

# The political system of Bosnia and Herzegovina and the fault lines set down in the Dayton Agreement

## Abstract

This article seeks to review some of the problems with the political system of Bosnia and Herzegovina as expressed through the constitutional provisions of the Dayton Agreement. While the Agreement brought an end to the physical violence, its creators must have been aware that the type of state system it envisaged, being composed of two entities, only put off the solution to the crucial cause of the problem. The entire mechanism of the political organisation of BiH is based on the fault lines set down in this Agreement, while the continuing inter-ethnic struggle in BiH is focused on the questions which it poses for constitutional government. Furthermore the moderators of the process retained the right to monitor the Agreement's implementation, institutionalising the involvement of the international community and introducing a continuing role for NATO in the Balkans. The article considers the political system of BiH as developed under the Dayton Agreement but turns first to setting the scene by exploring the territory of the country as a whole and some of the essential characteristics of its peoples.

**Keywords:** Dayton Agreement, political systems, Bosnia and Herzegovina, politics, state regulation, constitutional order

## Introduction

Bosnia and Herzegovina officially gained independence on 3 March 1992 following a referendum in which those voting confirmed overwhelmingly that they wanted independence from the Socialist Federal Republic of Yugoslavia from which Slovenia, Croatia and Macedonia had already withdrawn prior to BiH. The work of the Government of BiH began on 14 December 1995, on the signing of the General Framework Agreement for Peace in Bosnia and Herzegovina (the Dayton Agreement) designed to end the four-year war and stabilise the entire area of the Balkan peninsula. Here, the international community has assumed a key role since the Peace Implementation Council, established at an implementation conference held in London, and the Office of the High Representative, based in Sarajevo, continue to occupy significant positions of authority until such times as the country is adjudged to be politically stable and self-sustaining.

The political system of BiH, as set out under the Dayton Agreement, might be said to be a *sui generis* one. Zarije Seizović puts it thus:

BiH, legally-politically and ethnically torn, subjected to artificial state-legal and political resuscitation under the patronage of the international community, is only seemingly re-integrated but in the form of an unusual creation – one state, two entities and three peoples, consisting of one republic and one federation...

We can freely say that the political system of BiH is, by categorisation, a mixed system of government, but it is unusual in nature because it contains elements of both presidential and parliamentary systems. The theory that it is part-presidential is supported in that the BiH Presidency consists of three members – one Serb, one Bosniak and one Croat – elected to the role by their own constituencies. Based on legal documents and the organisation of the political system, one could conclude that in the Federation of BiH it is the parliamentary form of government which is stronger while in Republika Srpska it is the elements of the presidential system which are more dominant.

The structure of government in BiH consists of: state government; entity authorities; cantonal authorities; the authorities of Brčko District, which has special status; cities; and municipalities. Sovereignty in BiH is exercised by citizens directly electing deputies to the House of Representatives of the Parliamentary Assembly of BiH; the House of Representatives of the Federation or the National Assembly of the Republic of Srpska, as appropriate; the cantonal assemblies (in the Federation); and the municipal councils. Furthermore sovereignty is realised based on the principle of a parity of representation between the constituent peoples.

Modern theorists of political systems might claim that BiH is an unfinished state. Such a claim would have real justification in the incomplete nature of the institutions of state: for example, the non-existence of a specific supreme court at state level – even though the Constitutional Court fulfils some aspects of such a court – is an indicator not only of the legal insecurity of citizens across the entire territory but also of the non-existence of unity within the judiciary. Another shortcoming is that the political system was established quite some time after the signing of the Dayton Agreement. Judicial institutions and prosecutors offices were fully developed at cantonal level. However, the state and local government were not structured and established in detail, needing a lot of readjustment. The BiH constitution does not mention local self-government and, therefore, it does not regulate it but the European Charter of Local Self-Government is an integral part of the BiH legal system, so this anomaly is somewhat reduced.

## Territory

Bosnia and Herzegovina covers an area of 51,209 km<sup>2</sup> and is located on the Balkan peninsula of south-east Europe. It borders Croatia, Montenegro and Serbia, and, around Neum, has some 20 km of coastline opening on to the Adriatic Sea. The capital of BiH, reinforced by Dayton, is Sarajevo. BiH consists of two entities – the Federation of Bosnia and Herzegovina; and Republika Srpska – while Brčko District is an independent self-governing unit established following arbitration.

Geographically speaking, Bosnia and Herzegovina consists of two areas; namely the larger Bosnian part in the north (about 42,000 km<sup>2</sup>) and the smaller part, Herze-

govina, in the south of the country. Bosnia is more populated and wooded, while Herzegovina has a more rocky terrain. In the north, the area of Posavina stretches, turning further into the Pannonian Plain, and extending from there the area of Semberija has the most fertile soil for crop-growing. Herzegovina consists of mountainous and Adriatic Herzegovina.

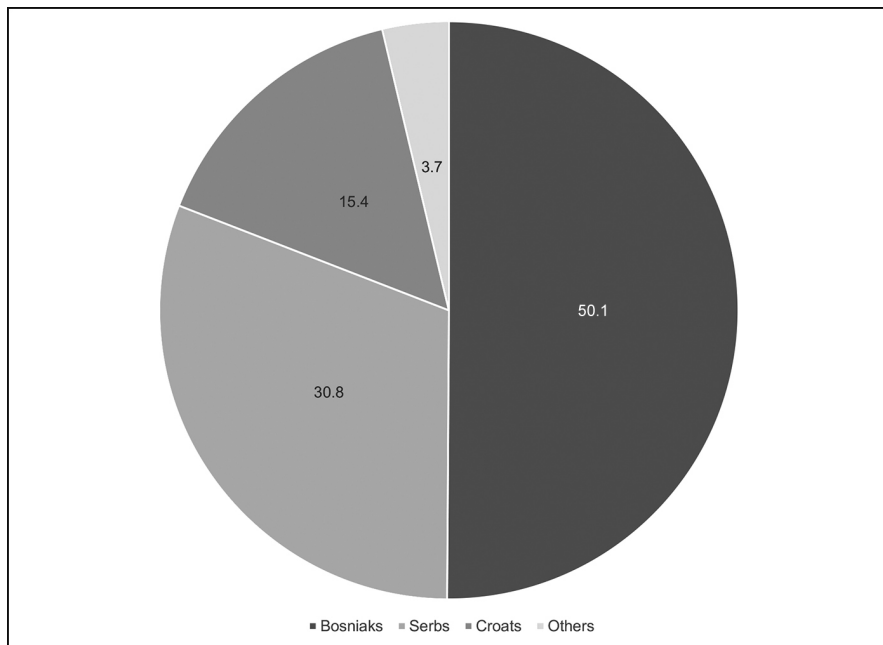
Some 42 per cent of the total territory of BiH is agricultural land while around the same percentage is forested, of which 30 per cent is mountainous. The remaining 15 per cent is set aside for other uses. BiH is extremely rich in natural resources such as iron, bauxite, chromium, zinc and copper, while a special gem is a rare and noble species of tree suitable for making top-quality furniture.

The highest peak in BiH is Mount Maglić (2,386 m) which is in the southern part of the country close to the border with Montenegro.

### Population structure

According to the 2013 census, which is the one most recently conducted and the first one since the war, Bosnia and Herzegovina is inhabited by Bosniaks (50.1 per cent), Serbs (30.8 per cent) and Croats (15.4 per cent) while a smaller percentage (3.7 per cent) are other peoples or not declared (see Figure 1). At this date, BiH had a total population of 3,531,159. It is worth noting that the census results encompass citizens who have lived and worked abroad for several years and, for that reason, they are contested by Republika Srpska officials.

For comparison, the 1991 census reported there to be 4,377,033 inhabitants, with 43.4 per cent Bosniak, 31.2 per cent Serb and 17.4 per cent Croat, with the remaining 8 per cent or so constituted from smaller nationalities.

**Figure 1 – Ethnic composition of BiH (2013 census data)**

Other, more recent data have put the population higher than the census by some 300,000 people, at more than 3.8m. The age structure in Table 1 is drawn from this dataset.

**Table 1 – Age structure of Bosnia and Herzegovina**

Year	< 14	15-24	25-54	55-64	> 65	Total
Male	261,430	214,319	859,509	284,415	249,624	1,869,297
Female	244,242	201,214	848,071	300,168	372,594	1,966,289
Total	505,672	415,533	1,707,580	584,583	622,218	3,835,586

Source: CIA World Factbook (2020 data)

Taking Table 1 at face value – though it is hard to reconcile recent lived experience in BiH with the thought that there has been population growth since 2013 – it is evident that young people aged 15-24 represent a rather small minority, just 11 per cent of the total, although children represent another 13 per cent. In comparison, people aged over 65 represent 16 per cent. Clearly, this is an ageing society and one which might benefit – all other things being equal – from a sound birth rate policy in the future.

The average (mean) age of the population in BiH stands at 43.3 years (CIA 2021), significantly higher for women (44.8) than for men (41.6). Partly, this difference reflects the gender balance among the over 65s, where women significantly outnumber men and where the war will be a major factor. The high mean age is a common problem among all the republics of the former Yugoslavia, reflecting a low birth rate (just 8.5/1,000 head of population) among other factors which also include infant mortality, migration and conflict. Indeed, the population growth rate is negative, with the current figure standing at -0.21 per cent (CIA 2021).

Life expectancy is comparatively reasonable, standing (at birth) currently at 77.7 years (80.9 for women; 74.8 for men). This is higher than anywhere else in the Balkans other than Albania (and Greece), although it is inevitably lower than most of central and western Europe (CIA 2021). Given that there was a war in this area, that the population has been faced with many life adversities and existential problems, that state institutions had collapsed and the state was built out of the ashes, such results are positive.

When it comes to the language used in BiH, Bosnian, Serbian and Croatian are 'mutually intelligible' and all three are official in both entities. To all intents and purposes, the three constituent peoples speak the same language. The 2013 census data records figures for mother tongue which are inevitably close to – but not quite the same as – the population breakdown, with 52.9 per cent speaking Bosnian, 30.8 per cent Serbian and 14.6 per cent Croatian. The difference is likely to be based on people declaring themselves according to the needs of the statistical organisations.

Likewise, the breakdown of BiH by religious confession essentially reflects similar percentages mirroring the political image of the country. Religious confession is an important component of political culture and guides the movements of the political actors: faith and identity in the Balkans, along with history, are intertwined. Even so, the different religions served as a cloak for the war and are a means of manipulation that gives desired results to those able to manage them.

## Constitutional structure of BiH according to the Dayton Agreement

Annex 4 of the Dayton Agreement refers to the constitutional organisation of BiH and thus, given the purpose of this article, is worth quoting at length:

### **Preamble**

*Based* on respect for human dignity, liberty, and equality,

*Dedicated* to peace, justice, tolerance, and reconciliation,

*Convinced* that democratic governmental institutions and fair procedures best produce peaceful relations within a pluralist society,

*Desiring* to promote the general welfare and economic growth through the protection of private property and the promotion of a market economy,

*Guided* by the Purposes and Principles of the Charter of the United Nations,

*Committed* to the sovereignty, territorial integrity, and political independence of Bosnia and Herzegovina in accordance with international law,

*Determined* to ensure full respect for international humanitarian law,

*Inspired* by the Universal Declaration of Human Rights, the International Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights, and the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, as well as other human rights instruments,

*Recalling* the Basic Principles agreed in Geneva on September 8, 1995, and in New York on September 26, 1995,

Bosniacs, Croats, and Serbs, as constituent peoples (along with Others), and citizens of Bosnia and Herzegovina hereby determine that the Constitution of Bosnia and Herzegovina is as follows:

#### **Article I: Bosnia and Herzegovina**

1. **Continuation.** The Republic of Bosnia and Herzegovina, the official name of which shall henceforth be ‘Bosnia and Herzegovina,’ shall continue its legal existence under international law as a state, with its internal structure modified as provided herein and with its present internationally recognized borders. It shall remain a Member State of the United Nations and may as Bosnia and Herzegovina maintain or apply for membership in organizations within the United Nations system and other international organizations.
2. **Democratic Principles.** Bosnia and Herzegovina shall be a democratic state, which shall operate under the rule of law and with free and democratic elections.
3. **Composition.** Bosnia and Herzegovina shall consist of the two Entities, the Federation of Bosnia and Herzegovina and the Republika Srpska (hereinafter ‘the Entities’).
4. **Movement of Goods. Services. Capital. and Persons.** There shall be freedom of movement throughout Bosnia and Herzegovina. Bosnia and Herzegovina and the Entities shall not impede full freedom of movement of persons, goods, services, and capital throughout Bosnia and Herzegovina. Neither Entity shall establish controls at the boundary between the Entities.
5. **Capital.** The capital of Bosnia and Herzegovina shall be Sarajevo.
6. **Symbols.** Bosnia and Herzegovina shall have such symbols as are decided by its Parliamentary Assembly and approved by the Presidency.
7. **Citizenship.** There shall be a citizenship of Bosnia and Herzegovina, to be regulated by the Parliamentary Assembly, and a citizenship of each Entity, to be regulated by each Entity, provided that:
  - a. All citizens of either Entity are thereby citizens of Bosnia and Herzegovina.
  - b. No person shall be deprived of Bosnia and Herzegovina or Entity citizenship arbitrarily or so as to leave him or her stateless. No person shall be deprived of Bosnia and Herzegovina or Entity citizenship on any ground such as sex, race, color, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.
  - c. All persons who were citizens of the Republic of Bosnia and Herzegovina immediately prior to the entry into force of this Constitution are citizens of Bosnia and Herzegovina. The citizenship of persons who were naturalized

after April 6, 1992 and before the entry into force of this Constitution will be regulated by the Parliamentary Assembly.

- d. Citizens of Bosnia and Herzegovina may hold the citizenship of another state, provided that there is a bilateral agreement, approved by the Parliamentary Assembly in accordance with Article IV(4)(d), between Bosnia and Herzegovina and that state governing this matter. Persons with dual citizenship may vote in Bosnia and Herzegovina and the Entities only if Bosnia and Herzegovina is their country of residence.
- e. A citizen of Bosnia and Herzegovina abroad shall enjoy the protection of Bosnia and Herzegovina. Each Entity may issue passports of Bosnia and Herzegovina to its citizens as regulated by the Parliamentary Assembly. Bosnia and Herzegovina may issue passports to citizens not issued a passport by an Entity. There shall be a central register of all passports issued by the Entities and by Bosnia and Herzegovina.

Article II goes on to define in detail human rights, with both entities called upon to ensure the highest level of internationally recognised human rights and fundamental freedoms; while Article III sets out the responsibilities of and relations between the institutions of the state and the entities.

Despite the view of the Dayton-led constitution of Bosnia and Herzegovina as unique, it is actually modelled on the US constitution. The BiH constitution contains several core constitutional principles: democracy; a complex state; a single market and freedom of movement; the protection of human rights; the constituency of the peoples; the separation of powers; and the rule of law. The US constitution was both methodologically and substantively the basis for the BiH constitution: Annex 4 of the Dayton Agreement was written by lawyers from the US administration – in particular the Ministry of Justice and the State Department, along with other US governmental institutions. This view is supported in that Article 9.2 of the BiH constitution is Amendment 27 of the US constitution; Amendment 10 of the US constitution has been rewritten in Article 3.3(a) of the BiH constitution; Amendment 56 of the US constitution is Article 3 of the Republika Srpska constitution; etc.

### *Legislature*

Article IV of Annex 4 specifies that the Parliamentary Assembly of BiH is a bicameral parliament, consisting of the House of Peoples (*Dom Naroda*) and the House of Representatives (*Predstavnički dom/Zastupnički dom*)

The House of Peoples is composed of 15 delegates, two-thirds of whom are from the Federation, and is set up on the basis of equality based on ethnicity (five Bosniaks and five Croats), with the other one-third coming from Republika Srpska (i.e. five Serbs). As far as the Federation is concerned, each national group elects representatives to its House of Peoples, so the five members representing the Croat nationality are elected from the ranks of Croats living in the Federation and the five members representing Bosniaks are elected from the Bosniak constituency. The five members of the Serb nationality are elected by the National Assembly of Republika Srpska. To be quorate the House of Peoples must have the presence of at least three members from each national group, amounting thus to a total of nine members. The

House of Peoples may be dissolved by the Presidency or by the House itself provided that such a decision is approved by a majority that includes a majority of delegates from at least two peoples.

The House of Representatives consists of 42 members with two-thirds (28 members) elected from the Federation and one-third (14 members) from Republika Srpska in accordance with the Election Law. The House of Representatives is quorate as long as it consists of a majority of the members elected to it.

Both chambers must meet in Sarajevo no later than thirty days from the day of their election and, while both are able to adopt their own internal regulations they must elect one Serb, one Bosniak and one Croat as chair and deputies, with the chair rotating between the three. All legislative decisions must be adopted by both chambers and subject to a majority requirement which includes at least one-third of the representatives from the territories of each entity. If such a level of consensus cannot be reached, the chair and the deputies will meet in a commission and try to reach agreement within three days.

The constitution also defines other aspects of the functioning of the Parliamentary Assembly and its decision-making process. Both chambers are required to deliberate publicly and to publish a complete record of their deliberations. During their term of office, members of the Parliamentary Assembly enjoy immunity.

The Assembly of Brčko District consists of 29 deputies, while its government consists of the mayor and the heads of departments. The mayor is elected by the Assembly and performs the duties of the office during the mandate of the Assembly, remaining in office until the election of a new mayor.

### *Presidency of BiH*

Article V of Annex 4 to the Dayton Agreement stipulates that the Presidency of Bosnia and Herzegovina should consist of three members: one a Bosniak and another a Croat, each of whom is elected from the territory of the Federation; while the third member should be a Serb, elected directly from the territory of Republika Srpska. The first member of the Presidency is the candidate who wins the most votes in the elections; while the Chair of the Presidency of BiH changes every eight months as provided for in the principle of rotation set out in the BiH Election Law. The mandates of the members of the Presidency last for four years; members may serve two terms but are then ineligible to stand for the next four years. The Presidency determines its own rules of procedure, but the aim is to adopt all decisions by consensus; where this fails, however:

A dissenting Member of the Presidency may declare a Presidency Decision to be destructive of a vital interest of the Entity from the territory from which he was elected, provided that he does so within three days of its adoption. Such a Decision shall be referred immediately to the National Assembly of the Republika Srpska, if the declaration was made by the Member from that territory; to the Bosniac Delegates of the House of Peoples of the Federation, if the declaration was made by the Bosniac Member; or to the Croat Delegates of that body, if the declaration was made by the Croat Member. If the declaration is confirmed by a two-thirds vote of those persons within ten days of the referral, the challenged Presidency Decision shall not take effect.



Article V also clearly sets out the competencies of the Presidency. The Presidency appoints the Chair of the Council of Ministers who takes office subject to the approval of the House of Representatives and who then nominates expressly a Minister of Foreign Affairs, a Minister of Foreign Trade, and other ministers, who take up their duties following approval from the House of Representatives. The Council of Ministers is the highest executive body and it carries out the duties of the government. It consists of ten members, being nine ministers plus the Chair. The Council of Ministers proposes laws to the Parliamentary Assembly and is responsible for implementing the decisions of the Assembly; and must report on its work to the Assembly.

The principle of proportional territorial representation is also taken into account so that a maximum of two-thirds of all Council ministers can be from the territory of the Federation. If the Parliamentary Assembly has a vote of no confidence in the Council of Ministers, the Council must resign.

Furthermore, when it comes to armed forces and military issues, the Presidency has very clear powers via the establishment of a Standing Committee:

- a. Each member of the Presidency shall, by virtue of the office, have civilian command authority over armed forces. Neither Entity shall threaten or use force against the other Entity, and under no circumstances shall any armed forces of either Entity enter into or stay within the territory of the other Entity without the consent of the government of the latter and of the Presidency of Bosnia and Herzegovina. All armed forces in Bosnia and Herzegovina shall operate consistently with the sovereignty and territorial integrity of Bosnia and Herzegovina.
- b. The members of the Presidency shall select a Standing Committee on Military Matters to coordinate the activities of armed forces in Bosnia and Herzegovina. The Members of the Presidency shall be members of the Standing Committee.

### *Judiciary*

The judicial system of Bosnia and Herzegovina is composed of regular and specialist courts, with the BiH constitution stipulating that judicial jurisdiction is within the powers of the entities. At the BiH level, the Constitutional Court of Bosnia and Herzegovina has the competency to decide on appeals against judgments reached by the supreme courts of the entities, thus in some manner serving as a senior court for the whole of Bosnia and Herzegovina.

Article VI stipulates that the Constitutional Court of BiH has nine members, four elected by the House of Representatives of the Federation and two by the Assembly of Republika Srpska, while the remaining three were elected initially by the President of the European Court of Human Rights (ECHR) following consultation with the Presidency. Judges should be ‘distinguished jurists of high moral standing’; any eligible voter may serve as a judge but those elected by the President of the ECHR must not be citizens of BiH or of any other neighbouring state. Judges can stay in post until the age of 70 but may be removed by peer consensus.

The work and manner of decision-making are defined in detail by the constitution:

Disputes may be referred only by a member of the Presidency, by the Chair of the Council of Ministers, by the Chair or a Deputy Chair of either chamber of the Parliamentary Assembly, by one-fourth of the members of either chamber of the Parliamentary Assembly, or by one-fourth of either chamber of a legislature of an Entity.

However, the Constitutional Court also has appellate jurisdiction over constitutional matters arising from the judgment of any court in Bosnia and Herzegovina. It also has jurisdiction over questions referred to it by any court in BiH as to whether a particular law is compatible with the constitution, the European Convention for Human Rights and Fundamental Freedoms or the laws of BiH; or in terms of the existence or scope of a general rule of public international law relevant to its decision.

Decisions of the Constitutional Court of Bosnia and Herzegovina are final and binding.

The Court of Bosnia and Herzegovina has three divisions, namely: Criminal; Administrative; and Appellate. The Criminal Division has a War Crimes chamber (Section I); an Organised Crime, Economic Crime and Corruption chamber (Section II); and a General Crime chamber (Section III). The Administrative division has a litigation office and a single chamber; while the Appellate division rules on appeals against decisions made within the Criminal and Administrative divisions and also decides on complaints of breaches of the election law.

The BiH judiciary currently has 49 local judges as well as a number of international ones. All court chambers are composed of three judges.

## Electoral system

In Bosnia and Herzegovina, elections are held every four years. General elections are where the representatives (members) of the Presidency of BiH are elected, as well as for members of the House of Representatives of BiH, the House of Representatives of the Federation, the National Assembly of Republika Srpska, the President of Republika Srpska and members of the Assembly of Brčko District. Municipal elections see representatives elected to the representative bodies of the municipalities; BiH is composed of 97 municipalities in the Federation of BiH and 62 in Republika Srpska. Councillors on the municipal councils are elected by secret and direct ballot in local elections for a term of four years (according to the principle of 'Open Lists'); while mayors are also elected directly.

All those citizens who have reached the age of 18 and who are legally capable, but also those who are at least 16 years of age and who are employed (being in employment is a condition for the right to vote in this case) have the right to vote.

Following the adoption of the BiH Election Law in 2001, the BiH Election Commission was formed (after April 2006, this body was renamed the Central Election Commission), replacing the previous Provisional Election Commission. Elections in Bosnia and Herzegovina are regulated by the following laws: Election Law of BiH; Law on Conflicts of Interest; Law on the Financing of Political Parties; and the Law on the Council of Ministers of BiH.

## Office of the High Representative

The Office of the High Representative of BiH is an organisation for the civilian aspects of the implementation of peace in Bosnia and Herzegovina. Under the provisions of the Dayton Agreement, the High Representative is responsible, on behalf of the international community, for overseeing the implementation of the provisions of the Agreement. The Office also has the task of coordinating the activities of international civil society organisations and agencies operating in the country.

In addition to all the above institutions, the following are worth mentioning as continuing to play a key role in the life of the country:

1. EU Delegation to BiH
2. OSCE mission to BiH
3. NATO headquarters in Sarajevo
4. UN Mission in BiH
5. UNHCR in BiH
6. UN Office in Sarajevo.

## Conclusion

When we talk about the political system and the constitutional government of Bosnia and Herzegovina we can conclude that the structure of government which has been put in place does contain the legitimacy of the three nations. Considering that constitutional power is not state power but that, as such, it derives from the state, state powers and state organisations, this leads us to the conclusion that the level of constitutional power embodies the expressed sovereignty of the people in the socio-historical circumstances that actually exist. Today, the three ethnic nations in Bosnia and Herzegovina form a constitutional government, uniting the three national sovereignties.

However, in the ethnic form of the expression of individual nations in Bosnia and Herzegovina, the general state nation being made up of three nations implies the question of the precise location of sovereignty. It is this that stands out as one of the biggest flaws of the Dayton Agreement. Considering that the people, as the bearer of sovereignty, determine the organisation and function of the state, the overall inter-ethnic struggle in Bosnia and Herzegovina continues to be waged in the sphere of constitutional power. Defining and building one common national interest, above that of the three separate ethnic nations, is a condition for political, cultural and economic progress, as well as any other social progress, in Bosnia and Herzegovina. The problem with this process remains how to define the measure of expression and realisation of ethnic-national interests within a national identity that is still in its infancy, as well as determining subjects that would be relevant and acceptable by people on all three sides as a means of determining the measure of expression and the realisation of the national identity of a singular nation.

The independence and supremacy of the constitutional courts of Bosnia and Herzegovina could be a generally-accepted indicator of the existence of a singular state – but there is a major problem to this: the procedure for electing judges. In democratically underdeveloped societies, which includes Bosnia and Herzegovina,

political entities can influence the staffing of constitutional courts through the electoral procedure.

In many ways, the Dayton Agreement is a political document which has been manifested in formal practice. Annex 1-A setting out the Agreement on the Military Aspects of the Peace Settlement calls in its Article 1 for a multinational military force (IFOR) to be deployed in BiH for land, air and naval operations, operating through the NATO chain of command, to ensure the implementation of the Dayton Agreement. Indeed, the parties to the Agreement are expressly committed to IFOR's commencement of the implementation of the military aspects of the Agreement after the transfer of authority from the UNPROFOR Commander to the IFOR commander, with the modalities of the participation of other states involved in implementing the Agreement to be subject to agreement between those countries and NATO. This 'Peace Agreement', among other things, therefore introduced NATO to the Balkans. Also, this 'Peace Agreement', in the same Article 1 (paragraph 2c), states that the signatories agree on the establishment of:

Lasting security and arms control measures as outlined in Annex 1-B to the General Framework Agreement, which aim to promote a permanent reconciliation between all Parties and to facilitate the achievement of all political arrangements agreed to in the General Framework Agreement.

One of the strengths of the Dayton Agreement in shaping the political system of Bosnia and Herzegovina is the establishment of peace in the Balkans, the return to normal of socio-political life and the immediate cessation of conflicts of all kinds.

However, the Dayton Agreement is also a short-term document because other than delivering the conditions for a return to peace, it leaves everything else about the political organisation of the entities within Bosnia and Herzegovina entirely open. In this way, and in the light of its heavy emphasis on the ethnicities of peoples within the entities, while it has ended the violence, it has yet to win the peace.

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