Bosnian Standards or the European Criteria? A Credibility of Brussels in a Crisis

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Abstract: *There is a wealth of literature and academic writings in which the European Union member states are criticized for not speaking "with a single voice" with regards to its common foreign policies. Similarly, in this paper I analyzed the European Union approach towards Bosnia and Herzegovina in terms of all-embracing Europeanization process of BiH from the angle of the EU's capabilities to affect domestic policy-making process. We came to conclusion that the EU is deeply divided, incoherent, and weak in terms of its Europeanizing policies in Bosnia thus further deepening political impasse in the country. This also proves that to some extent the EU itself is responsible for long-lasting status quo in the country since it is today having a role of international player from which Bosnian ordinary citizens have quite high expectations. This is a serious credibility gap for the EU since it could not assert and prove itself as an attractive and powerful actor that is capable of resolving cumbersome Bosnian enigma.*

Keywords: *The Bosnian Standards, European Union, Europeanization, European Criteria, International Community, Capability-expectations Gap, Credibility Crisis.*

JEL: *R0; M1; R1.*

Introduction

Without integrating the Western Balkans, Europe will struggle to manage its out-of area expansion and its global commitments as problems from the region will keep its focus on local issues as Antonio Milososki declared.

A recent statements delivered by Milorad Dodik, the populist leader of the most popular Bosnian Serb party - the Union of Independent Social Democrats (SNSD), in relation to appointment of Peter Sørensen as a new Head of EU Delegation to Bosnia and Herzegovina, that he has set measures and conditions in order to establish good cooperation with the European Union provide indicative picture of unclear and complex relations between Bosnia and Herzegovina (hereinafter, Bosnia or BiH) and the European Union. In fact, Dodik said that Sorensen will have a partner in Republika Srpska only if the solutions for Bosnian problems are not imposed from international community (Sajinovic, 2011). Thus, even before the international official came to Bosnia Bosnian politics has prepared

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some standards and conditions to be respected and considered in his work with local politicians. This is quite a paradoxical situation since it is the EU which is setting the standards to be implemented rather than politicians from the potential candidate and candidate countries. In fact, he and, in other instances, a number of local politicians re-modify the European standards in line with their "Bosnian standards" built in particularistic ideological interests. As a result, such political positions and views the Bosnian politicians hold clearly display, more than anything else, a seriousness of the credibility crisis that the European Union member states are facing in Bosnia and Herzegovina.

In other words, the promise of European Union membership has not be "sufficient instrument" for the Bosnian politicians to make them respect the European values, norms and rules and work on their implementation into domestic policies. Although ruling political elites are from time to time making statements that their objective is the accession into the EU most of them are doing very little to make the country closer to Brussels. Furthermore, most of the ruling Bosnian politicians are still living in the past while the EU-related agenda should encourage them to look towards common and peaceful future. Such political constellations explicitly demonstrate deepness and seriousness in which Bosnian political sphere is confronted with since the very end of the war in Bosnia 1992-1995. Rather than focusing on issues related with the European integration and the well being of the ordinary citizens, politicians in Bosnia emphasize politics which appeal to emotions thus further increasing inter-ethnic polarization and disputes. That is, it is clearest indication of the post-war arrogance and irresponsible political rhetoric of ethno-nationalist political elites. As Kurt Bassuener points out, "the Dayton constitution makes leveraging fear politically profitable and politicians unaccountable. Bosnian politicians pursue their self-aggrandizing, maximalist goals at the expense of the general welfare. (2009: 1). As a result, under the domination of the same nationalist political elites Bosnia has been suffering more than a decade long status quo.

To put it differently, ethno-nationalist parties have been dominating political life in Bosnia from the first democratic elections held in 1990. Such a trend of preferring strictly ethnic parties by BiH electorate has repeated each election with the only exception of the elections from 2000 when Social Democratic Party, (Socijaldemokratska partija, SDP), a multi-national political party, won the elections. Thus, a political competition for votes has been based mainly on extremist rhetoric, so-called politics of outbidding, has continuously taken place in the post-war BiH as nationalist parties have cemented their early seize of power in successive elections (Jarstad, 2006:16). However, on very important issues ethnic political leaders could not reach necessary compromises for the whole country to continue its reform process toward the EU membership. As the EC concluded: "In BiH, nationalist rhetoric by key political leaders is challenging the arrangements established by the Dayton/Paris peace agreement and has stalled reforms. Much needed reforms of the police and of the constitutional framework have failed to make progress" (2007: 5). Although domestic political

leaders are rightly blamed for slow reform process in the country rarely is the position and responsibility for the deadlock sought among the European Union members states. Since Europeanization process is a two-way street both the EU and aspirant country hold a responsibility for the pace of the process. Thus, the research question on which this paper is built is:

1. Bosnia and the European Union relations

To what extent the European Union is to be blamed for the long-lasting political deadlock in Bosnia and Herzegovina?

BiH and the European Union have been in tight economic and political relations more than a decade. That is, in the aftermath of the war in Bosnia which ended in December 1995 the European Union has intensified its strategic activities towards the western Balkans region in whole, including Bosnia. The end of the war was the shift in the EU governance towards the western Balkans in general and BiH in particular. That is, the EU proposed one after another the initiatives that were supposed to strengthen the European perspective of BiH (Hadzikadunic, 2005: 51). The first such initiative came from France during its EU presidency in December 1996 within the framework of the so-called Royaumont Process. The initiative's main objective was the stabilization and peace-building in South-East Europe. The Royaumont Process was the first regional strategy towards the WB. Furthermore, the EU developed a regional approach launching a political and economic conditionality for the development of bilateral relations. Better to say, through the PHARE and OBNOVA humanitarian programmes, beginning in 1997, the EU initiated for the first time in the region political and economic conditionality as its economic assistance under the mentioned initiatives was provided on condition that recipients respect human rights, democracy, and the rule of law (Juncos, 2005: 96). This was a clear sign that the EU has changed its approach towards western Balkans region and towards Bosnia from passive and incoherent to more active and united one.

Furthermore, in June 1998 the EU-BiH Consultative Task Force was established. Its major area of responsibility was to provide technical and expert advice in the field of judiciary, education, media, administration, and economy. In Susko's words, this marked BiH official approximation towards the EU membership (2009: 104). Furthermore, the same year in June the EU and BiH officials signed the "Declaration of Special Relations between EU and BiH". Then in 1999 the EU has initiated Stabilisation and Association Process (SAP) establishing more concrete and tangible political and economic links with the regional countries. Later in June 2000 in the Feira European Council, the member states agreed that all the SAP countries, including Bosnia, are potential candidates for future EU membership. Also, on 8 March 2000 the EU Commissioner Chris Patten announced the Road Map for BiH as the first step in the framework of SAP. The document identified 18 initial steps which had to be implemented and which

could lead to a feasibility study for a SAA with the EU. A new European partnership with Bosnia and Herzegovina was adopted by the Council on 18 February 2008. Following a difficult and slow reform process Bosnian government signed a Stabilisation and Association Agreements (SAA) with the EU in June 2008, which was the first pre-accession tool towards the country's EU membership (Vucheva, 2008). Since then little progress has been done due to harsh ethno-nationalist rhetoric. Also, the EU is not faultless for the long-lasting status quo in Bosnia.

2. Europeanization Process

Since Bosnia and Herzegovina has been more than a decade passing through deep and thorough European Union-related reform process, in the literature of the European integration better known as Europeanization process, the European Union is expected to develop more clear-cut and coherent strategy toward this EU aspirant country.

2.1 What is the Europeanization process?

That is, Domm stresses that "the recommendation here is for the EU, aided by the EEAS, to move towards a more coherent, credible policy towards Bosnia (Domm, 2011: 64). In fact, Europeanization process is not only about adopting and implementing EU policies, rules, norms and values into the domestic economic, legal and political context it is equally important that the EU has set clear standards, measures and rules which are to be adopted by aspirants on the membership. As Anastasakis and Bechev conclude, "the criteria and benefits of (EU) conditionality must be visible not just to the elites but also to the citizens, in order to sustain momentum for reform along the long and difficult road to accession (2003: 5). Better to say, Europeanization process as a comprehensive reform and transformation oriented process is a two-way street between the European Union and the countries that aspire for the EU membership. That's why, it is of paramount importance that the roles and responsibilities both of the European Union and the EU aspirant, in this case Bosnia, are clearly defined and stressed.

The concept of Europeanization has become very popular within the study of European integration. There have been a variety of definitions made in relation to Europeanization. However, most of them interpret this process as reform process in domestic political and economic system affected by policies decided at the European level. That is, we can define Europeanization as some form of domestic change that is caused by European decision-making. Similarly, Radaelli defines Europeanization as a "processes of (a) construction, (b) diffusion and (c) institutionalization of formal and informal rules, procedures, policy paradigms, styles, ways of doing things and shared beliefs and norms which are first defined and consolidated in the making of EU decisions and then incorporated in the logic

of domestic discourses, identities, political structures and public policies" (2000). However, very often it happens that European norms and values are in clash with EU aspirant's values and norms. As Rory Domm argues "despite the rhetoric, Europeanization, whereby vast numbers of detailed, non-negotiable rules are adopted by applicant countries, is hardly always consistent with local ownership (2011: 58). Therefore, it is crucial that the EU find the way and develop solid methods how to diffuse and transmit its rules, policies, values and a European paradigm as an overall concept.

In fact, Europeanization is a logical extension of the EU integration theory. It gained special popularity among academia during the 1990s and beyond (Ladrech, 1994; Borzel and Risse, 2003). Europeanization process may have two functions. First, it explains the influence of the European politics and institutions on the domestic politics. Second, Europeanization stresses the process of change through which domestic actors adapt to European integration. Such a Europeanization effect is best illustrated through the 'basic paradigm', although very general one (Figure 1.1). The paradigm emphasizes that European integration leads to pressures to make necessary adjustments which are then influenced by a domestic factors, and finally to outcomes (Risse et al. 2001: 6-12). Indeed, the Europeanization has critical transformative power in the member states. Here, degree of pressure created by the Europeanization is of crucial importance. That is, this pressure is a function of the degree of fit (misfit) or congruence (incongruence) between "Europe" and the domestic level (Caporaso, 2008: 29). As a result, degree of fit or misfit leads to adaptational pressures. Simply put, if the EU policies and its standards are similar to those at the domestic level then pressure for reform is much lower. However, such pressure is a necessary but not a sufficient condition for reforms to be made by domestic actors (Borzel and Risse, 2003: 58).

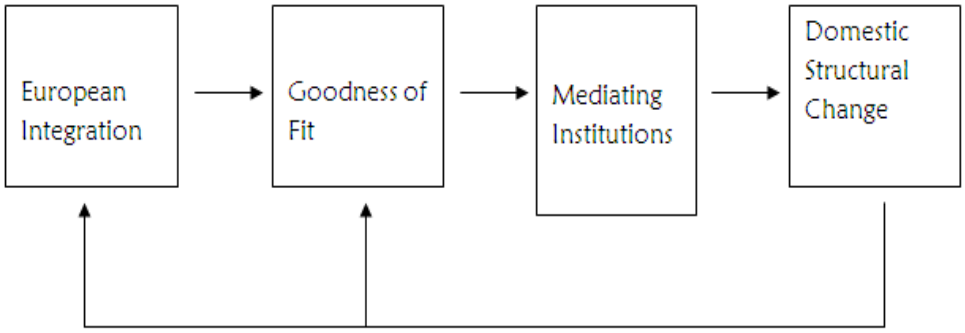

Figure 1. Europeanization and Domestic Change

Source: Risse et al. (2001: 6), in Cowles et al., pp. 1-20.

2.2 Means of the EU conditionality

Europeanization process in aspirant countries such as Bosnia itself is to a largest extent driven by the so-called EU conditionality that stimulates domestic reforms. Better to say, the EU conditionality is based on "strict conditions" that the candidate or potential candidate countries have to meet in order to become full members in EU (Noutcheva, 2006: 1). As Schimmelfennig and Sedelmeier argue, "the dominant logic underpinning EU conditionality is a bargaining strategy of reinforcement by reward, under which the EU provides external incentives for a target government to comply with its conditions" (2004: 670). So far, the EU has established several strategic tools through which it attempts to press the process of institutional adjustment to EU standards and values. Overall, the EU conditionality in the Western Balkans, including Bosnia, is established by the following tools:

1. the general Copenhagen criteria – political, economic and acquis-related – applied to all candidate and potential candidate countries;
2. the 1997 Regional Approach and the 1999 SAP;
3. country-specific conditions to be met before entering the SAA negotiation phase and conditions arising out of the SAAs and the CARDS framework;
4. conditions related to individual projects and the granting of aid, grants or loans;
5. conditions that arise out of peace agreements and political deals (e.g. Resolution 1244 of the UN Security Council, and the Dayton, Ohrid, and Belgrade agreements) (Anastasakis & Bechev, 2003: 8).

EU conditionality is aimed at integrating the Balkan states into the EU: its intention is to promote reform, to prescribe criteria attached to EU-granted benefits, and to differentiate among countries by assessing each on its own merit (Anastasakis & Bechev, 2003: 1). Although it is often taken for granted that EU member states possess wide-ranging conditionality power which can "naturally" press domestic officials to implement required EU-related agenda often it results in opposite direction as EU aspirants demonstrates significant level of resistance. That is, while many expected that Europeanizing reform process will have critical impact on the crisis-driven western Balkans region and especially Bosnia as its very unstable part the entire process resulted in fixed positions of ethno-nationalists that are only declaratory ready for Brussels. In addition, the idea that EU conditionality will work in Bosnia and solve its post-war political, economic and legal problems seems to result in complete disappointment as seen so far. In that regard, Sebastian points out that the EU jeopardized and failed to link the power and incentives inherent in its accession conditionality to the constitutional reform process in Bosnia (2009: 344). As Noutcheva notes: in essence, the reforms demanded by the EU as conditions for establishing contractual relations with BiH link its membership prospects to changes in the internal state structure of BiH (2009, pp. 1070-71). However, internal politics in Bosnia could not be significantly affected by EU promise of membership.

2.3 The EU's Capability-Expectations Gap

The literature of the European studies has been full of praise, potential and arguments perceiving of the EU as a normative, civilian, humanitarian, and even military actor at the international stage. However, the most important thing here is to understand and evaluate practical relevance and concrete results of such academic statements. In other words, it is of utmost importance to measure and explain whether there is relevance between the idea of "European actorness" and tangible results achieved in practical delivery. Thus, in 1993 it was Christopher Hill who analysed the European Union from the angle of its international role and came to conclusion that there is the so-called "capability–expectations gap" - between what the EU has been talking to be doing and what it is actually able to deliver in practice. Hill (1993: 315) points out that the capability–expectations gap has resulted from three closely related factors: namely, the ability to agree, resource availability, and the instruments at the EU's disposal. As Toje claims, "without capabilities and frameworks in place, the lack of agreement on foreign policy goals and the means by which they are to be attained could remain clouded in ambiguity" (2008: 124). That is, for the EU to promote itself as a capable and powerful actor in global politics it is important that it shifts from mere rhetoric about its "actorness" to resolving acute problems in world and in its neighborhoods. As Hill claimed, if the capability–expectations gap is to be closed, the notion of European international activities must be grounded in demonstrated behavior rather than potential and aspirations (Toje, 2008: 123).

In this light, it is important to understand the role and potential of the EU to press for reform process in Bosnia in order to make this country success story instead of the "sick man of Europe". To put it differently, without confronting Bosnian malaise seriously and constantly accusing the domestic ethno-nationalist political elites inflammatory rhetoric as a primary reason for years-long deadlock the EU is pursuing risky policy which describes it as a weak and not-serious-enough to challenge sensitive global problems. In fact, eighty-eight percent of Bosnians support Bosnia's European ambitions, according to the poll conducted by the Bosnian agency for European integration for which 1,200 people were questioned (Eubusiness, 2011). Furthermore, the poll results show that support for EU membership is strongest in Bosnia's Muslim (Bosniak) community with 97 percent in favor, while 85 percent of Bosnian Croats support it and 78 percent of Bosnian Serbs (Kotonika, 2011). Such a significant number of proponents for EU integration among the citizens of all the three ethnic groups is an opportunity for the EU to prove its practical capabilities. However, there is a question mark whether the EU can meet the expectations of the Bosnian citizens? Does it have necessary tools and resources to help resolve Bosnian enigma? Therefore, as Hill stresses it is very important for all sides involved to measure the effectiveness of current Europeanization process in Bosnia and sketch "a more realistic picture of what the Community (EU) …. does in the world" (Hill, 1993: 306).

2.4 The EU's Main Operating Tools

The EU has established bodies and instruments through which it attempts to speed up Bosnia on the road to full membership. One such body is the European Union Special Representative in BiH (EUSR) which is currently acting as a High Representative as well. In March 2001 Lord Paddy Ashdown was named as the first EUSR in BiH. The main and the most important duty of EUSR has been to help the BiH government in making EU reforms. As the Commission stresses, the mandate of the EUSR is to promote overall political coordination and offer the EU advice and facilitation to BiH to help the country meet necessary requirements for the EU membership (EC, 2009: 8). The EUSR's Special mandate is derived from the European Union's policy objectives in Bosnia and Herzegovina. These include, in particular, helping achieve progress in implementing the Dayton Peace Agreement as well as in the Stabilization and Association Process, the process by which BiH moves towards the European Union (EUSRBiH, 2011). In addition, the EUSR regularly reports to the Council of the European Union, the inter-governmental body representing the 27 EU member states, through the High Representative for the Common Foreign and Security Policy and Secretary-General of the Council. Thus, the EUSR has been of crucial importance to put pressure on domestic political leaders to continue with the EU-related reform process. However, due to vague position of the EU on the Bosnian crisis the EUSR has played unclear and ambiguous role.

Thus, very often there has been serious imposition of reform process from the HR/EUSR on local politicians. Probably this was clearest during recent police reform. The Commission Feasibility Study published in November 2003 identified weaknesses in the policing system in BiH and concluded that it is necessary to "proceed with structural police reforms with a view to rationalizing police services" (2003: 26). As BiH political elites could not make compromise on the necessary reforms the EUSR imposed the reforms on them and thus solved the deadlock. This finally enabled the EC to recommend the start of SAA negotiations with the BiH government on 21 October 2005. However, such an imposition was clear forced Europeanizing reform. Previous HR Petritsch summarized the situation by stressing: "*I furthermore wanted to move this country away from a situation where it seemed, that fundamental changes – at times even alien to its local traditions – were being simply imposed on this state and its citizens. More often than not – the country was treated as object*" (2006: 4). BiH future in the EU is thus highly uncertain and even problematic because of the underdeveloped domestic policy-making structures and serious marginalization of both political representatives and ordinary citizens from open democratic deliberation. That is, coerced Europeanization by the EUSR has hampered genuine democracy to flourish. Thus, the EU is implicitly paralyzing active involvement in policy-making and political responsibility of the Bosnian politicians.

In addition, very often disunited position of the EU member states makes the role of the EUSR in BiH ineffective and highly irrelevant. For instance, the

status of the double-hated OHR/EUSR was sometimes very unclear and disputed. Thus, commenting on the appointment of Lord Ashdown as the EUSR the EUPM official claimed that without dedicated EUSR staff, it was felt that "he was the right person for the job…but he never really was the EUSR" (Mustonen, 2007: 20). Also, another EUPM official put it that "the EUSR position was essentially irrelevant." (Mustonen, 2007: 20). This was the case when in January 2009, the international community's High Representative and the EUSR in Bosnia and Herzegovina (BiH) unexpectedly announced his resignation in order to take up the post of Slovak Foreign Minister instead. From his early mandate he knew very well that his position was like 'riding a dead horse' as he used to say. Therefore, as Judy Batt points out, "the abrupt departure of HR/EUSR Lajcak has exposed drift and disarray in the EU's policy towards BiH" (2009: 1). It would not be far from truth to say that Lajcak did not have clear-cut message of support from Brussels which would help him to do his job effectively. As the International Crisis Group pointed out in its report, "There is some reluctance in Brussels for taking up such responsibilities, especially if its means deployment of the largest ever EUSR office, and increased EC funding (2007: 27).

2.5 From American to Brussels Era

Today, it is the EU rather than other bigger world players from international community such as USA, Russia, and China, more heavily involved in the political and economic affairs in the western Balkans and in Bosnia and Herzegovina particularly. During the Yugoslavian crisis in the early 1990s the EU had played very weak and incoherent role due to a serious lack of commitment and political will of its member states to pool more sovereignty in order to build stronger and more coherent security and defense policy at the European level. As Javier Solana points out, "when the Yugoslav wars broke out in the 1990s we watched as our neighborhood burned because we had no means of responding to the crisis (2009). Although, at the beginning of the Yugoslav crisis the Luxembourg Foreign Minister Jacques Poos, then head of the EC Presidency, declared that the organization would intervene in the Yugoslavian crisis because it was "the hour of Europe, not the hour of the United States" the opposite proved true since it was a diplomatic fiasco for Europe and a diplomatic and military domination of the USA. Thus, famous Henry Kissinger's question, "what is Europe's phone number?," proved its relevance here. What's more, it was only with US leadership and initiative which created the Dayton peace agreement in November 1995, ending a brutal three and one-half year bloody war in Bosnia (Kim, 2008: 1).

However, after the war the EU developed more strategic and tangible approach towards the Western Balkans countries. There has been an understanding that instability and possible conflicts in the region pose direct and serious threat to the EU. As a response, the EU developed more pro-active and comprehensive

security and defense policy at the European level. As pointed out by Chris Patten, the European Commissioner for External Relations, "the dreadful humiliation Europe suffered in the Balkans in the early nineties also made us realize that Europe had to finally get its act together (2003: 2). Among other things, in December 2004, the EU launched a peacekeeping military operation in BiH, replacing NATO's SFOR mission. In addition, the EU sent its Police Mission to Bosnia in January 2003 to replace the UN's International Police Task Force (IPTF) as part of the broader rule of law strategy in BiH and in the region. On the other hand, the US put diplomatic and military priority and deployed most of its troops in Iraq and Afghanistan. Following initiation and later signing of SAA the western Balkan countries the region shifted from the US-dominated Dayton era into the the EU-dominated Brussels era. As Javier Solana, the former High Representative of the EU pointed out, the most fundamental objective of the EU at this transition stage is to move from "the era of Dayton" to "the era of Brussels" (2004). However, the Brussels era has not passed without challenges.

2.6 Credibility Crisis of the EU in Bosnia

Following the US shift in its foreign policy of prioritizing other regions more than Bosnia such development has left significant diplomatic space for other global powers such as the EU to assert its influence in this highly problematic country. As a result, Hadzikadunic believes that gradual withdrawal of the US from the western Balkans towards more critical world regions has signalized leaving the Balkans region to the EU as its natural and strong ally (2005: 23). Although the Union developed new institutional relations with the regional countries through newly initiated SAA it has faced a lot of challenges, and especially in Bosnia. The SAA include provisions and measures for future EU membership of the western Balkan countries. In fact, SAA is similar to the Europe Agreements that the EU signed with the Central and Eastern European countries in the 1990s and to the Association Agreement with Turkey. However, since a long-lasting political malaise in Bosnia it is obvious that the "EU's carrot" in the form of SAA has not worked with the local country's officials. In fact, Bassuener and Lyon in this light claim that not only did the SAA not generate momentum, but Republika Srpska (RS) is busy unraveling some of the hard-won gains of the previous 13 years, including reforms required by the EU as preconditions for signing the SAA (2009: 2). That's why, the EU leaders duty is to make the bloc's values, norms, and standards more attractive and more concrete both for Bosnian politicians and its citizens.

Furthermore, the "EU sticks" have not been effective in interactions with the Bosnian political elites. Better to say, the EU has not developed adequate "stick policy" which could be applied to politicians, political parties, and organizations that support policies that are opposed to Euro-Atlantic integration principles and that question the state institutions. Thus, only recently has the EU foreign minister Lady Ashton demanded that her new Bosnian envoy, part of her newly created

diplomatic service, be given new powers by the Council of EU foreign ministers to impose travel bans and asset freezes on obstructionist Bosnian politicians (Waterfield, 2010). Even the EU financial aid directed for the country has not been enough motor force that would motivate domestic politicians to implement necessary measures that Brussels had set beforehand. For instance, the EU provides targeted assistance to candidates and potential candidates countries through IPA (Instrument for pre-accession assistance) which supersedes the five previously existing pre-accession instruments, Phare, ISPA, SAPARD, Turkey instrument, and CARDS. Thus, the European Commission has allocated 440 million Euro of support to BiH in its transition from a potential candidate country to a candidate country for the period 2007-2011 under the IPA. BiH as a potential candidate is currently eligible for assistance to transition and institution building and cross-border cooperation. However, the EU has in some instances cut its financial assistance to BiH due to slow reform process. Still, in this way the EU has further pushed the country behind other regional countries on the road to Brussels.

2.7 European Union divided in Bosnia

Very often the EU leaders seem very divided and deliver oppressing messages when the European integration reforms in Bosnia are concerned. In view of the former US Ambassador Charles English, "part of the problem is that the EU itself is divided about Bosnia. Among member states, only a handful, most notably the UK, appear to have a clear grasp of the dangers posed by Bosnia's current political dynamics" (Tanner, 2011). Probably the best demonstration and proof to this fact has been diverse views and opinions of the EU officials regarding the future design and content of the Bosnian constitutional framework. In fact, the Bosnian authorities are expected to implement the European democratic values and effective bureaucratic standards that are based on the Copenhagen and Madrid criteria, respectively. However, although the Copenhagen and Madrid criteria propose what are the standards and measures that have to be implemented by the Bosnian politicians the EU member states have not demonstrated a common and principled position on the necessary constitutional changes. Thus, while EU officials have been vocal in their demands and calls for constitutional change, they have not been clear enough and committed about the specific requirements expected (Sebastian, 2011: 4). As a result, the EU member states are as divided as the local politicians are over the design and shape of the future Bosnian constitution. This has resulted in a huge EU credibility crisis in Bosnia.

Over time there have been even oppressing messages from the EU politicians and officials regarding the content and degree of reform within the country's constitution. To clarify, the European Commission President Barroso pointed out that while constitutional reform was not a strict condition for signing the SAA, "there is [a] link between these two processes. ... The EC and EU have to be convinced that they have a partner in BiH, which will be capable to respect its

promises and implement the Agreement that we negotiate now" (2006). Thus, this has been a sort of informal requirement that the EU officials expect from the Bosnian political representatives to implement in order to speed up the whole European integration process. However, there have been a number of European leaders who do not support the idea that Bosnia needs a new or modified constitution in order to enter the EU family. For instance, Welner Almhofer, Austrian Ambassador to BiH, claims that the European Union had never set the successful implementation of constitutional reforms as a condition for BiH's EU membership (2006). Better to say, the EU authorities have perceived the constitutional reform as an informal conditionality without clearly stated rewards or punishments for BiH politicians.

Even though the EU leaders have often stressed that BiH cannot realize its EU aspirations if it does not reform its constitutional framework most of them have not explicitly stated what are these constitutional reforms expected from the Bosnians. This happened to a large degree due to diverse national interests of the EU member states on foreign policy questions and due to vagueness of the Copenhagen and Madrid criteria that are open to political manipulation. As Govedarica points out: "It is true that the EU has had no clear stance towards Bosnia. For a long time the EU officials have believed that the mere process of European integration will solve the country's problems. However, when it was clear that it was not the case then the EU could not find adequate alternative instrument" (2010). Better to say, since the EU has not stressed clearly the measures required the Copenhagen and Madrid criteria can be understood in thousand of different ways as is the case with the Bosnian elites. As a result, Bosnian Muslims want to enter Brussels as a country with strong and powerful central state. Bosnian Croats are in support of highly decentralized country. Bosnian Serb leaders see Bosnia in the EU as a weak central state with strong entities. Obviously, the EU should set the standard to solve the Bosnian impasse.

2.8 Initiative Failure for the Dayton II

Dayton Agreement established the Constitution of BiH in an annex of the Agreement deciding on the division of the country into two Entities: the Bosniak/Croat Federation of BiH (mainly controlled by the Bosniaks and Bosnian Croats), and the Republika Srpska (mainly governed by the Bosnian Serbs). Both country's entities have their own political and administrative structures. The Federation of BiH is divided into three levels: the Entity level, the Cantonal level, and the Municipal level. The RS does not have a cantonal level, it only has municipalities. Overall, the DPA has succeeded in keeping BiH as an independent and sovereign country with a joint multi ethnic government. Thus, the current political system in Bosnia is a product and result of the DPA. Also, one of the most important goals of the DPA, restoration of security and physical infrastructure, has been satisfactorily met. However, the broader objective of organizing a multi-ethnic, democratic, and economically self-sustaining country is still a long way to

happen (Daalder and Froman, 1999: 107). That is, while the DPA brought the war to an end and laid the foundation for consolidating peace, many observers also believe that the agreement as a document reflects wartime circumstances cannot by itself ensure BiH's future as a functioning and self-sufficient democratic state (Ashdown, 2005).

Since domestic politicians could not agree on necessary changes within the constitution it has become more than obvious that external mediation is deadly required if any significant progress is expected. And this happened when the EU authorities decided to take decisive and concrete diplomatic lead in fixing Dayton and thus pawing a way for a new era of functional, self-sustaining and democratic BiH. Thus, during the Swedish EU Presidency there has been such initiative on the constitutional reform on 10 October and again on 20-21 October, when Carl Bildt, Sweden's foreign minister, Olli Rehn, the European commissioner for enlargement, and Jim Steinberg, the US deputy secretary of state, called most of Bosnia's political party leaders together at Butmir, outside Sarajevo, where they outlined a 'package' of reforms necessary, as they sold it, for deeper Euro-Atlantic integration of their country (Bassuener, 2009). In media, the meeting in Butmir was called 'Dayton 2' which best demonstrates its importance for the BiH future governance. Also, the Venice Commission was informally involved in the drafting process of the constitution. However, it ended in complete failure. Bosnian Serb representatives rejected the proposed reforms as too drastic while Bosniak and Croat leaders described them as insufficient to solve the long-standing political stalemate. Thus, ambiguous and ill-prepared EU-US initiative at the Butmir NATO base just contributed to deepening of current crisis rather than resolving it (Bieber, 2010: 1).

Although EU and US seemed united and coherent in the Butmir process the whole negotiations ended in huge failure as domestic leaders could not be persuaded by the suggested measures. However, as Bosnia is for a long time passing from Dayton to Brussels era the EU is the most responsible actor for Butmir's constitution failure. As Joseph points out, "Washington's central policy challenge has shifted from getting the Bosnians to cooperate to goading the Europeans to act. Although Brussels has far more at stake than Washington does, and although it finally has a collective foreign minister, it still act only when galvanized by the Americans or by crisis, or both" (2010: 62). That is, the EU do not know how to behave like a global player what is happening in Bosnia. What's more, civil society was completely excluded from the Butmir negotiations. This was a clear threat to democratic deliberation that EU diplomats claim to be an important European value. Furthermore, the Butmir meeting has not even mentioned a controversial principle of ethnic voting. Even though the EC clearly stressed that the 'entity voting' has often prevented swift adoption of legislation which hinders country's rapid progress towards the EU membership (EC, 2009: 9). Thus, Butmir talks was a good showcase for domestic and global public that

international community is still relevant actor in Bosnian enigma. However, status quo remained.

Concluding Remarks

It is natural part of transition process that the European Union expects Bosnian government to implement necessary economic, political, legal and administrative reforms as a part of the country's Europeanization process through which it has been going through since late 1990s. However, Bosnia is for a long time in a serious impasse situation due to opposing views of the three ethnic groups on the future design of the country's constitutional framework and the country in general. Also, the EU is equally responsible for the current status quo since its member states are not united in terms of defined standards and measures expected from Bosnian politicians. It seems that European leaders believe that mere process of European integration of Bosnia will bring stability, prosperity and genuine reconciliation to the country. That is, the European politicians expect the Bosnian political elites to make necessary reforms including constitutional changes that will satisfy all three ethnic groups although they know that it is a sort of mission impossible. Although the Copenhagen and Madrid criteria propose what are the standards and measures that have to be implemented by the Bosnian politicians the EU member states have not demonstrated a common and principled position on the necessary constitutional changes. As a result, BiH politicians successfully manipulate with reluctance and ambiguous opinions of EU leaders. This is a serious credibility gap for the EU since it could not assert and present itself as an attractive and powerful actor that is capable of solving Bosnian intrigue.

Although the EU has deployed a variety of strategic tools, instruments and bodies in the post-war Bosnia in order to help the country's reform process on the road to the EU membership it is difficult to say that such approach has been successful and useful. For instance, very often disunited position of the EU member states makes the role of the EUSR in BiH ineffective and highly irrelevant as happened to former EUSR Miroslav Lajcak. Furthermore, as pivotal agreement, the SAA, has not generate expected momentum for reform process in Bosnia and it should be examined in order to make it in line with real needs of BiH. I think that EU leaders are very often making the same mistake of ignoring the real problems of Bosnia because they believe that mere European integration process will make the country democratic, stable and peaceful. It seems that the European diplomats are making the same mistake again and again since BiH politicians thus manipulate with their reluctance and ambiguous position. As a result, the European diplomats stay in a vicious circle between their 'European values' and radically opposing interests of the three ethnic elites. As Batt points out, "The EU needs to rebuild its credibility in BiH by forging a unified position on a long-term strategy for the country, actively engaging in the constitutional reform process and giving more effective support to the next EUSR" (2009: 1). Thus, if the EU wish to become significant and credible global actor it should first solve problems at its backyard.

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