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Country Report

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Bosnia and Herzegovina – a special country

A quarter of a century after the war ended - light and shadow

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On October 1st, 2019, Amel Tuka was rewarded for his 800 meters in 1:43.47 minutes with the silver medal at the World Athletics Championship in Doha. The Vice World Champion from Bosnia and Herzegovina was the only European among the first eight and one of three participants of the World Athletics Championship from BiH. The country's unexpected international success was hailed in the country and for a moment it managed to present it in a positive light.

However, the shadows of the past persist. This year marks the 25th anniversary of the Srebrenica genocide and the signing of the Dayton Peace Agreement in 1995. The slaying of over 8,300 boys and men in July 1995 by Bosnian Serb forces led by General Mladić and by paramilitaries was the worst war crime in Europe since the end of World War II. After 25 years, the mental wounds cannot have healed.

Remembering and commemorating the victims on the anniversary would also offer an opportunity to document the common interest for the future and the work on softening differing political interests of Bosniaks, Serbs and Croats. With all the known weaknesses and deficits, there are definitely positive developments as well. Despite all its shortcomings, Bosnia and Herzegovina is today considered a democratic state in which citizens have constitutionally guaranteed rights in accordance with the Universal Declaration of Human Rights and the European Convention on Human Rights. The Dayton Peace Agreement is still the basis of the political system, although it is not a permanent solution. Deficits include the failure to implement the European Court of Human Rights (ECHR) judgment in the Sejdić/Finci case against Bosnia and Herzegovina from December 2009. The Court found discriminatory provisions against Jews, Roma and representatives of other national minorities in the Constitution of Bosnia and Herzegovina.

Role reversal - but only partly

"A new government in Bosnia and Herzegovina - the starting signal for reforms?" Asked Sabina Wölkner in the Konrad Adenauer Foundation Country Report in January 2012. Eight years and two elections later, this question can be asked again.

The elections brought about changes for the composition of the Presidency of Bosnia and Herzegovina. Elected were Šefik Džaferović (SDA) as the Bosniak member of the Presidency,

Croatian member Željko Komšić (DF) and Milorad Dodik (SNSD) as the Serbian member. While in the old presidency all members of the presidency were members of political parties that belong to the EPP, it is now Džaferović alone. The election of Dodik in particular makes the country's further steps into NATO much more difficult.

With the formation of a new government at state level after the elections in October 2018, only one necessary step was taken. Neither the direction nor the timing of the next steps was announced. The House of Representatives of the Parliament of BiH confirmed the appointment of Zoran Tegeltija from the SNSD as the chairman of the Council of Ministers.

The Council of Ministers currently has 9 members from the following parties: SDA, SBB, HDZ BiH, SNSD, and DF. The appointment of Ministers of the Ministry of Human Rights and Refugees still hasn't been completed. The SNSD proposed Mladen Božović from the DNS. As a reminder: The election winners on October 7, 2018, with a low voter turnout of 53 percent, were the SDA, the SNSD and the HDZ BiH. The PDP and SDS left the government and the SNSD took its place. Of the former four government parties that were members of the EPP, or have applied for membership, two remain in the government.

The ratio of voters did not cause this exchange. Apparently, the goal was to include Milorad Dodik's SNSD in the government.

The incomplete formation of the Council of Ministers took place under noticeable international pressure and in the background of the upcoming local elections, already scheduled for October this year. Without question, the election campaign in the municipalities has already started.

A new government has still not been formed in the Federation entity of BiH. While the government of the Republika Srpska entity was formed in December 2018, with the SNSD leading a 2/3 majority in the National Assembly of the Republika Srpska in Banja Luka, the HDZ BiH is blocking government formation in the Federation entity by requesting a new electoral law.

12 points for the government

There were no political discussions over the urgently needed reform agenda for the country. Although already decided in 2009, the public debate was almost entirely about Dodik and the SNSD's rejection of Bosnia and Herzegovina's membership in NATO. It is worth noting that Bosnia and Herzegovina is involved in the NATO mission in Afghanistan, providing over 50 soldiers and officers. The present narrative may delay the path to membership.

None of the existing domestic challenges were placed on the agenda in the political process of majority formation for a new government.

The agreement for the formation of the government between the chairmen of the SDA, the HDZ BiH and the SNSD comprises just 12 general points. Anyone wanting to know which government projects the Council of Ministers will implement until the elections in Bosnia and Herzegovina in October 2022 and what specific goals it is pursuing, is left without an adequate answer.

Unused opportunities

Positive developments in Bosnia and Herzegovina are evident in the economy on numerous counts. Although the economy is one of the weakest in Europe, the manufacturing industry and tourism are in some cases growing by double digits. The European Union is by far the largest trading partner. Germany is the most important trading partner among the member states. Energy generation also offers opportunities. After all, electricity is the strongest export good and the generation of electricity from water, wind and sun has great potential. There were and still are foreign investments. Public investment funds are also available. The fact that the formation of the Council of Ministers took a long time has delayed some important decisions in this matter as well.

Lack of legal protection

Effective legal protection is lacking in Bosnia and Herzegovina. The publication of the Experts' Report on Rule of Law issues in Bosnia and Herzegovina of December 2019 by Mr. Priebe clearly defines deficits and necessary reforms in the judiciary. Reference is made to the Country Report of the Rule of Law Programme South East Europe on the so-called Priebe Report on the judiciary in Bosnia and Herzegovina.

Despite great support from the international community, building a workable constitutional state is one of the country's greatest political and practical challenges.

Education/PISA

In 2018 Bosnia and Herzegovina took part in the OECD's international PISA study for the first time. The country placed 62nd on the test. Around 600,000 schoolchildren from 79 countries and regions took part in it in 2018. PISA does not query factual knowledge, but tests whether the participants can apply their knowledge and link information in a meaningful way - key competencies to be successful in the information society of the 21st century. The results of the study were noted.

The country's difficulties become apparent when it comes to education policy. The Republika Srpska entity, 10 cantons in the Federation entity and the Brčko District are responsible for educational policy. Although there is a joint agency for educational content, there have been no political reactions to the PISA results. The country's participation in the following PISA study in 2021 is so far unclear. The decision of the Presidency of Bosnia and Herzegovina that is necessary for the participation was not made. The background is apparently the rejection of it by Milorad Dodik.

Migration

The number of illegal entries rose from less than 1,000 in 2017 to over 29,000 in 2019. Migrants are targeting the countries of the European Union in Central Europe. The politicians in the country therefore see Bosnia and Herzegovina as a transit country. When dealing with migrants, the state and local structures are overwhelmed in many ways. Cooperation with the European Border and Coast Guard Agency (Frontex) in border management could alleviate the situation. It remains to be seen whether the cooperation between Serbia and Frontex agreed in November 2019 will influence its previous rejection in Bosnia and Herzegovina due to the SNSD.

Exodus

In 2018, 190,495 people from Bosnia and Herzegovina lived in Germany. The Central Register of Foreign Nationals witnessed an increase by 9,545 compared to the previous year. In 2016 there were 172,560 people from BiH in Germany. The long queues and waiting times in front of the German Embassy in Sarajevo suggest that the number rose to over 200,000 in 2019. In addition to young people, it is families who go. Bosnia and Herzegovina has a serious demographic problem. In 2017, the fertility rate in Bosnia and Herzegovina was only 1.38 children per woman. The fertility rate was 1.59 in the EU and 1.57 in Germany. The reasons mentioned for leaving the country are economic interests and often a lack of prospects and an uncertain future. The concrete effects of the exodus are evident beyond the families that are leaving. Business representatives point to a shortage of skilled workers. The entry into force of the Skilled Immigration Act on 1 March 2020 should further increase these numbers. Germany is committed to the ethically responsible acquisition of skilled workers, but it remains to be seen what impact this commitment will have in practice.

So far, politics in Bosnia and Herzegovina has had no response to this serious development. The existing potential of the diaspora has so far been underused. The personal accomplishments of the diaspora on the other hand are sometimes impressive. On 7 January 2020, Alma Zadić was appointed Federal Minister for Constitution, Reforms, Deregulation and Justice of the Republic of Austria in the government of Chancellor Sebastian Kurz. Zadić comes from Tuzla, and with her parents, she fled the war in Bosnia and Herzegovina when she was a child.

The networks, skills and resources of the diaspora are needed in the country to develop and be successful in times of economic competition. Remittances (the transfers from the diaspora) are of enormous importance for the overall economy and many private households. According to estimates by the World Bank in 2018, the Diaspora transferred EUR 1.97 billion to BiH - 11 percent of the gross domestic product.

EU accession prospects

The application for membership in the European Union was made in February 2016. Although the vast majority of politicians support membership, the EU accession process is sometimes difficult. According to the Commission Opinion on Bosnia and Herzegovina's application for membership of the European Union, fourteen key priorities are to determine the talks between the Council and the new government in Bosnia and Herzegovina. The rule of law and the fight against corruption are among them. The impact of France's negative vote on the accession negotiations with Albania and North Macedonia on Bosnia and Herzegovina remains open. In recent years, the requested membership has been mentioned as the main reason for the need for reforms. This approach has partly lost its significance, and not only due to the actions of France. It is clear that Bosnia and Herzegovina has since been overtaken by its neighbors on its way to Brussels. Nevertheless, the prospect of EU accession is a high priority for Bosnia and Herzegovina.

25 years after the Srebrenica genocide

This year marks the 25th anniversary of the Srebrenica genocide and the signing of the Dayton Peace Agreement in 1995. The slaying of over 8,300 Muslim men and boys in July 1995 by Bosnian Serb forces led by General Mladić was the worst war crime in Europe since the end of World War II. With 100,000 deaths, the war claimed the largest number of victims, compared to all other wars in the former Yugoslavia. After 25 years, the mental wounds cannot have healed.

Remembering and commemorating the victims on the anniversary would also offer an opportunity to document the common interest for the future and the work on softening differing political interests of Bosniaks, Serbs and Croats. With all known weaknesses and deficits, there are definitely positive developments as well. Despite all its shortcomings, Bosnia and Herzegovina is today considered a democratic state in which citizens have constitutionally guaranteed rights in accordance with the Universal Declaration of Human Rights and the European Convention on Human Rights.

The hope remains, that at least some politicians will have the strength to send such signals. Every step towards normality is good for a stable Bosnia and Herzegovina.

The Priebe Report clearly summarizes the wishes of many people in Bosnia and Herzegovina in two sentences: "The politicians in the country should work together more constructively so that important reforms can be initiated. However, that is not being done sufficiently in the past years."

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