

Bosnia: Dayton Reform Urged

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West pours cold water on plan for wholesale changes to Dayton constitution.

Bosnia-Herzegovina's prospects of joining NATO and the EU will come under the spotlight once more later this month when proposals setting out constitutional reforms required for membership of these institutions are formally unveiled by Bosnian leaders.

The plan, drawn up by Bosniak (Bosnian Muslim) tripartite presidency member Suljeman Tihic and backed by his Bosnian Croat counterpart Dragan Covic, calls for an overhaul of the Dayton constitution, seen as a major obstacle to EU and NATO entry.

Three commissions set up by the Office of the High Representative, OHR, are due to announce their own reform proposals later this year for unifying the country's tax, defense and intelligence systems. These will go a long way to centralising government but, some suspect, may fall short of the far-reaching changes needed for Bosnia-Herzegovina to be considered for membership of the EU and NATO.

At present, Bosnia-Herzegovina will not be able to enter NATO or the EU under its existing constitution, set up by the Dayton agreement of 1995, primarily because overall executive power still rests with the OHR, currently headed by Paddy Ashdown.

In advance of the formal launch of his proposals later this month, Tihic recently spoke to IWPR about the reforms.

"While our country is so dependent on the international representative it cannot be comprehensively integrated into transatlantic and European mainstream," he said, highlighting a principal component of the proposals - the winding down of the OHR's powers and authority.

Other elements of Tihic's plans - which the leader of the Bosniak Party for Democratic Action, SDA, hopes will be discussed at an international-sponsored conference in September - are changes to the defense and electoral systems in the country.

Tihic wants a single military command structure so it can join NATO's Partnership for Peace programme - the first step towards full membership of the alliance.

OHR had already launched a radical shake up of Bosnia's defense structure following last year's ORAO scandal in which it was revealed that helicopter parts were being sold from Republika Srpska, RS, to Iraq, in defiance of a UN embargo. Ashdown abolished the Bosnian Serbs' supreme defense council on April 2 following the revelations.

Tihic also wants an overhaul of the electoral system which would entitle a Serb living in the Federation to stand as the Serb member of the tripartite presidency. Likewise, Muslims and Croats in RS would be able to contest their respective communities' seats in the state leadership.

Tihic would not say whether this principle would be applied to parliamentary elections.

He also wants to prevent small numbers of deputies stalling legislation in the state assembly. At the moment, they can do so if the proposed laws are deemed to endanger national interests. What's being proposed is that the state presidency will rule on such matters, and in the event of further disputes the constitutional court would be called upon to adjudicate.

Some have criticised the Tihic plans for being short on detail and long on rhetoric.

Analysts have suggested that the main aim of the proposals is to increase pressure on the OHR to deliver a more radical set of centralising reforms, which Muslims and many Croats have long demanded.

There's also an apparent intention to keep the heat on Banja Luka which has consistently resisted any move towards centralisation.

Indeed, Banja Luka has already hit out at Tihic's proposals. Officials from the cabinet of RS presidency member Borislav Paravac described the suggested changes to the Bosnian constitution as "a return to the past" - an apparent reference to Serb fears of becoming a minority in a unified state.

RS premier Dragan Mikerevic said last month that the proposals were inappropriate and that Dayton must remain the basis of the country's constitution until all three of the country's ethnic groups agree on what shape reform should take.

"We must further develop the trust of the citizens in Bosnia-Herzegovina on the basis of the Dayton Peace Accord," he said.

The international community has also poured cold water on the plan and the likelihood of any conference to discuss it, insisting that if Dayton is to be scrapped then a consensus for change in Bosnia has to be reached first.

"If this [conference] indeed comes to pass, then it must be initiated within Bosnia. As far as I know, there is no general consensus on such an initiative," Michael Humphreys, the EU commission chief to Bosnia-Herzegovina, said after meeting Tihic in Brussels last month.

He added that Bosnia-Herzegovina has a long way to go before the EU would consider discussing what steps it should take to join.

Whatever shape Bosnian's future constitution may take all parties agree on one thing - that it will be some time before the Dayton settlement is dismantled.

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