

**Helsinki Commission Hearing: “Combatting Corruption in Bosnia and Herzegovina”
Wednesday, May 25, 2016**

**Statement for the Record
Ambassador Jonathan M. Moore
Head of the OSCE Mission to Bosnia and Herzegovina**

I am deeply grateful to Helsinki Commission Co-Chairs Smith and Wicker and Commission members and staff for the opportunity to address key topics of relevance to Bosnia and Herzegovina and the wider community of OSCE participating States. I would like to especially thank the Commission’s Policy Advisor Bob Hand, who stands as a shining example of expertise and commitment due to his abiding interest and decades of engagement in the Balkans. On behalf of my distinguished team, I would like to express our appreciation for your attention and support.

Bosnia and Herzegovina faces many challenges. The OSCE Mission to Bosnia and Herzegovina, with an extensive network of 10 offices throughout the country and 320 dedicated professional staff, works every day with people in local communities as well as the most senior political leaders – and everywhere in between – to help keep the peace, protect fundamental rights, ensure the rule of law, and build prosperity.

The framework for OSCE activities is grounded in the Dayton Peace Accords, negotiated at Wright-Patterson Air Force Base in November 1995 and signed in Paris, France one month later. “Dayton” is far from perfect, but it succeeded where other efforts failed. The peace accords and the constitution enshrined in them – which can only be changed through democratic means – continue to serve as a key foundation for Bosnia and Herzegovina and its citizens. Dayton brought OSCE to Bosnia and Herzegovina, giving us a special role in conducting and observing the elections. The role of the OSCE Mission has evolved: the Central Election Commission took on the responsibility of running elections in 2002. While taking on other tasks with the goal of helping the country achieve its OSCE commitments and integration aspirations, our Mission has maintained an diverse and active field presence and is engaged in a variety of fields, seeking and keeping very close ties with institutions, organizations, and individuals at all levels of society.

The Mission’s work encompasses OSCE’s three dimensions – politico-military, economic and environmental, and the human dimension – with the assistance and guidance of the Chairman-in-Office, the Secretariat, and other institutions, including the Parliamentary Assembly and this Commission. Our international partners include the Office of the High Representative, the United Nations, the European Union, the International Criminal Tribunal for the Former Yugoslavia, the Council of Europe, and bilateral embassies. The Mission’s role in Bosnia and Herzegovina is expertly facilitated by strong media and policy planning teams, who advance and promote our extensive programmatic work in the areas of education, human rights, security cooperation, democratic governance, and the rule of law.

Given the special opportunity to address to Commission today, while I will speak with particular focus on the main topic of corruption, I would also like to raise education, where our Mission has

the lead role for the international community; the rule of law, where we have a comprehensive role in monitoring the work of the courts and prosecutors; and combating violent extremism, where the Mission has achieved some concrete successes, particularly at the local level.

Education

Education has been identified by many as one of the country's highest priorities. The children of Bosnia and Herzegovina will only prosper if they have quality education: they need the skills, knowledge, and judgment to succeed in a modern and increasingly diverse world. Quality education requires well-trained teachers, professional administrators, effective curricula, up-to-date materials, safe conditions, and an inclusive environment. The protection of various distinctions, including languages of instruction, is an accepted international principle, one sought by most parents in Bosnia and Herzegovina.

At the same time, segregated education is an obstacle that must be removed. In many schools, children of different ethnicities have no opportunities to interact with each other. That interaction is a vital element of the learning process. In the aftermath of the war, it is a reality that for many people in Bosnia and Herzegovina their identities are defined by their language and religion: denying that fact is not a path to a solution, and those rights must be respected. Administrative unification of schools – such as in Zepce, a community where we have very close cooperation – has been proven to be a positive step. By bringing children together, they gain insight into how to be better citizens of BiH and the world. In addition, by saving money wasted on duplicative staff and programs, more resources are available to repair school buildings and purchase the equipment and technology needed to provide quality education.

The OSCE Mission to BiH works with schools, parents, teachers, administrators, and political leaders to advance these goals. The fact that numerous jurisdictions have distinct and separate responsibilities for education makes work in this sector difficult; there is no single authority. It must also be said that in some communities the problems seem all but impossible to solve. Nevertheless, there are others where we have found and encouraged examples of success; where diversity, tolerance, respect, and vision have led to improved social and educational conditions. Religious communities have also played a very positive part in these efforts.

We are proud to have engaged the most senior political leaders in joint events and statements to define the importance of the issue: at the same time, the best proof of success is seen in visits to those schools – even in the smallest communities – where children are getting the instruction their parents want, and where unnecessary and artificial barriers between ethnic and religious groups are fading away.

Rule of Law

Victims and witnesses are critically important for the successful processing of war crimes. The OSCE Mission to BiH is playing an established role in this field, with a team of legal experts that focus on the processing of war crimes cases. In that work, we have the full support of the country's High Judicial and Prosecutorial Council, close collaboration with ICTY, and comprehensive relations with judges and prosecutors at all levels. This effort, supplemented by

important funding from the European Union, helps bring war criminals to justice so many years after the end of the war.

While our international partners are essential, it is a source of pride for the Mission to have the endorsement of victims' families for what we are doing in this area. Just a few days ago, our Mission supported an international conference hosted by the Mothers of the Srebrenica and Zepa Enclaves and the Association of Victims and Witnesses of Genocide.

Our relationships with judges and prosecutors and our proven professional capacities equip us for engagement in other areas as well. We are the only international actor assisting judges and prosecutors in processing hate crimes. Separately, we are a partner in efforts to combat trafficking in persons, and are preparing a rule book for the processing of trafficking cases.

Combating Violent Extremism

The problem of Foreign Terrorist Fighters (FTF) attracts much of the international community's attention. Reliable estimates of the numbers of FTF in Syria and Iraq vary: Minister of Security Mekić has stated that there are approximately 130 citizens of Bosnia and Herzegovina currently in Syria and Iraq, while 43 citizens have been killed in the conflict and around 50 have returned. However, far higher numbers have travelled from other OSCE participating States, and the impact of violent extremism within Bosnia and Herzegovina is a deeper concern.

At home, Bosnia and Herzegovina has seen four terrorist attacks over the past six years, resulting in the deaths of two soldiers, two policemen, and the wounding of a third policeman in the October 2011 attack on the U.S. Embassy. The country's authorities are working to do what they can, but Bosnia and Herzegovina is vulnerable. Given the deep scars left by the war, terrorist attacks could greatly damage the stability of the country if they lead to acts of revenge and a growing cycle of conflict.

Combating violent extremism requires extensive coordination as well as the collecting of key data. The OSCE Mission to Bosnia and Herzegovina, given its mandate and capacities, is not in a position to gather or analyze sensitive information. However, we are taking advantage of our grass roots-level involvement throughout the country to make a difference: as in other areas, we see clear evidence of the essential role played by local communities. Having helped establish a series of 19 Coalitions against Hate across Bosnia and Herzegovina, we found in them natural allies to build tolerance and combat violent extremism. These are locally-constituted groups of individuals and NGOs dedicated to working with each other as neighbors to emphasize positive and common rights and build broader respect and understanding throughout their communities. After the April 2015 terrorist attack in Zvornik, the local coalition there played a central role together with the mayor and the Islamic community in calling for calm and tolerance and opposing acts of revenge.

Building on a project funded by the U.S. Government, we have now integrated the fight against violent extremism as a permanent element of our security cooperation effort, one joined by colleagues from all policy and programmatic areas.

Corruption

As the Helsinki Commission has noted, corruption presents a comprehensive challenge to Bosnia and Herzegovina, where it can be found in numerous forms and at different levels. It threatens the functionality of public and private-sector institutions, wastes public resources, deters foreign investment, and damages citizens' trust in government and the political system. Despite Bosnia and Herzegovina's political figures and agencies increasingly voicing their concerns over the perennial dangers presented by corruption, there has been limited activity or political will to combat the issue directly. There are some innovative and important efforts underway to prosecute cases of corruption and to provide greater transparency, and we are using our voice and our resources to support them. In Sarajevo Canton, the government has set a high standard by revealing the salaries of many public officials, and the cantonal prosecutor is making headway on a comprehensive case of corruption where the management of a public enterprise blocked foreign investment. However, there are not enough examples of that, and clearly existing laws and institutions are not enough: more work must be done.

The OSCE Mission to BiH has considerable potential added value for work in this sector, including: our expertise in rule of law and judicial affairs, as noted above; our heightened visibility and political leverage; our close support for governments at multiple levels; our regular engagement with various public sector institutions; our expertise with gender issues; and our extensive field office network and consequent local knowledge and working relationships. As in other areas, this last point is particularly relevant to our strengths in complementing the work done by others in the international community.

Our Mission has met with numerous stakeholders, all of which responded positively to the prospect of greater Mission involvement in anti-corruption work, especially at the local level and in the area of trial monitoring. We have heard from various partners and potential donors that significant extra-budgetary funding might be available for anti-corruption projects initiated or run by the Mission. In addition to emphasizing the need for anti-corruption work with our existing partners such as educators, the media, local and higher-level representative bodies, and security institutions, there are two particular areas where we are well placed to do more:

- 1) Corruption case monitoring: Despite the high number of allegations and investigations concerning corruption in BiH, there are relatively few indictments and still fewer convictions. A low prosecution rate in suspected corruption cases undermines public faith in state agencies, as officials widely believed to be guilty of corrupt practices are seen to act with impunity. We are prepared to use our existing expertise and practices in trial monitoring to develop a framework for expanding and more comprehensively following and scrutinizing the prosecutorial processes and capacities of BiH authorities. A potential U.S. Government-funded project (\$500,000) includes a needs assessment for capacity-building activities based on trial monitoring findings which will be a crucial first step.
- 2) Good economic governance and transparency/anti-corruption "Beacon Scheme": As noted above, most international partners are focusing anti-corruption activities at the entity and state levels, but the Mission has a unique capacity for more localized

engagement. The Beacon Scheme in Bosnia and Herzegovina was launched in August 2005 by the OSCE and the Council of Europe as a means to identify, recognize, and promote innovation and excellence at the municipal level of government. Based on the UK Beacon Scheme, each year a number of themes are selected, and municipalities are invited to provide evidence of how they have achieved excellence in these areas. Successful municipalities receive a small grant to enable them to share their best practices with other municipalities, thereby improving the overall standard of local governance in Bosnia and Herzegovina. It is a proven methodology that encourages best practices and positive re-enforcement between municipalities. Existing templates and established practices mean that the Scheme could be rapidly implemented. Moreover, it demonstrates positive action to the public at the local level, where citizens most frequently interact with state authorities. Municipal and city authorities could be encouraged to innovate and adopt new practices for improving (financial) transparency and/or tackling corruption at the local level and promoting a positive business environment. Taking advantage of our field office network, the Mission could also utilize our Governance and Press and Public Information teams to further replicate and publicize best practices countrywide. These activities could go hand in hand with other possible initiatives in the area of good governance, e.g. reducing barriers to local economic development, increasing accountability mechanisms and promoting concepts and standards of good governance at the local level.

Conclusion

Thank you again for the important opportunity to discuss these issues. I can tell you that from my many contacts with the people of Bosnia and Herzegovina that they want better lives for themselves and their children. They are tired of rhetoric and platitudes: they want results. Your attention and support will help us to continue to achieve positive results. Please take the opportunity to visit us so we can show you what we are doing and introduce you to the people whose success is our goal. I look forward to your questions, and to hearing the views of my fellow panelists.