



Twenty-five years ago this month, the Dayton Peace Agreement stopped Europe's worst conflict and genocide since World War II. More Europeans died in the Bosnia war than during the entire Cold War. The inability

in the broader region, further fray the NATO alliance, and disrupt U.S. ties with the European Union (EU).

As Dayton's midwife, the United States bears particular responsibility to extend Dayton's success by fixing its deficiencies. Fortunately, Dayton's architects never intended its arrangements to remain static. Within its provisions are the means for reform. Fixing Dayton is also an opportunity for the United States to revive its partnership with the EU and to work with Bosnia's citizens to achieve a functional and effective Bosnian state that enjoys popular legitimacy, adheres to the rule of law, curbs corruption, ensures equal rights for individuals and protection for minorities, jumpstarts economic growth, and contributes to the security and stability of southeastern Europe.

stepped back in hopes that Europe would "backfill" responsibility for the Balkans so that Washington could address other global dangers. Yet European leaders, relieved that violence had been quelled, have been unprepared to catalyze the changes needed

## Stopping the Slide

Until now there has been insufficient political will to change the Dayton superstructure. Corrupt politicians and judges profit from it; separatists gain influence from it. The United States, proud that it ended the war and removed Bosnia from the world's hot spots,



to “constituent peoples” (Bosnian Croats, Bosnian

The result is a country on life-support: without deep structural reform, there is no foreseeable end to Bosnia and Herzegovina's reliance on the international community, and its plundering politicians are the real beneficiaries of Western largesse.

## **Rescuing Dayton's Peace by Fixing Its Dysfunction**

The people of Bosnia and Herzegovina can and must rouse themselves from this fate. They cannot do so on their own. The country's constitution is embedded in the Dayton Agreement, which obliges the United States and the EU, as its guarantors, to help foster the political space in which the citizens of the country can do the hard work necessary to bring about change. Citizen-driven action can define and sustain reform; international action can catalyze it. If the international community does not now choose to help Bosnia and Herzegovina succeed, it will be complicit in its

after those changes are in place and capacity is built, will the accession process offer relevant leverage for reform.

Renewed U.S.-EU engagement would be a powerful sign of support to the dispirited people of Bosnia and Herzegovina that they may no longer need to countenance suppression of their individual rights and the rule of law as they watch their neighbors continue toward the European mainstream while sign of support duplicating their behavior, 0.20 20 (0.20 (nsusult, )a20 ble. 0120.20 TEuroph all esign of suppoDnger netonnssionbe head

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are democratically elected, to disburse funds. This will require constitutional change. That assistance should embody vigorous enforcement of anti-corruption laws and recovery of ill-gotten gains stashed outside the country.

10. As the United States and the EU set this framework for reform, they must maintain a clear message that the doors to the EU and NATO remain open should the people of Bosnia and Herzegovina create the conditions by which they could meet the standards for membership and walk through those doors. There is no consensus at present within the EU about the possibility of ultimate membership. Hence, the reform efforts must not be linked solely to the EU accession process. Clear support for the principle of the Open Door, on the other hand, can help the citizens of Bosnia and Herzegovina build the courage and political will to implement tough reforms at home—not as a favor to others, but because they understand it is in their own interest to do so. And if they implement reforms that promise to move their country further along the road to the European mainstream, their actions can affect what leaders in EU capitals are willing to offer.

## Elements of Change

By establishing these framework conditions, the United States and the EU can set the stage for a domestically-driven reform process. The people of Bosnia and Herzegovina need to look to each other to make a future that is better than their present. At the moment Bosnians agree on what their state is not. The West should help them define positively what it should be, by convening citizens to determine changes to the country's constitution and decision-making structures that are feasible in the short- to medium-term, and by dealing decisively with obstructionist actors who have blocked previous reform efforts.

Without dictating particular changes, the U.S.-EU tandem should set minimum parameters or categories of reforms. Legal rulings by the ECHR offer a sound and largely incontrovertible basis for initiating reforms.

A first basket of issues relates to how decisions are made. Currently, most power resides with the country's two entities – Republika Srpska and the Federation. The entities are the territorial expression of the warring parties of the 1990s and have preserved the political power of ethnic nationalists for 25 years. They are responsible for much of the dysfunctionality and resistance to reform that characterizes Bosnia and Herzegovina today. A central question is how to rationalize or reform the power of the entities, empower the state government to take on the responsibilities and authority required to meet NATO and EU requirements, and give the country's municipalities and Brčko District the resources needed to provide public services. Consideration should also be given to how critical decision-making bodies could be unblocked, how the power of ethnically-based political parties can be circumscribed, what types of cross-ethnic electoral incentives could be introduced, and how party patronage networks can be dismantled. Some current ideas include changing or reducing the powers of the House of Peoples, reducing or removing the requirement for bloc entity voting in the Parliamentary Assembly, changing the size and role of the parliament, and amending the election law so that Bosnia and Herzegovina can move from ethnocracy to more representative democracy.

A related basket has to do with strengthening the functionality of the state government -- the tripartite presidency and the Council of Ministers. The current bifurcated structure is an ineffective throwback to old Yugoslav governance models. Bosnia and Herzegovina needs an integrated state government with proper ministries. It would benefit from either having a stronger Council of Ministers or a stronger



state presidency. It doesn't need both. As early

rules governing and propping up that system, in part through privatization on terms that do not perpetuate corruption and that respect the rule of law.

## Unfinished Business

Few of these ideas are new; all have become newly important as Bosnia and Herzegovina deteriorates.

Given the country's many challenges, it would be tempting for Western policymakers, besieged with other priorities, to turn their backs on Bosnia and Herzegovina. This would be a strategic mistake. They would not only abdicate their own responsibility for the current situation, they would miss an important opportunity to advance their broader goals for the region. Bosnia and Herzegovina is the linchpin of the Balkans. The United States and the EU have a strong stake in a functioning and effective multi-ethnic democracy, secure in its borders and politically stable. Fixing Dayton is hard. It is not impossible.

A dysfunctional ethnocracy, in contrast, threatens to generate instabilities throughout Europe's southeastern corner. It powers malign ethno-nationalism in Croatia, a member of the EU. It makes it harder for Serbia to become more aligned with the European mainstream. It exacerbates tensions and distorts relations among all three countries and their neighbors. It creates opportunities for Russia to exploit and undermines the prospects of countering China's growing regional presence. It enables opportunistic politicians to manipulate narratives of grievance in a country and a region that still have an historically rare moment to transcend the tragedies of their past divisions.

We have reached another inflection point in southeastern Europe. After 25 years, it is time to fix Dayton. Europe whole and free is still a worthy objective. It cannot be achieved if Bosnia implodes. Dayton's peace is also a warning: Whenever we ignore the Balkans, we end up paying a higher price later.

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The opinions expressed in this article are those solely of the authors.

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