

**Helsinki Commission Hearing:
“Combatting Corruption in Bosnia and Herzegovina”**

**Wednesday, May 25, 2016, 2:00 PM
Capitol Visitor Center, Senate Room 212-10**

Statement of Senator Benjamin L. Cardin, Ranking Senate Commissioner

The Helsinki Commission, which celebrates its 40th anniversary next week, has a long history of support for Bosnia and Herzegovina - before, during and after the 1992-1995 conflict there – which continues to this day.

Much of my contribution to this effort has focused on the need to provide justice for war crimes, crimes against humanity and genocide. In that regard, the sentencing earlier this year of Radovan Karadzic by the International Criminal Tribunal brought particular satisfaction to those of us who pressed for years to have him apprehended and transferred to The Hague.

Unfortunately for far too many people in Bosnia and Herzegovina, any satisfaction they may feel is overshadowed by frustration over the situation in their country today, and the struggle simply to make ends meet. The collective privileges of the major ethnic groups take priority over the individual human rights of those belonging to those groups, let alone those who do not.

Inside what Freedom House has called these “ethnic fiefdoms,” we see patronage and corruption that benefits and protects the political elite. We do not see transparency. We do not see accountability. As a result, we do not see much progress in Bosnia today. We have tried repeatedly – during hearings, or during congressional visits to Sarajevo like the one I led in 2009 – to encourage reform. It is frustrating to see how little has been accomplished given what we know is the country’s potential.

We rightly criticize Bosnia’s political leadership for this situation. However, the international community – mostly the European Union but also the United States - has a large role to play in Bosnia and, as a result, some responsibility for encouraging their behavior. In particular, there has been an emphasis in our policies and assistance on maintaining existing stability at the expense of promoting positive change. Intransigence is accommodated, while conditions – such as resolving the Sejdic-Finci ruling to give Roma, Jews and others equal access to public office – are cast to the side. We helped create government institutions but negotiate with party bosses and often ignore civil society initiatives. We have encouraged constitutional and other types of reform but have focused too much on getting quick, incremental results when the people deserve something more.

While corruption is a profound problem throughout the Western Balkans, this situation exacerbates it, and I hope this hearing and other efforts will encourage the international community to take a tougher line in combatting corruption.

Within the OSCE, I have been active over the years in encouraging multilateral efforts to combat corruption, such as removing immunity from corrupt parliamentarians. I also welcomed the adoption in 2012 of the Dublin Declaration on Strengthening Good Governance, giving renewed emphasis to

work in this area. One recent suggestion made in the spirit of this Declaration has been to follow the Financial Action Task Force recommendations for reviewing the financial activities of “politically exposed persons.” Public figures never like to have their financial activities scrutinized, but the public interest in thwarting abuses such as money laundering, bribery and fraud is clear. It will build trust within Bosnia and between Bosnia and its trading partners.

Finally I want to also mention that much of my current work regarding the OSCE has been focused on countering various forms of intolerance in our societies. We know that, throughout Europe, enforced segregation of communities, discrimination based on creed or color and a more general denial of opportunities for advancement, puts democracy at risk, and provides fertile ground for violent extremism, including that which can lead to terrorism. Some of these conditions exist to varying degrees in Bosnia and Herzegovina, a country made more vulnerable by its sense of victimization in the 1990s. The corruption that exists could encourage their development and make it more difficult to thwart terrorist or other violent threats. I hope our witnesses can address this issue in their remarks.