

Bosnia and Herzegovina: Ending a Nation-Building Failure

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KEY TAKEAWAYS

Since 1995, the U.S. and Europe have spent billions of dollars in postwar foreign aid to help Bosnia and Herzegovina evolve into a peaceful and democratic state.

Thirty years later, the country remains in constant political crisis, riven by deep inter-community distrust and ruled by international diplomats.

It is time to end this international nation-building project and restore national sovereignty to Bosnia and Herzegovina's three constituent peoples.

This year marks 30 years since the signing of the Dayton Peace Accords that ended war in Bosnia and Herzegovina (BiH).¹ Yet the country is broken, deeply divided, and devoid of sovereignty, governed not by its three sovereign peoples (Catholic Croats, Muslim Bosniaks, and Orthodox Serbs), but by a clique of international diplomats with the power to arbitrarily dismiss elected officials, reverse enacted legislation, disenfranchise voters, and impose a fictional “Bosnian” civic identity that favors Muslims over Christians. Meanwhile, Russia, China, and Iran have stepped into the void.

Since the accord was signed, U.S. taxpayers have invested \$2 billion of foreign aid to help the country transition from conflict to normalcy.² In the first decade alone, the international community invested \$14 billion in foreign assistance to support the country.³ Despite massive spending, this nation-building project has failed. It is time to end it.

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Institutional Usurpation of National Sovereignty

The core of the failed nation-building attempt in Bosnia and Herzegovina is the Office of High Representative (OHR), established at Dayton as “an ad hoc international institution responsible for overseeing implementation of civilian aspects of the Peace Agreement...to ensure that Bosnia and Herzegovina evolves into a peaceful and viable democracy on course for integration into Euro-Atlantic institutions.”⁴ Its official mandate is limited, empowering its officials to “Monitor,” “Maintain close contacts with,” “Co-ordinate,” “Facilitate,” “Participate in meetings,” “Report...to the United Nations, European Union, United States...,” and “Provide guidance.”⁵ However, the OHR’s powers are neither limited nor ad hoc. It acts as an imperial viceroy in perpetuity with unchecked powers over the country’s elected leaders and institutions.

The dismissal of BiH officials by foreign diplomats has become the signature hallmark of the post-Dayton peace process and it continues to this day. From 1997 through 2010 alone, the OHR removed or suspended nearly 200 officials from office, including elected presidents.⁶ Each occurrence of invasive foreign intervention retards the independent development of BiH’s core institutions and exacerbates relations among Bosniaks, Croats, and Serbs. For example, before the war, mixed marriages accounted for a respectable 13 percent of all marriages. Today mixed marriages make up merely 4 percent of the total, indicative of the extent to which inter-ethnic relations have worsened.⁷

As a result, the country is in constant political turmoil, preventing it from progressing on social, economic, and other critical governance issues, locked in permanent inter-ethnic confrontation that threatens to split the country along ethnic lines. In the most recent political crisis, the OHR directed the Bosniak-controlled state court to sentence Milorad Dodik—president of Republika Srpska, the Serb half of the country—to one year in jail for defying the Dayton Peace Accords,⁸ a common subjective charge against officials who contest the OHR’s powers. Dodik, who in the 2022 elections won his third term, was originally championed by the West as an anti-nationalist reformer, but over time morphed into an unapologetic pro-Russian separatist.⁹ Per OHR direction he was banned from “performing the duties of the president” for a six-year period. The following week, the state prosecutor, a Muslim, summoned the Orthodox Dodik “for undermining the constitutional order.”¹⁰ Interpol, however, rejected Sarajevo’s request to issue a global arrest warrant for Dodik, refusing to get involved in a volatile domestic inter-ethnic dispute that could lead to violence.¹¹ The constitutional

MAP 1

Bosnia and Herzegovina Overview

Bosnia and Herzegovina is evenly divided between Republika Srpska and a Bosniak–Croat federation, the latter composed of 10 cantons.



SOURCE: Heritage Foundation research.

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crisis—sparked by OHR’s open intervention—forced the European Union to boost its peace-keeping mission in BiH with another 400 soldiers.¹²

In addition to the power to remove BiH officials from office, the more than 900 decisions imposed by the OHR show how foreign diplomats

possess near totalitarian powers over every aspect of life in the country, including state symbols, economic policy, judicial reform, media restructuring, property laws, displaced persons and refugees, even inter-ethnic reconciliation initiatives.¹³ There is no untouched space for the three peoples of BiH to govern themselves.

The OHR's powers, however, are not found in the Dayton Peace Agreement but derive from the Peace Implementation Council (PIC), an informal consortium of 55 countries and international organizations, separate from the agreement, that includes United Nations agencies.¹⁴ During its 1997 meeting in Bonn, Germany, the PIC unilaterally decided to grant the OHR, which it appoints, final authority "to make binding decisions, as he judges necessary" and "ensure implementation of the Peace Agreement."¹⁵ Yet, the PIC has no international legal basis for granting such broad and open-ended authorities. By investing the OHR with final authority over the country's institutions—the so-called Bonn Powers—it undermined its primary mission to facilitate democratic transition, by denying the peoples of BiH the capacity to resolve their own differences.¹⁶ Instead, the parties must seek external redress of their political grievances as sovereignty rests with foreign bureaucrats, not their own elected leaders.

These institutional distortions are amplified by the truncated development of BiH's judiciary that is often called upon to decide on ethnicity-based political disputes. Three of the judges sitting on BiH's Constitutional Court (akin to the Supreme Court in the United States), are foreign nationals¹⁷ who act as a swing vote on critical constitutional issues, slanting decisions toward the centralizing interests of Muslims.¹⁸ "Originally conceived as a transitory measure," the three foreign judges are selected by the France-based European Court of Human Rights (ECHR), which only needs to consult, rather than be approved by, the BiH presidency, a three-member elected body—consisting of one Bosniak, one Croat, and one Serb.¹⁹

On defense matters, the European Union operates an interim armed peacekeeping mission in BiH, though now in its 20th year as past promises of BiH's integration into the EU and North Atlantic Treaty Organization (NATO) remain unfulfilled.²⁰ The European Union Force's (EUFOR's) mandate is renewed annually by the U.N. Security Council, requiring support from the United States.²¹ It, too, has no term limit.

Connivance of the U.S. Department of State

After 9/11, the United States, which had midwived the Dayton Peace Agreement, refocused its attention on global terrorism. It charged Europe

with leading Bosnia and Herzegovina's transition. Yet, the U.S. embassy in Sarajevo continued to provide the left-dominated U.S. Department of State a platform from which to, de facto, assert itself as co-regent with the OHR, with little oversight from a preoccupied Washington, DC.²² No OHR decision is made without U.S. concurrence. Every year, the State Department reasserts the OHR's unbounded power "to exercise all necessary authority, including the Bonn Powers."²³ The U.S. government covers \$1 million of the OHR's operating budget²⁴—22 percent of the total budget of its almost \$6 million.²⁵

The U.S. embassy also sanctions and strives to remove elected officials challenging the OHR's authorities. Last December, the U.S. Ambassador to BiH imposed a new gas law centralizing pipeline management in the all-Muslim BH-Gas, a state-owned company, though according to state auditors it is rife with corruption, involving Russia.²⁶ The law was prompted when neighboring Croatia, a major importer of U.S. gas, offered to expand its pipeline network into BiH.²⁷ The pipeline would displace Russian for American gas imports, a strategic win for the United States. As the project would be built in Croat-populated areas, BiH Croat officials wanted to establish a gas company under their jurisdiction. The U.S. Ambassador refused their demand and threatened these officials with sanctions. The law passed without Croat support. The imposed decision broke precedence in which Croats and Bosniaks each manage separate utility companies to ensure shared revenues and jobs, further poisoning Croat–Bosniak relations.

The president of neighboring Croatia accused the U.S. Ambassador of "systematically disintegrating Bosnia and Herzegovina as a state."²⁸ The Ambassador's interference resulted in a lost strategic opportunity to export more U.S. natural gas to Europe as Croatia put the project on hold. Earlier, the U.S. Ambassador sanctioned Republika Srpska's minister of trade and economic relations and other Serb officials while accusing the BiH Croat leader of serving "Russian interests."²⁹ In sum, everyone in Bosnia and Herzegovina is in conflict with everyone else.

Fictional Bosnian Identity

For years, Western diplomats have strayed from Dayton's original principle of protecting BiH's sovereign rights among its three equal peoples. Instead, they have sought to impose a civic "Bosnian" identity in the progressive belief that ethno-religious identity is the obstacle to BiH's stability.³⁰ That is wrong. The goal of strengthening central government institutions at the expense of ethnicity-based subnational ones is the core

of BiH's crisis. A civic state that replaces ethnicity as the governing framework³¹ aligns with the majority Muslims' political goal of establishing a centralized unitary state.³² "One man, one vote" would lead to a majoritarian government in a country lacking democratic norms.³³ For Catholic Croats and Orthodox Serbs, such a state would see their sovereign rights unacceptably subordinated to Muslim Bosniak majority rule. This would contradict BiH's constitution that posits the country as three communities: Bosniak, Croat, and Serb.

Predictably, separate Bosniak, Croat, and Serb cultural and political identities persist as each, under the current chaotic governing architecture and complex historical animosity, considers the others to be existential threats.³⁴ Instead of following the examples of Belgium, Switzerland, and other successful consociational models of governance that rely on the equality of constituent peoples to manage tensions, the OHR, with U.S. State Department connivance, has been pushing an unpopular common Bosnian identity through fiat while punishing opponents for legitimate nationalist expressions.

These fiats count on electoral engineering³⁵ to encourage non-ethnicity-based voting, weaken ethnicity-based authorities, and, in effect, force Bosniak-led assimilation of BiH's three sovereign peoples.³⁶ In the Bosniak–Croat half of the country, Muslims outnumber Catholics and minority communities by more than three to one. Since 2006, Bosniaks have split their vote—one for an openly Muslim political party and the other for the Muslim-dominant social democrats who field puppet Croat candidates who win few Croat votes and take their orders from their Muslim leadership.³⁷ The result is that Bosniaks control most political posts (and state companies) while leaving Croats disenfranchised and discriminated against. The European Parliament has called on BiH's Bosniak authorities to implement the decision of BiH's Constitutional Court to end Bosniak cross-over voting of Croat-elected leaders,³⁸ but to no avail, exacerbating relations.³⁹ Yet, by a unanimous 16-to-one decision, the European Court of Human Rights affirmed BiH's electoral system based on ethnic identity with the sole dissent from a Bosniak judge.⁴⁰

The international community also finances pro-assimilation progressive nongovernmental organizations⁴¹ that once claimed that 20 percent of the country's population identify as "Bosnian" rather than Bosniak, Croat, or Serb.⁴² The 2013 census says otherwise. Bosnia and Herzegovina's state agency for statistics reported that of a population of 3,531,159 only 37,110 described themselves as "Bosnian"—about 1 percent of the population.⁴³ Many BiH Muslims hold citizenship of neighboring (and mostly Catholic)

Croatia, as Croatia is a member of the European Union, conferring substantial employment privileges that non-EU BiH does not.⁴⁴

The “Bosniak” identity—claimed exclusively by BiH Muslims—became official only in 1993, after the violent breakup of communist Yugoslavia. A 1991 pre-war census in Bosnia and Herzegovina saw only 1,285 persons declare themselves “Bosniak,” and 10,727 “Bosnian,” while nearly 2 million declared themselves Muslim.⁴⁵ The systematic international campaign to create a non-ethno-religious civic identity not only violates the Dayton agreement but fails to gain traction inside the country.

Noting the failure of this nation-building enterprise, the Berlin-based European Stability Initiative criticized the OHR for running the country as a “European raj” with no checks and balances on its powers and no accountability for its actions. It labeled the OHR “a form of governance that has long gone out of fashion—an imperial power over its colonial possessions.”⁴⁶

The fracturing of BiH’s three main communities over identity is reflected by their respective diasporas in the United States. The Washington, DC-based Advisory Council for Bosnia and Herzegovina advocates “a multiethnic and democratic Bosnia and Herzegovina” but is neither itself, as all seven board members are Muslim Bosniaks.⁴⁷ The Inclusive Movement for Bosnia Herzegovina, also based in Washington, DC, excludes Serbs and Croats.⁴⁸ There are no similar Croat or Serb diaspora organizations pressing for a centralized “Bosnian” state. The result has been that in the United States, *Bosnian* is confusingly equated with *Bosniak*, and various programs routinely invite Muslims from BiH, but not Catholic or Orthodox members of the BiH diaspora.⁴⁹ At a May 2025 conference in Dayton, Ohio, the State Department–funded National Endowment for Democracy sponsored a panel on journalism in BiH that featured three Bosniaks and no Serbs or Croats, based on the three participants’ self-identification as “Bosnian.”⁵⁰ It pays to be “Bosnian.”

Instability Invites Security Threats

There is wide consensus within the foreign policy establishment that BiH’s governing architecture is unsustainable. In 2021, the Council on Foreign Relations asked, “Is Bosnia on the Verge of Conflict?”⁵¹ Since 2010, *Foreign Affairs* has published jeremiads on the country’s poor prospects: “Bosnia on the Brink?,” “The Death of Dayton,” “Bosnia’s Last Best Hope,” and, most recently, “Bosnia’s Dangerous Path”;⁵² as has *Foreign Policy*: “Bosnia Is Teetering on the Precipice of a Political Crisis” and “Time to Act on Bosnia’s Existential Threat.”⁵³

BiH's dysfunction opens avenues for external actors to undermine U.S. and allied interests. China has become a key regional economic partner with its attendant Confucius Institutes, road and power plant construction projects, infrastructure loans, and media presence.⁵⁴ Russia aggressively backs Serb separatism through weapons deliveries and cultural and religious support, and it operates intelligence activities from within the Serb entity,⁵⁵ used to undermine neighbor and NATO member Montenegro.⁵⁶

The war in Bosnia and Herzegovina during the 1990s saw Islamic jihadists fresh from the Afghan–Russia war aid Muslim forces, including those that plotted 9/11, such as Khalid Sheik Mohammed.⁵⁷ Many foreign mujahideen stayed in the country. Iran's Islamic Revolutionary Guard Corps established long-term ties to Bosniak leaders, especially those in the intelligence services.⁵⁸ Thirty years on, these ties remain as BiH's Muslim leaders have revived wartime ties with Iran⁵⁹ and the Muslim Brotherhood⁶⁰ while undergoing radicalization via years of external funding of hardline imams.⁶¹ The May 2025 visit of a high-level Iranian defense official to meet with the BiH's Muslim minister of defense prompted a sharp rebuke from the Trump Administration.⁶² The radicalization of BiH's Muslim authorities reached its apex last month when they cancelled the biannual meeting in Sarajevo of the Conference of European Rabbis, calling their meeting “morally offensive” as “support will be sent to the occupier [Israel]... who commits genocide against the innocent population of Gaza.”⁶³

Recommendations for the Trump Administration and Congress

In order to restore Bosnia and Herzegovina's national sovereignty, the Trump Administration and the U.S. Congress should:

End the OHR's Unchecked Powers and Restore BiH's National Sovereignty. The OHR's unchecked powers rely exclusively on the consensus of the members of the Peace Implementation Council. The U.S. government, as the PIC's most important member, can call a meeting of its steering committee in Sarajevo to announce that it will rescind its support for the Bonn Powers that confers extraordinary powers to the OHR. No formal juridical process, such as a vote of the United Nations Security Council, is necessary to end the OHR's powers. Absent the all-powerful OHR, the PIC would lose its purpose and could be dissolved. The impact would be to deny the OHR's continued usurpation of BiH's national sovereignty to make its own decisions and force the country's elected leaders to resolve their differences. The OHR would return to its original—and important—mandate of facilitating the country's democratic transition.

Revise State Department Policies and Programs. U.S. Secretary of State Marco Rubio must end his department's BiH policy that is programmed to impose a forced centralized "Bosnian" state. Instead, modest technical assistance, currently designed to promote centralization under Muslim rule, could be used to help the country to restore its national sovereignty, including ending the European Court of Human Rights' control of three seats on BiH's Constitutional Court. While that would require a constitutional amendment, it could be done more quickly by terminating international funding for the three foreign judges.

The multilateral Organization for Security and Cooperation in Europe (OSCE) must end its own nation-building focus. As the OSCE country director is an American diplomat, the Trump Administration can unilaterally narrow the OSCE's broad scope of activities to support the restoration of BiH's sovereignty.

Break the State Department's Grip on Balkan Policy. Ambassadorships in the Balkans are traditionally awarded to career diplomats. The Trump Administration has wisely nominated political appointees to posts in Croatia and Serbia. Appointing a political Ambassador to Sarajevo would weaken the Dayton lobby that has controlled BiH policy these past decades. Officials responsible for Balkan policy at the Bureau of European and Eurasian Affairs should be replaced with officials from other bureaus to promote fresh perspectives on the Balkans. Current plans to make deep cuts in local embassy hires worldwide should include a total staff replacement in Sarajevo to prevent resistance to new Administration policies.

Congress has a critical role to play as well by denying taxpayer funding for nation-building in Bosnia and Herzegovina as well as in the Western Balkans in its fiscal year 2026 international affairs budget. Congress should hold appropriated funds for the OHR, for example, whose budget cycle starts on July 1 and ends on June 30, until the OHR's Bonn powers are terminated.

Restore Croat Voting Rights. The systematic exclusion from, and discrimination of Croats in, state organs, including high government positions, due to Bosniak cross-over voting endangers their survival.⁶⁴ Due to systematic discrimination by Bosniaks, the Croat population has shrunk by 62 percent—from 835,000 in 1991⁶⁵ to 330,000 in 2024—according to the Catholic Church,⁶⁶ similar to other Muslim-ruled countries with disappearing Christian communities, such as Syria, Iraq, and Turkey. Restoring their voting rights is not a heavy lift. Croats are the sole staunchly pro-Western community in the country and merit U.S. support. BiH's Constitutional Court already ruled that the current election laws violate the Dayton Peace

Agreement's guarantee of equal representation and awaits parliament to make the necessary amendments. The recent ECHR decision affirms it. Croat and Serb deputies are ready to pass these amendments. The European parliament supports it. Bosniak deputies, however, refuse to carry out the court's decision. Restoring Croat voting rights would require U.S. diplomatic pressure on Sarajevo's leadership.

Align BiH's Governing Structure with Dayton's Guarantee of Three Equal Constituent Peoples. BiH's arcane governing structure must be simplified by establishing three units from its two dysfunctional entities, one each for Muslim Bosniaks, Catholic Croats, and Orthodox Serbs, within a confederal system, like that successfully practiced in Belgium and Switzerland. It would not require territorial exchanges as each federal unit would reflect areas already controlled by Bosniaks, Croats, and Serbs for the past 30 years. Republika Srpska's territory was delineated at Dayton in 1995, while the Bosniak–Croat federation is de facto divided into two parts as reflected by its separate and communally based utility companies (power, telecommunications, and postal networks). In other words, there are no territorial disputes to resolve, and the three federal entities would reflect the practical reality on the ground and give each community a governing stake in making BiH work.⁶⁷

A three-unit federal system, free of OHR interference, would deflate separatist pressures. For Serbs, a separate Croat unit reaffirms their autonomy, undercuts Russian and Chinese influence, and opens fresh prospects for BiH's integration into transatlantic institutions. For Croats, a separate unit provides the first opportunity since 2006 for self-governance and furthers BiH's Western tilt. For Bosniaks, whose radical leadership opposes this reform, the end of the OHR's authorities provides them a political exit from a failed strategy of pursuing an unattainable centralized state amid endless communal entanglements that feeds Islamic radicalism. Each sovereign people, relieved of foreign interference, could pursue their own education system, policing, taxation, economic interests, and cultural traditions without fear of forcible assimilation into a "Bosnian" identity. Radicals on each side would be marginalized, and existential fears would be replaced by bread-and-butter economic issues. Minorities, such as Jews, currently unable to run for office because of ethnicity-based voting could now do so. The Bosniak–Croat federation and its bloated cantonal structures could be dissolved, eliminating expensive layers of bureaucracy and creating greater economic avenues for the local population. This country of 2.5 million absurdly boasts 149 ministers in 13 governments, nine presidents and vice presidents, and 635 members of parliament.⁶⁸

The idea of establishing three federal units to stabilize Bosnia and Herzegovina is not new and is based on principles enshrined in the Dayton Peace Accords that guarantee the equality of BiH's three constituent communities. It has broad international support:

The Europe-led Lisbon Agreement⁶⁹ was a prewar power-sharing among Bosniak, Croat, and Serb leaders to reorganize the country into three ethnicity-based entities. Muslims reneged on their support of the plan. The 1993 Owen–Stoltenberg peace plan was based on three entities.⁷⁰

The Constitution of Bosnia and Herzegovina, Annex 4 of the Dayton Peace Agreement of 1995,⁷¹ defines “Bosniacs [Muslims], Croats, and Serbs, as constituent peoples.” The three-member federal presidency requires one representative each of Bosniak, Croat, and Serb communities.

In 2005, the former BiH Ambassador to NATO presented a plan to create three federal units to maintain the country’s “viability as a state.”⁷²

A 2013 survey⁷³ found that 37 percent of Bosniaks, 69 percent of Croats, and 77 percent of Serbs support restructuring BiH into a federation made up of three communal entities based on the Swiss model. When undecided responders are not counted, around two-thirds (63 percent) of BiH’s population supports a three-entity solution, while just 37 percent opposes it.

In 2014, the International Crisis Group (ICG)⁷⁴ proposed that the Bosniak–Croat federation be split into two entities—one Muslim, one Catholic—as the simplest pathway out of the deadlock. In a recent report, the ICG accused the OHR of “making things worse” and called for “returning to the original Dayton Accords.”⁷⁵

A 2017 European Parliamentary resolution⁷⁶ emphasized “the equality of its three constituent peoples to elect their own legitimate political representatives” based on “the principles of federalism, decentralisation and legitimate representation.”

Expand Markets for American Gas. The Biden Administration forced a gas law on BiH that undercut regional support for extending Croatia’s gas pipeline into neighboring BiH and beyond—a national security goal that would increase American gas exports. The gas law, in effect, consolidated the country’s reliance on Russian gas. Amending the current flawed law would allow BiH Croats to establish their own regional gas company to ensure financial benefits from the project, encourage Croatia to proceed with the extension, end BiH’s dependence on Russian energy, and open opportunities for strategic U.S. investment and construction projects. In terms of critical minerals, the northeast part of Republika Srpska contains the largest lithium deposits in Europe, offering the U.S. and its allies a safe, accessible, and long-term strategic asset.⁷⁷

Conclusion

The international diplomats that usurped BiH's sovereign powers constitute the principal stumbling block "to ensure that Bosnia and Herzegovina evolves into a peaceful and viable democracy on course for integration into Euro-Atlantic institutions," as enshrined at Dayton 30 years ago. It is time to dissolve this sclerotic and failed nation-building artifice and restore to Bosniaks, Croats, and Serbs the sovereign power to resolve their own grievances. Three equal federal units, based on existing territorial delineations, would align with the Dayton Peace Accords' original principles of equality of peoples, eliminate bloated layers of bureaucracy, and set a new path toward peace, democracy, and prosperity. The three peoples of Bosnia and Herzegovina would finally be self-governing.

For the United States, BiH could become a strategic energy partner by expanding U.S. gas exports into Europe that undercut Chinese, Russian, and Iranian attempts at undermining transatlantic stability. With a more stable BiH, Europe would see diminished security threats emanating from the region as bad actors would no longer be able to exploit high levels of inter-ethnic distrust. For the world, it would signal the end of a failed era of nation-building that empowers global elites, immiserates millions, and makes everyone less safe. Ending this nation-building failure in Bosnia and Herzegovina would restore the global pre-eminence of national sovereignty.

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