

*Full Professor Spyridon Flogaitis, PhD*

Director of the European Public Law Organization (EPLO) and  
President of the Board of Directors of the EPLO, Athens,  
Full Professor of the Faculty of Law, University of Athens

## THE EUROPEAN FUTURE OF B&H AS A MECHANISM OF INTEGRATION\*

*Bosnia and Herzegovina has evidenced difficulties of all kinds in state building. Its complex system of governance, product of its recent history, shall very soon have to dialogue with the European Union and get prepared to receive the European Union Law as superior to the national law and Constitution. In this roadmap of preparation, Bosnia and Herzegovina shall have to get more and more homogenized with the European Union countries, but also internally in the country itself. This way the country shall be better integrated at all levels and all fronts. The EPLO, as an institution which was conceived for facilitating European integration through education, research, training and institution building activities will be there to support that process which will bring the Western Balkans to the family of states to which they belong, historically, politically, culturally and geopolitically.*

**Key words:** European Union Law; Bosnia and Herzegovina; European integration; European Public Law Organization.

### 1. WELCOME ADDRESS

Dear colleagues from the University, from Bosnia and Herzegovina and from all over Europe, those who are here physically and those who are here remotely,

It is an honor for the European Public Law Organization to be one of the coorganizers of this excellent conference.

This is due to the close relationship and collaboration of the European Public Law Organization and the University of East Sarajevo but I should

---

Spyridon Flogaitis, *sflogaitis@eplo.int*.

\* This is a plenary lecture held by Prof. Flogaitis at the Conference, which was co-organized by the EPLO.

add that, at this moment, it is also due to the commitment of Goran Marković, dean of this Faculty.

As you know, the European Public Law Organization (EPLO) is an international organization, created by an international treaty. As you also know, Bosnia and Herzegovina is one of the 17 countries represented in its Board of Directors. The EPLO has headquarters in Athens, Greece, but also in Rome, Italy; Lisbon, Portugal; Tbilisi, Georgia; and Brčko, Bosnia and Herzegovina. I am talking of the offices with international law status.

We are very proud of the fact that we are established in your beautiful country, and we are grateful to the Municipality of Brčko. I wish to take this opportunity to also thank the President of the Council of the Parliament, as well as all the authorities of the Brčko District, which have always provided their support and gave all the importance which we believe that the EPLO deserves in the District. And it is an opportunity to say how grateful we are to Professor Goran Marković, and to the Faculty of Law, for the will to work together in the new era of presence in Brčko, as soon as the Covid emergency fades out, to work together for an enhanced, more productive presence in Northern Bosnia and Herzegovina, thanks also to the fact that you are present in Bijeljina.

And this is also another opportunity to kindly ask your Faculty to also establish a physical presence of the EPLO in this University. Taking advantage of the fact that we have at this moment connected with colleagues from all over Europe, from Moscow to the Western territories of this continent, but mainly and especially with our colleagues from all over Bosnia and Herzegovina, let us unite our forces, let us bring together the best forces of this nation, of this country, of this region, of the whole of Europe, of the world, let us unite our forces, for public law and governance, for understanding each other, for promoting togetherness, for promoting a better future for our children, for our nations. There is room for everyone, and every good initiative, and every good idea in the EPLO, but this moment is a moment of congratulations to this University, to this Faculty of Law, that, despite the fact that we are just coming out of the Covid-19 crisis, they made it happen, they brought us together, and this is the reason I came personally here to congratulate you, and to say that the EPLO will always be here thanking you for always having been there with us. Thank you very much.

## **2. THE EUROPEAN FUTURE OF B&H AS A MECHANISM OF INTEGRATION**

Esteemed colleagues,

I am taking the floor again to talk on the European future of Bosnia and Herzegovina as a mechanism of integration. Everyone, in this room, and

around the world among the participants to this Conference today know that the European Union is an original mechanism of integration which was produced after two devastating wars, the First and the Second European, otherwise called, World Wars. The European Union was created in order to end the wars by addressing the reasons which had produced them, so the decision to create the first treaties, which later evolved into what is now called the European Union, is due to the fact that Europe had suffered enough, and therefore Europe should be open to solutions of integration in bigger markets and bigger space in which the nations would live together, hand in hand, in mutual understanding, and with a new culture which would at the same time be national, in the traditional term of the word, and European, which was the new characteristic deriving from the treaties. In Bosnia and Herzegovina, we have a situation which is similar with what happened after the end of the Second World War in Europe; we are in a post-war country, a country the components of which were divided by a war which caused blood, pain, and destruction of infrastructures. The situation led to the so-called Dayton Agreement and the pacification, which has been producing its effects ever since. So, we have a mechanism of integration, in the European Union, which lasts for many decades now, with ups and downs, and we have a mechanism of integration within Bosnia and Herzegovina, which lasts for years, with ups and downs. It is very interesting that those two mechanisms of integration, we all hope, at least I do, will soon cross paths by Bosnia and Herzegovina's accession to the European Union.

As a matter of fact, the Western Balkans are the only part of Europe, if we exclude the former Soviet area, which is not a part of today's European Union space. From the Eastern Balkans, Romania and Bulgaria are members of the European Union. No countries from the Western Balkans, if Slovenia and Croatia are taken into consideration - but I am not sure if Slovenia and Croatia would like to be called Balkans.

I personally believe that the Western Balkans will enter the European Union sooner than one usually thinks. I believe this because it is needed by the European Union. You, perhaps, or we, think whether it is needed by Bosnia and Herzegovina, but we need the Western Balkans in the European Union along with the other countries which are there already. Why? First of all, we all share the same culture, it matters. Second, because of geopolitical and geostrategical reasons. And third, which is very important, because European economies, integrated into the European Union, will create a new space for expansion and development of the economies of the existing European Union. Of course, this cannot happen without effort. It is impossible to join the European Union unless one meets the prerequisites, but to meet the prerequisites is in the hands of this country, and one needs to implement the *acquis com-*

munautaire, and one needs to accept that they will be a productive member of this Union, which exists for decades now, and which, despite its problems, is a successful answer to what was the situation in Europe before.

So, the sooner you will implement the *acquis communautaire*, the sooner you will accede to the European Union. And, I hope that all the components, all the entities, all the mentalities, all the cultural baggage, which constitute this country, will make the effort, and will bring this country successfully at the doors of the European Union.

### 3. CONCLUSIONS

Dear colleagues,

The constitutional framework of this country was able to put an end to a dividing war, and being Greek and coming from a society which suffered from the civil war, I know how bitter it is, how difficult it is to overcome the divisions and the bad memories of these days of division. The civil wars are the worst wars ever. However, you have succeeded, through so many years, to implement your Constitution and to progress, to integrate, and to give an excellent example of how a society full of wounds can overcome them and can have a new home for a better future.

When you will become a member of the European Union, and be prepared for this, your institutions will need a new interpretation as a mechanism of integration. This was the hint of my introduction, because the European Union has certain characteristics which everyone who is interested in becoming its member must accept. First, free movement. Second, no boundaries. Third, equality, not internal in every nation – we have equality internal in every nation – but equality with foreigners, with those who are in the next country, in the neighboring country, or in another country. I recall the wars between Greece and Bulgaria. Atrocious wars for the future of Thrace. Of course, it is known that Thrace was given to Greece, but there has been blood on the battlefields so that Greece gets Thrace. Today, because of the European Union, the best parts of Thrace are bought by Bulgarians, and they live there happily, and we are very happy that they are there. And, we, the Greeks, we are all over Bulgaria, and we are very happy that we are there, because that's the European Union. It's another way of living together. And I mention this example of the Greco-Bulgarian relations, because we very often talk of the good relations between the countries but we also had bitter days, and we are very happy that now we only have happy days. So, prepare your country to enter the European Union. Prepare yourself that when you accede to the European Union, you will need to work better and more on your institutions, because this will be a new environment. And be sure that a better future is

ahead for this country, and with this country, a better future is ahead for a truly multicultural and truly multilingual Europe. Thank you very much.

*Проф. др Спиридон Флогаитис*

Директор и предсједник Управног одбора Европске организације за јавно право (EPLO), Атина  
Редовни професор Правног факултета Универзитета у Атини

## **ЕВРОПСКА БУДУЋНОСТ БиХ КАО МЕХАНИЗАМ ИНТЕГРАЦИЈЕ\***

*Сажетак*

Босна и Херцеговина суочава се са разноврсним тешкоћама у процесу државне изградње. Њен сложени систем, који је производ недавне историје, мораће да се прилагођава стандардима и праву Европске уније, што важи и за њено право у цјелини, укључујући и њен устав. Током ових припрема, Босна и Херцеговина ће морати да се у све већој мјери прилагођава другим државама Европске уније, али и да постиже унутрашњу хомогенизацију. На овај начин, држава ће бити боље интегрисана на свим нивоима и пољима. Европска организација за јавно право, као институција која је замишљена да олакшава европске интеграције путем образовања, истраживања, тренинга и институционалне изградње, подржаће ове процесе, што ће земље Западног Балкана приближити породици држава којима историјски, политички, културно и геополитички припадају.

**Кључне ријечи:** *Право Европске уније; Босна и Херцеговина; Европске интеграције; Европска организација за јавно право.*

---

\* Пленарно излагање проф. Флогаитиса на научном скупу чији је један од суорганизатора био EPLO.