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Delegations will find attached the partially declassified version of the above-mentioned document.



ANNEX

**COUNCIL OF
THE EUROPEAN UNION**

**Brussels, 10 July 2003
(OR. en)**

**11377/03
EXT 1 (03.10.2013)**

**COSDP 426
EUPM 1**

FORWARDING NOTE

from: Secretariat
to : Political and Security Committee
Third States contributing to EUPM
Subject : EU Police Mission Monthly Assessment Report

Delegations will find attached the EUPM Monthly Assessment report for the month of June 2003.

EUPM

MONTHLY ASSESSMENT REPORT

6/03

1 EUSR Assessment on the Rule of Law in Bosnia and Herzegovina (BiH)

1.1. General Assessment

Further progress was made during the course of June 2003 to build the rule of law in BiH. In particular:

- The Rule of Law Pillar had several pieces of vital legislation pending before the legislative bodies of both entities, including revisions to the criminal codes and criminal procedure codes of each entity in order to make those codes consistent with the new state-level codes enacted by the High Representative in January. The legislation has been approved by the Republika Srpska National Assembly (RSNA) and by the legislature of the Brcko District without substantial amendment. Unfortunately, in the Parliament of the Federation of Bosnia and Herzegovina, several amendments were proposed during the adoption procedure which were not acceptable and would have substantially changed the philosophy of the reform plan. Following the intervention of OHR, different versions were adopted by the House of Peoples and the House of Representatives. These versions will now be sent to a conference committee in order to reconcile the differences. It is anticipated that the conference committee will convene during the week of 30 June.
- Other important legislation pending before the entity legislatures includes the Civil Procedure Code and the Law on Enforcement of Civil Judgments, both of which are considered vital to the efforts to foster investment in new business enterprises. These codes were developed by working groups with members from both the local legal community and the international community. These codes, too, have been approved by both governments. The RSNA agreed to process these codes by the expedited procedure and adopted them without substantial amendment. The Parliament in FBiH has indicated that it will not consider them by the expedited procedure. OHR feels it is important that they be adopted under the expedited procedure and will attempt to persuade the Parliament to act in this manner.
- The Rule of Law Pillar continued to have discussions with the Constitutional Court in order to discuss a proposed plan to deal with the unacceptable backlog of cases pending before the Human Rights Chamber and to stem the flow of additional cases to the chamber. A plan was presented to the Peace Implementation Council (PIC) during its meeting in June which would stop the flow of new cases to the chamber beginning 01 August 2003 and provide modifications to the procedures of the chamber in order to more efficiently deal with the pending backlog of cases.

- OHR has continued to work closely with Serbian officials to exchange documents and other information in regard to organised crime investigations of criminals operating in both countries. This exchange has been invaluable to both countries in strengthening their investigations of serious international criminal activities. It is believed that information provided by OHR has been the foundation of actions brought in Serbia against at least one major organised crime figure.
- The plan for trial of war crimes in a special panel of the Court of BiH was presented to the PIC during its June meeting and enthusiastically endorsed by the PIC. The plan will be presented to the United Nations Security Council during September.
- A delegation from the International Criminal Tribunal for Yugoslavia in The Hague visited BiH during June to discuss a number of issues relating to the domestic trials of war crimes. Included in the discussions were issues relating to providing access to the ICTY database to local prosecutors.
- OHR is heading a task force to establish the State Information and Protection Agency (SIPA). This task force, which includes EUPM, will work in conjunction with the BiH Ministries of Justice and Security in order to establish a law enforcement agency at state level which will have jurisdiction parallel to that of the state court and state prosecutor's office. The task force will deal with all issues related to the creation of this agency including the legal framework, premises, budgeting, staffing, equipment, etc.

2. Police Head of Mission (PHoM) Assessment/Executive Summary

This monthly report marks the end of the first six months for EUPM or, to paraphrase a well known statesman, the end of the beginning.

I have been delighted with the mission's implementation. The two operational priorities have been achieved; the situation on refugees and returnees is calm and significant successes have been scored by the local police in the fight against organised crime. Details of these successes, especially in the fight against human trafficking can be found in the body of this report. The local police have responded to the challenges we have given them and I have been encouraged by this. There is no doubt that our co-location has had a positive effect on the police forces across BiH, not only in terms of encouragement, advice and mentoring but also, where necessary, thwarting bad practices and lack of professionalism.

Now that we are firmly embedded in the law enforcement structures of BiH our programmes are ready to kick in. The two institution programmes, the State Border Service and the State Information and Protection Agency have been going right from the start. As can be witnessed below, the State Border Service continues to improve. **NOT DECLASSIFIED** For our other programmes we have developed a system of benchmarking progress through which we aim to ensure local police authorities' support for all projects. I chaired the second meeting of the Steering Board this month, the body which gives the priorities and targets for the EUPM/local police working groups.

Also, we have long seen the need for deeper structural police reform in BiH if the police forces are to truly operate to best European and international practice. EUPM therefore welcomes the OHR initiative and I have established a Task Force that will report to me on the current situation and offer various options. I will, in due course, report their findings and my thoughts through the chain of command.

An EUPM management conference was held near Sarajevo this month. It was an excellent opportunity to brief EUPM's senior officers and to hear their views from the field and was judged by all to have been very worthwhile.

Lastly, before the slow month of August comes upon us, I will be starting this next, and most important phase, of EUPM's mandate with a series of visits to our co-locations and local police forces across BiH.

3. Political Assessment

3.1. General Situation

Overall the political scene is rather quiet. It appears that the slower summer period is already beginning.

In the aftermath of the EU Summit in Thessaloniki on 19 and 20 June 2003, in which Bosnian and other political leaders in the Western Balkans participated, various political figures have wondered out loud when and how Bosnia and Herzegovina might join the European Union. It is gradually sinking in that EU membership will require substantial reform and restructuring in a variety of areas. This means difficult choices for local politicians, but may also encourage them to open the door for dramatic changes.

Within BiH, the most important political development is the ongoing process of government formation in Canton 7. On 16 June 2003, the session of the Canton 7 Assembly finally voted in favour of the government proposed by Prime Minister Coric.

Given extraordinary OHR pressure and SDA Central Board pressure, the SDA counsellors joined the HDZ in appointing the government; the SBiH and SDP abstained. However, the three controversial appointees – the Ministers of the Interior, Justice and Education – were then declared “unfit” by the OHR, leaving Canton 7 without a government. New candidates will have to be proposed.

3.2. Assessment of Police Reform at State and Entity level

As reported in earlier Monthly Assessment Reports (MAR), a number of reform processes have been initiated: the Defence Reform Commission, the Expert Commission on Intelligence Reform and the Public Administration Reform, all under OHR auspices, are pushing ahead. Now, a discussion has begun on the need for a Police Reform. Following initial discussions with the OHR that underlined the EUPM-OHR common interest in a restructuring process, the responsibility for the next steps has been placed in the hands of the EUPM. A Task Force was established, led by the DHoM for state-level, and consists of Chief Legad, Chief Polad, PDD, OPS, and the two Chief

Advisers of the Entities. The Task Force will begin working immediately and aims to develop a Framework Proposal by mid-July. Critical issues include the timing and financing of reform, ensuring local ownership, practicability of reform and implications for EUPM.

At state-level, there have also been specific steps forward. The OHR/EUPM SIPA Working Group is in place and will be able to better address the complex operational and political issues involved in fully establishing the Agency and granting it executive powers (see below). The joint approach has also born fruit in relation to the Ministry of Security (MoS), where amendments to the Book of Rules (BoR) on internal organisation, reflect both the EUPM operational recommendations and OHR's political concerns. These are two key institutions for the rule of law in BiH and promote one of EUPM's priorities namely to strengthen state-level bodies.

4. Progress in EUPM Programmes

4.1. Strategic Assessment

Two events are worth recalling:

The Steering Board Meeting held in Sarajevo, EUPM HQ on 30 June 2003.

The EUPM principle of BiH authorities' ownership was put into practice in an effective way through the establishment of a joint Steering Board (ref MAR April 2003). PDD prepared the terms of reference and working modalities for the Steering Board meeting and for the upcoming Working Group meetings. It was also agreed at the meeting that PDD would serve as the Secretariat of the Board. This is the first step towards bringing in the BiH political authorities on the subject of police. This would engender support at the political level within the Ministerial Consultative Meeting on Police Matters (MCMMP) and hopefully result in concrete cooperation with the Steering Board. EUPM will also assess the compatibility of Steering Board's conclusions with the Mission's aims.

Suggestions for a legislative reform as mentioned in the last Monthly Assessment Report (MAR) are cast in a new light by the recent statement of HR/EUSR Ashdown on the need to review the current structure of the Police.

EUPM Management Conference, held in Jahorina from 24 to 26 June 2003.

The first Management Conference represented an opportunity for the mission to assess its own functioning to date and to adapt to the evolving situation. The Mission has now moved to the next phase where the emphasis has shifted to the development and reform of the BiH Police forces through the implementation of the Programmes.

The reporting system, benchmarking and the relationship with the IC were the subjects under specific discussion. Additionally, there were bilateral meetings between representatives of the MHQ and the Field. Discussions especially centred on the flow of information from and to the field. The EUPM Management Conference was an important forum for PDD to exchange concerns and questions with the Field. PDD chaired the benchmarking theme and presented a proposal for measuring progress and achievement based on four levels of assessment: aim of the mission, four strategic priorities, seven main programmes, and the projects.

It is crucial now to adjust the reporting system, so that it both provides the necessary information and assessment and respects the Field Units' time. The benchmarking of the progress on programme and project level in the Field can be expected to be largely satisfied when a suitable reporting system is in place. The Operations Department has been testing a new reporting format which will be further developed taking into account the needs of PDD. Information will be compiled in a functionally structured database to allow easier access for follow-on and analysis. This will also allow the HQ to provide the field with more frequent feedback on the overall situation, which will result in a better perception by all Chef Advisors/Co-locators of the role they are playing in the general context.

As part of a broader approach to engage and interact with the field, the Programme Office (PO) scheduled visits to all EUPM colocations with the aim to discuss in depth the implementation of the PIPs already delivered with the appointed project coordinators at field level. The visit will take place in the last week of June and first week of July. Strategic Analysis Office (SAO) will carry out their visits in July. The main aim of SAO visits will be to prepare the assessment of the Short Term Targets.

4.2. Crime Police Programme

Special Project MOC

The Project Implementation Plan (PIP) on restructuring the CIDs was clarified in cooperation with EUPM MOC-co-locators to make it compatible with the still ongoing restructuring left over from IPTF and the overall MOC strategy.

There are plans to put in place a Crime Stoppers programme for BiH. A PDD representative travelled to Pristina, Kosovo, to monitor how a similar project is being implemented there.

PDD is working with UNDCP on the IT Criminal Intelligence Project in Sarajevo and Banja Luka. ICITAP recently held a two-week professional course on criminal intelligence for intelligence (analyst) officers from all BiH LEA. The next step is to link and to standardise the IT Crime Intelligence system hardware that is already in place in police stations that all over BiH. UNDCP has asked EUPM to supervise the use of the IT hardware and the use of the application.

Special Project FIGHT

The EUPM project on the Fight aGainst Human Trafficking (FIGHT) is ongoing. The EUPM attendance at the Stability Pact meeting in Slovenia (ref MAR April and May) has led to a positive response. The British Embassy is willing to fund one-seventh (€50,000) of the total cost, if the total amount of the project (€375,000) can be found through other partners. PDD and MOC officers will contact Stability Pact and other Embassies to seek more funding.

Training on new Criminal Procedure Code and Criminal Code

PDD together with ICITAP and other members of the established working group assessed the pilot course in Federation Police Academy. All the participants expressed their satisfaction with the course. In some Cantons and FMoI the newly trained instructors started to train the rest of the Police officers. Next week the training will start in some PSC as well.

4.3. Criminal Justice Programme

Court Police: PDD is preparing a Project Implementation Plan on the Court Police ranking system and the establishment of the Court Police in RS. The RS Court Police Head Commander was appointed on 01 June 2003, as agreed with the President of the RS Supreme Court. Under the supervision of EUPM, the RS Court Police planning team will assist the secretary of the Federation Supreme Court. This is a good example of inter-entity cooperation. The Book of Rules has been prepared and the ranking system developed. The Federation Court Police will now begin implementing the ranking system, which was delayed earlier citing a lack of financial resources.

Judicial Police (JP): In June, issues such as the establishment of Judicial Police, temporary security solutions and the security of the building were discussed with local authorities. For any high risk cases, the State Prosecutors Office and the State Court can demand the assistance of the Fed and RS Court Police for transportation and the local police Support Units for the security of the transport and the outside and inside security of the courthouse, in addition to existing security staff. The Ministry of Justice will refund the costs. An assessment of the State courthouse security will be delivered to the President and executed in collaboration with the OHR architect. The President of the State Court has agreed to appoint the JP Head Commander as soon as possible to start drafting the Books of Rules, operational tasks and guidelines, following the good practise of the RS Court Police.

4.4. Internal Affairs Programme

Execution of the Public Complaints Bureau (PCB): Amendments to the original decree were passed in some Cantons to clarify the term “*full time*”, in relation to the positions of chair person and members of PCB. EUPM expects that the formal procedure in establishing the PCB can be completed in weeks rather than months. There are still some problems in terms of finding suitable candidates for the PCB in several Cantons. Suggestions to use a Judge or a Prosecutor as the Chairman have been put on hold due to incompatible legislation within different Cantons. Other problems have been securing financial resources for salaries of PCB members and other expenses, especially in the RS.

With the aim to establish the PCB in *all* Law Enforcement Agencies (LEA) in BiH, and in consultation with the PDD, EUPM recommends the establishment of a PCB under the Ministry of Security. This would cover SBS, SIPA and International Relations Interpol Sarajevo (IRIS). This decision has been approved by the PHoM, as part of the harmonisation of the legislation and integration of SBS, SIPA and IRIS into MoS.

4.5. Police Administration Programme

Model Career System/Minority Recruitment: The Police Administration Working Group under the Steering Board will soon begin to discuss the model career system and financial viability and sustainability (salaries, down-sizing, career development etc). In meetings with EUPM Chief-Co-locators, the current situation with regard to police officers’ recruitment was assessed. The police

administrations' efforts are aimed at female and minority recruitment. Plans to downsize police manpower to meet European standards are being developed.

Weapon Policy: SFOR LEGAD suggested that the Civil Protection Agencies (CPA) should be made the first point of contact for the destruction of weapons surrendered by citizens, which is still currently an SFOR task. In a meeting between EUPM PDD and Civil Protection of RS and Federal Administration Civil Protection, it was agreed that if SFOR would like to hand over the responsibility on weapon destruction to CPAs, they (SFOR) should initiate this process as the only authority responsible for all kind of military matters according to the GFAP. The current legislation would have to be amended, the necessary financial, resources, training, facilities and other needs assessed and secured.

Public Affairs: capacity to relate with media, authorities, communities: A short survey to assess the public affairs capacity was prepared for distribution to the field. SFOR also agreed to provide EUPM with all relevant information that they have.

Mid/upper level management training: PDD attended the training seminar that the Swiss Team Consulting delivered at the RS Police Academy. PDD will be involved in terms of reference in the relation to the 'Training Commission' and interface with the two police academies.

EC CARDS will be delivering management training and PDD has prepared a 'Training Proposal' based on leadership issues and has submitted the proposal to EC CARDS.

4.6. Public Order and Security Programme

Support Unit: Following the public disorders which occurred at the end of May during a football matches in Mostar and Ljubuski, the Federation Adviser for Support Units made an assessment relating to crisis management and deployment of specialised units.

The report underlines the urgent need to address the potential increase in crowd disturbances due to dire economic conditions and growing public frustration. In the Federation, the local authorities, from cantonal ministries to commissioners, do not acknowledge civil disorders as a potential risk and do not anticipate and plan for major public events. The Cantonal Ministers of Interior fear that their independence could be reduced if the standardised rules for engagement for support units and the amendments of specific regulations were implemented. Therefore, the Cantonal Ministries prefer to involve local uniformed police forces during crowd control operations rather than request extra support units from other jurisdictions.

Due to the lack of centralised decision-making, it is difficult for EUPM to monitor the implementation of a state-wide common doctrine of employment for support units in the form of joint training and joint operations. This is also due to the fact that there is no common framework for support units set up at Federal, RS and state-level.

Safe return of refugees: The International Organisation for Migration (IOM) is preparing a project for the “Return and reintegration of minority police officers.” This project is linked to two EUPM projects “Monitoring of police officers recruitment (minority recruitment and gender balance)” and “Strengthening of local police capability in safety return of refugees”. In June, training on return-related issues was held for the designated co-locators. The training, which explained UNHCR’s core mandate and its BiH specific mandates derived from GFAP, also aimed to clarify how the mandates of UNHCR and EUPM are related and why cooperation is beneficial. The co-locators now (better) comprehend the complexity of the returnee situation in BiH and will be able to work more effectively with UNHCR and the local police to decrease the number of return related incidents through a focused exchange of information and close monitoring of the handling of serious cases.

Community Policing: The PO met representatives of the Department for International Development (DFID) to exchange information on the DFID Community Policing Project to be initiated in Zepce and Prijedor and to strengthen the cooperation between the two parties.

4.7. State Border Service (SBS)

EUPM SBS’ personnel strength is currently 71 EUPM members (International Police and civilian staff). The new off-road vehicles are a great improvement, as they are essential for the EUPM SBS field office locations and their respective border crossings located in remote areas. In July, the SBS unit Trebinje will move to a new location. This will also include EUPM staff. SBS Visegrad field office is scheduled to change the location in August. This will subsequently improve the working environment for EUPM SBS Field Office Visegrad, which currently is subject to a serious communication breakdown, having no e-mail connection and unreliable telephone lines.

As the Programme Implementation Plans have not been tailored to the needs of SBS, the Chief Adviser SBS has agreed with the Chief PDD that the EUPM SBS co-location team should be involved in defining the specific projects essential to improving the effectiveness of SBS and to ensure that it meets EU standards with regards to Border Policing. This approach for the development of border-related projects will inevitably be more effective for both SBS BiH and the achievement of the Mission’s goals.

The SBS Central Investigations Office (CIO) is a key element that will contribute to the fight against all forms of cross-border related crimes. In relation to the PDD PIPS, CIO currently has two main projects: (1) Restructuring of the crime departments and (2) Implementation of the FIGHT project (both within the Crime Police Programme). For the Fight project, EUPM CIO is installing a trafficking unit in order to concentrate all competence within CIO. Due to a lack of equipment, training, personnel and – not least – information, the work in the trafficking unit is still not fully developed. Chief adviser SBS CIO and personnel are making an inventory together with the Chief of CIO on what is needed regarding equipment, training, information flow, analytical capability, cooperation with other agencies both national and international and relevant authority to perform their duties.

SBS will be linked to the intelligence system provided by ICITAP and the unit is also cooperating with EUPM’s Crime Advisory Unit on implementing a nationwide intelligence system.

Immigration: Following EUPM's proposal of a closer working relationship with the SBS, immigration aspects are progressing rapidly with the MFA. EUPM's contact within the MFA will schedule a meeting with SBS BiH Chief of Service to determine operational procedures, such as for communication, for example when the SBS want to refuse entry to a visa holder.

On 01 August 2003, the EUPM SBS immigration expert will initiate a partnership with the IOM to implement the SBS capacity building aspects of the EC CARDS 2002 report, including the development of a dedicated SBS detention facility and the implementation of a visa interviewing training programme for the MFA. The CARDS report suggests many other improvements that are necessary for the SBS to approach an EU standard and EUPM SBS co-location will be working on many of these. A coordination meeting will be held in the middle of July. The new immigration law will allow SBS to take more action in regards to illegal immigration once it is in force. EUPM SBS was an integral part of drafting parts of this law.

Training: The SBS will be trained in the new Criminal Procedure Code in two courses scheduled to be held on 28 July 2003 and 04 August 2003.

In addition to training courses conducted by SBS, in part in cooperation with ICITAP, SBS also arranged a week's intensive training in all aspects of airport operations at Tuzla airport following a request from EUPM.

Professional Standards Unit (PSU) will comprise three sub-units within the State Border Service headed by the Internal Control Unit:

- a. Internal Control Unit
- b. Policy Review Unit
- c. Audit/Inspection Unit

Although a PSU is not in existence within the State Border Service yet, an Internal Control Unit is fully operational. EUPM Advisor to SBS ICU will assist in establishing the PSU.

Other: The BiH Presidency decided in a session on 12 June 2003 to approve Director Mihalj's request to be relieved from service, and appointed in his place Robert Peric. SBS has still not received the official notification of both the above from the Presidency.

Legal Issues

Supported by EUPM SBS and EC CAFAO; the *Protocol on Areas of Responsibility in the Field of Crime and Offence Proceedings* and the *Protocol on Mutual Co-Operation between the BiH State Border Service and the Custom Administration in BiH* were signed on 10 June 2003.

BiH SBS has made significant progress in drafting/submitting the following laws: Law on SBS; Law on Movement and Stay of Aliens and Asylum; Book of Rules on Internal Organisation of BiH SBS; Book of Rules on Official Cards of Civil Servants and Authorised Police Officers of BiH SBS and Identity Cards of Employees and Cadets of BiH SBS; Book of Rules on Selection Procedure of Cadets and Book of Rules on Operational Work Procedures in Training Center; and Book of Rules on Shape, Type of Material, Way of Manufacturing and Duration Limit of Uniform.

BiH SBS Ranking Commission has finished examining the background information of the BiH SBS Officers as the basis for awarding ranks based on the Regulation on Ranks and Insignias of Authorised Police Officers and will submit the decisions to the BiH SBS Chief of Service for further procedure.

Discussions with the BiH Council of Ministers Legal Department on the possible exemptions that SBS may have in regards to implementation of the Law on Civil Service in the Institutions of BiH are ongoing.

A Working Group will be formed with the representatives of BiH SBS and EUPM SBS in order to analyse the problems that BiH is facing regarding to implementation of the Book of Rules on Performance Appraisal of SBS Officers and if necessary draft amendments to this Book of Rules.

OHR Legal Department and EUPM SBS and SIPA Co-location Teams agreed in principle on forming a Working Group that shall work on finding ways to solve the difficulties and argumentation that BiH SBS and as well as other State-level Law Enforcement Agencies (LEA) are facing concerning to the legal status (identity) of police officers and as well as other related issues i.e. recruitment procedure. EUPM (SBS) will ask the state-level LEAs to nominate representatives to this WG.

4.8. State Information and Protection Agency (SIPA)

Overall Situation

The most significant event of the month has been the common approach of OHR and EUPM with regard to SIPA matters. The HR and the EUPM Commissioner agreed that the OHR Rule of Law Pillar would take over the coordinating role for establishing SIPA in daily consultation with EUPM. Coordination takes place in the “SIPA Working Group” composed of EUPM Deputy Head of Mission for State-level, EUPM SIPA Chief Adviser and SIPA Political Adviser, OHR Legal, OHR Legal Reform Unit, RoL Police Adviser, CIPRU and the RoL Special Projects Unit.

Furthermore, the SIPA Working Group, under the direction of the Deputy Head of the Rule of Law Pillar, reviewed the draft Book of Rules on Internal Organisation of the Ministry of Security, in particular with regard to its compatibility with the HR policy line for SIPA. The policy of the High Representative is to provide SIPA with the tools needed to disrupt, investigate, and arrest criminal violators of the laws of Bosnia and Herzegovina as well as international law and to give SIPA jurisdiction parallel to the State Court and State Prosecutor’s Office. The OHR/Rule of Law Pillar (RoL) will also ensure the timely implementation of the Law on SIPA in its present form as well as any future amendments to the law necessary to establish a full-fledged law enforcement agency at state-level. The EUPM and OHR joint MoS BoR will be submitted to the Ministry of Security in early July 2003.

Premises

The possible solutions that are now chased by OHR and EUPM Working Group are as following.

- a. **Former ZPP building** – due to the ownership problem, for the time being this solution is pending.

- b. **Union Invest Building** –as a temporary solution the building could either be rented under the condition of future ownership through leasing or could be purchased if sufficient resources could be found. However the immediate usage of the building requires spending some amount of money presumably not less than 500.000 KM.
- c. **Tito Barracks** – OHR property lawyers clarified that the entire compound belongs to Sarajevo University, the only exception is that one of the buildings is currently occupied by Italian and Turkish battalions. This will be discussed with relevant SFOR authorities.

Advertisement and Recruitment Campaign

The first twenty positions, except three posts, have been filled were completed and the employees including Banja Luka Regional Commander and Head of Departments have just started to sign the contracts. The three unfilled positions will be advertised one more time. The selection of the second bunch of 197 candidates is ongoing.

Budget

The most significant progress of the Joint Working Group has been to secure the additional 2 million KM for SIPA Budget. However the rebalance of the budget needs to be approved by Parliament and as the Parliament is on leave the adoption of the budget will have to wait until the beginning of September.

Banja Luka Field office:

In order to enhance the communication between the HQ and field offices and to update the field staff about final developments, an EUPM SIPA meeting took place in Banja Luka with the participation of the SIPA HQ staff, Mostar field office and Banja Luka Field office. The SIPA Regional Commander was appointed recently and started to work with EUPM SIPA Banja-Luka co-location team.

Mostar Field Office

The new premises for SIPA Mostar are ready to move in, but EUPM SIPA team will wait with the move until the local Head of Field Office is appointed, as the acting Head, Mr. BIJEDIC, operates in Sarajevo most time.

Assessment

In the light of above mentioned developments, the consolidated approach of the international community, led by the OHR, is a significant step towards resolving some outstanding SIPA matters. The biggest obstacle in terms of the establishment of the Agency is still the premises issue, but this issue will be sorted out by the Working Group in the near future.

4.9. Interpol

The main topics of this month have been:

- The joint OHR/EUPM draft for the Ministry of Security (MoS) Book of Rules (BoR) (see below 4.10 Ministry of Security).

- The start of the working group on the International Relations Interpol Sarajevo (IRIS) BoR
- The first ever IRIS staff meeting.
- IRIS to have electronic access to Citizens Information Protection System (CIPS)
- The status of the IRIS staff – re. Civil Servants – Police Powers.

The Joint OHR/EUPM Draft: For the IRIS, it is important that the draft BoR determines in art. 5 that IRIS will be established as an independent service whose rights, duties and operational autonomy shall be determined by separate regulations. Likewise of importance for IRIS is that art. 11 states that the Sector for BiH Police Coordination and International Cooperation “will not be involved in any operational matters”.

Working Group on IRIS BoR: The joint IRIS and EUPM working group on the BoR for IRIS had its first meeting on 19 June 2003. The Minister of Security has agreed that the basis for the BoR for IRIS will be the BoR on the MoS, as well as – importantly – the EUPM document on Modernisation of Interpol Sarajevo, the IRIS Project (ref MAR March 2003). EU CARDS Europe Aid and the South East Cooperation Initiative (SECI) in Bucharest have shown great interest in the IRIS project and suggested it as a model for future projects.

IRIS Staff Meeting: The first ever IRIS staff meeting took place on 30 May 2003. It inspired the staff to present the Directors with a joint report on how to improve their work situation as well as with comments/suggestions on the IRIS project. This is a promising start for future cooperation in IRIS.

Status of the IRIS staff: All of the IRIS inspectors have the possibility to become Civil Servants, and some are already. Those who are not will have to pass an exam in due course. A joint OHR/EUPM working group is now considering, in addition to civilian servants and employees, a category for state staff police officers. Further, it appears that the IRIS directors and inspectors are listed in the IPTF-UN database as police officers although they never have been given police powers by their ministry. Further queries will have to be made into to this rather important matter. There is no question that the staff in IRIS must have police powers. It appears to be the only International Relations bureau in Europe where the staff does not hold police powers. The credibility of the office might be in danger should this fact become public known. The Minister of Security is positive and a solution will have to be found as soon as possible.

4.10. Ministry of Security (MoS)

On 18 June 2003, the OHR/EUPM joint working group agreed on the final draft for the BoR to be adopted by the MoS. The BoR will be presented to the MoS in early July, on to the Ministry of Justice for its approval and then to the Council of Ministers for final adoption. As soon as the process is completed, the MoS will launch the recruitment process of civil servants and employees.

The Ministry will then also be in a position to create the Public Complaints Bureau and to install an interface between the Ministry and the Law enforcement Agencies (SIPA, SBS, and Interpol) but also with the entities and cantons in order to have a strategic approach concerning the global situation of the criminality and security in BiH. This Book of Rules will be the main internal document that will regulate the integration of SBS, SIPA and Interpol into MoS as well as defining the role and responsibilities of the Minister in relation to the Directors of administrative organisations (SBS, SIPA and Interpol).

The move of the MoS Team from its current location to the new office inside the Ministry has been delayed due to problems with the installation of the phone line.

4.11. War Crimes Unit (WCU)

The aim of the War Crimes Unit, which was established in late May, is to monitor the investigation and prosecution of those middle ranking war crime cases which are outside the remit of the ICTY. These cases are to be investigated by local police and prosecuted through the local courts.

The new War Crimes Unit was established by the Commissioner and formalised in a paper on "Creation of the War Crimes Unit for the EUPM." Currently, the Unit consists of a small core staff – a Senior Investigating Officer and a manager. The Unit operates through a team of War Crimes Co-locators in the field who are appointed from among the crime co-locators as a point of contact. Guidelines on the operation of the Unit will be established by the Unit in consultation with PDD and other relevant EUPM departments.

The Chief of the War Crimes Unit has established links with the main international agents in-theatre, OSCE, ICMP, ICTY, OHR and SFOR. International police attendance and roles in various matters relating to War Crimes are already subject to discussion and informal agreement.

Some cases of war crimes are already under investigation by local police and obstacles to successful prosecution are being identified. Prosecution is also waiting for the new Criminal Codes to come into force on 01 July 2003.

5. Developments in the Two Entities and Brcko District

5.1. Federation of Bosnia and Herzegovina

During June much attention was directed at the Federation Police Director's report on organised crime cases related to political and senior officials. The report was submitted by the Police Director to the Federation Prime Minister through the Minister of Interior. The Federation Prime Minister is still considering whether to inform the Federation Government in a closed session. FMUP is also currently investigating the 'Munja' (Munir ALIBABIC) tapes submitted to FMUP by FOSS.

Overall, there have been some important success in the past month in fighting both drugs and human trafficking, for example in Canton 8 (Ljubuski). A long-planned drug operation in Canton 4 (Zenica) also showed that the co-operation between FMOI Drug Department and Cantonal MOI Drug Department is developing swiftly.

Federation Law on Criminal Code and Criminal Procedure Code has passed through both chambers but remain to be harmonised by special committee and ultimately to be approved by the chairpersons of the two chambers.

In Canton 5 (Gorazde), Cantonal Judges and Prosecutors were officially sworn in by the members of High Judicial Committee at the Cantonal Court Building on 02 June 2003. The Chief Public Prosecutor is now of Serb ethnicity and is starting to build relationships with the local police.

Also in Canton 5 (Gorazde), there was a positive initiative, where the Senior Uniform command team met on 12 June 2003 to devise an effective community policing plan, based on surveys of policing priorities identified by local communities and compiled by the station commander in that area. The community policing plan will then be adopted into the Annual Policing Plan.

Assessment of the ongoing EUPM Programmes in the Federation:

In the Ministry of Interior several issues are still pending, such as the implementation of Rank structures, Book of Rules on Salaries, Uniforms and Police ID's, Instructions on reporting, licence plates tender and Public Complaint Board. These issues urgently need the Minister's attention and constructive approach.

Internal Affairs Programme

- In Canton 5 (Gorazde), the PCB is still not established nor officially published in the Official Gazette due to technical errors. What is evident is that the responsibility for setting up the PCB lies with the Minister of Interior who can be described as 'passive'. The EUPM are closely monitoring the situation and if there is any further delays this will be reported.
- In Canton 7 (Mostar), the decree on the PCB has been published in the Official Gazette. The vacant positions were advertised in the daily newspaper. The thirteen applications received have been sent to the Cantonal Assembly for appointment.
- In Canton 9 (Sarajevo), there were no suitable applicants for the Chair and police positions within the PCB, which meant that these positions had to be re-advertised.

Police Administration

- A committee on Ranks in the Police Administration in FMOI has been working for more than two months on the final proposal for the Director of Police. The Minister has been dissatisfied and has delayed the assignment of new ranks to 146 officers in FMOI. EUPM Advisers have advised the Minister that the ranks should be finalised not later than 15 July 2003.
- The Committee to evaluate the proposal for a Book of Rules on Salaries and other compensation for employees of FMOI was formed by the Minister of FMOI early spring 2003. Because of the complicated way salaries are calculated, the committee has found it difficult to make a final proposal. The deadline has been postponed to the end of June 2003.
- In Canton 2 (Orasje), the implementation of the ranking system is progressing swiftly and appears to be nearing completion by the end of July. This will improve the situation of the Commissioner, as he will be able to delegate more tasks to appropriate subordinates.

- In Canton 7 (Mostar), the MoI attempted to interfere with the ranking procedure to be able to lift 'friends' into top positions, by dismissing the 'old' ranking commission and putting a new one in its place. These attempts were foiled by EUPM and the process brought back on track. EUPM continues to monitor the process closely.
- In Canton 9 (Sarajevo), the Police Commissioner is assessing 28 senior positions under the guidance and advice of the Chief Co-locator. The assessment criteria, procedure and process have all been reviewed and significantly improved. Following this process the successful candidates will be instructed in the 'Aims and Objectives' of the Police Commissioner.

Public Order and Security

- The FMOI finally decided not to accept the plan for an international workshop for Special Forces, which should have been held at the end of June.

Vraca Police Academy:

Several courses are scheduled at the Academy:

- 09 June 2003: Criminal Procedure Code Train-the-Trainers course.
- 16-27 June 2003: Course on criminal intelligence analysis (ANACAPA) – in cooperation with the United Nations Office for Drug Control (UNODC) (6 participants from RS, 11 Federation and 1 Brcko).
- 16 June 2003: Criminal Procedure Code training (for Canton 9 (Sarajevo) and FMOI).
- 23 June 2003: Organised Crimes and Drugs.
- 30 June 2003: Field training for Cadets of IX Generation in their respective Cantons.

5.2. Republika Srpska (RS)

The month of June was entirely taken up by preparations for the Pope's visit in Banja Luka on 22 June 2003. Almost 70% of the RS Police, from all Public Security Centres (PSC), were mobilised for this operation. The cooperation between EUPM, local police, in the RS and the Federation, SBS, intelligence services and SFOR improved a lot thanks to the preparation of the visit and became really excellent. All parties involved performed at their best to make the visit safe and calm. Frequent intelligence exchanges between different services occurred in a friendly and professional way. The security services of The Vatican congratulated EUPM, RS police and SFOR.

While the RS police did a professional job overall, a few weaknesses were brought to light that EUPM should be able to monitor and improve in a short period of time. The event demonstrated the potential for good results, if cooperation can be continued. This is of course depends on political backing on both sides. EUPM can play a constructive role by keeping all responsible chiefs under pressure and monitoring to maintain the high levels of cooperation and of professionalism that have proved possible and that are often sadly lacking in day to day work.

5.3. Brcko District

The following directions, which have been given to the Brcko District Police (BDP) during the reporting period 24th May through 24th June 2003, were chosen to be a matter of concern for the June Monthly Assessment Report.

Reorganisation/Personnel Changes: EUPM pushed the Chief of the Brcko District Police (BDP) to adjust the organisational structure and to remove personnel on the basis of disqualifications, corruption, inefficiency, etc. EUPM considers these changes essential for future evolution of the BDP.

The most important changes, which EUPM has set forth, are:

- a. Elimination of the two positions of Deputy Chiefs of Police.
- b. Creation of one position of Deputy Chief of Police (Neither of the present Deputy Chiefs of Police are considered to be qualified for the “new” position).
- c. Removal of the present Chief of CID. (Done.)
- d. Removal of the Commander of the Substation Arizona. (Done.)

These measures call for legislative changes in the Statue of the Brcko District, Law on the BD Police and the BoR of Internal Organisation and Job Classification. EUPM works in close cooperation with the OHR in the District. The preparation for the necessary steps (revision of relevant Laws) in relation to the position/s of Deputy Chief/s of Police are well underway. The above-mentioned changes are not the only changes which EUPM considers necessary; other will follow in due course.

The CID: The restructuring of the crime department in Brcko District aimed at improving the professionalism and the standard of the investigations and focusing on serious and major crimes is making good progress. The new structure follows the common model according to the MOC PIP and the special FIGHT PIP, modified to fit the unique structure of the Brcko District. The number of inspectors in CID will increase from 34 to 42. Five officers can be redeployed from the uniformed police to CID, but three positions will probably still be vacant until the next budget will be in effect. The ethnic balance will most likely be 19 Serbs, 14 Bosniaks, 5 Croats and 1 other. Unfortunately only one female officer will be available in CID. This problem has been pointed out and efforts are being made to deploy more female officers to the unit as soon as possible. At the same time there will be a greater involvement of uniformed police and traffic unit in crime investigations concerning low profile crimes.

Personnel Department: On 16 June 2003, the Personnel Department of the BDP was established and its task stipulated. The next step towards a police department with motivated and professional police officers was an effective career policy. The Career Policy consists of several elements:

- A ranking system for officially authorised persons in accordance with the special structure of the Brcko District but very similar to the ranking system of Federation and RS. A Ranking System and promotion policy were stipulated and delivered to the Mayor’s Office. It will come into effect on the day of signing.

- Regulations for a fair and transparent annual assessment. These were put in place on 09 June 2003, when the Instruction on Procedures for Annual Evaluation of officially authorised personnel came into effect
- A fair and transparent promotion system.

Upcoming: In July, the Support Unit will be tested for the second time. The result from the test in May was not satisfactory and the Commander of the SU was given two months to increase the level of physical fitness.

6. **NOT DECLASSIFIED**

7. Public Outreach

7.1. Local Coverage

Media coverage of law enforcement and EUPM matters was highlighted by three important themes during June: The UN response to OHR request on clarification of certification of BiH police officers, the visit of the Pope to Banja Luka and the police organisation of the event and finally 180 days of EUPM and the way ahead for the BiH police.

At the beginning of the month, the media reported extensively on the UN response to the OHR letter asking for clarification of the validity of the IPTF certification process. Select media had acquired the content of the UN response and discussed it prominently in mostly critical tones. This issue again highlighted how important ongoing coordination between the EUPM PPIO and the OHR/EUSR press office is.

Immense media coverage was given to the Pope visit and the run up to it. The EUPM PPIO officer in Banja Luka was involved in all matters media, monitoring the organisation of that part of the event and also assisting the Ops Centre in Banja Luka in monitoring and clarifying press coverage. Media coverage was very positive, praising the BiH police for excellent organising of a substantial event.

The extensive efforts of the PPIO leading up to and during the visit, clearly underscore the importance of having a permanent PPIO presence in Banja Luka, seat of the RS Media. Since the beginning of June, PPIO has had one international PPIO officer in Banja Luka, who now joins the regular weekly IC press conferences. Even more importantly, the EUPM PPIO can now respond to the numerous weekly enquiries from the RS Media in a timely and efficient manner.

The media intensively covered a press conference given by the PHoM on the first 180 days of EUPM and the way ahead for the BiH police. Sitting in on the panel with the PHoM were the Police Directors of RS and FBiH and the Police Chief of Brcko. The establishment of a formal Steering Board and working groups in accordance with the PPD programmes was announced and well covered as well as the PHoM assessment of the achievements of the mission so far. Furthermore, the PHoM stance on both the certification question and a possible Police Reform were carried in the Media.

On the issue of individual law enforcement incidents, reports on serious violence against returnees are fewer than at the beginning of the year, but harassment and low level physical abuse are still given considerable attention in the media. The EUPM PPIO reviews these incidents on a case by case basis through the help of co-locators in the field, so that the facts can be established before drawing conclusions publicly.

Generally, EUPM holds a tempered but steady profile in the BiH media and enjoys substantial credibility with journalists. The international profile of the EUPM, however, continues to be weak. This could be corrected by inviting journalists from contributing states to BiH and the PPIO is currently assessing the feasibility of such outreach efforts.

7.2. Visits and Protocol Issues

A number of small scale public visits of officials from contributing countries, journalists and researchers regularly take place at EUPM MHQ with the PPIO assisting in the protocol detail. No major visits involving the PPIO took place in June.

The PPIO arranged for an official farewell reception for the departing DPHoM at the end of June.

7.3. PPIO Internal

A third international press officer joined the EUPM at the beginning of June, increasing the capability for engaging the media. The EUPM is now present at all major IC press conferences in Banja Luka, Mostar and Sarajevo.

A fourth press officer will join the mission on 01 August 2003 to fill the PPIO permanent position in Mostar. Press activities in Mostar will be conducted out of Sarajevo until that time. A dedicated public information officer will join the EUPM PPIO on 01 July 2003.

Two media monitors/press assistants have come onboard with media monitoring in Banja Luka, greatly enhancing the information flow on RS law enforcement to the principals of the mission. Media monitors also took up their posts in Mostar and Brcko during June, completing the set-up of the strategically important EUPM media monitoring unit (MMU).

8. Outlook

5-12 July 2003: Annual commemoration of the Srebrenica massacre, including Potocari Ceremony on 11 July 2003.

9. Acronyms

BiH	Bosnia and Herzegovina
BCP	Border Crossing Point
BDP	Brcko District Police
BoR	Book of Rules

CAFAO	Customs and Fiscal Assistance Office
CARDS	Community Assistance for Reconstruction, Development and Stabilisation
CAU	Criminal Advisory Unit
CID	Criminal Investigation Department
CIO	Central Investigations Office
CIPRU	Criminal Institutions and Prosecutorial Reform Unit
CIPS	Citizens Information Protection System
COMSFOR	Commander SFOR
COP	Chief of Police
CPA	Civil Protection Agencies
CPC	Criminal Procedure Code
CPO	Career Policy Office
DfID	Department for International Development
DPHoM	Deputy Police Head of Mission
EC	European Commission
EUSR	European Union Special Representative
EUPM	European Union Police Mission
FBiH	Federation of Bosnia Herzegovina
FCA	Federation Customs Administration
FIGHT	FIght aGainst Human Trafficking
FMoI	Federation Ministry of Interior
FOSS	Federalna Obavjestajno Sigurnosna Sluzba” (Federal Intelligence Security Service).
FYRoM	Former Yugoslavia Republic of Macedonia
GFAP	General Framework Agreement for Peace
HDZ	Hrvatska Demokratska Zajednica (Croat Democratic Union)
HJPC	High Judicial and Prosecutorial Council
IC	International Community
ICITAP	International Criminal Investigation Training Assistance Programme
ICPO	International Criminal Police Organisation
ICTY	International Criminal Tribunal for Yugoslavia
ICU	Internal Control Unit

IOM	International Organisation for Migration
IPTF	International Police Task Force
IRIS	International Relations-Interpol Sarajevo
ISRB	Independent Selection and Review Board
IT	Information Technology
KM	Konvertibel Mark
LEA	Law Enforcement Agency
LEGAD	Legal Advisers Department
LNO	Liaison Officer (Department)
LPR	Local Police Registry
MAR	Monthly Assessment Report
MCMPM	Ministerial Consultative Meeting on Police Matters
MHQ	Main Headquarters
MOC	Major and Organised Crime
MoCAC	Ministry of Civil Affairs and Communication
MoI	Ministry of Interior
MoJ	Ministry of Justice
MoS	Ministry of Security
NCBs	National Central Bureaus
NGO	Non-governmental organisation
OG	Official Gazette
OHCHR	Office of the High Commissioner for Human Rights
OHR	Office of the High Representative
OPS	Operations Department
OSCE	Organisation for Security and Cooperation in Europe
PA	Police Administration
PAP	Programme Action Plan
PC	Police Commissioner
PCB	Public Complaints Bureau
PDD	Planning and Development Department

PHoM	Police Head of Mission
PIC	Peace Implementation Council
PIP	Project Implementation Plan
POLAD	Political Advisers Department
PPIO	Press and Public Information Office
PSC	Public Security Center
PSU	Professional Standards Unit
RC	Republic of Croatia
RoL	Rule of Law
RS	Republika Srpska
RSCA	Republika Srpska Customs Administration
RSMoI	Republic of Serpska Ministry of Interior
SAO	Strategic Analysis Office
SBS	State Border Service
SBSU	State Border Service Unit
SDHR	Senior Deputy High Representative
SECI	South Eastern Cooperation Initiative
SFOR	Stabilisation Forces
SIDA	Swedish International Development Agency
SIP	Strategic Implementation Plan
SIPA	State Information and Protection Agency
STT	Short Term Targets
UNDCP	United Nations International Drug Control Programme
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UNLO	United Nations Liaison Office
UNMIBH	United Nations Mission in Bosnia and Herzegovina
UNODC	UN Office on Drugs and Crime
UNSC	United Nations Security Council
USAID	United States Agency for International Development

VIP Very Important Person
WCU War Crimes Unit

WEEKLY ESTABLISHMENT OF EUPM PERSONNEL BY COUNTRIES

COUNTRY	Current EUPM Establishemnt		EUPM Current total	
	Police officers	International Civilians		
		Seconded		Contracted
European Union States	Austria	5	2	7
	Belgium	6	3	9
	Denmark	12	1	13
	Finland	17	6	23
	France	82	3	85
	Germany	80	5	86
	Greece	11		11
	Ireland	3		6
	Italy	45	2	47
	Luxembourg	2	1	3
	Netherlands	33	5	38
	Portugal	9	1	10
	Spain	16	2	20
	Sweden	12	2	14
	United Kingdom	58	6	68
	EU Totals	391	22	27
	Non European Union States	Bulgaria	3	
Canada		6		6
Cyprus		4		4
Czech Republic		6		6
Estonia		2		2
Hungary		5		5
Iceland		2	1	3
Latvia		4		4
Lithuania		2		2
Norway		6	2	8
Poland		12		12
Romania		9		9
Russia				
Slovakia		6		6
Slovenia		4		4
Switzerland		4		4
Turkey		9	2	11
Ukraine	5		5	
Non EU Total	89	3	2	
TOTALS:	480	25	29	
			54	