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Date: Dec 12 2025

The Honorable Keith Self

Chair
Subcommittee on Europe
Committee on Foreign Affairs
U.S. House of Representatives
Washington, DC 20515

The Honorable William R. Keating

Ranking Member
Subcommittee on Europe
Committee on Foreign Affairs
U.S. House of Representatives
Washington, DC 20515

Re: Annex to letter Formal Rebuttal to Testimony of Mr. Max Primorac

“Hearing on the Path Toward Stability in the Western Balkans”***

The Bosniak community of North America respectfully submits this rebuttal in response to the recent testimony of Mr. Max Primorac before the House Committee on Foreign Affairs, Subcommittee on Europe, regarding the “Path Toward Stability in the Western Balkans.” Representing a community of approximately **300,000 Bosniaks living in the United States**, we speak as **loyal, law-abiding, and hardworking American residents and citizens** who have consistently demonstrated commitment to the values, security, and long-term interests of the United States.

Bosniak Americans are deeply integrated into American society—as business owners, professionals, veterans, first responders, academics, and public servants—and have always placed **U.S. national interests first**, including strong support for transatlantic security, NATO, and democratic institutions. Our community has a direct stake in the stability of the Western Balkans, not as advocates of any foreign agenda, but as partners of the United States who

understand that instability in the region undermines American strategic, security, and humanitarian objectives.

We object to Mr. Primorac’s testimony because it **misrepresents the causes of instability in Bosnia and Herzegovina**, inaccurately portrays Bosniaks as principal destabilizing actors, and diverts responsibility away from documented secessionist actions and foreign malign influence. Such mischaracterizations are not only analytically flawed but risk **endangering U.S. interests** by legitimizing obstructionist behavior, weakening international enforcement mechanisms, and emboldening actors aligned with Russia and other authoritarian powers.

This rebuttal is submitted in good faith to correct the record, to ensure that U.S. policymakers receive an accurate understanding of conditions in Bosnia and Herzegovina, and to reaffirm that a stable, sovereign, and democratic Bosnia—anchored in the rule of law and transatlantic institutions—is fully aligned with the national interests of the United States.

Policy Rebuttal to Max Primorac’s Approach on Bosnia and Herzegovina

Summary

This policy rebuttal addresses and refutes the analytical framework and policy recommendations advanced by Max Primorac regarding Bosnia and Herzegovina (BiH). Max Primorac's paper on Bosnia and Herzegovina (BiH) is riddled with historical distortions, analytical oversimplifications, and demonstrably false claims, rendering his policy recommendations not only impractical but actively harmful to U.S. interests and Balkan stability. It demonstrates that his approach rests on factual inaccuracies, selective legal interpretation, and a political bias that aligns more closely with Croatian ethno-national priorities than with U.S. strategic interests. In particular, this rebuttal disputes claims that Bosnian Croats suffer gross discrimination and shows that Croats are, in fact, disproportionately represented across BiH’s governing institutions.

Conclusion: Adopting Primorac’s proposals would undermine Bosnia’s sovereignty, reward divisive actors such as Milorad Dodik and his SNSD party and HDZ, destabilize the Western Balkans, weaken Euro-Atlantic integration, damage U.S. credibility as a guarantor of post-conflict peace, and open the door to increased Russian and other malign influences.

I. Mischaracterization of Bosnia and Herzegovina as a “Failed State”

Primorac’s repeated characterization of Bosnia and Herzegovina as a “failed state” is analytically unsound and politically consequential. Under internationally accepted criteria, a failed state is one that lacks territorial control, cannot provide basic public services, has collapsed institutions, or has lost its monopoly on the use of force.

Bosnia and Herzegovina does not meet these criteria. It maintains internationally recognized borders, functioning state institutions, regular elections, tax collection, public education, healthcare systems, and law enforcement. While governance is impaired by political obstruction and veto abuse, this constitutes a *dysfunctional or constrained state*, not a failed one.

The “failed state” label serves less as analysis and more as political framing that delegitimizes Bosnia’s sovereignty and echoes narratives used by secessionist actors.

The Myth of a "Nation-Building Failure": A Straw Man Argument

Primorac's central premise – that international efforts to build a peaceful and democratic BiH have "failed" – is a gross exaggeration. While BiH undeniably faces significant challenges, progress *has* been made, particularly in areas like:

- **Security Sector Reform:** The once-warring armies have been integrated into a single, professional armed force under civilian control.
- **Bosnia has functioning institutions,** holds elections, and participates in international affairs.
- **Refugee Returns:** While incomplete, significant refugee and displaced person returns have occurred, a direct result of international support and Dayton's provisions.
- **Economic Development:** Although uneven, BiH's economy has grown since the war, with increasing integration into regional and European markets.

To neglect these achievements is disingenuous and ignores the immense difficulties of post-conflict reconstruction and sets an impossibly high bar. The relevant question is not whether BiH is perfect, but whether Primorac's alternatives would improve the situation – and the answer is a resounding no.

II. Selective and Inaccurate Interpretation of the Dayton Peace Agreement

Primorac asserts that further ethnic decentralization or the creation of three ethnically defined federal units represents a return to the “original intent” of the Dayton Peace Agreement. This claim is historically and legally incorrect.

Dayton:

- Preserved the international legal continuity of Bosnia and Herzegovina
- Explicitly rejected partition or confederation
- Created entities as a *post-war compromise mechanism*, not as a permanent ethnic settlement

Annex IV (the Constitution of BiH) establishes Bosnia and Herzegovina as a single sovereign state and does not mandate ethnic federal units. Primorac's interpretation selectively elevates ethnic power-sharing while ignoring Dayton's central objective: preserving Bosnia's territorial integrity and enabling refugee return.

Distorting the Dayton Peace Agreement

Primorac's claim that the Dayton Agreement envisioned a future of ethnically divided entities is a deliberate misrepresentation. Dayton:

- **Affirmed Bosnia's Sovereignty and Territorial Integrity:** The agreement explicitly rejected partition or confederation, a critical point Primorac conveniently omits.
- **Established Entities as Administrative Units, Not Sovereign States:** The entities were intended as transitional mechanisms for post-war governance, not as permanent ethnic fiefdoms.
- **Prioritized Refugee Returns and Minority Rights:** Annex VII of Dayton explicitly guarantees the right of refugees and displaced persons to return to their homes, a principle utterly incompatible with Primorac's proposed ethnic divisions.

Primorac's focus on ethnic power-sharing, while downplaying the agreement's core principles of sovereignty and return, reveals a clear bias towards ethno-nationalist goals.

III. Disputing the Claim of “Gross Discrimination” Against Croats

A central pillar of Primorac's argument is that Bosnian Croats, as Catholics, suffer systematic and gross discrimination. This claim does not withstand empirical scrutiny.

A. Disproportionate Institutional Representation

Although Croats constitute approximately 15% of Bosnia and Herzegovina's population, they enjoy *institutional representation well above demographic parity*, including:

- Guaranteed representation in the tripartite Presidency
- Guaranteed seats in the House of Peoples at both state and entity levels
- Extensive veto powers through the “vital national interest” mechanism
- Dominant control of cantonal governments in Croat-majority areas
- Disproportionate representation in ministries, public companies, judiciary bodies, and security institutions

These are example in BiH State and Federation of Bosniak-Croats governments:

In BiH State Government prime minister is Croat Borjana Kristo and Croats hold 3 other minister positions, Serbs hold 3 minister positions and Bosniaks only 2 minister positions. In Bosniak-Croats federal government which according to constitution should have 8 Bosniaks, 5 Croats and 3 Serbs, has 7 Bosniaks, 6 Croats and 2 Serbs

No other minority group in Europe exercises a comparable degree of constitutionally entrenched political leverage relative to population size.

B. Misuse of “Discrimination” Discourse

Political dissatisfaction with election outcomes—particularly the inability of one nationalist party to monopolize Croat votes—does not constitute discrimination. International and domestic courts have not established systemic anti-Croat exclusion. Rather, the problem is one of *elite political competition*, not religious or ethnic persecution. Framing Croats as victims of religious discrimination obscures real governance failures and instrumentalizes identity for political ends.

Primorac's Claim that Catholic Croats suffer "systematic exclusion" and "discrimination" endangering their survival is factually false. He cites a 62% population decrease since 1991 as evidence and 835000 total Croats population in BiH. However correct statistic in 1991 was 760852. Latest population censuses from 2013 cites 544780 Croats which is decrease of 28% not 62%. This is a gross distortion of reality and simply inaccurate statistics. While the Croat population has declined, this is primarily due to emigration for economic reasons (especially after Croatia joined the EU, offering employment opportunities. Another reason is that all Bosnian Croats have dual Croatian and Bosnian citizenship). It's also related to the overall demographic shifts from the war. To compare this to "Muslim-ruled countries with disappearing Christian communities" is inflammatory and completely baseless.

IV. Inflammatory and Inaccurate Language:

- He repeatedly refers to "Muslim Bosniaks," emphasizing their religion rather than their national identity. This is subtle but telling. The correct term is "Bosniaks." By consistently highlighting their religion, Primorac perpetuates a divisive narrative and subtly implies a religious threat where none exists. This aligns with common Islamophobic tropes. He doesn't consistently refer to "Catholic Croats" or "Orthodox Serbs," revealing his bias.
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V. The Three-Entity Proposal and the Legacy of Ethnic Cleansing

Primorac's central recommendation – the creation of three ethnically defined federal units – is a recipe for disaster. His endorsement of ethnically homogeneous federal units ignores the historical reality that current demographics were shaped by war crimes, forced displacement, and ethnic cleansing. Institutionalizing ethnic territories would:

- **Legitimizes Ethnic Cleansing:** The current demographic map of BiH is a direct result of war crimes, forced displacement, and ethnic cleansing. Rewarding these actions with ethnically pure territories is morally repugnant and violates international law.
- **Permanently foreclose refugee return** and entrench segregation. Such an approach violates post-conflict justice norms and contradicts Dayton's refugee-return provisions.
- **Undermines Minority Rights:** Minorities within each ethnic unit would be subjected to political marginalization and potential discrimination, perpetuating the cycle of violence and division.
- **Creates a Recipe for Future Conflict:** Ethnically divided territories would become fertile ground for irredentism, secessionist movements, and renewed inter-ethnic violence.

This proposal is not a solution; it is a guaranteed pathway to renewed instability.

VI. Abolishing the Office of the High Representative: A Risk to Constitutional Order, Reigniting violence and Regional instability

Primorac's call for the immediate dismantling of the OHR is dangerously naive. The OHR, while not without its flaws, has played a crucial role in:

- **Counter open secessionist challenges** and protect minority rights.
- **Enforcing the Dayton Agreement:** The OHR has intervened to prevent constitutional violations while enforcing Constitutional Court decisions
- **Promoting Institutional Reform:** The OHR has facilitated critical reforms in areas like the judiciary, the security sector, and the economy.
- **Preventing Institutional Collapse:** In several instances, the OHR has stepped in to prevent political gridlock and institutional paralysis.
 - **High Representative Schmidt:** The current High Representative is Christian Schmidt, a *Catholic* German politician from CSU. The idea that he is somehow promoting "Muslim centralization" or discriminating against Catholics is absurd and completely detached from reality. This highlights Primorac's blatant disregard for facts. This is completely false and based on HDZ right-wing narratives.
 - **Dodik Example:** He presents Milorad Dodik's case as an example of OHR overreach. Dodik has openly defied the Dayton Agreement and pursued secessionist policies aligned with Russian interests. The OHR's actions against him are not arbitrary but a necessary defense of BiH's constitutional order.

With absent OHR authority, there is no credible enforcement mechanism against systematic constitutional violations. Removing the OHR without a credible enforcement mechanism would empower destabilizing actors, accelerate state disintegration, and potentially lead to a return to violence and potentially regional war.

VII. Evidence of Structural Bias: A “Croatia First,” Not “America First,” Framework

- Primorac’s policy positions consistently **mirror the priorities of the Croatian nationalist political agenda**. (particularly the HDZ). He advocates for policies that would benefit Croatian interests, even at the expense of overall stability and U.S. interests. His consistent alignment with the political agenda of Croatian nationalist parties raises serious questions about the objectivity of his analysis
- **Uncritical Acceptance of HDZ Narratives:** He uncritically accepts the HDZ's narrative of Croat victimhood, ignoring the complex realities of Bosnian politics.
- **Advocacy for Croat-Exclusive Political Units:** He consistently promotes policies that would benefit the HDZ, even at the expense of broader stability and U.S. interests.
- **Gas Pipeline Example :** He criticizes the U.S. Ambassador for imposing a gas law that centralized pipeline management. His argument is that it harmed Croat interests by not allowing them to establish their own gas company. He frames this as a lost opportunity to export more U.S. natural gas. The refutation is that the gas law was aimed at breaking the Russia influence in the country and breaking Russian gas influence.

When combined with supporting documents and affiliations that originate in or closely align with Croatian political advocacy networks, this raises serious questions about analytical independence. U.S. foreign policy must be guided by American strategic interests: regional stability, rule of law, NATO credibility, and EU integration—not the objectives of any single regional actor. This pattern of alignment suggests that Primorac's analysis is driven by a partisan agenda rather than a genuine commitment to objective truth.

VIII. Countering Malign Foreign Influence: A Missed Opportunity

While three witnesses Primorac, Coffey, and Edwards all claim to support Western stability in the Balkans, but they define the problem—and therefore the solution—in fundamentally different ways. We fully agree with Coffey and Edwards who place center instability on **external authoritarian interference**, particularly from Serbia and **Russia (and increasingly China)** and largely accept that Bosnia’s sovereignty and territorial integrity are non-negotiable foundations of stability. Primorac, by contrast, redefines instability as an internal, Bosniak-driven project of “centralization” and religious domination, downplaying or normalizing Serbian, Russian, and Chinese role in Bosnia destabilization. The result is that Coffey and Edwards propose a path to stability through stronger Western alignment and institutional resilience, while Primorac advances a narrative that inadvertently legitimizes secession, rewards obstruction, and weakens the very structures meant to keep the Balkans stable. Instead of treating Republika Srpska’s defiance, Russian backing of Dodik, or Chinese institutional penetration as primary destabilizers, he recasts them as reactions to alleged “Bosniak centralization” and “Muslim domination.” By consistently labeling Bosniaks as a religious bloc rather than a nation, he religionizes constitutional governance itself—turning courts, the High Representative, and state institutions into supposed instruments of “centralist Muslim power”. The result is a narrative in which Bosnia is unstable not because of coordinated

foreign-backed destabilization, but because Bosniaks seek a functional state—thereby transferring guilt from the aggressors to the very group defending Bosnia’s sovereignty. Primorac correctly identifies the threat of Russian influence in the Balkans, but his proposed solutions would only make the problem worse. By undermining Bosnia's sovereignty and empowering divisive actors, his policies would:

- **Create a Vacuum for Russian Interference:** A weakened and divided Bosnia would be more vulnerable to Russian manipulation and influence.
- **Undermine NATO and EU Influence:** Instability in Bosnia would weaken NATO's southern flank and undermine the EU's efforts to integrate the Western Balkans.

A coherent strategy to counter malign foreign influence requires strengthening Bosnia's institutions, promoting inter-ethnic dialogue, and supporting Euro-Atlantic integration – precisely the opposite of what Primorac proposes.

IX. Strategic Consequences for the United States

Adopting Primorac's approach would be a strategic blunder of historic proportions. If his suggestions were adopted following consequences are likely:

- **Destroy U.S. Credibility:** It would betray the U.S.'s commitment to the Dayton Peace Agreement and undermine its standing as a reliable guarantor of peace and security in the Balkans.
- **Empower Authoritarian Regimes:** It would embolden authoritarian leaders in the region and beyond, signaling that the U.S. is willing to abandon its principles for short-term political gains.
- **Encourage secessionist** politics aligned with Russian interests
- **Weaken NATO** and EU influence in the Western Balkans
- **Increase the Risk of Conflict:** It would create a more unstable and dangerous Balkans, requiring a greater U.S. military and diplomatic commitment in the long run. This outcome would directly contradict stated U.S. national security objectives.

Conclusion

Max Primorac’s approach to Bosnia and Herzegovina is analytically flawed, driven by ethno-nationalist biases, and demonstrably factually inaccurate, and strategically dangerous. His claims of Croat discrimination are unsupported by institutional data, while his proposed remedies would deepen ethnic division, undermine Bosnia's sovereignty, and destabilize the region. Bosnia’s core problem is not excessive centralization, nor discrimination against constituent peoples. It is the persistent tolerance of ethno-nationalist obstruction that undermines constitutional order. U.S. policy should reinforce legality, institutional functionality, and civic equality—not reward ethnic cleansing and ethno-territorial maximalism. The United States must

reject this misguided approach and reaffirm its commitment to a multi-ethnic, democratic, and sovereign Bosnia and Herzegovina. The path forward lies in strengthening institutions, promoting inter-ethnic dialogue, countering malign foreign influence, and upholding the principles of the Dayton Peace Agreement – not in dismantling the state and rewarding divisive actors.

References

1. Dayton Peace Agreement; international definitions of state failure (World Bank, OECD, Fragile States Index).
2. NATO Partnership for Peace documentation; EU and U.S. post-conflict assessments.
3. Dayton Peace Agreement, Annex IV and Annex VII.
4. Constitution of Bosnia and Herzegovina; electoral law and institutional composition.
5. 1991 Census of SFRY; 2013 Census of Bosnia and Herzegovina.
6. BiH Constitutional Court framework; OHR mandate documents.
7. OHR official mandate and PIC conclusions; background of High Representative Christian Schmidt.
8. U.S. State Department, EU, and NATO assessments of malign foreign influence.
9. U.S. National Security Strategy; NATO and EU enlargement policy statements.

Mirsad Mujadzic president

A handwritten signature in black ink, appearing to read 'Mirsad Mujadzic', written in a cursive style.