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Election Analysis

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Elections in Bosnia and Herzegovina: A Revolution, Evolution or Stagnation?

Adnan Huskić*

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Introduction

On 12 October 2014 some 3.2 million Bosnians eligible to vote cast their ballots at the General Elections for their representatives at the state, entity and, in the Federation of Bosnia and Herzegovina (FBiH), the cantonal level legislatures. Voters also elected the three members of the Presidency of Bosnia and Herzegovina and the President and Vice-presidents of Republika Srpska (RS).¹ A total of 69 political parties competed for legislative assembly seats, while 16 parties nominated their candidates for all levels. In addition to political parties, a number of independent candidates ran for different levels. Significant presence of independent candidates is not a novel occurrence. At the local elections in 2012, a number of mayoral posts went to independent candidates. This trend is certainly a reflection of the public's deep mistrust of the established political parties, as the recently published study (Analitika) shows that only 14.3% of citizens trust political parties. If we add to this years of economic downturn, a protracted government formation negotiations in 2010, which took some 14 months, and the fact that the previously existing ideological progressive-conservative division simply ceased to exist or make sense, dissatisfaction becomes easier to grasp. I deliberately use the progressive-conservative dichotomy to describe the political dimension in Bosnia, instead of the usual left-right one, as it more accurately represents the roles that were ascribed to some parties by the public in the past.

Turnout, political participation and activism

The turnout at the elections, despite some excessively optimistic polls, was 54%, which is in line with the trend from the last several elections when the turnout was slightly over 50%. Turnout in the RS was somewhat higher than in the FBiH, which was mainly due to the extreme political bi-polarization. Absence of a serious analysis of the voting process makes it tremendously difficult to identify who votes at elections and to establish trends over time. As a result, we have a number of bluntly designed projects aimed at, for example, increasing youth participation at elections. Serious disregard for the fact that

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¹ The president and the Vice-presidents of the FBiH are appointed by the FBiH Parliament.

youth is an amazingly heterogeneous group that can hardly be appealed to as a group is of no concern to donors and implementing agencies. Furthermore, while some might argue that participation of over 50% at elections is hardly worrying, the state of Bosnia's unconsolidated democracy in essence requires much higher participation. One way to increase participation at elections would be to introduce compulsory voting.

One of the events that many hoped would influence the shape and form of politics in BiH were the protests in February. The realization that the traditional political elites in Bosnia are mainly concerned with their own wellbeing, while having virtually no regard for the concerns of the majority of the underprivileged, took the form of violent protests. These protests followed frequent, but disconcerted and otherwise fragmented protests throughout the country. The February protests quickly got out of hand in several cities in BiH, mainly in the FBiH where enraged protestors burned government buildings in Tuzla, Sarajevo and Mostar. Protestors also attacked private properties of politicians, parties' buildings and clashed with the police. In the aftermath of the protests, Bosnia was once again in the world news headlines and on the covers of magazines. Hailed at the time as the final awakening of the genuine grass-roots civil society movement and the beginning of the end of corrupt and irresponsible political elites in Bosnia, the protests would soon morph into an exercise aimed at leaderless direct democracy in the form of Plena. Plena became the place where numbers of the disadvantaged, disenfranchised and underprivileged got to voice their grievances while getting support from an emphatic audience. Plena were soon ideologically hijacked by neo-Marxists and anti-capitalists who mistook them for the core of a new political system based on fundamentally different grounds and treated them as the real-life laboratory for their ideas and concepts (Keil, 2014). Over time Plena lost momentum and gradually dissolved, achieving in essence very little and revealing a profound lack of the public's basic understanding of the economic and political problems in Bosnia. What was discussed there was "better" redistribution of public money, while virtually no one or very few ever addressed the issue of the unbearable size of public spending except when it came to cutting benefits for politicians. There is, however, a change that was probably triggered by the February unrest in Bosnia and it concerns the approach undertaken by the EU and other international actors in Bosnia. International actors seem to have indeed become more attentive to the needs and concerns of citizens, as some analysts suggested, instead of limiting their engagement only to discussions with party leaders.

Riding the wind of change was the leader of the Alliance for a Better Future (*Savez za bolju budućnost*, SBB) and media mogul Fahrudin Radončić. He presented himself in public as a politician who stood by citizens in times of crisis and prevented the police from violently suppressing protests. As the Minister of Security on the state level, Radončić claims that he deliberately decided not use any of the police forces on the ground against protesting citizens. However, complexities and intricacies of power-sharing on the state level would hardly allow Radončić to effectively use security forces even if he had tried to do so. It is entirely possible that Radončić portrayed his inability to do anything as a deliberate restraint. In a surprising turn of events, the Social Democratic Party (*Socijaldemokratska partija BiH*, SDP) initiated his removal

from the position of Minister of Security, a decision that Radončić used as an opportunity to present himself as the victim of corrupt political elites who fear change.

While largely confined to the FBiH, protests were taken quite seriously by Dodik's autocratic regime, which immediately embarked on discrediting them as an attempt to destroy the RS and impose a centralized government in BiH. The way this was framed is hardly a new thing for Dodik, who was actively creating a narrative that revolved around a number of external threats both to him and the RS (frequently used interchangeably). The culmination of the spin (and craziness) was the publication of a book on the official Alliance of Independent Social Democrats (*Savez nezavisnih socijaldemokrata*, SNSD) web site under the title *Bringing the RS down – Theory and Technology of a Coup*.² In the book, a number of NGOs, activists and media outlets that were critical of the government's and Dodik's performance were labelled enemies of the RS. Nikola Špirić, Dodik's Minister in the Council of Ministers, would expand this conspiracy theory during the election campaign. Špirić even presented the official badges of anti-RS conspirators, which resembled police badges, to journalists at a press conference. This stunning level of paranoia indicated the very serious possibility that SNSD could ultimately lose power.

Campaign dynamics

Campaigns in BiH are normally a place for heated rhetoric that is usually preceded by a radicalization and a general worsening of the political situation. Mobilization of the masses and closing ethno-national ranks in an unfinished country that is Bosnia and Herzegovina has always been the safest and most secure way to garner support at elections. These elections were not strikingly different at the first glance, but some differences have to be mentioned. It seems that this time, fault lines did not run between two entities / three ethnicities, but rather within them. Infrequent occurrences of "others" and "nationalist" escapades still popped up here and there, mainly in the RS, but the campaigns mostly focused on the incumbent governments' performances, stability, crime, corruption and the wellbeing of citizens.

The SNSD was challenged by a coalition formed around the ur-nationalist Serb Democratic Party (*Srpska Demokratska Stranka*, SDS), previously of Radovan Karadžić, which made it quite hard for them to play the nationalist card. Deprived of this tool, Dodik relied heavily on his control of public money by increasing salaries in the public sector, buying equipment for hospitals and by promising that pensions in the RS will increase by two percent just two days before the official end of the campaign.

There were ten contenders for the position of the Bosniak member of the Presidency and, according to almost legendarily unreliable polls in BiH, four of these were serious candidates.³ Essentially, the main struggle was between

² Karganović, Stefan et al. 2014. *Rušenje Republike Sprske – Teorija i tehnologija prevrata*. Banja Luka: Besjeda. (accessed: 3. December 2014).

³ Those were the candidates of the Party of Democratic Action (*Stranka Demokratske Akcije*, SDA), the SBB, the Democratic Front (*Demokratska fronta*, DF) and the SDP.

Bakir Izetbegović (SDA) and Fahrudin Radončić (SBB). Very early in the campaign negative aspects began to dominate, which in the end resulted in severely strained personal relations between the two candidates. The negativity has now spilled over into negotiations on the government formation.

In the FBiH, the ideological space vacated by the SDP was filled by a new party, the Democratic Front (*Demokratska fronta*, DF) of Željko Komšić. Komšić is the two-term Croat member of the Presidency and a populist social-democrat. His party is an offshoot of the original and currently ruling SDP of Zlatko Lagumdžija with whom he broke ranks after a dispute over the SDP's agreement with the Croat Democratic Union (*Hrvatska demokratska zajednica*, HDZ) two years ago, which effectively undermined the base upon which Komšić was elected. Their electoral success was evident, but strongly exaggerated in a number of polls conducted by the National Democratic Institute (NDI) prior to the elections. Time and again these polls showed that the DF commanded the majority of votes in the FBiH ahead of the SDA. The unreliability of election polls in Bosnia is legendary and has probably more to do with deliberately skewed methodology than with some innate inability of statistics to grasp the voters' preferences in Bosnia. The DF's primary targets were disillusioned SDP voters and elusive civic-nationalist groups that identify themselves as Bosnian. The DF largely remained silent during the campaign, trying to maintain its early advantage that was diminishing as the campaign progressed and with every successive poll published. Not surprisingly, the front lines in the Federation ran between the DF and the SDP and between the SBB and the SDA. The two Croat parties, the HDZ and the HDZ 1990, ran slightly different campaigns, where the HDZ based the whole campaign on the so-called Croat question (the status of Croats in the FBiH and BiH, as opposed to the asymmetric power-sharing arrangements), while their splinter party HDZ 1990 and its candidate for the Croat member of the Presidency also sought support in the Bosniak part of the FBiH.

Fairly explicit and undiplomatic involvement on the part of some international actors in BiH brought back distant memories of the past when the international community in Bosnia played an active role in micromanaging the country. Unlike the previous two general elections when internationals assumed almost a too obvious hands-off approach in line with their general disengagement strategy, some actions by foreign diplomats this time around raised eyebrows. USAID and some US diplomats (Barth and Miller, 2014) went beyond the usual diplomatic etiquette.⁴ Criticized by some media as “a below the belt blow to democracy in Bosnia” or “Americans telling the BiH citizens who they should vote against” and welcomed by others supportive of the opposition, these actions serve as a stark reminder of the obvious absence of sovereignty of BiH.

Slow counting, government formation and the holiday season

It took the Central Election Commission (CEC) an incredible fifteen days to publish the final preliminary results of the elections. Strong criticism was

⁴ USAID TV Spot #1 in its 'Get Out the Vote' campaign in Bosnia and Herzegovina. (accessed: 3. December 2014).

addressed at the Commission for its sluggish and inefficient counting procedure and indolent behaviour in general. At midnight on Election Day, the CEC was able to publish the final turnout at the elections and the preliminary results for the Presidency of BiH and the President of the RS based only on 52.03% of counted votes in the RS and 76.52% in the FBiH. To make matters worse, the CEC ended the press conference at midnight announcing the next one for 14.00h the next day, even though the elections for the Serb member of the Presidency and the President of the RS were incredibly close at that time. This indolent behaviour on the part of the CEC was seen by some, especially opposition parties, as election fraud and it certainly undermined confidence in the electoral process.

On 27. October the CEC managed to count all of the votes and published the final results. Dodik managed to get re-elected as the President of the RS by a narrow margin of just 1% (45.21% to 44.18%) over the opposition bloc candidate Ognjen Tadić of the SDS. However, his party's candidate for the prestigious position of the Serb member of the BiH Presidency, Željka Cvijanović (Prime Minister of the RS), lost the race to Mladen Ivanić of the Party of Democratic Progress (*Partija demokratskog progresna*, PDP), which is part of the SDS-led opposition bloc. In the National Assembly of the RS, Dodik's party with its old coalition members could potentially command 42 votes, which represents the narrowest possible majority (42 out of 83). That is, of course, if all members of the coalition respect the deal and do not defect. Forming the government based on a narrow majority is tremendously risky and limits Dodik's manoeuvring potential severely. It is likely that he might have to broaden the ruling coalition even if that means that he will have to water down his own agenda, especially the secessionist one. One such partner could be the Coalition Homeland (*Koalicija Domovina*), which is comprised of parties residing in the FBiH. These parties have, according to some leaked memos, advised their voters to support the SNSD candidates for the positions of President of the RS and the Serb member of the Presidency of BiH, which might indicate the existence of a pre-election agreement. During negotiations, two of the SNSD's long-standing junior coalition members, the Democratic Peoples' Alliance (*Demokratski narodni savez*, DNS) and the Socialist Party (*Socijalistička partija*, SP) that is affiliated with the SP of Serbia, have indicated that they expect much more and announced their desire to get the PM post and to also talk with the opposition, respectively. Meanwhile, they have toned down their requests and the most recent information confirms that they will stay true to Dodik and the SNSD, but they will in turn get the position of Speaker of the National Assembly of the RS. To increase his leverage in the talks, Dodik has revived the state-level partnership with the HDZ and Dragan Čović, and is thus trying to ensure the participation of the SNSD on the state level. The Mostar meeting of the two parties is meant to help persuade the potential coalition members that Dodik is still in control of the situation and dissuade possible defectors. Dodik has lost his grip on power and his rhetoric immediately softened once the results became known. Talks of secession and the unfeasibility of the Bosnian state have given way to talks about speedy reforms and accession to the EU.

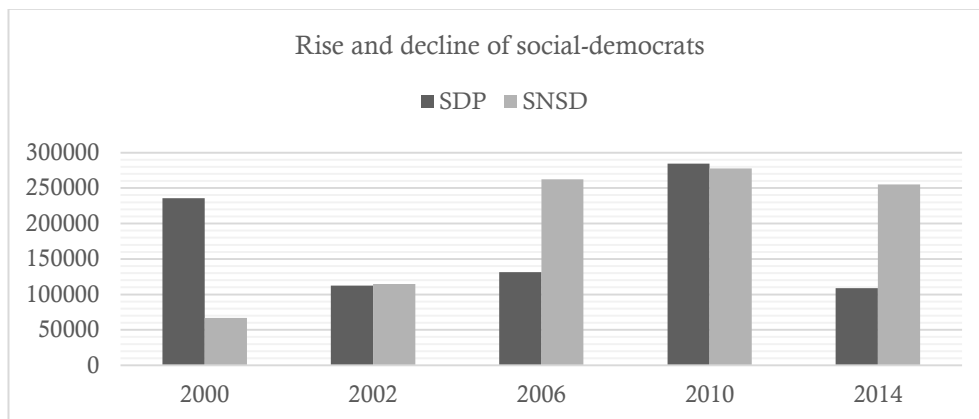
In the Federation, the relative winners are the SDA, an old Bosniak ethno-nationalist party of the late Alija Izetbegović, and the DF. The SDP, on the

other hand, suffered the worst defeat in its history following its greatest electoral success in 2010 (see table 1).

“Social-democracy” in crisis?

During the period between 2002 and 2010, the aforementioned progressive-conservative division gradually disappeared as the former progressives in the RS, the SNSD, shifted rhetorically and overtook the previously unchallenged ethno-nationalist SDS from the right (apparently upon suggestion by some serious US political consultant). Though successful in the short term, this tactical move soon became the main ingredient of Dodik’s politics, placing the SNSD strongly into the conservative camp and turning him into the enfant terrible of Bosnian politics. Another former progressive, the SDP BiH, pursued a different path, largely as a result of different structural conditions in the FBiH. It first entered into a coalition with its archenemies, the ethno-nationalist SDA and a number of smaller parties with questionable backgrounds, only to later dissolve the coalition unilaterally. In the process, the FBiH and BiH were plunged into the most serious government crisis that would last until the elections of 2014. While the crisis mainly had to do with the SDA not wanting to leave the government and in the process exploiting a number of tools and mechanisms for obstruction of the government reconstruction, it was the style and performance of the SDP-led government that would be the main reason for its demise at the 2014 elections. Both parties have become internally autocratic, which is not uncommon on the Bosnian leader-based political scene, but it is a worrying development for the progressive parties. Once in power, both parties have mainly continued with their business as usual, to the dismay of those with progressive thinking, which could account for their electoral failures. The SNSD will probably manage to remain in power, but under different conditions and with severely curtailed power. That the SNSD has remained in power is a direct result of the fact that it ruled the RS virtually unchallenged, commanding and controlling a large public sector, finances and the media. A further reason for the SDP’s utter defeat is the emergence of another party that has positioned itself in the centre-left and that has capitalized on the voters’ dissatisfaction with the SDP.

Table 1: Rise and Decline of Social-Democrats



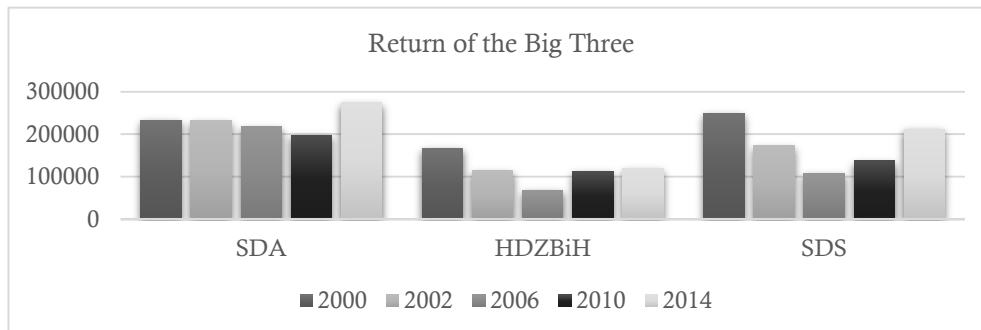
Source: Author’s own illustration

Tremors of the election shock still resonate through the SDP, with its complete base now calling for the resignation and departure of the “perennial” president, Zlatko Lagumdžija. These elections represent just the final stage in the downfall of the SDP that started with the protracted 2010 post-election calculations, the short-lived and unprincipled coalitions with the SDA and the smaller fringe parties that followed, the subsequent unilateral breaking of the coalition by the SDP and finally its inability to complete the government reconstruction. Coupled with numerous scandals surrounding Lagumdžija’s immediate circle of confidants and the authoritarian style of rule (note the similarity with the other social-democratic party, the SNSD), the SDP was finally punished by its own voters, who mainly switched to the DF after perceiving it as a new, potent force.

Rise of ethno-nationalists?

The apparent return of the Big Three has been the main topic after the 2014 elections. If we compare the results of the previous elections, all three parties were losing support until 2006 (see table 2), but then seemed to rebound, with the exception of the SDA, which was losing support more gradually and rebounded strongly after the last elections. If we look for explanations of these trends, we could partially ascribe them to the structural conditions prevailing in Bosnia until 2006. These were characterized by a heavy-handed international involvement that was followed by strong state-building efforts. In terms of policies and general political orientation, both the SDS and the HDZ worked in opposition to the efforts of the international community at the time. As such, they were heavily subdued both politically and financially, as well as in terms of their rhetoric. As a result, both parties suffered in terms of electoral outcomes, while the SDA suffered only minor setbacks largely because it had pro-state policies that tended to converge with those of the international actors on the ground. The period after 2006 is characterised by a change in the character of the international presence in Bosnia and the severe curtailing of the use of executive powers by the High Representative. With the US out of picture and the altered balance of power in the Peace Implementation Council, Bosnia was suddenly emptied of any significant international presence. Sensing the changing balance, political parties revived long dormant goals based mainly on the principle of ethno-territorialism.

Table 2: Return of the Big Three



Source: Author’s own illustration

Since the 2009 ruling of the European Court of Human Rights in Strasbourg in a landmark case of *Sejdić & Finci vs BiH*, there has been a strong pressure on domestic political elites to remove the discriminatory provisions of the Constitution of BiH. The constitutional reform also figures prominently on the EU accession agenda, as it is inextricably linked to the EU integration process. However, achieving the broad consensus required for the constitutional reform seems virtually impossible. Side effects of these protracted negotiations include severely strained relations between the three communities and the emergence of the most serious political crisis in the country since the end of the war. Reforming the Dayton Agreement – the Constitution of BiH is Annex IV of the US-brokered peace deal struck in Dayton, Ohio – is very difficult. All sides have come to believe that they were dealt a bad hand in Dayton and so the debate once again revolves around the typical who-gets-what in terms of territory and control.

The most vocal player in the debate is certainly Milorad Dodik, the leader of the SNSD. Dodik adopted a strong secessionist position, advocating for a referendum and the dissolution of Bosnia shortly before the 2010 elections, which ensured him and his party a landslide victory. Four years later, however, it seems that talk of independence alone will not suffice for an election victory. During the last eight years, the RS has seen a dramatic worsening of the socio-economic situation. Rampant corruption that is largely associated with Dodik himself, widespread nepotism, his heavy-handed style of rule and a lavish lifestyle for him and those around him tarnished his reputation beyond repair. Repeated attempts on his part to put the independence back on top of the agenda during the campaign mostly failed. The most recent global secession/independence events, such as the Scottish referendum, the Crimean annexation and the crisis in the East Ukraine, figured prominently into Dodik's campaign, but surprisingly solicited no response from the FBiH. Dodik's opposition successfully kept the focus on the deteriorating economic situation, widespread corruption and nepotism. Neglecting everyday problems of his constituency and the pauperization of the population in the RS clearly required a bit more than the empty nationalist agenda that worked so well in 2010. There is a wealth of evidence that supports the claim that Dodik's pursuit of independence never amounted to anything more than lip service and the permanent smoke screen that concealed widespread misuse of public funds and the privatization in the RS. Dodik will now have to make some serious decisions regarding his future course of action. He could give up on the secessionism and pursue a different and more constructive course of action aimed at stopping the socio-economic decline of the RS, or he could continue his divorce from the West and the EU by following in the footsteps of Crimea and Scotland. The prospect of losing elections and facing the loss of everything he gained during his time in office could push him either way, but the consequences of pursuing the latter would put him on a collision course even with the current Serbian government.

Making sense of results: long winter and hot spring?

The Alliance for a Better Future (*Stranka za bolju budućnost*, SBB) of the media mogul Fahrudin Radončić fared quite well and became the second biggest party in the FBiH despite gloomy pre-election predictions. The HDZ

won against its rival, its splinter party and frequent coalition partner, the HDZ 1990 in the legislature and in the race for the position of the Croat member of the Presidency.

New governing coalitions remain unclear for the time being. Some responsibility for the slow government formation process lies also with the Central Election Commission that failed to complete the counting procedure for an amazing twelve days after the elections. Its sluggish and irresponsible manner of dealing with the counting procedure has prompted widespread criticism. In an unconsolidated democracy that is Bosnia, such mismanagement of the electoral process brings into question the very integrity of the electoral process. To make matters worse, the extremely high percentage of invalid ballots of nearly 10% across virtually all levels does not seem to bother the CEC. According to IDEA (Institute for Democracy and Electoral Assistance), the average number of invalid ballots worldwide stands at around 3-4%. The absence of any reaction or post-election analysis of this phenomenon by the CEC escapes any logical explanation. It is highly likely that the public will remain in the dark concerning the nature of these invalid ballots, which also means that any attempts at rectifying deficiencies that could be the probable cause of such a situation will remain unaddressed.

Furthermore, some shape of the governmental structure seems to have emerged following the signing of the Agreement on Cooperation between the SDA, the DF and the Coalition *Zajedno za promjene*, which consists of the SDS, the PDP and the NDP, which effectively made the SNSD the opposition on the state-level and additionally undermined its efforts to assemble the majority on the RS level. At the Mostar meeting of the SNSD and the HDZ, which took place before the signing of the abovementioned Agreement on Cooperation, Dodik attempted to reactivate the state-level partnership and ensure the participation of the SNSD at the state-level. The meeting also served as a persuasion tool for both his potential coalition partners, the DNS and the SPS, and elected delegates from his own party. The SNSD is currently unable to complete negotiations with its former partners and the number of MPs it commands remains unclear. Both of its partners have refused to commit themselves in writing to the old-new coalition. Dodik has found himself in an unfavourable position. He must appease his coalition partners, whose appetites have grown considerably during the last few weeks. At the same time, making large concessions to coalition partners is putting Dodik in a difficult situation within his own party. Aware of the fact that Dodik is caught between a rock and a hard place, the opposition Coalition is generously outbidding Dodik by spoiling his potential coalition partners with positions they could not possibly get from Dodik. Several web portals in Bosnia recently published an audio recording of an alleged conversation between the current Prime Minister of the RS, Željka Cvijanović, and another woman, where they discuss the “buying” of individual MPs and the unreliability of some coalition partners. It is clear now that the gloves are off in the power struggle in the RS and, having in mind what is at stake, this should come as no surprise. Resolution of the post-election drama now rests on the outcome of the government formation negotiations in the RS. If the above mentioned opposition Coalition manages to form the majority, it will deal a final blow to Dodik’s SNSD and send it to opposition at all levels. The ensuing cohabitation, Dodik as President of the RS

versus the opposition in the government and the National Assembly, might be difficult at the very beginning, but it would probably lead to more strict legal demarcation between different branches of government in the RS. So far, the effective centre of power in the RS has depended on the incumbent person. During Dodik's tenure as the Prime Minister, this position had absolutely dominated over the President of the RS. However, Dodik's decision to run for the Presidency of the RS in 2006 led to a situation where the position of the President of the RS assumed a dominant position over that of the Prime Minister. However, if Dodik manages to assemble the necessary majority to form the government, we will be in for a longer government formation negotiation and much more heated rhetoric. The HDZ will ultimately have to decide whether to forfeit on the partnership with Dodik and join the government majority on the state level that is ideologically closer to it. In April 2014, five EPP-affiliated parties in BiH signed a "Declaration on European values and common goals for parties from BiH that belong to or support the EPP grouping". Two of the major opposition parties from the RS are signatories to this declaration, which puts the HDZ in a situation where it now has to choose between the old partnership with Dodik on one and their ideological family on the other side. This will be the litmus test of the HDZ's true commitments.

Regardless of the future shape of the government structure in Bosnia and its two entities, there is hardly any reason to believe that the new governments will be able to stop the socio-economic free fall of the country. All successive governments in BiH since 1996, regardless of their composition, have increased public spending. While everything points to the obvious, meaning that Bosnia's economic problems require severe cuts, saving measures and responsible budgetary and fiscal policies, the very structure acts as a disincentive in this sense. According to some analyses, in addition to nearly 6.000 positions formally reserved for politicians in legislative and executive bodies on all levels, there are nearly 20.000 positions in the public administration that are considered professional and free from political influence, but that are in effect filled almost exclusively via party support. If we add to this a vast array of quasi-social and various other categories that are financed by public money and the public procurement system, which is the most significant source of income for a significant number of private companies in BiH and which is neither transparent nor shielded from the conflict of interests as indicated by successive reports by a number of watchdog organizations, only then can we fully appreciate and comprehend the durable character of this system. Reversing the inherently inflationary character of public spending policies in BiH would require a commitment to long-term policies and the assumption of responsibility for which the parties in BiH are simply not ready. Concern over re-elections and the significant spoils available to election winners are simply too big of obstacles for such a progressive and visionary approach to politics.

The unsustainable economic situation will not benefit from prolonged government negotiations. The first item on the agenda for all newly elected legislative bodies will be a discussion on budgets. Any delay in government formation will therefore jeopardizes the financial stability and will likely result in social unrest, strikes and demonstrations. Even the most optimistic scenario with quick government formation, urgent budget adoption and serious efforts

at socio-economic stabilization does not guarantee that the spring of 2015 will not be as hot as the spring of 2014. It may be even hotter.

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