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The Influence of a New Geopolitical Environment on the Peace and Security of the Western Balkans

Abstract

Trends in the EU and NATO are certainly a part of global international efforts and communications along with being integral parts of the actions of those progressive forces that strive towards global peace, security, and social progress. Therefore, European trends cannot be taken out of the global context of international relationships or any other efforts to make positive changes in the world. The countries of the Western Balkans are faced with important political, economic, and security challenges, and should support one another in the process of their accessions to the EU and NATO and create the necessary conditions for the development of a better European defense and security relevant as regards the security interests of NATO. As part of democracy and humanity, their friends should help in the building of a safer geopolitical environment. In the search of a better solution, it is recommended to focus on the values and goals of all citizens and peoples of the Western Balkans. This primarily includes dignified living in a modern, prosperous, and democratic country. A country of this kind in the Western Balkans can exist only by being fully integrated in the European and global organisations and by respecting contemporary global standards. The future of the countries of the Western Balkans cannot rely on negative, narrow-minded concepts or approaches. Their future should be founded on universal human values. And not only the future of the Western Balkans, but the entire region where it is situated. All of us should understand that happiness and prosperity of one people in this region should not be built upon the misfortune of others.

Keywords: Western Balkans, Peace, Security, International Law, International Relations

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Introduction

Our enemies are bound by nothing but the desire to destroy us.

With these words, Zbigniew Herbert, a poet of the modern age, described the siege of Warsaw in World War II.

If Europe wants to take itself seriously, it must be able to create peace and stability throughout its territory. Therefore, the question is whether the war conflicts and problems will be overcome in the long term in the territory of the Republic of Serbia. It is, at the same time, a question of the credibility of Europe itself.

Wolfgang Schauble, during his visit to Sarajevo.

Today, the question of territorial changes and, in general, any and all changes in state borders represents one of the core questions of international public law. Indeed, the question of international peace and security among states is closely related to the issue of state borders. A change of sovereignty over a territory does not only represent something that is relevant to those states between whom these changes occur, but something that has greater consequences for the region and to all of the international system as a whole. Thus, the question of the delineation and determination of state borders is of significant importance not only to international law, but is something that is often and closely considered by the organisations and institutions that are tasked with safeguarding and enforcing international law (as much as it can be stated that international law can be enforced). The first relevant fact in relation to territory and state borders is the fact of the existence of the state. A state can be said to exist as long as it is capable of protecting and safeguarding its territory (and how well it can do so) to the very reaches of its border. By protecting its territory, international law in the same manner protects state borders that are the determinant of the existence and the completeness of the state.

State borders can be considered to be stable and persistent to the degree that the state can be considered to be stable. However, unstable states need to have stable borders to the degree in which it becomes significant to international peace.

In determining state borders, the international law principle of *uti possidetis* is of particular relevance. It is true that some scientific theoreticians have disputed the legal character of this principle, considering it to be a political principle (Avramov, 1980). This was particularly present during the times of decolonisation. Guatemala and Honduras declared

their independence from Spain on the 15th of September 1821. However, by signing the agreement, disputes over the delineation of the border did not cease and continued at a later date, in particular during the middle of the 19th century (particularly during the 1917, 1927, and 1930 incidents). In the end, the issue of borders was presented as an exclusively legal question and the dispute was referred to the Special Border Arbitration body for resolution whereupon the parties agreed that according to article 5 of the previously mentioned agreement, “the only legitimate border that can be established between two states is the one that was established in 1921.” Thus, the international legal principle of *uti possidetis iuris* was created that meant the principled agreement of Latin-America stated that their borders should be delineated according to the administrative division of the Spanish colonial empire, as it existed in the time of the acquisition of independence of these states (United Nations, 1933) in Đorđević in 1988. The doctrine contained in the *uti possidetis* principle was widely propagated and expanded upon to include not only land territory borders but maritime borders as well. “There were attempts to prove that the *uti possidetis* principle was not applicable in the determination of maritime borders between new coastal states. This is not correct. If the central government of a predecessor state had entered into an agreement on the delineation of maritime spaces with the neighbouring country, those agreements remain in power and are binding, both the coastal state successor and the third state that is the party to the agreement” (Degan, 2011). “In recent years, the principle of *uti possidetis* has been confirmed by the international judiciary in regards to maritime borders as well. The first to apply it to maritime borders were a number of judges (Ago, Jimenes de Arechaga) in their opinions to the verdict by the International Court of the 24th of February 1982 on the dispute regarding the borders of the epicontinental belt between Tunisia and Libya (CIJ, 1982, pp. 97–98, par. 5 p. 131, par. 100). The principle of *uti possidetis* at the determination of the maritime border was applied by the international arbitration in the verdict of the 31st of July 1989 in the border dispute between Guinea Bissau and Senegal, and then by the International Court of the 11th of September 1992 in the dispute of El Salvador and Honduras (with an intervention by Nicaragua) regarding the border on the land, the islands, and the sea” (CIJ, 1992; Andrassy, 1971).

There were attempts for *uti possidetis* to acquire the character of a *ius cogens norm* in international law. This did not occur, so, as a result, *uti possidetis* had only just remained the generally acceptable principle of international law that was accepted by the practice of the International Court in The Hague and by various arbitration courts. As a result, *uti*

possidetis was applied by the arbitration commission of the European Community at the Conference on SFR Yugoslavia during the resolution of the issue of state borders in the process of the dissolution of SFR Yugoslavia. Thus, for consistency, *uti possidetis* had become the generally-accepted principle of general international law. “Except when it is otherwise agreed upon, former borders become state borders protected by international law.” This conclusion follows from the principle of the respect for the territorial status quo and in particular from the *uti possidetis* principle. *Uti possidetis*, even though it was initially applied in the resolution of issues of decolonisation in America and Africa, is today known as a general principle, as was cited by the International Court of Justice in its decision of the 22nd of December 1986 in the dispute between Burkina Faso and Mali (Dispute on the state border, 1986; ICJ Report No. 554 and No. 565): “In spite of this, this principle is not a special role that exclusively relates to one specific system of international law. It is a general principle that is logically linked with the phenomena of gaining independence, wherever it takes place. Its obvious purpose is to prevent that independence and stability of new states be endangered by fratricidal fighting” (Opinion no. 3, 1992). However, this does not mean that it is to this day respected and applied literally. However, despite everything, it remains the principle of overcoming the past; the *uti possidetis* principle is one of the most important principles in international relations as regards territory boundaries and border delineation and determination. It has a much broader meaning from the one assigned to it by legal science and court decisions. Today, the *uti possidetis* principle significantly connotes in international relations and abounds in exceptional political values among states and international organisations. It has presented itself as a fairly flexible principle of peace and protection of the territorial integrity of a given state, especially in cases of state succession. This is particularly relevant if one keeps in mind that this principle enables great change especially when it comes to the creation of new states as a consequence of decolonisation or the dissolution of a predecessor state. By applying this principle, states can order the borders as they see fit, conditioned by achieving a mutually-agreed-upon agreement that the states are at liberty to enter into a situation to redefine their borders should they wish to do so. In the case wherein no agreement on the issue of borders can be made, as an expression of free will among states, the principle of *uti possidetis* is put forward as a binding international legal principle. In the present times, when the decolonisation process has mostly been completed, and the dissolution of states is not a common occurrence; most borders have been determined by bilateral or multilateral international agreements and

there is no obstacle to make the subject of international agreements any borders that are not in dispute, therefore, disputed border delineations and those that have been established by agreement to which the succession of states have absolutely no impact. There is no need to especially point out that imperative norms of international law, contained in the UN Charter, prohibit any threats of force and/or the use of force against the territorial integrity of a state.

The security marginalisation of a given state signifies another's efforts to harm the geopolitical status of that state by preventing its political and economic cooperation with other states and, in particular, in the immediate and wider area and by preventing the establishing of good international and interstate relations. Unfortunately, a normal state is not what its neighbours often want. Every opportunity for its weakening is sought after. The European Union and the United States of America need to know that the interstate cooperation in the area of the Western Balkans is a guarantee of a successful realisation of this grand project of peace and security that all purportedly strive towards. If they really do want to expand regional cooperation and conduct successful efforts against destabilisation in the Western Balkans, the EU and the US need to accept the fact that the strategic role of each state in this area and in this regard cannot be denied. After having led their policy towards individual states in this incorrect manner for so long, they now have an opportunity and a mandate to stymie and assuage those errors of old. The real struggle against all forms of radicalism, extremism, and violence can be lead only through the strengthening of the common market in the wider region, and this supposes the involvement of the countries of the Western Balkans and South-Eastern Europe. Such cooperation should not disturb anyone's economic interests in the least, and would rather help to achieve them.

For the strengthening of its international reputation, Serbia uses lobbying. It is known that a group of 24 US Senators once wrote to the then US President George W. Bush stating that South-Eastern Europe was one of the key regions in which democracy should be strengthened, and that Serbia had developed in to a strong regional partner to the United States. However, the US-owned Associated Press published a voluminous study of the more realistic overview of the status in Serbia. In the said study it stated that Serbia had become an economic tiger in the Balkans, but that a new explosion of nationalism and fresh isolation from the West was foreseeable and indeed probable.

Characteristics of the New Geopolitical Environment of the Western Balkans

The term “Western Balkans” is used with the meaning assigned to it by the European Union, which, by practice, includes the states that have been or will be mentioned in this paper. These are mainly states that are encompassed by the process of stabilisation and accession and whose stated goal is membership in the EU. “Western Balkans” is a political term that is used to express the strategy of the EU toward the area of the former SFR Yugoslavia without Slovenia yet with the inclusion of Albania. The actual area that encompasses what is being termed as the “Western Balkans” is delineated in a document titled *The Process of Stabilisation and Accession of the States of South-Eastern Europe* (Brussels, 1999).

Through the building of the new European geopolitical subjectivity, Europe wants to become a political, economic, and military force of the first order in the hierarchy of the world. Because of that, it is necessary for Western Balkan states to adopt the position and accept that their primary and stated goal, both in private, domestically, and in their relations with the international community should be to enter into the European Union and NATO as a significant prerequisite of permanent peace and security in the area of the Western Balkans. In modern international relations, Euro-Atlantic integration has become a political/legal category on which much debate had been conducted. The policies of the international and European community have made their determination for the Euro-Atlantic path, and what is needed is to support pro-reform governments instead of taking them down. As far as integration into NATO is concerned, the former president of Serbia, Tomislav Nikolić, after accepting the duty of the office of the President of Serbia stated: “Serbia will not be a member of any one military alliance.” The current President of Serbia, Aleksandar Vučić, when receiving the duties of the office of the President of Serbia, stated that Serbia is a militarily neutral state. The same is being stated by the current President of the Entity of Republic Srpska, Milorad Dodik, on the military neutrality of said Bosnia and Herzegovina Entity, seemingly deliberately not bearing in mind that entities do not have foreign policy or a military position, as these are the exclusive prerogatives of the state as the polity body.

After the end of the previous wars, the horizons of the safety policies in the Western Balkans expanded and its states (to varying degrees) began taking steps to ensure their inclusion into the Euro-Atlantic integration process. Bosnia and Herzegovina is actively involved in the Stabilisation and Association Process (SAP) of the states of South-Eastern Europe and

submitted their submissions/answers to the EU questionnaire, along with the resolution of prerequisite goals for gaining EU member candidate status. In the answers to the EU questionnaire, Bosnia and Herzegovina delivered the information that was sought, but the information was based on problematic sources, such as, for instance, the latest census in The Republic of Srpska, thus opening a new polemic. Some of the answers were clearly based on wishful thinking instead of concrete and objectively provable facts.

The EU Commission issued a positive opinion, albeit with caveats, for Bosnia and Herzegovina to receive candidate status (European Commission, 2022). At the time of writing, the actual date when the negotiations are to begin is not certain. It is presumed, however, that Bosnia and Herzegovina's candidate status was given not so much on merit but as a response to the growing Russian influence in the area of the Western Balkans.

Serbia, which borders Bosnia and Herzegovina, is going through similar processes. Changes in Bosnia and Herzegovina, Serbia, and the broader Western Balkans geopolitical environment have implications for a variety of challenges and opportunities with which Bosnia and Herzegovina and other states might have to contend with in the future. At the highest level, the states of the Western Balkans will be exposed to globalisation.

Behind the question of identity and its perception, the modern geopolitical environment is also characterised by various functional questions that cut certain geographical and administrative lines and make rigid definitions of questions of regional security less and less relevant.

Regional policies and perceptions are, to a significant degree, mutually dependent. Frequently, the bindings and interactions of questions and suggestions as regards the territorial establishment of the states are present. The example of Bosnia and Herzegovina has renewed concerns regarding its safety arrangements and has offered a discouraging example on how a beneficial international geopolitical environment does not have to be the guarantee of stability, safety, reconciliation, or conflict resolution. Important safety questions relate to the protection of the environment. No state alone should be allowed to plan procedures or make arrangements that can result in crisis, such as, for example, those related to state environmental risks. Indicative is the example of the Republic of Croatia which should bear in mind the damage that might be inflicted upon Bosnia and Herzegovina if it were to build a nuclear waste depot at Petrova Gora near the state's border, for which there is much evidence (Vesti Slobodna Evropa, 2023). For that reason, a necessary incentive for regional cooperation, coordination, and financing is needed.

Additionally, in practice, problems related to migrations from east to west going through the corridor of the Western Balkans to various degrees are present and bear a particular impact on the geo-political situation in the region, with most of the migratory movements being economic in nature. The current geopolitical environment of the states of Western Balkans means that they are unable to bear the costs alone and, in that regard, need assistance from the EU and the US as well. The question of terrorism has continued to be a sort of neuralgic problem, because it is mostly linked to foreign nationals from the Muslim world instead of being connected to the category of person, regardless of national or religious affiliation. Intensive campaigns on alleged Islamic terrorism strengthens the need for a multilateral approach to this problem.

Certain officials in Bosnia and Herzegovina and abroad, from time to time, ostentatiously portray Bosniaks as potential terrorists (Margetić, 2006). However, the European Union Force in Bosnia and Herzegovina (EUFOR) and the International Police Task Force Bosnia (IPTF) have had no evidence that Bosnia and Herzegovina and the area of the Balkans present a greater threat from terrorist activities than any other state, European or otherwise, in the world. Speculations on the presence of terrorists in Bosnia and Herzegovina and the Western Balkans appear with troubling regularity in certain media, as was confirmed on the 25th of April 2006 by EUFOR spokesperson Karen Halsey (Halsey, Brkic, 2006).

The status of good neighbourly relations will have a crucial effect on the security situation in the region, which could be one of the most pronounced areas of European safety. Good neighbourly relations are a highly important prerequisite connected to the building of multiethnic states, yet the security situation is burdened by the fact that many war criminals have still not faced justice and are free from prosecution and incarceration. As long as there is no efficient safety architecture in the Western Balkans, it is impossible to develop a safety architecture for the EU. It is possible that the Western Balkan area will rise in prominence in both the EU and NATO in the new geopolitical environment dominated by the threat posed by Russia. This should reduce the risk of covert direct Russian and pro-Russian involvement and should result in higher investment in the region thus creating better opportunities leading to the development of the region to a degree comparable to the centre of Europe and to its southern periphery.

European safety policy and identity will, most probably, and to a high degree, be felt in the area of the Western Balkans, or, in other words, Europe's backyard. Bosnia and Herzegovina could be a test for European seriousness as regards its security.

One of the characteristics of the new geopolitical environment is the permanent marginalisation of this area in which Europe is faced with the challenge of stabilising and integrating poor, unstable societies in its south. The nationalisation of state policies would mean a return to tighter relations with neighbours and Brussels alike.

The Economic Environment

Political unrest and past wars have been the biggest limitation to the investment of foreign capital in the area of Western Balkans, whose poor trade lines to EU countries and the US continue to discourage foreign investment. Poor communication and transportation infrastructure (in some areas, for instance in Croatia, this has been significantly improved) has deterred and continues to deter foreign investment. For these reasons, the upgrade and creation of a regional traffic infrastructure has become the focus of several initiatives of the Stability and Growth Pact for Southeastern Europe. The emphasis on the traffic network is understandable because the density of the travel networks in the area is significantly below European standards, emphasising that what appears to be happening is an emphasis on road infrastructure to the unwarranted detriment of rail infrastructure (European Commission, 2009).

The economic recovery of the Western Balkans can be a key area for the US and the EU in stabilising and modernising states in their transition. Without international financial aid it will be difficult to perform the transition in the area of the Western Balkans. According to the proponents of the new Marshall Plan, at the cost of 10–15 billion USD, the entire transition in the entirety of Central and Eastern Europe could be exacted, covering an area where 125,000,000 people live. This amount of money might seem large, but, for the sake of comparison, NATO's yearly budget is over 250 billion USD (Clague, Rausser, 1992).

Economic development in this area can have a direct and important impact on the security situation and on the reduction of the migration of the population. Europe is facing the challenge of the development of a cooperative model of security. The transition from so-called “war time economies” that the countries had during the dissolution wars of the 1990s has created fertile ground for graft, corruption and, correspondingly, crime. This results in violence as a very real factor that must be taken in to consideration during economic decisions. All of this will have to be taken in to account when working on implementing a system of proper economic development in the region.

The Role of the US, EU, NATO, and the Russian Federation in the Military-Political Stabilisation of the Western Balkans

Regardless of the role that the US will have, it is fast becoming evident and undeniable that the EU will, in the long term, play a leading role in the Western Balkans. Brussels should prevent the development of new political and economic borders within the Western Balkans that could represent the foundation for new conflicts (the resolution of the Kosovo problem to the detriment of Bosnia and Herzegovina, the resolution of the maritime blockade of Bosnia and Herzegovina by building the Pelješac bridge, etc. are fine examples).

NATO will, in the future, have an important impact on the regional stability of the Western Balkans. After the completion of the stabilisation process in Central Europe, the undertaking of the final and more complete stabilisation of the Western Balkans should take place. Membership in NATO is high on the wish list of the governments of the Western Balkan countries (except for Serbia and those states that are already members). If these expectations do not come to fruition, pro-reform governments could be significantly weakened.

If the US were to withdraw from the Western Balkans and minimise their engagement, the Russian Federation could fill the resulting geopolitical vacuum and begin to play an even more prominent role in the region. It is known that the Balkans were traditionally a focus point of Russian foreign policy.

The future of the Western Balkans region should not be isolated, but should be in line with the goals of the international community, as they relate to this part of the European continent and the European family of nations. Thus, without enacting and respecting European standards and criteria, the region cannot only be included in the EU but also, in general, cannot approach developed European countries.

For the international community, taking the role of arbiter in the realisation of the peace process in Bosnia and Herzegovina for the achievement of more efficient results, it will be inevitable to impose the need for the continuation of the cooperation and the globalisation of the Western Balkans. As regards the European determination for a unified Bosnia and Herzegovina, it is expressed through a new mission: the Special Representative of the EU (EUSR); the European Commission (EC); the Armed Forces of EU (EUFOR); and the Police Mission of the EU (EUPM). The EUFOR forces took over from the SFOR forces with regard to the assignment of ensuring a stable and secure environment in

Bosnia and Herzegovina on the 2nd of December 2004, which was one of the prerequisites of the reintegration of Bosnia and Herzegovina into the EU. Together with the Office of the Special Representative of the EU, the European Commission, and the Police mission, the EUFOR forces are part of the broader engagement of the EU in Bosnia and Herzegovina. The military presence of the EU will complete the economic, political, and police-based engagement of the EU in Bosnia and Herzegovina. The goal of this engagement is, of course, a truly European Bosnia and Herzegovina (European Commission, 2023).

The International Aspect of the Security of the Western Balkans

It can be defined as a rule that the degree of acceptance of a foreign international community and individual international organisations in the region of the Western Balkans will completely match the degree of integration within the Western Balkans of the individual states in the fields of security and other relevant fields.

In creating a vision of security of the Western Balkans, the common ground of all nations that exist in the region needs to be preferred and promulgated without undermining or ignoring the existing disagreements that need to be resolved in an open and constructive manner for the region to move forward.

As a consequence of war, there exists a prominent lack of goodwill and trust in the region (Mock, 2017). It is reasonable to expect that in the general populace there will likely and eventually appear a Willy Brandt type figure who will have the audacity and skill to create an objective overview of immediate history and realistic analyses as regards the necessity of coexistence, tolerance, and respect. In the region of the Western Balkans there exists a need to achieve reconciliation and closure as regards the brutal wars that plagued the region in the 1990s. This can be done only by respecting objectively-established facts and ensuring relations among Western Balkan states based on a recognition of the atrocities that were committed. Only once this had been achieved can the region move forward. Mutual forgiveness and reconciliation can be expected to take root only as long as it is based on an objective foundation. In this process, there can be no insistence on forgetting the transgressions of the past. Forcing a people with fresh memories of atrocities to forget prematurely or preemptively might motivate new “attempts to protect endangered national interests” (Esch, Palm, 2021).

For the consideration of each kind of progress in the Western Balkans, including the area's future security and defense, it is vitally important to begin a process of reconciliation and trust as a significant approach to ensuring the removal of the distinct lack of trust and, in occasional cases, even outright hate. The fact is that the necessary reestablishment of good (international) relations is a real possibility which stems from the long history and evidence of cohabitation and tolerance in the region.

So as to eliminate the return of uncertainty, the region should be directed toward building a basis for a reconciliation of the peoples of the Western Balkans. This is contributed to by scientific publications such as this and similar others, scientific gatherings of all kinds, international conferences, etc. As an example of such efforts, the European Center for Peace and Development (EPCD) of the University for Peace from Belgrade, Serbia, organised an international symposium titled *National and Interethnic Reconciliation and Religious Tolerance for the Western Balkans* (European Center for Peace and Development, 2005). Additionally, on the 29th of October 2005, the Commission of the Franciscan Province Bosne Srebrenice for Justice, Peace, and Ecology organised an interreligious meeting titled "Trust and Peace".

Conclusions

Movements in the EU and NATO are certainly a part of global international efforts and agreements and are a constituent part of the actions of those progressive forces that gravitate towards peace, security, and social progress in the world. Thus, not even European movements can be viewed separately from the global context of international relations and all other efforts for positive changes in today's world.

Before the states of the Western Balkans are significant political, economic, and security-based challenges. It would be very useful if said states supported one another in the process of becoming members of the EU and NATO and in creating the conditions for the development of more capable European defense and security that is more relevant to the security interests of the NATO alliance. Our friends should, in a true democracy and in human endeavours, help in the building of a safer geopolitical environment.

In seeking the best solutions it is recommended to have the values and goals for which all citizens and peoples of the Western Balkans are interested in as a guide. Here, above all else, there should be included a dignified life for individuals in a modern, prosperous, democratic state, but such an individual and such a state can exist only with the full

integration of the states of the Western Balkans in modern European and world organisations, with all due respect for contemporary, modern-world standards.

The future of the states of the Western Balkans cannot be based on negative and narrow-minded concepts and approaches. Their future needs to be founded on universal human values. It is not only the future of the Western Balkans which is at stake, but the future of the wider region in which it is situated is at stake, too. We all should be clear that the happiness and prosperity of the peoples in this region cannot be built to the detriment of anyone else.

Safety marginalisation of a given state means efforts to harm the geopolitical status of that state through the prevention of its political and economic cooperation with other states, and in particular in the direct and broader environment and the establishment of good international and interstate relations. Unfortunately, a normal state is not what its neighbours often want. Any opportunity for its weakening is sought. The EU and the US need to accept the fact that the strategic role of each state in the Western Balkan region in this regard will not be denied, and after so long having led the wrong policy towards its individual states, they must strive to correct their previous errors. The real struggle against all forms of radicalism, extremism, and violence can be driven forward only through the strengthening of a communal market in the broader region, and this includes the involvement of the states of the Western Balkans and South Eastern Europe. Such cooperation would not disturb any particular state or people's economic interests. To the contrary, it would only complete them.

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