

ASSESSING THE EUROPEANIZATION OF BOSNIA AND HERZEGOVINA: A LITMUS TEST FOR THE EUROPEAN UNION

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Abstract: The concept of Europeanization has become very popular in studies of European integration and particularly in analyses on the post-communist countries undergoing extensive transformation on the road to European Union membership. Although the Europeanization process has been quite successful in the countries of Central and Eastern Europe (CEE), the same scenario has not played out in the western Balkans region. With the purpose of analysing the effectiveness and impact of the Europeanization process in the western Balkans, the main subject of the paper is Bosnia and Herzegovina's EU-related reform processes. Although Bosnia has been undergoing thorough Europeanizing reforms since the late 1990s, when the country entered the Stabilization and Association Process (SAP), it is still an unstable and dysfunctional country. That makes it the perfect case for assessing the possible shortcomings of the Europeanization process. Thus far, most scholars have concluded that domestic political elites in Bosnia are the only party responsible for Bosnia's political deadlock. However, this paper analyses the continued Bosnian deadlock from a different perspective, trying to figure out the degree of responsibility the European Union shares in the country's Europeanization process. Although uncooperative Bosnian political elites are to a great extent responsible for the continued political and social status quo, EU leaders are not faultless either. In fact, so far European leaders have often appeared to be deeply divided, incoherent, and short-sighted in terms of Europeanization policies in Bosnia, thus further deepening the political deadlock in the country. Therefore, we can ask whether Bosnia represents a litmus test which the EU has failed.

Keywords: The European Union; Bosnia and Herzegovina, Europeanization; European standards; international community; ethnic politics; capability-expectations gap

Political context and the research question

Although from time to time we can read and hear statements and opinions to the effect that although the future of Bosnia and Herzegovina (hereinafter, Bosnia or BiH) is in the European Union, this Balkan country is very far from full EU membership. Despite the fact that it has been undergoing a project of extensive Europeanization, it still faces serious political and social deadlock. Since 2000 Bosnia has been a potential candidate country, waiting in turn for longer than any other Balkan state. While other countries in the region have made significant progress towards Europe, Bosnia has lagged behind. According to the European Commission's Progress Report for 2011, which evaluated the country's progress

in the EU integration process, Bosnia and Herzegovina is lagging behind other countries in the western Balkans. Albania and Bosnia have turned out to be the weakest Western Balkan students this year (Topalova 2011). As was anticipated, even before its official release, the Commission's monitoring on Bosnia has been very negative. In other words, it is the most negative report the European Union has sent regarding Bosnia's EU-related reforms. In addition, in October 2010, general elections were held and more than a year later, local politicians have not agreed on the state government (Pasic 2011). Thus, the process of moving from the post-conflict environment of the Dayton Peace Agreement to a state ready for membership in the Euro-Atlantic structures is far from finished (Aybet, Bieber 2011 1911). It seems that the idea of European integration has not proved to be an attractive mechanism which could motivate Bosnian politicians into reconciling their ethnic divisions. While the Europeanization process has brought relatively positive change to Central and Eastern Europe (CEE), in Bosnia it has not worked out as expected.

It would be better to say that the promise of European Union membership has not proved sufficient to make Bosnian political elites include European values, norms and rules in domestic policies. Despite the fact that Bosnian politicians claim that the strategic goal of the country is Euro-Atlantic integration, few of them are attempting to make this happen. Furthermore, most Bosnian politicians still use inflammatory nationalist rhetoric rather than discussing Bosnia's shared future as a member of the EU. Such political discourse clearly displays a continued lack of genuine inter-ethnic dialogue and potential for reconciliation. Rather than focusing on practical questions relating to European integration and the living standards of citizens, Bosnian politicians continually pursue a "politics of fear", which further increases inter-ethnic disagreements. This is clear proof of their irrepressible and short-sighted attitude in the public sphere. 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 general prosperity (2009, 1). As a result, the long hegemony of the same nationalist elites, has meant that Bosnia has been the "sick man of Europe" for more than a decade.

Ethno-nationalist political parties have dominated the political sphere in Bosnia since the first democratic elections, held in 1990. Also, the political domination of nationalist parties has been confirmed at each election, the only exception being the elections in 2000 when the Social Democratic Party, (Socijaldemokratska partija, SDP), a multi-national party, won the elections. Thus, political competition has been built largely on ethnic rhetoric, the so-called politics of outbidding, as nationalist parties have cemented their early seizure of power in successive elections (Jarstad 2006, 16). It would be naive to reject the rule of ethnic parties since citizens elected them in democratic elections. However, these nationalist political elites were not able to compromise on crucial reforms in order to apply for EU candidate status. Therefore, the EC (2007, 5) 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.

There is no doubt that ethnic politicians can be accused of failing to resolve the political and social crisis in the country. However, the role and responsibility of the international

community, and especially the EU states, has often been overlooked. Given that both EU and Bosnian politicians are active players within the Europeanization project, the EU should also feel some responsibility for the country's political status quo. In order to assess the question of EU influence in Bosnia the main research question in the paper is:

To what extent should the European Union be blamed for the deficient Europeanization process in Bosnia and Herzegovina?

Bosnia and Herzegovina: relations with the European Union

On 6 April 1992 BiH was recognized as an independent state by the EC (Malcolm 1996, 234). Thus, BiH and the EU established economic and political links more than a decade ago. Especially after the war in Bosnia, the European Union intensified its diplomatic activities towards the western Balkans region as a whole, including Bosnia. Thus, the EU proposed one initiative after another that was supposed to strengthen the European future of BiH (Hadžikadunic 2005, 51). The first such initiative, better known as the Royaumont Process, came from France during its EU presidency in December 1996. The initiative's fundamental objective was the stabilization of South-East Europe. The Royaumont Process was the first regional strategy towards the western Balkans. Although the EU regional approach was rather reactive and policy was inconsistent without clear substance and a long-term vision, this more recent EU approach towards the Balkans and Bosnia was a significant improvement on its ambiguous and catastrophic reaction in the aftermath of Yugoslav disintegration. In 1997 the EU introduced political and economic conditionality into the region for the first time via the humanitarian programmes PHARE and OBNOVA; economic assistance was now provided on condition that its recipients respect human rights, democracy, and the rule of law (Juncos 2005, 96). In this way the European Union changed its strategic approach towards the western Balkans and Bosnia, adopting a more active stance.

In addition, in June 1998 the EU-BiH Consultative Task Force was established. Its main responsibility was to provide technical advice regarding the judiciary, media, administration, and economy. Susko argues that this step launched the country's official integration process towards EU membership (2009, 104). In addition, in 1999 the EU introduced the Stabilisation and Association Process (SAP) establishing firmer political and economic relations with the countries of the western Balkans, the region that today comprises Albania, Bosnia and Herzegovina, Croatia, the former Yugoslav Republic of Macedonia, Montenegro, Serbia, as well as Kosovo. In June 2000 at the Feira European Council, the EU member states agreed that all the SAP countries were potential candidates for EU membership. On 8 March 2000 the EU Commissioner, Chris Patten, proposed a Road Map for BiH as the first step in the SAP framework. The document identified 18 steps which had to be implemented before the feasibility study for the Stabilisation and Association Agreements (SAA) could be begun. Thus, it was only in the early 2000s that the EU began to play a greater role in the state-building process in BiH (Aybet, Bieber 2011, 1918). Furthermore, a European partnership with Bosnia was adopted by the Council on 18 February 2008. Following a difficult reform process the Bosnian government signed the SAA with the EU in June 2008, which was the first pre-accession tool in joining the EU (Vucheva 2008). The SAA was supposed to

strengthen Bosnia's Europeanization process. However, it seems the EU paradigm has not had the sufficient force to dynamize internal transformation processes.

A theory of Europeanization

Given the fact that Bosnia has been undergoing thorough EU-related reform processes for more than a decade, known as the Europeanization process in the literature, Bosnian citizens have high expectations and are confident that Brussels will help them tackle their political, economic, and social stagnation. Again and again the local media reiterate that there is no alternative open to Bosnia other than EU membership (Fride 2008, 5). Therefore it is of crucial importance that the EU has a common strategy toward Bosnia. 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). The Europeanization process should not be understood simply as a means for introducing European regulations and values into local economic, political, and legal structures. In other words, the process of Europeanization as a comprehensive and extensive reform and transformation-oriented process is like a "two-way street" between the European Union and the applicant countries that aspire to EU membership. Therefore, it is of paramount importance that the roles and responsibilities both of the European Union and the EU aspirant countries, in this case Bosnia, are clearly specified. In fact, for the Europeanization process to succeed in any EU aspiring country, it is crucial that local political elites and ordinary citizens alike have a clear idea of what Europeanization is and what that process will bring them. As Anastasakis and Bechev (2003, 5) 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.

Since the main objective of this paper is to explore EU responsibility towards Bosnia's EU-related reform processes, the theory of Europeanization seems an ideal way of doing so.

The idea of Europeanization is widespread in the study of European integration, and especially in studies on the post-communist societies of Central and Eastern Europe and in the western Balkans. Thus, a theory of Europeanization emerged after the European integration project was expanded and when the EU started exerting increasing influence on domestic policies (Quaglia et al. 2007, 408). However, Europeanization is a very broad and vague concept. Olsen (2002) argues that Europeanization is a fashionable term for which there are many definitions. Hence Olsen provides five possible meanings of the term "Europeanization": transformation within external territorial boundaries (enlargement); developing institutions of governance at the European level; central penetration of domestic systems of governance; exporting forms of political organization; and a political unification project (Olsen 2002). Similarly, Dyson and Goetz (2002) point out that the term can be used in a number of different ways,

it is sometimes used narrowly to refer to implementation of EU legislation or more broadly to capture policy transfer and learning within the EU. It is sometimes used to identify the shift of national policy paradigms and instruments to the EU level. ... it is used in a narrower way

to refer to its effects at the domestic level ... or in a more expansive way to include affects on discourse and identities as well as structures and policies at the domestic level.

Hence, Europeanization can have broad meanings and therefore can be used in numerous social contexts.

Nevertheless, most of the scholarly approaches interpret the process of Europeanization as a reform process at local levels influenced by EU policies. In fact, they define the idea of Europeanization as being when something in national political systems is affected by something European (Vink 2003, 63). In a similar fashion, Radaelli (2000) perceives Europeanization as

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.

This interpretation is extremely comprehensible and useful because it affirms that Europeanization is a bilateral process, not just a simple unidirectional process to Europe (Salgado, Wall 2004). Thus, on several occasions European norms and values have not been in line with the EU aspirant country's values and norms. However, Börzel claims that the EU can challenge domestic habits, models and structures using its strategic tools (Börzel 2003). The most crucial aspect of Europeanization is that the *acquis communautaire*, the collective body of the EU's extensive regulations and legislation, is adopted during the integration process. For instance, regarding the EU-related reforms in Hungary, during 1999, "152 of the 180 laws passed were not subject to any debate because they were part of the *acquis*" (Schimmelfennig and Sedelmeier 2005, 2).

The idea of Europeanization gained special currency among scholars during the 1990s (Ladrech 1994). The Europeanization process may have two functions. First, it describes the influence of the European institutions on domestic politics. Second, Europeanization stresses the process of change through which domestic actors adapt to European integration. This effect is best illustrated through the so-called "basic paradigm" (Figure 1.1). It holds that the EU-related reform agenda leads to pressure to make necessary modifications which are also spurred by domestic factors, and in the end produces outcomes (Risse et al. 2001, 6-12). Thus, Europeanization has crucial transformational power over domestic policies. Here, the degree of pressure created by the Europeanization project is of crucial importance. That is, pressure for institutional reform at the domestic level is the result of the degree of "fit" or "misfit" between EU policies and values and those of its member states [or EU aspirants]; the greater the extent of "misfit" between the two levels of governance, the more pressure there will be for domestic reform, until an acceptable level of "fit" has been reached (Börzel, Risse 2000). However, such pressure is a necessary but not a sufficient condition for reforms to be made by domestic actors (Börzel, Risse 2003, 58). That is, meaningful Europeanization is achievable only when the EU and an EU aspirant country make joint efforts to bring a particular country to Brussels. Still, the pressure to adapt to EU integration remains consistently high in the years following accession and Avery holds that this is because the accession process to the EU "can in no way involve amendments to Community rules"

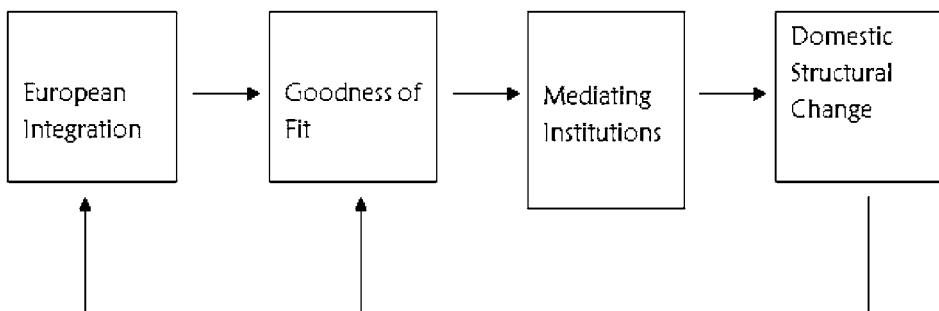


Figure 1.1. Europeanization and Domestic Change

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

(1995, 5). Using the Europeanization model we can ask whether the EU has kept pressure on the Bosnian government to implement EU-related policies and if so, how?

From American domination to the Brussels era

Although a decade ago it was not the case, in 2011 the EU and not other world players from the international community such as the USA, Russia, and China, is heavily involved in the political and economic affairs in the western Balkans and in Bosnia and Herzegovina, in particular. However, during the Yugoslav crisis in the early 1990s the EU had played a very weak role due to a serious lack of political will on the side of its member states to pool more sovereignty in order to build a stronger security and defence policy at the EU level. As Javier Solana pointed out, “when the Yugoslav wars broke out in the 1990s we watched as our neighbourhood burned because we had no means of responding to the crisis” (2009). Although the new security crisis in the region took place in its backyard, the EU states looked on shocked and confused. As a result, the EU states did not develop adequate policy instruments for the Bosnian conflict. In other words, once BiH became independent, the EU left the country to the mercy of fierce nationalist tensions and neighbouring states’ ambitions to divide the country into federal units (Hadžikadunic 2005, 27). During the war in Bosnia, EU-BiH relations were almost non-existent except for humanitarian aid. Although, at the beginning of the Yugoslav crisis the Luxembourg Foreign Minister, Jacques Poos, then head of the EC Presidency, argued that the EU would intervene in the Yugoslavian crisis because it was “the hour of Europe, not the hour of the United States” (Gordon 1997/1998, 75), it was the USA which was the main mediating actor between warring ethnic groups. Thus, through its rather paralysed role, the EU proved explicitly that the Europeans lacked determination and the instruments to bring the crisis under control (Lehne 2004, 11). The Bosnian crisis was seen by some, particularly the Europeans, as having emerged too early in the post-Cold War era, for Europe to properly react on its own (Pond 1999, 1). Hence, Henry Kissinger’s popular question, “what is Europe’s phone number?” proved its moment of truth. Furthermore, only with the strong US leadership which created the Dayton peace agreement

in November 1995 could a devastating three and a half year war end (Kim 2008, 1). Thus, Europe's appalling response to the Bosnian war showed that the European Union (EU) was an "economic giant, political dwarf and military worm" in the global system.

However, in the aftermath of the war in Bosnia, the European Union developed a more strategic approach towards the Western Balkan countries. There was an understanding that instability and possible conflicts in the region posed a direct threat to the EU security. As a response, the EU developed a more comprehensive security and defence policy at the European level. As Chris Patten, the European Commissioner for External Relations, said, the frightful shame that Europe suffered in the Balkans in the early 1990s made us wake up and finally act together (2003, 2). As a result, in December 2004, the EU launched a peacekeeping military operation in BiH, replacing NATO's SFOR mission. Furthermore, the EU sent its EU Police Mission (EUPM) 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. This was the EU's first civilian crisis management operation under its European Security and Defence Policy (ESDP). The EUPM's main goal in BiH was to "establish sustainable policing arrangements under Bosnia and Herzegovina (BiH) ownership in accordance with best European and International practise, thereby raising current BiH police standards" (EUSRBIH 2002). The proliferation of EU-led institutions signalled a substantial engagement of the organisation in BiH (Aybet, Bieber 2011, 1919). In contrast, the US refocused its diplomatic activities deploying most of its troops to Afghanistan. Also, as most of the Balkan countries signed the Stabilization and Association Agreements with the EU, the whole region shifted from the US-dominated Dayton regime to 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 moment of transition was to move from "the era of Dayton" to "the era of Brussels" (2004). Despite ambitious populist rhetoric about the so-called Brussels era of Bosnia, Bosnia today finds itself in the era of Dayton's divisions and hatreds just as it did during the war in the early 1990s. Therefore, we can logically ask whether the EU has sufficient and adequate capabilities and the potential to help Bosnia resolve its political and social crisis.

The EU between capabilities and expectations

In the literature on European integration the EU is projected as being a normative, civilian, humanitarian, and even military actor in international politics. Still, it is essential to evaluate the practical relevance and the actual achievements of such an academic hypothesis. That is, it is of the utmost importance to systematically explain whether there is a link between the concept of being a "European actor" and the practical results achieved. In 1993, Christopher Hill analysed the European Union from the angle of its global activities and concluded that there was a so-called "capability-expectations gap"—between what the EU said it would do and what it would actually be able to deliver in practice. Hill (1993, 315) argues that the capability-expectations gap resulted from three closely related factors: namely, the ability to agree, resource availability, and the tools 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). Therefore, for the EU to promote itself as a capable and accountable actor in global politics it is essential that it switches from the rhetoric about its being a global actor to resolving practical affairs in the world. As Hill claimed, if the capability-expectations gap is to be narrowed, the concept of EU global affairs must be grounded in demonstrated behaviour rather than potential behaviour and aspirations (Toje 2008, 123). As the recent interventions and economic investments of Russia, China, and even Turkey in the western Balkans have shown, a weaker Europe will provide them a new opportunity to expand their “sphere of influence”. As Joschka Fischer, ex-German foreign minister summarized, “the rest of the world will not wait for Europe while it bickers over institutional reform and external policy issues” (2007).

Therefore, it is of crucial importance to acknowledge the potential of the EU to press for the reform process in Bosnia in order to make this country a success story instead of being the “sick man of Europe”. In fact, without seriously confronting Bosnian malaise, and constantly blaming the rhetoric of nationalist political elites in Bosnia as the principal reason for the enduring deadlock, the EU portrays itself as weak and not serious enough to tackle sensitive global affairs. In Bosnia itself, eighty-eight percent of Bosnians support Bosnia’s European aspirations, according to a poll conducted by the Bosnian agency for European integration in which 1,200 people were interviewed (Eubusiness 2011). In addition, the poll results show that support for EU membership is strongest among Bosnian Muslims (Bosniak) with 97 percent in favour, while 85 percent of Bosnian Croats and 78 percent of Bosnian Serbs support it (Kotonika 2011). This high number of EU proponents among the three biggest ethnic communities presents the EU states with a special opportunity to display their practical skills. As was the case in CEE, Bosnians have linked their economic, social and political development with the European Union and have regarded Europeanization as a desirable and modernizing change (Anastasakis 2005). However, there is a question mark over whether the EU can meet the expectations of Bosnian citizens. Has the European Union made use of its asymmetry of power to fulfil a vital goal: the Europeanization of the policies of the EU aspirants, in our case Bosnia? Therefore, as Hill stresses it is very important for all sides involved to measure the effectiveness of the current Europeanization process in Bosnia and sketch “a more realistic picture of what the Community (EU) does in the world” (Hill 1993, 306).

EU conditionality in BiH

The Europeanization project in aspirant countries such as Bosnia is to a large extent driven by the so-called EU conditionality that drives the domestic reform agenda. According to the principles of EU conditionality—in the Balkan compliance case, the EU is an actor on its own, albeit an actor with multiple voices, and its authority to set conditions places it in a hierarchical relationship vis-à-vis domestic actors in the candidate or potential candidate country (Noutcheva 2006, 6). In this respect, Europeanization in the preparatory stage of pre-accession process has represented an externally driven process of reform defined by the EU centres of power (Dirzu 2011, 52). In other words, the Europeanization project is carried out by asymmetry of power enforced by conditionality and this is evidenced by the top-down relationship between the EU and the aspirant countries (Ladrech 1994). Furthermore, EU conditionality is based on “strict conditions”, which the candidate or potential candidate

countries have to meet in order to become full members of the EU (Noutcheva 2006, 1). Furthermore, Schimmelfennig and Sedelmeier argue that “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 set up several strategic methods in an attempt to drive the process of institutional adjustment in accordance with EU standards. Thus, EU conditionality in the Western Balkans, including Bosnia, is built around the following tools:

1. The 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 SAA and 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) (Anastasaki, Bechev 2003, 8).

In fact, EU conditionality is aimed at integrating the Balkan states into the EU: its intention is to promote reform, to prescribe criteria attached to benefits awarded by the EU, and to differentiate among countries by assessing each on its own merit (Anastasaki, Bechev 2003, 1). Although it is taken for granted that EU member states possess significant conditionality power which may motivate local politicians to carry out the required EU-related reforms, many EU aspirants demonstrate significant levels of resistance and disobedience. While many expected that the Europeanizing reform processes would have a serious impact on the crisis-driven western Balkans region and especially Bosnia, a very unstable area, the entire process is characterized by widespread ethnic nationalisms and the radical positions of nationalist politicians, unable and unwilling to reach a compromise. As Miroslav Lajčák (2008, 3) concluded: “There is a mutual recognition amongst politicians of how powerful an instrument it is in Bosnian politics. The simple arithmetic is: nationalism means votes. And the fact of the matter is that, up until two weeks ago, EU integration had become collateral damage to that arithmetic”. Consequently, the idea that EU conditionality will work in Bosnia and solve its post-war political puzzle seems doomed to end in complete disappointment. In that regard, Sebastian points out that the EU took risks and failed to link the power and incentives inherent in its accession conditionality to the main aspects of the Europeanization reform process in Bosnia (2009, 344). Thus, the internal political discourse in Bosnia, and in most Balkan countries, has not notably been affected by accession into the EU and all the economic and political benefits that come with it. What is more, some Bosnian politicians would rather remain in a chaotic and dysfunctional Bosnia if they have to make a choice between the EU and their federal region or entity.

The EU's main institutions

So far the EU has established a noticeable number of institutions and instruments in BiH in an attempt to help local leaders implement the necessary EU standards. One such institution is the European Union Special Representative in BiH (EUSR), which also acted as

a High Representative (HR). However, in May 2011 Peter Sørensen, a Dane, was appointed as the new EUSR to Bosnia and Herzegovina in line with a decision by the EU member states to separate the EUSR position from that of international HR (Vogel 2011). The first EUSR in BiH was Lord Paddy Ashdown, appointed in March 2001. The most important duty of the EUSR has been to help the BiH government implement the EU reforms. As the Commission stresses, the mandate of the EUSR is to promote overall political coordination and offer EU advice and assistance to BiH to help the country meet the necessary requirements for EU membership (EC 2009, 8). The EUSR's special mandate is derived from the EU's policy objectives in Bosnia and Herzegovina. These include helping achieve progress in implementing the Dayton Agreement and the Stabilisation and Association Process, the process by which BiH is to join the EU (EUSRBiH 2011). In addition, the EUSR regularly reports to the Council of the European Union, the inter-governmental institution representing the 27 EU 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 in putting pressure on domestic political leaders to continue with EU-related reforms. However, the role and contribution of the EUSR has often been ineffective, invisible, and counter-productive due to the divided nature of the EU.

For instance, the HR/EUSR have imposed particular reforms on local political representatives. If this were some kind of partnership with locals it would be legitimate and beneficial to the local community. However, in many instances the reforms were strictly imposed without even considering that they might only bring short-term gains. The police reform in Bosnia is the best example of this. In fact, having a unified state police force is unusual as a criterion for EU membership, as it does not normally figure under the economic or political criteria for accession (Aybet, Bieber 2011, 1912). Yet, the Commission's Feasibility Study of November 2003 identified weaknesses in the police system in BiH and concluded that it was essential to proceed with structural police reforms in order to rationalize police services (2003, 26). Following disagreements among Bosnian politicians and divisions over the future police force, the EUSR imposed the reforms and resolved the impasse, which also enabled the EC to recommend the start of SAA negotiations with BiH on 21 October 2005. Although this solved an important problem with the police, this act was the clearest example of enforced Europeanization. Former HR Petritsch summarized the phenomena by stressing that he wanted to make Bosnia and Herzegovina rather free and independent country than simply being an object of the international community (2006, 4). BiH's future in the EU is highly uncertain, even improbable, because its domestic policy-making structures have not been sufficiently developed and there is a serious lack of democratic culture among its political officials. In fact, the Europeanization programme imposed by the EUSR has further prevented genuine democracy from flourishing. Paradoxically, European leaders wanted Bosnian political elites to shoulder more political responsibility while often making critical internal decisions themselves, as happened during Bosnia's police reform.

Additionally, the unclear and disunited position of the EU states is further making the position of the EUSR in BiH highly irrelevant and questionable. For instance, the status of the double-hatted OHR/EUSR was sometimes highly disputed. Thus, commenting on the appointment of Lord Ashdown as the EUSR, a 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 stressed that “the EUSR position was essentially irrelevant.” (Mustonen 2007, 20). In January 2009 the international community’s High Representative and the EUSR in BiH, Miroslav Lajčák, unexpectedly announced his resignation in order to take up the post of Slovak Foreign Minister. In fact, from the very beginning Lajčák was aware 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 Lajčák has exposed drift and disarray in the EU’s policy towards BiH” (2009, 1). In fact, EU policies have frequently been shaped by institutions pulling in different directions (Aybet, Bieber 2011, 1915). Although Lajčák had excellent diplomatic skills and an extensive knowledge of Balkan affairs, he did not have the necessary backing from the central organs in Brussels, which noticeably impacted on his ability to deliver. The International Crisis Group, therefore pointed out in its report that, “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). In support of a stronger EUSR, Joseph and Hitchner stated that in addition to reporting for Brussels, the EUSR must be charged with publicly identifying which actors are responsible for obstructing progress and recommending corrective measures, even including their removal from office (2008). Without a strong and confident EUSR in BiH, representing the main voice of Europe in the country, Brussels cannot expect to be perceived in global politics as a strong and capable organization. As Valasek, from the Centre for European Reform, claims:

The EU has a strong interest in turning BiH into a functioning country. It wants to see its financial and political investments protected. Its credibility as a foreign policy actor is on the line (2009, 2).

The EU’s lack of vision in Bosnia

Over the last decade the United States has gradually been withdrawing from the Balkans, leaving the area’s outstanding problems for the European Union to resolve (Parish 2011). The US has radically altered its foreign policy, prioritizing other world regions over the western Balkans, which has left a significant power vacuum, making it difficult for other global powers such as the EU, Russia, China, and even Turkey to exert more influence in this highly problematic region. As a result, Hadžikadunic argues that the gradual withdrawal of the US from the Balkans in favour of more critical regions has left the Balkans region looking to the EU as its natural ally (2005, 23). Although the EU has developed new institutional relations with the Balkan countries in signing the SAA, it has faced a number of challenges, especially in Bosnia. The SAA includes provisions, regulations and measures to be adopted before the Balkan states obtain full EU membership. That is, the SAA is similar to the Europe Agreements that the EU signed with the CEE countries in the early 1990s and to the Association Agreement with Turkey. However, the enduring political and social crisis in Bosnia demonstrates that the SAA has not resulted in the positive economic, legal, and political reforms expected. Thus, Bassuener and Lyon point out that not only did the SAA not generate the necessary momentum, but Republika Srpska (RS) representatives want to regain

control over competences the central state acquired over the previous 13 years, including reforms the EU established as prerequisite to signing the SAA (2009, 2). Furthermore, the SAA is probably necessary to break the country's deadlock, but alone it is quite insufficient to achieve that goal (Joseph, Hitchner 2008).

Other EU mechanisms have not been so effective in putting pressure on local political elites. That is, only recently has the EU foreign minister Lady Ashton demanded that her new Bosnian envoy, part of the newly established diplomatic unit, be given new competences by EU foreign ministers to impose travel bans and asset freezes on obstructive Bosnian politicians (Waterfield 2010). We might wonder why the EU did not use the "sanction policy" or "hard power" against uncooperative Bosnian politicians before? The EU financial assistance allocated to Bosnia has not even brought more effective implementation of the necessary standards and values set by the EU. For instance, the EU provides targeted assistance to candidates and potential candidate countries through IPA (Instrument for pre-accession assistance) which supersedes the five previous pre-accession instruments, Phare, ISPA, SAPARD, the Turkish instrument, and CARDS. Thus, the European Commission has allocated 440 million euro to support BiH in the transition process from potential candidate country to candidate country for the period 2007-2011 under IPA. As a potential candidate, BiH is currently eligible for assistance with transition and institution building and cross-border cooperation. However, the EU has in some instances even considered cutting financial assistance to BiH because of the slow pace of domestic reforms. That would almost certainly put Bosnia in a worse situation and slow down its European integration process. Lajčák once smartly summarized the threat to leave Bosnia on the sidelines: "We should not invite BIH into the accession process for nothing. But we cannot abandon them either" (2008, 7).

The European Union divisions

It has become almost commonplace to hear conflicting statements and messages among EU officials regarding EU-related reforms in Bosnia and Herzegovina. Cohen believes that if the EU does not clearly support the progress that has already been made in Europeanizing the western Balkan countries, the Union would undoubtedly pay a very high price (2009, 129). Similarly, Mehmedovic claims that "the EU member states' approach towards BiH has been unclear and inconsistent and that's the reason why we can say that the EU has been losing its credibility in the country" (2010). For 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). An apt example of the divisions among EU states has been the nature of the country's constitution. In fact, the Bosnian authorities are expected to implement democratic values and administrative principles based on the Copenhagen and Madrid criteria. While the Copenhagen and Madrid criteria propose the measures to be adopted in Bosnia, as in every other EU aspirant country, the EU states have not demonstrated a common and principled position on the future constitutional reforms. While EU officials have been vocal in their demands for constitutional changes, they have not clearly stressed what those requirements are (Sebastian 2011, 4). As Javier Solana summarized in his speech "I do not think it would be a good idea to open Dayton again at this

moment. Of course, if there is an agreement between the three sides on some arrangements or solutions, I would not be against it . . . [but] I very much hope that as time goes by you will have the discipline and the energy to do this alone, without the need for pressure and impulse from the international community" (2004). It seems that most EU leaders are aware that the Bosnian constitution needs reforming but they do not know how to proceed.

The first serious attempts at constitutional reform in BiH began in 2004. Following the failure of various constitutional proposals introduced in the BiH House of Representatives by domestic politicians, both the Bosniak and Croat leadership turned to international actors for assistance in breaking the deadlock (Sebastian 2009, 342). However, the views and proposals on the constitution expressed by the EU politicians conflicted somewhat. For instance, the European Commission President, Barroso (2006), pointed out that while constitutional reform was not a strict condition for signing the SAA, still there is a close link between these two processes because the EU must be assured that it will have a partner in BiH with whom it can agree on necessary reforms. Similarly, the previous EU Enlargement Commissioner, Olli Rehn, after meeting with Bosnian officials stated that "constitutional evolution" was extremely important for Bosnia to make progress with its goal of joining the EU (RfE 2005). Messages such as this have convinced Bosnian politicians that constitutional reform is required before the country applies for candidate status. However, there have been a number of European officials who do not support the idea that Bosnia needs a new or modified constitution in order to become a full member of the Bloc. One is Welner Almhofer, Austrian Ambassador to BiH, who argued that the European Union had never made the successful implementation of constitutional reforms a condition for BiH's integration to the EU (2006). Since the Bosnian government has heard different opinions from the diplomats in Brussels it has become further confused as to which measures are required for EU membership. Put simply, Bosnian politicians know very well that there are certain standards that each country has to adopt before entering the EU, but mixed signals from Brussels have brought uncertainty and ambiguity. As Sebastian points out, "the reluctance of the EU was evident from its organization of the Brussels meeting of [Bosnian] party leaders, as the Commission only sponsored the meeting, restraining itself from actively setting the course of the negotiations" (2009, 344). The European officials involved often behave ignorantly reminding us of Bismarck who once stated that "The Balkans are not worth the life of one German soldier."

We frequently forget that the EU is expected to strengthen democratic principles in Bosnia as it did in other CEE countries, integrating them into the Brussels family. However, instead of setting principles and measures as it did in CEE, European leaders send conflicting signals or prefer to let the "quarreling" Bosnians themselves decide the nature of the EU agenda. This largely happens due to the EU states having conflicting national interests on common foreign policy issues. Secondly, the Copenhagen and Madrid criteria are flexible, broad, and therefore often even vague, which increases the potential for political manipulation by politicians in EU aspirant countries. As Govedarica (2010) concludes, even though the EU leaders have thought that the mere process of European integration reforms will solve the country's problems it has become clear that that is not the case and the EU so far could not find an adequate alternative instrument. Given the EU has not clearly defined the measures and principles required, the Copenhagen and Madrid criteria have become

the subject of numerous interpretations and judgements among local political elites. That is, political conditions have been ambiguously defined and domestic governments have consequently misinterpreted the steps required to satisfy the EU (Mineshima 2002). As a result, Bosnian Muslims aspire to enter the EU as a country with a powerful central state. Bosnian Croats are in support of a highly decentralized country. Bosnian Serb leaders see Bosnia in the EU as a weak central state with strong entities. If EU leaders do not set clear standards and measures to be implemented, domestic leaders will continue to be reluctant and divided, and insist on three different “Europeanization models”. That’s why it is of the utmost importance that the EU states speak with a “single voice” regarding the Bosnian case and other cases as well if they aspire to become a credible regional and/or global power. 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).

European impacts on the constitution

The Dayton Peace Agreement (DPA) established the Constitution of BiH in an annex of the Agreement, dividing the country into two Entities: the Federation of BiH (mainly controlled by the Bosniaks and Bosnian Croats), and the Republika Srpska (mainly governed by the Bosnian Serbs). Both entities have their own political and administrative institutions. The Federation of BiH is divided into three levels: the Entity level, the Cantonal level, and the Municipal level. The RS only has municipalities. Thus, the DPA that ended the Bosnian conflict has provided a highly decentralized power-sharing institutional framework for governing Bosnia and Herzegovina (Sebastian 2009, 341). Overall, the DPA has succeeded in keeping BiH an independent and sovereign country with a joint multi-ethnic state government. In addition, one of the most fundamental goals of the DPA, restoration of security and physical infrastructure, has been successfully realized. However, the most crucial objective of establishing a genuine multi-ethnic, democratic, and economically self-sustaining country is still a long way off (Daalder, Froman 1999, 107). While the DPA brought the war to an end and laid the foundations for stable peace, many observers claim that the agreement reflects wartime circumstances and therefore cannot ensure BiH’s future as a functioning and self-sufficient democracy (Ashdown 2005). If the DPA had the capacity to make Bosnia a genuine democracy and prosperous country it would have done so over the fifteen years it has been in existence.

Following serious disagreements among Bosnian leaders over the necessary constitutional changes, there has been an increasing need for international mediation. Thus, the EU countries decided to help Bosnian politicians reform the DPA and prepare Bosnia for future EU membership. During the Swedish EU Presidency there was a diplomatic initiative on the constitutional changes 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 suggested a “package” of reforms necessary, they concluded, for the Euro-Atlantic integration of their country (Bassuener 2009). In the local media, the Butmir meeting was called “Dayton 2”, which best summarizes the importance

it had regarding BiH governance. Furthermore, Bosnian citizens hoped that the international community would help them make the necessary changes and resolve the political status quo in the country. However, the Butmir talks were a disappointment and failure for all. Bosnian Serb representatives rejected the proposed reforms as being too radical, while Bosniak and Croat leaders described them as cosmetic. Thus, the ambiguous and badly-prepared EU-US initiative from Butmir simply resulted in deeper crisis (Bieber 2010, 1).

At the very beginning of the Butmir negotiations, international mediators, the EU and US, seemed united and enthusiastic about reaching a compromise. However, as negotiations continued it became apparent that they could not persuade domestic political elites to agree on the future constitution. In addition, the lack of domestic consensus on the constitution is a special problem for Brussels since it claims that the country is now going through the Brussels era. However, Butmir further proved EU's international political incapacity. As Joseph points out, "although Brussels has far more at stake than Washington does, and although it finally has a collective foreign minister, it still acts only when galvanized by the Americans or by crisis, or both" (2010, 62). At a critical moment for Bosnia, the EU showed that it does not behave like a global player. Furthermore, the Butmir talks did not mention the principle of ethnic voting. The EC clearly stressed that "entity voting" has often prevented swift adoption of legislation, which hampers the country's progress towards EU accession (EC 2009, 9). Thus, the Butmir meeting was a kind of "giant circus of global powers" for both the domestic and global public, in order to show that the international community is still a relevant actor in the Balkans. Thus, Butmir was a failure not only for Bosnians but also for the international community, led by the EU and US. Most importantly, the Butmir failure was a real failure for the EU member states, particularly if we keep in mind the fact that they have already failed once before in Bosnia, in the early 1990s. Will the EU states fail once again in Bosnia?

Conclusions

So far the Europeanization project in Central and Eastern European countries has more or less proved to be a grandiose story. However, the same cannot be said for the countries of the western Balkans and especially Bosnia and Herzegovina, which has been waiting its turn for more than ten years to become a candidate country. Also, Bosnia has represented one of the biggest diplomatic challenges for the EU member states. In fact, Bosnia has been confronted with serious political, economic and social problems since the end of the war in 1995. Although local politicians are most responsible for its continued status quo, the EU has also often demonstrated serious weaknesses and shortcomings in its approach towards this Balkan country, further deepening the "Bosnian crisis". Due to internal divisions and the different national interests of its member states, the EU has not always spoken with one voice regarding the Bosnian reform processes. For instance, while some have called for reform of the Dayton Agreement, other EU leaders saw this matter as being irrelevant to the EU-related reforms. Although the Copenhagen and Madrid criteria enable EU officials to set clear and specific standards and benchmarks for Bosnian political elites they have not made use of this opportunity. As a result, Bosnian ethnic leaders representing three ethnic communities in the country have interpreted Europeanization reforms in three completely different ways. The

EU can be blamed for the variety of interpretations of the Europeanization process because it is one of the constituents involved in the whole process of integrating Bosnia into Brussels. Therefore, if the EU wishes to keep the Europeanization project relevant and credible it should reconsider its role in the western Balkans and Bosnia's Europeanization process.

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