

Working Paper No 34/2013

“Babylution”
A Civic Awakening in Bosnia and Herzegovina?

By
Ioannis Armakolas & Maja Maksimovic

South-East Europe Programme

July 2013

Copyright © 2013

HELLENIC FOUNDATION FOR EUROPEAN AND FOREIGN POLICY (ELIAMEP)

49, Vassilissis Sofias Ave., 106 76 Athens, Greece

tel: (+30) 210 7257110-1, fax: (+30) 210 7257114, e-mail: eliamep@eliamep.gr,

url: www.eliamep.gr

All rights reserved

Working Paper Nr 34/2013

“Babylution” - A Civic Awakening in Bosnia and Herzegovina?

Ioannis Armakolas & Maja Maksimovic

ELIAMEP offers a forum for debate on international and European issues. Its non-partisan character supports the right to free and well documented discourse. ELIAMEP publications aim to contribute to scholarly knowledge and to provide policy relevant analyses. As such, they solely represent the views of the author(s) and not necessarily those of the Foundation.

Authors' Information:

Ioannis Armakolas, PhD (Cantab), is 'Stavros Costopoulos' Research Fellow at the Hellenic Foundation for European & Foreign Policy and Lecturer in Comparative Politics of South East Europe at the Department of Balkan, Slavic and Oriental Studies, University of Macedonia. Previous affiliations include: ESRC Fellow at the Department of Politics, University of Oxford; Research Fellow at Nuffield College, University of Oxford; Director of Research at the 'US-Greece Task Force: Transforming the Balkans' (joint project of the Hellenic Centre for European Studies and the Washington-based Center for Strategic and International Studies); Region Head for South East Europe at Oxford Analytica; Tip O'Neill Fellow in Peace and Conflict Studies at INCORE-Northern Ireland (Ulster University & United Nations University). Ioannis Armakolas has extensive experience as a consultant with USAID and DFID projects in the Western Balkans.

Maja Maksimovic is a Research Associate at the Hellenic Foundation for European & Foreign Policy and a doctoral candidate at the Department of Balkan, Slavic and Oriental Studies, University of Macedonia. She received her first degree in law from the University of Belgrade and a MA degree in Southeast European Studies at the National and Kapodistrian University of Athens. Her research interests are focused on issues of identity, inter-ethnic relations and nationalism in post-conflict societies, primarily Serbia and Bosnia and Herzegovina.

Summary

Throughout June 2013 citizens of Sarajevo, the capital of Bosnia and Herzegovina (BiH), took to the streets to protest against the government's failure to adopt the Law on the unique citizen ID number (jedinstveni matični broj građana - JMBG). Due to their peaceful methods and - more importantly - civic orientation, the JMBG protests, which media have called 'babylution' or 'bebolucija' in Bosnian, represent for some the largest and most significant example of social mobilisation in Bosnian post-war history. For others, however, these protests are nothing but a reminder that for ethnically divided societies, such as BiH, a cross-ethnic consensus with far-reaching positive outcomes is an unrealistic goal.

“Babylution” - A Civic Awakening in Bosnia and Herzegovina?

Throughout June 2013 citizens of Sarajevo, the capital of Bosnia and Herzegovina (BiH), took to the streets to protest against the government's failure to adopt the Law on the unique citizen ID number (jedinstveni matični broj građana - JMBG). Due to their peaceful methods and - more importantly - civic orientation, the JMBG protests, which media have called ‘babylution’ or ‘bebolucija’ in Bosnian, represent for some the largest and most significant example of social mobilisation in Bosnian post-war history. For others, however, these protests are nothing but a reminder that for ethnically divided societies, such as BiH, a cross-ethnic consensus with far-reaching positive outcomes is an unrealistic goal.

The background of the protests

The controversy started in May 2011 when the Constitutional Court of BiH declared the existing JMBG law as unconstitutional, ordering the Bosnian parliament to amend the law within a six-month period. The unconstitutionality of the law was of a purely technical nature. It was based on the fact that its Article 5, which only enumerates the municipalities in the country along with their regional labels (registers’ numbers), did not contain the new names of some of the municipalities, changed after the adoption of a law in 2001. After the BiH parliamentarians failed to proceed in accordance with the decision of the Constitutional Court in the given time, the law got suspended in January of this year and administrative offices stopped issuing ID numbers. Since then, the parliamentary parties from the two BiH entities - Serb-dominated Republika Srpska (RS) and Bosniak and Croat-

dominated Federation of Bosnia and Herzegovina (FBiH) - have not managed to find a compromise solution regarding the amended version of the law. The central problem that arose was whether a regional label in the 13-digit ID number should respect the entity borders or not, although the court's decision was not in fact addressing this issue. Thus, the adoption of the JMBG law



JMBG Protests; Source: Sulejman Omerbašić, Demotix

became yet another dispute over the centralisation vs. decentralisation of the state, and a tool for accomplishing the narrow interests of Bosnian politicians from both entities.

The inability of Bosnian politicians to reach an agreement on this seemingly trivial administrative issue has resulted in serious consequences for the new-borns in BiH and their parents. As of February 2013, all new-born babies have been technically deprived of the

birth-given right of citizenship, together with all the social, political and economic rights stemming from it. In the meantime, the RS government has adopted an ordinance, which allowed the new-borns from this entity to acquire the ID number, claiming this measure is legitimate given the circumstances. The FBiH leadership complained about the unconstitutionality of this unilateral decision of RS because the regulation of this concrete matter is within the exclusive jurisdiction of the BiH state, and not its entities. However, the RS government's ordinance has come to life producing the legal effect only at the territory of this entity, while babies in the FBiH, due to lack of the regulation, continued to be denied that right.

The rise of civic consciousness

Public discontent about this legal loophole increased when a seriously ill 3-month old girl, Belmina Ibrišević, needed to leave the country to get an urgent medical treatment, but her travelling abroad was impossible, since a valid passport could not be issued without a citizen ID number. Days later, another baby, Berina Hamidović, died in a hospital in Belgrade after the medical treatment she needed was delayed due to a series of bureaucratic obstructions caused by the lack of an ID number.

Revolted by the fact that BiH politicians keep the country paralysed with ethnic bickering instead of doing the job they were elected for, the citizens of the BiH capital took up to the streets to protest. The protests were initiated by just a few people



One of the billboards in front of the BiH parliament building in Sarajevo;

Source: Maja Maksimović, ELIAMEP

organized through social networks; among them were Sarajevo actors, journalists and agonizing parents whose children do not have ID numbers. Soon thousands of people, mostly urban and young population, gathered in front of Bosnia's parliament during its session on 5 June, saying they would not let politicians leave the building until they resolve the issue of the JMBG law. On the night of 6 June, the demonstrators organized a human chain that prevented MPs, staff and foreign visitors from getting out of the parliament building. Only an overnight intervention by High

Representative Valentin Inzko allowed their evacuation.

Although due to public pressure Bosnia’s Council of Ministers issued a temporary regulation under which ID numbers can be delivered in the next six months, the protesters continued their street action, demanding a permanent solution to be found by 30 June. They also asked for the formation of a state fund of solidarity which would help those in need of medical treatment, and demanded that politicians give up 30 per cent of their salaries as donation to this fund. They addressed the international community with a request to use all available mechanisms to oblige the BiH politicians to act on this issue without further delay. Up until the 1st of July when demonstrations under the slogan ‘Let’s fire them’ were organized, the peaceful protests had continued every day in front of the state institutions in Sarajevo.

Most of the days the protests took the form of a friendly meeting of Sarajevo families, where parents were sitting in front of the parliament building having a ‘coffee for JMBG’, while their children were playing, singing, and drawing together. Until the end of the protests, none of the participants claimed to mastermind the events - the protest seem to have been spontaneously organised and run by parents whose children did not have ID numbers and by citizens who supported them.



‘Freedom is my nationality’: one of the posters at the JMBG protests, Source: klix.ba

Similar initiatives have been launched in other cities of the FBiH, including those with predominantly Croat population. Citizens of the autonomous Brčko District also joined the protesters. Various students’ associations, NGO activists, intellectuals and artists from Bosnia and the wider former Yugoslavia have supported the protesters by publicly calling for immediate action by BiH politicians. Citizenry of the other BiH entity, Republika Srpska, has not responded to the protests as massively as it was the case with FBiH. An explanation for this is that the governments’ ordinance gave an opportunity for new-borns in RS to obtain their ID numbers, so for this part of the BiH’s population the non-adoption of the JMBG law at the state level has not produced any dire consequences. However, one should not exclude the fact that ethnic distance remains so strong that a certain part of the RS population does not want to interfere with anything they consider to be a business of the other entity or of the ethnic groups within it. This was manifested when students organized demonstrations in Banja Luka against the RS government complaining about the inefficient university system at the same time when the JMBG protests were gaining their momentum in the Federation. The public was preparing for the ‘Bosnian spring’ in which both protests

would grow into a long-awaited cross-ethnic and cross-entity social movement; the Banja Luka students, however, openly disassociated from the protests in Sarajevo, stating that they fully support Serb representatives in BiH institutions.

Despite this, a certain feeling of solidarity and compassion unusual for the deeply divided Bosnian society was widespread throughout the country, irrespective of entity boundaries and ethnic differences. By sharing information about the protests, their peaceful methods and civic orientation, the social media played an important role in this process. As an opinion poll conducted by Ipsos Plus agency has shown, the JMBG protests had the support of 89 per cent of BiH population - the support was 95 per cent in the FBiH and a, lower but still impressive, 77 per cent in RS. Among the respondents in RS, only 12 per cent were of the opinion that the protests are directed against Serb parliamentarians in particular; 69 per cent thought they are directed against all BiH politicians.

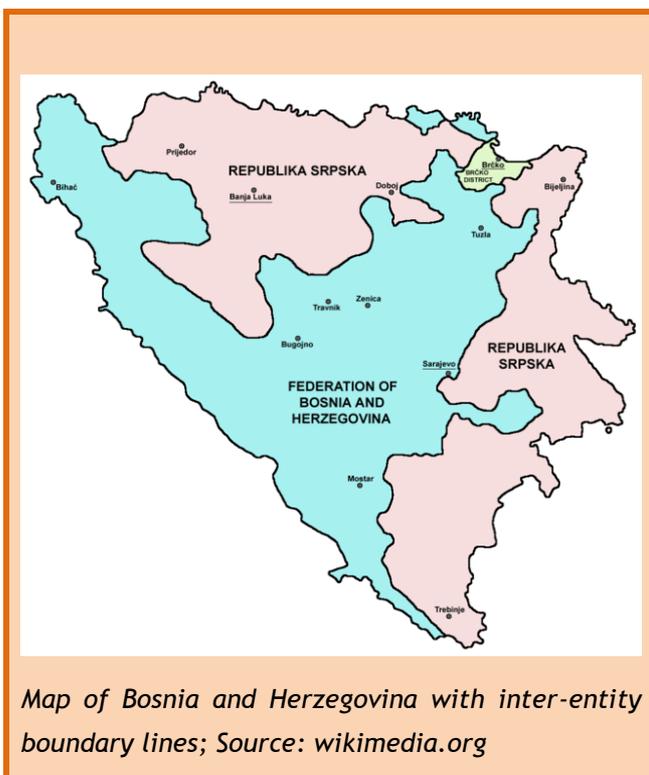
When government's inactivity meets citizens' despair

From the beginning of the JMBG protests, it became obvious that protesters' frustration does not emanate only from the government's inability to adopt the Law on unique citizen ID number. The latter was just a trigger that released much deeper dissatisfaction over the country's prolonged political stalemate, which has caused stagnation in the EU integration process and further deterioration of the already dire socio-economic conditions.

At the state level, the ruling "sextet" consisting of all major BiH parties, except the Bosniak Party of Democratic Action (SDA), namely - the Social Democratic Party (SDP), Alliance for a Better Future (SBB), Croatian Democratic Union (HDZ), Croatian Democratic Union 1990 (HDZ 1990), Alliance of Independent Social Democrats (SNSD) and Serbian Democratic Party (SDS), has not managed to agree on any important issue as no measure could be implemented without bringing it into a context of the highly conflicting inter-ethnic interests. In the first three months of 2013, the BiH Parliament adopted only five laws, while rejecting six of them. Regarding EU accession, some European states have been thinking to introduce tougher conditions and even financial sanctions against BiH as a result of the lack of commitment and unwillingness of political elites to make progress in reforms. By failing to introduce reforms required by the ruling of the European Court of Human Rights in the case of *Sejdić and Finci vs. BiH*, politicians are risking to be left with no support by the international community. In May this year, Members of the European Parliament even initiated a vote to suspend BiH from the Council of Europe, but the proposal got tightly rejected. Due to a high number of asylum seekers leaving the country, the European Commission (EC), at the request of some EU capitals, is reportedly considering cancelling the visa-free regime for the citizens of Bosnia and Herzegovina and other Western Balkan countries.

In the Federation of BiH, the Bosniak Party of Democratic Action (SDA) was ousted from the ruling coalition led by SDP, in line with the reshuffle at the state level. However, its ministers took advantage of the complicated administrative procedures and veto rights to keep their ministerial posts, obstructing the work of the new coalition. The conflict between the SDP-led coalition and the opposition (SDA together with smaller Croat parties) have paralyzed the functioning of the legislative, executive and even the judicial bodies in FBiH. In the first quarter of 2013, the FBiH Parliament failed to adopt any law, although as many as eighty draft laws were in parliamentary procedure. One of the political disputes among the political parties even endangered the IMF’s financial support, which is of crucial importance for the fiscal stability of the country. When FBiH President and leader of the Croat Party of Justice and Trust Živko Budimir got arrested on suspicion of corruption, many found political motives behind this action: the ruling coalition did not appreciate the vast decision-making powers concentrated in the president’s hands together with the support he has been providing to SDA.

In Republika Srpska, a much simpler institutional structure does not allow for such political deadlocks based on inter-party and inter-ethnic bickering. Nevertheless, over-confident rule of the SNSD and allies while the opposition remains weak and disorganised has created another potentially problematic scenario in which all power is concentrated in



Map of Bosnia and Herzegovina with inter-entity boundary lines; Source: wikimedia.org

the hands of one political party and its leader and entity president Milorad Dodik. Attempting to ease growing popular discontent with devastating socio-economic situation -only 23 per cent of the working age population has jobs, the number of pensioners has surpassed the number of job-holders - ruling SNSD has reshuffled the government in March. The ruling coalition is claiming that the new government has delivered a much-needed fresh impetus to the entity’s functioning; RS citizens on their part believe that these changes were ‘cosmetic’ and implemented only to give an illusion of governmental activism in view of the

2014 general elections.

At the same time, the latest Eurostat figures show that Bosnia is the poorest country in Europe with GDP per capita 70 per cent below the EU-27 average. According to data of the BiH Agency for Statistics, in April 2013 Bosnia had one of the highest unemployment rates in

the region - over 45 per cent, while the average monthly salary amounted to 824 convertible marks (around 420 euros). At the same time, according to a research by RS Association of Economists that compared the salaries of parliamentarians in 30 European countries, BiH MPs are among the best paid political representatives in the continent, with monthly incomes six times higher than the average salary in the country. In the list, BiH surpasses countries such as France, Germany and Sweden.

Based on such indicators, JMBG protesters complained that BiH politicians are immensely overpaid for the quality of work they deliver. Protesters have made it clear that what is expected from their elected representatives is to do their job and stop maintaining political deadlocks under the pretext of endangered ethno-national interests. In the same context, they sent a plain message that the very content of the JMBG law is not of their concern; the only thing that matters is for BiH children to be given the citizenship rights guaranteed by the constitution. This way they disassociated themselves from all political parties as well as from various other groups, which tried to take advantage of the protests either for advocating more radical and violent expressions of dissatisfaction or for supporting the interests of a particular ethnic group.

Except political blockades and inefficient governments, what frustrates the BiH citizenry is that they have been completely excluded from the political processes in the country with no opportunity to influence or change the current order of things. So far the BiH political elites have proven to be insensitive towards the expectations of the people, unwilling to respond to their elementary demands. That is exactly what happened during the JMBG protests as well; as U.S. ambassador to BiH Patrick Moon put it, "Bosnia and Herzegovina just might be the only democratic country in the world where political leaders respond to protests by trying to boycott their own citizens".

What is more, the Croat and especially the Serb political parties have tried to portray the protests as politically orchestrated by the Bosniak parties in order to transfer the political crisis from the FBiH to the state level. RS President Milorad Dodik has called the events of 6 June as 'the most massive hostage crisis ever held in the region of the former Yugoslavia' which aimed to create a political pressure on RS and its representatives to accept the version of the JMBG law advocated by the Bosniak parties. The Chairman of the Council of Ministers of BiH Vjekoslav Bevanda went as far as claiming that protesters intended to kill him as he was trying to sneak out of the parliament building during the night of the blockade. The Bosniak member of the state presidency Bakir Izetbegović sent an indifferent message to protesters calling them not to take to the streets but to wait for the 2014 elections. The result was that Serb and Croat MPs, due to 'safety risks' in the BiH capital, refused to attend any further parliamentary sessions. The fact that some Bosniak nationalist groups tried to take over the protests after the initial energy and enthusiasm of protesters subsided only helped BiH politicians to drag a peaceful and civic expression of public discontent into the ethno-national spat and prevent solidarity on the ground.

After a full month in which the BiH parliament had not held any sessions but the

parliamentarians got regularly paid, the BiH Council of Ministers only recently answered to the protesters' demands by confirming the JMBG law proposal, after which it got adopted by the BiH House of Representatives. What initially seemed as a delayed victory of the JMBG protests was very soon frustrated. The draft law was not adopted in the BiH House of Peoples, due to a veto based on the protection of vital national interest clause by the Bosniak caucus. The position of the Bosniak representatives is that the proposed version of the JMBG law, which classify the regional labels along the entity lines, leads to further decentralisation of the country. The next phase in the decision-making process regarding the controversial law is not expected before September 2013.

A civic awakening in Bosnia?

The potential and legacy of the JMBG protests lies in at least two features. First, the non-adoption of the JMBG law was just a trigger for citizens to show their discontent with the deteriorating social and economic situation as well as the prolonged political crisis in the country. The protests mobilised citizens in response to government's incompetence, inefficient administration, and indifference and lethargic reactions to the problems of the ordinary citizens. What is fascinating in this is that the BiH citizenry does not have a tradition of fighting for their rights through social movements of this kind. Since the end of the 1992-95 war, Bosnian society has largely remained apathetic and passive, lacking civic-mindedness and ability to democratically express dissatisfaction with the country's politico-economic predicament. The recent protests, which have been conducted peacefully and in the most dignified manner, could be a sign of spread of civic and democratic participation in BiH.

Second, and in relation to the above, these protests could signal the beginning of the awakening process of the BiH society and serve as a driving force for its future actions and behaviour. JMBG protests have empowered citizens to mobilise and start seeing themselves as a crucial factor in the process of social change and political transformation. If the protests are perceived as a starting point in the development of a deeper and bottom-up socio-political consciousness, then it becomes less important that they ended up achieving very little tangible results.

But despite this promise, the scope and potential of the JMBG protests need to be approached with cautious optimism. Bosnia and Herzegovina remains an ethnically deeply divided country; its decentralised and fragmented institutional structure not only does not work towards reconciliation, but even reinforces division and frustrates reform. The JMBG protests were largely confined to the Bosniak and Croat-dominated entity, not managing to spread across entities. The feeling of solidarity - mostly expressed through social media - remained latent in the Serb-dominated RS, whose equally dissatisfied citizens failed to

raise their voice against political ills. The lack of common action about the JMBG issue, which was the most civic/non-ethnic cause in decades, confirms the thesis that a widespread cross-ethnic mobilisation in BiH is still unrealistic. The seeming, towards the end of the JMBG controversy, Bosniak nationalist groups' hijacking of the protests, shows that the Bosnian civic forces are still weak, insufficiently organized and unprepared to cope with serious challenges put before them by ethnic division. To the above one has to add also the fact that BiH politicians still have the power to present every issue in ethno-national terms and reactivate inter-ethnic distrust. All these factors show that the road for further civic activism in BiH and for preserving the accomplishments and legacy of the 'Babylution' will be an uphill one.

Το ΕΛΛΗΝΙΚΟ ΙΔΡΥΜΑ ΕΥΡΩΠΑΪΚΗΣ ΚΑΙ ΕΞΩΤΕΡΙΚΗΣ ΠΟΛΙΤΙΚΗΣ (ΕΛΙΑΜΕΠ) ιδρύθηκε το 1988 και λειτουργεί ως ένα ανεξάρτητο, μη κερδοσκοπικού χαρακτήρα ερευνητικό και επιμορφωτικό ίδρυμα. Μέσω του πολυετούς έργου του έχει αναδειχθεί σε σημαντικό φορέα πληροφόρησης, μελέτης και σχεδιασμού θεμάτων εξωτερικής πολιτικής, και θεωρείται ένα από τα πιο έγκριτα σε διεθνές επίπεδο κέντρα μελετών της Ελλάδας στον τομέα των Ευρωπαϊκών υποθέσεων και των διεθνών σχέσεων.

Το ΕΛΙΑΜΕΠ δεν εκφράζει, ούτε εκπροσωπεί συγκεκριμένες πολιτικές απόψεις. Επιχειρεί μόνο να λειτουργήσει ως θήμα ελεύθερου διαλόγου και ως κέντρο παραγωγής και ανταλλαγής ιδεών.

The HELLENIC FOUNDATION FOR EUROPEAN AND FOREIGN POLICY (ELIAMEP) was founded in 1988 and operates as an independent, non-profit, policy-oriented research and training institute. It functions as a forum of debate on international issues, as an information centre, as well as a point of contact for experts and policymakers. Over the years, ELIAMEP has developed into an influential think-tank on foreign policy and international relations issues.

ELIAMEP neither expresses, nor represents, any specific political party view. It is only devoted to the right of free and well-documented discourse.