



### THE PRINCIPLE OF CONDITIONALITY IN THE EU ENLARGEMENT PROCESS: BOSNIA HERZEGOVINA AND THE CASE SEJDIC-FINCI

The present contribution aims at analysing a judgement pronounced in December 2009 by the European Court of European Rights related to the case *Sejdić-Finci vs Bosnia and Herzegovina* and its consequences on the process of enlargement of EU to this country. This verdict is still pending and it has not been implemented by the Balkan country despite a number of solicitations received by the Court and in the last five years. It is notable how this case – related with the possible participation to presidential elections of members of other ethnic communities living in Bosnia and Herzegovina, currently impossible due to current constitutional provisions which allow only Croats, Serbs and Bosnians to be elected as President of the Confederation – raised a number of issues related both with Constitutional changes to be implemented by the Balkan's countries in the light of rule of law, non discrimination principle and protection of minorities and the problems Bosnia is facing in its process of adhesion to the EU, represented by a slowdown of negotiations between Sarajevo and Brussels and by a continuous recalling of the “conditionality” principle by EU institutions. The mainly formalist approach of the EU to this issues has as main result *a set of problems which are affecting the overall evolution of this country and the possibility to exit from this “impasse”*.