

Interview with Ambassador Brian Aggeler
Head of the OSCE Mission to Bosnia and Herzegovina
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[BUKA Magazin - Šef misije OSCE-a u BiH za BUKU: Pozivamo vlasti RS da povuku zakon \(6yka.com\)](#)

1. Are you satisfied with the security situation in Bosnia and Herzegovina?

Unfortunately, thirty years after the Dayton Peace Agreement brought an end to war in Bosnia and Herzegovina, the country's "reconciliation deficit" continues to allow nationalist leaders to pursue war-time agendas of division. They actively work against a functional State and against the wishes of most citizens to live in a stable, secure and prosperous environment, and it is not difficult to see how these efforts could ultimately lead to violence and instability.

At the same time, the OSCE Mission works to address other pressing security challenges, with the overarching aim of building lasting and comprehensive stability for the people of BiH. This includes helping BiH address the safety and security risks posed by the high numbers of small arms and light weapons in illegal possession, as well as large quantities of aging ammunition and explosives. With the results of our multi-year arms-control projects, we have greatly decreased the risk of accidental explosion, theft and onward proliferation of weapons and ammunition - helping to preserve lives, the environment, and property.

While BiH has not experienced a terrorist attack since 2015, acts of violent extremism and terrorism still have the potential to seriously undermine security and stability. For this reason, we are supporting BiH in developing and implementing different strategic documents, enhancing travel document security and in countering the financing of terrorism. With further returns of foreign terrorist fighters and their family members from foreign war zones expected, we are working with the authorities to ensure their successful rehabilitation and reintegration.

Threats are also emanating from cyberspace, as we saw in the 2022 cyber-attack which paralyzed the work of the BiH Parliamentary Assembly. Together with our international partners, we are helping BiH counter these threats, including through the development of a harmonized strategic cybersecurity framework and by building ICT capacities for incident and emergency response.

Of course, such a complex and evolving security situation requires law enforcement agencies to adopt modern approaches if they are to keep pace. As part of our support to police modernization, we have just embarked on a major project aimed at strengthening intelligence-led policing (ILP) in BiH. By ensuring better interagency co-operation, more efficient use of police resources and harnessing the latest technological advances, the ILP model will be vital to future efforts to fight organized crime and corruption in BiH

Building sustainable peace and security requires the efforts of all of us, and we are pleased to see the increased involvement of a broad array of actors beyond the security sector. A secure future can be achieved only through well-governed institutions working within a framework of democratic control, rule of law, and respect for human rights. The Mission will continue to be a trusted partner to BiH on this journey.

2. Over the past year, the OSCE registered over 180 hate incidents, mostly motivated by ethnic or national differences. Do you find this information concerning?

Unfortunately, bias-motivated incidents and hate crimes as well as hate speech continue to remain prevalent in BiH, often targeting vulnerable populations already facing marginalisation and discrimination. The Mission's network of field offices enables us to monitor and assess the quality and efficacy of institutional and social responses to such incidents, including by the justice sector. Such divisive activity and speech must be addressed meaningfully and decisively to ensure safer and more secure communities. Failures by authorities to respond promptly and unequivocally only exacerbate insecurity, tensions and divisions that are incredibly difficult to overcome.

At the same time, hate speech legislation must not be abused to attack the important work of legitimate journalists. Unfortunately, journalists in BiH are being targeted more often by threats, physical and cyber-attacks, as well as on-line smear campaigns. Journalists play a critical role in informing citizens on key issues and help hold powerful individuals and institutions to account in the interests of protecting and strengthening democratic societies.

Here it is worth underlining our concern for freedom of media in BiH, particularly in RS, where we have seen several attacks on journalists in recent days as well as proposed legislation that would criminalize defamation. This could have a chilling effect on freedom of speech and freedom of the media in RS. The Mission issued a statement alongside the OSCE's Representative on Freedom of the Media on this topic [here](#).

In sum, the Mission emphasizes the essential responsibility of elected and appointed officials as well as others holding prominent positions in society in protecting the interests and safety of all citizens regardless of their background, rejecting divisive rhetoric and hate speech and working actively to promote an environment defined by mutual trust, respect and dignity.

3. Moreover, the majority of these incidents are not prosecuted or sanctioned. Does that suggest that there is no interest among the authorities and the relevant police agencies and judiciary institutions to put a stop to these incidents?

The Mission's data indicates very limited progress in the judicial response to bias-motivated violence. This sends a signal to potential perpetrators that violence based on ethnicity, nationality, religion and other protected grounds is tolerated and ends in impunity. For many years, the Mission has been vocal about the need for more resolute, consistent and proper judicial responses to such violence. To that end, we continuously offer hate crimes-related training to police, prosecutors and judges across BiH, the country to offers insight from both international and domestic experts.

However, the adequacy of the legal framework and institutional and individual capacity mean nothing without a clear commitment to investigate and prosecute such incidents consistently and to apply a zero-tolerance attitude towards bias-motivated violence. When those competent to enforce these laws fail to act, they must be held accountable for their inaction.

In addition to the justice sector response, senior political and religious officials, civil society leaders and responsible media organizations across BiH must consistently condemn such incidents while expressing public support for victims. Such public statements and actions play an important role in how society copes with the consequences of bias-motivated violence, especially in post-conflict societies still healing from brutal violence, division and atrocities. The Mission remains a committed partner and ally to all those working to make BiH a more tolerant and healthy society.

4. Serbian Orthodox Church recently left the Interreligious Council of BiH. What is your comment of this step and what impact do you think it would have on the interreligious dialogue in BiH?

Interreligious dialogue is a vital factor in upholding a constructive environment within BiH's unique multicultural profile that it has treasured for centuries. This is especially true, considering that a significant majority of the overall population declare themselves as followers of some religion. The Serbian Orthodox Church was a valuable member of the BiH Inter-Religious Council, which the Mission has supported over the years. We regret the Metropolitan's decision to leave the Council. I sincerely hope the decision to return to the IRC will be made in near future.

5. FATF rated Bosnia and Herzegovina as a country of “*heightened level of risk in terms of prevention of money laundering and terrorism financing*” in its assessment for the period between 2015 and 2018, and EU gave it the same rating for the period between 2015 and 2020. What is the situation at the moment and do you see any progress?

An effective system of combating money laundering and terrorist financing is crucial for the future security and economic prosperity of BiH.

In the past, the EU and the Financial Action Task Force (FATF) had identified BiH as a country with a high level of risk in terms of preventing money laundering and financing of terrorism - a designation that carries political, economic and financial consequences. The new evaluation cycle places far more emphasis on the implementation of FATF recommendations, risk assessment, and the impact of measures to prevent money laundering and terrorist financing.

A wide range of government and private sector actors from across BiH are committed to improving the framework for anti-money laundering and combating of terrorist financing, which is a positive step forward. Intensified efforts in this field include the development of two key documents: the Law on the Prevention of Money Laundering and Terrorist Financing and the National Risk Assessment on Money Laundering and Terrorist Financing. BiH enjoys the strong support of the OSCE and the wider international community in these process. We will

continue to support efforts to increase BiH capacity for detecting and combatting money laundering and terrorist financing in line with the relevant international commitments and standards.

6. You provided training to hundreds of police cadets as a part of the project titled: “Enhancing Criminal Justice Capacities for Combating Gender-based Violence in South-Eastern Europe” Based on your experience, how would you assess institutional responses to gender-based violence?

A widespread and often underreported phenomenon, gender-based violence (GBV) impacts the security and safety of everyone living in BiH. Through our trial monitoring programme, the Mission monitors the justice sector response to GBV, including whether prosecutors and judges adequately apply a victim-centric approach when addressing different forms of GBV, including domestic violence, conflict-related sexual violence and trafficking in human beings. The Mission considers a victim-centric approach to the adjudication and prosecution of GBV as a key prerequisite and essential component of addressing such heinous violence effectively and closing the impunity gap.

The Mission regularly assists first responders, such as police officers and social workers, as well as with justice sector and social service actors, including civil society, in enhancing their capacities and sensitization to GBV in all its forms. We reiterate the need for the authorities at all levels to demonstrate their abhorrence for GBV by acting in accordance with relevant international obligations, commitments, and standards to support and assist victims of GBV and ensure adequate investigations and sanctions to prevent fatal and tragic outcomes.

We commend our local counterparts for their commitments to make this country a safer place for women and girls.

7. You supported BiH Press Council campaign titled: “STOP Hate Speech”. What are the results, how widespread was hate speech in the election campaign?

The results show that, before and after the elections, insults and vulgarities dominated online portal comments. In tandem, relatively few calls for violence or extreme forms of hate speech were registered. As unfortunate as it is that such messages are still being posted, these results may suggest, among other things, that media outlet newsrooms have made additional efforts to reduce the number of such comments.

At this juncture, we are cautiously positive about this decline of the use of offensive, divisive or humiliating language during election campaigns. These results should encourage us to redouble our efforts to tackle online hate speech. Every responsible actor must continue to raise public awareness of how dangerous and detrimental hate speech is.

We all need to become better and more consistent in countering the narratives of hate on the airwaves and in social media. Today, divisive rhetoric is often more impactful than the example of good work and good intentions.

8. The mandate of the OSCE includes education. Many children in BiH are still denied the right to the national group of subjects and the right to study their own mother tongue. To what extent does such situation in the field undermine democracy?

Education authorities must ensure that all children have good quality of education. While quality education is about strengthening learning outcomes, the quality of content and teachers, and ensuring a constructive school environment, etc. This also means ensuring an academic environment free of all forms of discrimination and segregation. This is an absolute must for the long-term stability and prosperity of this country and the region.

Learning one's mother tongue is a basic right and it is a responsibility of the education authorities to offer this opportunity to all students, which is unfortunately not the case in all schools across BiH, for example for Serb students in Glamoč.

On the other hand, the introduction of the national group of subjects (NGS) depends on several factors. The first one is that parents and students request its introduction, which many parents in returnee areas have not done.

However, it is very important to note that NGS was envisaged as a temporary measure, and the Interim Agreement itself states the obligation of education authorities to find more permanent solutions for the education of returnees and accommodation of the specific needs and rights of all constituent peoples, such as via new legislation, curricula and textbooks without any objectionable material.

The interest of children must come first; full stop. In this regard, education should not be politicised and educational institutions must be inclusive and responsive to the needs of all students, not just those belonging to the majority nationality or ethnic group. Therefore, the Mission will continue to advocate with authorities at the highest level for respect for human rights, including the right to education free from all forms of discrimination, in line with international commitments.

9. Are you satisfied with the level of media freedom in BiH and how do you comment the announcement of passage of laws in Republika Srpska to reinstate criminalisation of defamation? Associations of journalists expressed concern that introduction of such laws would restrict freedom of speech and media freedom.

Politically controlled media organizations reinforce fear and mistrust on a daily basis while independent journalists regularly face unacceptable intimidation and pressure limiting their ability to play their vital role in a free society.

We deeply regret the path the RS authorities have decided to take when it comes to reinstatement of the criminal offence of defamation in the RS Criminal Code. We see this as a clear and deliberate step backwards, in particular in the context of the already poor state of

media freedom in RS, with only a handful of free and independent outlets working in an unfavourable environment.

It is important to mention that this step is carried out in spite of all our previous communication and the assurances by the RS Ministry of Justice that the Government was not working on amendments announced by the RS President Dodik in late 2022.

We reiterate that this latest move goes against the country's international commitments and has a chilling effect on media freedom in BiH.

The Mission once again calls on the RS authorities to refrain from moving forward with this idea, and by doing so uphold an open and pluralistic debate, which is an essential feature of a free democratic society.