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Corruption in local administration and education most reported by citizens

According to the TI BiH Advocacy and Legal Advice Centre 2008 annual report, the dramatic level of corruption in BiH has a huge influence on the flagrant breach of fundamental human rights in the country and on the drastic relativization of basic freedoms.

Banja Luka, January 26, 2009. – During the year 2008, Transparency International Bosnia and Herzegovina (TI BiH) Advocacy and Legal Advice Centre (ALAC) received 1354 complaints of citizens, citizen groups, and legal bodies, referring to potential cases of corruption. These complaints were received through TI BiH free phone line for corruption complaints (0800 55555), that is available to citizens on every work day between 9 a.m. and 5 p.m., and also through the post and e-mail.

As was the case during the past years, most complaints were referring to the proceedings of local administration bodies (25% of all the complaints received), especially to supervising services. The amount and the nature of complaints point out to numerous breaches of law by the local administration bodies (on cantonal and municipal level), which leads to endangerment of basic human rights, especially property and working rights.

By the number of complaints, the area of education is on the second place (14% of all the complaints received). Within this area, apart from complaints referring to giving and accepting bribes, and employment, received complaints also referred to the disposal of budget resources intended for education institutions. What is especially concerning is the trend of ignoring the citizens' complaints by authorized institutions.

Legal regulation and the implementation of law on the conflict of interests caused significant problems, having in mind that during the most of the past year, the issue of conflict of interests was not regulated on entity level, and this way the conflict of interests was practically legalized. Considerable amount of responsibility for a chaotic situation in this area lies within Central Election Commission (CIK), and this situation, besides the objective problems in law implementation, is above all caused by insufficient institutional capacities.

Increased number of complaints about judiciary is mostly related to the slowness in solving court cases, which questions the basic human right to justice in reasonable time limits. When processing corruption is concerned, the trend of ignoring the corruption cases is noticeable, especially in entity and cantonal prosecutor's offices, and expropriation of illegally acquired property is practically not being implemented. The tendency of ignoring, or disregard of court verdicts, even by state institutions, is also noticeable.

When complaints about health institutions are concerned, besides giving and accepting bribes, the process of public procurement of medical material and equipment proved as an especially distinctive problem. Besides that, it was pointed out to irregularities in the choice of residents through public advertisements.

The ways of financing some associations and organizations form the budgets within various government levels, having in mind the expressed non-transparency that complaints referred to, point out that the real intention is actually acquiring unlawful benefits that are thus far from formally proclaimed.

The most endangered citizen categories, like returnees, socially endangered and pensioners, are the greatest victims of this huge presence of corruption, considering the nonexistent or inappropriate mechanisms for protecting the rights of these categories.

Non-transparency in the work of state institutions is still greatly present. This is especially the case in the area of privatization, functioning of public companies, concession grants, etc.

It is also necessary to emphasize that the Ministry of security of BiH, even after TI BiH repeated requests, has never published the report on the implementation of the strategy against organized crime and corruption, which says enough about the seriousness of the state institutions' approach to this problem.