TOWARD PEACE IN BOSNIA

Implementing the Dayton Accords

ELIZABETH M. COUSENS & CHARLES K. CATER

International Peace Academy Occasional Paper Series

TOWARD PEACE IN BOSNIA

INTERNATIONAL PEACE ACADEMY
OCCASIONAL PAPER SERIES

TOWARD PEACE IN BOSNIA

Implementing the Dayton Accords

Elizabeth M. Cousens
and Charles K. Cater

BOULDER
LONDON

Published in the United States of America in 2001 by
Lynne Rienner Publishers, Inc.
1800 30th Street, Boulder, Colorado 80301
www.rienner.com

and in the United Kingdom by
Lynne Rienner Publishers, Inc.
3 Henrietta Street, Covent Garden, London WC2E 8LU

Library of Congress Cataloging-in-Publication Data
Toward peace in Bosnia : implementing the Dayton accords / Elizabeth M. Cousens and Charles K. Cater.
p. cm.—(International Peace Academy occasional paper series)
Includes bibliographical references and index.
ISBN 1-55587-942-X (pbk. : alk. paper)
1. Dayton Peace Accords (1995) 2. Yugoslav War, 1991–1995—Peace. 3. Yugoslav War, 1991–1995—Bosnia and Hercegovina. 4. Bosnia and Hercegovina—History—1992– 5. Bosnia and Hercegovina—History, Military. I. Cousens, Elizabeth M. II. Cater, Charles K. III. Series.
DR1313.7.P43 T68 2001
949.703—dc21

2001019008

British Cataloguing in Publication Data
A Cataloguing in Publication record for this book is available from the British Library.

Printed and bound in the United States of America

The paper used in this publication meets the requirements of the American National Standard for Permanence of Paper for Printed Library Materials Z39.48-1984.

5 4 3 2 1

Contents

Illustrations

MAPS

TABLES

FIGURE

Foreword

David Malone

The civil wars of the 1990s tested the multilateral community's capacity to respond to mass violence and its aftermath to unprecedented degrees. Increasingly, practitioners and analysts have recognized the importance of developing strategies to consolidate and build peace beyond the mediation or conclusion of active armed conflict. Determining how the international community can best organize itself to engage in effective peacebuilding, however, remains an ongoing challenge.

This volume examines international efforts to implement the Dayton Accords that ended the Bosnian war in 1995 very much in this wider context. Elizabeth M. Cousens has closely followed political developments in southeastern Europe throughout the 1990s. She has also been involved since 1997 in an ambitious study of comparative peace implementation, conducted jointly by the Center for International Security and Cooperation at Stanford University and the International Peace Academy (IPA) and involving more than two dozen scholars and practitioners. By 2000, a thorough assessment of the international experience in postwar Bosnia seemed both feasible and useful. Consequently, I was delighted that Cousens tackled the challenge, drawing on both strands of her research, with the splendid result that you have before you. Her coauthor, Charles Cater, a colleague within IPA, drew on his own practical experience documenting persecution claims for Bosnian refugees with the International Rescue Committee (IRC), as well as on previous research on civil conflicts.

This particular research and policy development project made excellent use of IPA's niche as an independent institution close to the United Nations and several relevant regional organizations. Many of the implementers in Bosnia shared their perspectives with the authors. So have many of their critics.

The IPA Occasional Paper Series, as with all IPA work, aims to serve both practitioners and scholars in offering analysis and conclusions that do not shy from raising troubling questions. Cousens and Cater do not suggest that easy answers are available to international actors attempting to implement welcome but often imperfect peace plans. However, they do identify major pitfalls that could be avoided in the future while highlighting the areas decisionmakers should worry about the most, both in drafting peace agreements and then in attempting to implement them.

For this, I am deeply grateful to them both. I am also very grateful to the United States Institute of Peace for generously funding the research involved.

Acknowledgments

We wish, first, to pay sincere thanks to those practitioners and analysts who agreed to be interviewed by Elizabeth M. Cousens between 1996 and 1999. In particular, colleagues at the United Nations Mission in Bosnia and Herzegovina, the Office of the High Representative, the UN High Commissioner for Refugees, the World Bank, the Organization for Security and Cooperation in Europe, and the International Crisis Group took much time and great care, when they had little to spare of the former and far too much of the latter. This study would not have been possible without their contributions. Any of our insights properly belong to them, while any errors in fact or analysis are, of course, our own.

Over the course of our respective work on Bosnia, many at the International Peace Academy have offered invaluable help, especially Florence Musaffi. To Karin Wermester, we owe an enormous debt for her tireless efforts to coordinate what became at its last stage an intercontinental publication. We also benefited from a superb series of interns at the IPA, including Peter Singer, Alicia Allison, Bei Hu, and Diana Van Walsum, whose hard work greatly facilitated our research and writing. To David Malone and John Hirsch, we owe profound thanks for their encouragement and support.

We would further like to thank our publisher, Lynne Rienner, and the rest of her team for their hard work, patience with geographically scattered authors, and exceptional professionalism.

We are also grateful for the energy and intellectual inspiration of our colleagues in a joint research project on peace implementation conducted by the IPA and the Center for International Security and Cooperation at Stanford University, especially Donald Rothchild and Stephen John Stedman. In addition, several colleagues very helpfully

commented in detail on earlier drafts of our manuscript, notably Marcus Cox and Mats Berdal.

A very particular and personal thanks is owed by Elizabeth to two individuals who helped shape an early interest in and commitment to matters Balkan: Susan Woodward, who from first meeting has been not only a mentor and a much admired colleague but also a dear friend; and Jan Øberg, whose unceasing commitment to conflict resolution and reconciliation remains an inspiration.

Likewise, Charles would like to thank Bob Carey and the staff of the International Rescue Committee.

We also gratefully acknowledge those institutions that financially and intellectually supported this project, beginning with the United States Institute of Peace, which made this publication possible, and including the Ford Foundation, the John D. and Catherine T. MacArthur Foundation, and the Carnegie Corporation of New York, all of which supported our related work on Bosnia and on peacebuilding more broadly.

Finally, though acknowledgments in an Occasional Paper offer a frail and inadequate way to do so, we wish to pay tribute to Mr. F. T. Liu. For years, he graced the IPA with his wit, insight, and wisdom. His knowledge of the United Nations, peacekeeping, and the intricacies of world politics was breathtaking, and we gained much from the far too little time spent in his presence. His was a remarkable spirit—he will be sorely missed.

—E. M. Cousens
—C. K. Cater

Introduction

By the end of 1999, the enormous international effort to implement the peace agreement that ended Bosnia's civil war in November 1995 had gone on longer than the war itself. Two basic concerns animated international activities in 1995: first, that war would not resume; and second, in the absence of war, that Bosnia would rebuild for itself a just peace, which international observers by and large considered a multiethnic one. Over five years later, neither concern has been conclusively resolved. Massive hostilities are unlikely to resume, but armed conflict over more targeted objectives remains a sufficient worry that international peacekeepers show no inclination to leave. More troubling, the parties to Bosnia's peace have resisted committing themselves credibly to a common political design for the country, leaving most of Bosnia's population under the governance of monoethnic authorities and the country's unity as yet unrealized.

Several years of peace implementation in Bosnia and Herzegovina have not been without significant accomplishments: several rounds of internationally certified elections have been held at national, subnational, and local levels; the power-sharing institutions designed to reunify the country are up and running, if with debatable effectiveness; nearly 650,000 of Bosnia's forcibly displaced citizens had returned by early 2000 to the country, if not primarily to their original homes;[1] significant portions of the country's infrastructure have been repaired; and not least, the military-on-military cease-fire that took hold at the end of 1995 has not been broken.

None of these achievements is without a subversive element, however. In this volume we argue, for example, that early elections militated against broader democratization and that military cease-fire in the absence of civilian security did as much to deepen certain of Bosnia's

internal divisions as to heal them. Moreover, one cannot avoid tough questions about strategy and effectiveness when much of Dayton implementation remains to be realized, even after such massive and continuing expenditure of international personnel, resources, and energy.[2] Indeed, international implementers have faced iterated obstruction from Bosnian authorities, so much that even as they have drawn down their military presence, they have ramped up their civilian, political involvement. Several villages have even acquired special "envoys" because implementing local election results without sustained international pressure has proved so difficult.

To explain persistent divisions in Bosnian politics, one need not look far for explanations. To list just a few: a centuries-old history of interethnic antagonism and bloodshed; the "artificiality" of the Yugoslav state and the Bosnian Republic within it; an intensive recent war aimed at segregating populations; political leaderships whose commitment to an ongoing peace process in the country was questionable; and a peace agreement whose internal compromises—some would say contradictions—may have made it impossible to implement from the start. Most analysts would agree that each factor has played some role in Bosnia's postwar developments, even if they might disagree over their relative significance. In this sense, Bosnia's present state of affairs is what social scientists would call "overdetermined": too many explanations chasing a regrettably limited range of outcomes.

Within this matrix of contributing factors, however, we find that a disproportionate share of the explanation for Bosnia's current state belongs to strategic flaws in the international implementation effort. Between priorities set by involved governments and agencies and choices made by implementers on the ground, the process of implementation has needlessly helped consolidate the tripartite division of Bosnia. Indeed, the cumulative impact of these decisions has made it a much harder task to "implement Dayton" today than when the war ended.

In this volume we examine the first four years of international efforts to implement the Dayton Accords and argue the following: First, the Bosnian war ended with a deeply dissatisfying compromise among the warring parties to which they had only acceded under intense international pressure, especially from the United States. They could be predicted to try to turn the agreement to their respective aims during implementation or otherwise use implementation as an opportunity to revise or obstruct the settlement to which they had pledged themselves. An obvious implication was that international implementers would need a clear strategy for dealing with obstruction and an adequate set of tools

with which to pursue such a strategy, very much including the capacity to exert sustained pressure or even coercion.

Second, the settlement reached at Dayton was sufficiently ambivalent between its separatist and integrationist components that it placed an enormous burden on implementers to decide their relative weight. This ambivalence was largely expressed in the tension among different provisions of the accord. Such tensions were not insuperable but could only be overcome by a serious, deliberate effort by a wide range of implementers to render their collective efforts coherent.

Third, international implementers actually enjoyed great *potential* influence in this regard. The agreement formally mandated to international third parties an extraordinary level of involvement and authority along multiple dimensions of postwar Bosnian politics. International parties also enjoyed leverage over the parties through their role as gatekeepers to membership in regional and international organizations and through their capacity to apply pressures and incentives of the type that got Bosnia's parties to agree to peace. Despite its constraints, the Dayton Agreement contained multiple opportunities for implementers to use these formal roles and informal relationships to overcome central weaknesses in the agreement itself, *provided that they recognized the need to do so and could rise above their own institutional limitations.*

Fourth, however, more opportunities were missed than seized by international implementers since late 1995. Early policy choices—such as the decision to decentralize implementation efforts among multiple international organizations, the unwillingness to use military resources in support of civilian implementation, and the sequencing of key provisions once implementation began—worked against Dayton's integrationist goals even while these were still publicly championed. The broader implementation effort was also weakened by competing strategies among key implementing actors and contributing governments, which were as often driven by bureaucratic and domestic considerations as authentic disputes about the best way to consolidate peace in Bosnia.

Finally, the principal result of such shortcomings was a growing gap between accomplishment and aspiration. This, in turn, generated great pressure on implementers to overcompensate in order to make up lost ground. The result has been an arrogation to international implementers of increasing authority to make binding decisions in Bosnian politics where the indigenous peace process fell short. Some have called this a "creeping protectorate," others an attempt to build "peace by fiat." By any name, the exercise of such powers by international parties in an essentially domestic context stands as an object lesson about the

requirements of peace implementation under conditions as inhospitable as those of Bosnia.

* * *

This Occasional Paper proceeds along the following lines: Chapter 1 gives a short history of the Bosnian war and its settlement, emphasizing those factors that bear most heavily on the process of peace implementation. Chapter 2 focuses on the Dayton Agreement itself, its key terms as well as its ambiguities and the roles it devised for international implementing agencies. Chapters 3–8 treat what we argue are the six most critical aspects of implementation: security, refugees and internally displaced persons, economic reconstruction and development, reunification, democratization, and international authority. Chapter 9 sets criteria for evaluating Dayton implementation, reviews notable achievements and disappointments, and offers an explanation for this course of events. Finally, our conclusion, Chapter 10, reviews the policy lessons emerging from Bosnia, with a focus, first, on the likely effect on Bosnia's long-term peace process of such a heavy and protracted international presence and, second, on the implications of the Bosnian experience in the broader context of the rapidly evolving roles and missions of international organizations in the post–Cold War era.

NOTES

1. UNHCR Sarajevo, Returns Summary to Bosnia and Herzegovina from 01/01/96 to 30/04/00. Accessed 26 June 2000 online at www.unhcr.ba/Operations/Statistical%20package/1.htm.

2. In early 2000, the international military presence was scaled down to approximately 20,000 troops, and international police were maintained at just over 2,000, still considerable numbers in a country slightly smaller than West Virginia (51,233 km^2). Worryingly for prospects of long-term stability, one might draw a comparison to Sierra Leone in 2000, which was then attempting to stabilize a spectacularly fragile cease-fire: at one-and-one-half times the size of Bosnia, Sierra Leone was mandated by the UN Security Council a peacekeeping force of 13,000—one-quarter that of Bosnia's first implementation force, only two-thirds the size of its present peacekeeping strength, and presumably somewhat less well equipped than NATO-contributed troops. See http://www.un.org/Depts/dpko/unamsil/UnamsilF.htm, accessed 26 June 2000.