

## InclusivePeace: Citizen Inclusion in Power-Sharing Settlements

# POWER-SHARING AND “LEGITIMATE REPRESENTATION”: PERCEPTIONS OF INCLUSIVITY AND EXCLUSIVITY OF THE 2020 MOSTAR AGREEMENT

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## THE ISSUE

*Interviews, focus groups, and power mapping in Mostar reveal gaps in perceptions of the 2020 Mostar Agreement's inclusivity. While acknowledging the value of local initiatives behind this agreement, we recommend reconsidering the meaning of representation and broadening consultations, and utilizing power mapping as a practical tool to support these efforts.*

On December 20, 2020, voters in Mostar, a city in the south of Bosnia and Herzegovina (BiH), went to the polls for the first time in 12 years. Due to a political impasse caused by divisive ethno-politics prevailing in the city, voters in Mostar missed the previous two election cycles. Hence, Mostar was administered by the mayor and the head of Mostar's finance department in a technical mandate since 2012. The mayor was a Croat from the Croatian Democratic Union (HDZ), and the head of the finance department was a Bosniak from the Party of Democratic Action (SDA). A breakthrough was made in the form of the 2020 Mostar Agreement, an agreement by the two major parties, HDZ and SDA.

The stalemate in Mostar started with the question over constitutionality of the Election Law and the Mostar Statute in 2010. The Mostar Statute is a legal framework designed to address the complex ethno-political situation and to foster the city's unification and a return to its multi-ethnic character. It was imposed by the High Representative in 2004 to reorganize the city's administration and established a unified city government while maintaining six city areas as administrative units and constituencies for elections. A case was initiated by the Croat Caucus in the House of Peoples of the Parliamentary Assembly of BiH before the Constitutional Court in 2010. The Court found provisions related to electoral constituencies in Mostar in the Election Law and the Mostar Statute unconstitutional because of the inequality in electoral rights. The Court, therefore, instructed the Parliamentary Assembly of BiH to amend the Election Law ([Decision U 9/09](#)). This case symbolizes the tension between the power-sharing mechanisms designed to stabilize a divided post-conflict society, and principles of a democratic society to guarantee equal electoral rights.

The 2020 elections restored Mostar's City Council, with HDZ and SDA remaining the dominant parties. HDZ won 13 seats and Coalition for Mostar which included SDA won 11 seats. In

total, they won 24 seats out of 35 in the City Council. The 2024 elections largely confirmed this pattern, HDZ won 15 seats and Coalition for Mostar won 10 seats. Citizens expressed mixed feelings: relief that elections were finally held, but frustration at the persistence of entrenched elites.

The Mostar Agreement entailed three elements. The first was reform of the Election Law of BiH to eliminate discriminatory provisions following the Constitutional Court's decision in 2010. The second was the new Mostar Statute based on the power-sharing agreement between HDZ and SDA. The third involved the question of “legitimate representation,” which was a particular concern of HDZ, meaning the guarantee for each constituent people to elect their own political representatives. To date, only the first element has been implemented. Yet the Mostar Agreement holds significance as it was initiated by the local political elites and supported by the two parties' headquarters. The two parties to the negotiation representing Croats and Bosniaks restricted consultation to their supporters, effectively excluding other smaller parties, other ethnic minorities, and non-partisan civic organizations.



Mostar City Hall Council Chamber

### About Inclusive Peace: Citizen Inclusion in Power-Sharing Settlements

The Inclusive Peace project is an international collaborative research initiative which investigates the adoptability and adaptability of power-sharing settlements, including what influences a citizen's decision to endorse settlements and their capacity to shape those agreements over time. The project is funded by an Open Research Area 7 grant.

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# KEY FINDINGS

## Voices From Mostar

Our research draws on interviews, focus group discussions, and a power-mapping exercise designed by our colleague Dr. Dahlia Simangan (Hiroshima University), all conducted in March 2025. Our participants were six political leaders, three religious leaders, two researchers, and eight civil society actors. We also conducted two key informant interviews with international organization officers. Our power-mapping exercise aimed to illustrate perceptions of influence and inclusion among key stakeholders in the 2020 Mostar Agreement. At the end of all interviews, we asked the participants to map actors in quadrants as shown in Figure 1: who supported or opposed the agreement, and who was influential or not. We note that a few participants declined to carry out this exercise. The results were largely consistent across stakeholders, with only minor differences among participants.

Overall, we found that those who align with SDA and HDZ are content with the current power-sharing arrangement. As mentioned earlier, the two major parties received significant support from voters in the last two elections. However, a portion of civil society is critical about the arrangement dominated by two parties. For example, one participant mentioned that the two parties are to be blamed for Mostar's past stalemate in the first place.

In Figure 1, media appears in three locations as participants' views on media were not identical. Some mentioned that it depends on the time, and the others mentioned that the nature of the media companies' vested interests are important. Based on our communication with local participants, including the power-mapping exercise, we present the following main findings.

### Not All Citizens Understand “Legitimate Representation” in the Same Way

In the context of BiH, “legitimate representation” refers to the idea that a political representative belonging to a particular ethnic group should be elected primarily by voters from that same group. For example, a Croat representative is considered “legitimately” elected only if the majority of their votes come from Croat voters. Several participants pointed to what they saw as a case of non-legitimate representation: the election of the Croat member of the Presidency at the state level with substantial support from Bosniak voters. This is often interpreted as tactical voting, in which some Bosniak voters cast ballots for a Croat candidate confident in the victory of their preferred Bosniak candidate.

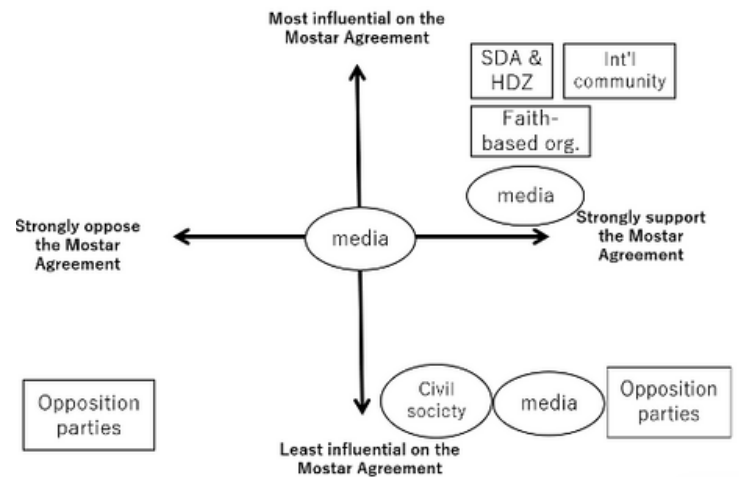


Figure 1. Amalgamated power-mapping results on the 2020 Mostar Agreement

Citizens who do not support ethnic politics view the discourse of “legitimate representation” as a mechanism used by ethnic parties to preserve the existing power balance. They argue that such a discourse obstructs democratic development and electoral reform. Furthermore, people classified as “Others”—that is, citizens who do not belong to one of the three constituent peoples (Bosniaks, Croats, and Serbs)—are systematically excluded from high political office. Both the Presidency and the House of Peoples of BiH are restricted to members of the three constituent peoples.

### Exclusive Consultation Processes Risks Excluding Some Citizens

Local HDZ and SDA leaders maintained that they had conducted broad and inclusive consultations with different segments of society, including women and youth, and believed that City Council debates on the Mostar Statute ensured democratic participation. However, many opposition parties and civil society actors rejected this claim, arguing that the process was dominated by the two ruling parties and excluded alternative voices from the outset. Several participants noted that some civil society organizations (CSOs) involved were effectively extensions of party structures, while genuinely independent groups were marginalized. The marginalization made them feel that they were the minority by trying to serve the city population as a whole. As a result, the 2020 Mostar Agreement was perceived by some CSOs as an elite-driven pact that consolidated existing political power rather than a genuinely inclusive power-sharing arrangement.

# POLICY RECOMMENDATIONS



*The Old Bridge, Mostar*

Although the 2020 Mostar Agreement could have been a more open consultation process, it has shown the possibility of cross-ethnic collaboration. A politician representing one side expressed his appreciation of discussion and compromise. It was also noted that speech requires sensitivity in a divided society. These statements present us the potential of more inclusive and accountable power-sharing. We may draw the following policy lessons from the Mostar case.

## **Local initiatives enhance peacebuilding**

The 2020 Mostar Agreement achieved a visible positive result for the city, as the parties to the agreement show their pride to have brought “democracy back.” Importantly, the agreement was reached without international pressure, with international actors playing a limited role in this instance. In other words, the Mostar Agreement shows that local actors are capable of tackling reform initiatives and confronting parties can reach agreement through negotiations. This demonstrates the hope that peacebuilding can be pushed forward by the local actors, and it is important that their initiatives are properly communicated in order to adjust the general perception that nothing happens without pressure from international community.

## **Consultation for power-sharing needs to incorporate diverse voices**

Power-sharing determines which parties are entitled to political participation. If the consultation process is not inclusive, it risks leaving out parts of society. In this sense, even when political parties sitting at the negotiation table are

popular, it is recommended that they open the discussion to members of the society broadly, which can complement the shortcomings of procedural democracy. Power-sharing is a mechanism to consider specific conditions of a given society to ensure that the decision-making would not be purely based on the size of identity groups. To say that we have enough supporters to decide a policy means a denial of need to avoid the tyranny by majority rule.

## **Power-mapping as a tool to support negotiations**

In addition to the two lessons learned from the Mostar case, namely, the importance of local initiatives and inclusive approach to power-sharing consultation, we promote the power-mapping as a tool to facilitate agreements with wide support from society. The exercise can visualize perceptions of power relations among the stakeholders in a particular negotiation and thus identify who holds power to implement the needed reform. Furthermore, the mapping has the potential to clarify variance of perceptions, which may be very useful in narrowing the distance in views between parties to the negotiation and diverse sectors of society. This reinforces the importance of our second recommendation, the need to include diverse citizens’ voices.

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