

Université de Montréal

EXPLANATIONS OF THE INTERNATIONAL COMMUNITY DEADLOCK
IN BOSNIA AND HERZEGOVINA

Par

Juliette Ganne

Département de science politique

Faculté des arts et des sciences

Mémoire présenté à la Faculté des arts et des sciences

en vue de l'obtention du grade de maîtrise

en science politique

Août 2015

© Juliette Ganne

Résumé

La Bosnie-Herzégovine est sous supervision internationale depuis 1995. Les principaux acteurs de cette communauté internationale soit l'Union Européenne (UE) et le Bureau du Haut-Représentant à la Communauté Internationale (OHR) ont exprimé à de nombreuses reprises leur intention de transformer la mission internationale en s'éloignant du pouvoir discrétionnaire du OHR en le remplaçant par la perspective d'intégration offerte par l'UE. Malgré les bonnes intentions, cette transition semble être dans une impasse. Depuis 2006, l'organisation et la distribution des responsabilités au sein de la communauté internationale sont restées inchangées. Ce mémoire s'intéresse à ces deux principaux acteurs et à leur rôle dans l'impasse. L'objectif est de tester trois cadres d'analyse soit le rationalisme, le constructivisme et la complexité des régimes pouvant expliquer cette impasse. En se basant sur des interviews avec des experts et des représentants des deux institutions, ce mémoire explore dans quelle mesure et dans quels contextes chaque cadre d'analyse est apte à expliquer le comportement des acteurs.

Mots-clefs: Bosnie-Herzégovine, relations internationales, complexité des régimes, impasse, rationalisme, constructivisme, Bureau du Haut-Représentant à la Communauté Internationale, Union Européenne.

Abstract

Bosnia and Herzegovina has been under international supervision since 1995. Key actors in the international community namely the Office of the High Representative (OHR) and the European Union (EU) have expressed a desire to change the focus of this mission from one led by the OHR to one led by the EU. Despite the strong will of the international community to carry out this transition, it seems to have reached a deadlock. In the last few years, the arrangement of the international community has remained unchanged. This thesis focuses on these two main actors in this transition and their responsibility in the deadlock. This thesis tests three frameworks in order to explain this deadlock, specifically rationalism, constructivism, and regime complexity. Drawing on interviews with experts and officials working in the European Union and in the Office of the High Representative, this thesis explores the suitability of these frameworks for explaining these actors' behaviours.

Keywords: Bosnia and Herzegovina, international relations, regime complexity, deadlock, rationalism, constructivism, Office of the High Representative, European Union.

À ma Maman

Acknowledgments

First and foremost, I would like to express my sincere gratitude to my advisor, Prof. Frédéric Mérand, for his continuous support throughout the research and writing of this thesis, and for his patience, guidance, and knowledge.

I am also deeply grateful to my informants. Their names cannot be disclosed, but I want to acknowledge and appreciate their help and transparency during my research. Their participation has been essential to the completion of this thesis.

My colleagues and friends at Université de Montréal, the 2014 Otzenhausen group, especially Daphné Desrochers and Audrey Gagnon, also deserve special thanks for putting things in perspective throughout the writing period.

I would also like to acknowledge the contribution of the European Union Center of Excellence for its financial support. Without this precious funding it would not have been possible to conduct my field research in Bosnia and Herzegovina.

A special thanks goes to my family, Pierre-Jean Ganne my father, Lucille and Benjamin Ganne my sister and brother for supporting me throughout the writing of this thesis and in my life in general. Last but not least, I would like to thank my husband, Jonathan Richard, for his unwavering support, as well as his love, attention, and cooking.

Table of Contents

RÉSUMÉ	II
ABSTRACT	III
ACKNOWLEDGMENTS	V
LIST OF ABBREVIATIONS	VII
INTRODUCTION: BOSNIA AND HERZEGOVINA AND THE INTERNATIONAL COMMUNITY	1
CHAPTER ONE: CONTEXTUAL OVERVIEW, LITERATURE REVIEW, AND CONCEPTUAL FRAMEWORK	5
CONTEXT	6
OFFICE OF THE HIGH REPRESENTATIVE: THE AD HOC POWER	6
EUROPEAN UNION: A GROWING INFLUENCE	10
DEADLOCK: THE INTERNATIONAL COMMUNITY IMPASSE	12
LITERATURE REVIEW: INTERNATIONAL ADMINISTRATIONS	18
DEFINITION	18
DEBATES	20
CONCEPTUAL FRAMEWORK: TESTING THREE HYPOTHESES	25
RATIONALISM	26
CONSTRUCTIVISM	27
REGIME COMPLEXITY	28
METHODOLOGY	30
CHAPTER TWO: EXPLANATIONS FOR THE DEADLOCK	36
RATIONALISM	36
DEADLOCK EXPLAINED THROUGH GAME THEORY	37
CONCLUSION	48
CONSTRUCTIVISM	49
BOSNIA'S UNIQUENESS?	50
BUREAUCRATIC NORMS INFLUENCE	57
CONCLUSION	60
REGIME COMPLEXITY	62
INTERNATIONAL COMMUNITY AS A REGIME COMPLEX	63
DEADLOCK EXPLAINED BY REGIME COMPLEXITY	68
CONCLUSION	75
CHAPTER THREE: DISCUSSION AND CONCLUSION	77
SOURCES	81

List of Abbreviations

BiH: Bosnia and Herzegovina

ESDP: European Security and Defence Policy

EU: European Union

EUFOR Althea : European Union Force Althea

EUSR: European Union Special Representative

HR: High Representative

IFOR: Implementation Force

IGO: International Governmental Organization

IMF: International Monetary Fund

IPTF: United Nations International Police Task Force

ITA: International Transitional Administration

NATO: North Atlantic Treaty Organization

OHR: Office of the High Representative

OSCE: Organisation of Security and Cooperation in Europe

PIC: Peace Implementation Council

PICSB: Peace Implementation Council Steering Board

SAA: Stability and Association Agreement

SFOR: Stabilization Force

UNDP: United Nations Development Program

US: United States of America

Introduction: Bosnia and Herzegovina and the International Community

Bosnia and Herzegovina¹ has been under international supervision since the end of the war in 1995, when various institutions were enshrined in the Constitution of the country. These include the Office of the High Representative (OHR), which is in charge of the implementation of civilian aspects of the Dayton agreement. The North Atlantic Treaty Organization (NATO), which handles military aspects, has been responsible for the Implementation Force (IFOR) and then for the Stabilization Force (SFOR). There is also the Organization of Security and Cooperation in Europe (OSCE), which supervises the elections. The European Union (EU) through its Delegation and Special Representative (EUSR) has acquired more and more responsibilities in contrast to its limited involvement during the peace negotiations (Adebahr 2009, 22). Since 2004, European Union Force Althea (EUFOR) has taken NATO's place as the main military deployment force. Conversely, the Peace Implementation Council Steering Board (PICSB), which oversees the OHR, has been rather dormant, although it has never vanished. As Chandler (2006b) points out, the principal transition since the end of the war has been “from the ad hoc policy-ownership of self-selected members of the Peace Implementation Council to direct regulatory control under the aegis of the European Union” (Chandler 2006b, 18). In other words, the international community in Bosnia and Herzegovina is slowly moving from Dayton to Brussels—or from the OHR to the EU.

After a failed attempt at merging the functions of the High Representative with the Special Representative between 2002 and 2011, it was finally “the unsustainability of the double-hatting that led to the decision to detach the OHR from the EUSR” (Peter 2015, 139). This decision was

¹ In this thesis, the terms BiH and Bosnia will be use interchangeably to refer to Bosnia and Herzegovina.

taken because there were too many confusing and contradictory instructions coming from the two principals (PICSB and EU). In 2011, the roles were decoupled again.

Since 2008, the OHR has set seven criteria for its closure, the 5+2 agenda. This plan includes criteria emanating from traditional OHR mandate mixed with EU integration issues. Besides, the OHR has been more and more reluctant to use its executive powers to impose its will on Bosnian politicians. The OHR is slowly receding before the EU. Meanwhile, the European Union has concentrated on Bosnia's EU candidacy through numerous initiatives, the latest of which is the "Compact for Growth and Jobs" initiative launched in 2014. This initiative was established as a forum to connect scholars, business people, and government officials, and was designed to prioritize the problems of unemployment and corruption in BiH. The main outcome of this transition, at the present time, has involved the OHR shrinking in terms of size and preeminence (Peter 2015, 139) and the EU increasing its presence and multiplying its efforts and money. By the admission of the employees of both institutions, this shift has not been easy (interviews EM and RP).

Moreover, since the end of High Representative Paddy Ashdown's mandate in 2006, consensus about an effective transition strategy has steadily decreased among overseers both within the PICSB and among EU member-states (Peter 2015, 132). The prolongation of the transition phase and the absence of a plan for the international community to exit the country have even been described as a 'non-strategy' by Mateja Peter, a specialist in international administrations (Peter 2015, 2). In the last eight years, the international community in Bosnia has reached a point of equilibrium. No change or exit strategy is foreseeable in the near future, which leads us to conclude that the transition is in a deadlock. While the international community made great

strides on issues like police reform and state-building during its first decade in Bosnia, it has been stalled between the implementation of peace, represented by the OHR, and the prospect of EU integration, and they have been unable to take any decisive steps in abolishing the OHR. This deadlock is the starting point of this thesis. Through a detailed description of the situation facing the international community, and by testing competing hypotheses, the objective is to understand why this deadlock happened, and, more importantly, why it is enduring.

This thesis explores three explanatory systems: rationalism, constructivism, and regime complexity. The first two are not substantive theories for explaining the behaviour of key actors, meaning that they do not make any claims about the nature of the actors or their interactions. Regime complexity is a more recent trend in International Relations, and points to the importance of complex systems in affecting behaviour. First of all, a rationalist logic will be examined by looking at the individual, institutional, and international incentives that constitute actor interests and that encourage the continuation of the deadlock. Using game theory, the interests of key actors will be assessed, like in a negotiation setting, in order to explain why the deadlock persists. In this framework, the principals (i.e., PIC Steering board members and European Union institutions and member-states) are key actors. Second, a constructivist perspective will be tested. The idea behind this framework is that the HR and EU offices fell into some sort of bureaucratic autopilot and have been acting according to scripts emerging from their respective organizational cultures. In this context, we will assess how the identities developed by the international community affect the way they see and interact with Bosnia and Herzegovina and how this influences the perpetuation of the deadlock. Finally, we will look at regime complexity, which suggests that the regime complex of international institutions in Bosnia and Herzegovina has affected the behaviour of key actors. Complex institutional overlaps can encourage rivalries,

veto, and competition among international organizations and their principals. These hypotheses will be tested in turn. In so doing, we will discuss instances where the explanations are valid, while shedding light on any unresolved questions.

Chapter One: Contextual Overview, Literature Review, and Conceptual Framework

The central question of this thesis is: why is there a deadlock? It is essential to describe the deadlock empirically and theoretically as well as the three explanatory systems proposed. This chapter endeavours to do so. The first section presents the context of the international intervention in Bosnia and Herzegovina by describing the roles of the EU delegation, the Special Representative, and the Office of the High Representative. Then, we will briefly explain why these institutions can be considered the principal actors in this deadlock. Next, we will provide an overview of the deadlock itself: chronologically, empirically, and theoretically. This will be followed by a review of the literature on international administrations in order to highlight the main debates and issues in this international relations phenomenon. The literature review will show that, even though it is a much-discussed topic, there are still gray areas, including specifics on failing exit strategies and mandate prolongation. The conceptual framework will develop three perspectives: rationalism, constructivism, and regime complexity. A discussion of these will demonstrate why they are suitable and how each perspective can shed light on this deadlock. Finally, the methodology and data used to test these three hypotheses will be presented. A case study will allow for an in-depth analysis and comprehensive understanding of the interactions necessary to understand the issues from these three different angles.

Context

In order to fully understand the deadlock in the Bosnia and Herzegovina international community, and the choice to focus on the Office of the High Representative (OHR) and European Union (EU) in this thesis, a brief presentation of each organization and its environment is necessary. Beginning with a discussion of the OHR, which is an ad hoc institution designed for the particular case of post-war Bosnia and Herzegovina, we will shed light on its history and operations. Then, we will turn to the EU and its efforts to help BiH on the path to EU membership in recent years. This section explains the reasons for focusing on these two institutions, given the broader international community invested in BiH. Finally, the deadlock will be discussed, both in Bosnia and more conceptually.

Office of the High Representative: the Ad hoc Power

The OHR was created in 1995 with the signing of the Dayton Peace Agreement under chapter VII of the United Nations Charter. According to Knaus & Martin (2003), the OHR is at the heart of the international community in Bosnia and Herzegovina. Since 1995, there have been seven High Representatives, all of whom have been Europeans,² while the principal deputy position has always been assigned to an American. The mission of the OHR is comprised of seven tasks listed in Annex X of the Dayton Agreement:

- Monitor the implementation of the peace settlement;
- Maintain close contact with the parties to the Agreement, to promote their full compliance with all civilian aspects of the Agreement;

² Carl Bildt (1995-1997), Carlos Westendorp (1997-1999), Wolfgang Petritsch (1999-2002), Paddy Ashdown (2002-2006), Christian Schwarz-Schilling (2006-2007), Miroslav Lajčák (2007-2009), and Valentin Inzko (2009-today).

- Co-ordinate the activities of the civilian organisations and agencies in Bosnia and Herzegovina to ensure the efficient implementation of the civilian aspects of the peace settlement. The High Representative shall respect their autonomy within their spheres of operation while as necessary giving general guidance to them about the impact of their activities on the implementation of the peace settlement;
- Facilitate, as the High Representative judges necessary, the resolution of any difficulties arising in connection with civilian implementation;
- Participate in meetings of donor organisations;
- Report periodically on progress to the United Nations, European Union, United States, Russian Federation, and other interested governments, parties, and organisations; and
- Provide guidance to the United Nations International Police Task Force (IPTF).

At first, the mandate of the OHR was limited to a year, until the 1996 elections. Tirak (2010) recounts:

After the elections, which, instead of the change in the Bosnian political landscape that most of PIC members had hoped for brought the same political leaders who fought the war back into power, the OHR closure deadline was prolonged for a further two year ‘consolidation period’. After only a year—in December 1997—OHR’s mandate was extended indefinitely. It was during this PIC meeting that the High Representative was given the power henceforth to issue binding decisions (Tirak 2010, 4).

Through these powers (the so-called “Bonn powers”), the HR could remove presidents, prime ministers, judges, and mayors from office. There is no appeal system and no evidence is necessary to substantiate the HR’s decisions. He has the power to change, adopt, and veto legislation and also to create any new institutions he deems valuable. “In fact, the OHR is not accountable to any elected institution at all. It answers to a biennial gathering of foreign

ministries, the Peace Implementation Council (PIC), which it chairs” (Knaus and Martin 2003, 61). Indeed, the OHR is often mistaken for an organ of the UN, but it is in fact a group of willing states that manages the OHR. The PIC is comprised of 55 countries and agencies, though it has not met since 2000. A subset of the PIC is the Peace Implementation Council Steering Board (PICSB), which comprises 11 members. These members are delegated to give political guidance to the OHR. But, as we will see later, there are divisions between them over the future of the international community, and more specifically the OHR, in Bosnia. Partly for this reason, they have faced difficulties in offering consolidated guidance to the High Representative and his staff.

The vagueness of the task description and the extensive powers granted to the OHR have allowed successive HRs to adopt different modes of governance and entertain different relations with the Bosnian authorities (Peter 2013). Some have been more proactive, while other have refrained from using their powers. Valentin Inzko, the incumbent, has been the longest serving High Representative. For the most part, he has remained quite reserved about using the Bonn powers and testing the limits of his principals (i.e., the PICSB (Interview JT)). Shortly after his mandate began in 2009, the OHR was sidelined in the US/EU-led constitutional negotiations of Butmir. This is described in the following excerpt from Peter (2015):

Inzko quite quickly experienced first-hand the increasing marginalization of the HR from international state-building processes. In October 2009 the EU and the US convened emergency constitutional talks in Butmir. [...] He was ultimately invited to the meeting itself but his Office was not involved in its preparation. Although the process eventually failed, the visible exclusion of the HR was remarkable (Peter 2015, 144).

Since 2008, the PICSB has referred to the so-called 5+2 agenda to define the necessary steps for closing the OHR. This plan includes five objectives (changes in property law and defense law, agreement on the status of Brčko district, achievement of fiscal sustainability, and the clear

establishment of the rule of law) and two conditions: the signature of the Stability and Association Agreement (SAA) with the EU and a positive assessment from the PICSB regarding the implementation of the Dayton Peace Accords (Board 2012). Year after year, the OHR annual reports complain—probably rightly—about the lack of cooperation from Bosnian elites to justify the partial implementation of the 5+2 agenda.

Part of the problem is that, even if the Dayton Peace Agreement granted a coordinating role to the OHR, this body never had the resources or power to fulfill its role. As former High Representative Paddy Ashdown points out several times in his memoirs: “[t]he problem was that, although the ‘High Rep’ has a formal duty to coordinate all these bodies, he has no formal power to do so. In effect, they each have their own mandate, report directly to their own headquarters and need pay little heed to the OHR in what they do” (Ashdown 2007, 218). In 2002, Ashdown established the Board of Principals,³ a gathering of the heads of the international organizations working in BiH to foster coordination and avoid overlap between them. However, this entity has not released a common declaration since 2004.

The OHR has been active in Bosnia and Herzegovina since the end of the war. Almost two decades later, this organization and its employees have developed a particular relationship with BiH. As Peter (2014) points out, “the OHR has become part of the domestic politics in BiH, not only acting as a corrective mechanism for breaches of the peace process but also developing the reform agenda for the country” (Peter 2015, 134).

³ Participants include the Office of the High Representative, the European Union Force, the North Atlantic Treaty Organisation Head Quarter Sarajevo, the Organisation of Security and Co-operation in Europe, the United Nations High Commission for Refugees, the European Union Police Mission, the European Commission, the World Bank, the International Monetary Fund, and the United Nations Development Program.

European Union: a Growing Influence

The other major actor from the international community in BiH, both in terms of size and financial and material implications, is the European Union. The intervention of the European Union in Bosnia and Herzegovina has been growing steadily since the end of the war. In 2000, Bosnia and Herzegovina became a potential candidate for EU integration. European officials have suggested, on numerous occasions, that Bosnia's place is in the European Union. On the EU website, its three main aims regarding BiH are summed up in the following:

- Presenting, explaining and implementing EU policy;
- Analysing and reporting on the policies and developments in the country; and
- Conducting negotiations in line with its mandate.

To achieve these goals, the EU in BiH comprises two bodies: the Delegation and the Special Representative Office. The EUSR heads both of these, but they answer to different EU institutions. The Delegation operates under the leadership of the European Union Commission, while the EUSR mandate comes from the Council of the European Union. The EU delegation is principally responsible for the allocation of pre-accession funds and does most of its work from Sarajevo. The EUSR has offices in Banja Luka, Mostar, and Brčko and “offers advice and facilitation support in the political process to institutions at all levels, aimed at ensuring greater consistency and coherence of all political, economic and European priorities” (BiH 2015). The merging of the head of the Delegation with the EUSR was meant to give the EU a single voice to respond to Bosnian elites and the public. Despite some tensions between the two entities, in this

thesis, they will be treated as a single organization, since their work on the ground is mostly complementary. Together they constitute the European Union in BiH.

In past few years, one of the biggest issues for the EU in BiH has been the Sejdić and Finci case. A judgement by the European Court of Human Rights declared that some provisions of the Bosnian Constitution violate the European Convention on Human Rights. According to the Bosnian Constitution, the Presidency must be a triumvirate, composed of one Croat, one Bosniak, and one Serb. This means that citizens of other ethnicities cannot run for President (Claridge 2010). According to an observer of Bosnian politics, the EU has advocated with all its political influence and has still been unable to get Bosnian politicians to modify the Constitution.

According to an OHR official:

The EU gave its maximum push to apply the maximum amount of political pressure. There was nothing more from Brussels that they could do. They put out the maximum amount of what Brussels is capable of and it did not work. If they would have had more, they would have given more; but politically, the EU and the member states, is a very complex situation up there. They can deliver political pressure, but they had no more; they did not have extra in their pocket (Interview RP).

The EU wanted to lead a project on its own and observers noted that it did not have enough political leverage to do so. According to Eralp (2009), the main tool of EU policy in Bosnia is the prospect of EU membership (Eralp 2009, 282), but there are doubts about its efficacy in the Balkans (Brljavac 2011, 9).

In the last few years, the European Union has demonstrated a growing interest in the Balkans, including Bosnia and Herzegovina. However, according to Brljavac (2011), the EU is the main promoter of democracy in the Balkans “with overlapping processes of Europeanization and

democratisation. Although the Union developed new institutional relations with the regional countries through newly initiated SAA, it has faced a lot of challenges, especially in Bosnia and Herzegovina” (Brljavac 2011, 10).

To sum up, there are three main arguments that make the EU and OHR interesting institutions to study in the context of complexity and the deadlock situation in the international community in Bosnia. First, even if the OHR has downsized in the past few years to leave space for the EU to grow, it is still “the final authority in theatre” (Eralp 2009, 9). The definitive closure of the OHR does not seem likely in the foreseeable future. Until then, the EU and the OHR will have to continue to work together on Bosnian territory. Second, the OHR and EU constitute the core of the international community in Bosnia and Herzegovina. They play leading roles in Bosnia’s international community, a distinction established by Brosig (2011) in his study of the international community in Kosovo (Brosig 2011, 197). This means that they are powerful and resourceful organizations, which can dominate the scene and act in various sectors. Thirdly, they are the institutions whose missions intersect the most. Similarly to Hofmann’s (2009) study of NATO and the European security and defence policy (ESDP), the main overlap in this case seems to be between only two institutions; the other institutions are more limited in their mandates. Indeed, the OHR and EU have far-reaching tasks to accomplish in BiH, while other organizations, like UNDP or the International Monetary Fund, work with more restricted functions.

Deadlock: the International Community Impasse

We now turn to the specifics of the deadlock, which developed in the international community in Bosnia and Herzegovina, especially between the OHR and the EU. To describe this deadlock, a

brief historical overview of the international intervention in Bosnia and Herzegovina is fundamental. This overview divides the international intervention in three phases: stabilization, state-building, and transition.

For the first four years after the war ended, from 1995 to 1999, stabilization was the primary concern. This phase was characterized by efforts to implement peace on the ground. At first, the NATO led military force (i.e., the IFOR and SFOR) ran the show. Following this, the OHR took a more active role and led projects to create the core elements of a Bosnian nation-state: a national flag and anthem, a common currency, a harmonization of license plates to support mobility on all Bosnian territory (Interview RP). Since the beginning of the international intervention, “the mandates of the international organisations frequently duplicated each other— OSCE and OHR both had the responsibility for education, human rights and democratisation; both OHR and SFOR had a duty to oversee military reform” (Ashdown 2007, 224). From the outset, therefore, this overlap has contributed to the complexity of interactions between the international community in BiH.

The second phase of the intervention, from 1999 to 2006, focused on reform and was marked by the tenure of Wolfgang Petritsch and Paddy Ashdown as High Representatives. This phase saw the establishment and implementation of aggressive reforms.

Under HR Petritsch, the powers were primarily applied to create key state-level institutions (e.g. the State Border Service) and reform Bosnia’s creaking economy in the areas of taxation, privatization, and payment systems. Under HR Ashdown, the focus shifted from the creation of a legal framework towards application of that framework by domestic authorities, resulting in fewer impositions of laws but more removals of officials (Vogel 2006, 7).

During this period, there was an agreement on the division of labour between the Organisation of Security and Cooperation in Europe (OSCE) and the OHR. The OSCE had concluded its electoral monitoring functions and had decided to focus on education, while the HR wanted to focus on institution-building, but according to an expert “the deal was personal [...] It was between [High Representative] Ashdown and [OSCE head] Beecroft, so it was a sort of symbiosis where the OSCE got a new job and the High Rep said ‘if you need help, I will back you up with my authority’ and that worked for a while but then they both left” (Interview EM). This phase also saw the increasing involvement of the European Union, especially with the 2003 Thessaloniki Declaration, which officially affirmed EU membership prospects for all Balkan countries.

The third and current phase, which began in 2006, is ongoing. It is characterized by a transition from Dayton to Brussels. This phase began with the announcement of the OHR closure planned for 2007, a closure that has been postponed a few times since. According to one OHR official:

Basically, in one way or another, the focus has slowly been changing from Dayton led peace implementation to EU led meeting the requirements to join the EU [...] That phase is set to continue for as long as anyone could predict. Because that phase has shown the slowest progress so far of all the phases, in terms of true results, true progress, it is also the longest phase by far [...] Now we are already eight years into this transition phase and it is going to be even longer (Interview RP).

In fact, the transition seems to have been stalled somewhere between the two institutions. Scholars use terms like ‘limbo’ (Peter 2013, 434) or ‘stuck’ (Vogel 2006, 3) to describe the situation. The employees working in both institutions also recognize that the transition is stalled. On the EU side, one informant admitted that the international community still needed the OHR to carry out its job: “there is still a role for the OHR in a number of areas where the EU can’t focus specifically. So the OHR still does have a role there” (Interview EM). On the OHR side, one

official stated, “until there is more consensus inside the PICSB, the current structure of the international community [...] will stay more or less as it is now” (Interview RP). By these accounts, we can see that, in both institutions, employees notice the rigidity of the current arrangement of the international community and agree that they are in an impasse.

I argue that this phase represents a deadlock, and that neither actor is capable of developing an exit strategy or a solution to conclude this transition period. While two other terms could also be used to describe the situation in BiH—namely ‘stalemate’ or ‘gridlock’—we contend that the term ‘deadlock’ is the most appropriate. Indeed, a short explanation of the meaning of these terms can clarify this. The word ‘stalemate’ comes from the game of chess and suggests adversarial parties. It was used during the Cold War to describe the situation of mutual deterrence between the United States and the Soviet Union. ‘Gridlock’ is more commonly used in domestic politics, and refers to a situation where institutions are able to legally block each other (e.g. Bahtić-Kunrath 2011). The term ‘deadlock’, for its part, generally indicates negotiations; it is employed in international relations literature. Since the situation in Bosnia does not involve rival institutions and there are no signs of one trying to obstruct the other through legal means, deadlock seems to be the most appropriate term to describe the situation in BiH. Although there are no formal negotiations to speak of, the formation of an exit strategy by the international community in Bosnia involves the same processes and methods of concessions and bargaining required in negotiations.

Narlikar’s (2010) book focuses on multilateral negotiations. She sets two conditions against each other in order to establish a deadlock situation corresponding to the one in Bosnia. First, “an extended situation of non-agreement exists, such that parties adopt inconsistent positions and are

unable or unwilling to make the concessions sufficient to achieve a breakthrough on the particular issues” (Narlikar 2010, 3). This condition accurately captures the impasse that besets international community politics in Bosnia and Herzegovina. Neither party is willing to make the necessary concessions or adjustments to resolve the situation. As we will see later, there is a profound divide among BiH international patrons. They hold irreconcilable views on Bosnia and on the future of the international community’s engagement. There does not seem to be any possibility of compromise; nor is there enough pressure coming from the administrations working in Bosnia and Herzegovina—the primary witnesses of the damage of this deadlock—to find a solution.

Second, Narlikar (2010) emphasizes the importance of

... a landmark moment in a negotiation process—which may be an ‘action-forcing event’ in the shape of a chair’s text or a deadline imposed by a mediator, or may be a natural landmark endogenous to the negotiations and recognised as such by the parties involved—despite having set up expectations towards a compromise, is unable to trigger the necessary concessions to ensure an agreement on a particular issue (Narlikar 2010, 3).

There have been few ‘action forcing events’ in the international community since 2006. For example, the announcement of the OHR closure can be characterized as such. In June 2006, the PICSB announced the closure of the OHR by June 30, 2007. As Tirak (2010) pointed out, in 2006 the election results curbed the PICSB closure plan. Nationalist feelings resurfaced and the general political situation deteriorated. “So when the decision to close the OHR was revised in February 2007, the transition date was postponed to 30 June 2008. Finally, in its 2008 meeting, the PIC decided to extend the HR’s mandate indefinitely until a set of benchmarks had been fulfilled – the so-called “5+2” package” (Tirak 2010, 5). The failure to close the OHR was not the only event that stalled the transition. The EU’s mishandling of the Sejdić and Finci case also

contributed to the standstill, because for many observers, including some PICSB members, this proved that the EU was unable to ‘handle’ Bosnia. In 2007, the step-change policy adopted by the OHR under Miroslav Lajčák’s administration also had a stifling effect. In reaction to the mismanagement of police reforms, Lajčák tried to reassert the power of the OHR and force Bosnian politicians to cooperate. According to the International Crisis Group, “[t]he High Representative’s ‘step-change’ [...] produced a seemingly impassable deadlock instead of opening the way to reform and Bosnia’s European future” (ICG 2009, 13).

The foregoing has established the context for this thesis, both in what concerns the principal actors and the relations that link them in Bosnia and Herzegovina. Furthermore, as we have seen, the impasse between these organizations has been a defining feature of international politics in Bosnia and Herzegovina for some time, and this remains a challenge for the transition from Dayton to Brussels. This thesis tests three possible frameworks that can explain the deadlock. But first, we review the international administrations literature relevant to this study.

Literature Review: International Administrations

To place the thesis question and the situation in BiH in a larger context, we briefly survey the research literature on international administrations. International administrations have generated a lot of debate among scholars over their legality, functions, and aims. This section will demonstrate the relevance of this thesis by demonstrating that there have been no research studies focused on transitions—certainly not stalled transitions—within international administrations.

International administrations are governance structures deployed within the larger framework of a peace-building mission (Brabandere 2009), where the administration of a territory is partly or wholly taken over by international partners. The cases of Kosovo, East Timor, Bosnia and Herzegovina, Cambodia, and Afghanistan constitute some recent examples of such missions, which triggered both interest and criticism. International administrations emerge out of a rich historical tradition. The League of Nations administration, the United Nations Trusteeships system, and protectorates are all precedents that led to the development of present day international administrations. International administrations are also sometimes referred to as international transitional administrations (ITA). The commonality between these consists of a foreign or international entity that takes partial or total control over the governance of a territory. The next section describes the main characteristics of those interventions and debates over definitions.

Definition

To begin with, it is important to recognize that there is no universally agreed upon definition of an international administration. Notwithstanding, four elements are generally present in the definitions provided by scholars. First, there is a territory, which can be a state, part of a state, or

parts of multiple states. Usually (but not always) the territory is in a post-conflict period. Indeed, the term ‘war-torn’ is often used. As Jackson (2004) points out, “[t]he term raises the issue of international involvement and may even serve to justify it. The underlying assumption appears to be that international society has no interest or business in getting involved in peaceful territories” (Jackson 2004, 23).

Second, there is a governing entity, which can emerge from an international consensus. It can encompass different international actors (e.g., states, international institutions) and different forms of engagements (e.g., supervision, governance, or assistance) (Stahn 2008, 44). For example, it can be managed directly by the United Nations, as was the case in Kosovo and East Timor. In the case of Bosnia, the United Nations delegated a group of willing countries (i.e., the Peace Implementation Council) to be responsible for the OHR. In other cases, such as Iraq, the involvement of the UN has been marginal. In that case, the mission was led primarily by the occupying powers, the United States and United Kingdom (Brabandere 2009, 45).

The third element consists of the practice of these missions. Some authors have compared modern international administrations to trusteeships and protectorates (Berdal and Caplan 2004). The central question concerns the extent to which the new endeavour replicates a form of colonial domination of a previous colonial intervention. Some authors, like Ratner (2005), defend the idea that international administrations and occupations by other states are similar and that the former can learn from the latter. He points out that “both must conduct their occupations with a coherent approach to the relevant international and domestic law and be able to justify any coercive actions” (Ratner 2005, 719). Knaus and Martin (2003) suggest that occupations and international administration are analogous in terms of style and substance: “[v]ast ambitions, the fervent belief

in progress, the assumption that outsiders can best interpret the true interest of a subject people” (Knaus and Martin 2003, 62). Others, like Peter (2013), argue that the comparison with a protectorate is misleading, because, while they may be similar in the form, they are fundamentally different in intent. She writes: “Contemporary peace operations primarily work for the benefit of local population, while colonial exercises were conducted for the benefit of the metropole” (Peter 2014, 9).

The fourth element, which is not included in every definition, is the transitional character of international administrations. Some have a fixed timeline, like in East Timor; others, like Kosovo and Bosnia, are expected to exit when their mission is complete, which leaves the timeline more open-ended (Peter 2013, 426). However, all international administrations are expected to transfer power over to local authorities at some point. We believe that a definition that takes these four elements into account would be the most complete, precise, and preferable. Stahn’s (2008) definition comes close. He defines international administrations as “the exercise of administering authority (executive, legislative or judicial authority) by an international entity for the benefit of a territory that is temporarily placed under international supervision or assistance for communitarian purpose” (Stahn 2008, 44-45).

Debates

In 2004, Mats Berdal and Richard Caplan held a symposium on the subject of international administrations in war-torn countries (Berdal and Caplan 2004). The contributions to that symposium focused on the political character of those missions, in contrast to the more technical and problem-solving literature that focuses on specific cases. They investigated three sets of questions about such interventions. First, what are their legal and normative justifications?

Second, what kind of changes should they aim for in the territories they administer? And third, how should their performances be evaluated? This literature review presents the debates on those three issues. We will see that they only allude to the question of exit strategies, without dedicating sufficient attention to the question of prolonged international administrations.

The first group of studies are concerned with the legal or normative validity of such missions. One of the central questions has to do with reconciling the idea of establishing democracy and the rule of law through undemocratic means. Bosnia's example can demonstrate the dictatorial character of international administrations:

The international mission to BiH has arrived at this paradoxical conclusion: What Bosnia and Herzegovina needs is not democratic domestic politics, but government by international experts. In Bosnia and Herzegovina, outsiders do more than participate in shaping the political agenda—something that has become the norm throughout Eastern Europe, as governments aspire to join the European Union. In BiH, outsiders actually set that agenda, impose it, and punish with sanctions those who refuse to implement it (Leroux-Martin 2013, 189)

In the context of international law, the emphasis on the right to self-determination rather than on the legitimacy of international administrations. Yannis (2002), however, tries to reconcile the concept of state sovereignty with the presence of international administrations. He writes: "Political realities are decorated with legal forms without precise meaning since no criteria for declaring Cambodia's sovereignty to be in abeyance are given other than an ambiguous post facto rationalization of the peace agreements" (Yannis 2002, 1044). If international administrations do not concur with democratic or legal principles, the question of how to establish the moral and legal authority of those administrations remains.

The ethical legitimacy of missions to war-torn countries usually rests on a limited set of options facing the international community in post-war environments. The majority of those missions were undertaken on an ad hoc basis to respond to exceptional circumstances in a post-conflict environment. The national or local authorities did not have the capacity to administer their own territory. Helman & Ratner (1992) underline the necessity of such interventions in failed states in order to ensure global stability. Wilde (2001), for his part, looks at the official reasons given for these missions, specifically how to respond to sovereignty and governance problems in those countries. Pattison (2013) discusses the justifiability of interventions in relation to the responsibility of rebuilding after a conflict or a state failure. Peter argues that the preceding arguments “mix liberal good intentions with realist concerns about the potential threat that these failed states’ pose to the West and the international system as a whole” (Peter 2014, 6). Dominik Zaum (2006), for his part, examines the authoritative sources of international administrations and tries to find ways to enhance their legitimacy. He identifies a contradiction in that consent for an international administration intervention is provided by the state, not by the population. In Bosnia and Herzegovina, Croatia, BiH and Serbia gave their assent to the international intervention by signing the Peace Treaty, not Bosnians. He concludes by suggesting that those administrations should focus on their effectiveness, increase their accountability, and develop the expert knowledge that makes their authority stand out.

To respond to the issue of legal validity, Stahn’s (2008) contribution offers a detailed account of the legal basis for the establishment of international territorial administrations. He compares these to other historical kinds of international supervisions and discusses the current challenges and possibilities offered by these international interventions. According to Peter, however, these

accounts only depict part of the reality and do not convey the real life application of international administrations.

They are portrayed as decisions taken by the abstract international community, a description that tells us very little of how these powers form and exhibit themselves in political practice. While the existence of powers is a condition for their use, it is how they translate into reality that is missing from this kind of typology; a question that should lie at the core of any study of international politics (Peter 2014, 4).

The second body of literature focuses on the handling of international administrative operations. In this literature, there are also heated debates about the conduct of operations and their timeline. Some argue that operations should develop local ownership first (Chandler 2006a, Knaus and Martin 2003). These authors often raise doubts about the possibility of establishing a democratic state through undemocratic means (Cousens and Cater 2001). They argue for limited missions that would aim only to help local authorities assert their power. One alternative to international administration that they have suggested is the light footprint strategy. This was the approach adopted in Afghanistan (Chesterman 2004). It is a strategy that seeks to reinforce rather than to replace local authorities. Others authors advocate for a greater degree of intervention and recommend strong and rapid missions where the international community imposes the basic features of a democratic state. Certain think tanks, like the International Crisis Group, support this approach.

Other studies rather focus on specific missions and identify the challenges and policy choices they face. Yannis (2004), for example, examines the political challenges posed by the UN mandate in Kosovo to the international administration and the factors that have influenced central policy choices on “how to govern” and “to what end”. Hohe (2002) examines the clash between existing local rules and imposed international standards. In a case study on East Timor, she observes two unrelated paradigms: the Western liberal-style democracy and indigenous local

political legitimation based on kinship and concludes that without reconciliation the international can be either irrelevant or destroy local systems without replacing them.

The third set of studies evaluates international administration accomplishments either critically or in a problem-solving perspective. One of the difficulties is to set standards for the success of a mission. Call (2008) suggests that the success of peace-building missions should be judged according to two criteria: security (i.e., no recurrence of large-scale organized violence) and functioning state institutions to resolve potential social conflicts. Harland (2004) compares current UN international administrations to the post-war occupations of Germany, Japan, and Austria. He concludes that the UN might not be well suited for such operations (Harland 2004). Since international administrations are still rare and usually specific to the circumstances in which they are established, it is difficult to determine clear goals and criteria for success. Hence, in more open-ended missions such as in Bosnia, the intervention closure keeps being postponed, because objectives are not fulfill. This particular problem has been highlighted by numerous scholars (Peter 2013, Jackson 2004, Tirak 2010, Vogel 2006). However, it has never been the object of an in-depth analysis as this thesis proposes to achieve. The closure of international administrations is on one hand inevitable, because as we seen with the definition section those missions are supposed to be temporary. But on the other, it is extremely difficult to terminate them. The receiving countries are rarely on an irreversible path toward peace. Violence, ethnic feuds, economic decline are still possible realities. Moreover, and this is the topic of this thesis there must be a consensus among international overseers to end the intervention or to transform it.

Conceptual Framework: Testing Three Hypotheses

The purpose of this thesis is to test rationalist, constructivist, and regime complexity propositions with the evidence collected during field research and to assess which actors and in which context each one best explains the international community's inertia in Bosnia and Herzegovina. These perspectives seem particularly suitable as they propose compelling arguments explanations for the actors' behaviours. As Finnemore & Sikkink (2001) point out, both constructivism and rationalism offer

a framework for thinking about the nature of social life and social interaction, but makes no claims about their specific content. [...] Neither constructivism nor rational choice provides substantive explanations or predictions of political behavior until coupled with a more specific understanding of who the relevant actors are, what they want, and what the content of social structures might be (Finnemore and Sikkink 2001, 393).

Regime complexity is different from the other two, but in this thesis it is used similarly. Regime complexity is a more recent trend of study in international relations and consists of accounting for complexity in explaining actors' actions. Since, as we will see later, the international community in BiH can be considered as a complex regime, regime complexity arguments can explain the influence of this complexity on actors' actions.

Like Kratochvíl & Tulmets (2010), we conceptualise approaches as lenses to understand reality.

Not only we can test the two approaches against each other, but we can also specify the ways in which different actors behave and analyse situations in which the behavioural modes change. [...] some actors may rationally pursue their goals, and other actors may simply act upon the existing norms and rules without modifying them in order to make them more suitable for themselves (Kratochvíl and Tulmets 2010, 46).

In this thesis a similar dynamic is manifest. The hypothesis stands that the suitable perspective depends on the actors and the focus of analysis. This section will briefly present the major arguments for each perspective in reference to the situation of the international community in BiH and will also make a concise statement about what a refutation could look like.

Rationalism

Drawing heavily on microeconomics, rationalism is rooted in the conception of a rational and unitary actor (Mintz and DeRouen 2010, 7). One of the dominant strengths of this perspective is its parsimonious character. It selects a limited number of actors and a limited range of options to explain actions. As Olsen & March (1998) point out, this perspective presupposes that actions can be explained by their expected outcomes (March and Olsen 1998, 950). The rationalist perception, therefore, looks at actors' alternatives and their associated benefits to explain their choices. Game theory is an important model in rationalism "incorporating features [...] that appear to be relevant" (Osborne 2004, 3) in a basic but representative table in order to improve the understanding of a situation.

Game theory is central here because it explains the sub-optimal equilibrium that is deadlock. According to Clemens (2004), in game theory a deadlock occurs when both parties defect simultaneously. The deadlock will continue as long as there are no strong incentives to break it off (Clemens 2004, 211). Moreover, game theory tells us that deadlocks are Pareto-optimal equilibria meaning "it is impossible to improve one player's payoff without reducing another's" (Tsebelis 1990, 65). This appears to be the case of the international community in Bosnia and Herzegovina, where there seems to be no solution that could simultaneously keep the security net offered by the OHR and his Bonn powers and starts serious negotiations on EU integration,

which would require a fully independent country without international administrators. Nonetheless, we must recognize that there are also strong incentives to resolve the deadlock in Bosnia and Herzegovina. The EU is increasingly invested in the region, while the United States and other PICSB members tend to have more pressing concerns in other parts of the world.

Constructivism

Constructivism is based on the co-construction of agents and structures (Shannon and Kowert 2012, 12). March & Olsen (1998) use the term “logic of appropriateness” to characterize constructivism (March and Olsen 1998). This framework considers identities and norms as determinants for explaining actors’ behaviours. “Action involves evoking an identity or role and matching the obligations of that identity or role to a specific situation” (March and Olsen 1998, 951). According to Barnett & Finnemore (2004), IOs mirror the numerous and complex contradictions of the international realm “which, in turn, can lead to contradictory and ultimately dysfunctional behaviour” (Barnett and Finnemore 2004, 38). To understand the dysfunctional behaviour that is deadlock through a constructivist perspective two features are essential: identities of the international community and the norms they follow.

From a constructivist perspective, the deadlock within the international community has been partly caused by a significant disagreement over its self-perception. While some of the internationals see their role as protectors of the Dayton agreement, and of the Bosnian population more generally, others consider that they are partners of BiH. The lack of consensus over the international community’s identity in Bosnia perpetuates the deadlock, since these two identities operate in parallel instead of transferring the role and leadership from the OHR to the EU. Norms also help drive the deadlock. This view concurs with some of the interviewees’ perceptions that

in the past decade the international community has been on autopilot. As Alexander Wendt has suggested, norms are not just created by interactions, but are also sustained by them, as a self-fulfilling prophecy. “Bureaucracies can become obsessed with their own rules at the expense of their primary missions in ways that produce inefficient and self-defeating outcomes” (Barnett and Finnemore 2004, 3).

Arguably, basic norms and identities are shared and the differences could be easily resolved. Despite some differences, as they have the same goal for BiH, they could escape this auto-pilot and start to work cooperatively on a political basis, rather than only on the operational level. If constructivism suggests that norms and identity can allow inefficiencies to persist, it also maintains that change is possible and that identities and norms can transform and produce different outcomes.

Regime Complexity

Regime complexity affirms that when complexity is present it affects the actors’ behaviour. Complexity can have multiple influences. As Alter and Meunier (2009) point out “where there is significant political disagreement, we are both more likely to find international regime complexity and to find that this complexity is causally important” (Alter and Meunier 2009, 21). Some authors found that regime complexity increased cooperation, while in other settings it reduces it.

In the case of Bosnia, the each regime brings its own institutional norms and expectations, which add to the confusion. In turn, each organization returns to its own culture, which makes cooperation even harder. In fact, in Bosnia and Herzegovina, regime complexity has contributed to a detrimental degree of competition among actors, which has allowed the deadlock to continue.

The overlaps in terms of mandates, assets, and memberships between the OHR and the EU allows actors to avoid undesirable outcomes by blocking the other, and consequently blocking the situation as a whole.

The challenge with regime complexity argumentation is that of identifying a causal relationship. It is difficult to know where and how causality works in a complex system. Therefore, while complexity might be a contributing factor, it is almost impossible to prove that it is the main cause of the deadlock. The literature started to identify some of the possible implications of complexity. Stephanie Hofmann's work on NATO and ESDP helps apprehend the relationship between overlapping institutions that are neither fully competitive nor completely cooperative.

In summary, this thesis explores three explanations of deadlock based on the case study provided by the international community in Bosnia and Herzegovina. These are all suitable for the study of deadlock in Bosnia and Herzegovina. First, constructivism and rationalism being not substantive theories, they can be adaptable to a large range of issues, actors, and situations. Second, the international community in Bosnia exhibits features of a complex regime, which makes regime complexity an interesting perspective through which to comprehend the actions of the actors muddling through this complexity. The next section looks at the methodology and data used to conduct it.

Methodology

Considering the objective of this thesis, which is to understand why there is a deadlock, the most suitable approach seems to be the case study, as it illuminates decisions and the reasons they were taken (Schramm 1971). This section will briefly review the characteristics and structure of this case study, its potential, and it will describe and justify the data collection and its use.

Creswell (2013) has identified the defining features of case studies (Creswell 2013, 98-99). First, he suggests, a case study must present a comprehensive understanding of the subject at hand. This study offers an in-depth understanding of the international intervention in Bosnia and Herzegovina by triangulating data from interviews and written documents from scholars and officials. Second, a case study must be limited to a bounded system (Denzin and Lincoln 2005, 444). The study of the international community in Bosnia and Herzegovina, in the context of this thesis, can be considered as a bounded system because it is limited in both time and scope. This thesis focuses on the international community since 2006, the year when the current stalled transition began. Additionally, this study is limited to the most influential international community actors in Bosnia and Herzegovina, namely the EU and the OHR. Third, a case study should be either intrinsic or instrumental. This case study is instrumental, because the objective is to help illuminate and further the understanding of international administrations and the difficulties linked to their exit strategies. Finally, the descriptive part is important, even if this thesis has obvious explanatory objectives; it still relies heavily on a meticulous description of the deadlock in the international community of Bosnia and Herzegovina.

This thesis adopts a comparative framework. It “repeats the same case study two or more times,

comparing alternative descriptions or explanations of the same case” (Yin 2003, 153). Indeed, the same body of evidence was tested against three frameworks in order to assess and compare their conclusiveness. Similarly, but with much more modest aims to Allison’s *Essence of Decision* (1971), where each demonstration carries a different explanation of the Cuban missile crisis (Allison 1971, 8). In this case, rationalism, constructivism, and regime complexity examine the same central problem (i.e., the international community deadlock) and develop arguments able to explain it.

The data used in this thesis come from two main sources: interviews and primary and secondary written sources. First, interviews are central to my enquiry, as they allow me to obtain detailed information as to why actors act the way they do. Instead of directly asking my informants to explain their reasons for their actions and consequently presenting them upfront my understanding of the international community in Bosnia and their (in)activity, I took another approach. I asked them to explain their own vision of the situation, their perception of the role they hold, and their expectations. The interviews were divided in three sections. In the first, we asked the interviewees about the timeline of the implication of the international community and how they perceive the role of the OHR and EU in Bosnia. The second part focused on the transition, asking the interviewees about relations right now in the international community with examples of cooperation and competition. The final part was about the future of BiH and of the international community.

In the summer of 2014, I had the opportunity to partake in an internship at the Post-conflict Research Center (P-CRC) based in Sarajevo. Velma Šarić and Leslie Woodward founded and

manage this center, whose mission is to foster reconciliation in Bosnia and Herzegovina and in the Balkans through new media. My field research was often intertwined with my internship, since P-CRC has a lot of contacts in all the international organizations working in Sarajevo, including the EU delegation and the Office of the High Representative.

I conducted the interviews between July and August of 2015, either in Sarajevo in the interviewees' offices, or in coffee shops, or via Skype to reach experts who were not currently in Bosnia and Herzegovina. I interviewed two sets of actors: employees and officials working for the OHR or the EU in Bosnia, and experts and scholars with particular knowledge and take on Bosnian politics. To access a larger pool of possible informants, I guaranteed their confidentiality⁴ and let them choose whether or not they wanted the interview to be recorded. The interviewees were selected through snowball sampling, using my first interviewees to gain access to other respondents (Leech 2002, 671). At the end of each interview, I would ask them if they had people in mind to help me continue my research. This way I obtained names, email addresses, and even telephone numbers. The international community in Sarajevo is quite small and it is easier to obtain an interview if someone refers you. When I interviewed officials, I started by contacting the liaison department of each institution to have my first contact. They often gave me access to their counter-parts in other organizations, so I could have access to the other side of the story. For expert interviewees, I had help from my internship supervisor who has contacts in think tank and universities in BiH and in the Balkans more generally. They gave me access to their contact list.

To triangulate the interviews, I also used a number of primary and secondary sources (e.g., press

⁴ The initials identifying each interviewee are used coherently but have been changed to ensure greater anonymity.

releases, organizational charts, factsheets, biographies, and scientific papers). These data can be categorized in two sets. First, there are the official documents, which include press releases, plans of action, and progress reports of both the European Union and the Office of the High Representative.

As Ferretti (1984) points out, bureaucratic activities are essentially based on producing paper:

Ces documents sont [...] précieux et ce à plus d'un titre. Tout d'abord, dans la mesure où ils sont relativement précis, ces documents permettent d'avoir une connaissance directe et réelle de l'action menée par l'organisation tout entière. Mais, qui plus est, ces documents permettent de se faire une idée du cheminement et des différents stades de l'action menée (Ferretti 1984, 168).

These documents help one to understand official explanations for the behaviour of these organizations. They reveal the way they want to present themselves to the public and to their partners.

The second set of documents examined in this study are those produced by experts and former officials; these include biographies, scientific articles, and assessments. These data are useful because they often give more direct evidence of events. The authors of these papers usually retain an intricate knowledge of Bosnia and Herzegovina and its politics; they lived there for decades and developed a precise outlook on the work of the international community. One of the great examples of this category is Paddy Ashdown's autobiography (Ashdown 2007) in which he reflects on his time as HR with a beneficial distance.

In conclusion, this chapter presented the main actors of the international community in Bosnia and Herzegovina (i.e., the OHR and the EU) as well as the transition between them. It is important to present those actors' relation to Bosnia in a short historical perspective, because it helps to see how and why the current transition is so important as well as why it being in a deadlock can be of interest.

This chapter also discussed the main topic of this thesis, which is international administration. Presenting a literature review focusing on the definition and debates on this issue. Being a rare phenomenon in International Relations, but with various historical precedents, it is somewhat difficult to find a consensual definition. Moreover, the validity, operationalization and fulfilment of those international interventions are all issues for scholarly debates.

Rationalism, constructivism and regime complexity were selected for their suitability and relevance to this case. Rationalism and constructivism versatility helps them to explain a large variety of situations involving different actors including the one at hand, while regime complexity concurs to the characteristics of Bosnia and Herzegovina international community and offers a global understanding of the relations among actors. The conceptual framework briefly presented each one in relation to Bosnian deadlock.

Case study appeared to be the most suitable method to approach this research topic. Since, it includes a comprehensive understanding of the case and therefore allowed to study it through different perspectives. Interviews with experts and officials proved to be extremely helpful when coupled with documents that supplemented my understanding of the situation.

In summary, this thesis offers a contribution to the literature on international administrations. Despite the fact that case studies often reduce the potential of generalizations, it may be possible to repeat this research design for other cases of deadlock in international administrations and

detect similar patterns if they exist. It would also be relevant to reproduce this methodology for cases where the international community has taken a different approach, such as the light footprint strategy.

Chapter Two: Explanations for the Deadlock

This chapter is the core of the thesis. We will test the three explanatory frameworks—namely rationalism, constructivism, and regime complexity—against the evidence gathered throughout this study in Bosnia. Without offering a definitive answer as to which framework has the greatest explanatory power, this thesis demonstrates that depending on the actors we examine, or the focus we prefer, one explanation may be more suitable than others.

This thesis tries to test each hypothesis to its fullest extent and be fair to their arguments. However, for every research enterprise, some choices had to be made. The guidance for those choices emerged from what the literature had to offer regarding deadlock in general and extrapolating it to apply it to the international community in Bosnia and Herzegovina.

Rationalism

The first hypothesis explored in this thesis is rationalism. The rationalist perspective holds that individuals make rational decisions in accordance with the information available to them. A cost-benefit calculation is therefore at the core of each decision. March & Olsen (1998) refer to this framework as the ‘logic of consequences’, because the expected outcomes or consequences are the major factor determining the worth of one option over another. This section will suggest a possible rationalist explanation for the international community deadlock in Bosnia and Herzegovina. To do so, we focus on the PICSB, the EU members, and the EU institutions and we endeavour to demonstrate how game theory can shed light on the decision-making processes that contributed to the deadlock.

We will see that, although the rationalist perspective has some merits in portraying the negotiations between the two opposing factions of the principals, it fails to explain the somewhat counterintuitive nature of the deadlock. Indeed, despite some benefits, the prolonged deadlock still makes the actors of international community in BiH look bad and there are also strong incentives that could lead them to be more proactive and to find a solution to the impasse.

The states and institutions participating in the international community in BiH form a heterogeneous group, where each one tries to defend its own interests and preferences. In fact, the principals are deeply divided on the future of the international intervention in Bosnia and Herzegovina. There are two broad groups: the first one advocates for a stronger EU presence and the closure of the OHR; the second one wishes to empower or at least keep the OHR until the risk of conflict totally disappears in Bosnia. In line with the rationalist perspective, the discussions and disagreements between them can be construed as a negotiation, which involves joint decision making in a climate of uncertainty and conflict by multiple parties holding divergent positions in order to find a common ground (Rubin and Zartman 2000, 12). We contend that rationalism would argue that the irreconcilable preferences of these actors and the ensuing absence of consensus have allowed the deadlock to persist.

Deadlock explained through Game Theory

First, we need to explain in greater detail what rationalism has to say about deadlocks. In rationalism, actors make choices in accordance with their evaluation of the value intrinsic to each option available to them. If a deadlock persists, it is because parties' interests are not reconcilable with a compromise. In the language of game theory, deadlock happens when the preferred course of action is defection for both players. The divergent goals make it impossible to find a middle

ground. Therefore, if there is a gain for one player, it is necessarily made at the expense of the other.

Graphically, this situation can be illustrated by Figure 1. The value granted for a double defection is two for each participant; the benefits in terms of prestige and power for protecting a strong position outweigh the downsides of not reaching an

agreement, hence the perpetuation of the deadlock. If they both cooperate they only obtain one, because their preferences are so different, mutual cooperation means that

	Cooperate	Defect
Cooperate	1,1	0,3
Defect	3,0	2,2

Figure 1

both took actions that are contrary or at least far from their initial interests. When the advantages of defecting outweigh the advantages of cooperating, the deadlock persists, since none of the players are benefiting from cooperation more than from defection. Binmore (1994) insists on the fact that deadlock happens when two players stay at the table but without ever reaching an agreement (Binmore 1994, 66). Currently, the OHR and EU have no choice but to stay at the table, as their mandates and goals are so intertwined. Thus, it is difficult to conceive an exit to the deadlock that would not involve both institutions.

Osborne (2004) states that there are three components to a complete description of game theory: a set of players, a set of actions for each player, and, for each player, preferences over their set of action profiles. The following will discuss each component in relation to the case at hand: the BiH international community.

Players

In our case study, PICSB and EU members are the players and are divided in two camps, one supporting more a EU-centered approach and the other endorsing the OHR policy. Each camp has adherents in both institutions. In fact, there is no consensus among the EU member-states over the future of the international intervention (Tirak 2010, 9). This situation exists to a greater extent in the PICSB, with the addition of actors like the United States, Turkey, and Russia, which hold even more distant views. According to an OHR official, “the level of consensus inside the PICSB is absolute at the lowest on what to do next [...] so I suspect that until there is more consensus inside the PICSB, the current structure of the international community in the next one or two years [...] will stay as it is more or less” (Interview RP). In the European Union also the lack of consensus has a role in the deadlock. As Brljavac (2011) points out, “the EU is equally responsible for the current status quo since its member states are not united in terms of proposed standards and measures expected from Bosnian government” (Brljavac 2011, 15). Currently, the dissensions within the international community have maintained the situation more or less as it was in 2006.

These principals have contacts through their foreign ministers, head of states, and ambassadors in international capitals as well as in Bosnia. They assess their interests by evaluating the situation in BiH but also by placing it in relation to the larger international context (Interview WQ). The problem of more pressing issues on the international stage has always been a challenge for progress in BiH. Former High Representative Paddy Ashdown refers to this in his memoirs:

Once again, I was learning that any international cooperation can become prey to anything that happens on the wider international scene. Before I started my mandate I had been told that managing Bosnia was like herding cats. What I hadn't appreciated was that this applied to the

international community, too. In fact, during my mandate I spent more time overall managing the international community than I did trying to manage the situation in Bosnia, a tendency which appears to apply to all those whose job it is to lead international operations of this sort (Ashdown 2007, 242).

Actions

The set of actions available to these players is quite large and depends on their creativity, but we can describe four main and encompassing possibilities. First, they can both defect. If they stay at the table to discuss but without coming to any agreement and things stay as they have been for almost a decade, this perpetuates the deadlock situation (right down corner of Figure 2). Second, the EU could take over. In this scenario, the OHR would be closed and Bosnia would continue

		Pro-OHR group		
		Cooperate	Defect	
Pro-EU group	Cooperate	1,1	0,3	
	Defect	3,0	2,2	

Figure 2

and strengthen its path toward integration; it would be a compromise from the pro-OHR group and a win for the pro-EU group (bottom-left corner). Third, the High Representative could be empowered. He could then use his power to solve the lingering issues in Bosnia, like the Constitution and Republika Sprska irredentism. This represents those with the will to “get the most out of the OHR” (ICG 2009). In this case, the EU would make the compromise (upper-right corner). The fourth option is rather difficult to conceptualize. Either both institutions would be empowered, with the possibility of greater friction between them about mandates, management, and coordination, or both would downsize and Bosnia would no longer have international overseers. In this scenario, none of the groups would have what they want. This is the cooperate-cooperate option (upper-left corner).

Preferences

We can now turn to the preferences of players for each course of action. The preferences, or expected outcomes, are the crux of the problem here. We have roughly two camps holding opposing views on the possibility of closing the OHR. The present discussion will be devoted to a presentation of these camps' positions and failed attempts to resolve their differences to conclude that the deadlock has been the logical outcome.

First, even though the European Union and the Peace Implementation Council share the same goal for BiH, namely Bosnia's accession to the EU, they are divided: some want to close the OHR as soon as possible and others believe that the OHR is still necessary in BiH. These groups assess the situation in BiH differently and hold divergent interests, which leads them to clashing conclusions and an ongoing failure to find a common solution. Essentially, the two groups have opposite estimations of the OHR's costs and benefits and none of the actors are able to make concessions to reach an agreement.

This divide crystallized after EU High Representative for Foreign Affairs and Security Policy Catherine Ashton's visit to the Republika Sprska capital, Banja Luka, in 2011. One expert recalls: "it was particularly poisonous with the Americans against the EU. I was in Washington the day that happened and I never hear so many 'fucking European' in the state department than that day" (Interview JT). This crisis started with Republika Sprska wanting to challenge the state-level competencies. While the High Representative wanted to intervene and use his Bonn powers, as he had done in 2009 under similar circumstances, the EU called for a negotiated solution. Catherine Ashton sidelined the HR, Valentin Inzko, and discussed directly with Republika Sprska

Prime Minister Milorad Dodik. “In response the High Representative submitted a special report to the United Nations Security Council (UNSC), arguing that BiH faced the worse crisis since Dayton. [...] Such resolute action by the HR was an attempt to send a message that enforcement powers were still needed” (Peter 2015, 145). This brief account outlines the basic structure of the conflict between the two camps: one wants an empowered OHR to guarantee security and stability in BiH and the other, the EU, wishes to assume “the role of primary negotiator with local parties” (Peter 2015, 145).

Even EU and OHR officials recognize this disagreement. As one EU official admitted:

Of course within a club of 28 states you will get differences of opinion. You will get differences of opinions on let’s say the mandate of EUFOR, or the mandate of OHR, or the mandate of the EUSR. You will get some member-states who politically are more right wing and want more action in terms of say introducing sanctions or legal penalties or finances penalties, of course they all exist (Interview EM).

We now describe in detail the positions of each group.

Pro-EU Group

The first group could be labelled the “enlargement *uber alles*” camp (interview JT). To begin, it is important to keep in mind that, despite the name of the group, it does not include all of the EU member-states. As Tirak has pointed out, countries such as United Kingdom, the Netherlands and Denmark⁵ tend to side with the pro-OHR group. In fact, those labels are used to describe the inclination rather than the membership of each group.

⁵ Denmark is not a member of the PICSB but still supports OHR maintenance.

This pro-EU group sees Bosnia and Herzegovina as a partner, as asserted by the former High Representative, Miroslav Lajčák, in an interview (Loza 2009). They want to encourage and empower the local elites so that Bosnia can meet the conditions to enter the EU. The pro-EU group thinks that the executive powers, or Bonn powers, held by the OHR are not necessary, and even humiliating “because it portrays [the international community] as ineffectual” (Interview JT). They express their concern about the often-mentioned impossibility of establishing democracy through undemocratic means (Ashdown 2007, 242). Therefore, they wish to close the OHR as soon as possible. Some of them are even willing to lower the 5+2 conditions for the closure of the OHR (Tirak 2010, 10, ICG 2009, 16). One expert informant confessed: “it seems to me that the EU and many countries in the EU, but not all, are mostly interested in how to close down the OHR and not how to help it to do its job” (Interview WQ).

This camp includes the main continental European states, namely Germany, France, Italy, Spain as well as the EU institutions (the commission and the EEAS) and also Russia. An informant from the OHR observed, “France, Germany, and Italy their position have been changing but basically, [...] they want OHR to go away immediately, because they believe that the EU can handle it” (Interview RP). Russia might look like an odd member in this group, but as one informant explained: “[Russians] support this but not because they were big cheerleaders for the EU enlargement but they were for a divided and ineffectual West and they are still for that even more so now” (Interview JT).

They see the EU integration as a means to increase security and stability in the region and in Bosnia in particular. On the regional front, according to one EU official, “Bosnia and

Herzegovina is in the soft underbelly of Europe, from a public security point of view; it is in the major drugs, human trafficking, and fire arms trafficking routes into Europe. It was to find a way of functioning. It presents a threat to the peace and stability of Europe” (Interview EM). Hence, this group considers that, by extending EU frontiers to include BiH, the European Union would be better able to control and curb illicit trade. On the national front, they hold that “European integration will eventually overcome group divisions and serve to stabilise the country” (Sebastian 2009a, 2). Bosnia is a divided country with two entities, one district, and ten cantons, divided along ethnic lines. The hope is that the European Union’s influence will erode the importance of these entity and cantonal frontiers and transform Bosnia into a more united country.

Moreover, a successful transition would reaffirm the role and importance of the European Union on the world stage. If the whole Balkan region, including BiH, was to be within Europe it would be another accomplishment for the EU integration process, one even more impressive than the integration of the Eastern European countries, considering the recent history of the Balkans. For this group, the reputational cost of maintaining the OHR outweighs the potential political and military cost of having to re-intervene in BiH without the Bonn powers in the event of a return to violence. Moreover, they judge as unlikely the reoccurrence of widespread violence in Bosnia.

we also have to look at the counter-arguments, which would point to a resolution of the deadlock. To do so we have to underline the powerful incentives that could encourage the participating countries and institutions to act more proactively. In the last few years, European Union institutions have increased their interest and involvement in Bosnia, both in terms of money and manpower. According to an EU official working in BiH,

When you look to Ukraine, it is obviously extremely urgent, pressing issue. But we have seen no change in focus from Brussels as for BiH. Yes, of course, they have increased their focus on Ukraine, but they haven't altered their focus here in Bosnia. I say that from my own perspective. From what I can read and see from Brussels there is no difference. Our mandate remains the same, we haven't lost staff, and we haven't lost finances. So I don't see it as that big an issue (Interview EM).

The maintenance of EU institutions' interest could be a trigger for change in the international community in BiH; however, we have not seen that happening. In fact, though they are still interested in BiH, they have not taken the actions to resolve the deadlock and push for their positions either in the PICSB meetings or in the EU decisional instances.

Pro-OHR Group

This group includes Canada, Turkey, the United States, United Kingdom, Netherlands and Japan. Here again, the label does not infer membership, “[a]lthough the EU makes up more than half of the PIC Steering Board, there is no common EU voice in the PIC” (Tirak 2010, 9). Contrary to the previous group, they are sceptical about the success of the enlargement process and fear the return of violence in BiH. We will analyse these views in turn.

First, they often doubt the EU's state building capacities (Peter 2013, 434). For example, the United States and Turkey are “concerned that EU conditionality and membership negotiations, which are conceived as a technical process, cannot adequately address these deeply political issues as they arise” (Peter 2015, 138). This group holds to the OHR, which they believe to be more efficient and to have a more of a hands-on approach than the EU.

Second, this group is concerned about stability and safety issues, and is supported by policy advisors, like Woehrel, who argues, “[a]voiding widespread violence or even the breakup of Bosnia would presumably be the most basic international objective” (Woehrel 2013, 11). For this reason, they value the safety net offered by the OHR and its Bonn powers. If the OHR was to be dismantled, they believe, it would be difficult to achieve another consensus at the United Nations Security Council if ethnic feuds in Bosnia were rekindled. The Dayton peace agreement has produced similar results to those observed by Brosig (2011) concerning the international administration in Kosovo: “once deployed, missions to Kosovo persist. Mission deployments appear as sticky because the political threshold to change the actor configuration is high, it would require the passing of a new Security Council Resolution for which there is no consensus at sight” (Brosig 2011, 191). Thus, this group of principals, present in both the OHR and the EU, advocates for the maintenance of the OHR; for them, the risk of conflict in BiH, even 20 years after the end of the war, remains. To this group opinion, the potential consequences of a conflict in BiH without the supervision of the OHR are significant and thus they acquiesce to keep the Office of the High Representative active even if it is not the ideal solution. As stated by an OHR official:

United States is reluctant to let OHR go, because it views OHR as an insurance policy in case, the worst case scenario comes you at least have legal authority that is valid, still valid under UN security council resolution. It would be [impossible] find a new UN Security Council resolution on BiH, because of Russia, never. So you can understand it from a strategic point of view, you would not give away the tactic legal power knowing that in the worst case scenario it would probably develop high level of consensus on preventing the complete collapse and that is why the US holds, not that they love OHR, no, but they don't want to give away the international community legal authority as based on international law under chapter VII (Interview RP).

For the time being, this group has achieved its objective of keeping the OHR, despite the fact that he is disempowered. As Tirak (2010) points out:

The majority of the EU member states feel hostage to the PIC 5+2 conditionality, which isn't producing results. In order to break the stalemate, some EU countries, particularly Italy and France, pushed the idea of 'watering down' the 5+2 conditionality. On the other hand, the UK and to a lesser extent the Netherlands and Denmark, did not want to agree on it. For the latter, the issue was a matter of credibility – not to loosen the conditionality, as that would send the wrong message of the EU backing off when faced with enduring resistance to fulfilling its conditions. Since this position was shared by the US and Turkey, the conclusion was obvious: the 5+2 conditions must be fulfilled – full stop (Tirak 2010, 8-9).

Credibility issues are really important to this group and remaining strict with Bosnian elites about the OHR exit requirements is seen as a means to keep credibility (Woehrel 2013, 7).

Unlike the pro-EU group, its relative disinterest could trigger change and resolve the deadlock. According to many observers, the OHR is becoming more and more irrelevant (Eralp 2012, 49, ICG 2009, 15). Moreover, the institution has not benefitted from the support of the international community in the last few years (Woehrel 2013). The disinterest, coupled with declining support, may induce the end of the OHR's mission. As the OHR falls into disuse, even its strongest supporters may be convinced of its uselessness. A fortiori, if the EU grows, it may prove that it is able to manage both Bosnia and the international community in Bosnia more effectively than the OHR. The disinterest of non EU-members for Bosnia and Herzegovina is increasingly clear, as corroborated by the move of the Canadian Embassy from Sarajevo to Budapest, Hungary. Hence, they might be willing to let the EU take the lead someday.

Conclusion

A conclusion that can be drawn from this section is that rationalism can only partially explain the actions, or inaction, of international players. Game theory helps to illustrate the negotiations taking place between the pro-EU and pro-OHR groups. However, what may appear as an equilibrium of both players constantly defecting is actually, according to two expert informants, harmful or even dangerous (Interview WQ and JT).

If we can rationally understand how the assessments made by PIC and EU member-states have led to a stalemate, we also have to recognize that they also hold strong incentives to get things done in BiH. For the EU, the boost in their reputation, which could come from achieving a successful and peaceful transition from Dayton to Brussels and the marginal risks involved in closing the OHR, is not trivial. Moreover, non-EU countries exhibiting less and less interest in the Balkans, compared to other regions of the world, is a cause for concern; hence they could leave Bosnia in the hands of the EU. Thus if inertia might seem attractive in some respects, there are also increasing pressures as time passes for the principals to act and to resolve the international situation in BiH. For these reasons, the rationalist perspective may not be the best suited to explain the deadlock; mostly the question remains as to why the deadlock persists in BiH.

Constructivism

Constructivism is based on the notion that ideas are the basis of the social world. Ideas have a transformative but also a perpetuating role in the conceptualization of the world (Fearon and Wendt 2002, 57). This section will demonstrate how constructivism justifies the international community deadlock in BiH differently than rationalism. March & Olsen (1998) refer to the logic of appropriateness and state that “[t]he pursuit of purpose is associated with identities more than with interests, and with the selection of rules more than with individual rational expectations” (March and Olsen 1998, 951). Accordingly, the international community deadlock will be analyzed with the tools of constructivist analysis: mutually created identities, implicit and explicit rules and norms influencing actors’ actions. The basic idea is that actors are caught up in identities, rules, and discourses that limit and restrict their behaviours to known courses of action, thereby prolonging the deadlock.

The focus in this section will be on the organizations and their bureaucracies. The identities and norms developed by those are particularly relevant to the constructivist perspective. As we will see, the development of specific organizational identities and norms affects outcomes. On one hand, since the EU and OHR mentalities and relations with Bosnia and Herzegovina are largely incompatible, they tend to work in parallel instead of cooperatively. While we see illustrations of cooperation at the operational level, the incorporation of the two entities seems unmanageable, as proven by the failed coupling of the HR and EUSR between 2002-2011. On the other hand, the norms developed at the bureaucratic level appear to have fallen into a form of bureaucratic autopilot. Since things are stalling at the political level, bureaucracies continue to work, but this does not create the conditions necessary for a resolution to the deadlock.

The first part will focus on the disagreement among the principals (i.e., EU and PICSB members) and show how their identities influence their stances on closing the OHR. More specifically, it will demonstrate how their identities affect their perception of Bosnia and Herzegovina and, in turn, their positions on the future of the international community's role there. The second part addresses the role of bureaucratic norms in prolonging the deadlock and how the Bosnian elites benefit from the deadlock and hence do not want it to be resolved.

Bosnia's Uniqueness?

Former High Representative Paddy Ashdown refers to divergent culture and attitudes when comparing the EU to the US in Bosnia and Herzegovina:

The EU could [...] afford to be much more muscular in the application of conditionality for the huge sums of aid it hands out. The United States does this far better. Its aid is less than that of the EU in, for instance, the Balkans, but it is often able to lever more reform than Europe for what it dispenses, because US is much more straightforward about the conditions it attaches to its giving (Ashdown 2007, 203).

According to Peter (2014), this division between the international actors stems from different experiences of the situation in Bosnia and Herzegovina.

The localized peacebuilders at the OHR, in particular, see patterns in the behaviour of local politicians, worrying that any appeasement just encourages an increasingly radical stance. The EU, on the other hand, negotiates with BiH on discrete issue areas, resolving problems one by one and treating them as largely technical and unconnected. These two approaches are fundamentally opposed, leading to continued disagreements (Peter 2015, 139).

Here the central dilemma can be summed up this way: is BiH fundamentally different from the other accessing countries? And if so should the international institutions adapt their process in order to acknowledge these differences?

EU and Bosnia as partners

The EU usually advocates that despite some differences between BiH and other accessing countries, their approach should stay the same. They consider BiH as a partner like all previous partner countries in accession (Bassuener and Lyon 2009, 8). When asked about their role in BiH, EU officials often limit it to an advisory involvement (Interview JT). An illustration of this partner and consultant identity developed by the EU can be taken from the 2006 constitutional reforms negotiations, when the European Union solely communicated a preference for the approbation by the Bosnian political elites of the new Constitution “that streamlined the process of European integration without any significant direct involvement on the part of the EU, and without engaging in further discussions. Such a general framework proved insufficient for domestic actors who expected a more engaged discussion on the constitutional requirements for BiH” (Sebastian 2009b, 348).

It is the Bosnian elites’ responsibility to make changes and not the EU’s. In a revealing statement, one EU official admitted: “I have worked in other accession, pre-accession countries. I think the EU approach is the right one. If Bosnia and Herzegovina wants to be part of the EU, it should reach those standards” (Interview EM). This position is engrained in a conviction that the EU process is efficient as proven by the 2004/2007 enlargements. An expert informant underscored the assumption among some member-states and the bureaucracy in Brussels, saying “we know how to do this, we got the magic formula, all we need to do is apply it, we don’t need to experiment, we don’t need to be creative, we have procedure and check-list and we just need to have a check-list mentality, go through this regimented procedures” (Interview JT). This mentality can be linked to the technical approach identified by Peter, which often relies solely on

conditionality, i.e. “a bargaining strategy of reinforcement by reward, under which the EU provides external incentives for a target government to comply with its conditions” (Schimmelfennig and Sedelmeier 2004, 670). In fact, the accession process seems to be the only policy of the EU toward BiH, and conditionality seems to be the only tool. As Bassuener & Lyon (2009) reported from a roundtable on BiH organized by the United States Institute for Peace, “[m]ost American participants expressed concern over the opacity of EUSR planning. One stated – and many agreed – that the EU didn’t have a true foreign policy toward Bosnia and the Western Balkans, but solely an enlargement policy that failed to address many of Bosnia’s unique problems” (Bassuener and Lyon 2009, 5).

The major problem with this conditionality tool is the fact that it does not seem to work in Bosnia and Herzegovina and hence perpetuates the deadlock. This confirms that the position maintained by the European Union in Bosnia is not supported by a rational calculation, but rather by an ideology. One expert stated during an interview,

The EU since 2004 has been saying that the transformative power of Europe, the pull of Brussels, the magnet of European Union would be sufficient for the country to want to reform but there is zero evidence that that is happening. But they still continue to say that, because that is their ideology. That is their religion, even if there are no facts to support it (Interview WQ).

In fact, despite, the absence of progress and even a regression in state-building in 2006 “from which [BiH] has not recovered” (Woehrel 2013, 3), the EU has not changed its approach. “We just sort of extended our timeline and played around the edges; we never confronted the reality of our collective failure and it is mostly the EU failure because the EU is in a dominant position. If they want to be dominant then they have to accept the majority of the responsibility for it not working” (Interview JT). This statement embodies the deadlock situation as explained by

constructivism; the EU's identity has blinded it to the failure of its policy, and despite the fact that it is failing, the policy remains basically the same and in turn prolongs the deadlock. One expert posed the following question: "[m]y question to the EU would be: what makes you think that the exact same process should work in this country that has had such a different recent past? They won't have an answer, because there is none" (Interview WQ).

As demonstrated by the above discussion, the EU has developed identities for itself and for Bosnia that influence its perception of a transition from Dayton to Brussels. These identities have been constructed by the EU's past experiences with accession, especially in Eastern European countries. This means that successful integrations substantiate the EU's claim that there is no need to reform its *modus operandi*. These beliefs have great repercussions on Bosnia's own integration process. Since, Bosnian elites have not responded as planned to the conditions set forth, the process is stalled. According to Bieber (2008),

This failure is rooted in the inability to transfer accession conditionality to state-building and in the disjointed and haphazard manner in which state-building has been pursued by the EU. The challenge of building functional states is at the heart of the difficulty of EU integration of the Western Balkans (Bieber 2008, 2-3).

The refusal to acknowledge the failure of EU conditionality in Bosnia leads one to the conclusion that the pursuit of this path is not based on rational deliberation, but is based rather more on convictions about EU and Bosnian identities.

The main reason given by many scholars and observers to the question of why the EU approach is not working in BiH is the country's uniqueness (Sebastian 2009a, 4, Interview WQ). Not only because of the war, the number of deaths, and the level of devastation, but also the relationship

that Bosnia has had over the past two decades with the international community, particularly with the OHR. Some scholars use terms such as trusteeship or protectorate to describe this institutional approach (Chandler 2006b).

OHR as a Protector of Bosnia and Herzegovina

The OHR identity also affects its relations and perceptions of BiH. The main determinant for this OHR identity is the fact that this institution was especially designed for Bosnia and is more of a protector than a partner (Tirak 2010, 10). The OHR developed an organizational identity based on its mandate in the Dayton Peace Agreement, and, in large measure, has had to define its own role (Dimitrova 2006, 46). Peter's discussion of this phenomenon demonstrates how the successive interpretation by HRs of Annex X was influencing Bosnian politics:

The role of locally based international implementers was of crucial importance for the development of international priorities and state-building strategies. Appointment of a new High Representative presented a rupture in external state- building, as individuals brought along new state-building approaches and a new set of priorities (Peter in Sarajlic 2011, 60).

The vagueness of the Peace Accords concerning the mandate of the High Representative and his office gave the incumbent the latitude to delineate its responsibilities. As pointed out by numerous scholars, the OHR has had difficulties in relinquishing its role as a peacekeeper to become a state builder. "At the core of the international community's frustration with Bosnia is the fact that ending wars and making peace inherently require different strategies and diverse international solutions" (McMahon 2004, 592).

In contrast to the EU's 'one size fits all' approach, the OHR is an ad hoc organization tailored for post-conflict Bosnia and Herzegovina. The OHR is mentioned in the BiH constitution, and when

we look at the 900 interventions made by High Representatives through the Bonn powers since 1997, we have to concede that the OHR is an integral part of the Bosnian political system (Eralp 2012, 50). While the EU who only advises and recommends, the OHR is more interested “in having an outcome” (Sebastian 2009b, 349) and therefore is more direct in its relationship with Bosnian elites. For example, High Representatives like Paddy Ashdown have adopted this aggressive approach in the past. Peter describes Ashdown’ style in the following terms: “Ideally, local authorities would compromise and pass the reforms; as that had not been the case, the HiRep had the option of carrying out the threat he had issued in his December speech and adopt them himself” (Peter in Sarajlic 2011, 53). Therefore it is not surprising that one of the OHR’s greatest proponents is the United States, “well known for taking a more forceful, hands-on approach” (Sebastian 2009a, 3) toward Bosnia and Herzegovina.

The main problem with this protector identity is the fact that it often glosses over the democratic process. Knaus & Martin (2003) discuss the international intervention in Bosnia and comment on the “unlimited authority of an international mission to overrule all of the democratic institutions of a sovereign member state of the United Nations” (Knaus and Martin 2003, 60). Chandler (2004) concurs in underlining the discrepancy between the objective and the method; the international community wants to establish democracy in Bosnia, but uses dictatorial means to do so (Chandler 2004, 578).

As Sebastian (2009b) points out, this group recognizes Bosnia as being fundamentally different from previous accession countries (Sebastian 2009b, 342), but in so doing, it always tailored solutions for BiH that were rarely domestically owned. Examples of this pattern are numerous.

First, the peace agreement was signed under great pressures from the United States, and it was drafted by US State Department lawyers (Bieber 2008, 3) in English to be later translated into Serbo-Croat. Second, the 1997 decision to grant the Bonn powers to the OHR was made without any consultation (Zaum 2006, 460). The OHR has developed its identity in close relation with post-conflict Bosnia and Herzegovina. This approach is more adapted to BiH realities, but also less considerate of democratic processes.

Because these two identities are so different from each other and hold such dissimilar views and relations with Bosnia and Herzegovina, it is difficult for them to work in cooperation. The OHR adapts to the specificities of Bosnia and Herzegovina. The EU uses the same *modus operandi* it uses in other accessing countries. Hence, the OHR works on its projects and its mandates, while the EU does the same, but there is no real political collaboration (Interview WQ). The two are therefore never forced to acknowledge the differences in their approaches nor to resolve them. Unfortunately, recognizing and addressing these issues might be the only way to resolve the deadlock. The transition from Dayton to Brussels necessitates a greater harmonization of the OHR and EU's efforts.

Despite dissimilar identities and ideas about Bosnia, these international actors remain motivated by the same objective. These are mainly Western countries that advocate for Bosnia's integration into the Euro-Atlantic alliance. They both agree that Bosnia might be different from previous accessing countries, but its place is in the European Union. As argued in the next section, this belief in EU integration has become a mantra of the international community in Bosnia.

According to Majstorovic, the limited differences between the OHR and the EU are reinforced by similar strategies. For example, the OHR also uses a conditionality strategy. Majstorovic (2007) analyzed 1083 OHR press releases from 2000 to 2005 and he found a repeating pattern of “if you don’t . . . then, [...] organized around a spatio-temporal axis: the spatial part referring to Bosnia geographically being in Europe as a center, but being ‘an abandoned backyard’ or periphery, and the temporal part referring to acceleration of the ‘progress’ process” (Majstorovic 2007, 645). If their identities, strategies, and ideas are not that far apart, one can conclude that the deadlock cannot be understood solely through a constructivist approach.

Bureaucratic Norms Influence

Constructivism can also be helpful to illuminate some of the bureaucratic norms developed in the international community working in Sarajevo. This section draws heavily on the work of Barnett & Finnemore (2004), which is based on the premise that international organizations can be studied as bureaucracies, i.e. as “a distinctive social form of authority with its own internal logic and behavioral proclivities” (Barnett and Finnemore 2004, 3). Impersonal rules are essential to bureaucracies, since these create the actors, their tasks, their organizations, and, in fact, a whole social world. At the same time, these rules can also create flaws and dysfunctions.

In the BiH international community, the bureaucratic rules have limited the options available to them and to Bosnia. One expert interviewee referred to the limited creativity of the international community in Bosnia and Herzegovina (Interview JT). This lack of innovation has allowed the deadlock to endure, because in the absence of any other option the international bureaucracies in BiH have relied on a bureaucratic autopilot (Interview JT). Likewise, Bassuener (2012) argues,

EU in particular, contributed in a major way to the prevailing dynamic.
The widely held view that the “pull of Brussels” would obviate the need

for the hard-power Dayton enforcement instruments of the Office of the High Representative and a Chapter 7-mandated EUFOR was proven false by the end of 2006. Yet it remains the foundation of the current policy. So while the Dayton rules remain legally valid, there is no political appetite to enforce those rules, nor to create a conducive environment for a new constitutional incentive structure. This bureaucratic autopilot will lead to disaster for Bosnia and the EU – it is only a matter of time (Bassuener 2012, 1).

Any changes in policy must be channelled through the rules and practices already in place in the OHR and EU. This is in line with the argument of Barnett & Finnemore (2004) that “[b]ureaucracies encode experience into their governing rules and standard operating procedures, which strongly discourage some types of change and make others more likely. Any attempts at change must be filtered through that accretion” (Barnett and Finnemore 2004, 9). The possible changes in Bosnia’s international community have been limited, and have made the option of prolonging the transition from Dayton to Brussels more likely (Peter 2013, 434). One norm that is particularly interesting in this respect in BiH is claiming the inevitability of Bosnia’s EU integration, a solution that is seen as its sole option. The internalization of this norm has had counter-productive effects on Bosnian elites and therefore on the work of the international community. Over and over again, the High Representative and the Special Representative have spoken of the inescapability of Bosnia and Herzegovina becoming a full-member of the European Union sooner or later. One of the many examples of this is expressed in this quote from an OHR official: “[a]ll segments of the international community has consensus that the only place for BiH is in the European Union. I believe that; I want that. There is no doubt that that is the goal and the consensus is 100% on that. And how that plays out in the future is again this slow unclear way of transitioning more to the EU way and less from the Dayton way” (Interview RP).

Bosnian elites know that they only have to wait to become a EU member state; that they can sit out the international community. As noted by one expert during an interview, the Bosnian politicians have no incentives to change,

if it is inevitable why should the country change, right? I mean if everyone is telling you all the time, “but of course you are going be in Europe.” Then why would you want to change your rule of law? Why would you want an independent media? Why would you an independent justice sector? Why would you want to do anything hard if it is inevitable? [...] So it is perfect to be a politician, so you can go on TV and say “oh yes, we want Europe, we want Europe.” But never need to do anything to have it happen, because you know it is not going to happen while you are in power. So you sort of continue to steal everything you can, abuse, give your sons and daughters jobs while knowing that at the end of the day you are not going to be responsible for actually enforcing the reforms and they are going to be hard (Interview WQ).

Thus, “[b]ureaucracies can become obsessed with their own rules at the expense of their primary missions in ways that produce inefficient and self-defeating outcomes” (Barnett and Finnemore 2004, 3) like deadlocks. The norms set out by the international community for Bosnia, and those developed by the international bureaucracies working in Bosnia, have been self-defeating and instead of resolving the impasse have allowed it to persist.

Conclusion

At the bureaucratic level, the constructivist explanation seems sufficiently robust. When we analyse the culture, the norms and the identities developed by the OHR and EU bureaucracies, we can understand how the deadlock is perpetuated. EU integration has become the only practicable option. Hence, both local and international elites seem to be waiting for this solution to come true, in the meantime relying on a bureaucratic autopilot.

Despite some strong arguments, constructivism might not be able to explain the deadlock to its fullest. Indeed, if constructivism has been able to a certain extent to explain continuity in the Bosnian international community, it could just as well explain changes. Changes could lead the transition to an end by closing the OHR and letting the EU take over. First, these partner and protector identities are not completely dissimilar. Despite some major differences, the fact remains that both the OHR and the EU share the same goal for Bosnia and Herzegovina. They both want BiH to integrate the Euro-Atlantic alliance in joining the EU and NATO. The partner and protector roles might not be that far apart, but rather nuances in the perspective of a western-style liberal democratic Bosnia. In fact, according to Sebastian (2009) they can be compatible: “what Bosnia requires is a combination of the EU and US approaches, namely long-term engagement with a hands-on strategy” (Sebastian 2009a, 5). One interview suggested a clearer task division to combine the two approaches (Interview WQ). Second, the norms developed at the operational level could be altered by a political impulse rooting for change. It seems obvious from my interviews that the people working on the ground are willing to see things evolve in Bosnia and Herzegovina, but they are often pull back by political and institutional constraints

(Interview JT). The bureaucratic autopilot is not a permanent phenomenon and could be dismantled and replaced by a more creative and collaborative approach.

Constructivism, like rationalism, is able to explain partly the perpetuation of the deadlock. In fact, constructivism is particularly able to explain the dynamics in the bureaucracies and the organizational approaches of the OHR and the EU.

Regime Complexity

The third and last explanatory framework tested in this thesis is known as regime complexity. The concept of regime complexity draws on the idea that complexity has explanatory power, “complexity is causally important in how it affects the strategies and dynamic interactions of actors” (Alter and Meunier 2009). In this view, if we want to explain actors’ decisions, we must take into account the political environment created by complexity “that alters the behaviour and political salience of states, IOs, and sub-states actors” (Alter and Meunier 2009, 21). This section will test whether the regime complexity framework can explain the deadlock among international actors in Bosnia and Herzegovina.

Compared to rationalism and constructivism, regime complexity is still a somewhat marginal trend in international relations, but it is growing in popularity and its appropriateness to the present case makes it a good candidate to explain the deadlock. In fact, contrary to the other two frameworks, regime complexity can make substantive claims about who and what should be studied. To begin with, drawing on complexity studies in various disciplines, Alter & Meunier (2009) concur with the basic understanding that “units does not sum up the whole and that the dynamics of the whole shape the behavior of units and sub-parts” (Alter and Meunier 2009, 15). Based on their recommendation, this thesis assesses the dynamics between the OHR and EU instead of examining them independently. The rationale here is that complexity can prolong missions by dissipating efforts and preventing organizations from achieving their goals completely. While complexity does not automatically entail inefficiencies (e.g., deadlocks), it does increase coordination costs (Brosig 2011). Cooperation is therefore more difficult and competition and ambiguity can arise.

Regime complexity emerges from the exponential growth of international treaties, arrangements, and institutions. A consequence of this growth is that institutions end up overlapping whereby numerous institutions may administer one issue. Scholars became interested in the effects of this complexity and how it changes actors' importance and interactions. They have moved away from the conception of international regimes as "self-contained or stand-alone arrangements that can be analysed in isolation from one another" and have developed an understanding of "the nature and consequences of institutional linkages at the international level" (Young 1996, 1). The difficulty is that, in complex environments, causality is fuzzy; one must be careful and not reduce or homogenize actors or their interests (Alter and Meunier 2009, 21).

This section has two main parts. The first part is dedicated to establishing that the network of international institutions in BiH constitutes a regime complexity environment. While constructivist and rationalist perspectives do not offer substantive theories of world politics (Fearon and Wendt 2002, 56), regime complexity takes place in a specific setting that we ought primarily to acknowledge. The second part will then presents the relationship between the deadlock and regime complexity. The aim here is to demonstrate how the institutional structure itself contributes to the deadlock.

International Community as a Regime Complex

This section discusses the notions of regime complex and regime complexity in relation to the situation of the international community in Bosnia and Herzegovina. Raustiala & Victor (2004) coined the term "regime complex" to designate "an array of partially overlapping and nonhierarchical institutions governing a particular issue-area" (Raustiala and Victor 2004). The

density of international arrangements generates contacts among various regimes. They use the case of plant genetic resources, “[r]ather than a single, discrete regime governing [plant genetic resources], the relevant rules are found in at least five clusters of international legal agreements—what we call *elemental regimes*—as well as in national rules within key states, especially the United States and the European Union” (Raustiala and Victor 2004, 278).

Alter & Meunier (2009) prefer the notion of international regime complexity, which “refers to the presence of nested, partially overlapping and parallel international regimes that are not hierarchically ordered” (Alter and Meunier 2009, 13). They argue that the anarchic nature of international relations highlights the salience of the concept of complexity, “making it harder to resolve where political authority over an issue resides” (Alter and Meunier 2009, 13).

The two concepts are interrelated. While regime complexes are specific networks of regimes that form around a particular issue, regime complexity refers to an environment or milieu in which complexity is a defining feature; it refers to the larger phenomenon. One could argue, for instance, that regime complexity generates regime complexes. With the proliferation of rules and institutional arrangements, the global village is more and more crowded and fosters the gathering of regimes around specific issues. Bosnia and Herzegovina’s international community has experienced regime complexity. In turn, the concentration of international agencies, institutions, and organizations in a small location has created a regime complex of its own revolving around BiH itself.

We can now address the specifics of the regime complex and examine whether the international

community characteristics match the description. Orsini, Morin, & Young (2013) developed a definition for regime complexes, which identified their fundamental characteristics. In their view, a regime complex “contains three or more international regimes, relates to a common subject matter, exhibit overlapping membership; and generate substantive, normative, or operative interactions recognized as potentially problematic whether or not they are managed effectively” (Orsini, Morin, and Young 2013, 29). This definition will be used to determine whether Bosnia and Herzegovina’s international community corresponds to a regime complex.

First, in order to address this, we must consider the meaning of regimes, which are generally described as “sets of implicit or explicit principles, norms, rules, and decision-making procedures around which actors’ expectations converge in a given area of international relations” (Krasner 1983, 2). Several treaties, institutions, and international governmental organizations (IGOs) can be part of the same regime. To go from the presence of multiple regimes to regime complexes, however, there must be some level of divergence among three or more regimes. In regime complexes, interactions must be at least potentially problematic. Bosnia and Herzegovina is a site where organizations pertaining to different international regimes intersect. If we take only the regular participants in the Board of Directors weekly meeting, which includes the most important IOs working in BiH, the majority of them were implemented at Dayton. Thus, we can already identify institutions relating to different regimes. The United Nations Development Program and Human Rights Council are present in Bosnia to foster and monitor the progress of the country and they belong, respectively, to the UN’s development and human rights complexes. The International Monetary Fund and the World Bank, for their part, relate to the economic regime. Also, NATO and EUFOR Althea, the military branch of the international community, can be considered as elements of the international security regime and still maintain active headquarters

in BiH to assist in reforming the country's defence policy. Therefore, it is clear that that parts of international regimes interact in the small-scale environment provided by Bosnia, which qualifies this international community as a regime complex.

According to Orsini, Morin and Young (2013), in this context, practitioners and observers, must acknowledge the presence of at least potentially problematic regimes. In interviews, experts and officials from both the EU and OHR have repeatedly recognized the potentially contentious nature of the relations among the institutions in BiH (Interviews AS and RP). Ashdown (2007) refers to the conflicting relations between the military and civil components of the peace implementation mission: "relations between the two headquarters had been at best minimal and at worst (as with my predecessor) cool to the point of hostility" (Ashdown 2007, 218). Even at the fieldwork level, those regimes can clash and be problematic.

Secondly, Orsini, Morin, & Young claim that "regime complexes focus on a specific subject matter, often narrower in scope than an issue area" (Orsini, Morin, and Young 2013, 30). Although the majority of scholars studying regime complexity undertake their research with an issue oriented focus rather than geographical focus, I argue that Bosnia and Herzegovina can be studied as a subject matter. It can be explored as an empirical case like maritime piracy or food-security, because it is a limited topic both in terms of scope and space and it exhibits the defining features of regime complex.

The third attribute of a regime complex identified by Orsini, Morin, and Young has to do with its overlapping membership. The international organizations in BiH fit this characteristic. If we consider only the two institutions at the center of this thesis (EU and OHR), it is clear their principals share some members. In fact, five PICSB participants are also EU member-states or

institutions, namely the EU Commission, EU Presidency, France, United Kingdom, and Germany. Sharing membership allows for chessboard politics, like “cross-institutional political strategies *where actors promoted agenda across multiple international institutions to influence policy outcomes*” (Alter and Meunier 2009, 16).

Fourth, according to Orsini, Morin and Young’s definition, regimes must also interact on some level, although the scope and extent of this are not specified. In the BiH international community, there are interactions happening at every level. As Biermann (2007) points out,

Today, all the Euro-Atlantic security institutions regularly meet, on the working level almost on a daily basis, to coordinate a wide range of issues centering on crisis management. Most of them have concluded framework agreements identifying the modalities of cooperation. They cooperate among the headquarters and, even more, in the field—the multifunctional peace building operations in Bosnia and Kosovo involving all these organizations are the best-known examples (Biermann 2007, 152).

In conclusion, Bosnia and Herzegovina’s international community can be considered a regime complex, which emerged from the regime complexity developed by the arrangements brought about by the Dayton Peace Agreement. The absence of centralized governance of the various regimes intensifies this complexity. On this point, Peter (2015) claims,

In order to remedy the duplication of efforts the international community should appoint a lead agency for the overall mission. This addresses the question of duplication of efforts and discourages agencies from trying to take the lead on the ground, as has often been the case in BiH. These efforts inevitably result in turf wars between various agencies with each of them having their work undermined by others (Peter 2015, 146).

Deadlock Explained by Regime Complexity

Having established that the international community in Bosnia and Herzegovina can be understood as a regime complex, we are now in a position to consider how regime complexity theory can help explain the deadlock. In what follows, we will draw on one of the major contributions to the literature on regime complexity: the symposium organized by Karen Alter and Sophie Meunier. More specifically, we will look at Stephanie Hofmann's article (2009), which focuses on NATO and the ESDP. Hofmann observes that despite great overlaps in "membership, mandate, and resources" (Hofmann 2009, 46) between those two crisis management organizations, genuine cooperation is not present. She notices that the policies adopted in reaction to these overlaps has resulted in a lack of coordination, which "has created inefficiencies in the crisis management interventions of each institution, including delays in troop deployment and a lack of strategic guidance in operations" (Hofmann 2011, 114). The inefficiencies in the case of Bosnia and Herzegovina have caused the deadlock.

This section is comprised of three subsections that connect the overlapping institutional dimensions suggested by Hofmann in relation to the propositions of Alter and Meunier in their introduction *Politics of Regime Complexity*. We will examine each dimension separately and in relation to Bosnia's deadlock in order to demonstrate how regime complexity principles can be applied to this case.

Membership

As discussed above, partially shared membership is an important feature of overlapping regimes. According to Orsini, Morin and Young (2013), considering membership "is also useful reminder

that IGOs are not the only actors actively shaping them” (Orsini, Morin, and Young 2013, 31). There are two main strategies influenced by complexity that affect principals’ actions.

First, there is a cross-institutional political strategy “where actors promoted agenda across multiple international institutions to influence policy outcomes” (Alter and Meunier 2009, 16). As with NATO and ESDP, the OHR and EU shared members lobby in both forums to achieve their desired outcomes. For example, the policies espoused by Berlin influence both the OHR and EU decisions in the deadlock situation. According Weber, Berlin influence in both forums results in weak and ineffective international policy in Bosnia and Herzegovina. He points out that in the PICSB, “Berlin has begun pushing for the OHR to be defunded and moved, amounting to transition by stealth” (Weber 2012, 14). However, the United States and Turkey have firmly vetoed the proposal to completely close the OHR, allowing the institution to remain open but in a diminished and discredited capacity. Meanwhile, in the EU, the policy developed by Germany has consisted in applying the integration toolbox without considering the particularities of Bosnia, as seen in the constructivism section. Thus, Berlin policy has “aimed at eroding both the OHR and the 5+2 agenda without being forced to forge unity among EU and PIC member states” (Weber 2012, 14). The absence of consensus among international principals perpetuates the deadlock, because the push-and-pull strategy within the EU and PICSB never allows the international community to achieve its goals.

Second, Alter & Meunier (2009) point out that clashes between actors’ preferences “ended up shaping the policies adopted in each institution, making them vaguer than originally intended” (Alter and Meunier 2009, 17). Hofmann identifies this notion as ‘strategic ambiguity’. In Bosnia, the press releases issued by international overseers prove that their divisions have resulted in vagueness. This ambiguity is detrimental to the effectiveness of the international intervention and

especially to the credibility of their representatives. For example, the last PICSB common position only reaffirmed the same mantra of wishing for a democratic, stable, and viable Bosnia and Herzegovina without giving any specifics other than the 5+2 agenda. Moreover, an addendum is often added at the end of official PICSB communiqués, indicating that Russia declined or tempered its support for the general position. The consequence of this is that despite the reiteration of PIC support for the OHR, the international community looks divided and irresolute in the eyes of Bosnian elites and the public. The inconsistency of positions concerning the future of the international community in Bosnia and Herzegovina has left the transition in limbo (Interview AS). In other words, disagreements among the international community have coerced their representatives and offices into inactivity. An expert informant told us: “there is not a unified support for [the High Representative] authority, his office’s authority, he has felt disempowered to use his authority, but instead of testing the limits of his authority, he is just basically putting the onus on the PIC to pull the leach; he has been obliging to their constraints” (Interview JT).

To conclude, the pressures applied by the principals in defending their own positions in context where they belong to various organizations as well as the indecisive nature of their communication and support to their Representatives contribute to the difficulty of the transition.

Mandate

The second overlap identified by Hofmann relates to mandates. NATO and ESDP mandates do not stipulate a functional or geographic division of labour, and they both refer to crisis management. Analogously, international mandates in Bosnia and Herzegovina are deeply intertwined. The mandates granted on paper, however, can be sorted out later during their

execution. Accordingly, Alter & Meunier remind us about the importance of the implementation phase over the negotiations phase. They argue that there are discrepancies between the authors who originally designed the agreement and its actual implementation by agents, and they suggest that the priorities and preferences of the latter are different from those of the negotiators. This section will discuss both the original agreements and their implementation to examine how complexity has affected the deadlock.

The most important document for the international intervention in Bosnia and Herzegovina is undoubtedly the Dayton Peace Agreement. It was signed to end the war, but as confirmed by numerous experts and practitioners, it was not as effective in peace building (Chandler 2006b, 17). First, the Dayton Agreement is open-ended. The OHR has the power to define and delimit his own role, and there was no clear timeline associated with the international intervention. The situation is similar to the one described by Brosig (2011) in his article on the interplay of international institutions in Kosovo. The number of international institutions involved grows because no one is leaving, so institutions just add up on top of each other, and, in so doing, increase in complexity (Brosig 2011, 192). Second, Dayton did not create a clear division of labour among international institutions. For example, Dayton gave the responsibility for education, human rights and democratization to both the OHR and the OSCE.

The complexity created by the Dayton agreement and the multiplication of international institutions cannot be resolved by a treaty or written agreement, which leaves people working in those institutions to find ways of dividing labour themselves. Paddy Ashdown describes this clearly in his memoirs:

Most of these [international administrations] had muddled and overlapping mandates. Although the Dayton Agreement gave the High Representative the task of coordination within the international community, he had no powers to enforce this. The result was duplication of the international effort, confusion amongst the Bosnians and the severe dissipation of the energies of the overall international effort (Ashdown 2007, 36).

This waste of time and effort has prolonged the deadlock and the mandate of some international organizations, because their tasks have not yet been fulfilled and they even have taken up new missions. For example, since 2008, the closure of the OHR depends partially on the attainment of EU requirements. Tirak (2010) identified the new mandates endorsed by the OHR in comparing the original Dayton agreement and the 5+2 plan.

If we examine the benchmarks of the 5+2 package, it becomes apparent that some have very little to do with the Dayton Agreement. In fact, some of the objectives – for example the establishment of a National Fiscal Council – were taken from different EU documents, such as the European Partnership with Bosnia, which has nothing to do with the OHR's mandate. Dayton gradually became subordinate to the requirements for eventual EU membership, and its unfulfilled parts have been left in the shadows of the 5+2 agenda. Not surprisingly, the PIC's 5+2 conditionality was fully embraced by the EU – the EU shaped some of its requirements (Tirak 2010, 5).

These overlapping mandates can create inefficiencies, involving turf battles, the duplication of work, and uncoordinated policies (Alter and Meunier 2009, 19). These inefficiencies prolong mandates. Organizations may spend time defending their turf or doubling the same work, which dissipates resources and time. In Bosnia, these longer mandates have contributed to the continuation of the deadlock.

Assets

The third and most significant overlap for Hofmann consists of assets sharing. The assets overlap between NATO and ESDP is most visible in comprehensive missions, which necessitate both

military and civil components. The Berlin Plus agreement was designed to regulate the exchange between the two institutions. Asset sharing is less formalized in Bosnia and Herzegovina's international community, but there is valuable material, which could be the object of a more systemic exchange agreement. According to one expert informant, who commented on expertise sharing, "[the EU] don't want to deal with [the OHR], don't want their expertise. For example the legal department drafted a lot of the laws and the institutional framework of the country in terms of things that were adopted after Dayton, EU doesn't want to touch that" (Interview JT).

Still, in the ESDP/NATO case, like in the OHR/EU one, "there are number of ambiguities [...] that have given rise to conflicting interpretations" (Hofmann 2009, 46). These ambiguities leave the details to be sorted out on a more operational level, and in both cases it has created impediments to a formal and genuine cooperation. Indeed, Hofmann (2009) argues, "people on the ground, constrained by mandates that reflect divisions among member states, cannot fully compensate for the absence of strategic cooperation at higher levels" (Hofmann 2009, 48). This is also applicable to BiH. During our interviews, both OHR and EU officials attested to the seriousness of the cooperation between their departments. One OHR official told me: "[t]he degree of cooperation with the EU is very high, meaning we have daily contact and our counterparts in the EU, we always agree before what to do next and we don't do something until we agree. [...] we are effectively, virtually one team" (interview RP). By contrast, the EU counterpart claimed: "as things come up, we agree to meet on different issues. If he can give out advice on something I am working on and vice versa. If I can add something on what he is doing, he will contact me" (Interview EM). Nevertheless, this cooperation seems to be highly variable from department to department, and it appears that there is no general framework of coordination between the OHR and the EU.

The absence of a formal agreement over the sharing of assets ultimately produces the same result as having an ambiguous agreement. Therefore the ESDP/NATO relationship looks more like the OHR/EU than one would otherwise think. EU/OHR political interactions end up being sterile. The weekly meetings of the Board of Directors, an initiative started in 2002 to help international organizations in BiH discuss and coordinate similar mandates, has not produced—at least in terms of public image—a united international community. This is illustrated by the fact that there has been not been a common press release since 2004, and before that only three were listed on the OHR official website.

Again like the ESDP and NATO case, the relations between the OHR and EU cannot be considered fully cooperative nor, on the contrary, totally competitive; rather we can characterize it as an ‘ambiguous relationship’. This relationship offers great examples of coordination, but it can also exhibit degrees of competition. As mentioned by Alter & Meunier (2009),

where organizations are competing, actors lack an incentive to coordinate their efforts, thereby generating the types of persistent inefficiencies frequently lamented, such as repetitive efforts, turf battles, and uncoordinated policy which has achievements by one organization later undermined and erased (Alter and Meunier 2009, 19).

We suggest that, in the case of Bosnia and Herzegovina, one of these inefficiencies certainly consists of the perpetuation of deadlock. Through competition, institutions move away from their primary objectives and are less effective in carrying out their missions. One expert informant noted, “everybody is working on their self-defined role, which means a lot of things fall through the cracks. There is competition, which is stupid quite often, and a waste of time and a waste of taxpayers’ money as well as being actively counter-productive quite often” (Interview JT). In examining assets sharing between the OHR and the EU in BiH, one can notice that, at the

operational level, information and expertise is often exchanged, although this cannot compensate for the absence of coordination at higher levels.

Conclusion

In conclusion, the regime complexity theory offers a new perspective on the causes of deadlock in the Bosnia and Herzegovina international community. While complexity is not necessarily related with inefficiencies, it certainly makes coordination among actors more difficult. In turn, a lack of coordination extends the time and resources needed to accomplish a task. Further, overlaps in terms of membership, mandates, and assets reveal how complexity has affected actors' behaviours. As Alter & Meunier (2009) note, “[s]ometimes overlap introduces positive feedback effects that enhance cooperation and the effectiveness of any one cooperative regime. Sometimes, however, complexity introduces unhelpful competition across actors, inefficiencies, and transaction costs that end up compromising the objectives of international governance” (Alter and Meunier 2009, 14). In the case of Bosnia and Herzegovina, it has led to nearly a decade of deadlock, in a stalled transition between the OHR and the EU. According to Peter (2014),

the problem of an institutional overlap is difficult to completely eliminate in complex peace and state-building operations. Different state-building areas are intertwined and agencies implementing them contribute to their different aspects. In order to remedy the duplication of efforts the international community should appoint a lead agency for the overall mission. This addresses the question of duplication of efforts and discourages agencies from trying to take the lead on the ground, as has often been the case in BiH. These efforts inevitably result in turf wars between various agencies with each of them having their work undermined by others. When such turf disputes occur throughout a transition period, this complicates the extraction of the international state-building efforts (Peter 2015, 146).

While the explanatory potential of regime complexity is interesting, it is also problematic. As Alter & Meunier point out, causality is often unclear in complexity studies. Unidirectional effects are difficult to identify. We cannot yet say with certainty if the international community regime complex is solely responsible for the deadlock. This section, nonetheless, provides some insights as to why complexity could be a significant factor in the perpetuation of the deadlock.

Chapter Three: Discussion and Conclusion

Bosnia and Herzegovina is an excellent laboratory for social sciences, especially political science. The microcosm developed in the international community is fascinating, researches have been made on peacebuilding and reconstruction, refugee returns, NGOs, police reforms, war criminal prosecutions, etc. When looking at the big picture however, the main puzzle remains why is the international community still present in Bosnia and Herzegovina? Twenty years after the end of the war, BiH is still under international supervision. In the absence of changes in the international community, as my research progressed, deadlock came to be the more appropriate notion to describe and analyze this situation. Deadlock implies a point in a negotiation where no progress can be made. In Bosnia, the transition from the OHR to the EU or from Dayton to Brussels necessitates a negotiation between the principals and the organisations and since 2006 there has been no change in the situation. Moreover, there is no expected change in the foreseeable future. As long as the international community will not be able to achieve a greater consensus and faced its internal challenges, we cannot expect any transformation in the international status of Bosnia and Herzegovina.

This thesis does not suggest a normative judgement about the deadlock or solutions to solve it. The objective is limited to acknowledging the deadlock and trying to explain it. However, one must recognize that identifying and understanding the causes can help to find which solutions may work. This thesis points the responsibility of international administrations in the prolongation of their own mandates. It may seem surprising that this thesis does not analyse the responsibilities of Bosnian politicians and elites in the perpetuation of the international supervision. As mentioned in the constructivist section, the Bosnian political elites cannot be

absolved from all responsibility in Bosnia's absence of progress. Nonetheless, the stalled transition from Dayton to Brussels is primarily caused by a disagreement between the two main international institutions in BiH. In fact, Bosnians have little if nothing to say in the prolongation of the OHR mission, the same goes for the EU implication.

This thesis tested three hypotheses able to explain the deadlock. These frameworks were selected for their suitability. Rationalism and constructivism are not substantive frameworks, which can explain a large variety of situations. Both have tools that can illuminate some aspects and actors of the Bosnian international community. For its part, regime complexity suits Bosnia and Herzegovina international community well, because it can be considered as a regime complex and therefore we can use some of the causalities suggested by regime complexity authors to explain the deadlock. While it cannot determine with absolute certainty which explanation is the best, it uncovers that each framework might correspond to specific actors or focuses on the situation.

Rationalism is especially suitable to explain the principals' behaviours. The actions of the PIC steering board members, the EU member-states and institutions are easier to understand using the tools of rationalism, especially game theory. By dividing the interests of the principals in two camps, we can assess the reasons for the deadlock. On the one hand, the pro-EU camp wants to enhance EU prestige and security by speeding Bosnia EU integration. On the other hand, the pro-OHR group fears that violence could resume in Bosnia without the enforcing powers of the OHR. Rationalism elegantly and brilliantly encompasses the negotiations between these two groups with irreconcilable views on the future of Bosnia.

Constructivism, for its part, rightly captures the effects of norms and identities on the main international actors in Bosnia and Herzegovina. Differentiated identities forged by the EU and the

OHR make them work in parallel rather than cooperatively at the political level. Hence, the deadlock problem is never seriously faced and dealt with. Besides, norms are deeply related to the bureaucratic cultures. In absence of cooperation at the political level, bureaucracies have fall back into an autopilot. They cooperate on the operational, however there is a lack of creativity, preventing deadlock resolution. Constructivism explains how the deadlock has been able to last as long. Norms and identities can change and evolve, but they can also be factors of continuity (Fearon and Wendt 2002, 57).

Regime complexity literature has not yet developed clear causality indicating the effects of complexity. However, articles such as Hofmann's allow deducting some of the consequences of the overlaps between two institutions in terms of membership, mandates, and assets. The EU and the OHR overlap in many ways and as for NATO and ESDP, this led to inefficiencies, such as the deadlock. Regime complexity offers a global understanding of interactions among international actors where "the relationship [...] is characterized by neither outright cooperation nor competition. [...] Competition arises through turf battles and hostage taking as state maneuver within each organization to promote their specific policy preferences even as a certain degree of cooperation is achieved by muddling through"(Hofmann 2009, 49).

The limited time and resources allocated to a master thesis research did not allow for a full comparative argument to determine, which one of the three frameworks can best explain the deadlock. The tentative conclusion remains that each one can be suitable depending on the actors or on the focus. Even if the generalization potential is quite low, being based on only one case study. Extrapolations to other cases of international administrations are difficult to achieve. Moreover, BiH international administration exhibits specific features, such as a UN delegated

willing group of countries as administrators, post-ethnic conflict, and international supervision enshrined in the state constitution. This paper could however be the basis for other studies of prolonged international administrations. The more and more accepted notion of rebuilding responsibility in post-war period will inevitably produce other international administrations. Hence, it is important for scholar to understand the creation, the operation but also the exit-strategies of those international interventions. This thesis was a small step included in a much greater effort to do so.

Sources

- Adebahr, Cornelius. 2009. "Learning and change in European foreign policy : the case of the EU special representatives." PhD Ph D, Freie Universität Berlin.
- Allison, Graham T. 1971. *Essence of decision : explaining the Cuban Missile Crisis*. Boston,: Little.
- Alter, Karen J., and Sophie Meunier. 2009. "The Politics of International Regime Complexity." *Perspectives on Politics* 7 (01):13-24. doi: 10.1017/s1537592709090033.
- Ashdown, Paddy. 2007. *Swords and ploughshares : bringing peace to the 21st century*. London: Weidenfeld & Nicolson.
- Bahtić-Kunrath, Birgit. 2011. "Of veto players and entity-voting: institutional gridlock in the Bosnian reform process." *Nationalities Papers* 39 (6):899-923. doi: 10.1080/00905992.2011.614224.
- Barnett, Michael, and Martha Finnemore. 2004. *Rules for the world : international organizations in global politics*. Ithaca, N.Y. ; London: Cornell University Press.
- Bassuener, Kurt. 2012. Statement for the Oireachtas Joint Committee on EU Affairs. Sarajevo: Democratic Policy Council.
- Bassuener, Kurt, and James Lyon. 2009. "Unfinished Business in Bosnia and Herzegovina: What Is To Be Done?" *Usip peace Briefing*.
- Berdal, Mats, and Richard Caplan. 2004. "The Politics of International Administration." *Global Governance* 10:1-5.
- Bieber, Florian. 2008. "The Failure of EU State-Building: Conditionality and Security State-building in Bosnia and Herzegovina and Serbia and Montenegro." Association for the Studies of Nationalities Convention, New York.
- Biermann, Rafael. 2007. "Towards a theory of inter-organizational networking." *The Review of International Organizations* 3 (2):151-177. doi: 10.1007/s11558-007-9027-9.
- BiH, European Union in. 2015. "EUD / EUSR - Delegation of the European Union to Bosnia and Herzegovina and European Union Special Representative ".
- Binmore, Ken G. 1994. *Game theory and the social contract*. Cambridge, Mass.: MIT Press.
- Board, Peace Implementation Council Steering. 2012. The "5+2" Agenda. Brussels.
- Brabandere, Eric de. 2009. "Post-conflict administrations in international law international territorial administration, transitional authority and foreign occupation in theory and practice." In. Leiden ; Boston: Martinus Nijhoff Publishers,.
- Brljavac, Bedrudin. 2011. "Europeanisation Process of Bosnia and Herzegovina -Responsibility of the European Union ?" *Balkanologie* 13 (1-2).
- Brosig, Malte. 2011. "The interplay of international institutions in Kosovo between convergence, confusion and niche capabilities." *European Security* 20 (2):185-204. doi: 10.1080/09662839.2011.564614.
- Chandler, David. 2004. "The problems of 'nation-building': imposing bureaucratic 'rule from above'." *Cambridge Review of International Affairs* 17 (3):577-591. doi: 10.1080/0955757042000297077.
- Chandler, David. 2006a. "Empire in denial the politics of state-building."
- Chandler, David. 2006b. "State-Building in Bosnia: The Limits of 'Informal Trusteeship'." *International Journal of Peace Studies* 11 (1):17-38.
- Chesterman, Simon. 2004. *You, the people : the United Nations, transitional administration, and state-building, A Project of the International Peace Academy*. Oxford ; Toronto: Oxford University Press.

- Claridge, Lucy. 2010. "Discrimination and Political Participation in Bosnia and Herzegovina: Sejdic and Fincci v. Bosnia and Herzegovina." *Minority rights group international*:1-8.
- Clemens, Walter C. 2004. *Dynamics of international relations : conflict and mutual gain in an era of global interdependence*. 2nd ed. Lanham, MD ; Toronto: Rowman & Littlefield Publishers.
- Cousens, Elizabeth M., and Charles K. Cater. 2001. *Toward peace in Bosnia : implementing the Dayton accords, International Peace Academy occasional paper series*. Boulder, Colo.: Lynne Rienner Publishers.
- Creswell, John W. 2013. *Qualitative inquiry & research design : choosing among five approaches*. 3rd ed. Los Angeles: SAGE Publications.
- Denzin, Norman K., and Yvonna S. Lincoln. 2005. *The SAGE handbook of qualitative research*. 3rd ed. Thousand Oaks, CA: Sage Publications.
- Dimitrova, Gergana Cisarova. 2006. "Democracy and International Intervention in Bosnia and Herzegovina." *Central European Political Studies Review* 6 (1):45-71.
- Eralp, Dogan Ulas. 2009. "The Effectiveness of the EU as a Peace Actor in Post-conflict Bosnia Herzegovina: An Evaluative Study." Doctoral, Institute for Conflict Analysis and Resolution, George Mason University.
- Eralp, Dogan Ulas. 2012. *Politics of the European Union in Bosnia-Herzegovina : between conflict and democracy*. Lanham, Md.: Lexington Books.
- Fearon, James, and Alexander Wendt. 2002. "Rationalism v. Constructivism: A Skeptical View." In *Handbook of International Relations*, edited by Walter Carlsnaes, Thomas Risse-Kappen and Beth A Simmons. London: Sage Publications.
- Ferretti, Raymond. 1984. *La coordination de l'action des organisations, internationales au niveau européen, Organisation internationale et relations internationales*. Bruxelles: E. Bruylant.
- Finnemore, Martha, and Kathryn Sikkink. 2001. "Taking Stock: The Constructivist Research Program in International Relations and Comparative Politics." *Annual Review of Political Science* 4:391-416.
- Harland, David. 2004. "Legitimacy and Effectiveness in International Administration." *Global Governance* 10 (1):15-19.
- Hofmann, Stephanie C. 2009. "Overlapping Institutions in the Realm of International Security: The Case of NATO and ESDP." *Perspectives on Politics* 7 (01):45-52. doi: 10.1017/s1537592709090070.
- Hofmann, Stephanie C. 2011. "Why Institutional Overlap Matters: CSDP in the European Security Architecture." *Journal of Common Market Studies* 49 (1):101-120.
- ICG. 2009. Bosnia's incomplete transition between Dayton and Europe. In *Europe Report*: International Crisis Group.
- Jackson, Robert. 2004. "International Engagement in War-Torn Countries." *Global Governance* 10 (1):21-36.
- Knaus, Gerald, and Felix Martin. 2003. "Lessons from Bosnia and Herzegovina: Travails of the European Raj." *Journal of Democracy* 14 (3).
- Krasner, Stephen D. 1983. *International Regimes, Cornell studies in political economy*. Ithaca: Cornell University Press.
- Kratochvíl, Petr, and Elsa Tulmets. 2010. *Constructivism and rationalism in EU external relations : the case of the European neighbourhood policy*. 1st ed. Baden-Baden: Nomos Verlagsgesellschaft Mbh & Co.

- Leech, Beth L. ; Werning Rivera, Sharon; Sarovskii Eduard G.: Woliver, Laura R. 2002. "Symposium: Interview Methods in Political Science." San Francisco, December
- Leroux-Martin, Philippe. 2013. *Diplomatic counterinsurgency : lessons from Bosnia and Herzegovina*: Cambridge.
- Loza, Tihomir. 2009. "The disenchanting potentate." *Polico*.
- Majstorovic, Danijela. 2007. "Construction of Europeanization in the High Representative's discourse in Bosnia and Herzegovina." *Discourse & Society* 18 (5):627-651. doi: 10.1177/0957926507079635.
- March, James G., and Johan P. Olsen. 1998. "The Institutional Dynamics of International Political Orders." *International Organization* 52 (4):943-969. doi: 10.1162/002081898550699.
- McMahon, Patrice C. . 2004. "Rebuilding Bosnia: A Model to Emulate or to Avoid." *Political Science Quarterly* 119 (4):569-593.
- Mintz, Alex, and Karl R. DeRouen. 2010. *Understanding foreign policy decision making*. Cambridge New York: Cambridge University Press.
- Narlikar, Amrita. 2010. *Deadlocks in multilateral negotiations : causes and solutions*. Cambridge, UK ; New York: Cambridge University Press.
- Orsini, Amandine, Jean-Frédéric Morin, and Oran R. Young. 2013. "Regime Complexes: A Buzz, a Boom, or a Boost for Global Governance." *Global Governance* (19):27-39.
- Osborne, Martin J. 2004. *An Introduction to Game Theory*. New York: Oxford University Press.
- Peter, Mateja. 2013. "Whither Sovereignty? The Limits of Building through International Administrations." In *From mediation to nation-building: Third parties and the management of communal conflict*, edited by Joseph R. Rudolph and William J. Lahneman, 421-440. Lexington Books.
- Peter, Mateja. 2014. *Politics of International Administration: a Methodological Intervention*. edited by University of Cambridge: University of Cambridge.
- Peter, Mateja. 2015. "No Exit: The decline of the international administration in Bosnia and Herzegovina." In *State-Building and Democratization in Bosnia and Herzegovina*, edited by Sören Keil and Valery Perry. Ashgate.
- Ratner, Steven R. 2005. "Foreign Occupation and International Territorial Administration: The Challenges of Convergence." *European Journal of International Law* 16 (4):695-719. doi: 10.1093/ejil/chi138.
- Raustiala, Kal, and David G. Victor. 2004. "The Regime Complex for Plant Genetic Resources." *International Organization* 58:277-309.
- Rubin, Jeffrey Z., and I. William Zartman. 2000. *Power and negotiation*. Ann Arbor: University of Michigan Press.
- Sarajlic, Eldra; Marko, Davor, ed. 2011. *State or Nation: the Challenge of Political Transition in Bosnia and Herzegovina*. Sarajevo: Center for Interdisciplinary Postgraduate Studies.
- Schimmelfennig, Frank, and Ulrich Sedelmeier. 2004. "Governance by conditionality: EU rule transfer to the candidate countries of Central and Eastern Europe." *Journal of European Public Policy* 11 (4):661-679. doi: 10.1080/1350176042000248089.
- Schramm, Wilbur. 1971. "Notes on Case Studies of Instructional Media Projects." *Institute for Communication Research*.
- Sebastian, Sofia. 2009a. "No time to wind-down in Bosnia." *Fride* (17):1-5.
- Sebastian, Sofia. 2009b. "The Role of the EU in the Reform of Dayton in Bosnia-Herzegovina." *Ethnopolitics* 8 (3-4):341-354. doi: 10.1080/17449050903086948.

- Shannon, Vaughn P., and Paul Kowert. 2012. *Psychology and constructivism in international relations : an ideational alliance*. Ann Arbor: The University of Michigan Press. texte.
- Stahn, Carsten. 2008. *The law and practice of international territorial administration : Versailles to Iraq and beyond, Cambridge studies in international and comparative law*. Cambridge ; New York: Cambridge University Press.
- Tirak, Goran. 2010. on Bosnian Hiatus: A Story of Misinterpretations. edited by CEPS Policy Briefs: Centre For European Policy Studies.
- Tsebelis, George. 1990. *Nested games : rational choice in comparative politics, California series on social choice and political economy*. Berkeley: University of California Press.
- Vogel, Toby K. 2006. Bosnia and Herzegovina: The Challenge of Legitimacy. Swisspeace.
- Weber, Bodo. 2012. "Germany's Shift on Bosnia Policy." *Democracy and Security*:13-18.
- Woehrel, Steven. 2013. "Bosnia and Herzegovina: Current Issues and U.S. Policy." *Congressional Research Service*:1-14.
- Yannis, Alexandros. 2002. "The Concept of Suspended Sovereignty in International Law and Its Implications in International Politics." *European Journal of International Law* 13:1037-1052.
- Yin, Robert K. 2003. *Case study research : design and methods*. 3rd ed, *Applied social research methods series*. Thousand Oaks, Calif.: Sage Publications.
- Young, Oran R. 1996. "Institutional Linkages in International Society: Polar Perspectives." *Global Governance* 2:1-24.
- Zaum, Dominik. 2006. "The Authority of International Administrations in International Society." *Review of International Studies* 32 (3):455-473.

