ISSN : 1875-4120
Issue : (Provisional)
Published : December 2024

Transnational Dispute Management
www.transnational-dispute-management.com

Arbitration in Bosnia and Herzegovina
by T. Cole

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Arbitration in Bosnia and Herzegovina

Tony Cole[1]

1. The Interviews

The interviews on which this report is based were performed as part of a research project funded by the United Kingdom's Economic and Social Research Council. Interviews were performed in 47 countries, including 127 cities and 1,042 interviewees.[2] Further information on the project is available on the project website (https://commercialarbitrationineurope.wordpress.com).

Three interviews were performed in Bosnia and Herzegovina, involving 6 participants, with one interview performed in Banja Luka on 22 April 2024 and two interviews performed in Sarajevo on 24 April 2024. All interviews were performed by the author. Interviews were recorded and then professionally transcribed. Interviewees were identified through a combination of legal guides (WhosWhoLegal, Chambers, Legal500), recommendations, and internet research. A list of interviewees who have chosen to be publicly identified is available on the project website.

Interviews lasted approximately 90 minutes and were semi-structured, drawing from a list of topics but guided by the discussion as it evolved. In addition to this discussion, during the interviews participants were asked to name three "leaders" of arbitration in Bosnia and Herzegovina (domestic or international) and three "leaders" of arbitration internationally (whether or not Bosnian), and to discuss what characteristics qualified them as "leaders". Finally, interviewees were also asked to respond to up to three hypothetical situations, describing how they believed the situation should be addressed, with each situation being altered by the interviewer as discussion progressed.

2. The Arbitration Market

Any discussion of Bosnia and Herzegovina, even one of arbitration, is unavoidably connected with the country's history and the ongoing political and ethnic tensions that impact many formal elements of Bosnian law and politics. However, interviewees were clear that in the context of arbitration, these impacts relate not directly to ethnic differences, but rather to the legal and political structures that have

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[2] As of 4 December 2024. A limited number of additional interviews will be performed prior to conclusion of the research in August 2025.

been put in place to address those differences. In the context of formal actions, such as changes to the law, this can complicate the process by requiring that support be gained from a number of sources, both domestic and foreign, rather than just from a single government. Less formally, playing the "nationality card" can be an effective tool for individuals to gain work or influence, with individuals sometimes using for their own benefit formal structures put in place to address Bosnia's social/political complexities.

By way of background, Bosnia and Herzegovina is formally separated into two autonomous "entities", the Federation of Bosnia and Herzegovina and the Republika Srpska, as well as a third self-governing region called the Brčko District. With respect to the law, this structure results in four court systems (one for each region and a national system) as well as four sets of laws (again, one for each region and a national system), although a substantial degree of voluntary harmonisation has been implemented, including with respect to civil procedure.

With respect to legal practice, two bar associations exist, one in the Federation of Bosnia and Herzegovina, and one in Republika Srpska (lawyers from the Brčko District can join either of the bars). However, lawyers are licensed to practice across the entire country, rather than just in a single entity.

Nonetheless, while interviewees confirmed that they did indeed practice across the country, they also confirmed that there is to some degree a natural separation of legal practice into two separate regional practices. Each of the two entities includes a major city (Sarajevo in the Federation of Bosnia and Herzegovina, Banja Luka in Republika Srpska), and while lawyers from each entity are able to practice in the other, it is unavoidable that local markets will predominantly be served by local attorneys, who are able to make in-person contact with clients and generally be more readily available. This natural tendency is somewhat exacerbated in the case of Bosnia and Herzegovina by the lack of any rapid transportation option between the two cities – there are no direct flights between Sarajevo and Banja Luka, or a direct train (it is possible to connect through a third city), and driving takes 3-4 hours.

Concerns were expressed by some interviewees that it could be difficult for lawyers from one of the entities to establish a significant market presence in the other entity, but they emphasised that this did not reflect any form of discrimination based on ethnicity/politics, but simply local market protectionism. Interviewees emphasised that this was less of a serious consideration in the context of commercial work, and more likely to be significant with respect to work connected with the government, where one might be unsuccessful in getting work because they were from the "wrong" entity.

Specifically with respect to arbitration, interviewees consistently acknowledged that there is little arbitration in Bosnia and Herzegovina, with what arbitration work there is largely (although not exclusively) concentrated in Sarajevo rather than Banja Luka.

However, interviewees emphasised that while levels of arbitration remain low, they are slowly increasing.

Notably, while interviewees emphasised that ethnic identities play no direct role in arbitration practice, this does not mean that no impact at all is observable. Specifically, some interviewees commented that since Republika Srpska is dominated by individuals with a Serbian ethnic background, and the entity still maintains strong connections with Serbia, parties from Republika Srpska who are open to arbitration may choose to arbitrate in Belgrade (the capital of Serbia), rather than in Banja Luka, thereby further reducing the levels of arbitration in Republika Srpska itself.

As in other jurisdictions, one of the primary causes of these low levels of arbitration is the low general awareness of arbitration beyond arbitration practitioners, with court litigation remaining the dominant form of dispute resolution, even for commercial disputes. In the case of Bosnia and Herzegovina, a particular obstacle to the development of arbitration awareness on the part of local lawyers was described as being the non-specialised nature of most Bosnian legal practice. That is, there are few lawyers who focus exclusively on commercial law (although there are some, including a limited number of foreign law firms), with the overwhelming majority engaged in a range of work, both civil and criminal, commercial and non-commercial. As a result, it can be difficult to convince lawyers that it is worth spending their time learning about commercial arbitration, when commercial disputes form only a fraction of their work, and arbitration will only form a fraction of that fraction.

From the perspective of parties, this lack of familiarity with arbitration of their lawyers is then compounded by the limited number of sizeable disputes in Bosnia and Herzegovina, as in smaller disputes there is less incentive to try something new that will almost inevitably involve higher direct costs and less certainty – particularly given that, at least formally, an arbitral award cannot be appealed. Moreover, interviewees stated that drafting practices in the region (i.e. not just Bosnia and Herzegovina, but including Croatia, Serbia, etc.), traditionally often did not include dispute resolution clauses at all, with the consequence that even today it is not uncommon for a contract not to have a dispute resolution clause, let alone an arbitration clause – although this is not as common now as it once was.

Interviewees further confirmed that when an arbitration clause is included in a commercial contract, it will overwhelmingly be a contract involving a foreign party, as Bosnian parties will be unlikely to propose arbitration themselves. Indeed, even when proposed by a foreign party, Bosnian parties will often be reticent to agree to arbitration, due not only to their unfamiliarity with it, but also to concerns that they will not be treated fairly in a foreign-seated arbitration, given their limited international connections and experience compared with the foreign counterparty.

Moreover, interviewees agreed that even when an arbitration clause is incorporated into a contract, this lack of understanding of arbitration continues to have an impact, with Bosnian parties at times signing contracts including an arbitration clause without realising the consequences of doing so. However, this was described as less common than it used to be, particularly where younger lawyers are involved or the party is represented by younger employees, as they are more likely to have at least some familiarity with arbitration. Nonetheless, it was described as still an issue.

Given this background, it is perhaps unsurprising that interviewees described the most common involvement of a Bosnian practitioner in arbitration as being as a local expert in a larger international arbitration, commercial or investment, rather than as lead counsel. The low levels of engagement of Bosnian lawyers and parties with arbitration means that arbitrations involving small amounts in dispute, or between only Bosnian parties, are uncommon. But where a larger dispute arises involving a foreign party, it will almost always be seated abroad and administered by a foreign institution, so foreign counsel are usually hired to lead the case. This does not mean that Bosnia does not have lawyers capable of handling arbitrations, and as the following discussion will note, one of the distinctive things about arbitration in Bosnia and Herzegovina is the sophistication in arbitration of its leading practitioners, despite low levels of actual arbitration. But for the structural reasons just noted, the absence of a significant domestic arbitration market, or even just awareness of arbitration by domestic parties involved in cross-border transactions, limits the opportunities to put into practice the expertise leading individuals have clearly gained.

3. The Arbitration Community

Given the preceding, one might reasonably expect there to be no arbitration community in Bosnia and Herzegovina, and certainly interviewees confirmed that in terms of a unitary and coordinated group of practitioners, no "community", as such, exists. Indeed, one interviewee estimated that at most 15-20 individuals across the country are actively engaged with arbitration.

However, one of the notable things about arbitration in Bosnia and Herzegovina is the degree to which individuals have actively taken on roles more commonly played by communities in jurisdictions in which arbitration practice is more consistent. That is, while there may be no coordinated community in Bosnia and Herzegovina, there are nonetheless many things being done that are usually the result of community-based coordination. By way of example, there are active efforts to reform Bosnia and Herzegovina's arbitration laws as well as its investment treaty practice, a well-regarded annual arbitration event (Sarajevo Arbitration Day), training in arbitration for judges, and support for multiple Vis Moot teams. In each case, however, interviewees described

these actions as reflecting active efforts by a specific individual or individuals, rather than coordination across a community.

In effect, interviewees described what might best be described as a "community of interest" related to arbitration, rather than an "arbitration community". A number of individuals see the development of arbitration in Bosnia and Herzegovina as desirable, and are dedicating their own time and effort towards that goal. However, while there is a recognition of a shared goal between those individuals, and appreciation of one another's efforts, only limited active coordination was described.

This distinction is important because while the level of arbitration-connected activity in Bosnia and Herzegovina is impressive given the absence of a coordinated community or significant arbitral practice, there are limits to what individuals can achieve on their own. In this respect, interviewees particularly highlighted the difficulties created by the failure of both Bosnian governments and of Bosnia's leading arbitral institution, the Court of Arbitration of the Foreign Trade Chamber of Bosnia and Herzegovina, to lead or often just actively engage with these efforts. Indeed, while in many jurisdictions the leading arbitral institution provides a focus for the development of an arbitration community and leads in efforts to develop arbitration, interviewees were consistent that the Court has limited direct connection with most of the individuals leading the efforts described above, and makes no significant efforts to engage in such development itself, or to develop an active arbitration community.

This does not mean that there is no institutional support at all available to the individuals working towards the development of arbitration in Bosnia and Herzegovina, and more positive comments were made about the availability of support from the Chamber of Economy of the Federation of Bosnia and Herzegovina (an entity-level Chamber founded in 1999, compared with the national-level Foreign Trade Chamber, which was founded in 1909 and re-founded in its present form in 2002), as well as with respect to support from U.S. government bodies. However, this support was described as predominantly support for efforts being led by individuals, as previously described, rather than being actively driven by those bodies, and as reflecting a shared interest in the development of arbitration as a legal practice, rather than in the development of an arbitration community.

Consistent with the preceding, interviewees reported there being very few arbitration-related networking opportunities available, particularly in Republika Srpska, with the exception of Sarajevo Arbitration Day, which was regularly praised. In turn, while the engagement of Bosnian universities with the Vis moot has produced a number of individuals with knowledge of and an interest in arbitration, and some level of connection between them, interviewees were clear that this too did not suffice to create even a more limited "community" of former Vis participants.

Ultimately, despite what might be described as multiple "green shoots" of an arbitration community in Bosnia and Herzegovina, those "shoots" continue to run into the substantial obstacle of the very limited opportunities for arbitration practice. It is difficult to convince all but the most passionate lovers of arbitration that it is worth spending time networking with others interested in arbitration when that networking is unlikely to result in actual work.

Nonetheless, there were no indications that those "shoots" are likely to disappear in the near future, despite the lack of substantial concrete success in developing a local arbitration practice, in changing the local arbitration law (although active efforts in this respect remain in process), or indeveloping an arbitration community. Interviewees in Bosnia and Herzegovina, that is, were notably more positive and energised about the possibilities for arbitration's future in the country than were interviewees in many other jurisdictions with similarly low levels of arbitration practice.

While this positivity no doubt reflects the individuals involved, it is also potentially explained at least in part by the stage at which arbitration in Bosnia and Herzegovina is stuck. That is, one might argue that, at least at the simplest level, there are essentially two stages to the development of an arbitral jurisdiction. The first is removing reasons to avoid arbitrating in that jurisdiction; the second is developing an explanation why arbitrating in that jurisdiction is desirable. Bosnia and Herzegovina is currently still at this first stage, with the immediate obstacles being problems such as an arbitration law that is acknowledged to need improvement, judges that often have little understanding of arbitration or of the role of courts in its supervision, and a less than ideal arbitral institution. These are, though, identifiable problems with definable solutions – arbitration laws can be fixed, judges can be trained, etc. As a result, they provide identifiable and concrete goals, the clarity and achievability of which can justify ongoing work despite a lack of immediate success, because the "light at the end of the tunnel" is visible.

More difficult is the second stage, in which the obstacles to the development of arbitration have been removed, and local practitioners will be left with the more amorphous challenge of providing a reason why people in Bosnia should choose to arbitrate, let alone why people abroad should choose to arbitrate in Bosnia. At this stage there is no identifiable "path to success", such as "change the arbitration law" or "train the judges", and the absence of an identifiable path makes it more difficult to sustain focus and motivation when arbitration practice remains undeveloped.

4. Gender and Arbitration

Interviewees reported gender as being as a significant issue, although this was said to reflect the situation in legal practice more broadly, rather than relating specifically to arbitration. Nonetheless, interviewees did note that the leading arbitral institution, the Court of Arbitration of the Foreign Trade Chamber of Bosnia and Herzegovina, has always been led by a man, and while there are a significant number of women on the institution's list of arbitrators, it is nonetheless dominated by men.

Interviewees suggested that this situation reflects that Bosnia and Herzegovina is still in the process of emerging from a traditional culture in which men dominated, with older male lawyers still being seen as more authoritative. By contrast, one interviewee discussed being called "young lady" in court, despite being the lead lawyer in a commercial case and in her 40s. Interviewees did emphasis, however, that they see improvements happening.

One thing particularly worth noting with respect to gender in arbitration in Bosnia and Herzegovina, is that when interviewees discussed the efforts being made to develop arbitration in the country, most of the individuals identified as leading those efforts were women, and in most cases relatively younger women. This might, of course, be purely coincidental, but it might also connect with the reality, discussed above, that arbitration has not been embraced by the broader, male-dominated legal community. As a result, arbitration is a space in which women, including younger women, are able to take on leadership roles they might otherwise find more difficult to attain. In turn, the fact that arbitration practice in Bosnia and Herzegovina, when it occurs, is overwhelmingly focused on international disputes, provides female lawyers with a connection to an international practice that is more likely to judge them on the merits of their work, than on their gender or age. This is not to say that interviewees described local legal practice as hostile to women, but merely that arbitration is arguably a more favourable environment.

5. Arbitration Institutions

As already discussed, the leading arbitral institution in Bosnia and Herzegovina is indisputably the Court of Arbitration of the Foreign Trade Chamber of Bosnia and Herzegovina. There is also a Foreign Trade Court of Arbitration at the Chamber of Commerce and Industry of Republic of Srpska, but there is no clear evidence that it is active, and it was never referenced by interviewees, even in Banja Luka. For all practical purposes, then, a discussion of institutional arbitration in Bosnia and Herzegovina is a discussion of the Court of Arbitration of the Foreign Trade Chamber of Bosnia and Herzegovina.

Interviewees were consistent in their unhappiness with the Court, although this did not specifically relate to concerns about its administration of cases, reflecting perhaps at least in part the limited experience interviewees reported of cases administered by the Court. Rather, the consistent focus of criticism was the lack of engagement of the Court with efforts to develop arbitration in Bosnia and Herzegovina, and with what can be described as the institution's "capture" by local lawyers not primarily focused on arbitration.

Multiple interviewees highlighted in this respect, as an example of the difficulties they currently see with the institution, recent efforts undertaken to revise the institution's rules. Interviewees noted that rather than generating significant changes to the institution's processes and procedures, the primary outcome of those efforts related to determining the Presidency of the Court, which is now to involve a rotating ethnic composition between a Serb, a Bosniak and a Croat. Interviewees noted that it was unclear what this change had to do with arbitration, and that it instead appeared to reflect the entrenchment of the interests of individuals. A further concern along these same lines was expressed with respect to a proposed future alteration to the institution's rules that would allow members of the institution's administration to serve as arbitrators in cases being administered by the institution.

Nonetheless, despite the concerns just mentioned, there was also a consistent recognition by interviewees that the Court is important for the development of arbitration in Bosnia and Herzegovina, with many interviewees discussing past attempts to promote the incorporation of the institution in arbitration clauses. Some interviewees, though, were sceptical that they would continue to make such efforts given what they saw as the institution's own lack of focus on developing and supporting local arbitration. That said, interviewees did report some success in getting agreement to incorporate arbitration at the Court into contracts involving some Bosnian governmental authorities, which will often have negotiating power when contracting with foreign commercial parties that Bosnian commercial parties may not. As is common in arbitration, road construction was specifically identified in this respect, with the relevant governmental institutions having agreed to push for arbitration at the local Court, supplanting previous practice of agreeing to the ICC International Court of Arbitration ("ICC") or to ad hoc arbitration under the UNCITRAL Rules.

In terms of foreign institutions, the ICC and the Vienna International Arbitral Centre ("VIAC") were identified as indisputably the leading institutions. The LCIA had traditionally been prominent in finance-related transactions, but even in this area the ICC was described as increasingly important, a change that interviewees attributed to the involvement of Continental European law firms in drafting those contracts. The ICC, of course, also benefits from being included in FIDIC and other form contracts, and was identified by interviewees as having a clear market dominance for international disputes

involving a Bosnian party. VIAC was described as making active efforts to promote its services in the country, emphasising its regional connections and that it is cheaper than the ICC. As a result, while it was described as not yet a serious competitor to the ICC, it was seen as gaining a market position for cases in which the amount in dispute makes the ICC's cost less justifiable, particularly since current unhappiness with the local Court makes that Court less desirable as an alternative to the ICC.

One final element of the institutional context of arbitration in Bosnia and Herzegovina worth noting arises from the ongoing social and cultural connections between Republika Srpska and Serbia. This was seen as leading to some parties in Republika Srpska, when discussion turned to the use of a foreign arbitral institution, proposing arbitration at one of the Serbian institutions, rather than at one of the more prominent international institutions. This was, though, attributed by interviewees primarily to this social/cultural connection with Serbia, rather to actual experience with or knowledge of the institution in question.

6. Arbitration Procedure

Given the prominence of international arbitration in arbitration practice in Bosnia and Herzegovina, much of the arbitration practice interviewees reported involved the use of procedures common across international commercial arbitration, rather than being specifically Bosnian in any sense. A different situation was, however, described as experienced in arbitrations administered by the Court of Arbitration of the Foreign Trade Chamber of Bosnia and Herzegovina, with such arbitrations standardly being run in accordance with the civil procedure rules applicable in local courts.

Notably, while such an approach is not mandated by the Court's Arbitration Rules, those Rules adopt an "opt out" approach to domestic litigation procedure (Article 42), in which the "Litigation Law" serves a gap-filling role for issues not specifically resolved by the Rules "unless the parties agree otherwise". Unsurprisingly, interviewees reported that this results in a situation in which the domestic litigation procedure is usually adopted, as at least one party will be likely to have a reason to prefer to use those procedures, even if only because they are the procedures with which they are already familiar.

7. Courts and Arbitration

Bosnia and Herzegovina provides an interesting example of the complexity that can be found in the relationship between courts and arbitration, as Bosnian courts both provide a reason for parties to choose arbitration and a reason why they do not.

As in other Eastern European countries, interviewees identified Bosnia and Herzegovina's historic experience as exerting an ongoing impact on the development of arbitration. While Bosnia and Herzegovina declared independence 32 years ago (in 1992), that is recent enough that most senior lawyers and most senior people in companies will have been educated and commenced their careers in a communist system, in which justice was state-controlled. This was described as often resulting in a mindset hanging-over from that period, with courts seen as the natural forum for resolving disputes, even if those courts don't function as well as might be desired.

A particular issue highlighted by interviewees with respect to the courts in Bosnia and Herzegovina is a widespread public concern about corruption in the courts. This was described as being a particularly significant issue when a government entity is involved in a dispute, or the government has an interest in the outcome of the dispute, with the courts seen as susceptible to political pressure. Nonetheless, while it might appear that this widespread distrust of the courts would provide a foundation for the development of arbitration, as an alternative to a court system in which trust is limited, interviewees noted that the same distrust exists with respect to arbitration. That is, since arbitrators are private individuals often appointed by the parties, there is often a concern (hardly unique to Bosnia and Herzegovina) that arbitrators will be corruptible – and given the power of arbitrators over the arbitral process, if arbitrators cannot be trusted, neither can arbitration. Moreover, since few Bosnian parties have direct experience of arbitration, they don't have positive experiences that can reduce such concerns. As a result, interviewees described a "better the devil you know" situation, in which parties prefer litigation over arbitration, despite not trusting the integrity of the court system, because neither process is trusted but litigation is at least a process with which they are familiar.

A further obstacle was described as arising from the fact that ultimately arbitration depends on the courts for enforcement of awards, with parties taking the view that if they are going to end up in court anyway, they might as well just start there. Such concerns are intensified by what interviewees described as the relatively low understanding of arbitration on the part of judges, even with respect to the fairly basic question of the appropriate level of review when an arbitral award is being challenged. One interviewee expressed the view, with which others agreed, that if you took 5 Bosnian judges, 4 of them would see a set aside proceeding as an appeal of the award, and evaluate the substantive correctness of the award. Interviewees emphasised that this situation is improving, both due to decisions by the higher courts emphasising that there should be no substantive review of arbitral awards, and also because of training in arbitration that is being offered to judges. Nonetheless, it remains a concern, and so continues to provide parties with a reason not to arbitrate.

8. Arbitration Law

One of the first things that will be noted by anyone looking online for discussions of arbitration in Bosnia and Herzegovina is the numerous discussions of the problematic nature of Bosnia's arbitration law. Interviewees emphasised that these difficulties should not be overstated, as the current laws provide the essential rules and supports for arbitration to take place, but it was nonetheless consistently acknowledged that improvements are needed.

Unsurprisingly, Bosnia and Herzegovina's political structures influence, and complicate, arbitration law in the country. As already noted, Bosnia and Herzegovina is divided into two autonomous "entities", the Federation of Bosnia and Herzegovina and the Republika Srpska, as well as a third self-governing region called the Brčko District. Each of these entities provides its own set of laws, with further laws being adopted at the national level. With respect to arbitration, this results in three separate sets of arbitration laws, each part of a broader law on civil procedure, the Law on Litigation Procedure of the Federation of Bosnia and Herzegovina, the Law on Litigation Procedure of Republika Srpska, and the Law on Litigation Procedure of the Brcko District. Moreover, while annulment of arbitral awards is governed by these three civil procedure laws, enforcement of foreign arbitral awards is governed by yet another law, the Law on Resolving Conflict of Laws with Regulations of Other Countries in Certain Relations of Bosnia and Herzegovina, adopted at the national level. Interviewees stated that efforts at harmonisation mean that there is no substantive difference in the way arbitration is regulated/supported across the three legal systems, but this fractured situation nonetheless introduces a level of complexity that does not obviously provide any corresponding benefit.

Moreover, while each of these laws is ultimately based on the UNCITRAL Model Law, interviewees were consistent in the view that there are significant holes and ambiguities in those laws that need to be addressed. As already discussed, efforts to introduce a new arbitration law are already in process, although as noted above, those efforts are driven by individuals, rather than by governments or by the local arbitral institution. Interviewees described the goal of these efforts as being the adoption of a new arbitration-specific law (as opposed to provisions included in a broader civil procedure law), in the form of either a single national law or identical regional laws, that would deviate from the Model Law as little as possible. However, Bosnia and Herzegovina's political complexity makes the development of such a law similarly complex, as it is not a matter of gaining the support of a single government body, or even of a single government, but of the national government, each of the regional governments, and even of the foreign governments and institutions that remain important in the Bosnian political process. It is not that action could not be taken without all of those entities offering support, but the broader the support the greater the

likelihood of success. Nonetheless, while interviewees described the process as still having a long way to go, they did express optimism that it is achievable in the relatively short-term.

9. Arbitration Education and Entry into Arbitration Practice

Perhaps unsurprisingly, given the limited relevance of arbitration to legal practice in Bosnia and Herzegovina, interviewees reported that there is little teaching of arbitration in Bosnian law schools, although it will standardly be mentioned in courses on civil procedure. For those students with an interest, however, further opportunities are available, with the University of Sarajevo offering arbitration-focused coursework at Master's level, and several universities across the country having active Vis moot teams. The latter benefit to a significant degree from the support of a combination of foreign entities (governments, universities, etc.) and an active group of moot alumni.

Study abroad was not described as essential for someone interested in practicing arbitration, although some interviewees had done so, and given the international nature of the arbitration work that does occur in Bosnia and Herzegovina, international experience is clearly beneficial on an applicant's CV. Study in Vienna was particularly highlighted in this respect, although the strong connections between Serbia and Republika Srpska make Serbia a prominent alternative for students in that entity.

While in a number of other jurisdictions, the Vis Moot was described as an important entry point to arbitration practice, and the Vis Moot is clearly prominent in arbitration in Bosnia and Herzegovina, the limited opportunities for arbitration practice in the country mean that it would be overly optimistic to describe anything as offering an "entry point" to arbitration practice. Nonetheless, some interviewees emphasised that participation in the Vis Moot can at least improve the chances of future engagement with arbitration practice, because it can serve as an entry point for practice in commercial law more broadly, which can in turn lead to experience in arbitration. Those interviewees emphasised, however, that the appeal of applicants who have participated in the Vis Moot is not directly connected with their knowledge of arbitration, given its limited relevance to Bosnian legal practice, but with the fact that participation in the Vis gives students practical experience of working with the law and an opportunity to show a commitment to and interest in legal practice. Indeed, one interviewee specifically stated that they use the Vis Moot as a "headhunting" activity, to identify promising students both for their own firm and to bring to the attention of other firms that engage in larger and/or international disputes and arbitration. While actual opportunities for arbitration practice at such firms might be limited, those opportunities will be greater at such law firms than they will be at firms more focused on domestic or non-commercial disputes. As a result, while the Vis Moot might not be an "entry point"

into arbitration practice in Bosnia and Herzegovina, participation in a Vis Moot team might, even if in a roundabout way, be the best step for any student interested in becoming an arbitration practitioner in Bosnia and Herzegovina.