

Combating Corruption

In line with its mandate and relevant OSCE commitments, the OSCE Mission to Bosnia and Herzegovina contributes to the fight against corruption by supporting the development, adoption, and promotion of anti-corruption regulations, and improving co-ordination between governmental bodies in implementing these regulations. Corruption is costly: politically, in terms of eroding democracy and the rule of law; economically, by wasting public resources and deterring investment; and socially, by diminishing citizens' trust in the political system and its leadership.

The Transparency International Corruption Perception Index ranked BiH at 101st place out of 180 surveyed countries in 2019, highlighting long-standing stagnation and the erosion of the country's democratic system. Reports issued by the European Commission and the Group of States against Corruption (GRECO) have also

repeatedly stated that BiH has to invest efforts that go beyond declarative commitments.

BiH authorities have taken some initial steps in this direction, including by adopting key anti-corruption regulations and strengthening domestic co-ordination in combatting

corruption across all levels of government. However, the complexity of the institutional framework and the consequent difficulties in implementing anti-corruption legislation continue to obstruct the country's progress.

The Mission supports the development, adoption, promotion, and implementation of priority anti-corruption regulations as well as co-ordination between the country's anti-corruption institutions and bodies. The Mission's activities are related to the capacity-building of relevant anti-corruption stakeholders, strengthening their co-ordination, and the replication of the best IT-based practices to ensure transparency and accountability.

Each year the Mission organizes an Anti-Corruption conference to call for the commitment of all relevant anti-corruption actors to fight corruption, during which concrete recommendations are defined¹. These conferences focus on discussions of best practices and innovative approaches in the implementation of anti-corruption measures. Some of the topics covered include the use of ICT in corruption prevention, the development of key anti-corruption regulations, and an evidence-based approach in design and implementation of anti-corruption policy.

¹ Available at
<https://www.osce.org/bs/mission-to-bosnia-and-herzegovina/417050>
<https://www.osce.org/bs/mission-to-bosnia-and-herzegovina/376747>

Preventing corruption through regulation

The Mission assists in development, implementation and promotion of priority preventive anti-corruption regulations across all levels of authority. For example, the Mission supports the development of a comprehensive legal framework on conflict of interest (Law on Prevention of Conflict of Interest in BiH Institutions, and corresponding laws at entity level) and Anti-corruption Strategies at different levels of authority. The Mission supports the implementation of the Law on Reporting and the Procedure for Data Validation of the Property of Public Position Holders in Sarajevo Canton, and looks into supporting the development of similar laws in other cantons, alongside the promotion of the RS Law on Protection of Persons who Report Corruption, and other anti-corruption regulations.

In line with domestic and international standards, the Mission supports innovative practices, including in the field of ICT, for instance by supporting the development of databases and software for identifying conflicts of interest, or increasing institutional transparency, helping to prevent corruption.

In Canton Sarajevo, the Mission supported innovative anti-corruption ICT practices, including the development of databases and software for identifying conflicts of interest and increasing institutional transparency. Since such practices are replicable, as a result other cantons have started preparatory work to introduce similar mechanisms in their jurisdictions. The Mission actively encourages others to follow suit.

Co-ordination and capacity building

Given the complexity of the institutional framework and weak co-ordination capacities, the Mission invests substantial effort in improving co-ordination between anti-corruption bodies and institutions.

The Mission supports the establishment of co-ordination mechanisms between the BiH Agency for Prevention of Corruption and Co-ordination of Fight against Corruption (APIC) and anti-corruption teams operating at entity, cantonal and Brčko District levels. The Mission's efforts aim to provide an opportunity for discussion for anti-corruption bodies, define a common

approach to the prevention of corruption, and ensure the efficient implementation of such strategic measures.

In order to address the different needs of anti-corruption bodies (e.g., parliamentarians, civil servants, and professional anti-corruption teams), the Mission designs tailor-made capacity building activities.

The Mission continuously organizes capacity building events for public sector employees in BiH (for example, 1250 employees in 2019). The training sessions cover the most pertinent anti-corruption topics including: conflict of interest; public procurement; ethics and integrity; financial management and control; freedom of access to information act and protection of personal data; development of integrity plans; assessment of impact of corruption risks in regulations; use of ICT tools to monitor the implementation of anti-corruption strategies.

Combating corruption at local level

At local level, the Mission closely monitors anti-corruption practices and trends in public

financial management in local self-governance units (LGUs), in order to inform future strategic planning and policy development of both BiH authorities and the Mission. A special focus is placed on the assessment of spaces for corruption in the management of immovable assets at the local level.

In 2019 the OSCE Mission to BiH issued its report *An Assessment of the Spaces for Corruption in the Provision of Support to Civil Society Organizations at the Local Level* aimed at assisting LGUs in limiting the space for corruption in the provision of support to civil society organizations (CSOs) at a local level. It is based on the Mission's comprehensive monitoring of public financial management, questionnaire responses, and interviews conducted with representatives of 20 LGUs. The main findings of the report indicate a need for comprehensive changes to how LGUs support CSOs, including improved record-keeping, more transparent funding procedures, and clear guidelines on monitoring and evaluation of allocated funds.

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