniaks and Croatia as a step back from Dayton. Now, “third entity” as a standing demand of HNS was altered with less radical reform of electoral law espoused by HDZ BIH. Zagreb also supported Croat political party in claim that BIH elections are unfair and fear of ethnic separatism should not be excuse for changing rules guiding elections that in every way are still dominated by “ethnic key”.

HDZ BIH leader, Dragan Covic, repeated early in the year that cohabitation with Bosniak parties in Federation will be possible only after electoral law reform is passed. Changing electoral law was also considered for several constitutional loopholes, such as Mostar municipal elections, electing “extra-constitutional” ethnicities (Sejdic-Finci law) and preventing ethnic gerrymandering for FBIH House of Delegates (Ljubic law). Throughout the first half of the year, Covic was waving with electoral reform as a condition for starting negotiations with Bosniak SDA.

During the course of the year, Covic consolidated pan-Croat support, gained SNSD support and raised bets with Bosniak parties. Eventually, however, main Croat and Bosniak parties agreed without mentioning electoral law reform and reexamining “Croat question”. This was interpreted as “an act of political will” to speed up government formation, but it also raised

frustration among some nationalist Croats and undermined their trust in HDZ BIH leaders who “fought for seats, while claiming to fight for ‘Croat question’”. It is thus feared that Covic might “strike again” with electoral law reform through the House, demanding federal government to be formed together with the central.

### **BH anti-nationalist block**

In February 2019, Social Democratic Party (SDP), Democratic Front (DF) and Our Party (NS), three anti-nationalist, civic parties formed “BH Block”, an anti-platform that brought three novelties in BIH political life. First, non-nationalist parties for the first time organized principled alliance of anti-nationalist, anti-Troyka and anti-ethnopolitical parties; second, after successful ‘experiment’ in Sarajevo, it outgrew segmented, local level organizing and became all-federation alliance, with prospects to attract parties from Republika Srpska. Third, the most radical, the platform pledged to rather stay in opposition than join coalition with nationalist parties. This proved to be the most controversial part of the agreement. Some parties, like SDP, could not honor anti-nationalist cordon sanitaire on local levels (Tuzla Canton), some, like DF, claimed responsibility for national interests and political stability outweigh ideological purism, and soon left BH Block. Without DF, BH Block remained a SDP+ platform (SDP and local level parties) and lost ultimate appeal in BIH public. SDP did, however, managed to stay off the central level coalition, but this is interpreted as biding its time, rather than consolidating the platform.

### **NATO issue**

The most heated debates were caused by relations with NATO. As a signatory of Membership Activation Plan, BIH last year agreed to send Annual Plan as precondition for continuing progress towards NATO accession. The issue became divisive already during the electoral campaign when SNSD leader (and Republika Srpska President) Milorad Dodik promised honoring the military neutrality course set by the RS Assembly resolution in 2017. SDA and DF leaders, on the other hand, demanded that BIH continues with NATO accession procedures. By December 2018, DF leader and Croat MOP Zeljko Komsic draw a line for negotiation table, claiming that a new government will be agreed only after the Serb party endorses BIH plan for cooperation with NATO that will eventually prepare BIH for NATO accession. SNSD and Serb MOP Dodik refused to comply and indulged himself in occasional secessionist, anti-centralist and nationalist outbursts since then. Both sides started resolutely refuted demands from the other side, and mediating voices were scarce.

Reasons why NATO issue prevailed during the deadlock are generally attributed to an old

feud between Sarajevo and Banja Luka regarding the quasi sovereign prerogatives Republika Srpska claimed to have on expense of central government. Sarajevo in principle didn't want to admit its foreign policy can be determined by the resolution of RS Assembly, neither (Bosniak MOP Sefik) Dzaferovic or Komsic wanted to consent to Dodik anti-NATO demands as long as they are backed by decisions "made by institutions that cannot govern BIH foreign policy". Second reason was anti-NATO atmosphere in Republika Srpska, for which to big deal is to blame Dodik and ruling SNSD. Serb opposition was ready to accuse Dodik if he backtracks from the resolution on military neutrality and the public was galvanized to check and balance every move leading to cooperation with NATO. Dodik was believed to tiptoe between two sides, alternately giving hope for breakthrough and again paying lip service to RS sovereignist claims, ultimately exhausting Troyka partners and increasing the bargain cost. Compromise reached by mid-November through which BIH will send a reform program to NATO and nominate Tegeltija as a new government caretaker, despite accusations on RS side, is considered as Dodik's success. In relatively unchanged circumstances, he eventually had his nominee to be elected COM Chairman, while "no document prejudicing NATO membership has been adopted". Finally, stalling on European path was a reason for making emphasis on NATO accession. In situation where European Union is losing track with BIH integration path, while BIH, according to widely shared professional opinion, has virtually frozen its EU integration processes at least from May 2019 when the outgoing European Commission sent Opinion on BIH, BIH politicians "didn't dare to tackle EU integrations. NATO accession was only thing left."

### **EU integration**

In terms of EU accession progress, BIH had one of the least performing years. In May 2019, the EC issued an Opinion on BIH's application for membership, without a clear deadline for when this country could obtain candidate status. Since May this year, when the European Commission published Opinion on the progress the countries in Western Balkan (including BIH) made in the EU integration process, BIH leaders rarely have made any statement to show the EC Opinion is given due consideration. The fourteen points (mentioned in one of the previous political reports) identified by the EC for BIH as priorities on its path to candidate status and the opening of negotiations, were to be analyzed and implemented by the newly elected authorities after the general election in October 2018. This means that BIH politicians and government officials did nothing to initiate discussion and due diligence, let alone implementation of proposed recommendations. In the hindsight, this is to say that "official" BIH has been mute about everything concerning the EU and the "positions, standpoints and

concerns” should be harvested from EU-minded watchdog institutes and agencies. Their response on the current stillness in the EU integration is simple: no progress in forming BIH central government means no progress in the EU integrations.