The Serbs in Bosnia and Herzegovina, Croatia, and Kosovo

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Abstract: When Yugoslavia dissolved in the 1990s, many Serbs found themselves in new states in which they were not the majority population. They often rejected their inclusion in these states, first through political boycotts and then through violence and secession. This paper will look at the integration of the Serb community in the new states of Bosnia and Herzegovina, Croatia, and Kosovo. The aim is to achieve a clearer picture of the different strategies of state-building and group integration in the post-Yugoslav states. The integration of Serbs in these states took place in a number of ways: in Bosnia and Herzegovina they were recognised as one of three constituent peoples (in 1995), while Croatia awarded Serbs the status of a national minority. In Kosovo (after 2008), Serbs have also been recognised as a constituent element of the state and protected by legal equality. Applying the framework of the “quadratic nexus”, this paper will look at the interplay of new states, the Serb community, Serbia, and international actors in order to assess the current state of Serb integration in these states.

Keywords: Serbs, Bosnia and Herzegovina, Croatia, Kosovo, minority rights, autonomy, international actors

Introduction

Serbs were the largest ethnic group in socialist Yugoslavia. Yet they lived not just in the Republic of Serbia; large numbers of Serbs also lived in Croatia (about 12 per cent of the Croatian population was Serb in 1991), in Bosnia and Herzegovina (more than one-third of the population of Bosnia was Serb) and in Kosovo, a Serbian province with a dominant Albanian population. When Yugoslavia fell apart in the early 1990s, fundamental questions were asked about the future of the Serbs in Bosnia (some
1.3 million), in Croatia (around 580,000) and later also about the Serbs in Kosovo (some 195,000). The main concern was over the role of Serbs in these new states and over their relationship with Serbia. These questions had a substantial impact on the political development of Yugoslavia and its successor states after 1991, and remain key challenges for the future stability of the whole Western Balkans region. Through analysing them, two important dimensions of post-war politics in Bosnia, Croatia, and Kosovo will be highlighted. First, the paper discusses how different mechanisms of minority integration have been used and how successful they have been. This will provide further explanations for the state-building and democratization processes that have evolved in the post-Yugoslav states, and have affected Serb communities, particularly outside of Serbia. Second, the role of international actors is addressed. This cannot be overestimated in questions related to minority rights and Serb community integration in Bosnia, Croatia, and Kosovo. The impact of international actors on the different mechanisms used and their insistence on certain forms of Serb integration in these countries has substantially impacted upon the post-war development in the three case studies.

These questions also reflect some of the wider discussions during the break-up of Yugoslavia, particularly between those that assumed that the Republics of Yugoslavia had a right to independence (such as the Badinter Commission) and those that referred to the 1974 Constitution of Yugoslavia, in which the right for self-determination is given to the peoples of the state. Hence, the fact that the republics were not homogenous and that some of the titular nations were spread across different regions became a major source of conflict in the aftermath of the declarations of independence of Slovenia and Croatia in 1991. Furthermore, as will be shown throughout this paper, the role international actors played in the creation – and further development – of these states also heavily impacted upon the role and rights of the Serb community in these countries. In short, in countries where international actors were heavily involved in state-building and were present “on the ground”, Serbs usually enjoyed a higher degree of autonomy and protection.

This paper looks at the different integration mechanisms used by international actors and local elites to re-integrate and reconcile the Serbs in Bosnia, Croatia, and Kosovo after these states became (de facto) independent. The majority of Serbs in all three countries opposed the independence of these states and indeed fought against it violently.

4 These numbers are taken from the 1991 census in the Yugoslav Republics and are available via the national Statistical Bureaus.
5 Different international actors played a key role in all three countries. While NATO mainly focused on the military aspects of de-escalation and de-militarization, the UN supported refugee return and in Kosovo also the political transition. In Macedonia, the EU played a particularly important role after the Ohrid Agreement, while in Bosnia the Peace Implementation Council (PIC), which includes a number of countries involved in the peace process, became an important actor, as they oversee the work of the Office of the High Representative.
6 I use the term de facto independence because I look at Kosovo after 1999, when it was still part of Serbia but under the administration of the UN Mission in Kosovo (UNMIK). Kosovo will be treated in this paper as an independent country after the declaration of independence by the Kosovo Parliamentary Assembly in February 2008.
7 Montenegro will not be considered in this paper, because identities remain fluid in the country and there are no special institutional provisions for the integration of the Serb community in Montenegro. For more information see Jelena DZANKIC, Lineages of Citizenship in Montenegro. CITSEE Working Papers 2010/14 available at: http://www.law.ed.ac.uk/file_download/series/371_lineagesofcitizenshipinmontenegro.pdf, 12.09.2012.
8 Neither the Serb statelet Republika Krajna, nor the RS in Bosnia ever joined Serbia or were recognized by