



TWENTY-FIVE YEARS LATER, THE LEGACY OF DAYTON PEACE AGREEMENT

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Last 14th of December marked the twenty-five years anniversary of the Dayton Peace Agreement, signed at the Paris Peace Conference to mark the cessation of hostilities in Bosnia and Herzegovina. The country is a small heart-shaped land in the middle of the Balkan peninsula with a population of a few million, nevertheless its capital Sarajevo has been crucial for the twentieth century. Indeed, being anything but a short century, it was here that two key events marked an epoch. The 1900s Alpha and Omega, assassination of Archduke Franz Ferdinand in 1914 and siege of Sarajevo during the Bosnian war in the 90s, have been extraordinarily important for the country itself, the European region and even the entire world. In 2020 it is still important to talk about



this country and the pivotal moment marked by the signing of the peace.

In order to commemorate the 25th anniversary of the Dayton Accord, formally known as the General Framework Agreement for Peace in Bosnia and Herzegovina, I propose an analysis of the real impact of an agreement that undoubtedly marked the end of a harsh war and restored peace, but failed to boost dynamics of social reconciliation and to establish efficient institutions and structures for the country. If we consider the legacy of the Dayton Peace Agreement a quarter-century later, what comes readily to mind is the fragility of the socio-economic situation of the country. Indeed destabilization, disaggregation and marginalization, instead of being tackled by the new Constitution adopted through the Agreement, remain the central cleavage in the political and social life of Bosnia and Herzegovina. Corruption, inequalities and poverty have merely come about as result of the Dayton original sin.

The Agreement included a set of annexes, one of which the Annex 4 was the new Constitution, that indicated not only broad principles to restore the peace but suggested a general framework to support this process. The fact that the Constitution itself has never changed since it was negotiated and drafted by the international community and the local warlords, means that the whole institutional setting and administrative structure instead of being of limited duration to guarantee a first set-up for a broader



political approach converted into a permanent constitutional framework.

To be fair the Agreement and its annexes did put an end to the fratricidal conflict and succeeded in stopping the aggression, but it was made to happen culpably late and the toll for this war is immeasurable: the loss of at least 200.000 lives, the displacement of more than a million people, the destruction of cities, villages, schools, holy sites and libraries. In this regard it has been proved that a genocide took place there, referring to the Srebrenica massacre and to crimes against humanity and ethnic cleansing throughout areas controlled by the Serbs, and that the term urbicide is often used to define the violence perpetrated against many neighborhoods during the sieges of many urban areas in Bosnia and Herzegovina.

Given these facts, and hence the controversial issues with regard to the international community and the UN intervention, it is also worth notice what are the roots of this deadly conflict and to do so a brief examination of the regional recent history is required. For most of the 20th century the Western Balkans have been grouped in Yugoslavia, the so-called South Slavic Land, with Bosnia and Herzegovina at its core as one of the Constituent Republics that made up the Socialist Federal Republic after World War II. With his authority the Yugoslavian leader Tito managed to contain the nationalist questions and in 1974 adopted a Constitution introducing the notion of constituent peoples as a compromise. At his death, since he was the main unifying factor, the ethnic tensions



started to gain a foothold in the Federal Republics and some ambitious leaders of the constituent peoples used this rising sentiment to seize power. This destabilization led in the early 90s to the break-up of Yugoslavia and the consequent outbreak of conflicts between the major ethnic groups.

In Bosnia and Herzegovina all of this was especially true, because the values of brotherhood and unity, with inclusion of minorities and pluralism guaranteed to the three peoples under the Yugoslavic period, fall apart and in a jiffy when the Republic declared independence in 1992. Bosniaks, Croats and Serbians were already three of the constituent peoples of the Federation according to Tito's compromise and this division became the key to the eruption of a conflict with war crimes such as ethnic cleansing, massacres, rapes registered on all sides by the International Criminal Tribunal for the former Yugoslavia.

In 1995, after NATO intervention and a number of unfruitful negotiations, at the Dayton air force base new peace talks were held and the final version of the peace agreement signed on 14 December in Paris ended the war. Seated at the official negotiating table Slobodan Milošević, Alija Izetbegović and Franjo Tuđman, respectively the Serbs, Bosniaks and Croats leaders, signed the peace agreement representing at the same time the parties in conflict and those appointed to reconstruction. Indeed, the Dayton Agreement and the new constitution included ensured stability through political, and here therefore ethnical, elites that managed



to keep controlling the monopoly of the country before, during and after the war.

The fracture that sparked off the conflict with tragic consequences for hundreds of thousand of civilians was not solved, but merely frozen because the three nationalist parties succeeded to replace the war with politics and to guarantee the survival of politicians with blood on their hands. The Dayton Agreement seems to be designed to allow those who profited from war to start profiting from peace and reconstruction. Building a complex democratic structure meant for the people to accept it from above while for the elites granted the right to participate on the ethnical basis. Once the war was not profitable as it used to be in the previous years, the parties directly involved took the chance to move towards a peaceful solution to be designed within a clientelist structure.

The ruling ethnic parties adapted to the new complex framework established by the newly adopted Constitution and learned how to turn it into a profitable tool for each of the elites without any regard for the wider public interest. The anachronistic and discriminatory concept of constituent peoples, which basically means ethno-nationalist groups, added to the lack of political will and a narrow vision of the national interests made this country bogged down in a permanent veto paradox that routinely blocks every attempt at reform.

What Bosnia and Herzegovina needs and how the international community, including a prominent role of the European Union,



should do has been outlined and discussed many times since the Agreement took effect a quarter of a century ago. What is lacking at this stage is not how to reform the system of a country that for years has clearly discouraged to consolidate an effective democratic political process, instead it is fundamental to put forward the need for change. The goal should be to guarantee a real change in the political agendas and to do so, citizens have to stop blaming Dayton and its corrupt clienteles system and start to take real actions to overcome this. It is no more a matter of what was established 25 years ago, because there have been opportunities to change, although few, and all have been missed until now.

That said, it should also be important to recognize the difficulties arising from the institutional setting of the Agreement and that some fundamental assumptions, e.g. the return of refugees denied, have not been fulfilled. Dayton's Bosnia and Herzegovina was meant to be a compromise designed to initiate a process to overcome the disputes between the three warring parties, instead it is cleverly being pointed out as the perpetual fig leaf to cover a contradictory, discriminatory and inefficient system.



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