

## From Patron to Partner?

### The Ambiguous Policies of Serbia Toward Republika Srpska (2001-2016)<sup>1</sup>

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*“A child cannot be submissive to his mother without dignity and contrary to his own interest<sup>2</sup>”.*

This sentence, pronounced by Radovan Karadžić at the National Assembly of Republika Srpska in April 1996, exemplifies the Janus-faced dimension of the relations between the government of the predominantly Bosnian-Serb statelet and the Federal Republic of Yugoslavia, whose institutions were at the time under the complete control of the Serbian President Slobodan Milošević . Even though Serbia remained the « *matica* », the motherland Republika Srpska looked up to, Karadžić sought to distance himself from Milošević , whose politics were perceived as detrimental to the Bosnian-Serb interests since Dayton. Indeed, on the 21st of November 1995, the Peace Agreement signed in Dayton put an end to the pan-Serbian policy of Milošević and buried the hopes of the Bosnian-Serb leadership to see RS achieving secession from Bosnia and Herzegovina. At that moment, Milošević 's regime found itself in an ambiguous position regarding its kin population in BiH. As a signatory of the Peace Agreement, he committed itself to the preservation of the territorial integrity and sovereignty of BiH. However, Milošević tried not to oppose directly against the pursuit of a radical ethnonationalist line by the RS leadership, in order not to damage their kinship and the status of leader of all Serbs that the Yugoslav dissolution granted Serbia with.

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<sup>1</sup> The timeframe of the paper has been reduced compared to the original proposal in order to fit better the required length without losing substance

<sup>2</sup> « Pedeset osma sednica, 1–2. april 1996. Karadžić », in Robert Donia, *Izvodi iz govora u Skupštini Republike Srpske*,. 1991 – 1996, op.cit. p.80

This paradox constitutes the silver lining of Serbia's policy toward Republika Srpska between 1995 and 2001. However, once the regime fell, the perpetuation of patron-state politics by the new government of Vojislav Koštunica was to be reassessed. The continuities and ruptures of the patron-client pattern in Serbia-RS relations from then on are precisely the object this presentation focuses on: in the line of Myra Waterbury's work, they will be questioned through the lens of the post-irredentist paradigm, in which states in Central, Eastern and Southeastern Europe engage with the populations of ethnic or linguistic kin in new or existing neighboring states<sup>3</sup>. In other words, did the fall of Milošević coincide with Serbia and Republika Srpska's relations as patron and client states entering the post-irredentist paradigm? How did it evolve from a rather vertical structure, with Serbia as an omnipotent patron-state supporting an ethnoterritorial separatist agenda, to a more horizontal structure, which could lead to think of a normalised partnership? The fall of Milošević in 2000 surely marked a paradigmatic change: the part of Serbia as a patron-state weakens, and its cooperation with the Bosnian-Serb entity, while still very close, is restricted to what allows the Dayton Peace Agreement. Since 2006, Serbia has led a more pro-active policy directed toward « the Serbs of the region » as a whole which erects RS as a full economic, political and diplomatic partner for Serbia. However, the use of those categories of kinship activism brought along heated debates about their real nature and possible consequences, suspected of conveying an hidden irredentism that would be detrimental to the stability of the region as a whole, and to the functionality of the state of Bosnia and Herzegovina in particular.

This paper will lean on two types of sources. First of all, archives collected among the main organs of cooperation between Serbia and RS, that is the former Ministry of Foreign affairs of RS, the Biro Vlade Republike Srpske in Belgrade, which almost holds the functions of a consulate, and the archives of the former Secretariat for the Serbs outside Serbia, attached to the Serbian Ministry of Foreign Affairs. Also, I will resort to the oral sources I gathered with actors implied in the Serbia-RS cooperation process, who I met during fieldworks in Banja Luka and Belgrade between 2015 and 2017

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<sup>3</sup> Myra Waterbury (2013). From Irredentism to Diaspora Politics: States and Transborder Ethnic Groups in Eastern Europe. [Electronic resource]. Retrieved from [http://cgs.gmu.edu/wp-content/uploads/2013/03/gmtp\\_wp\\_6.pdf](http://cgs.gmu.edu/wp-content/uploads/2013/03/gmtp_wp_6.pdf).

## The Special parallel relations as the frame of reference for Serbia-RS cooperation?

### *The Special Parallel Relations agreement becoming the dominant framework for bilateral cooperation*

The beginning of Koštunica's term would open a period in which the Special Parallel Relations agreement would constitute the basis for bilateral cooperation between the RS and Yugoslav (then Serbian, from 2006) governments. The system of parallel special relations established in 1997 between the Republic of Srpska and the then Federal Republic Yugoslavia, that is, since 2006 between the Republic of Serbia and the Republic of Srpska, stems from a clause in the Dayton Peace Agreement allowing the entities to develop bilateral cooperations with a neighbouring country of their choice. The resort to this very precise type of agreement did not represent a novelty in the relations between the two state and sub-state, since the first of the kind had been signed in February 1997 by Milošević and Krajisnik. However, the 2001 agreement carried another signification. While in 1997, it meant another attempt for Milošević to reaffirm his stronghold on the Bosnian-Serb entity, in 2001 it translated Koštunica's will to end the verticality present in the relations between Serbs across the Drina, and to present Yugoslav more as a privileged partner than a patron-state, and at the same time, maintain this status in full respect of Dayton. The signing of the agreement took place in Banja Luka, which let through a symbolical attempt to break with the past vassalage that had been installed under Milošević's rule.

For sure, the agreement contained nothing that might breach the dispositions of Dayton nor encourage the Bosnian Serbs to secession. The High Representative even monitored the writing of the Agreement of the Special Parallel Relations, finally signed on the 5th of March 2001. According to a press release from the OHR, the meeting went smoothly, and Koštunica declared himself committed to respect the peace agreement<sup>4</sup>. It inscribed the cooperation within a very conventional frame of bilateral relations, that did not really differ from what could be signed between two neighbouring countries. The Agreement stipulated that the fields of cooperation will extent to, and only to:

*« economy and use of natural resources, planning legislature, privatisation and denationalisation, science and technology, education, culture and sport, health-care and social policy, tourism and*

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<sup>4</sup> Office of the High Representative, « High Representative meets FRY President Vojislav Koštunica », *Press Releases Archives*, 21st of February 2001

*environmental protection, information, the protection of freedoms and rights of the citizens in line with the highest standards, and in particular the standardisation and recognition of the right to dual citizenship to the citizens of the Federal Republic of Yugoslavia and Republika Srpska, curbing all forms of crime, and defence (education, equipment, joint production etc.) to a degree that is in conformity with the Peace Agreement »<sup>5</sup>.*

The Agreement also called for the creation of a Council for Cooperation between the Federal Republic of Yugoslavia and *Republika Srpska*, in charge of monitoring the implementation of the cooperation. Without a doubt, the dispositions of the Agreement were not much more concretised than those of the 1997 Agreement. From what we could see in the different type of archives we went through, the Council for Cooperation never properly functioned as such, and was soon replaced by *ad hoc* meetings between RS and Serbia Prime Ministers or Presidents. Even though its implementation proved ungoverned, its political impact widely shrilled, but much more in RS than in Serbia. The political leadership in the entity celebrated the agreement as « a step closer to the motherland for RS and a step further toward Dayton for BiH» by Mirko Sarovic, the acting President of the entity, adding that such an agreement allowed the entity to guarantee its specific interests without endangering the sovereignty and territoriality of Bosnia<sup>6</sup>. Mlande Ivanic, the Prime Minister, welcomed it as the achievement of a right granted to the RS by Dayton, but also as a progress for a more democratic BiH, where the entities could fully exert their rights and competencies, adding that the FBiH could also very well sign this kind of agreement with Yugoslavia, as it did with Croatia already<sup>7</sup>.

The signing of another agreement on the 25th of September 2006 did not change the practice much. Actually, the 2006 Agreement did not serve another purpose than to renew the 2001, rendered obsolete by the dissolution of the Yugoslav Federation. In terms of content, the articles repeated those from the 2001 Agreement, without any modification, even regarding the Council for Cooperation that eventually failed to provide a viable instance<sup>8</sup>. However, the Council seemed to be

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<sup>5</sup> « Закон ратификације споразума о успостављању посебних паралелних односа између Савезне Републике Југославије и Републике Српске », *Службени Гласник Републике Српске*, Број 26, Banja Luka, Biblioteka pravnog fakulteta, Banja Luka

<sup>6</sup> « Srpska bliza matici, BiH Dejtonu », *Glas Srpski*, 6th of March 2001, Narodna Biblioteka, Banja Luka

<sup>7</sup> « Bez blokade sporazuma », *Glas srpski*, 4th of March 2001, Narodna Biblioteka, Banja Luka

<sup>8</sup> « Zakon opotvrđivanju sporazuma o uspostavljanju specijalnih paralelnih odnosa između Republike Srbije i Republike Srpske », *Službeni glasnik RS*, br. 70/07, 11th of June 2007, Biliboteka pravnoj fakulteta, Banja Luka

taken more seriously and to become a real acting body impulsing dynamics of cooperation between the parties, for instance in the field of energy by advocating for the joining of resources across the Drina for hydroelectric purposes<sup>9</sup>. An functioning instance of cooperation would definitely bring more visibility to the project carried on by the two heads of governments, and thus political consistence and substance. The Tadić mandate opened an intensive area of cooperation, mostly due to the interpersonal connexions between the Serbian president and the RS Prime Minister Milorad Dodik, who reciprocally needed each other, Tadić in order to take advantage of Dodik's huge popularity in Serbia, and Dodik in order to secure his nationalist capital in RS in prevision of the October 2006 *Republika Srpska's* general elections, won with flying hands by the SNSD (48% of the votes in favour of Jelic for the Presidency, and 43% of favourable votes at the Assembly) and the support of Serbia during the recurrent confrontations with the HR and the international stakeholders that punctuated his mandate<sup>10</sup>.

It must be noted that the signing of the 2006 agreement occurred in the midst of the negotiations on the Kosovo status, and was interpreted quite variably in Serbia, where the different political parties impugned various motives to Tadić, and where most of the objections leant more on the reasons of the signing than on its content. Nikolić's SRS for instance, accused Tadić of participating into « the continuous collapse of the *Republic Srpska*, although Serbia is a guarantor of the Dayton Accords » by confirming with such an agreement that RS had been for good integrated within BiH, and would never be again part of Serbia's national territory. The Liberal party denounced a « manipulation of the most elemental national interests », and the SPS interpreted the agreement as an abandon of the Serbs on the other side of the Drina<sup>11</sup>. On the other hand, some parties saw the agreement as a tool for strengthening RS as an entity and thus resisting the trend toward centralism at work in the FBiH and the joint institutions, by offering the entity political leverage on external and internal matters.

The Special Parallel relations therefore must be read as a tool that contributed to build a semi-institutionalised community of interest between the Yugoslav and Bosnian-Serb governments,

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<sup>9</sup> Седница Савета за сарадњу Републике Српске и Србије », *Glas srpski*, 7th of September 2007, Narodna Biblioteka Republike Srpske, Banja Luka

<sup>10</sup> Marsali Fraser, « European integration and post-war political relations between Croatia and the Bosnian Croats and Serbia and the Bosnian Serbs », in Tristan James Mabry, John McGarry, Margaret Moore, Sid Noel, Brendan O'Leary (eds), *Divided Nations and European integration*, University of Pennsylvania Press, Philadelphia, 2013, p.233

<sup>11</sup> « Специјалне везе поделиле посланике », *Политика*, 17th of July 2007, Narodna Biblioteka Srbije, Belgrade

through the development of reciprocal opportunities and benefits. This trans-Drina community relied on the idea that the geographical and administrative border, even though legally binding, should not be conceived as a separation, but rather as an interface where circulated resources (political, military, intellectual, commercial) inherited from the Yugoslav period and from the war, when Bosnian-Serb economy, army, and institutions depended on Yugoslav support<sup>12</sup>. Even though the Drina was imposed as a border between Republika Srpska and Yugoslavia, and between the Serb populations, the objective of both governments was not to experience it as such, and to transform it as an opportunity for expanded exchanges and cooperation.

*A critical assessment of the Agreements on Special parallel relations: real regulatory framework or actual holdall?*

Despite the declarations of good intentions, the signing of this Agreement did not really reach its initial goals, that is the institutionalisation of a framework for the governmental bilateral cooperation between Yugoslavia and later Serbia and *Republika Srpska*. From the analysis of one of the persons we interviewed, a former RS official who took part in the writing of the agreement, its frame had been conceived as « wide enough to allow several types of actions » and « the vagueness of the disposal was chosen on purpose, in order to let room for interpretation<sup>13</sup> ». This is on that « room for interpretation » that we are going to focus on here, in order to analyse what it implies for *Republika Srpska* within BiH, and for Yugoslavia/Serbia as a signatory and guarantor of the Dayton Peace agreement.

As a matter of fact, many actions from Serbia toward RS entered conveniently within the frame of the Special Parallel Relations, even though there were more targeted and occasional rather than part of a long-run strategy of cooperation. First, the economic field benefited significantly from the signing of the two Agreements, since they allowed large-scale operations that brought huge outcomes for the two parties. For instance, concomitant to the signing of the 2001 Agreement, business deals had been sealed in Banja Luka, one between the Belgrade companies « Industry motor » IMT from Belgrade and eight metal-processing companies from RS, and the other between the company Elektromehanika from Nis, Zastava from Kragujevac, Famos from East Sarajevo and

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<sup>12</sup> Florence Delmote, *Les frontières et la communauté politique: Faire, défaire et penser les frontières*, Presses de l'Université Saint-Louis, Bruxelles, 2016, pp.248

<sup>13</sup> Interview with a former legal expert of the Presidency of *Republika Srpska*, Banja Luka, 25th of May 2017

FAP from Priboj<sup>14</sup>. The Agreement offered the opportunity of expansion of companies on both sides on new profitable markets, at a period when the post-Yugoslav countries did not move toward an economic integration within a kind of joint economic area. On the long run, the agreements allowed the development of a significant proximities between the two economies, with Serbian firms dominate the Bosnian Serb market in terms of exportations for the covered period , which proved of great help after the difficulties of the 1990's<sup>15</sup>. In 2006, a delegation of business men accompanied the diplomatic delegation, in order to represent leading companies like "Hemofarm", "Tigar", "Apatin Breweries", "Delta Holding", "Agro", « Simpa ». Komercijalna Banka, one of Serbia's main banks, announced at the same time the opening of a branch office in Banja Luka<sup>16</sup>. Other punctual far-reaching operations exemplify the scale of Serbia's influence on the Bosnian Serb economy and finances, like the acquisition of *Telekom Srpske* by *Telekom Srbije*, the first telecom company in Serbia whose the State is the major shareholder (58,11%), for 646 millions of euros in 2006<sup>17</sup>. The price of acquisition represented 42 million marks more than the 2007 draft budget of the Republic of Srpska. Koštunica declared:

*« the purchase of Telekom Srpske is historically the largest single investment of a Serbian company in another country. This is evidence of the recovery and expansion of our economy, which simultaneously fits into the strengthening of economic ties between Serbia and the Republic of Srpska. In this particular way, a special bond agreement is being realized and materialized, because this is the first time that Serbia has invested such significant funds in the Republic of Srpska<sup>18</sup> ».*

Dodik, on the other hand, expressed his satisfaction by saying: « we secretly hoped this outcome. It has some other features than economic. We expect concrete cooperation that is based on healthy economic relations »<sup>19</sup>. On both sides, the purchase had been welcomed as a proof that the

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<sup>14</sup> „Дрина коначно преплављена“, *Глас српски*, *op.cit.*

<sup>15</sup> International Monetary Fund, *Serbia and Montenegro: Selected Issues and Statistical Appendix*, Country report No. 05/232, 2005

<sup>16</sup> „Нова страница историје“, *Глас српске*, 29th of September 2006, Narodna Biblioteka Republike Srpske, Banja Luka

<sup>17</sup> « Telekom Srbija uplatio prvu tranšu za Telekom Srpske », *Danas*, 5th of July 2006, Narodna Biblioteka Republike Srpske, Banja Luka

<sup>18</sup> « Телеком "Србија" с обе стране Дрине », *Политика*, 6th of December 2006

<sup>19</sup> *Idem*

Special Parallel Relations did function apart from some handshaking and signatures on a piece of paper. Economic integration always proved an efficient leverage for promoting a community of interests<sup>20</sup>. Without setting up an single market-like structure, Serbia and Republika Srpska however tried to get as close as possible from it, within the frame of the Special Parallel Relations.

More permanent modalities of cooperation had also been institutionalised within the frame of the Special Parallel Relations, which included mostly preferential treatment of Bosnian Serb citizens in Serbia. One of the objectives of the 2006 Agreement targeted the improvement of cooperation in the field of healthcare, thanks to funds from Serbia dedicated to write off a quarter of the total debt of the Health Insurance Fund of *Republika Srpska* to Serbia. Moreover, when the citizens of Srpska, according to the estimates of domestic doctors, will have the need to be treated in Serbia, they will receive health services whenever it is necessary, as revealed the Minister of Health of Serbia Tomica Milosavljevic<sup>21</sup>. Education and academics composed another highly significant field of cooperation for the two parties, even though its implementation took more time to occur, given that the two parties needed to pass reforms regarding their own system in order for the educative and academic system of RS to align with the Serbian system. In 2005, an « Agreement Mutual Recognition of Documents in Education and Regulation of Student and Student Status Issues » entered into force in the two Republics, containing very convenient dispositions for the pupils and students of RS, who *de facto* became part of the student community of Serbia. Basically, the agreement implied that students of the Republic of Serbia and the *Republika Srpska*, at all levels of education, will enjoy the same status in the territories of the signatories, which made even more sense because the educative system had not been unified at the Bosnian level. In that perspective, such dispositions would undoubtedly encourage students from the RS to pursue their degree in Serbia rather than in Sarajevo or other universities of Federation, and by that means reinforce the exchanges between the two polities.

This trend amplified even more after the signing of the 2006 Special parallel relations Agreement, which installed gratuity of tuitions fees for student of *Republika Srpska* in Serbia. As a the former RS official who participated into the writing of the 2006 agreement, the idea behind such measures laid in the « search for compensation » carried out by Serbia toward the Bosnian Serbs,

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<sup>20</sup> Elena Nonka, "La Communauté des États indépendants », *Continentalisation*, Carnets de recherches du Groupe de recherche sur l'intégration continentale Université du Québec à Montréal, 1998, p.15

<sup>21</sup> „Нова страница историје“, *Глас српске*, *op.cit.*



that is policies able to heal the severing of the national body after the breakdown by integrating Bosnian Serbs as much as possible into a single national community whose advantages they enjoyed<sup>22</sup>. Nonetheless, they cannot be seen as a completely new phenomenon, but rather as facts on the ground linked to the circulations of academics during the war between Belgrade and Banja Luka in political or scientific instances as well as the establishment in wartime RS of an educative system based on the structure, curricula and textbooks in use in Yugoslavia. As a consequence, the Special Parallel Relations simply institutionalised preexisting processes of circulations and practices in order to strengthened the trans-Drina community they intended to create.

While those preferential treatments for the Serbs of BiH had been strongly resented and denounced as blatant discriminations by the other constitutive peoples of RS and BiH, they had not been called out for disrupting the peace process. However, the defence provisions that were part of the 2001 provoked some vehement reactions from the Bosnian and international authorities. Indeed, while article 2 of the Agreement mentioned cooperation in the field of Defence « in a transparent manner », it seemed that such a kind of cooperation would only serve to regularise practices that had been recurrent since the signing of Dayton, among which the fact that 300 officers and about 2 100 non-commissioned officers hold dual rank both in the RS and in Yugoslav Army. By virtue of that, Belgrade paid for their wages as well as for their pensions, and the Military Academy in Belgrade still conducted trainings for the VRS. For instance, following the signing of the agreement, about 3 000 members of the VRS whose status was pending found affiliation within the 30th cadet training center in Serbia<sup>23</sup>. The International crisis group pointed out that, even though the 2000 Defence budget of Yugoslavia did not report any aid to the RS, it might have reached \$8,838,274 only concerning the training, wages and pensions<sup>24</sup>. In total, for the year 1999, the RS declared to the OSCE about 13 millions of dollars of aids coming from Yugoslavia. While no official declaration had indicated the amount of help for the years 2000 and 2001, the insight provided by the International

Thus, the Annex on Defence following the 2001 Agreement actually did not pave the way for a « transparent » cooperation, but rather aimed to cover up for years of shady habits inherited

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<sup>22</sup> Interview with a former legal expert of the Presidency of *Republika Srpska*, Banja Luka, 25th of May 2017

<sup>23</sup> Glas Srpski

<sup>24</sup> James Lyon, *Serbia After Milošević: A Progress Report Briefing to the US Congress Commission on Security and Cooperation in Europe*, International Crisis Group, 6th of March 2006

from the Milošević's regime. The HR blocked the annex on Defence, arguing that its adoption and content did not follow the line of the DPA, but the intention of it remained. While the debates and attempts from the international stakeholders and the partisans of a more centralised BiH in Sarajevo (mostly the Bosniak) advocated more and more loudly for unified armed forces, Yugoslavia's policy toward the military sector in RS translated the firm support to the maintaining of entity's armies at the detriment of a joint army at the federal level. The proof of which being that, even though the parties finally abandoned the annex on Defence, Yugoslavia kept on funding the VRS until the 1st of March 2002, outside the frame of the DPA or without the frame of the Special parallel relations<sup>25</sup>.

Those data allow to assess how much concrete and active the bilateral between the governments of Yugoslavia/Serbia and *Republika Srpska* had been following the signing of the 2001 and 2006 agreements. For sure, unlike the Agreement signed by Milošević and Karadžić, those ones entered into force for good, and brought about significant development in the field of education, business, healthcare, but also culture, sports and security. However, can they be analysed as an expansion of Serbia's territoriality on *Republika Srpska*, by encompassing the entity within an abstract territorial construct based on the criterium of a Serb population? Or in other words, can they be analysed as means to integrate the Bosnian Serbs of *Republika Srpska* within the national community along with Serbs from Serbia? In that regard, their purposes need some qualification, for two reasons. Indeed, contrary to other states whose part of the national population is located outside of their borders, Yugoslavia/Serbia did not implement a high-scale policy regarding the granting of citizenship to Bosnian Serbs. The Constitution of BiH forbids dual citizenship except in the case of a bilateral agreement signed with another country. The decision to establish a possibility for dual Serbian citizenship for the Serbs of Bosnia consequently depended on the joint Bosnian institutions, and did not fall into the competences of *Republika Srpska*.

In that perspective, the Agreements on Special parallel relations could not do much to solve that problem, which however constituted one of the most urgent issues to be dealt with according to some RS political leaders, such as Milorad Dodik who welcomed the signing of the 2001 Agreement by insisting on the need for Yugoslavia and the Republic of Serbia to take concrete measures toward the adoption of dual citizenship,<sup>26</sup>. Finally, the two countries reached a bilateral

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<sup>25</sup> Marc Weller and Barbara Metzger, *Settling Self-Determination Disputes Complex Power-Sharing in Theory and Practice*, Boston, Martinus Nijhoff Publishers, 2008, p. 237

<sup>26</sup> « Srpska bliza matici, BiH Dejtonu », *op.cit.*

agreement ratified in May 2003, under the condition of a residency of at least 3 years<sup>27</sup>. It allowed about 9 000 Serbs from BiH to obtain the double passports and even though the Law on Serbian citizenship did not mention any favourable treatment of Bosnian Serbs in the acquisition of the citizenship on ethnic motives. It implies that Bosnian Serbs, by virtue of a shared national identity though often highlighted by their representatives on both sides of the Drina, were not entitled to hold a Serbian citizenship by nature. The distinction between the national and the political appeared quite clear, and is actually institutionalised by the Agreements. *Republika Srpska* and Yugoslavia, to become Serbia, surely compose together an extraterritorial entity that might be called « Serbdom », and in that regard must sustain bonds in sectors profitable for their own politics, but cannot constitute a same and unique polity founded on a common territory and a common population constituting a unified political community.

While the bilateral projects abounded on the two sided of the Drina river, it must be noted that the more the Special parallel relations became the diplomatic leverage by which the two governments operated, the more the distinction between two separate polities increased, especially because Bosnian-Serb citizens could not pretend, by virtue of their national origins, to Serbian citizenship and thus were part of a different body politic. The implementation of the Special parallel relations sign the entry of intra-Serb politics into the post-irredentist paradigm for good.

### **Serbia embracing the role of *matika*: which room for *Republika Srpska*?**

#### *The « Serbs of the region » as an emerging object of regional policy*

In 2012, the Ministry of Foreign Affairs of Serbia estimated that 3 852 000 Serbs lived on the territories of former Yugoslav Republics<sup>28</sup>. The potential laying in those almost 4 millions of co-nationals represented for Serbia an extraordinary resource in terms of regional but also internal politics, and in that regard had to be acknowledged by the elaboration of a constructive and efficient

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<sup>27</sup> Sluzbeni list SRJ, « Ugovorom o dvojnomo državljanstvu zaključenim između SRJ i BiH », broj 2/03, 2003 Belgrade, Narodna Biblioteka Republike Srbije

<sup>28</sup> Министарство вера и дијаспоре, *Стратегија очувања и јачања односа матичне државе и дијаспоре и матичне државе и Срба у региону*, Belgrade, 2011, p.34  
Kosovo is excluded from the demographics, since Serbia does not recognise it as a independent state. Consequently, those data do not take Kosovo Serbs into consideration.

policy towards them. So far, no structured and coherent policy had been formulated toward those populations, and each initiative taken in that field had been targeting only one group, being the Serbs of Bosnia or of Croatia for instance. Within the context of normalisation of its relations with neighbouring countries and repeated encouragements to regional cooperation, Tadić's two mandates tackled this issue and institutionalised what had been so far summed up to punctual, *ad hoc* initiatives in most of the case, except for *Republika Srpska* thanks to the Special Parallel Relations agreement.

The process of regulating the relations between the Serbian state and the Serbs outside Serbia began in 2006, when the National Assembly adopted a « Declaration on considering the relation between mother country and the scattering to be a relation of greatest national interest », pointing which committed to « maximum seriousness and as soon as possible to treat and solve problems concerning many practical issues in the relations between the mother and the diaspora ». Acknowledging the necessity to place under scrutiny « everything that is of interest and importance to our people in dispersal », the Declaration obliged ‘all Serbian ministries to react more quickly to the requirements and needs of the diaspora, such as, for example, supplementary schools in the Serbian language, regulating the military obligation for recruits from the diaspora, starting a business in Serbia, fostering and constantly improving Serbian relations with its diaspora in all segments of life and on mutual benefits<sup>29</sup>». Moreover, the Serbian government will take into consideration the requests of members of the Serbian people who want to come to live in Serbia, as well as the possibility of creating material conditions for this and will ensure that « those who want to come to Serbia will be able to bring their material and spiritual goods with which, in addition to their presence and their offspring, they will complement and enrich Serbia<sup>30</sup>». By this declaration, the political elites of Serbia reckoned the lack of global vision that they had demonstrated so far for the Serb communities in the Former Yugoslavia, and exposed their voluntarism to rethink the borders of the nation beyond the borders of the state. The step taken by Serbia in the directions of the Serb populations outside its territorial borders aimed to constitute on the long run a form of institutionalised transborder extraterritorial kin community.

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<sup>29</sup> Службени гласник Републике Србије, « Декларација о проглашењу односа између отаџбине и дисперзије односа са највишим државним и националним интересом», број 55/05, 5th of October 2006, Narodna Biblioteka Republike Srbije, Belgrade

<sup>30</sup> Службени гласник Републике Србије, « Декларација о проглашењу односа између отаџбине и дисперзије односа са највишим државним и националним интересом», *op.cit*

The dynamic impulsed by the Declaration gave birth, two years later, to the Law on diaspora and Serbs of the region, or the first legislative action ever taken in that field, which marked the beginning of a systemic approach. The Law provided one of the most complete and detailed set of policies concerning the Serbian population outside of Serbia. The first article concentrated the essence of the text, which aimed to elaborate:

*« manner of maintaining, strengthening and realising the ties of diaspora and Serbs in the region with the home country; competences and mutual relations of the Republic of Serbia authorities in performing tasks in the field of relations with diaspora and Serbs in the region; establishment and competences of the Assembly of diaspora and Serbs in the region; forming the Budget Fund for diaspora and Serbs in the region; forming the Council for relations with Serbs in the region and the Council for diaspora; records of diaspora organisations and organisations of Serbs in the region; and granting national awards in the field of relations between the home country and diaspora as well as between the home country and Serbs in the region<sup>31</sup>».*

The content of the Law was three-fold. First, it ambitions to secure the status of the Serbs outside Serbia in their state of residence and their possibility to build and sustain bonds with their national country. This implied, among other thing, the signing and enforcement of bilateral agreements and international conventions on the protection of the Serb minorities with the concerned states, encouragements to practice the Cyrillic alphabet and to defend the religious, cultural, ethnic and linguistic identity of the said populations, and the promotion of economic cooperation in order to improve the standards of living. Another main feature of the Law involved setting up relevant institutions for carrying out those missions<sup>32</sup>. The diaspora and Serbs of the region as a political object will fall under the responsibility of a specific Minister, in charge of becoming force of proposal and execution of the governmental policies directed toward the diaspora and Serbs of the region and monitoring the multitude of stakeholders committed into the implementation of the law, such as state agencies, local associations, or cultural and informative centres. The Assembly of Diaspora and Serbs of the region represented the highest body set up by the Law to identify problems, propose actions for overcoming such problems, provide guidelines for preparing the Strategy, elect the Councils of diaspora and Serbs in the region, supervise their

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<sup>31</sup> Службени гласник Републике Србије, Закон о дијаспори и Србима из региона, бр. 88/09, art. I, Narodna Biblioteka Republike Srbije, Belgrade

<sup>32</sup> Службени гласник Републике Србије, Закон о дијаспори и Србима из региона, бр. 88/09., art.4

work and decide on termination of office of their members. The Assembly was composed of one member for each of the regional countries with Serb populations, that is Hungary, Romania, Slovenia, Croatia, Bosnia and Herzegovina, Montenegro, Macedonia, Albania, as well as representatives from the main diasporic communities<sup>33</sup>.

Consequently, the concretisation of the principles announced in the Declaration of 2006 paved the way for a voluntarism so far unseen toward the Serbs residing outside of Serbia. The Serbian political elites embraced the function of national state for those scattered communities who had not been until 2009 encompassed as a same political object, but had remained a punctual topic of discussions in the midst of bilateral talks between Serbia and the government of their country of residence. The Serbs of the region, a label that defined the individual from Former Yugoslav states who identify themselves as Serbs, came under the scrutiny of the Serbian government for a good reason: they served at the same time a regional purpose necessary to compensate the territorial losses that Serbia had suffered since the 1990's and the end of Yugoslavia. Indeed, what the Law contained and especially did not contain reflected the core of Serbia's strategy toward the Serbs of the region. It concerned more the deployment of instruments at the service of Serbia's outreach in the area rather than the advanced inclusion of the Serbs of the region within Serbia's society and politics.

#### *Republika Srpska, the closest kin*

By definition, *Republika Srpska's* population had been encompassed within the category of « Serbs of the region ». However, based on the content of the Law and the Strategy, they would not bring to RS-Serbia's bilateral relations anything that the Special Parallel Relations Agreements did not bring already. Culture, sports, education, economy were already at the center of the cooperation between the two, and the within the frame of the Special Parallel Relations, they knew a very dynamic expansion. The change of scale of Serbia's policy towards its kin in post-Yugoslav states could have impacted the density of connexions with the Bosnian-Serb entity. Indeed, the specificity on which the two had built their bonds since 1995 could have dissolved within the label « Serbs of the region » and homogenised Serbs from RS among the rest of their counterparts in neighbouring countries.

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<sup>33</sup> *Ibid.*, art. 15

It turned out not to be the case. On the contrary, the Law and the Strategy did not deduct anything from the Special Parallel Relations, and rather summed up to them. So did the benefits that the RS reaped from them. As a result, *Republika Srpska* became the closest partner of Serbia and the less peripheral of all the exocentric Serb communities of the region. The trans-Drina community that the Special Parallel Relations built turned out to be consolidated by the new policy of Serbia towards its kin-populations. The Strategy stated that Republika Srpska must be the core of Serbia's strategy towards the Serbs of the region, since it hosts half of them<sup>34</sup>.

The Strategy resulted in new projects carried out within the frame of the Special Parallel Relations and of the Strategy, as well as a growth of their outcomes in the traditionally most active sectors of cooperation such as education, culture, and economy. *Per se*, the action plan set up by the Law and the Strategy did not generate new structures of opportunities for the RS-Serbia bilateral cooperation, but helped significantly increasing those preexisting. The initiative « Serbia for Serbs of the region » came to enrich the dispositions taken following the signing of the 2001 Agreement, such as the harmonisation of the diplomas and curricula. The logic remained the same as the one that motivated the Law on the status of students, that is the unification of the student communities on both side of the Drina river, by making higher education in Serbia accessible to Serbs of Bosnia-Herzegovina. In that regard, it is very important to highlight that the Serbs from the Federation were much more concerned by the measures launched toward the Serbs of the region than the Serbs of *Republika Srpska*, since they could not benefit so far from the fallout of the Agreements on Special Parallel Relations and from arrangements on the equivalence of diplomas for instance.

For the RS Serbs however, it achieved to form an almost completely unified academic system between Serbia and *Republika Srpska*. The growing involvement of the Serbian government into the construction of educative infrastructures on the territory of *Republika Srpska* also fitted the essence of the Strategy, in the perspective of securing on the long-run the transmission of Serbian culture, language and identity in Serb-populated territories outside Serbia. On September the 8th 2009, an event perfectly encapsulated the spirit of the Strategy and its translation into deeds for Republika Srpska. Boris Tadić inaugurated the school « *Srbija* » in Pale, and in that occasion declared after the ribbon-cutting ceremony that « Serbia has a responsibility to Serbs wherever they

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<sup>34</sup> Службени гласник Републике Србије, Стратегију очувања и јачања веза матичне државе и дијаспоре, као и матичне државе и Срба у региону, *op.cit.*, p.22

are. Serbia is not responsible for the citizens of Serbia alone; Serbia is responsible for all the people who belong to our nation<sup>35</sup>».

From then on, the funding and support to Serb education in Republika Srpska did not decrease, and culminated in the second half of the 2010s with not less than fourteen high-scale projects planned and/or carried out on the entity territory in 2017. Among them, can be identified the construction of a gymnasium at the « Vuk Karadžić » primary school in Omarska (municipality of Prijedor), the reconstruction of the Aleka Santić primary school in Osmaci, the reconstruction of the Vuk Karadžić primary school in Bratunac<sup>36</sup>. Apart from the funding of educative infrastructures, Serbia supported:

- the expansion of Zvornik hospital, the construction of access roads and parking spaces in Višegrad
- the layout of the 9th of January square and a commemorative complex « Vaso Pelagic » in Pelagicevo
- the opening of a spiritual orthodox centre in Mrkonjići
- the opening of a cultural centre in Nova Topola
- the local road network in Novi Grad and Kozarska Dubica.

Other so far undefined projects will take place, throughout 2018 in the municipalities of Sokolac, Istočna Ilidza et Novo Goražde<sup>37</sup>.

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<sup>35</sup> Gordana Knezević, « With Pale School Opening, Serb Leader Sends Message To Bosnia », *Radio Free Europe*, 9th of September 2009, accessible on [https://www.rferl.org/a/With\\_Pale\\_School\\_Opening\\_Serb\\_Leader\\_Sends\\_Message\\_To\\_Bosnia/1819045.html](https://www.rferl.org/a/With_Pale_School_Opening_Serb_Leader_Sends_Message_To_Bosnia/1819045.html), consulted on the 1st of June 2016

<sup>36</sup> « Spisak projekata koje će Srbija finansirati u Srpskoj », *Radio Televizija Republike Srpske Online*, 3rd of April 2018, accessible on <https://lat.rtrs.tv/vijesti/vijest.php?id=294348>, consulted on the 10th of April 2018

<sup>37</sup> « Spisak projekata koje će Srbija finansirati u Srpskoj », *Radio Televizija Republike Srpske Online*, *op.cit.*





Thanks to this map, it is interesting to note the predominance of transborder projects along the Drina, but also of projects taking place in areas where the Serb population are enclaved, such as in Western Herzegovina along the Croatian border, or in the areas of Sarajevo and Gorazde<sup>38</sup>. The nature of the projects themselves proved also revealing: while transborder initiatives are more directed toward the improvement of circulation networks, in the obvious perspective of securing trade, cultural initiatives are located in areas remote from the neuralgic centre of the entity (Herzegovina, n°1 and 2 yellow), or at the edge of the IEBL (Pelagićevo, n°4 yellow or Novo Gorazde and Istocno Sarajevo, n°2 and 3 brown). Such a geographical repartition of the Serbia-backed projects remained fully coherent with the content of the *Strategy*, which put the accent on the ambivalent situation of Serbs in BiH, who enjoyed a comfortable status in RS but were more disadvantaged as a constitutive people in FBiH. However, the difficulties for the Serbian government to act beyond the RS territory explain why it circumvented its efforts to the peripheral areas of RS. In any case, those modalities of actions seemed to pay off, since, at that time Prime Minister Serbia, Aleksandar Vučić, spoke about granting 5 millions of euros to the pursuit of those projects for the year 2018.

Another sector exemplifying the richness of the RS-Serbia cooperation within the combined frames of the Special Parallel relations and the Strategy for the Serbs of the region is to be found in

<sup>38</sup> « Spisak projekata koje će Srbija finansirati u Srpskoj » map accessible on <https://www.google.com/maps/d/u/0/viewer?mid=1sra7VdxBRZYJn8YnW1Cu-iseBBh0IrU-&hl=en&ll=42.7184528000001%2C18.36562159999994&z=8>, consulted on the 10th of April 2018

economy. Thanks to a memo written by the Representation of *Republika Srpska* in Belgrade during my visit to their premises for a day of observation, we had access to the details of the trade partnership between RS and Serbia for the year 2015. *Republika Srpska* exported 342.59 convertible marks (KM) worth to Serbia, which accounted for 13,1% of its total exports which marked a decline of 14,33% compared to 2014 due to the economic difficulties on both sides for the year 2015<sup>39</sup>. The most significant groups of products exported by the RS to Serbia concerned: wood processed lengthwise, hot roll wire of iron and non-alloy steel, medicaments, electricity, bars of iron or non-alloy steel<sup>40</sup>. The value of imports from Serbia amounted 736.29 millions of KM, or 17,5% of the total imports<sup>41</sup>. The most important groups of products imported to RS were: corn, malt beer, bread, pastry goods, cakes, and other bakery products, footwear with outer soles of rubber, plastics, leather or imitation, wheat and bridal-wreaths<sup>42</sup>. In total, the volume of foreign trade between Serbia and RS reached 1,1 billion of KM. What do those data teach? Mainly, that the foreign trade balance with Serbia had been since 2009 negative and this trend might date back before 2009. However, given the preferential treatments granted to Serbian companies that invested in RS and the opportunities offered to Bosnian-Serb companies within the frame of the Special Parallel Agreements and of the Strategy towards the Serbs of the region, the RS has still benefited from a favourable market for its heavy-industry goods without customs taxes, which in the region constitutes a rarity, especially since Croatia has joined the EU. In the same perspective, even though the amount of imported goods from Serbia also tends to make the RS economy rely on its national state's one, the entity can still remedy its lacks of agro-alimentary and fabrics industries at a smaller cost. For Serbia of course, the situation ends up in a win-win outcomes.

The unique character of the Serbo-Serbian cooperation also materialised, in 2013, that in the wake of the *Strategy*, through the high-scale and long-run project Podrinje. First initiated during a joint meeting of the two governments, it aimed to establish a transborder zone where the fluidity of the exchanges would make eventually the border insignificant<sup>43</sup>. Involving the municipalities of Bijeljina, Lopare, Ugljevik, Zvornik, Bratunac, Vlasenica, Han Pijesak, Milići, Srebrenica,

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<sup>39</sup> Memo provided by the Representation of *Republika Srpska* in Belgrade, « Foreign trade between Serbia and Republika Srpska », 27th of October 2016

<sup>40</sup> *Idem*

<sup>41</sup> *Idem*

<sup>42</sup> *Idem*

<sup>43</sup> « Potpisan program « Podrinje » », *Glas srpske*, 28th of February 2015, consulted at the Narodna Biblioteka Republike Srpske, Banja Luka

Višegrad, Rogatica, Rudo, Foča, Novo Goražde and Šekovići, that is, Serbia - Šid, Sremska Mitrovica, Bogatic, Loznica, Mali Zvornik, Krupanj, Valjevo, Osečina, Ljubovija, Kosjeric, Bajina Basta, Uzice, Cajetina and Priboj, the program should also aspire to anchor the Serbo-Serbian cooperation at the very local level and thus demonstrate to the population its vitality and its benefits. The label « Podrinje » actually covered an hundred of smaller projects, mostly focusing on the construction of transborder energy facilities, transborder water management, agricultural activities, bridge construction, the whole point of those being to connect the population of the two banks of the Drina in a more systematic manner<sup>44</sup>.

Thus, the dematerialisation of the border between Serbia and Republika Srpska, which constitutes the core of projects such as Podrinje for instance, is easier to achieve between the two, since they do not apprehend it as an obstacle to be overcome but rather as a source of opportunities. Presented by the respective leaders as a compensation for the separation of the Serbs in two distinct states and a rather natural pursuit of transborder and inter-Serb practices that had been disrupted by the dissolution of Yugoslavia, they actually stemmed from the dramatic reduction of intra-BiH exchanges and cooperation, and the fact that the IEBL had been conceived as the actual border, much more than the Drina.

### **Serbia-RS bilateral cooperation on the regional scene: normalisation or hidden irredentism?**

*A strong political consensus in the region: the Law and the Strategy as a new Memorandum*

Globally speaking, there was a consensus among the former Yugoslav Republics, from 2001 and the signing of the second Special Parallel Agreement, about the meaning of such dispositive regarding Serbia's regional policy. The least that we could say, is that those reaction proved rather virulent. Ten years after the dissolution of Yugoslavia, it seemed that the fear of Serbian irredentism remained present among the other former Yugoslav constitutive peoples. In that sense, the Agreements on Special Parallel Relations and the Strategy provoked an outcry from governments of countries with Serbian minorities, which saw those dispositive as a threat for their sovereignty and as a revival of aggressivity from Serbia. Other critics related to the discriminations that the Law on the Diaspora and the Serbs of the region coupled with the strategy might induce for non-Serbs.

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<sup>44</sup> « Vlade Republike Srpske i Srbije u ponedjeljak o realizaciji projekta Podrinje », Glas srpske, 13th of December 2013, consulted at the Narodna Biblioteka Republike Srpske, Banja Luka

The most vehement reactions came from Croatia and BiH, that is from the states that had the most sensitive history with Serbian irredentism in the 1990s. While the Croatian government did not take a strong official stance, the position of the nationalist media revealed to what extent they envisioned the future outcomes of such initiatives as those brought upon by the Memorandum, or to be short, conflict. Indeed, *Hrvatska Tjednik* interpreted it as a proof of a ruthlessness Serbian nationalism and of its will to revise post-Yugoslav borders by the incorporation into the idea as a same and single Serb nation of the Serbs of the region<sup>45</sup>. In a state where the sense of belonging and the loyalty of the Serb population must not be taken for granted, the Law and the Strategy might indeed appear as tools of disruption.

The comparison with the SANU Memorandum did not only appear in Croatian newspapers. Avaz, one of the most read newspaper in the Federation of Bosnia-Herzegovina, also adopted that reading following the adoption by the Serbian government of the Strategy, which it described as the continuity to pursue a state-sponsored long-term project started with the Memorandum », pointing that Boris Tadić's father, Ljubomir, participated in the writing of the SANU document in 1986. It also added that the Strategy did not hold any long term vision because if so, « it would certainly be joining nearly half of BiH to Serbia or, at the very least, the attempt to make this territory a new Serbian province<sup>46</sup>», and thus consisted mostly in a demonstration of a regular pan-Serbian spirits proper to Serbia's politics. The reactions to the Strategy proved also very defensive in Montenegro, where the President of the National Assembly Ranko Krivokapić described the document as a demonstration of « Greater Serbia's policy using the Serbs in the region for strictly Serbian political goals », insisting on the fact that the Serbs from Montenegro did not belong to Serbia, but where historically part of Montenegro whose Constitution defined as a civil state and not a national one<sup>47</sup>. In that sense, claiming for a status of constitutive people would go at the exact opposite of the state's Constitution. In the line of Ranko Krivokapić, the Government of Montenegro also sent an official declaration, stressing that the Strategy represents a direct mixing of the internal affairs of Montenegro and that « it is in total contradiction with the fundamental principles of the neighborhood relations<sup>48</sup>». Draško Đuranović, a major regional figure of journalism interpreted the

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<sup>45</sup> « Novi memorandum SANU », *Hrvatska Tjednik*, 22nd of May 2011, accessible on <http://www.hkv.hr/izdvojeno/komentari/d-dijanovi/8410-novi-memorandum-sanu.html>, consulted on the 26th of May 2017

<sup>46</sup> *Idem*

<sup>47</sup> Milos Mitrović, « Velika šteta od velikodržavlja Srbije », *Danas*, 30th of April 2012, Narodna Biblioteka Srbije, Belgrade

<sup>48</sup> « Спор око Цетињског манастира », *Политика*, 12th of March 2011

Strategy as a question of « how does Belgrade, who so boldly wants to play the role of leader in the region, intend to tailor a new Balkan map?<sup>49</sup>». This time, the article properly called out the Strategy as an act of revisionism and intrusion into the states' internal affairs since the final goal of it, that is the obtention for the Serbs of a region of the status of constitutive people in their state of residency will be possible only by a constitutional reform<sup>50</sup>. To put it shortly, Serbia claimed to have a say in the constitutional matters of sovereign and independent states, which would allow Tadić's government to carry out a project that, contrary to Milošević's goal of « all Serbs into one state », aimed to obtain « more states and Serbs to rule<sup>51</sup>». Border revisionism, in that sense, does not imply a modification of their drawing, but rather an expansion of Belgrade's outreach on the area, which might allow the Serbian government to monitor the local Serb population as its free pass. In that perspective, Đuranović drew a parallel between the Strategy and the *Nacertanije* that, back in 1844, also counted on the mobilization of the Serbs outside of Serbia to serve the Principality's national project.

The ethnicisation of Serbia's regional affairs in the wake of the Law and the Strategy consequently resulted in the strong opposition in the neighbouring states, which focused on the Memorandum-like patterns undoubtedly present in them. As a report of Helsinki Watch Serbia put it, the main one tackled the issue of « vulnerability » of the Serbs of the region<sup>52</sup>. This vulnerability pattern invested subsequently Serbia with the right, and even as phrased in the Strategy, the duty to protect them and lobby for their cause, without taking into consideration any possible bilateral agreements with their legitimate governments. It is necessary to focus on this issue on a Bosnian perspective, since the closeness of the ties between Serbia and *Republika Srpska* largely exceeded what could be observed everywhere else in the region, and because of the status held by the Serbs as a constitutive people and the entity as a component of the federal state.

*Paragraph 2. The combination of the Special Parallel Relations Agreements and the Strategy: a direct threat to Bosnia and Herzegovina?*

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<sup>49</sup> Draško Đuranović, « Nacrt novog Načertanija? », *Danas*, 3rd of March 2011, accessible on <https://www.danas.rs/dijalog/licni-stavovi/nacrt-novog-nacertanija/>, consulted on the 15th of May 2017

<sup>50</sup> *Idem*

<sup>51</sup> *Idem*

<sup>52</sup> Helsinki Odbor za Ljudska prava u Srbiji, « Otvoreno « Srpsko pitanje »- stalna pretnja stabilnosti u regionu », n°75, march 2011

Globally speaking, the impact of the signings of the Special Parallel Relations had been welcomed, without any surprise, as a provocation from Serbia and *Republika Srpska*. First of all, because they had been surrounded by strong symbolics that marked, more likely willingly than not, the will to undermine the Bosnian institutions or the other constitutive peoples. For instance, the ceremony for the signing of the March 2001 Agreement unfolded during Bajram, the most important Muslim celebration in BiH. Apart from the rather insensitive choice of date, the concomitance of the event in Banja Luka and the religious celebration that happened to be a blank holiday de facto excluded the Bosniak leaders, at the level of common institutions as well at the entity level, to attend. The message was quite clear: it did not pertain to them to have their say into the Serbo-Serb affairs. The temporality of the signing of the 2006 Agreement also mattered in terms of symbolics. Processed after the Security System reform that saw the unification of the entities' military forces into a single Bosnian army, it can be interpreted as a way to demonstrate that despite this step further taken toward a more unified country, the RS was still looking toward Belgrade rather than Sarajevo, and especially that it was able to do so by its executive competencies<sup>53</sup>.

More than a territorial threat, the Agreements on the Special Parallel Relations raised the question of political and institutional loyalty from the entities toward the Bosnian joint institutions, and the question of the legitimate source of decision-making on the entity's territory. The Bosniak parties representatives denounced every single time the process that led to the adoption of the Agreements, which always bypassed the common institutions. In 2006, the SDA referred to the High Representative Christian Schwarz-Schilling in order to prevent the conclusion of the Agreement, arguing that first of all, the dissolution of Yugoslavia forbid the signing of any new type of accord and that second of all, its adoption by *Republika Srpska* should be made impossible without the approval of the Parliamentary Assembly of BiH<sup>54</sup>. The SDA had been supported in that sense by the Party for Bosnia-Herzegovina, led by Haris Silajdžić, which criticised the « anti-constitutional" and « anti-ethnic », in the sense of opposed to the other constitutive peoples, sentiments driven by the Agreements. Nevertheless, the HR made a call in favour of the Agreement, but urged the RS authorities to introduce mechanisms that will contribute to greater transparency in the drafting process of the annex to this agreement in order to avoid fears such as those reported so

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<sup>53</sup> « Entitet ne može protiv države », *Oslobodenje*, 14th of September 2007, Narodna Biblioteka Republike Srpske, Banja Luka

<sup>54</sup> « Ukinite specijalne odnose RS i Srbije », *Oslobodenje*, 17th of September 2006, Narodna Biblioteka Republike Srpske, Banja Luka

far<sup>55</sup>. The *Republika Srpska* authorities, when responding to those critics, solely brought about the argument of the compliance with what had been allowed in 1995 by the Dayton Peace Agreement and the Constitution Court. In that regard, there was no need according to them to pay attention to the critics coming from Sarajevo, since no provision of the Constitution or the DPA had been violated<sup>56</sup>. This typical answer cut any possibility of dialogue, and moreover was backed by Serbia's constant reaffirmations of its care for the sovereignty and integrity of BiH according to the frame of Dayton<sup>57</sup>. The HR closed the debate for good by assessing that the agreement complied with Dayton<sup>58</sup>.

The problematic issue of the Special Parallel Relations regarding the Bosnian state also stemmed from the fact that, at the state level, bilateral cooperation with Serbia did not improve significantly over the post-war decades, which might lead to think that the successive Serbian governments chose to put the emphasis on *Republika Srpska* as their main partner rather than on Bosnia. Through that reading, the Special Parallel Relations Agreements would indeed cause harm, since there has been no complementarity between the Serbia-RS relations and the Serbia-BiH relations<sup>59</sup>. This clause of the DPA exclusively profited to the first two, without them trying to find into the common Bosnian state another partner. If those relations had to be parallel, then they should not be special if it means excluding Bosnia from the equation. Indeed, most of the stances taken by opponents of the Agreements, among Bosnian officials or Boskiak parties members, targeted especially the integration into joint Serbo-Serbian structures key structures of the entities, without taking the BiH institutions into consideration as a power and decisional center, and furthermore as the, in principle, central and final power and decisional center. The chairman of the BiH Presidency Željko Komšić warned at the time of signing the 2006 Agreement that such an act would provoke a controversy and quoted the example of the former Agreements on Special Parallel Relations signed

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<sup>55</sup> « Novi sporazum o specijalnim i paralelnim vezama RS i Srbije » *Oslobodenje*, 26th of September 2006, Narodna Biblioteka Republike Srpske, Banja Luka

<sup>56</sup> *Idem*

<sup>57</sup> « Specijalne veze bude zabrinutost », *Oslobodenje*, 11th of September 2007, Narodna Biblioteka Republike Srpske, Banja Luka

<sup>58</sup> « Entiteti imaju pravo na sporazume », *Nezavisne novine*, 14th September 2007

<sup>59</sup> « Paralelni odnosi, a ne specialne veze », *Oslobodenje*, 22nd of July 2015, Narodna Biblioteka Republike Srpske, Banja Luka

between Croatia and the FBiH at the end of the war, which eventually evolved into a bilateral agreements between the two countries<sup>60</sup>.

The absence of this type of evolution proved even more damageable that it had been accompanied by the creation of the parallel structures dedicated to the implementation of the Special Parallel Relations Agreements such as the Council XXX, which maintained *Republika Srpska* in the scope of Serbia's influence and discouraged it from taking any step further toward a more integrative Bosnian state. Instead of Sarajevo, Banja Luka relied more on the cooperation with Belgrade in any fields that pertained to the entities' competencies. While refusing any measure that could undermine the very loose federalism initiated by the Dayton Peace Agreement and showing its reluctance to transfer its competencies to the central institutions, the RS governments fully expand, on the other hand, its cooperation with Serbia. A relevant example can be found in the field of the Security System Reform (SSR). The SSR, monitored first by NATO in 1995, covers a wide range of fields: At the top of the SSR agenda was reforming the military, but also reforming the police, the judiciary, and customs and border services. The SSR was praised as a success when, in July 2006, the Bosnian government approved the integration within the Armed Forces of Bosnia and Hercegovina the Bosnian Army of the Republic of BiH, the Croat Defence Council and the Bosnian Serb Army of *Republika Srpska*.<sup>61</sup> However, the closure of the European Union Police Mission (EUPM) in 2012 deprived the EU of its ability to impose decisions on the local actors regarding the adoption of the necessary legislations to carry out the rest of the SSR<sup>62</sup>. Since then, the police reform had been put on hold, with *Republika Srpska* hanging tightly to the entity-based police as one of the competencies granted by Dayton and that could not be taken away without the risk of contravening the peace accord.

Nevertheless, while the Bosnian-Serb government refused to facilitate such a reform required in the perspective of fulfilling the Copenhagen criteria, it signed in 2011 a memorandum on the strengthening of police cooperation with Serbia. The signing of the memorandum was attended by RS and Serbian Prime ministers, and the Serbian and RS police chiefs, Milorad

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<sup>60</sup> « Specijalne veze bude zabrinutost », *Oslobodenje*, *op.cit*

<sup>61</sup> Nathan, Laurie (2008), 'The Challenge of Local Ownership of SSR: From Donor Rhetoric to Practice', in ed. Timothy Donais, *Local Ownership and Security Sector Reform* (Zurich: LIT Verlag), p.21



Veljović and Gojko Vasić, and meant to fit within the frame of the Agreement on the Establishment of Special Parallel Relations. The parties declared that:

*« in the forthcoming period, we will improve the bilateral cooperation of the competent police services in the fight against organised crime, technical and scientific support, cooperation in the field of European integration, and the exchange of information and best practices<sup>63</sup> ».*

They added that such a memorandum resulted from the preexisting intensive cooperation in that precise field, which had been assessed as fruitful and thus worth being extended. It is interesting to note that the RS authorities energetically search to expand their cooperation with Serbia in the field of security in order to secure its own competencies on the question, which has for effect to block their transfer to the Bosnian level and justify the validity of maintaining that competence into the entity's hands given that it already proved effective.

For BiH, the risk presented by the closeness of ties between *Republika Srpska* and Serbia within the frame of the Special Parallel Relations Agreement and of the Strategy is not to be found in a potential hidden irredentist agenda that might jeopardise Bosnian territorial integrity, but rather in the undermining of the state institutions, their functioning and an eventual integrative evolution, since it they maintained *Republika Srpska's* loyalty to the national community rather than to the political one. This loyalty actually stemmed from the opportunities in terms of economics, social benefits and politics that the cooperation with Serbia offers and that Bosnian failed to provide to the entity. Even though the political elites initiated the cooperation and its modalities, one of the possible outcome turned out to be its translation into the perception by the population of which of the states, between Bosnia and Serbia, it should be integrated to, to which it belonged. A survey led by the agency « Partner » from Banja Luka showed that, in 2003, 50% of the interrogated individuals asserted that they would claim for *Republika Srpska* to be integrated into Serbia if Kosovo had to declare its independence<sup>64</sup>. The point being that the feeling of belonging to the Bosnian state was originally fragile for the Bosnian Serbs from RS and that strengthening Serbia's presence on the RS soil does not encourage it to develop. As long as Serbia will seemingly offer to

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<sup>63</sup> « Jačanje veza RS-a i Srbije », *Oslobodenje*, 27th September 2011, Nardona Biblioteka Republike Srpske, Banja Luka

<sup>64</sup> Nerma Jelacić and Gordana Katana, « En Bosnie, le rêve d'une grande serbie survit encore », IWPR, 29th of August 2003, translated by Jacqueline Derens, in *Le Courrier des Balkans*, accessible on <https://www.courrierdesbalkans.fr/en-bosnie-le-reve-de-la-grande-serbie-survit-encore>

the RS and its Serb population greater opportunities than Bosnia-Herzegovina and will appear as a more reliable partner than BiH, independently of any sense of national identity, the sense of belonging and loyalty from both the government and its population will oscillate. This quote from a Bosnian journalist, talking about the 2006 Agreement perfectly sums up what is at stake:

*« If the Bosnian Serbs have electricity, bread, commodity reserves and education, and even a passport from Belgrade, then the question arises about the meaning of the existence of BiH, which is clearly the goal of this very sophisticated and dangerous policy in action.<sup>65</sup>»*

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<sup>65</sup> « Entitet ne može protiv države », *Oslobodenje*, 14th of September 2007, Narodna Biblioteka Republike Srpske, Banja Luka

This paper aimed to demonstrate to the readers that, between 2001 and 2016, Yugoslavia, to become Serbia, bet on an attempt to normalise its relations with Republika Srpska within a contractual diplomatic frame that was supposed to make visible to the Bosnian, regional and international actors that its agenda toward the Bosnian Serb entity was from then on different from wartime and Milošević's period. It appears that Republika Srpska became the flagship of the extraterritorial kin community that Serbia had been striving to institutionalised by embracing the symbolical and concrete aspects of the role of *matika* in the region. However, inducting *Republika Srpska* as Serbia's privileged kin through the composition of effective joint governing bodies and the granting of significant social, economic and political opportunity anchored and still anchors it in structures of powers and in loyalties detrimental to the Bosnian state, which cannot compete in that regard.