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Combatting Corruption in Bosnia and Herzegovina

Commission on the Security and Cooperation of Europe

May 25, 2016

Excerpts of remarks by Rep. Chris Smith

Today's hearing focuses on a country of traditional concern to the Helsinki Commission—Bosnia and Herzegovina—but also on a concern that pervades the Western Balkans and many other states of the OSCE—corruption.

Twenty years ago, Bosnia was in the first and most difficult phases of its recovery and reconciliation following the brutal conflict that began in 1992 and ended in 1995 with outside intervention under U.S. leadership culminating in the Dayton Peace Accords. The country was devastated, and its people traumatized by conflict marked by the ethnic cleansing of villages, the shelling of cities and numerous other crimes, including the genocide at Srebrenica.

Today, many of the physical scars of that period are gone, but the country still struggles under a complicated political framework reflecting the war-ending compromises adopted at Dayton. Beyond the well-known ethnic divisions, Bosnia's progress in the past decade has been stymied by official corruption to the detriment of its citizens' quality of life and the prospects for the country's integration into Europe. While corruption is, indeed, not unique to Bosnia, perhaps it is worse there than elsewhere in part because of the lack of post-Dayton reforms. Rather than fix what's wrong with the country, which could threaten those currently holding political power, officials at all levels simply focus on helping themselves to the privileges and opportunities that come with that power.

People who have been through so much already deserve something better than this.

This hearing will examine the current situation regarding corruption and its causes in Bosnia and Herzegovina, and look at efforts by the United States and the international community, along with civil society, to combat it.

As they proceed, I hope our distinguished and expert witnesses could address two issues that may be related to corruption and are of particular concern to me.

First, several weeks ago I met with Munira Subasic from the Association of “‘Mothers’ Action of the Srebrenica and Zepa Enclaves.” Munira had herself lost over 20 members of her family at Srebrenica in July 1995. Her frustration today regards the seeming impunity of hundreds of people—an estimated 850—implicated in violations of international humanitarian law during the war, who had their cases transferred from the international tribunal to the Bosnian courts. To this day, these cases have not been processed, which is an outrage.

I would like to know to what extent corruption in law enforcement and the judicial system protects possible war criminals from facing justice. I also would like to hear whether these same people implicated in horrible crimes during the war might today be part of the corruption problem. I assume that someone willing to engage in ethnic cleansing would not hesitate from also taking a bribe, or committing fraud

Second, trafficking in persons remains an ongoing problem across the globe, including the Balkans and Bosnia and Herzegovina. In the immediate post-war period, the heavy international presence in Bosnia generated a tremendous, unforgivable but, unfortunately, largely unpunished demand for trafficked women as part of the sex trade, and the suppliers were as blatant as they were aggressive in their criminal enterprise. Measures were eventually taken in response, and Bosnia’s record improved markedly until recent years when the trend has been generally downward.

Trafficking is a crime that takes organization, but it can be most successful in countries vulnerable to corruption. I would therefore like to know the extent to which our witnesses feel Bosnia’s record in regard to trafficking in persons is linked to its record in regard to corruption.

With this introductory comments and concerns, I would now like to turn to the Commission’s Co-Chairman, Senator Roger Wicker of Mississippi, who has been vocal in regard to the need for Bosnia to address corruption issues and will chair the remainder of this hearing.