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Delegations will find attached the declassified version of the above document.

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Brussels, 20 December 2005

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NOTE

From: Secretariat
To: Political and Security Committee
Third States contributing to EUPM

Subject : EU Police Mission in Bosnia and Herzegovina Monthly Assessment report for the month of November 2005.

Delegations will find the EUPM Monthly Assessment report for the month of November 2005.



EUROPEAN UNION
POLICE MISSION

Monthly Assessment Report 11/05
Analysis and Reporting Cell
November 2005
EUPM Headquarters

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EUSR on the Rule of Law in Bosnia and Herzegovina

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The following actions were taken by the High Representative/European Union Special Representative (HR/EUSR) during November 2005, relating to the establishment of the rule of law (RoL) in Bosnia and Herzegovina (BiH):

Developments

- OHR continues its participation, with EUPM, in the RoL project management working group which was formed to establish the State Investigation and Protection Agency (SIPA) and which has now been expanded to address a wide variety of rule of law issues. This group has met weekly during November and discussed a variety of issues relating to the funding and the recruitment of personnel in SIPA, the State Border Service (SBS), Interpol, police reform, as well as numerous other issues relating to rule of law in BiH.
- OHR reported success in finalizing all outstanding issues regarding the signing of the Protocol for taking over facilities, equipment and personnel from the Republika Srpska (RS) Ministry of Interior (MoI), cantonal MoIs, and the Brcko District (BD) Police for the purpose of establishing a new state-level Service for Alien Affairs within the Ministry of Security (MoS). The official signing ceremony took place in Sarajevo on 07 December 2005.
- A plot of land was identified for the construction of the Immigration Detention Centre facility in East Sarajevo. The tendering procedure for selection of the construction company has started. The MoS plans to have this facility operational by the end of May 2006.
- OHR and EUPM continued assisting SIPA in reviewing its staffing needs and management structures with a view to maximising the Agency's efficiency.

Proposed changes to the rulebook on internal organization should see an increase in the financial investigative capability in SIPA with particular strengthening of the Financial Intelligence (FID) and Criminal Investigation Departments (CID).

- Following the decision of the entity and state-level parliaments to meet the three EC principles for police reform by means of adopting the Agreement on Restructuring of Police Structures, the European Commission has recommended the launch of Stabilization and Association Agreement (SAA) negotiations with BiH. The negotiations were officially opened on 25 November 2005.
- The Strategic Plan 2006 of the South Eastern Cooperation Initiative (SECI) Centre has been established. This plan offers the orientations for the next year in coordination with all the 24 liaison officers and different agencies. Through this multi-national participation, the SECI Centre has the advantage of allowing fast information exchange in a professional and trustworthy environment.
- Brcko Supervisor Susan Johnson issued on 30 November a Supervisory Order that amends the Law on Police, due to a failure of Brcko District Assembly (BDA) to do so. The current Law on Police requires the Chief of Police (CoP) to present reports to the Assembly every month. The BDA has failed to consider these reports in a responsible way; it has persistently used them as a platform for political attacks upon the Chief of Police. This interferes with the ability of the CoP to perform his duties effectively. The Supervisory Order also instructs the BDA to refrain from considering any of the CoP's reports until such time as the CoP submits his next annual report.

Decisions – Appointments

- On 23 November 2005, the High Representative, Paddy Ashdown, appointed Mr. David L. Upcher as Deputy Chief Prosecutor and Head of the Special Department for Organised Crime, Economic Crime and Corruption of the Prosecutor's Office of Bosnia and Herzegovina. The appointment is for two years from the date of taking up official duties, which occurs on 3 December 2005.

Executive Assessment

In the political arena, several important issues occurred during November, the most important of which is the official start of the SAA talks, which sets BiH firmly on the road to EU-Membership. The negotiations were officially opened on 25 November

2005, although they were officially announced at 10th anniversary of the end of the Dayton talks, four days earlier.

In addition, the BiH Council of Ministers (CoM) started discussion of the EUPM/OHR proposals for the setting up of a Directorate for Police Reform Implementation (DPRI). As stipulated by the Political Agreement, the deadline for the establishment of the Directorate is 31 December 2005. The Directorate, a temporary body comprised of professionals and experts from all levels of authority, is to propose a phased plan for the implementation of the reform of police structures in BiH, in line with the three principles set by the EU.

The Council of the European Union extended the mandate of EUPM until the end of 2007, albeit with fewer personnel and a slightly modified mandate. EUPM will provide more active support in the fight against organized crime and in police reform, in close co-operation with other EU organizations and local law enforcement agencies (LEAs). It is also envisaged that the EU Special Representative in BiH will have a special position within the EUPM's chain of command.

In early November Commissioner Kevin Carty, at the sixth and final EUPM medal parade, presented medals to officers from contributing states in recognition of their service to the Mission. He also presented certificates to national staff members. Meanwhile, EUPM is fully engaged in the project evaluation process that will lead to a full and consolidated report on the Mission's programmatic approach.

End of Mission/Follow on Mission Planning

Following the recommendation of Javier Solana, the EU's High Representative for the Common Foreign and Security Policy and Secretary-General of the Council of the European Union, the EU Ambassadors took a formal decision appointing Brigadier-General Vincenzo Coppola as Head of Mission/Police Commissioner of the European Union Police Mission in Bosnia and Herzegovina at the meeting of the Political and Security Committee in Brussels on Friday, 25 November 2005. Gen. Coppola will take office on 1 January 2006.

Work continued on the formulation of strategies for the end of EUPM to ensure the seamless transition to the follow on mission. The liquidation team continued to meet to ensure that proposals were produced for the budgetary, logistic, communications, IT and reporting requirements of the handover. Detailed strategies will be finalised by 15 December.

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Selection procedures have been completed to identify national staff recommended for selection into the follow on mission. These require the approval and ratification of the new commissioner for the follow on mission.

Quality Control and Evaluation

In November, EUPM completed 101 evaluations of projects in both entities and Brcko District and 53 projects implemented by SBS. In total, 350 projects have been evaluated and the collected data as been entered into databases. Some of the evaluation officers have now started compiling individual Project Evaluation Reports (PER).

Approximately 75% of these PER reports have been completed. Due to the complex nature of the Finance Project (4.6), the project will be evaluated by the EUPM Programmes Development and Coordination Department (PDCD), which has had access to the data collected by the Evaluation Teams. When the PERs are completed, the staff will focus on the Location Evaluation Reports and the Mission Evaluation Report.

The major obstacle faced by the evaluation team is the uncertainty on the availability of staff to complete the process.

EUPM Sixth Medal Parade

On 10 November 2005, the EUPM Head of Mission (HoM), Commissioner Kevin Carty, hosted the sixth and final EUPM medal parade at Sarajevo. The parade was attended by a number of VIPs representing various countries, international organisations and the local police. The HoM welcomed the dignitaries and invited them to consider the work of the EUPM over its three years, showing a short film of the Mission's achievements in working with the police of BiH.

Commissioner Carty presented medals to officers from contributing states in recognition of their service to the Mission. He also presented certificates to national staff members, stating that the Mission could never have progressed or made any achievements without the "expertise and unquestioned commitment" of its national staff.

Commissioner Carty emphasized the crucial role that the local police have played in the furtherance of the EUPM mandate since the outset, stressing that the Mission's role was to assist in the development of local police capacity through the principle of local ownership, and recognising that the successes of EUPM are also those of the local police. For this crucial role, the HoM made special presentations to a number of BiH police and officials. The HoM expressed also his thanks to EUPM's partners in the international community for their continued support to the Mission, without which its mandate could not have been achieved.

General Overview of EUPM programmes

During the reporting period, the EUPM PDCD stressed the importance of ongoing implementation of the projects until the end of EUPM's mandate and to ensure accurate benchmarking in all co-locations. To ensure that this was happening, PDCD and the HoM's Office held a meeting with the relevant department heads and co-locators. It continues to be the case that completed projects must be forwarded for evaluation.

Discussions in the BiH Police Steering Board (PSB) meeting concentrated on a Memorandum of Commitment (MoC) and proposals for a 'joint' PDCD, where international and local police officers might be working together. The PSB approved the MoC, but the proposals for a 'joint' PDCD will require further debate.

Programme 1: Crime Police and Criminal Justice

Until a standardised IT system is in place (contingent upon donations from EC CARDS and the International Criminal Investigation Training Assistance Programme [ICITAP]), EUPM's role in the project on *Establishing a Countrywide Computer Network and Software System* remains administrative only; EUPM involvement can only begin when such a network is established and functioning.

Programme 2: Police Training and Education System

During the reporting period, 26 officers from different cantonal MoIs received *Training on How to Present Investigation Reports* at the FBiH Vraca Police Academy.

The third *Joint Training for Police Officers and Prosecutors* has been organized at the Vraca Police Academy where 26 prosecutors and 23 police officers have undergone training on organised crime.

Programme 3: Internal Affairs

The implementation of the projects under Programme 3 is entering the final phase and the project officers are focusing on the evaluation of the individual projects. Overall, the implementation of the projects is assessed as satisfactory and all concerns at this stage are minor and are anticipated to be overcome in the near future.

Programme 4: Police Administration

The fourth workshop for police spokespersons from BiH law enforcement agencies (LEA) was held in Banja Luka on co-operation between police spokespersons and the media (see *PPID* below).

EUPM field officers continue to carry out inspections with regard to the project to *Define a Weapons Policy on the Use, Storage and Training within Police Forces* and offer advice where needed, particularly in relation to storage areas – an aspect that remains largely unsatisfactory.

EUPM is seeing the first encouraging results of the implementation of the Austerity Financial Action Plan (AFAP), part of the *Financial Viability and Self Sustainability of Police Forces in BiH* mission objective. The savings and unspent funds as foreseen in the AFAP were earmarked to renovate the deteriorated premises in many locations, change the costly electrical heating systems and renew the vehicle fleet through the auctioning of older vehicles. However these achievements call for careful reflection. It was said from the outset of the project's development that the only gateway for improving the capital investment budget lines was through fostering a streamlined savings plan together with a policy of internal transfers between budget lines. It seems that the reason behind such success is, in many cases, the awareness brought by this savings plan.

Programme 5: Public Order and Security

Almost all Support Units across BiH have attained a high level of competence. The local police continued to formulate the necessary (operational) plans – most of them are of a high-standard - in accordance with the *Major Public Events Guideline*. The local police also continue to provide EUPM with these plans to underpin their work.

Reports on the *Implementation of Community Policing* confirmed that the public is now better informed about the police's activities and other relevant information. As a consequence, there is improved cooperation with citizens and the level of trust has been growing.

EUPM assisted the Federation of BiH (FBiH) Ministry of Interior's (FMoI) Community Policing Seminar. The FMoI was responsible for the concept, presentation and logistics whereas EUPM provided funding.

State-Level Agencies

Ministry of Security (MoS)

According to the information currently available, auditors are generally satisfied with their findings from the MoS. They found however that the ministry is not spending its allocated budget completely, which is in part due to the ministry not meeting its staffing levels, which in turn is attributed to the slow procedures within the Civil Service Agency (CSA). The unspent funds cannot be transferred to next year's budget.

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The deadline set for spending the 400,000 KM allocated from the state budget for a temporary detention centre was set to expire on 15 December, but as the tendering procedures for the (re-) construction of the centre have taken longer than expected, the MoS has received approval from the BiH Ministry of Finance and Treasury (MoF) to extend the deadline until the end of January 2006.

In October 2004, an agreement was signed between BiH and the EU on security procedures for the exchange of classified information. In June 2005 a similar agreement was signed with Europol. Since then, two draft decisions, which are to be issued by the BiH CoM - a *Decision on Establishing a Central Registry* and a *Decision on the Location of the National Security Authority and Determination of IT Bodies for Data Transfer* - were sent for an opinion to the relevant institutions on 8 November. Feedback is expected soon. A request for working group members has been sent to 21 institutions in BiH. The group will be mandated to draft regulations that should be issued by the CoM, and which are listed in the Law on Secret Data.

Under EC CARDS 2006, two million euros have been allocated to establish the National Security Agency (NSA). This money is intended for equipment and technical assistance. Technical experts will assist the work of the NSA through EC Twinning Projects.

The MoS is an umbrella Ministry that has important competencies and a coordinating role on security issues for the whole territory of BiH and is part of the international community's (IC) strategy to strengthen the BiH state-level LEAs. In essence, in order to exercise that coordinating role, the MoS needs to be aware of the work of the state-level agencies; it should be provided with as much information as possible to enable it to form policy at the state level. This exchange should flow through a system in which the information is volunteered on a regular basis and similarly, the ministry should reciprocate with information of its own e.g. when members of its staff attend conferences or training, the relevant LEA should be informed before and after through detailed reports. Currently there is an issue as to when that role allows the MoS to become 'involved'.

The MoS has circulated a draft instruction that aims to regulate the manner in which information on International Cooperation is gathered and imparted. Both SBS and SIPA have responded to the draft. The comments from SIPA are more substantive. SIPA would see its role as an autonomous body, not needing to inform the Ministry or receive information through any specific channel. It is clear that if the role of SIPA is interpreted in this way, such an instruction would be unnecessary. It is EUPM's assessment that the MoS should not stand in the way of any LEA receiving assistance, or taking part in training, attending conferences, or signing agreements, but at the same time, that assistance should be coordinated through the MoS.

The MoS organised a coordination meeting for the BiH LEAs and the IC following the recent arrests of persons suspected of terrorism. The meeting took place in late November 2005 to discuss ways to enhance coordination in inter-agency operations

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against terrorism and organized crime. The meeting was attended by BiH police officials, EUPM Commissioner Kevin Carty, OHR, OSCE, and the US Embassy in BiH. The RS Director of Police (DoP) Dragomir Andan, did not attend the meeting, because the invitation of the BiH Minister of Security Barisa Colak (a Bosnian Croat) was written in Croatian, "... an incomprehensible language..." according to the DoP. Andan asked for an invitation in Serbian, otherwise he "...would not understand where and why Minister Colak was inviting him". Minister Colak simply stated his "...constitutional right to use the Croatian, as it is the language of one of [BiH's] constituent peoples..."

State Border Service (SBS)

At the first Project Implementation Board (PIBO) meeting chaired by the new SBS Directorate, EUPM presented a discussion paper on the prioritisation of projects. Given that the end of the current EUPM mission is near, EUPM asked the SBS Director, Vinko Dumancic, to review the proposal and to make amendments where needed.

The SBS Book of Rules (BoR) on Ranks continues to await the approval of the CoM. At present there is no indication of how long this issue will take to resolve.

During a meeting with the Republika Srpska Minister of Interior, Darko Matijasevic, and the RS DoP, Dragomir Andan, the Minister of Interior of Serbia, Dragan Jovic, officially requested that the practice of unannounced border crossings by official vehicles and with official IDs should be stopped immediately. Minister Jovic criticized the practice of high-ranking RS officials and pointed out that in accordance with Serbian law, visits by officials should be announced prior to their crossing the border. RS (police) officials are alleged to cross the border to establish contact with the families of International Criminal Tribunal for Yugoslavia (ICTY) indictees and to reach an agreement on their voluntarily surrender. Although Minister Jovic supports such negotiations and cooperation with the ICTY, he requested that cross-border operations be conducted through co-ordination and with the consent of Serbia.

On 22 November the Ambassador of Germany to BiH, Arne Freherr von Kittliz und Ottendorf, handed over seven patrol boats to the Director of SBS. The value of the boats, which were manufactured in BiH and were fitted with all required equipment, is 175,000 KM. The Ambassador stated that the German Government had recognized in the SBS a serious partner to which it had previously granted support and he pointed out that this support would continue in the future.

The cornerstone of the new SBS HQ building was laid on 25 November. The new building will be constructed close to Sarajevo International Airport. The ceremony was attended by the EU Commissioner for Enlargement, Olli Rehn, BiH Minister of Security, Barisa Colak, SBS Director Dumancic and other domestic and international officials. As the plot is only the size of the building and whilst staff will be able to

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park underground, there are no such facilities for visitors, nor is there any room for construction materials and equipment during the building period. SBS hopes to find a solution to this issue soon.

Over the last nine months, 554 persons were arrested while trying to cross the BiH borders illegally. Thousands of kilometres of the state border have not been secured properly due to the lack of staff and equipment, which results in the smuggling of all kind of goods and does not help the fight against human trafficking in BiH. The possible solutions of illegal border crossings proposed by the SBS are physical barriers, as well as better cooperation and exchange of information with neighbours and introduction of modern means of surveillance. The EC is ready to donate 10,000,000 Euro for building the physical barriers on the illegal border crossings with Croatia. However, this project will not be implemented on the BiH border with Serbia and Montenegro since a bilateral agreement with this country has not yet been signed.

State Investigation and Protection Agency (SIPA)

Within the current three operational SIPA regional offices (RO) at Banja Luka, Mostar and Sarajevo, varying degrees of success are apparent in the project implementation process. In Banja Luka, 5 of the 13 projects have achieved a 75% or higher success rate and a further 3 achieved 50% success. Mostar had 3 of 13 projects in the 75% range and another 7 in the 50% stage. Finally, Sarajevo RO (which is just reaching its first anniversary and which was the last regional office to open) had 1 project in the 75% stage, 1 in the 50% stage and a further 4 in the 25% stage.

The main reasons for projects not being fully completed, both at HQ and in the ROs, were due to the lack of qualified staff and logistics available for the Agency in such a short space of time. ROs have suffered also from the fact that efforts concentrated on building the nucleus of the Agency's HQ in Sarajevo.

However, the Agency did make huge strides over the last six months in developing its human resource strategy with the assistance of the EUPM and the last round of recruitment provided a huge boost to staffing levels. The strategy still needs some fine tuning in the future, as do its procurement procedures for logistics. These issues have been identified by the EUPM and it has been recommended that international specialists in these fields be provided to assist SIPA in the next Mission in 2006.

At the 10 November CoM session, the SIPA Director was empowered to sign the lease on the Zrak building, while the BiH MoF was asked to earmark funds for the rent for 2006. After formal notification of this authorization, the SIPA Director signed a one-year contract with the 'Zrak' company. The CoM tasked the MoF to ensure the necessary means, whilst the MoS was tasked to provide the CoM with a proposal for permanent SIPA premises, within 30 days, based upon the report of the Inter-Resource Working Group.

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On 17 November 2005, the SIPA Financial Investigation Department signed a Memorandum of Understanding (MoU) with Serbia and Montenegro that will regulate the exchange of data and finance-related intelligence. The following day, a similar MoU with Albania was signed.

The Judiciary Council of the Department for Organized Crime of the Court of BiH pronounced its first sentence in an organized crime case on 22 November. Ferid Okic was sentenced to 22 years imprisonment as the court identified him as the head of a criminal organisation. Another member of the organization was sentenced to 4 years and 2 months. Mr. Okic was found guilty of the international sale of 'ecstasy' tablets and heroin, kidnapping for ransom, robbery, and illegal use of fire-arms. At the request of the BiH Prosecution, the Court ruled that all Okic's property amassed with the proceeds of his crimes be confiscated.

The Austrian Ambassador to BiH, Werner Almhofer, and his Turkish colleague, Ambassador Melek Sina Bajdur, visited SIPA during the reporting period, where they met with SIPA Director Sredoje Novic, who emphasised the importance of police training. The ambassadors expressed their interest in establishing further cooperation between SIPA and police structures in Austria and Turkey.

Interpol

During the reporting period, Interpol received three cars, part of a donation from the German MoI. In April 2005, the German MoI had pledged to include Interpol Sarajevo in a regional donations package. A second donation - computers, scanners and software - is expected after all customs procedures are finalised.

At a MoS Collegiate body meeting, the Director of Interpol Sarajevo raised the issue of the budget for the Interpol bureau, as there are no financial provisions to make the agency an autonomous office within the Ministry. Until now, the MoS contributed only to salaries, utility and travel expenditures; the rest of the Interpol budget was funded through the EC-Cards project, the Interpol General Secretariat, Europol and through bi-lateral donations. The Interpol Director prefers to have full insight into the allocated funds from the MoS, to plan better and as such, he was requested to submit a full proposal to both the MoS and the MoF.

EUPM considers the proposal of the Interpol Director to be reasonable, especially in light of EUPM's support for sustainable and financially viable LEAs, but cautions that setting up a new Interpol administrative department to deal with financial issues could be too expensive.

Upon an international arrest warrant issued through the Interpol system, the RS MoI arrested, on 19 November, Andjelko Teodorovic, charged with war crimes committed in Croatia, in Bosanska Gradiska municipality. The Interpol arrest warrant had been issued upon the request of the Croatian Judicial authorities, as Mr. Teodorovic was sentenced in 1998 to eight years of imprisonment by a court in Croatia. Mr.

Teodorovic, who lived in Croatia before the war, currently resides in Banja Luka. After being transferred to the court of BiH, the suspect was released, as he is a BiH citizens and thus can not be extradited to Croatia according to Article 9 Para 1a of European Convention on Extraditions (...*A Contracting Party shall have the right to refuse extradition of its nationals....*).

Police Restructuring

The Police Restructuring Working Group (PRWG) has been involved in the development of a concept paper initiated by OHR proposing the framework for the establishment of the Directorate for Police Reform Implementation (DPRI). As stipulated by the Political Agreement reached in October, the deadline for the establishment of the Directorate is 31 December 2005. The primary goal of the DPRI is to propose a phased plan for the implementation of the reform of police structures in BiH, in line with the three principles set by the EU. This concept paper has been delivered to the BiH CoM, entity governments and the EC in Brussels for their discussion and comment. The DPRI will be a temporary body, comprised of professionals and experts from all levels of authority (BiH, entities, cantons, and BD) and will be organised into a Steering Board and an Executive. The Directorate will report to the CoM through the BiH MoS. The Steering Board, co-chaired by an international and a BiH national, will provide strategic guidance to the Executive. The international co-chair will be the EUPM HoM, who will also serve as the official EU representative in the Directorate and operate under the guidance of the EUSR in BiH. The Executive comprised of a head, deputy head and approximately ten expert and support members will be engaged for the duration of the Directorate for Police Reform Implementation (DPRI)'s mandate. The Executive will ensure preparation of a phased implementation plan by the 30 September 2006.

EUPM PRWG continued its close co-operation with police unions in BiH. Recently representatives of the local police unions have written to the chair of the CoM, EUPM and OHR, seeking their support and requesting that a police union representative sit on the Executive body within the Directorate of Implementation for Police Restructuring. Currently the proposed chart of the Directorate does not include a Union member. Moreover, union representatives requested EUPM, at a meeting on 30 November 2005, to act as an intermediary between themselves and other International Organisations, such as the World Bank, International Monetary Fund, OHR and EUROCCP. The primary purpose of this meeting was to discuss the social plan for officers downsized during the reform of police structures. EUPM prepared a presentation for these organisations based on the principles of restructuring and the work that has to be done

EUPM, together with the OHR, agreed to regulate the cantonal LoPO, thus creating preconditions for full police restructuring at cantonal and entity level. On 28 November 2005, a meeting between PRWG and OHR took place and the development of a paper concerning a new cantonal LoPO was discussed. The goal of this project is to harmonize the legislation in force at cantonal level on the legal status of police

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officials' work, with the legislation at state and Federation of BiH level. It is perceived that constant political lobbying will be required to ensure a smooth drafting and adoption process for the new legislation. EUPM has been working together with Data and Documentation Office and IT experts in order to correct and update the local police registry database as a first step in the drafting process.

Legal Analysis

EUPM and OHR have initiated a project to draft a model Law on Police Officials (LoPO) for all cantonal MoIs that both preserves the main principles of the BiH and FBiH LoPOs and takes into consideration the specific requirements of cantonal MoIs. In order to ensure harmonised cantonal regulation of the use of police authority, rank attribution and working relations of police officials, EUPM requested cantonal MoIs to refrain from drafting their own legislation pending the finalisation of the model LoPO draft. The draft LoPO is expected to be completed by January 2006 for subsequent forwarding to the Ministerial Council for Cooperation in Police Matters (MCCPM), the PSB, and respective cantonal MoIs.

EUPM continued to have concerns over a lack of follow-up on unexecuted cantonal war crimes arrest warrants relating to war crimes suspects believed to be residing in the RS. While all such outstanding war crimes arrest warrants are included in FMOI distribution of arrest warrant information to the RS MoI, no systematic FMOI follow-up with the RS MoI on subsequent actions is being conducted. EUPM has been informed that outstanding war crimes arrest warrant information is additionally being distributed amongst a SIPA-chaired working group composed of FBiH MoI, RS MoI, MoS, SIPA, SBS, the BiH Intelligence Agency (OSA), Interpol and BD police. This WG was established in accordance with a February 2005 inter-agency MoU on intelligence sharing. EUPM will be meeting with FMOI and RS MoI in order to ensure that effective inter-entity cooperation on war crimes arrest warrant enforcement is achieved.

On 16 November, the three month deadline, provided by the Federation of BiH Law on Internal Affairs (FLIA), for the enactment of a Book of Rules (BoR) on Internal Organisation, expired. The drafting of the BoR has been delayed due to a lack of effective cooperation between the Minister and DoP in obtaining final text approval. The Minister and DoP subsequently formed joint teams to harmonise the proposed BoR with recommendations made by the Ministry's Office for Legislation. In the meantime, the FBiH Government approved the temporary transfer of all Administration of Administrative Services' (AAS) competences and resources to the Minister's Office within FMOI. The FMOI took over all AAS employees, offices and equipment, as well as all financial assets and liabilities of the AAS.

On 18 November, EUPM hosted discussions on working relations between Internal Control Units (ICU) and Public Complaint Bureaus (PCB). The roundtable presented an opportunity for ICU Chiefs and Chairpersons of PCBs to formally discuss means to enhance professional cooperation. A representative of the Federation Ombudsman

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provided a presentation on the role of the Ombudsman Institution and its relations with government authorities and the public, underlining the important role of public oversight bodies such as PCBs in democratic society.

On 28 November the BiH Law on Prevention and Suppression of the Abuse of Narcotic Drugs was adopted by the BiH Parliament. The law ensures that BiH meets international standards in regulating the import, manufacture and export of controlled substances and provides for a more effective law enforcement response to illegal drug production. With the enactment of the law, BiH now adheres to the requirements of the *UN's Convention on the Control of Narcotics* and the *EC's Feasibility Study on combating illegal drug activity*.

In response to the opinion of the Venice Commission (see also *October 2005 MAR*) that the UN should conduct a review of IPTF decertification cases challenged before the domestic authorities of BiH, the Chair of the BiH CoM Adnan Terzic held discussions in New York with the Chief of Staff of the UN Secretary General Mark Brown, and the UN Undersecretary for Peacekeeping Operations Jean-Marie Guehenn. Undersecretary Guehenn did not reject the deficiencies identified by the Venice Commission and emphasised the UN's willingness to work with BiH authorities to resolve the issue upon the UN conducting a more detailed analysis. As the Venice Commission has additionally recommended that the UN forms a commission to review the decertification process, EUPM will continue to monitor developments.

Press and Public Information Department (PPID)

In an interview on police reform in BiH with *Dnevni Avaz*, a Sarajevo daily newspaper on 13 November, EUPM Commissioner Carty, commented on speculations in foreign media that BiH had become a base for terrorists. He stated that such statements are an exaggeration. "*We can't identify BiH as a terrorist base just as we can't identify any other country in the world as such*". The EUPM HoM expressed his satisfaction at the recent successes of the local police in Sarajevo in arresting several suspected terrorists. On police reform, the Commissioner said that political progress in BiH made him optimistic but he cautioned that "*...there is still much to be done*".

On 10 and 11 November in Banja Luka, EUPM held a fourth workshop for police spokespersons from BiH LEAs. The main topic of the meeting was "*Broadening understanding and co-operation between police spokespersons and the Editors of media agencies in presenting information to the public on the work of the police and crime investigations in BiH*". The first day of the workshop was attended by 22 spokespersons from all levels of the police services in BiH, as well as 4 prosecutors and 10 editors from various radio and TV stations and print media. The workshop was opened with a presentation on measures that might be considered by police and editors to improve co-operation on public information exchange. One of the topics of the meeting was an informal 'Protocol on Co-operation' between police and

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journalists, and a presentation on a better understanding of the responsibilities of police spokespersons.

On 28 November, EUPM held a meeting with LEA spokespersons regarding preparations for and production of promotional materials for a countrywide traffic safety campaign. The campaign is scheduled to begin in mid-December.

Political Analysis and coordination with the EU-IC

Following the European Commission's recommendation to the EU Foreign Ministers on 7 November, the Council of the European Union approved the opening of negotiations for a Stabilisation and Association Agreement with BiH on 21 November, the 10th Anniversary of the Dayton Peace Agreement. On 25 November, the EU Commissioner for Enlargement, Olli Rehn, officially opened the landmark negotiations. The talks are BiH's first step on the long road to membership of the EU. The former BiH Ambassador to the USA, Igor Davidovic, will lead the BiH delegation, while the EU will be represented by Reinhard Priebe, the EU Director for the Western Balkans.

The mandate of EUPM, due to expire on 31 December 2005, has been extended until the end of 2007, with slight changes to the Mission's mandate and reduced number of police officers. The EU Council decided, on 25 November, that EUPM will provide more active support in the fight against organized crime and on police reform, in close co-operation with other EU organizations and the local LEAs. It is also envisaged that the EU Special Representative in BiH will have a special position within the EUPM's chain-of-command. The EU Foreign Ministers also confirmed the mandate of EUFOR for another six months. On the same day, the UN Security Council, welcoming the progress of BiH towards the EU membership, adopted a resolution that authorizes EUFOR, together with NATO, to continue with its leading role in the stabilization of peace in BiH.

On 4 November, the HR, issued decisions lifting the prohibition banning 23 individuals from participating in public and political life. Where an individual has changed, or circumstances have changed, and the OHR and the IC can conclude an individual is no longer a danger to the peace process, he/she may resume public life. The decisions were taken based on political judgement and do not effect any ongoing legal processes these individuals may be involved in. However, this does not give them the automatic right to reclaim their earlier positions if these positions have been filled in the meantime. In addition, on 4 November, the HR lifted the decisions against 13 individuals who were removed in June and December 2004 specifically to overcome the obstructionists who were hindering the RS from finally upholding its international obligations towards the ICTY. These removal decisions were part of a package of measures designed to overcome obstructionism in ICTY cooperation and address the systemic weaknesses in the RS's security structures, which the ICTY identified as a key reason for the RS's failure, at that date, to co-operate with the Tribunal. 18 months later, the RS has either itself, or in co-operation with the Serbian

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and Montenegro Authorities, transferred 12 ICTY indictees to the Hague and agreed to police and defence reform. On 9 November, the High Representative, Paddy Ashdown, met with the ICTY's Chief Prosecutor, Carla del Ponte and pointed to this increased BiH cooperation with the Tribunal over the past 11 months

On 28 November, HR/EUSR issued a decision allowing officials who were previously removed from office by the OHR to apply for, and hold if selected, non-managerial public positions within administrative bodies that are appointed through public competition. This new stance however does not apply to officials who were removed because of their obstruction of the ICTY obstruction and/or for supporting PIFWCs. The new decision also continues to bar these officials from standing in elections or from holding any position in bodies responsible for public security, defence or intelligence – such as the state level Ministry of Security, Ministry of Defence, SIPA, SBS and the entity ministries of interior

In Brussels on 14 November, the leaders of eight BiH political parties, chaired by the former Principal Deputy High Representative, Donald Hays, agreed to explore the possibilities to change the BiH Constitution, as proposed by the US Institute for Peace (USIP). The USIP initiative proposes a more efficient political structure for BiH, especially in light of the upcoming SAA. Talks continued in Washington where, on 22 November, political party representatives and the members of the BiH Presidency signed a declaration on their commitment to make changes to the BiH Constitution. Specific solutions are to be elaborated subsequently and adopted by the BiH Parliament by next March, as the political party leaders recognised that reforms that strengthen state institutions, protect human rights regardless of the ethnic background and establish more efficient state institutions, are necessary to ensure that BiH can become a full member of NATO and the EU as soon as possible.

On 30 November Brcko District Supervisor Susan Johnson imposed amendments to the Law on BDP, drafted in consultation with EUPM, that had been previously rejected at its first reading by the BD Assembly on 17 November. The amendments create an Independent Selection and Review Board (ISRB) in BD and replace the monthly police reports with longer reporting periods. The Supervisory order refers to the failure of the Assembly to consider police reports in an objective fashion; instead using them as a platform for politically attacking the CoP. No more police reports will be discussed at the Assembly until the CoP prepares the annual one for 2005. EUPM was in favour of these amendments because the ISRB will be an independent, not politically involved, platform with the ability to assess the performance of the CoP objectively. Meanwhile, the Supervisor initiated a discussion on the ISRB. She would like to see the Mayor's proposal for the new composition of the ISRB on the next Assembly agenda, although it was agreed that the three board members from the entities who sat on the previous ISRB could remain if they so wish.

EU/IC Coordination

The OSCE-chaired SAWG (BiH Security Awareness Working Group meetings) focused particularly on the security climate resulting from the recent terrorist-related arrests of suspects in BiH and Denmark. The security advisors present from EUFOR, OHR, UN and OSCE appreciated the EUPM inputs and the detailed information from a police perspective.

The Council of Europe (CoE) reported on progress in the area of rule of law in respect of the reform of the judiciary and the functioning of the War Crimes Chamber of the BiH Court. Progress was also reported in the work of the Srebrenica Working Group in RS and on the appointment of an acting Government Agent to the European Court of Human Rights (ECHR).

On November 28-30, EUPM participated at the European Union Monitoring Mission (EUMM) AoR Conference at Jahorina to exchange of information on the situation in the Western Balkans, including a general overview of political developments in the area. EUPM informed the conference of the mission's continuation, presenting the new EU Council Joint Action and describing mandate and working principles of the Mission. Representatives from EUFOR, EUSR and the EC Delegation contributed to a full update on the political situation in BiH with specific consideration of BiH's efforts to enter the EU. EUMM's operations in BiH and Albania will be subjected to a targeted review procedure in 2006.

_____ **END of REPORT** _____

Abbreviations

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
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
DHoM	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 (Federation Intelligence
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
ICAO	International Civil Aviation Organisation
ICITAP	International Criminal Investigation Training Assistance Programme
ICPO	International Criminal Police Organisation
ICTY	International Criminal Tribunal for Yugoslavia
ICU	Internal Control Unit
IJC	Independent Judicial Council
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	Convertible Mark


























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LEA	Law Enforcement Agency
LEGAD	Legal Advisers Department
LNO	Liaison Officer (Department)
LPR	local police Registry
MAR	Monthly Assessment Report
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
HoM	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 Centre
PSU	Professional Standards Unit
RC	Republic of Croatia
RoL	Rule of Law
RS	Republika Srpska
RSCA	Republika Srpska Customs Administration
RS MoI	Republika Srpska Ministry of Interior
RSNA	Republika Srpska National Assembly
SAO	Strategic Analysis Office
SB	Steering Board
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










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SIP	Strategic Implementation Plan
SIPA	State Investigation and Protection Agency
STT	Short Term Targets
ToR	Terms of Reference
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
WG	Working Group

**WEEKLY ESTABLISHMENT OF EUPM PERSONNEL BY
COUNTRIES - MEMBER STATES**

16-Dec-05		Current EUPM Establishment				EUPM Current total
COUNTRY		Police officers		International Civilians		
		Contracted	Seconded	Seconded	Contracted	
	Austria		1		2	3
	Belgium		3		2	5
	Cyprus		6			6
	Czech Republic		6			6
	Denmark		10			10
	Estonia		2			2
	Finland		6	2	2	10
	France		27			27
	Germany		32	1	4	37
	Greece		9			9
	Hungary		5			5
	Ireland	1	3		5	9
	Italy		13		6	19
	Latvia		4			4
	Lithuania		2			2
	Luxemburg		2			2
	Malta		2			2
	Netherlands		16	1	1	18
	Poland		11			11
	Portugal		7		1	8
	Slovakia		5			5
	Slovenia		1			1
	Spain		7		5	12
	Sweden		9			9
	United Kingdom		37	5	3	45
	Sub-total	1	226	9	31	267

**WEEKLY ESTABLISHMENT OF EUPM PERSONNEL BY
COUNTRIES - THIRD STATES**

16-Dec-05		Current EUPM Establishment			
COUNTRY		Police officers	International Civilian		EUPM Current total
			Seconded	Contracted	
	Bulgaria	3			5
	Canada	7			7
	Iceland	1			1
	Norway	6			8
	Romania	9			9
	Russia	2			2
	Switzerland	4			4
	Turkey	8		3	11
	Ukraine			1	5
Sub-total			2	6	52
TOTALS:		37	11	37	319
			48		