

**ANALYSING NEGOTIATED OUTCOMES:
THE DAYTON PEACE AGREEMENT**

**A thesis presented by Tijen Tanja Demirel
To
The Institute of Economics and Social Sciences
In Partial Fulfillment of the
Requirements for the Degree of Master
of International Relations**

**Bilkent University
August 1997**

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BILKENT UNIVERSITY
INSTITUTE OF ECONOMICS AND SOCIAL SCIENCES

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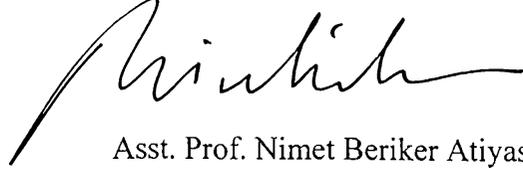
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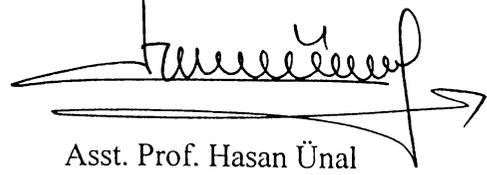
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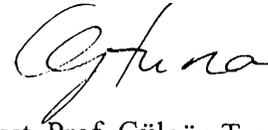
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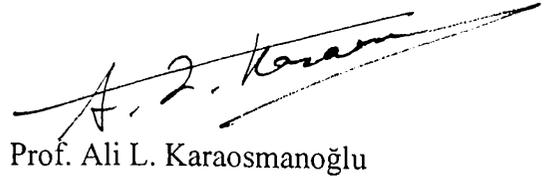
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ABSTARCT

Analysing Negotiated Outcomes: The Dayton Peace Agreement

By

Tijen Tanja Demirel

A thesis presented for the Degree of Master of International Relations

Bilkent University, August 1997

This study aims to analyse the negotiated outcomes of the Dayton Peace Agreement. For this purpose, the study examines three main issues of the agreement, namely the territorial issue, the constitutional issue and the issue of Sarajevo, in terms of their distributive and integrative aspects. The territorial issue has five and the constitutional issue has three sub-issues. In cases where integrative agreements are reached, the study examines the type of the mechanisms to reach integrative outcomes. These mechanisms are expanding the pie, nonspecific compensation, logrolling, cost cutting and bridging. According to the analyses of these negotiated outcomes, this thesis reveals that among eight sub-issues and one main issue, the negotiated outcomes of five sub-issues and the one main issue are integrative. The theoretical, methodological and practical implications of the findings of the analyses are further elaborated in this study.

Key words: negotiated outcomes – integrative outcome – distributive outcome - expanding the pie - nonspecific compensation – logrolling - cost cutting – bridging – Dayton Peace Agreement

ÖZET

Müzakere Edilmiş Sonuçların Analizi: Dayton Barış Anlaşması

Tijen Tanja Demirel

Bilkent Üniversitesi, Ağustos 1997

Bu tezin amacı, Dayton Barış Anlaşması'nın müzakere edilmiş sonuçlarının analizini yapmaktır. Bu analizi yapmak için anlaşmanın sonuçları, “pazarlıkta kazancı bölüştüren sonuçlar” ve “pazarlıkta ortak kazancı arttıran sonuçlar” olmaları yönünden incelenmektedir. Analizler toprak sorunu, anayasal sorun ve Saraybosna sorunları üzerinde odaklanmıştır. Toprak sorunu beş, anayasal sorun ise üç alt başlık halinde ele alınmıştır. Pazarlıkta ortak kazancı arttıran sonuçların elde edildiği durumlarda, bu tür sonuçların elde edilmesinde kullanılan mekanizmalar da bu tezde açıklanmıştır. Bu üç müzakere konusunun analizleri sonucunda; toprak sorunu ve anayasal sorunun toplam sekiz alt başlığından beş tanesinin, ve Saraybosna sorununun pazarlıkta ortak kazancı arttıran sonuçlar olduğu görülmüştür. Ayrıca bu bulguların kuramsal, yöntemsel ve pratik çıkarımlarına da bu tezde değinilmiştir.

Anahtar kelimeler: Müzakere edilmiş sonuçlar - pazarlıkta kazancı bölüştüren sonuçlar - pazarlıkta ortak kazancı arttıran sonuçlar – Dayton Barış Anlaşması

ACKNOWLEDGEMENTS

I would like to express my sincere gratitude to my supervisor, Dr. Nimet Beriker Atiyas for everything she has done during the conduct of this study. She has not only directed me with her valuable comments, but also supported me by showing great patience and trust to make me feel relax. In addition, I want to thank her for her friendship that lessened the distress of the conduct of the study to a great extent.

I am also very grateful to Dr. Serdar Güner for his moral support and valuable comments, as well as his being very considerate towards me for the last two years.

I want to thank to Dr. Hasan Ünal and Dr. Gülgün Tuna for kindly reviewing this work.

I would like to thank to all of my friends for their moral support. Special thanks to Ebru Özyurt, Kemal Özyurt and Sanver Kaynaş for their technical help apart from their moral support. If they did not devote a great deal of time in helping me in typing, I would certainly be not able to deal with the computer so effectively.

Last but not least, I would like to express my sincere gratitude to my family for their unconditional support and trust in me.

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CHAPTER I

INTRODUCTION

The aim of this study is to analyse the nature of the negotiated outcomes of the Dayton Peace Agreement. For this purpose, this study investigates the negotiated agreements of three issues, namely the territorial issue, the constitutional issue and the issue of Sarajevo, in terms of their distributive and integrative aspects. In addition, in cases where integrative agreements are reached, the study examines the type of the mechanisms to reach integrative outcomes, namely expanding the pie, nonspecific compensation, logrolling, cost cutting and bridging.

1.1 LITERATURE REVIEW

In the framework of the negotiation literature, integrative and distributive bargaining deserve emphasis as two important concepts. In 1965, Walton and McKersie, in their classical study on labour management negotiations, signified the distinction between

integrative and distributive bargaining in terms of behavioural tradition.¹ According to Walton and McKersie, distributive negotiation is “a hypothetical construct referring to the complex system of activities instrumental to the attainment of one party’s goal when they are in basic conflict with those of the other party”. Integrative bargaining, on the other hand, “refers to the system of activities which is instrumental to the attainment of objectives which are not in fundamental conflict with those of the other party and which therefore can be integrated”.² According to Pruitt, “integrative solutions are those that integrate the two parties’ interests, thereby expanding the total available pool of value. They are new and creative alternatives that were not under consideration at the beginning of negotiations”.³

As the definitions of these two concepts imply, integrative and distributive bargaining have been perceived as mutually exclusive processes in the negotiation literature. In this context, different authors have created several dual concepts that take integrative and distributive bargaining as a starting point.⁴ Fisher and Ury’s positional bargaining versus interest bargaining⁵, Hopmann’s competitive versus cooperative bargaining, bargaining versus problem solving⁶, Lewicki and Litterer’s win-lose versus win-win negotiations, Lax and Sebenius’ creating versus claiming value are all conceptual variations of integrative and distributive bargaining.⁷

The literature on integrative negotiation often focuses on the way the parties conduct

the negotiations. For example, Fisher and Ury emphasize the benefits of integrative agreements and prescribe how to negotiate in order to reach wise outcomes efficiently and amicably.⁸ Accordingly, the basic assumption of the prescriptive tradition is that all negotiations have an integrative potential. The important thing is that the parties have to know how to switch from a win-lose perceived situation to a win-win relationship. When there are multiple issues in question, the parties may have different priorities among those issues. In other words, the issue of primary concern of one party may be of secondary importance for the other party. Likewise, there is the possibility that the rank of these priorities may change through time. Thus, an issue that is perceived to be the most essential one by both parties may lose its importance for one party in time and the parties can derive an integrative solution out of the conflictual situation. Similarly, when parties know each other's underlying interests, goals or needs behind their positions, alternative solutions can be found where each party satisfies its underlying interest, goal or need.

There are some laboratory studies in the literature on integrative negotiation, which measure the impact of different variables on integrative outcomes. Bottom and Studt⁹, Simons¹⁰, Mannix and Bazerman¹¹ studied the affect of framing on integrative outcome. Likewise, Mannix and Bazerman¹² measured the impact of the mobility of negotiators on integrative outcome while Yukl, Malone, Hayslip and Pamin¹³, Carnevale and Lawler¹⁴ focused on the affect of time pressure. Thompson¹⁵ studied the negotiator's experience, Kramer and Brewer¹⁶ concentrated on ingroup identity and lastly, Brewer¹⁷ examined depersonalised trust in terms of their impact

on integrative outcomes.

In the achievement of integrative outcomes, the role of exchange of information is crucial because in order to be able to know the other negotiating party's priorities of issues, values and underlying interests, the parties have to have some kind of communication. In this respect, problem solving workshops of the field of conflict resolution deserve emphasis as they are designed to provide the communication between the parties in which they can share information. Problem solving workshops are private gatherings where conflicting parties meet with conflict resolution experts and try to solve their differences through a pre-structured setting and communication provided by these experts.¹⁸ Burton argues that through a facilitated conflict resolution, where there is a third party to assist the interaction by which the parties analyse the underlying sources of the conflict, parties to a dispute can overcome their problems and reach a win-win solution. For example, when the conflict arises from an ontological human need that cannot be compromised, such as identity, security or recognition, a win-win outcome is possible if the parties are aware that the fulfilment of those needs do not depend on limited resources.¹⁹ Kelman, another prominent name of problem solving workshops, goes one step further and states that when parties are engaged in such an interactive, explanatory process with the help of an unofficial third party acting as a facilitator, parties can transfer this cooperation to the official negotiations and even to the political level.²⁰

The distinction between integrative and distributive negotiations, which is in its

simplest terms whether to expand the total pool of values available or to divide it, reflects itself in the field of international relations in two debates. The first one is the debate between the liberal and realist paradigm on relative gain versus absolute gain. According to Hopmann, bargainers, or in other words realists, would try to reach an agreement at the expense of the other party, even if the agreement is not an optimal one. This means that the bargainers would not accept an agreement, which fulfils most of their demands but puts the other party in a relatively better off position. In such a case, the fulfilled demands, which mean the absolute gains, would not mean much to them. The only important thing is to be relatively better off than the other side. In contrast, for the problem solvers, or liberals, it is not so important whether these demands are equally fulfilled or not. The crucial thing is that both parties are in a better position than they were before reaching an agreement. The fact that both parties have absolutely gained satisfies them.²¹

The second debate is objective versus subjective conflict. This debate is similar to the distinction between the integrative and distributive negotiation situation.²² Groom explains an objective conflict as a zero-sum game, where the gains of one party are directly related to the losses of the other. For Groom, however, nearly all conflicts are subjective because parties can change their goals, as well as values, and values such as security, identity, participation are not at the expense of another. Therefore, there are options other than a zero-sum game to resolve the conflict.²³ Likewise, Reuck believes that in international relations, conflicts are usually non zero-sum because issues such as security or independence are indivisible. More importantly,

values can change and there is never a single value. Thus, conflict resolution should mean a discovery process, in which the parties communicate to understand each other and find an opportunity to collaborate, which is mutually beneficial. In other words, when the parties realize that the conflict is not objective but subjective, they can switch from bargaining to problem solving.²⁴

Although there are numerous researches on integrative outcomes, there are very few studies on the types of mechanisms of reaching integrative agreements. The leading work on this topic is the study of Rubin, Pruitt and Kim²⁵. They have elaborated five basic types of mechanisms to reach such outcomes; which are expanding the pie, nonspecific compensation, logrolling, cost cutting and bridging.

1.2 INTEGRATIVE OUTCOMES

1.2.1 EXPANDING THE PIE

In expanding the pie, the conflictual situation is removed by increasing the available resources to the conflict while avoiding the need for compromise. In order to solve the conflict through expanding the pie, the conflict must arise from a situation in which the parties have a demand that is only of limited supply. When additional

resource is provided, the parties' demands will be met and the parties will be satisfied through this additional supply.

This situation can be illustrated by giving an example of a husband and wife who are trying to go on a two-week vacation²⁶. The husband wants to go to the mountains whereas the wife wants to go to the seashore. In case of expanding the pie, the couple might try to persuade their employers to give two weeks more for a vacation so that they can spend two weeks in the mountains and two weeks at the seashore. Thus, both the husband and the wife will be satisfied as they get what they want.

1.2.2 NONSPECIFIC COMPENSATION

In nonspecific compensation, while one party gets what it wants, the other party is repaid in some unrelated coin. In other words, the loss of the second party that has been caused by the satisfaction of the first party's demand, is compensated for by satisfying some unrelated demand of the second party. In order to reach a solution where both parties are satisfied, the crucial thing is to know how much value the second party loads to the loss caused by the satisfaction of the first party's demand; and how badly the first party is hurt. This kind of information is important for providing adequate compensation so that the second party is satisfied.

In the example of the husband and wife, the conflictual situation could be solved by nonspecific compensation in the following way: the wife would accept to go to the mountains but in return, the husband would spend some of the family resources on buying her a new car. The husband, in order to be able to compensate for the loss of his wife by not going to the seashore, however, has to know how important it is for his wife to get a new car.

1.2.3 LOGROLLING

In logrolling each party satisfies its most important demand by conceding on issues that are of relatively low priority to itself but is of high priority to the other party. For such a thing to happen, first of all, the parties should not have the same “one and only“ demand. In other words, there must be several issues under consideration and each party should have different priorities among these issues. Logrolling is then possible, when both parties concede on demands that are of lower priority in order to get their first priorities. Of course, the first priorities of each party should be different in this case.

In order to utilise such a formulation, however, information about the parties' priorities is needed. When one party knows the other's first priority, then the party can compare it with its priority and decide whether to concede or not.

In the case of logrolling, each party is not fully satisfied as they concede, though on their lower priorities, still it seems preferable to compromise solutions where they might concede on their favourite priority.

Coming to the example of the husband and wife, they can reach an integrative solution by considering their primary priorities. Supposing that apart from the disagreement over where to go on a vacation, there is a second difference of preferences, such as the wife prefers to stay at a first class hotel whereas the husband prefers to stay at a tourist home. If accommodation is more important than location for the wife and location is more important than accommodation for the husband, they can reach an integrative outcome by going to the mountains and staying at a first class hotel. By this way, both of the parties satisfy their first priorities.

1.2.4 COST CUTTING

A solution is reached through cost cutting by reducing or eliminating the costs of one party while giving the other party what it wants. The emphasis here is to obtain high joint benefit not by changing the first party's position, but by ensuring that the second party suffers less.

Cost cutting often takes the form of specific compensation where the loss of the conceding party is reduced or eliminated by giving something that satisfies the precise values frustrated.

In cost cutting, more information is required compared to the first three integrative routes above. In order to eliminate or decrease the costs of the conceding party, the first party should know the underlying interest of the second party's position, so that an alternative can be found by cost cutting to meet those interests.

For example, if the husband dislikes the beach because of the hustle and bustle, and his wife is aware of this, his wife can compensate for his loss by going to the seashore by renting a house with a quiet inner courtyard where he can read. Thus, the wife can go to the seashore while the husband's uneasiness is removed to a certain extent.

1.2.5 BRIDGING

In bridging, neither party achieves its initial demand but a new alternative is worked out that satisfies each party's interests. The focus in bridging is on the priority of interests, not priority of issues. In other words, the important thing is to know why the parties have taken their initial positions, what expectations, what interests they

have in taking such positions. If the answer is known, a reformulation of the issues is possible where each party can satisfy their interests and fulfil their expectations. The important thing in bridging is the priority of interests, not the priority of issues as it is in logrolling. Obviously, in order to be able to invent such alternatives that could meet each party's underlying interests, a good deal of information is needed.

Concerning the example of husband and wife, when the husband knows that the underlying interest of his wife's demand for going to the seashore is swimming; and the wife knows that the underlying interest of her husband's demand for going to the mountains is fishing, these interests can be bridged by going to an inland resort with a lake close to woods and streams. The wife can swim in the lake whereas the husband can fish in the stream.²⁷

1.3 THE OBJECTIVE OF THE STUDY

Given the theoretical and conceptual background, the aim of this thesis is to analyse the nature of the negotiated outcomes of the three specific issues of the Dayton Peace Agreement, which are the territorial, constitutional and Sarajevo issues. For this purpose, this study analyses the negotiated outcomes of these three issues (and their sub-issues) in terms of their integrative and distributive aspects. In cases where integrative elements are depicted, further analysis is conducted to give a fine-grained

picture of the nature of the integrative outcomes. To be more specific, at this stage of the analysis, the study focuses on the “type” of the mechanisms to reach integrative outcomes, which are namely expanding the pie, nonspecific compensation, logrolling, cost cutting and bridging.

As noted before, in the literature of negotiation, numerous studies have been made concerning integrative and distributive outcomes. However, what is missing is the real world analysis of the international negotiations. Therefore, this thesis aims to fill this gap by analysing the negotiated outcomes of the Dayton Peace Agreement.

Accordingly, the first chapter of this thesis contains the theoretical and conceptual background of integrative and distributive outcomes by referring to the literature on negotiation.

The second chapter describes the historical background of the conflict in Bosnia-Herzegovina in order to give an idea about the beginning of the war, the parties to the war and the situation in which the parties were before the Dayton Peace Agreement. The description of the Dayton Peace Process ends this chapter.

The third chapter is the analysis chapter, which is also the crux of this study. This chapter begins with the presentation of the methodology used to conduct the analyses. Then, each sub-issue of the main issues is analysed in terms of the nature of their negotiated outcomes.

The fourth chapter is the conclusion part. It draws out the theoretical, methodological and practical implications of this study.

CHAPTER II

HISTORICAL BACKGROUND

The Socialist Federal Republic of Yugoslavia, established in 1945 was comprised of six republics; Bosnia-Herzegovina, Croatia, Macedonia, Montenegro, Serbia and Slovenia, and two fully autonomous regions under Serbia; Kosova in the south and the Vojvodina in the east ¹ As a corollary of the escalating nationalist movements and ethnic tensions, Slovenia and Croatia declared their independence from the Yugoslav Federation on June 25, 1991.² However, the federal republic did not recognize their independence and this led to clashes between the federal army (JNA) and the republics. Furthermore, towards the end of 1991, Macedonia and Bosnia-Herzegovina took concrete steps for independence. On September 8 ,1991, a referendum was held in Macedonia, in which a significant majority voted in favour of declaration of independence from Yugoslavia. Subsequently, on October 15, Bosnia-Herzegovina declared its sovereignty.³

The focus of the war in Yugoslavia shifted to the ethnically complex republic of Bosnia-Herzegovina in early 1992. The Muslim-Croat and Serb forces began fighting

for assuming the control of strategic areas after the republic declared full independence on March 3, 1992.⁴ On April 27, a new Yugoslav state named the Federal Republic of Yugoslavia (hereafter FRY) that was comprised of Serbia and Montenegro was established.⁵

The military situation deteriorated rapidly and by mid 1992, the government of Bosnia-Herzegovina had already lost the control of most of its territory. In the mean time, the Bosnian Serbs besieged the Bosnian capital Sarajevo and left the inhabitants of Sarajevo in a situation where they could hardly find food, water and medical supplies. Due to heavy fighting, the number of refugees leaving their homes increased day by day.

Meanwhile, international concern began to grow as the international community had realized how much the situation had deteriorated, and would even be worse as the Serbs declared their intention of linking Serbia proper with the Serb enclaves in Bosnia and Croatia. The Bosnians, on the other hand, could not defend themselves, as they lacked proper arms as a result of the arms embargo imposed by the United Nations Security Council against the former Yugoslavia with a view to discouraging the breaking way of republics from seceding and thus to prevent the escalation of the crisis. The international community tried to escape from the situation of helplessness against the ethnic cleansing that was mainly conducted by the Serbs against the Muslims, by sending a United Nations (hereafter UN) protection force to be deployed in Bosnia. It took the Security Council more than six months to decide on a

flight ban over Bosnia with a view to deescalate the fighting and somewhat lessen human suffering. Even after the Security Council made up its mind about the ban, the Serbs, the only party with an air force, simply flouted the ban four months until the Security Council decided to enforce the no-fly zone by asking NATO to deploy some squadrons of war planes.⁶

Given all these developments the international community launched several peace initiatives in order to end the conflict that was deteriorating day by day. The European Community (hereafter EC) made the first attempt. According to the EC plan, Bosnia-Herzegovina would be divided into three autonomous units along ethnic lines, and the territory of each unit would be based on the “national absolute or relative majority” in each municipality.⁷ This attempt did not produce tangible results for peace, and was followed by the second peace initiative, launched this time by the UN and the EC. The leaders of the three Bosnian communities attended the international conference convened in Geneva from September onwards and chaired by the UN representative Cyrus Vance and the EC representative Lord Owen.⁸ The Vance-Owen Peace Plan was based on the division of Bosnia-Herzegovina into ten provinces within a decentralized state.⁹ The Vance-Owen mediation effort, however, did not bring an agreement to end the conflict.

A second mediation attempt took place under the auspices of the Geneva Conference, which was conducted by Lord David Owen and Thorvald Stoltenberg. The Owen-Stoltenberg Plan proposed to divide Bosnia-Herzegovina into three constituent

republics; Croat, Muslim and Serb Republics within a Union of Republics of Bosnia-Herzegovina that would be demilitarized.¹⁰ Although Croatia and Yugoslavia issued a joint declaration on January 19, 1994 establishing “the process of the normalization of mutual relations”¹¹ as a result of this peace initiative, still the Owen-Stoltenberg Plan fell short of bringing a comprehensive agreement.

It was a mortar bomb attack launched by the Serbs, killing dozens of civilians in a market place in Sarajevo, that made the United States (hereafter US) act decisively in this conflict.¹² Talks began on February 26, 1994 on a plan that was strongly backed by US for a confederation of Muslim and Croat regions of Bosnia-Herzegovina.¹³ Indeed, on March 18, Bosnia-Herzegovina and the Republic of Croatia signed an accord that created a federation of Bosnian Muslims and Bosnian Croats. In addition, a further “preliminary agreement on the establishment of a confederation” was linked to this federation agreement.

The next attempt was the establishment of a Balkan “Contact Group” in April 1994, for the coordination of the international efforts to bring an end to the war in Bosnia-Herzegovina.¹⁴ On May 13, 1994, Russia, Britain, France, Germany and US revealed a joint plan urging the parties to the war in Bosnia-Herzegovina, to agree to a four-month cease-fire and accept a new partition proposal for Bosnia.¹⁵ According to this proposal, the Muslim-Croat Federation would get 51% of Bosnian territory and the Bosnian Serbs would get 49% of it. While the Muslim-Croat side favoured this proposal, the Bosnian Serbs rejected the 49% proposal as they were then controlling

72% of Bosnian land.¹⁶ Nevertheless, the proposal made by the Contact Group for the division of Bosnian territory was important, since the 49-51% division was to constitute the basis of the new US peace initiative conducted by the US Assistant Secretary of State for European Affairs, Richard Holbrooke.

Two critical events happened in the summer of 1995, which made the US take the lead for a new peace initiative. The first event was the fall of Srebrenica and Zepa into Serb power in July 1995, two UN designated “safe areas”. This demonstrated that the situation deteriorated day by day, and neither UN nor the European countries were able to do something.¹⁷ The second one was the successful Croatian offensive in the Krajina region, which had been under Serb occupation. The military success of Croatia led US to think that, the change in balance of power in the region against the Bosnian Serbs might pave the way for a quicker diplomatic resolution of the conflict.¹⁸

Indeed, it was the Dayton Peace Process that produced an agreement bringing an end to the war in Bosnia-Herzegovina through the effective mediation of Richard Holbrooke.

Richard Holbrooke, the US Assistant Secretary of State for European Affairs¹⁹, arrived at Sarajevo in the middle of August 1995 and immediately started the mediation process by first meeting with the representatives of each party in order to understand the expectations and positions of the parties as well as their reaction to

this peace initiative.

The Bosnian Serb shelling of marketplace in Sarajevo at the end of August shadowed the process, however. The market shelling paradoxically accelerated the peace process. Though it stopped the negotiations for a while, they were to be resumed soon after. Subsequently on August 30, NATO began its air strikes against the Bosnian Serbs.²⁰ On the third day of these air raids, the foreign ministers of Bosnia-Herzegovina, Republic of Croatia and FRY agreed to meet in Geneva to discuss a peace settlement. This was a real breakthrough as it had been impossible to get the parties into the same room until then. This moderate improvement in the peace process reflected itself in the military situation in the sense that NATO suspended its air strikes and decided to wait for the consequences of this meeting.²¹ The Muslim-Croat side did not appreciate this decision of NATO and wanted the resumption of the NATO air raids. They stated that in case the bombing did not continue, they would not attend the peace talks.²² On September 6, NATO decided that Bosnian Serbs failed to show their will of complying with the UN demands of removing the military threats against Sarajevo and resumed its bombing campaign once again.²³

On September 8, the Geneva Accord was revealed as a consequence of the meeting that took place among the foreign ministers of the conflicting parties. In this accord, the three parties agreed that Bosnia-Herzegovina would remain within its present borders as a single state, but would be divided into two entities: the Federation of Bosnia-Herzegovina and the Serb Republic.²⁴ Although this accord left serious

conflictual issues unresolved, such as the territorial one, it was important in that, that it was the first concrete achievement of the peace process.

Shortly after, another achievement was reached thanks to the effective mediation of Richard Holbrooke; NATO suspended its air strikes against the Bosnian Serbs. In return, the Bosnian Serbs would end the siege of Sarajevo and withdraw their heavy artillery from around Sarajevo.²⁵ This deal was followed by a Cease-fire Agreement that was reached on October 5, ending the siege of Sarajevo and creating a conducive environment for the peace talks.²⁶

Meanwhile, on September 26, during the Tripartite Talks in New York, the representatives of Bosnia-Herzegovina, the Republic of Croatia and FRY worked out the constitutional arrangements for Bosnia-Herzegovina. Thus, with the New York Accord, the constitutional problem was solved to a great extent before the Dayton Peace Talks began.²⁷

On November 1, the US State Secretary Warren Christopher opened the talks in Dayton, Ohio.²⁸ These talks proved very difficult as critical problems such as territorial division or the composition of the state institutions were negotiated. Despite all the odds, the parties, nevertheless, initialled the text of the Dayton Peace Agreement documents on November 21²⁹ and signed the Dayton Peace Agreement on December 14, 1995 in Paris.³⁰ While Table 1 summarizes the US peace initiative mediated by Richard Holbrooke by stating the milestones of the whole process,

Figure 1 presents the political division in the region.

The next chapter analyses the negotiated outcomes of three issues of the Dayton Peace Agreement.

Table 1 : Milestones in the US Peace Process

DATE	EVENT
16 August 1995	The introduction of the US Peace Plan and the beginning of the Holbrooke mediation
28 August 1995	Bosnian Serb shelling of a market place in Sarajevo
30 August 1995	The beginning of NATO air strikes against Bosnian Serbs
2 September 1995	The suspension of NATO air strikes against Bosnian Serbs
6 September 1995	The resumption NATO air strikes against Bosnian Serbs
16 September 1995	The suspension of NATO air strikes against Bosnian Serbs
26 September 1995	The New York Accord The constitutional arrangements for Bosnia-Herzegovina were worked out.
5 October 1995	The Cease-fire Agreement
1 November 1995	The beginning of the peace talks in Dayton, Ohio
21 November 1995	The text of the Dayton Peace Agreement documents has been initialled in Dayton.
14 December 1995	The Dayton Peace Agreement has been signed in Paris.



Figure 1 : The political situation in the Balkans.

CHAPTER III

ANALYSIS

3.1 METHODOLOGY

This chapter analyses the nature of the negotiated outcomes of the Dayton Peace Agreement in terms of the integrative and distributive aspects. Furthermore, it elaborates the types of the mechanisms to reach integrative outcomes. The analysis focuses on the negotiated outcomes of the three conflictual issues between the parties: a) the territorial issue b) the constitutional issue c) the issue of Sarajevo. These issues being the three most important ones, were central to negotiations.¹

While the issue of Sarajevo has no sub-issue, the territorial issue consists of five sub-issues, which are (1) the percentage of territory each party would get; (2) control of Gorazde and the land link between Sarajevo and Gorazde; (3) Bosnian Serbs access to the sea; (4) control of Eastern Slavonia; and (5) the Posavina Corridor and Brcko.

The constitutional issue comprises of three sub-issues, which are (1) the integrity of the state of Bosnia-Herzegovina; (2) political authorities of the state; and (3) the name of the state. Table 2 summarizes the three issues and their sub-issues.

As mentioned in Chapter I, distributive outcomes are the ones in which one party's loss is the other party's win. On the other hand, integrative outcomes refer to solutions, which try to reconcile the two parties' interests and increase the joint benefits.² Again, as noted before, five types of mechanisms for reaching integrative agreements are listed in the literature on negotiation: expanding the pie, nonspecific compensation, logrolling, cost cutting and bridging. In expanding the pie, the conflictual situation is removed by increasing the available resources. In nonspecific compensation, one party gets what it wants and the other party is compensated in some unrelated coin. In logrolling the parties concede on issues that are of low priority to itself but high priority to the other party. In cost cutting, the costs of one party are reduced or eliminated, while the other party gets what it wants. Finally, in bridging, a new alternative is found that satisfies each party's underlying interests.³

In order to be able to formulate the negotiated outcomes, according to the five mechanisms above, it is necessary to know the positions, underlying interests or priorities of the issues of the negotiating parties. In addition, it is essential to know the initial position of the negotiating parties and what the parties get at the end of the negotiation process. It is only then possible to make a comparison between the initial positions and the final achievements and see whether the parties demands are

fulfilled or not. This requires systematic treatment of the data. For this purpose, the following six questions are formulated and used throughout the analyses:

- What was the issue/sub-issue?
- Who were the negotiating parties to this issue/sub-issue?
- What was each party's position concerning this issue/sub-issue?
- Why did the parties take such positions concerning this issue/sub-issue; what were the underlying interests?
- What were the priorities of each party concerning this issue/sub-issue?
- What did each party get at the end of the peace process?

Answering these questions and therefore treating the data in a systematic way is crucial to be able to analyse the mechanisms of reaching an outcome. In case the negotiated outcome is a distributive one, the analysis elaborates why it is not integrative. If the outcome is an integrative one, then it explains in what kind of a formulation the solution fits: expanding the pie, nonspecific compensation, logrolling, cost cutting or bridging.

Table 2 : Sub-issues of the three main issues

ISSUE	SUB-ISSUE
The Territorial Issue	<ol style="list-style-type: none">1. The percentage of territory each party would get2. The control of Gorazde and the land link between Sarajevo and Gorazde3. Bosnian Serb access to the sea4. The control of Eastern Slavonia5. The Posavina Corridor and Brcko
The Constitutional Issue	<ol style="list-style-type: none">1. The integrity of the state of Bosnia-Herzegovina2. The political authorities of the state3. The name of the state
The Issue of Sarajevo	—

3.2 THE TERRITORIAL ISSUE

It was to a great extent the territorial issue, which seemed to be an obstacle to the peace process. Although each party continuously made statements concerning their demands, they could only reach an outcome at the Dayton Peace Talks, the final stage of the peace process.

The territorial issue was complex as a whole, as it included contradictory demands of the parties, in the sense that each party had different claims on the same parts of territory. The sub-issues were mainly:

- the percentage of territory each party would get
- the control of Gorazde and the land link between Sarajevo and Gorazde
- Bosnian Serb access to the sea
- the control of Eastern Slavonia
- the Posavina Corridor and Brcko

These issues were the ones on which the territorial negotiations had focused on. In fact, it was very difficult for each party to give up any square meter of territory of Bosnia-Herzegovina, as many lives had been lost. Therefore, each single town could be an issue in itself during these negotiations. However, on those five problems above the parties continuously stated their demands and the negotiations mostly concentrated on those five problematic areas.

In the first two problems the negotiating parties were the Muslim-Croat side and the Bosnian Serbs. In the problem of Bosnian Serb access to the sea, the negotiating parties were the Bosnian Serbs, the Muslim-Croat side and the Republic of Croatia. The Federal Republic of Yugoslavia was a secondary party as it was involved in this problem. Concerning the control of Eastern Slavonia, the parties were the Republic of Croatia and the rebel Croatian Serbs. In the problem of the Posavina Corridor and Brcko, the negotiating parties were again the Muslim-Croat side and the Bosnian Serbs.

3.2.1 THE PERCENTAGE OF TERRITORY EACH PARTY WOULD GET

3.2.1.1 THE ACCOUNT OF THE NEGOTIATIONS

The US peace initiative which was unveiled on August 9, 1995⁴ was based on the division of 51% of the territory to the Muslim-Croat side and 49% of the territory to the Bosnian Serbs. This division was similar to the proposal made in the Contact Group Plan on May 13, 1994⁵ which the Muslim-Croat side had agreed to. However, the Bosnian Serbs had rejected the 49% proposal, as they had been controlling 70% of the country and had military supremacy on the ground.⁶ The operation launched by the Croatian forces in early August to recover the control of the Krajina region from the rebel Croatian Serbs who had been holding it since 1992⁷ had changed the situation. The Bosnian Serbs began losing both territory and supremacy in the battlefield. Thus, the Croat offensive created an environment conducive to peace negotiations,⁸ which would include the redrawing of the map previously proposed by the Contact Group on the basis of a 51-49% division.⁹

As each party explicitly stated their positions in this new peace initiative, the Muslim-Croat side said that any peace plan's demarcation should not be more disadvantageous than the plan of the Contact Group; which indicated that the

percentage of the territory they would control should not be less than 51%. The Bosnian Serbs, on the other hand, stated that they would consider it “painful” if they would get less than 70% of territory as they then controlled 70% of the country. Furthermore, they would consider it “unjust”, if they would get less than 64% of territory.¹⁰

These initial demands changed parallel to the changes in the military situation. At this point, it is important to note that, the NATO air strikes played a decisive role in altering the military balance. On August 30, 1995, as a direct response to the Sarajevo mortar bombing by Bosnian Serbs, NATO launched “Operation Deliberate Force” and bombed the Bosnian Serb targets.¹¹ It did not take much time to realize the effects of this operation. On September 1, the Foreign Ministers of Bosnia, Croatia and Yugoslavia (Serbia and Montenegro) agreed to hold peace talks in Geneva.¹² On September 8, the parties agreed on a US brokered agreement, called the Geneva Accord, which aimed at ending the fighting in Bosnia-Herzegovina.¹³

The Geneva Accord divided the country again on the basis of 49-51%, giving 51% of territory to the Muslim-Croat Federation and 49% to the Serb entity. This time, the Bosnian Serbs did not reject the offer.¹⁴ The NATO air strikes continued while giving chance to Muslim-Croat forces to launch offensives and regain their Bosnian Serb captured areas. By the middle of September, the Bosnian Serb controlled territory had already decreased from 70% to 50%.¹⁵ In time, when the Muslim-Croat side became sure that Bosnian Serbs got exhausted as they lost Krajina and were still

losing territory in Bosnia-Herzegovina, the Muslim-Croat side began deviating from accepting the 49-51% division.¹⁶ In fact, the US advocated NATO air strikes for bringing especially the Serbs to the negotiation table. However, the US also feared that further gains of Muslim-Croat side might upset the proposed talks which was based on a plan of a nearly even split.¹⁷ On September 20, NATO suspended its threat to bomb Bosnian Serb targets and concentrated itself on pressing the Muslim-Croat side to stop military offensives in western Bosnia.¹⁸

No matter how the military situation changed the initial demands, the final territorial division in the Dayton Agreement gave 49% of the country to the Serb Republic while 51% of the country would remain under the Federation of Bosnia-Herzegovina.¹⁹

The Muslim-Croat side has achieved more territory than they had controlled during the war (with the only exception that after the air strikes they had the chance to recapture territory and control 50% of the country). Moreover, they have received verbal assurances that the US would provide military equipment and train the Muslim-Croat forces needed for their air defense.²⁰ The Bosnian-Serbs, on the other hand, accepted 49% of territory which was a percentage below their expectations, but had no chance to increase it under the pressure of NATO air strikes, Croatian and Bosnian offensives. They rather tried to compensate their quantitative loss with gaining qualitatively important territories during the negotiations.²¹

3.2.1.2 ANALYSIS OF THE NEGOTIATED OUTCOME

The idea of the division of the Bosnian territory according to the 49-51% basis was imposed on the conflicting parties by third parties. First, the Contact Group proposed this division in May 1994, then, the US mediator Richard Holbrooke took the 49-51% division of territory as a basis for the new US peace initiative. As a result, the Muslim-Croat side got 51% of Bosnian territory and the Bosnian Serbs got 49% of it, a division that completely supported the proposal of the third parties. In other words, the solution that was reached as a result of the peace process seems to be an imposition rather than a process where the parties sought for joint benefits. Although the Bosnian Serbs had controlled almost 70% of territory at the beginning of the peace process, the Croat offensive, and especially the NATO air strikes, gave the Muslim-Croat side the chance to recapture Bosnian territory. US, however, had “tolerated” the Muslim-Croat territorial regains until the situation on the ground resembled the proposal of 49-51% division. When the Muslim-Croat side revealed its intention of regaining more than 51% territory, US intervened and pressurized the Muslim-Croat side to stop their military offensives. US not only imposed this division by implicitly balancing the military situation in accordance with the 49-51% basis, but also gave incentives to the parties such as promising military equipment and training to the Muslim-Croat forces that was needed for their own defence.

As a result, the initial positions of the negotiating parties, whether rigid or flexible, as well as the core concerns of the parties in having a higher percentage of Bosnian territory had no effect. If the Bosnian territory is considered as a pie, the pie was divided on a 49-51% basis, a solution, which is nothing but a compromise. Given this information, by remaining specifically within the context of the territorial issue, this kind of a solution might be called as a distributive one.



Figure 2 : Municipalities of Bosnia-Herzegovina.

3.2.2 THE CONTROL OF GORAZDE AND THE LAND CORRIDOR BETWEEN SARAJEVO AND GORAZDE

3.2.2.1 THE ACCOUNT OF THE NEGOTIATIONS

Gorazde is a town that is located not so far from the Serb border. It is also quite close to Sarajevo (see Figure 2). In addition to the strategic position of this town, Gorazde became an important issue for the parties as it was the last piece of Muslim held territory surrounded by the Bosnian Serbs in eastern Bosnia.²² Thus, the control of Gorazde became an integral part of the negotiations concerning the territorial issue.

Since the beginning of the US peace initiative, the Muslim-Croat side continuously stated that they would never give up Gorazde.²³ After the middle of September 1995, the Muslim-Croat side began pronouncing a land corridor which would connect the Muslim enclave of Gorazde with the rest of the Muslim territory. In this way, the “blockade” of that town would be lifted.²⁴ After a month, Muslim-Croat side stated their demand for having a corridor linking Gorazde with Sarajevo.²⁵ If there would be such a corridor, the Federation of Bosnia-Herzegovina could build two or three hydroelectric plants which have been previously planned.²⁶ Thus, the Muslim-Croat side wished to have the control of Gorazde and wanted to link Gorazde with the rest of their territory to lift the blockade of the city, but specifically link Gorazde with

Sarajevo to be able to build hydroelectric plants. Both of these demands were important for the survival and the development of that city.

Just like the Muslim-Croat side, the Bosnian Serbs also made their demands over Gorazde clear at the beginning of the peace process. They wanted Gorazde to become a Serb town.²⁷ First of all, the Bosnian Serbs wanted integral, not discontinued territory.²⁸ If Gorazde remained a Muslim town surrounded by Serb territory, this would, they claimed, obviously prevent the integrity of Serb territory. What is more, Bosnian Serbs wanted to remove the last vestiges of Bosnian Muslim community from their borders and Gorazde, a Muslim enclave, should be controlled by the Bosnian Serbs.²⁹ A more specific reason, however, was that a strategic road connecting much of the Bosnian Serb territory in the eastern Bosnia to the coal rich region of Bosnia-Herzegovina, runs through Gorazde. The Bosnian Serbs wanted the control of that important road.³⁰ Another reason, perhaps a secondary one for Bosnian Serb demand for Gorazde was that the Federal Republic of Yugoslavia also wanted Gorazde to remain Bosnian Serb because it was close to Yugoslavia's Sandzac region, where many Muslims lived.³¹ Therefore, the FRY might have wanted to prevent any kind of potential interaction that might arise due to the territorial closeness.

Although both parties did not give up their demands over Gorazde, an agreement could be reached at the Dayton Peace Talks. According to this agreement, Gorazde would remain under the control of the Muslim-Croat side and would be open to

Sarajevo with a wide corridor, which at its narrowest point was 8 km wide, in average 10-15 km wide, sometimes 30 km. This meant that the Muslim-Croat side would have a belt of territory wide enough to build the hydroelectric plants. Meanwhile, some other territorial arrangements, though territorially unrelated to Gorazde, were made. In addition to the Muslim-Croat territories, the Muslim-Croat Federation got the previously Serb suburbs to the north and west of Sarajevo, namely Ilidza, Hadzici, Ilijas and Vogasca. In this way, all the roads leading to the north and south were reopened.³² The Bosnian Serbs, on the other side, would control Mrkonjic Grad, Sipovo, Ozren, Doboj, Modrico, Dervanta, (Bosanski) Brod, Samoc and Brcko. Viscgrad, Srebrenica and Zepa would also remain Serb³³ (See Figure 2). Especially control of Srebrenica and Zepa deserves emphasis at this critical division of territory, as the Muslim-Croat side demanded the return of Srebrenica and Zepa, two Muslim strongholds which the Bosnian Serbs had captured in July and still remained under Bosnian Serb control.³⁴ For the Muslim-Croat side, these two cities were important as the symbols of the Serb slaughter of the Muslim civilians during the war. With the loss of these cities both at the battlefield and the negotiation table, they were now the symbols of the price of the peace.³⁵

It is important to state that after this problem was settled in the way above, the Bosnian Serbs got full support of the mediators who began to press the Muslim-Croat side not to demand more territory and agree on the 49-51% territorial division.

3.2.2.2 ANALYSIS OF THE NEGOTIATED OUTCOME

According to the information above, the situation can be summarized in its simplest terms as follows. The Muslim-Croat side wanted to have control of Gorazde with a land link between Gorazde and Sarajevo. The underlying interest of this demand was first of all to lift the “blockade” of Gorazde by linking it to Sarajevo, secondly, to build two or three hydroelectric plants on this corridor.

The Bosnian Serbs also wanted Gorazde. They had three underlying interests of which the first was to have integral Bosnian Serb territory. The second was that a strategic route was running through Gorazde. Finally, the Bosnian Serbs wanted to remove the possibility of any connection among the Muslims living in the Sandzac region and the Muslims in Gorazde.

As a result, the Muslim-Croat side’s demand was fully satisfied by giving Gorazde to the Muslim-Croat Federation with a corridor to Sarajevo wide enough to build the hydroelectric plants. This solution can be formulated as nonspecific compensation. In nonspecific compensation, one party gets completely what it wants, while the other party is compensated for through some unrelated coin. The Muslim-Croat side got what it wanted, in return, the Bosnian Serb side was given Srebrenica and Zepa as compensation, as well as the support of the mediators on an unrelated issue. Especially, the mediators had a crucial role as they had information about how much

frustrated the Bosnian Serbs were about the Muslim-Croat territorial claims going beyond the 49-51% split. The mediators, in addition, were aware of how much value the Muslim-Croat side had loaded on Srebrenica and Zepa, and tried to compensate the Bosnian Serbs by making the Muslim-Croat side concede these two towns to Serbs.

In this case, both parties had the same demand with different core concerns. If the parties had different priorities, then, logrolling could be possible by satisfying each party's high priorities, but forcing them to make concessions on issues of low priority. However, in this case, as both the Muslim-Croat side and Bosnian Serbs wanted Gorazde, such a formulation was not possible.

This is not a compromise agreement, either as the Bosnian Serbs were compensated for in two ways. First of all, they got the control of Srebrenica and Zepa, two towns which the Muslim-Croat side claimed. Secondly, the Bosnian Serbs got full support of the mediators in the way of exerting pressure on the Muslim-Croat side to agree on the 49-51% territorial division.

This solution does not fit in bridging, because in bridging, a new alternative must be created which satisfies the underlying interests of both parties. In this solution, there is not such an alternative. This solution refers to neither of the Bosnian Serb interests, as it does not prevent the possibility of the relationship between the Sandzac Muslims and the Muslims in Gorazde, give the strategic route to the

Bosnian Serbs or the integrity of the Bosnian Serb territory. However, the result is still joint benefit, as the Bosnian Serbs have been compensated for in two unrelated issues, and is called nonspecific compensation.

3.2.3 BOSNIAN SERB ACCESS TO THE SEA

3.2.3.1 THE ACCOUNT OF THE NEGOTIATIONS

Having access to the sea gives a state many advantages such as transportation, trade and tourism. The Bosnian Serbs, while listing their territorial demands since the beginning of the peace process, had always emphasized their wish of having access to the sea.³⁶ The Muslim-Croat side, on the other hand, did not even want to discuss the Bosnian Serb access to the sea.³⁷

For one thing, if the Bosnian Serbs did not gain an outlet to the Adriatic Sea, they would be the only entity that did not have any territory on the Adriatic Coast. The most probable reason for the Muslim-Croat side to refuse giving any access to the sea might have stemmed from enjoying this kind of an advantageous position over the Bosnian Serbs. That might be definitely the same reason for the Bosnian Serbs for insisting on having an outlet to the sea.

In fact, the problem of the Bosnian Serb access to the sea went beyond interesting just the Muslim-Croat side and the Bosnian Serbs. At the times when the Bosnian Serbs dreamt of uniting with the FRY and form the United Serb Republic, they planned to have outlets to the sea; one at Karin, the other at Prevlaka.³⁸ However, the Prevlaka Peninsula had been a disputed part of territory between Croatia and Yugoslavia³⁹ and the Serbian access to the sea would require Croatia to give up its Prevlaka Peninsula. As the United Serb Republic could not be established, such kind of a territorial arrangement was out of question anyway. However, the Bosnian Serbs did not cease their demand for reaching the Adriatic Sea from the Prevlaka Peninsula. This information might be important for a better understanding of why the Bosnian Serbs demanded Prevlaka and how the Croat Republic was incorporated in this problem.

In the framework of the Dayton Conference, the Bosnian Serbs brought their demand of access to the sea to the agenda. They wanted Croatia to give the FRY the Prevlaka Peninsula as compensation for the hinterland of Dubrovnik, which the Croatian Army had already occupied before.⁴⁰ The hinterland of Dubrovnik was important for the Republic of Croatia for the security of Dubrovnik itself as well as for the safety of tourism.⁴¹ Prevlaka, an area more than 10 hectares, was important as it controlled the Bay of Kotor, which contained the FRY's chief naval base⁴², but at the same time the Republic of Croatia was claiming territorial waters there.⁴³ After such an exchange, as the Prevlaka Peninsula belonged to the Montenegrin part of the FRY,

Montenegro would give the Bosnian Serbs access to the sea from this Peninsula. Thus, a tripartite territorial exchange would take place.⁴⁴ During the Dayton Conference, the parties did not reach any concrete results and the question of Bosnian Serb access to the sea was left to further considerations.⁴⁵ However, the Bosnian Serbs claimed that the Republic of Croatia had promised to give up the Prevlaka Peninsula in exchange for the hinterland of Dubrovnik during the peace negotiations.⁴⁶

When the Dayton Agreement was signed, the territorial arrangement for Dubrovnik and Prevlaka did not resemble the proposal above. According to the Dayton Agreement, the hinterland of Dubrovnik had been incorporated into the territories of Bosnia-Herzegovina Federation, in other words, of the Muslim-Croat side. However, the Dayton Documents did not mention Prevlaka.⁴⁷ Although at the Dayton Talks, the parties verbally agreed on a tripartite territorial exchange, Franjo Tudjman, the President of Republic of Croatia could not persuade Croatian officials. Croatian officials had already been dissatisfied with the issue of Posavina and were against giving up the Prevlaka Peninsula. Therefore, when the Dayton Agreement was signed in Paris, nothing had been resolved concerning the Prevlaka region, and implicitly left Prevlaka as part of Croatian territory.⁴⁸ In the September 96 Yugoslav-Croat Agreement of Normalization of Relations and Recognition, the problem of Prevlaka had been left to mutual negotiations.⁴⁹

3.2.3.2 ANALYSIS OF THE NEGOTIATED OUTCOME

In the light of the information above, there seems to be existence of the possibility of expanding the pie, but then, a deviation from that possibility.

The Bosnian Serb side wanted to have access to the sea. The Muslim-Croat side was against the idea of giving the Bosnian Serbs access to the sea. Thus, the Bosnian Serbs brought an alternative solution that incorporated the Republic of Croatia into the problem.

According to this alternative the Republic of Croatia would give the Prevlaka Peninsula to the FRY, and in return, would get the hinterland of Dubrovnik. Then, the Montenegrin part of the FRY would give the Bosnian Serbs access to the sea from the Prevlaka Peninsula. Therefore, the Muslim-Croat side would not have to concede any territory, the Bosnian Serbs would get access to the sea and the Republic of Croatia would get the hinterland of Dubrovnik an area that had importance in terms of tourism and security.

This offer increases the available resources to the conflict by incorporating the Republic of Croatia to the problem. In this context, the Prevlaka Peninsula was the additional resource for it could allow Bosnian Serbs to reach the Adriatic Sea. In this way, the Muslim-Croat side would also not be conceding from any territory. Thus,

both parties' demands would be met by expanding the pie as the formulation of expanding the pie requires the supply of additional resources. What is more, the Republic of Croatia, the party actually expanding the pie, would be compensated as well.

However, the additional resource itself turned out to be a problem as in the final agreement, the Prevlaka Peninsula still remained under the control of the Republic of Croatia and the hinterland of Dubrovnik was given to the Muslim-Croat side. Accordingly, the Bosnian Serbs did not get an outlet to the sea, the Republic of Croatia did not give up the Prevlaka Peninsula, but gave the hinterland of Dubrovnik to the Muslim-Croat Federation. Thus, there is not any integrative aspect in this solution. At the first instance it seemed as if there was expansion of the pie, but if it is true that the Republic of Croatia had promised to give the FRY the Prevlaka Peninsula and later had deviated, and still kept the hinterland of Dubrovnik, then gave it to the Federation; this might even be exploitation, not any kind of route carrying integrative aspects.

3.2.4 THE CONTROL OF EASTERN SLAVONIA

3.2.4.1 THE ACCOUNT OF THE NEGOTIATIONS

The only direct territorial problem between the Republic of Croatia and the rebel Croatian Serbs was the reintegration of Eastern Slavonia into the legal order of the Republic of Croatia. Although Eastern Slavonia was not a part of Bosnia, it was important as it was the last area that remained under the “occupation” of the rebel Croatian Serbs after the Croatian offensive, which was launched in August in the Krajina region.⁵⁰ The Republic of Croatia wanted this area back, while the rebel Croatian Serbs wanted to keep it.⁵¹

The Republic of Croatia insisted on linking this problem to the peace process in Bosnia-Herzegovina due to three important reasons. First of all, the Croats believed if the sanctions against the FRY were lifted, there would not be any negotiations on the reintegration of this area to the Republic of Croatia any more. The second reason was that, there were 80 000 to 90 000 displaced refugees who wanted to return to their homes in Eastern Slavonia. Finally, this had been the richest area of the Republic of Croatia both industrially and agriculturally, with many factories and deposits of crude oil.⁵² Especially, the last reason explains quite clearly why the rebel Croatian Serbs did not want to give up Eastern Slavonia so easily.

The Republic of Croatia was successful in linking this problem to the overall peace process. Although there had been no agreement reached at the Geneva meetings concerning Eastern Slavonia, the Croats welcomed the approach that this problem had been incorporated as a part of the peace solution.⁵³

The Republic of Croatia showed its determination in reintegrating this area to the Republic by threatening to liberate the occupied areas by force, in case no solution was found in the peace process.⁵⁴ Finally, on November 12, the Republic of Croatia and the rebel Croatian Serbs signed an agreement in Dayton concerning the problem of Eastern Slavonia. The parties agreed on a 12-month transitional period, which could be extended by another year upon the request of the signatories, under UN control, before Eastern Slavonia rejoined the Republic of Croatia.⁵⁵ With this agreement, the peaceful reintegration of Eastern Slavonia would be facilitated.

This agreement seems to satisfy the Croatian side while taking territory from the rebel Croatian Serbs. However, although there was no indication that the Serb side had received in exchange for its endorsement of the agreement, many diplomats in the Republic of Croatia said they expected that this agreement included a commitment to end sanctions against the FRY.⁵⁶

3.2.4.2 ANALYSIS OF THE NEGOTIATED OUTCOME

In this problem, the negotiating parties were the Republic of Croatia and the rebel Croatian Serbs. The Republic of Croatia wanted to reintegrate Eastern Slavonia into its legal order, as it was at that time under the control of the rebel Croatian Serbs. The first underlying interest in reintegrating this area in the context of the Dayton Peace Agreement was not to miss the chance of reaching a negotiated solution. Secondly, there were Croatian refugees who had their homes in that region. The final underlying interest was that this region was oil rich and was developed in terms of industry and agriculture.

The rebel Croatian Serbs did not want to give up the control of this region with the same underlying interest of possessing this oil rich area that had agricultural and industrial productivity. According to this data, it is clear that both parties had an underlying interest in common.

The final agreement was a solution that met the demand of the Republic of Croatia by giving Eastern Slavonia to this party. This means that the three underlying interests of this party were satisfied, while the other party, the rebel Croatian Serbs, was left unsatisfied in terms of its underlying interests. If it is not true that the agreement included a commitment to end sanctions against the FRY, as the Croatian diplomats said, this would mean that the solution is a purely distributive one in which

the party of the Republic of Croatia has won, and the rebel Croatian Serbs have lost. However, if the agreement really included such a commitment, this would signify the formulation of nonspecific compensation. In nonspecific compensation one party's total demands are satisfied, while the other party is compensated for its loss with some unrelated coin. In this case, the Republic of Croatia got what it wanted, in return, the Serbs received compensation in a totally unrelated field. Although the demand of the rebel Croatian Serbs was not met, in the sense that they lost Eastern Slavonia, another Serb demand, the lifting of sanctions against the FRY, was fulfilled. In this context, the rebel Croatian Serbs and the FRY can be considered as the same party because the rise against the Croats in Eastern Slavonia was part of the expansionist policy of the Serbs aiming to establish the "Greater Serbia".⁵⁷ As a result, both the Republic of Croatia and the Serbs were satisfied, at least theoretically, through nonspecific compensation.

This indicates that any formulation such as logrolling, bridging or cost cutting is not possible because there is no exchange of priorities, as well as no satisfaction of interests through a new alternative, or reducing costs. Expanding the pie is also not an option as there is no supply of an additional resource.

3.2.5 THE POSAVINA CORRIDOR AND BRCKO

3.2.5.1 THE ACCOUNT OF THE NEGOTIATIONS

The control of the town Brcko, located at the northern part of Bosnia-Herzegovina, and the corridor of Posavina running next to Brcko (see Figure 2) remained the only territorial problem that could not be solved at Dayton Peace Talks.

The Bosnian Serb demand of “compactness” of territory reflected itself also in the problem of Posavina Corridor and the town Brcko. Bosnian Serbs wanted to have Brcko for themselves and to widen the corridor of Posavina, which was next to that town. The corridor had already been under Bosnian Serb control, but the Bosnian Serbs wanted a broader line to connect the eastern and western parts of the Serb entity.⁵⁸ The reason for the Bosnian Serbs to widen the corridor from the present 5 km to 18 km was that they wanted a territorial link wide enough to allow their planes to fly from Serbia to Banja Luka, a Bosnian Serb dominated town. Such a demand also obviously served for the realization of the compactness of Bosnian territory.⁵⁹

On the other hand, the Muslim-Croat side explicitly stated that they would not give up Brcko and refused the widening of the corridor.⁶⁰ For the Muslim-Croat side, just the settlement of this problem was important because the functioning of the railway

from Place to Tuzla would be disturbed as long as this corridor remained problematic.⁶¹ However, the Muslim-Croat side still did not deviate from rejecting the widening of the corridor more than about 3 miles, which then was the actual distance between the Muslim-Croat and Bosnian Serb armies.⁶² The Muslim-Croat side also had a concrete reason for not willing to compromise on the control of this corridor, as they hoped to cut throughout this strip of land to allow access to the Sava River on the Croatian border.⁶³

It might be enough to state that the Dayton Peace Talks would almost fail in order to explain how both parties were reluctant to compromise in this problem.⁶⁴

As a result, this issue has been left to international arbitration, which would decide on the faith of the corridor no later than one year after the peace agreement came into force.⁶⁵ In this way, this problem had been prevented from endangering the whole peace agreement.

3.2.5.2 ANALYSIS OF THE NEGOTIATED OUTCOME

It is not possible to make an analysis concerning this sub-issue as the solution of this sub-issue had been postponed to further negotiation. For the sake of the whole peace process, the parties have agreed to solve this sub-issue through international

arbitration in the future. The parties had maintained their rigid positions and were not giving a sign of concession, so that no way was left for any kind of integrative solution. Table 3 summarizes types of the negotiated outcomes of each sub-issue of the territorial issue.

Table 3 : Types of the negotiated outcomes of the territorial issue and the mechanisms used

SUB-ISSUE	TYPE OF THE OUTCOME/MECHANISM USED
The percentage of territory each party would get	Distributive
The control of Gorazde and the land link between Sarajevo and Gorazde	Integrative-nonspecific compensation
Bosnian Serb access to the sea	Not applicable
The control of Eastern Slavonia	Integrative-nonspecific compensation
The Posavina Corridor and Brcko	No outcome

3.3 THE CONSTITUTIONAL ISSUE

The Constitutional issue had been the second major issue on which the parties mostly negotiated. The Constitutional issue had been a very sensitive one, since it is the constitution of a state that establishes and then lays out the functioning of a state. Apart from being conscious of the importance of preparing a constitution that would establish the Republic of Bosnia-Herzegovina, the parties were well aware that this constitution would also rule out the fate of each entity. Thus, each party tried to impose a constitution that would best serve its entity's interests. That was the basic reason why the negotiations on the constitution were problematic.

There were three main sub-issues in this issue:

- The integrity of the state of Bosnia-Herzegovina
- The political authorities of the state
- The name of the state

Nevertheless, such a listing of issues should not give the impression that these sub-issues were independent from each other. On the contrary, especially the last two ones were directly related to the first one; the integrity of the state of Bosnia-Herzegovina.

Before explaining the three sub-issues above, it is important to sort out the main

negotiating parties to the constitutional issue. The first main negotiating party was the Muslim-Croat side, the other was the Bosnian Serb side. The Republic of Croatia and the FRY were secondary parties as they were involved in the issue to the extent that it was related to their relations with the entities in Bosnia-Herzegovina; whether confederal or not.

3.3.1 THE INTEGRITY OF THE STATE OF BOSNIA-HERZEGOVINA

3.3.1.1 THE ACCOUNT OF THE NEGOTIATIONS

Bosnia-Herzegovina was ethnically composed of three groups: the Bosnian Muslims, the Bosnian Croats and the Bosnian Serbs. Thus, it was a difficult task to establish a state that would enable all these three ethnic groups to live together peacefully. Naturally, at the negotiation table, it was difficult for the parties to talk about living peacefully.

Above all, there was the question of integrity of Bosnia-Herzegovina: whether there would be an integral state called Bosnia-Herzegovina or independent republics, which would already mean the partition of Bosnia-Herzegovina. Then, there was the question of the relations of the ethnic groups with the neighbouring countries of

Bosnia-Herzegovina. In other words, the extent of the relationship between the Bosnian Serbs and the FRY, as well as the relationship between the Bosnian Croats and the Republic of Croatia was subject to negotiations in Dayton. As the intensity of such relations could have implications for the integrity of Bosnia-Herzegovina, such as a further unification of the Bosnian Serbs with the FRY, this problem was automatically attached to the problem of integrity of Bosnia-Herzegovina and had been discussed in that context.

The position of the first negotiating party, which the Muslim-Croat side, was in favour of an integral Bosnia-Herzegovina. They wanted a peace solution based on the sovereignty and territorial integrity of Bosnia-Herzegovina.⁶⁶ In contrast, the second negotiating party, namely the Bosnian Serbs, on the other hand, were not in favour of an integral Bosnia-Herzegovina, as their ultimate goal was to establish a unitary state for all Serbs.⁶⁷ The Republic of Croatia aimed at confederating with the Muslim-Croat side in order to be able to ensure the protection of Bosnian Croats.⁶⁸ While the Bosnian Croats and the Bosnian Muslims established a federation on March 18, 1994, the Bosnian Croats and the Bosnian Muslims signed a further preliminary agreement with the Republic of Croatia, on the establishment of a confederation between the newly established federation and the Republic of Croatia.⁶⁹ However, this confederation could not have been realized and necessary steps for creating such a confederation had not been taken until then. Lastly, the FRY advocated an outcome that might facilitate some sort of a future union with the Bosnian Serbs.⁷⁰ The reason why the Muslim-Croat side wanted an integral state was

to prevent the partition of Bosnia-Herzegovina. Once an independent Serb Republic was established as a consequence of such a partition, the Muslim-Croat side feared that this independent republic would unite with the FRY. In fact, the reason for the Bosnian Serbs to press for a union of Bosnia-Herzegovina rather than a single state, and to insist on having the right to establish confederal links, was nothing but a verification of the fears of the Muslim-Croat side. The ultimate goal of the Bosnian Serb side was to unite with the FRY, and they were now seeking for ways that would enable them to fulfil this goal.

As the US peace initiative was introduced to the parties, especially the main parties welcomed this initiative, since each party found an aspect that would satisfy their interests. First of all, the US Peace Plan was based on the sovereignty and integrity of Bosnia-Herzegovina,⁷¹ which was exactly what the Muslim-Croat side wanted. Secondly, the Bosnian Serbs praised the US initiative as it foresaw the division of Bosnia-Herzegovina into two entities: the Muslim-Croat Federation and the Serb Republic. Furthermore, they perceived that the US initiative anticipated the possibility of a confederal link between the Serb Republic and the FRY.⁷²

When the Bosnian Serbs and the FRY declared that a joint Bosnian Serb-Yugoslav delegation would attend the peace talks, they stated that, this would be a precursor of the confederal links between them.⁷³ For the Muslim-Croat side, however, the most sensitive sub-issue was the Serb entity in Bosnia-Herzegovina; they could tolerate a large degree of autonomy and special ties of the Serb entity and the FRY, but would

not accept the establishment of a Serb republic or a confederation between the FRY and the Serb entity.⁷⁴ They wanted a unitary Bosnian republic.⁷⁵

There were two important accords that were decisive in the establishment of the state of Bosnia-Herzegovina; the Geneva Accord and the New York Accord.⁷⁶ At this point, especially the Geneva Accord deserves emphasis, as the problem of integrity of Bosnia-Herzegovina was solved with this accord to a great extent. According to the Geneva Accord, Bosnia-Herzegovina would be a single state within its present borders, but divided into two entities: the Federation of Bosnia-Herzegovina and the Serb Republic.⁷⁷ Thus, Bosnia-Herzegovina's international status as a single state within its present borders would be maintained but 51% of its land would be controlled by the Federation, composed of the Bosnian Muslims and Bosnian Croats, while 49% of its land would be controlled by the Bosnian Serbs.⁷⁸ These two entities would also have the right to establish parallel special relations with the neighbouring countries.⁷⁹

The Geneva Accord had different implications for the Muslim-Croat side and the Bosnian Serbs. For the Muslim-Croat side, the integrity of the state was important and with this accord, the notion of a unitary state was preserved. Thus, the dream of Greater Serbia was over.⁸⁰ The Muslim-Croat side obviously made a concession by accepting the Serb entity, but for them, the division of Bosnia-Herzegovina into two entities signified a division "within" the country, rather than a division "of" the country.⁸¹ International recognition belonged to the state of Bosnia-Herzegovina, and

the two entities making up the state of Bosnia-Herzegovina were not internationally recognized according to the Geneva Accord.⁸² As the Serb Republic was not independent, such a concession could be tolerated.⁸³ A second concession the Muslim-Croat side had made was the recognition of the “special relationship” between the Bosnian Serbs and the FRY. The problem was that, the extent of “special relationship” was not specified,⁸⁴ but this was going to be worked out and solved out at the later stages of the peace process.

For the Bosnian Serbs, the Geneva Accord was important as for the first time, the Serb Republic had been officially recognized. In addition, each entity was permitted to be self-governing under its own constitution. The Bosnian Serbs and the FRY perceived this as a guarantee of independence for the Bosnian Serbs.

After the Geneva Accords, the Bosnian Serbs, the Republic of Croatia and the Muslim-Croat side met in New York on September 26, 1995⁸⁵ and reached an agreement on defining the constitutional framework of the state of Bosnia-Herzegovina. The New York Accords also took the integrity of Bosnia-Herzegovina as a basis and worked out the details of the constitution of the state as agreed to be established in the Geneva Accord.

The Bosnian Serbs continued to insist on having the right to establish confederal links with the FRY until the beginning of the Dayton Peace Talks. However, a delicate US interference in this problem showed Bosnian Serbs that it was useless to

claim for confederal links. The US Secretary of State Warren Christopher opened the Bosnian peace talks on November 1, 1995, by stating that any peace agreement must cover the continued existence of Bosnia as a single state. When this statement was coupled with the words of the US mediator Richard Holbrooke, saying that the option of confederation would be eliminated, the Bosnian Serbs did not try to resist the US support to the Muslim-Croat side any more.⁸⁶

As a result, the Dayton Peace Agreement allowed both entities to establish parallel links with the neighbouring states in economic, cultural, scientific and other spheres.⁸⁷ However, these links were limited as such relations should honour the sovereignty and territorial integrity of the state of Bosnia-Herzegovina, and any agreement on this should be approved by the parliament of Bosnia-Herzegovina.⁸⁸ Furthermore, integration with other states was not permitted.⁸⁹

The Muslim-Croat side was satisfied with this kind of a solution, since the state of Bosnia-Herzegovina had survived as a unitary state that had full sovereignty with its international status and UN membership.⁹⁰ The Bosnian Serbs were also satisfied as the legal basis for the Serb Republic had been established.⁹¹ Concerning the problem of having confederal links, the solution that the Dayton Peace Agreement had brought about was satisfactory to the Muslim-Croat side, as it had prevented a future unification of the Serb Republic with the FRY. The Bosnian Serbs were disappointed as they could not establish confederal links with the FRY, but they were still satisfied, as they had gained a certain degree of independence.⁹²

3.3.1.2 ANALYSIS OF THE NEGOTIATED OUTCOME

In this problem, there were three aspects to be taken into consideration: the question of integrity, the extent of relations with the neighbouring countries, and the question of the Serb entity. The Muslim-Croat side wanted the integrity of Bosnia-Herzegovina. The underlying interest for the Muslim-Croat side to insist on the integrity of the state was to prevent the partition of the state that would ultimately allow the Bosnian Serbs to join the FRY, and established the “Greater Serbia”.

For the Bosnian Serbs on the other hand, the most important thing was the recognition of a Serb entity. They perceived this as a step for the establishment of a unitary state of all Serbs. This was the underlying interest for the Bosnian Serbs rejection of an integral Bosnia-Herzegovina. Another demand of the Bosnian Serb side was to have confederal links with the neighbouring countries. The underlying interest of this demand was that such a link between the Bosnian Serbs and the FRY would facilitate the further unification of the Serbs.

As both parties had different priorities, it was possible to reach an integrative solution by following the route of logrolling. In logrolling, the priority of issues is important so that each party can concede on issues that are relatively less important to itself but vital for the other party. In this way, both parties' issues that are of relatively high priority are satisfied.

In this case, the first priority of the Muslim-Croat side was the integrity of Bosnia-Herzegovina. The extent of relations with the neighbouring countries and the question of Serb entity were of relatively lower priority.

The first priority of the Bosnian Serbs, on the other hand, was the recognition of the Serb entity. Then came the demand of having confederal links with the neighbouring countries not living with in integral state.

Given the priorities of each party, the solution exactly fits in logrolling as the primary demand of both parties were satisfied in the following way: the Geneva Accord fulfilled the mostly desired demand of the Muslim-Croat side by explicitly stating that Bosnia-Herzegovina would be a single state within its present borders. Likewise, the same accord divided the state of Bosnia-Herzegovina into two entities, namely the Muslim-Croat Federation and the Serb Republic, and this time, satisfied the primary demand of Bosnian Serbs, which was the recognition of the Serb entity.

For the Muslim-Croat side, it was not easy to accept a Serb entity within the borders of Bosnia-Herzegovina, but the Muslim-Croat side could concede on this issue that was of relatively lower priority.

Concerning the problem of confederal links, the Dayton Peace Agreement limited the relations of these two entities with the neighbouring countries to the level of parallel

links, not allowing to establish confederal links. While this disappointed the Bosnian Serbs side, the Muslim-Croat side was glad, as it was a solution supporting the integrity of the state of Bosnia-Herzegovina.

As for the Bosnian Serbs, establishing confederal links was less important than the recognition of Serb entity. It was also the same for the issue of integrity. The Bosnian Serbs could therefore concede on establishing confederal links and could bear living in an integral state for the sake of the recognition of the Serb entity.

It is quite obvious that in this case, the interests were mutually exclusive, in the sense that the underlying interest of the demand of one party was completely contradictory to the underlying interest of the other. For example, the Bosnian Serb side wanted the recognition of a Serb entity as a step for further unification with the FRY, while the Muslim-Croat side wanted to have an integral state in order to prevent a future unification of the Serbs. In such a context, it is impossible to look for a formulation that fits bridging, where the emphasis is on finding a new alternative that satisfies the different underlying interests of each party.

It is not cost cutting either, as both parties get a part of their demands. In cost cutting, one party receives its demands totally, while the cost of the other party is reduced or eliminated. In this case, however, neither party is fully satisfied. Therefore, it can also not be compensation as both sides concede. Finally, it is not expanding the pie as no additional resources have been supplied to this sub-issue.

3.3.2 THE POLITICAL AUTHORITIES OF THE STATE

3.3.2.1 THE ACCOUNT OF THE NEGOTIATIONS

The difference between the Muslim-Croat orientation towards an integral state and the Bosnian Serb orientation towards partition manifested itself in establishing the political authorities in Bosnia-Herzegovina. The first party, the Muslim-Croat side, wanted the creation of a strong central government.⁹³ As the other party, the Bosnian Serbs, was seeking for ways of uniting with the FRY, they were not favouring a strong central government, which might work effectively and facilitate the integration of Bosnia-Herzegovina over time. The Bosnian Serbs feared that such a government would prevent the unification of the Serbs in the future.

The Muslim-Croat side wanted a strong government because they thought that strong institutions could maintain the integrity of Bosnia-Herzegovina. Otherwise, if the government structure was to be too loose, the Bosnian Serbs might not integrate with the other entity: they might declare its independence and secede from the state of Bosnia-Herzegovina.⁹⁴ Another dimension of the problem was the composition and the decision-making system of the governmental institutions that were going to be

established. The Muslim-Croat side was anxious that the Bosnian Serbs would prevent the functioning of the joint institutions of the republic as well as the federation, by blocking every process. Thus, they wanted to organise the institutions so that the Bosnian Serbs could not block normal life. If the joint institutions would not function, one day the Bosnian Serbs might claim that the idea of republic did not work, and use this as a justification for secession from the Republic of Bosnia-Herzegovina. Obviously, this would again mean the partition of the country.⁹⁵ Therefore, the current interest of the Muslim-Croat side was to provide preconditions for the reintegration of Bosnia-Herzegovina. The legal precondition had already been set out by the Geneva Accord, in which the parties agreed to establish an integral state of Bosnia-Herzegovina. Now, the constitutional prerequisites and institutions that would enable the reintegration of Bosnia-Herzegovina should be worked out.⁹⁶

On the other hand, the crucial thing for the Bosnian Serbs was the confirmation of the existence of the Serb Republic, as well as having equal rights in everything and all issues.⁹⁷ This was important in order to prevent the integration of Bosnia-Herzegovina. In case such integration occurred, the Bosnian Serbs would not be able to realize their dream of uniting with FRY.

The negotiations over the problem of political authorities intensified during the tripartite talks in New York. The document called the New York Accord, laid down the constitutional principals of the state of Bosnia-Herzegovina. According to it, the future set-up would involve a parliament or a national assembly, a collective

presidency and a constitutional court. The members of the parliament and presidency would be elected through free and democratic elections that would be held in both entities. 2/3 of the members of the parliament or national assembly that had been elected would be from the Federation of Bosnia-Herzegovina (the Muslim-Croat side), and 1/3 of them from the Serb Republic (Bosnian Serb side). In this parliament or assembly, the decisions on any issue would be taken by majority vote, but at least 1/3 of each entity should back up the decision and vote in favour. The presidency would have the same composition, of which 2/3 of its members would be from the Federation, and 1/3 of them from the Serb Republic. The decisions would also be taken by majority vote. However, if 1/3 of the total members of the presidency disagreed with a decision and declared that that decision was destructive of a vital interest of the entity or entities, the decision would be referred back to the appropriate entity's/entities' parliament.⁹⁸

There were especially two aspects of this accord that deserve emphasis concerning the satisfaction of each party. The first aspect was the problem of elections. The Muslim-Croat side insisted on holding the elections through the system of direct elections. They no longer wanted a delegated democracy. However, the Bosnian Serbs resisted holding the elections in that way. As a result of the negotiations, both sides finally accepted to hold "free and democratic elections".⁹⁹ The reason for the Muslim-Croat side to insist on direct elections was that if free and democratic elections were held through direct vote, the Bosnian Serbs would have the chance to bring more rational people in their leadership and remove war criminals.¹⁰⁰

Nevertheless, free and democratic elections might not necessarily mean direct voting. If one man did not have one vote, as it is the case in the system of direct elections, the outcome might completely favour the existing state or regime. According to the Muslim-Croat side, such an outcome might lead to suspicion about whether the elections reflected the free will of the population or not.¹⁰¹ Yet, in the accord, there was not any further reference whether direct or indirect elections would be held. Only the phrase “free and democratic elections” had been incorporated.

The second aspect was the right to veto, which had been brought by the decision-making system, both in the parliament or national assembly, and presidency. The requirement that at least 1/3 of each entity should back up the decision in the parliament or assembly, as well as the necessity that 1/3 of the total members of the presidency had to agree with the decisions taken in the presidency, meant that each entity had the right to veto any decision. As 2/3 of the members of both the parliament or assembly and the presidency were from the Muslim-Croat side, the Bosnian Serbs had feared that all the decisions favoured by the Muslim-Croat side would pass, and the decisions the Bosnian Serbs favoured would never pass through. Thus, such kind of a veto system meant equality and also a constitutional mechanism for limiting the supremacy of the Muslim-Croat side, that would arise due to the composition of the parliament or assembly. By this way, the Bosnian Serbs felt that they had gained complete independence.¹⁰²

The Dayton Peace Agreement did not change the essence of the New York Accord. It

specified the numbers of the membership of the assembly and presidency, but did not alter the decision-making system of those institutions. Thus, the right to veto for each entity prevailed. Concerning the elections, there was a minor change in the Dayton Peace Agreement, which satisfied the Muslim-Croat side. The members of the presidency, the parliaments of the republic and both entities would be elected by direct votes. However, the elections would be separate in two entities although the Muslim-Croat side wanted joint ones. Still, this was a great achievement for the Muslim-Croat side as they gave importance to the election system, as an element for reintegration.¹⁰³ Apart from that, the Muslim-Croat side found the Dayton Peace Agreement satisfactory as it had established institutions for functioning of the state. Thus, they had achieved the aim of having a strong central government in Bosnia-Herzegovina. The Bosnian Serbs, on the other hand, were satisfied with the solution which the Dayton Peace Process had brought to the problem of political authorities, as they gained full equality and assurance to handle their own affairs to the state entity independently. In addition, they gained the right to veto, that ensured the protection of the Serb people.¹⁰⁴

3.3.2.2 ANALYSIS OF THE NEGOTIATED OUTCOME

In this sub-issue, the problem was whether to have strong political authorities or to have a loose state structure. In this context, the composition and decision-making

system of the government institutions, as well as the elections of the members of those institutions were two important aspects on which the problem reflected itself.

The first party, the Muslim-Croat side, wanted to have strong political authorities. For that reason, they were in favour of establishing state institutions that would function properly and would be effective. The underlying interest was to reintegrate the state of Bosnia-Herzegovina, and prevent the eventuality of the secession of the Bosnian Serbs, that would be possible in the absence of authority. In this respect, the composition of the institutions was also important. The Muslim-Croat side wanted to have institutions in which the Bosnian Serbs would not be able to block the decision. The underlying interest of this demand was to hinder the Bosnian Serbs from proving the inefficiency of the joint institutions, which would be a justification for the Bosnian Serbs to establish their own ones. Lastly, the Muslim-Croat side was supporting to hold direct elections throughout Bosnia-Herzegovina. The underlying interest was to give the Bosnian Serbs a chance to elect rational people as a leader and remove the war criminals that had secessionist aims.

The Bosnian Serbs on the other hand, wanted to have institutions in which the Bosnian Serbs had equal rights with the Muslim-Croat side. The underlying interest was to prevent the political suppression of the Bosnian Serbs by the Muslim-Croat Federation, which was likely to happen in a parliament in which the Muslim-Croat side held the majority. A second underlying interest was to maintain the existence, as well as the equality of the Serb entity.

For the Muslim-Croat side, having strong political authorities had the priority, when compared to the elections, composition of the assembly and presidency and their decision-making systems. This might stem from the fact that, the Muslim-Croat side was a majority in Bosnia-Herzegovina. Thus, in any democratic system that functioned properly, they would not have any problem of not being represented fairly. The crucial thing was, however, to have a well-functioning democratic system. For this, strong political authorities were needed.

For the Bosnian Serbs, the composition of the assembly and presidency and therefore their decision-making system was of primary concern as it was important to remove the possibility of the reflections of the Muslim-Croat compositional majority on decision-making system. Although they resisted holding direct elections and having strong political authorities, they had only secondary importance for the Bosnian Serbs.

The solution which the Dayton Peace Agreement brought about fits better to logrolling. As stated before in logrolling, each party concedes on issues that are of low priority to itself but high priority to the other party. In this problem, the Dayton Peace Agreement met the primary demand of the Muslim-Croat side by establishing strong political authorities: an assembly, a presidency and a constitutional court. As this issue was of relatively low priority for the Bosnian Serbs, they could concede on this issue.

Likewise, the solution fulfilled the primary demand of the Bosnian Serbs by giving a veto power to both entities. This veto power satisfied the Bosnian Serbs because it removed the disadvantageous situation for the Bosnian Serbs that was likely to arise as they were in a minority (1/3) in the parliament and assembly. Although not preferable, the Muslim-Croat side could bear giving a veto power to the Bosnian Serbs as they had already achieved a goal that was of relatively higher priority.

As for the issue of elections, the Dayton Peace Agreement brought the system of free and direct elections. It therefore satisfied the demand that had secondary priority for the Muslim-Croat side. However, this did not lead to any dissatisfaction on the Bosnian Serb side as this was also an issue for them that was of relatively low priority.

In this case, however, it seems crucial to state that the interests of each party were not mutually exclusive. Therefore, there is no need for making a distinction between the “priority of interests” and “priority of issues”. The primary issues for both parties were also the ones in which they had their primary interests. This parallelism between the issues and the interests might lead to a confusion regarding this formulation, whether it is bridging or logrolling, as bridging focuses on interests and logrolling on issues. However, this solution seems to be logrolling as each party got what it wanted most, and conceded on things that had secondary importance for them. Besides, no new alternative that satisfied both parties’ primary interests had

been brought, as it should be in bridging. The satisfaction of interests besides the fulfillment of the primary issues as a result of the parallelism in this case, is a factor that increases joint benefit.

In the solution of this problem, there is not a suffering party as a result of any loss caused by the satisfaction of the other party. For this reason, this solution is neither cost cutting nor nonspecific compensation. It is also not expanding the pie as there is no supply of additional resources.

3.3.3 THE NAME OF THE STATE

3.3.3.1 THE ACCOUNT OF THE NEGOTIATIONS

This was not a vital problem but still deserves emphasis, as this problem is a reflection of the diversities between the Muslim-Croat side and the Bosnian Serbs concerning the integrity of the state of Bosnia-Herzegovina.

Since the beginning of the peace process, the Muslim-Croat side stated that Bosnia-Herzegovina should remain a republic rather than a union.¹⁰⁵ On the contrary, the

Bosnian Serbs were against calling the state a “republic” or “union”.

The Muslim-Croat side wanted a republic because this would imply a single state with one central authority. In such a context, when the Bosnian Serbs called their own entity that was established by the Geneva Accords as Republika Srpska (the Serb Republic), the Muslim-Croat side perceived this as a “bitter pill”. However, the Muslim-Croat side did not argue over the name because they could not risk losing the support of the US. In those days, NATO air strikes over the Bosnian Serb targets had put immense pressure on the Bosnian Serbs, and the US had the greatest say in the decision of bombing.¹⁰⁶ This was a concession for the Muslim-Croat side, but not “lethal”, as the integrity of the state had still been preserved.

The initial demand of Bosnian Serbs was the division of the country. Therefore, even the negotiations over the name of the state of Bosnia-Herzegovina did not have much relevance for them. They later accepted to call the state “union”, but this was a compromise for them. Still, they preferred to call it a “union” rather than a “republic”, as a union implies the existence of independent entities that would be united by a looser kind of superstructure.¹⁰⁷

Finally, the state of Bosnia-Herzegovina, established by the Dayton Peace Agreement, was called the Republic of Bosnia-Herzegovina. The republic would be composed of the Federation of Bosnia-Herzegovina, which was the Muslim-Croat entity, and the Republika Srpska, namely the Bosnian Serb entity. The name of the

state what the Muslim-Croat side wanted, and the name of the Bosnian Serb entity was what the Bosnian Serbs wanted.

3.3.3.2 ANALYSIS OF THE NEGOTIATED OUTCOME

The problem of the name of the state of Bosnia-Herzegovina cannot be separated from the problem of integrity. The Muslim-Croat side wanted to have an integral Bosnia-Herzegovina and therefore, preferred that the state would have a name such as “the Republic of Bosnia-Herzegovina”. The underlying interest was to keep the integrity of the state in order to prevent the secession of the Bosnian Serbs.

The Bosnian Serb side, on the other hand, was against an integral state, and preferred that the name of the state would include the word “union”, implying the existence of the Serb entity. Their core concern was the recognition of a Serb entity within the state of Bosnia-Herzegovina, which would be a step for the ultimate unification of the Serbs.

Given the demands of both parties and their underlying interests, the solution can be formulated as cost cutting. In cost cutting, one party gets completely what it wants, while the loss of the other side is reduced or eliminated. In this problem, the establishment of Republika Srpska has met the Bosnian Serb demand of official

recognition. As the Muslim-Croat side was against the establishment of a Serb entity, naming the newly established state of Bosnia-Herzegovina as the Republic of Bosnia-Herzegovina compensated this loss. This is not nonspecific compensation as the loss of the Muslim-Croat side is reduced through a related issue. The crucial point is that, the underlying interest of both the integrity of the state and the name issue was the same. In that way, the frustration of the Muslim-Croat side caused by the recognition of the Serb entity – as the recognition contradicted the integrity of the state – was tried to be reduced by giving a name to the state which implied integrity.

An important point is that, the recognition of the Bosnian Serb entity appears in two of the sub- issues; the problem of integrity of the state of Bosnia-Herzegovina, and the name of the state. This indicates that the concession made by the Muslim-Croat side concerning this problem has also been dealt with, by reducing the loss through cost cutting in the name issue, and satisfying another issue through logrolling.

Table 4 summarizes types of the negotiated outcomes of each sub-issue of the constitutional issue.

Table 4 : Types of the negotiated outcomes of the constitutional issue and the mechanisms used

SUB-ISSUE	TYPE OF THE OUTCOME / MECHANISM USED
The integrity of the state of Bosnia-Herzegovina	Integrative-logrolling
The political authorities of the state	Integrative-logrolling
The name of the state	Integrative-cost cutting

3.4 THE ISSUE OF SARAJEVO

3.4.1 THE ACCOUNT OF THE NEGOTIATIONS

The issue of Sarajevo had been the third major issue on which the parties had divergent positions. Although this issue was not so complicated when compared to the territorial and constitutional issues in the sense that it did not have several aspects, still, the issue of Sarajevo constituted an important part of the negotiations. At the first glance, this issue might seem to be an integral part of the territorial issue. Nevertheless, the parties perceived Sarajevo not only as a part of territory, but as the

capital city of the Bosnian State, that had been under siege since May 1992.¹⁰⁸ The divergent positions each party had taken and the reasons for taking such positions constituted an issue in itself other than the territorial one.

The problem concerning Sarajevo was, whether the city would remain under the complete control of the Muslim-Croat side, or would be divided between the Bosnian Serb side and Muslim-Croat side. Thus, there were two parties to this issue; the Muslim-Croat side and the Bosnian Serb side. The Muslim-Croat side wanted an undivided Sarajevo that would be under their control,¹⁰⁹ while the Bosnian Serbs wanted to control at least a part of Sarajevo, where Serbs had been in majority.¹¹⁰

Apart from these demands, there was a military aspect concerning Sarajevo, which in fact integrated into the issue and effected the positions of the parties. After Bosnia-Herzegovina declared full independence on March 3, 1992, heavy fighting began in the Bosnian capital city, Sarajevo. The situation exacerbated when the inhabitants of Sarajevo could not get food, water and medical supplies because of the tight siege of Sarajevo by the Bosnian Serbs.¹¹¹ The city had still been under the Bosnian Serb siege when the US peace initiative had been introduced. In the meantime, on May 6, 1993, with the UN Security Council Resolution 824, Sarajevo had become a “safe area”, together with the towns of Tuzla, Srebrenica, Zepa, Gorazde and Bihac. Safe area meant that all the parties concerned had to ensure that those areas had been free from armed attack or any other hostile acts.¹¹² However, in August 1995, when the US peace plan had been introduced, the Muslim-Croat side explicitly stated that they

did not want Sarajevo to be administered by UN after what had happened to Srebrenica and Zepa.¹¹³ These two towns had also been safe areas under UN protection but Bosnian Serbs had overrun these towns in July 1995.¹¹⁴ This was the situation of Sarajevo in August 1995, and the fate of the city had still been unclear when the negotiations began.

The Muslim-Croat side did not have to wait so long to see that their concerns about the security of Sarajevo as a safe area had been verified. At the end of August, the Bosnian Serbs shelled a market place in Sarajevo and had killed many civilians.¹¹⁵ The immediate reaction that came from the Muslim-Croat side was in the form of putting a condition to the peace negotiations, by stating that, they would suspend participation in the peace process unless the Bosnian Serbs had been punished for the shelling of Sarajevo.¹¹⁶ On August 30, NATO began its air strikes against the Bosnian Serbs as retaliation over the shelling of Sarajevo, also with the hope to push the Bosnian Serbs to the negotiation table and to break the siege of Sarajevo.¹¹⁷ On September 1, the foreign ministers of Bosnia-Herzegovina, the Republic of Croatia and the Federal Republic of Yugoslavia have agreed to meet in Geneva to discuss a peace settlement. Meanwhile, NATO suspended its air strikes and waited to see the results of the negotiations.¹¹⁸ However, the Muslim-Croat side did not welcome this decision of NATO and stated that, if the NATO bombing would not resume, they would not attend the talks.¹¹⁹ After a couple of days, NATO indeed resumed bombing, by concluding that the Bosnian Serbs had failed to demonstrate the intent to comply with the UN demands of removing military threats against Sarajevo.¹²⁰

This might seem as if the Western Alliance was taking sides in favour of the Muslim-Croat side; but since the beginning of the war in Bosnia, the Western Alliance had not been able to end the war, or at least prevent the escalation of the war, as they had refrained from taking a tougher stance. The stated aim of the Western Alliance for bombing the Bosnian Serb targets was to bring the parties to the negotiation table and end the war by bringing a negotiated solution. In this way, the Western Alliance could also free itself from the humiliation of not ending the war. The only way that seemed possible to bring the Bosnian Serbs to the negotiation table was to exhaust them by those air raids. Therefore, even if this might be perceived as taking sides, it was in fact a taking side through the coincidence of the positions of the Muslim-Croat side and the Western Alliance.

Afterwards, in Geneva, the parties clearly stated their demands for Sarajevo. The Muslim-Croat side insisted on a unified Sarajevo,¹²¹ and the Bosnian Serbs did not give up their demand of controlling a part of Sarajevo.¹²² The Bosnian Serbs also revealed that they were ready to lift the blockade of Sarajevo and discuss a cease-fire with the Muslim-Croat forces, but they refused to withdraw siege guns under attack by NATO planes.¹²³ On September 13, when the Bosnian Serbs expressed their wish to have the air strikes lifted, Richard Holbrooke assured the Bosnian Serbs that they would stop the strikes, if the Bosnian Serbs would end the siege of Sarajevo.¹²⁴ The agreement, as an outcome of this deal, would lead to a cease-fire by ending the siege of Sarajevo in return for halting the air strikes, and would create an atmosphere conducive for taking concrete steps for a negotiated solution.¹²⁵ The peace talks

began in US at the beginning of November, after a cease-fire agreement had been signed on October 5, which was the realisation of the deal above.¹²⁶

Now that the siege of Sarajevo had ended, the question in the peace talks was whether Sarajevo would be unified and totally under the control of the Muslim-Croat side, or be divided among the Bosnian Serb side and the Muslim-Croat side.

The Muslim-Croat side wanted Sarajevo and the urban parts of the city, which included the areas making possible most importantly all communications between Sarajevo and the north, and the communication lines to the south, including the railway junction and the airport.¹²⁷ In addition, they wanted a unified city as it would be difficult to keep peace in Sarajevo if it would be divided among hostile factions.¹²⁸

The Bosnian Serbs on the other hand, did not want to give up Sarajevo as it was the second Serb city in the former Yugoslavia and many Bosnian Serbs were living in Sarajevo.¹²⁹ The Bosnian Serbs wanted a divided Sarajevo as a symbol of legitimacy of their state within Bosnia-Herzegovina.¹³⁰ The problem was no longer the territorial division of Sarajevo, but the constitutional and the legal status of the city, that would determine the side having authority over Sarajevo.¹³¹

As a result, according to the Dayton Peace Agreement, central Sarajevo and some surrounding territory, including Grbovica and Ilizda, would be under the control of

the Muslim-Croat Federation, while the Bosnian Serbs would control other districts. The Bosnian Serbs also would retain nearby Pale, which was their provisional capital.¹³² Not surprisingly, the Muslim-Croat side was fully satisfied with that solution, as they got Sarajevo together with its surroundings under their control.

For the Bosnian Serbs, however, Sarajevo was a painful loss and they had some reservations about this solution. The Bosnian Serbs thought that Sarajevo would be a problem, as 130 000-150 000 Serbs, living in Sarajevo, would either have to leave their homes or stay and defend themselves.¹³³ In other words, the Bosnian Serb side was anxious about the future of the Bosnian Serb majority living in Sarajevo, and they were deeply unsatisfied with the loss of the city. However, the Dayton Peace Agreement had addressed to these concerns of the Bosnian Serbs. Accordingly, the Bosnian Serbs had received guarantees regarding reconstruction and building from the international community and the FRY for those people who wanted to leave. For those people who wanted to stay, again, they received international guarantee regarding protection. The people in Serb Sarajevo would have security in the sense that they would know that they did not have to leave and they would have a choice in the sense that they would have somewhere to go, if they wanted to leave.¹³⁴ As a result, the third major issue of the peace process had been solved in this way.

3.4.2 ANALYSIS OF THE NEGOTIATED OUTCOME

Concerning the issue of Sarajevo, both parties had mutually exclusive demands, but different underlying interests. First of all, the Muslim-Croat side wanted to have an undivided Sarajevo under its control, while the Bosnian Serbs wanted to control a part of Sarajevo.

The underlying interest of the Muslim-Croat side was to have this area, which was developed in terms of communication and transportation. Secondly, they wanted a unified city, as a division of the city among hostile factions would create problems.

However, the underlying interest of the Bosnian Serb side was quite different. The Bosnian Serb side was concerned about the future of the Serb majority living in Sarajevo. In addition, if they would have a part of Sarajevo, this would be an indication for the legitimacy of their state within Bosnia-Herzegovina.

The solution, which the Dayton Peace Agreement has brought can be formulated as nonspecific compensation. In nonspecific compensation, one party gets what it wants and the other party is compensated in some unrelated coin. Concerning the issue of Sarajevo, the outcome completely satisfied the Muslim-Croat demand and compensated the loss of the Bosnian Serb side. Accordingly, Sarajevo remained under the control of the Muslim-Croat Federation and would be undivided. In return,

the Bosnian Serb side got some districts of Sarajevo and also Pale, the provisional capital city of the Bosnian Serbs. Although the Bosnian Serbs did not have the same underlying interest for the districts of Sarajevo and Pale, still they were important areas for the Bosnian Serbs, that would compensate the loss of Sarajevo to a certain extent. In addition, the Bosnian Serbs had received guarantees concerning the rights of the Serb majority living in Sarajevo. This can be formulated as cost cutting because the frustration of the Bosnian Serbs caused by the loss of the city was reduced through these guarantees.

This solution does not fit in logrolling because the Muslim-Croat side did not concede on any issue. It is also not bridging, as there was not a new alternative that satisfied the interests of both parties. Lastly, it was not expanding the pie, as there was no supply of resources to the conflict. Table 5 summarizes the type of the negotiated outcome of the issue of Sarajevo.

Table 5 : Type of the negotiated outcome of the issue of Sarajevo and the mechanism used

ISSUE	TYPE OF THE OUTCOME / MECHANISM USED
Sarajevo	Integrative-nonspecific compensation, cost cutting

The next chapter, the conclusion part, consists of the major findings and the theoretical, methodological and practical implications that can be drawn out of this study.

CHAPTER IV

CONCLUSION

The analyses in the previous chapter revealed that among the eight sub-issues and one main issue, the negotiated outcomes of the five sub-issues and the one main issue were integrative. In two of these sub-issues and in the main issue (the control of Gorazde and the land link between Sarajevo and Gorazde, the control of Eastern Slavonia, the issue of Sarajevo), nonspecific compensation was used as the mechanism to reach integrative outcomes. In two sub-issues (the integrity of the state of Bosnia-Herzegovina, the political authorities of the state), logrolling was used. Finally, in one sub-issue and the main issue (the name of the state, issue of Sarajevo), cost cutting was used to reach integrative outcomes. There were no integrative outcomes where bridging or expanding the pie were used as the mechanism. Among the remaining three sub-issues, only the negotiated outcome of one sub-issue (the percentage of territory each party would get) was distributive. Apart from that, one sub-issue (Posavina Corridor and Brcko) was left to international arbitration. For one other sub-issue (Bosnian Serb access to the sea), it was not possible to analyse the negotiated outcome in terms of its distributive or integrative aspects due to the

ambiguity of the outcome itself (See Appendix).

These findings are unexpected, therefore striking because this study showed that even in the real world international negotiations, the achievement of integrative outcome is possible. Below, this chapter further elaborates the theoretical, methodological and practical implications of this study.

4.1 THE THEORETICAL IMPLICATIONS

Concerning the theoretical implications, it is necessary to state that there are numerous studies in the negotiation literature, which refer to integrative and distributive negotiation and outcomes. However, there are very few studies which concentrate on the distributive and integrative aspects of the real world international negotiations. Therefore, this study applied the theory of negotiations to the real world case (Dayton Peace Agreement) in order to examine whether in the real world negotiations integrative agreements are possible.

This leads to another theoretical implication. As Hopmann emphasizes, the realist paradigm is dominant in international relations.¹ According to this paradigm, the gain of one party is the loss of the other party. At this point, this thesis challenged this realist assumption by showing that there might be integrative outcomes in the real

world negotiations. The finding that some negotiated outcomes of the Dayton Peace Agreements were integrative, as the analysis part indicated, supported this attempt. It is necessary to note that the Dayton Peace Agreement is not a cooperation agreement, not a customs union agreement, nor an agreement that updates an already existing one, in all of which an extent of relationship has already been established. On the contrary, the negotiating parties in the Dayton Peace Process were the sides of a bloody war. In other words, the Dayton Peace Agreement, which ended the Bosnian War, can be called as the manifestation of the realist paradigm in the real world. The analyses of this study showed that even in that kind of an agreement, numerous integrative outcomes are present on issue basis.

A final remark in terms of the theoretical implications is that the five mechanisms suggested to reach integrative outcomes, which were used as tools for analysis, have distributive aspects as well. In expanding the pie, the resources are increased, but then redistributed. In nonspecific compensation, redistribution occurs between the demanded and compensated interests. In other words, while one party gets what it wants, the other party is compensated. How much compensation the other party would get and when is a matter of distribution. In logrolling, there is a distribution among the issues as well. Each party has a rank of issues according to their priorities, and each party gets what is primarily important for it and concedes on less important issues. Thus, there is a distribution among priority of issues. In cost cutting, there is the same kind of distribution as indicates of nonspecific compensation. One party gets what it wants while the cost of the other party is reduced or eliminated.

Therefore, there is a distribution between the demand and the reduced cost. The point is that a party is satisfied either by fulfilling its demand or by reducing its costs. Finally, in bridging, there is a distribution among interests as a new alternative is found that satisfies both sides' primary interests. The distribution is between the interests this time, because instead of fulfilling all interests, both parties' primary interests are met. What is common to all these five mechanisms is that they are mechanisms, which aim to increase the joint benefit and satisfaction of each party as much as possible.

4.2 THE METHODOLOGICAL IMPLICATIONS

In terms of methodological implications, the first point is that, as there are few real world analyses in international negotiations, there is also not enough guidance and instruments about how to conduct such study. Therefore, in this thesis, the six questions (what was the issue/sub-issue, who were the parties to this issue/sub-issue, what was each party's position concerning this issue/sub-issue, why did the parties take such positions concerning this issue/sub-issue, what were the underlying interests and the priorities of each party concerning this issue/sub-issue, what that each party get at the end of the peace process) served as analytical tools to understand and identify the major parameters of the negotiations. By this way, the primary data have been transformed systematically to a form which turned out to be

the bases of the analyses.

An important limitation of this methodology was the difficulty in learning the value each party attaches to a specific issue/sub-issue as well as the underlying interests of each party's position. To put it in another way, it may not always be possible to answer the fourth question above by using the sources of news agencies. In order to be able to answer the fourth question, the thesis relied on inferences that were based on the information gathered from the news agencies. For overcoming this limitation, it might be useful to be able to interview the negotiators themselves who are the best persons to know the underlying interests of their positions. However, this is a very costly method of gathering information.

Another way that would help to reveal the underlying interests is referring to the records of the negotiations and relevant documents of the agreement. This is also not possible for the time being as the Dayton Peace Agreement is a recent agreement and refers to a hot conflict. Therefore, the documents are still secret.

Apart from these methodological limitations, there is the problem of the lack of an instrument to analyse negotiated outcomes. Although there are content analysis codes concerning the negotiation process, these do not give any idea about the nature of the outcomes of those negotiations. Thus, drawing inferences seems to be the only way to make a real world analysis, at least for the time being. In this context, this thesis showed the limitations of a real world analysis and therefore, implying the necessity

of an instrument, for example content analysis code concerning the nature of the outcomes of negotiations. Further analysis of real world conflicts would be helpful in developing such a content analysis code.

Another important point that deserves emphasis is that this thesis analysed the Dayton Peace Agreement at the issue and sub-issue level. It dwelled on each issue/sub-issue and went to a formulation only at that level. For example, it did not make a formulation by taking the territorial and constitutional issues into consideration at the same time, but analysed the each sub-issue of the territorial and constitutional issue in itself and made a formulation for each of those sub-issues. In other words, it remained at the micro level. Therefore, it is also not within the scope of this thesis to state whether the Dayton Peace Agreement is integrative or not as a whole. In order to be able to draw a conclusion concerning the whole agreement, it is essential to take a macro approach, which formulates the negotiated outcome of the agreement, by taking all issues into consideration at the same time. The only thing this study might imply at a macro level is that this agreement, more or less, is designed to satisfy each of the negotiating parties in terms of the three issues that are subject to this study.

Remaining at the level of issue/sub-issue, although the analysis showed that the negotiated outcomes of numerous sub-issues concerning the territorial and constitutional issues and of the issue of Sarajevo were integrative outcomes that theoretically increased mutual benefits, with this kind of a study, it was not possible

to measure how much the parties increased their joint benefits.

4.3 THE PRACTICAL IMPLICATIONS

As for the practical implications, the analysis on the Dayton Peace Agreement indicates that reaching integrative outcomes does not require the parties to leave their own interests aside and only try to think in terms of increasing the other party's interests. The mechanisms for reaching integrative outcomes show the parties how to increase their own interests as well. Therefore, it is important to train the negotiating parties in order to make them able to find formulations where they can increase their own interests together with the interests of the other party. However, there is a limitation at this point, in the sense that, as every integrative outcome has a distributive aspect as stated above, it is up to the parties to decide on the degree of each of these aspects.

The role of the mediator is also an important point concerning the practical implications. The achievement of integrative outcomes depends to a great extent on the availability of extra information and extra resources. A third party who has a good picture of events, leverage and the possibility to provide extra resources as well as extra information about parties, is more likely to be successful in the achievement of an integrative outcome.

APPENDIX

Table showing the major findings

MECHANISMS USED TO REACH INTEGRATIVE OUTCOMES									
		Expanding the pie	Nonspecific compensation	Logrolling	Cost cutting	Bridging	No outcome	N.A	Distributive
SUB-ISSUES	The percentage of territory each party would get								✓
	The control of Gorazde and the land link between Sarajevo and Gorazde		✓						
	Bosnian Serb access to the sea							✓	
	The control of Eastern Slavonia		✓						
	The Posavina Corridor and Brcko						✓		
	The integrity of the state of Bosnia-Herzegovina			✓					
	The political authorities of the state			✓					
	The name of the state					✓			
	MAIN ISSUES	Sarajevo		✓		✓			

ENDNOTES

Notes for Chapter I

- ¹ P. Terrence Hopmann, "Two Paradigms of Negotiation: Bargaining and Problem Solving," Annals. AAPSS 542 (November 1995), 28-31.
- ² R.E Walton and R.B McKersie, "A Behavioural Theory of Labour Negotiations" in "A game Theoretic Approach to Integrative Solutions", a paper prepared for the presentation at the 10th Annual Conference of the International Association for Conflict Management (IACM), Izak Atiyas and Nimet Beriker-Atiyas. (Bonn: 1997), 1.
- ³ Dean G. Pruitt, " Negotiation Behaviour " in "A game Theoretic Approach to Integrative Solutions", a paper prepared for the presentation at the 10th Annual Conference of the International Association for Conflict Management (IACM), Izak Atiyas and Nimet Beriker-Atiyas. (Bonn: 1997), 1.
- ⁴ Izak Atiyas and Nimet Beriker-Atiyas, "A game Theoretic Approach to Integrative Solutions," a paper prepared for the presentation at the 10th Annual Conference of the International Association for Conflict Management (IACM) (Bonn: 1997), 1.
- ⁵ Roger Fisher and William Ury, Getting to Yes: Negotiating Agreement Without Giving In, ed. Bruce Palton (England: Penguin Books, 1983), 3-14.
- ⁶ Hopmann, 29-39.
- ⁷ Atiyas and Beriker-Atiyas, 1.
- ⁸ They call this method " Principled negotiation " in which parties should focus on interests rather than positions and be creative by generating a variety of possibilities before deciding what to do. Roger Fisher and William Ury, Getting to Yes: Negotiating Agreement Without Giving In, ed. Bruce Palton (England: Penguin Books, 1983), 11.

- ⁹ W. Bottom and A. Studt, "Framing Effects and the Distributive Aspect of Integrative Bargaining," Organizational Behaviour and Human Decision Process 56 (1993), 459-474.
- ¹⁰ T. Simons, "Search Patterns and the Concept of Utility in Cognitive Maps: the Case of Integrative Bargaining," Academy of Management Journal 36:1 (1993), 139-156.
- ¹¹ E. A. Mannix, C. H. Tinsley, and M. Bazerman, "Negotiating Over Time: Impediments to Solutions," Organizational Behaviour and Human Decision Process 62:3 (1995), 241-251.
- ¹² Ibid.
- ¹³ G. A. Yukl, M. P. Malone, B. Hayslip, and T. A. Pamin, "The Effects of Time Pressure and Issue Settlement Order on Integrative Bargaining," Sociometry 39 (1976), 277-281.
- ¹⁴ P. J. Carnevale, and E. J. Lawler, "Time Pressure and the Development of Integrative Agreements in Bilateral Negotiations," Journal of Conflict Resolution 30 (1986), 636-659.
- ¹⁵ L. Thompson, and R. Hastie, "Social Perception in Negotiation," Organizational Behaviour and Human Decision Process 47 (1990), 98-123; L. Thompson, "Negotiation Behaviour and Outcomes: Empirical Evidence and Theoretical Issues," Psychological Bulletin 108:3 (1990), 515-532.
- ¹⁶ R. M. Kramer, and M. B. Brewer, "The Effects of Group Identity on Resource Use in a Simulated Commons Dilemma," Journal of Personality and Social Psychology 46 (1984), 1004-1057.
- ¹⁷ M. B. Brewer, "Ethnocentrism and its Role in Interpersonal Trust," in Scientific Inquiry and the Social Sciences, M. Brewer and B. Collins, eds. (San Francisco: Jossey-Bass, 1981).
- ¹⁸ Atiyas and Beriker-Atiyas, 1.
- ¹⁹ John W. Burton, Resolving Deep-Rooted Conflict: A Handbook (New York: University Press of America, 1987), 16
- ²⁰ Herbert C. Kelman, "Interactive Problem Solving: A Social-Psychological Approach to Conflict Resolution," in Conflict: Reading in Management and Resolution, John Burton and Frank Dukes, eds. (New York: St. Martins Press, 1990), 201-203; Herbert C. Kelman, "Negotiation As Interactive Problem

Solving,” International Negotiation 1 (1996), 101.

²¹ Hopmann, 31-39.

²² Atiyas and Beriker-Atiyas, 1.

²³ A. J. R. Groom, “Paradigms in Conflict: the Strategist, the Conflict Researcher and the Peace Researcher,” in Conflict: Readings in Management and Resolution, John Burton and Frank Dukes, ed. (London: The MacMillan Press Ltd., 1990),

²⁴ Anthony Reuck, “ The Logic Of Conflict: its Origin, Development and resolution“, in Conflict in World Society: A New Perspective On International Relations, Michael Banks, ed. (Brighton: Harvester Press, 1990), 105-111.

²⁵ Jeffrey Z. Rubin, Dean G. Pruitt, and Sung Hee Kim, Social Conflict: Escalation, Stalemate and Settlement, (US: Mc Graw-Hill Inc., 1994), 173-179.

²⁶ Ibid.

²⁷ Ibid.

Notes for Chapter II

¹ Keesing's Record of World Events, Volume 37 (Supplement), Number 9, 38502.

² Ibid., News Digest for June 1991, 38274.

³ Facts on File, 12 September 1991, 678.

⁴ Keesing's Record of World Events, Volume 39 Reference Supplement, R101.

⁵ Ibid., News Digest for April 1992, 38848.

⁶ from the interview with Hasan Ünal.

⁷ Keesing's Record of World Events, News Digest for March 1992, 38832.

⁸ Ibid., Volume 39 Reference Supplement, R102.

⁹ Ibid., News Digest for January 1993, 39277.

¹⁰ Ibid., News Digest for July 1993, 39563.

- ¹¹ Ibid., News Digest for January 1994, 39828.
- ¹² Nimet Beriker Atiyas, "Mediating Regional Conflicts And Negotiating Flexibility: Peace Efforts in Bosnia-Herzegovina, " Annals, AAPPS 542 (November 1995), 185;Keesing's Record of World Events, News Digest for February 1994, 39870.
- ¹³ Keesing's Record of World Events, News Digest for February 1994, 39871.
- ¹⁴ Facts on File, 28 April 1994, 293.
- ¹⁵ Ibid., 26 May 1994, 382.
- ¹⁶ Ibid., 21 July 1994, 518.
- ¹⁷ Micheal Kelly, "The Negotiator," The New Yorker (November 6, 1995), 84.
- ¹⁸ International Herald Tribune, 9 August 1995.
- ¹⁹ Keesing's Record of World Events, News Digest for August 1995, 40690.
- ²⁰ International Herald Tribune, 29 August 1995.
- ²¹ Ibid., 2 September 1995.
- ²² Ibid., 4 September 1995.
- ²³ Ibid., 8 September 1995.
- ²⁴ Summary of World Broadcasts, Part 2, 11 September 1995, C/1.
- ²⁵ International Herald Tribune 16 September 1995; Kelly, 86.
- ²⁶ Summary of World Broadcasts, Part 2, 7 October A/1.
- ²⁷ Ibid., 29 September 1995, A/1.
- ²⁸ Ibid., 3 November 1995, A/1.
- ²⁹ Ibid., 23 November 1995, A/1.
- ³⁰ General Framework Agreement for Peace in Bosnia and Herzegovina, 1.

Notes for Chapter III

¹ The scope of the analysis is limited with three issues of the Dayton Peace Agreement while the Dayton Peace Agreement is comprised of eleven annexes, which are all agreements on eleven specific issues. These eleven annexes are:

Annex 1-A	Agreement on Military Aspects of the Peace Settlement
Annex 1-B	Agreement on Regional Stabilization
Annex 2	Agreement on Inter-Entity Boundary Line and Related Issues
Annex 3	Agreement on Elections
Annex 4	Constitution
Annex 5	Agreement on Arbitration
Annex 6	Agreement on Human Rights
Annex 7	Agreement on Refugees and Displaced Persons
Annex 8	Agreement on the Commission to Preserve National Monuments
Annex 9	Agreement on Bosnia and Herzegovina Public Corporations
Annex 10	Agreement on Civilian Implementation
Annex 11	Agreement on International Police Task Force
	General Framework Agreement for Peace in Bosnia and Herzegovina.

² Dean G. Pruitt, Negotiation Behaviour, (New York: Academic Press, 1981), 137.

³ Jeffrey Z. Rubin, Dean G. Pruitt, and Sung Hee Kim, Social Conflict: Escalation, Stalemate and Settlement, (US: Mc Graw-Hill Inc., 1994), 173-179.

⁴ Keesing's Record of World Events, News Digest for August 1995, 40690.

⁵ Summary of World Broadcasts, Part 2, 17 August 1995, C/11, C/12.

⁶ International Herald Tribune, 9 August 1995.

⁷ Keesing's Record of World Events, News Digest for August 1995, 40688.

⁸ International Herald Tribune, 19 August 1995.

⁹ Facts on File, 17 August 1995, 590.

¹⁰ Summary of World Broadcasts, Part 2, 25 August 1995, C/8.

¹¹ Keesing's Record of World Events, News Digest for August 1995, 40691.

¹² Facts on File, 7 September 1995, 646.

¹³ Ibid.

- ¹⁴ International Herald Tribune, 9 September 1995.
- ¹⁵ Ibid., 18 September 1995.
- ¹⁶ Ibid., 7 October 1995; Summary of World Broadcasts, Part 2, 17 October 1995, A/1.
- ¹⁷ International Herald Tribune, 21 September 1995.
- ¹⁸ Ibid.
- ¹⁹ Facts on File, 23 November 1995, 865.
- ²⁰ International Herald Tribune, 8 December 1995.
- ²¹ Summary of World Broadcasts, Part 2, 22 November 1995, A/2.
- ²² International Herald Tribune, 19 August 1995.
- ²³ Summary of World Broadcasts, Part 2, 6 September 1995, C/4.
- ²⁴ International Herald Tribune, 23 September 1995; Summary of World Broadcasts, Part 2, 16 September 1995, C/6.
- ²⁵ OMRI Daily Digest, 16 November 1995; Facts on File, 21 November 1995, 865; Summary of World Broadcasts, Part 2, 16 November 1995, A/2.
- ²⁶ Summary of World Broadcasts, Part 2, 23 November 1995, A/3.
- ²⁷ Ibid., 25 August 1995, C/9.
- ²⁸ Ibid., 26 August 1995, C/13.
- ²⁹ International Herald Tribune, 19 August 1995.
- ³⁰ Ibid.
- ³¹ Ibid., 6 September 1995.
- ³² Summary of World Broadcasts, Part 2, 23 November 1995, A/3; International Herald Tribune, 17 November 1995; Facts on File, 21 November 1995, 865.
- ³³ Summary of World Broadcasts, Part 2, 23 November 1995, A/3.
- ³⁴ Facts on File, 21 November 1995, 865; International Herald Tribune, 30 August

- 1995.
- ³⁵ International Herald Tribune, 17 November 1995.
- ³⁶ Ibid., 25 October 1995, A/3.
- ³⁷ Ibid., 16 November 1995, A/1.
- ³⁸ Ibid., 31 October 1995, A/7.
- ³⁹ Ibid., 2 September 1995, C/2.
- ⁴⁰ Ibid., 20 November 1995, A/4.
- ⁴¹ Ibid., 31 October 1995, A/7.
- ⁴² OMRI Daily Digest, 3 January 1997.
- ⁴³ Vreme, 25 December 1995.
- ⁴⁴ Summary of World Broadcasts, Part 2, 4 December 1995, A/17.
- ⁴⁵ Ibid., 20 November 1995, A/4.
- ⁴⁶ Ibid., 28 November 1995, A/5.
- ⁴⁷ Ibid., 13 December 1995, A/9, A/10.
- ⁴⁸ Vreme, 25 December 1995.
- ⁴⁹ Serbia Bulletin, September 1996.
- ⁵⁰ Keesing's Record of World Events, News Digest for November 1995, 40832; Summary of World Broadcasts, Part 2, 2 September 1995, C/5.
- ⁵¹ International Herald Tribune, 2 September 1995.
- ⁵² Ibid.; Summary of World Broadcasts, Part 2, 7 October 1995, A/7.
- ⁵³ Summary of World Broadcasts, Part 2, 11 September 1995, C/3.
- ⁵⁴ OMRI Daily Digest, 9 November 1995.
- ⁵⁵ Summary of World Broadcasts, Part 2, 14 November 1995, A/2.
- ⁵⁶ OMRI Daily Digest, 15 November 1995.

- ⁵⁷ Keesing's Record of World Events, News Digest for August 1990, 37666.
- ⁵⁸ Summary of World Broadcasts, Part 2, 20 October 1995, A/2; New York Times Service, 22 October 1995; International Herald Tribune, 19 August 1995.
- ⁵⁹ OMRI Daily Digest, 16 November 1995.
- ⁶⁰ Summary of World Broadcasts, Part 2, 23 October 1995, A/1; 16 November 1995, A/2.
- ⁶¹ Ibid., 24 November 1995, A/1.
- ⁶² OMRI Daily Digest, 16 November 1995.
- ⁶³ International Herald Tribune, 26 September 1995.
- ⁶⁴ New York Times Service, 21 November 1995.
- ⁶⁵ Summary of World Broadcasts, Part 2, 25 November 1995, A/3.
- ⁶⁶ Summary of World Broadcasts, Part 2, 16 August 1995, C/9.
- ⁶⁷ Ibid., 13 September 1995, C/8.
- ⁶⁸ International Herald Tribune, 26 September 1995.
- ⁶⁹ Keesing's Record of World Events, News Digest for March 1994, 39925.
- ⁷⁰ Summary of World Broadcasts, Part 2, 11 September 1995, C/2.
- ⁷¹ Ibid., 17 August 1995, C/12.
- ⁷² Ibid., 26 August 1995, C/12.
- ⁷³ Ibid., 30 August 1995, C/11.
- ⁷⁴ Ibid., 6 September 1995, C/4.
- ⁷⁵ International Herald Tribune, 5 September 1995.
- ⁷⁶ Summary of World Broadcasts, Part 2, 9 September 1995, C/1; 28 September 1995, A/1.
- ⁷⁷ Ibid., 11 September 1995, C/1.

- ⁷⁸ International Herald Tribune, 9 September 1995.
- ⁷⁹ Summary of World Broadcasts, Part 2, 11 September 1995, C/9.
- ⁸⁰ International Herald Tribune, 9 September 1995.
- ⁸¹ Summary of World Broadcasts, Part 2, 11 September 1995, C/13.
- ⁸² Ibid., 13 September 1995, C/5.
- ⁸³ Ibid., 11 September 1995, C/13.
- ⁸⁴ International Herald Tribune, 11 September 1995.
- ⁸⁵ Facts on File, 28 September 1995.
- ⁸⁶ International Herald Tribune, 2 November 1995.
- ⁸⁷ Summary of World Broadcasts, Part 2, 21 November 1995, A/1.
- ⁸⁸ Ibid., 1 December 1995, A/1.
- ⁸⁹ Ibid., 21 November 1995, A/1.
- ⁹⁰ Ibid., 24 November 1995, A/1.
- ⁹¹ Ibid., 28 November 1995, A/2.
- ⁹² Ibid., 24 November 1995, A/7.
- ⁹³ International Herald Tribune, 26 September 1995.
- ⁹⁴ Summary of World Broadcasts, Part 2, 11 September 1995, C/11.
- ⁹⁵ Ibid.
- ⁹⁶ Summary of World Broadcasts, Part 2, 11 September 1995, C/3; C/12.
- ⁹⁷ Ibid., 11 September 1995, C/3.
- ⁹⁸ International Herald Tribune, 27 September 1995; Summary of World Broadcasts, Part 2, 29 September 1995, A/1.
- ⁹⁹ Summary of World Broadcasts, Part 2, 29 September 1995, A/3.
- ¹⁰⁰ Ibid., 1 December 1995, A/1.

- ¹⁰¹ Ibid., 20 September 1995, A/3.
- ¹⁰² Ibid., 29 September 1995, A/4-A/5.
- ¹⁰³ Ibid., 24 November 1995, A/1; 25 November 1995, A/1.
- ¹⁰⁴ Ibid., 2 October 1995, A/4.
- ¹⁰⁵ Ibid., 6 September 1995, C/4.
- ¹⁰⁶ Ibid., 11 September 1995, C/3.
- ¹⁰⁷ Ibid., 28 November 1995, A/13.
- ¹⁰⁸ Keesing's Record of World Events, Volume 39 Reference Supplement, R102.
- ¹⁰⁹ Summary of World Broadcasts, Part 2, 8 September 1995, C/11.
- ¹¹⁰ Ibid., 26 August 1995, C/13.
- ¹¹¹ Keesing's Record of World Events, Volume 39 Reference Supplement, R102.
- ¹¹² Ibid., News Digest for May 1993, 39469.
- ¹¹³ Summary of World Broadcasts, Part 2, 21 August 1995, C/8.
- ¹¹⁴ International Herald Tribune, 1 September 1995.
- ¹¹⁵ Ibid., 29 August 1995.
- ¹¹⁶ Summary of World Broadcasts, Part 2, 31 August 1995, C/10.
- ¹¹⁷ International Herald Tribune, 1 September 1995.
- ¹¹⁸ Ibid., 2 September 1995.
- ¹¹⁹ Ibid., 4 September 1995.
- ¹²⁰ Ibid., 6 September 1995.
- ¹²¹ Summary of World Broadcasts, Part 2, 11 September 1995, C/3.
- ¹²² International Herald Tribune, 11 September 1995.
- ¹²³ Ibid.

- ¹²⁴ Michael Kelly, "The Negotiator," The New Yorker (November 6, 1995), 86.
- ¹²⁵ Ibid.
- ¹²⁶ International Herald Tribune, 6 October 1995.
- ¹²⁷ Summary of World Broadcasts, Part 2, 24 November 1995, A/2.
- ¹²⁸ Facts on File, 21 November 1995, 866.
- ¹²⁹ Summary of World Broadcasts, Part 2, 2 October 1995, A/4.
- ¹³⁰ Facts on File, 21 November 1995, 866.
- ¹³¹ Summary of World Broadcasts, Part 2, 16 November 1995, A/1.
- ¹³² International Herald Tribune, 21 November 1995.
- ¹³³ Summary of World Broadcasts, Part 2, 28 November 1995, A/5; 4 December 1995, A/2.
- ¹³⁴ Ibid., 16 December 1995, A/1.

SELECTED BIBLIOGRAPHY

- Atiyas, Izak, and Atiyas, Nimet Beriker. "A Game Theoretic Approach to Integrative Solutions." A paper prepared for presentation at the 10th Annual Conference of The International Association for Conflict Management (IACM). Bonn. June 15-18, 1997.
- Bartos, Otomar J. "Modeling Distributive and Integrative Negotiations." Annals, AAPSS. 542 (November 1996), 48-60.
- Bottom, W., and Studt, A. "Framing Effects and the Distributive Aspect of Integrative Bargaining." Organizational Behaviour and Human Decision Process. 56 (1993), 459-474.
- Brewer, M. B. "Ethnocentrism and its Role in Interpersonal Trust," in Scientific Inquiry and the Social Sciences. Eds. M. Brewer and B. Collins. San Francisco: Jossey-Bass, 1981.
- Burton, John W. Resolving Deep-Rooted Conflicts: A Handbook. New York: University Press of America, 1987.
- Carnevale, P. J., and Lawler, E. J. "Time Pressure and the Development of Integrative Agreements in Bilateral Negotiations." Journal of Conflict Resolution. 30 (1986), 636-659.
- Facts on File Weekly World News Digest. New York, Oxford.
- Fisher, Roger, and Ury, William. Getting to Yes: Negotiating Agreement Without Giving In. Ed. Bruce Palton. England: Penguin Books, 1983.
- Fisher, Ronald J. "Developing the Field of Interactive Conflict Resolution: Issues in Training, Funding and Institutionalization." A paper presented at the Fourteenth Annual Scientific Meeting of the International Society of Political Psychology, Helsinki. July 1-5, 1991.
- Full text of the Yugoslav-Croatian Agreement. Serbia Bulletin – September 96. Also available on Internet <http://www.yugoslavia.com.bulletin/96/9609/960901.htm>.
- General Framework Agreement for Peace in Bosnia and Herzegovina. Office of the

Spokseman, December 1, 1995. Also available on Internet
<http://www.state.gov/www...nt/bosnia/dayframe.htm>.

Groom, A. J. R. "Paradigms in Conflict: the Strategist, the Conflict Researher and the Peace Researcher," in Conflict: Readings in Management and Resolution, pp.71-98. Eds. John Burton and Frank Dukes. London: MacMillan Press Ltd., 1990.

Hill, Barbara. "An Analysis of Conflict Resolution Technics." Journal of Conflict Resolution. 26:1 (1982), 109-138.

Holbrooke, Richard. "The Road to Sarajevo." The New Yorker. (October 21-28,1996), 88-104.

Hopmann, P. Terrence. "Two Paradigms of Negotiation: Bargaining and Problem Solving." Annals, AAPSS. 542 (November 1996), 24-47.

International Herald Tribune.

Keesing's Record of World Event, UK Catermill Publishing.

Kelly, Michael. "The Negotiator." The New Yorker. (November 6-13, 1995), 81-92.

Kelman, Herbert C. "Interactive Problem Solving: A Social Psychological Approach to Conflict Resolution," in Conflict: Paradigm in Management and Resolution, pp.199-215. Eds. John Burton and Frank Dukes. New York: St. Martins Press, 1990.

------. "Negotiation as Interactive Problem Solving." International Negotiation. 1 (1996), 99-123.

Kramer, R. M., and Brewer, M. B. "The Effects of Group Identity on Resource Use in a Simulated Commons Dilemma." Journal of Personality and Social Psychology. 46 (1984), 1004-1057.

Mannix, E. A.; Tinsley, C. H.; and Bazerman, M. "Negotiating Over Time: Impediments to Solutions." Organizational Behaviour and Human Decision Process. 62:3 (1995), 241-251.

New York Times Service.

OMRI Daily Digest.

Owen, David. Balkan Odyssey. London: Cassel Group, 1995.

Pruitt, Dean G. Negotiation Behaviour. New York: Academic Press, 1981.

- Pruitt, Dean G., and Lewis, Steven A. "The Psychology of Integrative Bargaining," in Negotiations: Social-psychological Perspectives. London: Sage Publications, 1977.
- Reuck, Anthony. "The Logic of Conflict: Its Origin, Development and Resolution," in Conflict in World Society: A New Perspective on International Relations, pp.96-111. Ed. Michael Banks. Brighton: Harvester Press, 1990.
- Rubin, Jeffrey Z.; Pruitt, Dean G.; and Kim, Sung Hee. Social Conflict: Escalation, Stalemate and Settlement. US: McGraw-Hill Inc., 1994.
- Simons, T. "Search Patterns and the Concept of Utility in Cognitive Maps: the Case of Integrative Bargaining." Academy of Management Journal. 36:1 (1993), 139-156.
- Summary of World Broadcasts. Part 2: Central Europe, the Balkans. Reading: British Broadcasting Corporation Monitoring.
- Thompson, L., and Hastie, R. "Social Perception in Negotiation." Organizational Behaviour and Human Decision Process. 47 (1990), 98-123.
- Thompson, L. "Negotiation Behaviour and Outcomes: Empirical Evidence and Theoretical Issues." Psychological Bulletin. 108:3 (1990), 515-532.
- Ünal, Hasan. Interview with the author. Bilkent University, Department of International Relations, 12 August 1997.
- Vreme–Belgrade weekly. Also available on Internet
<http://mediafilter.org/MFF/Mon.26-27.html#Vreme2>.
- Walton, R. E., and McKersie, R. B. A Behavioural Theory of Labor Negotiations. New York: McGraw-Hill Book Company, 1968. In Atiyas, Izak, and Atiyas, Nimet Beriker. "A Game Theoretic Approach to Integrative Solutions." A paper prepared for presentation at the 10th Annual Conference of The International Association for Conflict Management (IACM). Bonn. June 15-18, 1997.
- Yukl, G. A.; Malone, M. P.; Hayslip, B.; and Pamin, T. A. "The Effects of Time Pressure and Issue Settlement Order on Integrative Bargaining." Sociometry. 39 (1976), 277-281.