



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 25 February 2014

**11981/05
DCL 1**

**EUPM 12
COSDP 577**

DECLASSIFICATION

| | |
|--------------|---|
| of document: | ST 11981/05 RESTREINT UE/EU RESTRICTED |
| dated: | 6 September 2005 |
| new status: | Public |
| Subject: | EU Police Mission in Bosnia and Herzegovina Monthly Assessment report for the month of July 2005. |

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

The text of this document is identical to the previous version.

RESTREINT UE
RELEASABLE TO THIRD STATES CONTRIBUTING TO EUPM



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 06.09.2005 (06.09)
(OR. EN)

11981/05

RESTREINT UE

EUPM 12
COSDP 577

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 July 2005.

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



EUROPEAN UNION
POLICE MISSION Monthly Assessment Report 07/05
July 2005

Analysis and Reporting Cell

EUPM Headquarters

PO BOX 90

Aleja Bosne Srebrene bb

71000 – SARAJEVO (BiH)

Phone: +387 (0) 33 62 600

Fax: +387 (0) 33 752 734

Email: reports@eupm.org

EUSR on the Rule of Law in Bosnia and Herzegovina

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

- 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 July and discussed a variety of issues relating to the funding and the recruitment of personnel in SIPA, the State Border Service (SBS), Interpol, police restructuring and numerous other issues relating to rule of law in BiH.
- OHR and EUPM assisted SIPA in drafting a comprehensive list of urgent amendments to the Law on Police Officials (LoPO) and Law on SIPA that should address number of implementation difficulties. The proposed amendments have been forwarded to the BiH Ministry of Security (MoS) for further review and are currently being discussed by the official MoS working group.
- On 26 July, at the invitation of the High Representative and the Chair of the BiH Council of Ministers (CoM), representatives of political parties in BiH met to discuss the way forward on police restructuring. Although three political parties from the Republika Srpska (RS) (SDS, SNSD and DNS) failed to attend the meeting, the participants agreed that the talks on police restructuring should continue through August, however, within the institutions of BiH and the entities. The aim of these talks would be to propose a framework political agreement based on the 'Vlasic conclusions' from April and incorporating an agreed proposal on the territorial disposition of local police areas, as well as concrete implementation timeline in time for the convening of the 'Vlasic' group of leading political parties on 5 September. The political agreement should be put for adoption before the parliaments by 15 September if BiH is to have any chance to begin Stabilisation and Association Agreement (SAA) talks with the EU by the time of the 10th Anniversary of the Dayton/Paris Peace Agreement.

RESTREINT UE

RELEASABLE TO THIRD STATES CONTRIBUTING TO EUPM

- On 28 July, representatives of entity governments and the CoM held their first meeting in Banja Luka to discuss modalities of inter-institutional talks on police restructuring. They agreed that all discussion should continue to take place within the relevant institutions, i.e., governments, and those intensive talks will begin on 15 August and continue until September.
- OHR and EUPM assisted the MoS in developing a Book of Rules (BoR) on information sharing related to international cooperation. This document should significantly improve communication on issues concerning the international cooperation between individual organizational units in the MoS and the Ministry itself.

Executive Assessment

July 2005 saw the tenth anniversary commemorations of the Srebrenica massacre. The RS police, together with the Federation Police, SIPA, SBS, the MoS and the Office of the State Prosecutor, professionally undertook all necessary measures to provide a safe and secure environment for the thousands of people who attended the commemorations between 8-11 July. The RS Ministry of Interior (MoI) engaged 2095 personnel from across the entity. EUPM observed, advised and monitored the preparation and implementation of the security measures, witnessing well-organized and coordinated policing of what was a complex undertaking. EUPM also liaised between the police and organisers of the three-day commemorative march, being called upon to solve minor problems that could have escalated into major difficulties, resulting in the march passing off extremely peacefully. EUPM's physical presence with the marchers, in the absence of local officers, prevented any serious incident, provided comfort and security to the participants, as well as reassurance to the police that they had eyes and ears on the ground.

On 11 July, EUPM was engaged in and around the Protocari Memorial Centre near Srebrenica, as the RS police was not permitted within its grounds. The Mission's intervention in the early planning stages, bringing RS police and all other agencies together with the event planners, as well as EUPM's presence on the ground, helped ensure that the commemoration passed peacefully. Additionally, EUPM together with EUFOR provided the EUSR/HR with all the necessary security assessments concerning VIP security. The EUPM HoM, Commissioner Kevin Carty stated, *"Excellent cooperation and frequent exchange of information between the organizers and the law enforcement agencies was an integral part of the success of the operation and contributed in making the Commemoration dignified and calm."*

Similarly, during in July, the RS police professionally policed and secured without incident, a number of opening ceremonies of places of worship, recently reconstructed in returnee areas of the RS. Mosques were opened in Trebinje on 9- 10 July (considered as a potentially high risk event), in Kozarac, Bosanska Kostajnica and in the Bosanska Gradiska area on 23 -24 July. A Catholic church was opened the same weekend in Doboje. Significant numbers of worshipers and local/international dignitaries attended in each case.

On 19 July 2005, the Deputy Police Head of Mission, State Level, General Guy le Borgne, on the completion of his twelve-month mandate in Bosnia and Herzegovina (BiH), formally handed over his role to General Lambert Lucas at a reception held at the EUPM Main Headquarters in Sarajevo.

RESTREINT UE
RELEASABLE TO THIRD STATES CONTRIBUTING TO EUPM

The event was attended by the High Representative/EUSR Lord Ashdown and dignitaries from the international community and local law enforcement agencies (LEAs).

The RS national assembly called on the RS government to resume negotiations on police reform through the state and entity institutions. Following this appeal, the chair of the CoM, Adnan Terzic, and the HR invited representatives of political parties to meet on 26 July 2005 to discuss police reform. However the participants could not reach any conclusions on possible new ways to unblock the police re-structuring process. Following this stalemate, at the request of the HR, the RS parties stated in writing their willingness to allow the institutions to continue discussions on police restructuring and it was agreed that a working group of representatives from these institutions would continue to discuss elements of police reform in preparation for final negotiations in September.

EUPM end of Mission planning

In view of the impending end of the current EUPM Mission, a revised personnel assessment was devised for all national staff members, designed to evaluate performance in individual roles against set criteria. This process, carried out by national staff members' line managers, has now been completed. This assessment will be beneficial as a tool to assist in the recruitment process for national staff in a follow on mission. At this juncture it is the intention of EUPM that all national staff will remain employed by the mission to the expiry of their current contracts on 31 December, 2005. Should this policy be subject to change, all national staff will be informed well in advance. Criteria and selection into any follow on mission will be dealt with depending upon the size and structure of such a mission.

General Overview of EUPM programmes

As the Mission approaches the Evaluation Phase of the programmes, efforts have concentrated on the establishment of Project Inspection Plans to ensure accuracy and commonality across the Mission.

In the RS, the MoI Project Implementation Board (PIBO) agreed to form a working group tasked with establishing a directive empowering the lower organizational units in the RS, thus ensuring the implementation of projects at Public Security Centre (PSC) level. The working group will be made up of MoI officials and EUPM staff.

The Federation of BiH MoI (FMoI) PIBO has held its first meeting. After analysing progress made under Programmes 1 to 5, a number of issues were raised and it was agreed that the next PIBO meetings should be thematic in nature and should concentrate on individual programmes in an effort to produce tangible results.

SIPA reports that a lack of funding and staffing is preventing solid progress in the projects. Neither of these issues can be easily resolved by the EUPM, but work continues to assist the Agency by facilitating donor activity in key areas and providing direction with staff placement.

RESTREINT UE
RELEASABLE TO THIRD STATES CONTRIBUTING TO EUPM

Programme 1: Crime Police and Criminal Justice

Almost all of the projects under programme 1 are based on the implementation of an effective and reliable information technology (IT) network and therefore on the successful implementation of the *Establishing a Countrywide Computer Network and Software* project. The highly technical nature and logistical difficulties of this project make it complex. EUPM and local stakeholders continue to seek to expedite solutions. The existing BiH IT infrastructure does not lend itself to straightforward implementation of this project but EUPM remains confident that the key aspects will be implemented within the current technical boundaries.

The *Establishment of the Court Police* is almost fully implemented and approaching evaluation in the Federation of BiH and the RS. Implementation in Brcko District and at the state level will commence in the near future and completion is expected soon thereafter.

Programme 2: Police Training and Education System

The different police academies report good progress on the implementation of the relevant projects and there are no concerns at present. A number of EU countries continue to support training issues through donations (monetary and equipment) and/or training that will be held in BiH and overseas. Furthermore, the academies are benefiting from the increased levels of co-operation between them, and from the standardization of their core activities.

The BiH Police Steering Board (PSB) has scrutinised the *Basic Middle Management Training* project and has decided that it should undergo some minor changes. The Board also requested that a re-estimation of training costs be provided. Both of these issues have now been dealt with and the project has been re-submitted for final approval.

The first training sessions on Crime Scene Management have taken place in the Federation of BiH (FBiH), the RS and in Brcko District. Initial reactions have been very positive. The SBS is still preparing its trainers and they will be able to commence providing courses in the near future.

The project on *Training for Prosecutors* saw a lot of activity in recent weeks. EUPM met with its local partners to define the foundation for the proposed training courses; at this stage the venues, dates, participants, curriculum and methodology have all been agreed. It is anticipated that the first course will commence in September 2005.

Programme 3: Internal Affairs

The establishment of a *Public Complaint Bureau* (PCB) for state-level LEAs is moving forward according to the agreed action plan. The projects dealing with guidelines for disciplinary procedures and complaint record keeping systems are fully implemented, or are approaching full implementation in most locations.

At the end of the month, the Federation of BiH Law on Internal Affairs (FLIA) was formally adopted by the Federation of BiH parliament (*see Legal Analysis below for implications*).

Programme 4: Police Administration

A second workshop under the aegis of *Capacity to Relate with the Media, Authorities and Communities* for police spokespersons was held (*see: PPID below*).

The implementation of the project to *Define a Weapons Policy on the Use, Storage, and Training within BiH Police Forces* is progressing satisfactorily, however, a number of financial issues are curtailing progress: - there is a lack of munitions for training purposes and poor storage conditions for seized weapons and unexploded ordnance. It is anticipated that the recently drafted *Weapon-Training* project will be adopted in the near future by the PSB.

The project *Assist the LEA's in Becoming Financially Viable and Sustainable* has almost reached its optimum level of implementation, bearing in mind local circumstances. There is, however, scope for improvement in relation to the approval of savings plans, linkage of salaries to ranks and vehicle management. The more ambitious aspects of this project can only be realised upon completion of the police restructuring process.

Programme 5: Public Order and Security

The *Training of the Support Units (SU) and the Reserve Police Forces* is held on a regular basis, in accordance with the monthly training plan. In general, the training is conducted appropriately and the results are very good but the RS still does not allow SUs to engage in joint training with their FBiH counterparts, although it is thought that this decision may be reversed in the near future.

On *Planning for Major Public Events*, the local police have shown a reasonable ability to prepare contingency plans, but EUPM would like to see a change in the police's attitude towards early involvement of partner agencies in planning phases. Additionally, there is still a need to set up crisis cells to deal with unexpected events, such as natural catastrophes.

The two projects, *Strengthening Local Police Capability concerning Safe Return of Returnees* and *Implementation of Community Policing*, run parallel and are successful. There have been suggestions to merge the two programmes, but EUPM believes that progress of the project concerning returnees could be hindered and the project lost within the enormity of the Community Policing project. The RS MoI has now issued guidelines to all its PSCs and EUPM is encouraged to see a new impetus across the RS, as the local police show increased motivation and ownership of the project.

The *Anti-Terrorist Units* project has been transferred to SIPA for elaboration and implementation.

State-Level Agencies

On 19 July 2005, the Deputy Police Head of Mission, State Level, General Guy le Borgne, on the completion of his twelve-month mandate in BiH, formally handed over his role to General Lambert Lucas at a reception held at the EUPM Main Headquarters in Sarajevo. The event was attended by dignitaries from the international community and local LEAs, including the HR/EUSR Lord Ashdown, Deputy EUSR Lawrence Butler, EUFOR commander, Major General David Leakey, Michael Humphries, the Head of the EC Delegation to BiH, SIPA Director Sredoje Novic, Deputy Minister of Security Dragan Mektic and Federation of BiH Director of Police Zlatko Miletic..

RESTREINT UE
RELEASABLE TO THIRD STATES CONTRIBUTING TO EUPM

The French ambassador to BiH, Henri Zipper de Fabiani, addressed the assembled guests, thanking General le Borgne for his contribution to the development of a sustainable police structure in BiH, and wished him luck in his future role in Paris. General le Borgne thanked colleagues in the Mission and in the international community for their efforts and support during his time in BiH, and formally welcomed his successor to the role.

Ministry of Security (MoS)

The position of SBS Director has not yet been addressed in the BiH Council of Ministers. OHR and EUPM have sent a letter to the CoM indicating there is an issue with the selected candidate not having a police rank, so he would not be eligible. As the CoM met for the last time before the summer recess; this situation will not change until it reconvenes in September. To further complicate matters, the MoS has requested that the acting directors step down as, according to the LoPO and the Law on Ministerial Appointments (LoMA), they have served in an acting capacity for as long the law permits, their mandate having run out on 17 July.

The proposed decision to establish a Ministerial Council for Cooperation on Police Matters (MCCPM) was adopted by the CoM. Originally established under the UN as the Ministerial Consultative Meeting on Police Matters (MCMPM), the new body could become a vehicle for serious debate and solutions at the state level. The main tasks of the MCCPM will be to improve cooperation between police agencies, establish a system in which there is more coordination and thus result in the sharing and passing of decisions and guidelines that will be binding upon the BiH PSB. The Minister of Security will chair the MCCPM.

On 21 July, the MoS hosted a one-day conference on international cooperation and information and intelligence sharing between the MoS, Interpol, South Eastern Cooperation Initiative (SECI), Europol and the different police agencies in BiH. EUPM provided an expert on Europol. This was the first ever conference ever organised by the MoS.

The MoS was also involved in coordinating the overall security for the 11 July Srebrenica Commemoration, led by Deputy Minister Dragan Mektic. He has noted that, at times, there were difficulties in ensuring the attendance of certain local police representatives at planning meetings. Nevertheless, despite certain administrative issues, the planning and implementation of the security arrangements was a success.

On 4 July the CoM accepted a draft of the 'Strategic Agreement with Europol'. The agreement, drawn up in consultation with MoS, will now be sent to the BiH Presidency for ratification and a formal signing ceremony will take place in the near future. The agreement should facilitate the cooperation of EU members and BiH in preventing and combating international crime and is to be seen as the first stage in the sharing of intelligence to effectively combat organized crime. Europol's national contact point (for BiH) will (temporarily) be situated in Interpol.

Part of the BiH Law on the Protection of Secret Data, formally, adopted by the BiH parliament on 28 July (*see* Legal Analysis), provides for the rules and regulations for the exchange of sensitive information between BiH and other states and international bodies. The law was drafted upon the request of the EC and NATO to ensure that a sufficiently protected system be established to exchange data in a secure way. NATO had also requested that a competent body be established at the state level. A commission was formed to determine under whose authority this body should come. The Minister of Foreign Affairs proposed that the body should be established within the MoS

RESTREINT UE
RELEASABLE TO THIRD STATES CONTRIBUTING TO EUPM

and that information concerning data protection should be contained within a central register. All other agencies should then have what he termed 'sub-registers', where classified information is received. The MoS intends to give guidelines, issue procedures and inspect the registers and their use. The MoS Sector for International Cooperation will now invite an EC and NATO inspection team to review the law and procedures in place.

State Border Service (SBS)

Despite the positive outlook for SBS, there are currently a number of concerns, most notably the current lack of leadership due to a failure in the CoM to appoint a new director, which results in slow/deferred decision-making on the implementation of projects. At present, the EUPM will provide mentoring in an attempt to make gains in this area pending the appointment of a Director (*see MoS above*).

EUPM delivered project management training to a selection of SBS officers, and the input was deemed to have been particularly useful. Similar training sessions will be conducted for other officers in the near future.

The SBS has signed a contract with International Criminal Investigation Technical Assistance Programme (ICITAP) on the funding of a comprehensive IT network that will link the SBS headquarters with all field offices and Border Crossing Points (BCP). ICITAP announced that everything is ready for the project to be launched immediately. Although the project is due to be completed in 2 years, ICITAP estimates that early completion is likely. Currently, only the offices at airports and at five BCPs are connected to the computer network.

Delegations of the border services from five southeast European countries (Albania, BiH, Croatia, Macedonia and Serbia-Montenegro) participated in a two-day seminar, to discuss ways to improve co-operation in preventing trans-border crime, organized under the EC CARDS regional 'Support to and Coordination of the Integrated Border Management Strategy' project. The event took place under the auspices of the EU, the French Ministry of Interior, and the OSCE. The participants agreed that there is a need to harmonize legislation and to sign agreements on cross-border police cooperation. Croatia and BiH already have such an agreement.

The German Twinning Project '*Support to police forces in BiH - State Border Service Department for Criminal Investigation*' finished on 26 July 2005. The project was aimed at improving the efficiency of the Central Investigation Office of the SBS. During the project, German police officers passed on their experiences and knowledge to SBS officials, thus enhancing the expertise of the organization and creating a framework for the effective prevention of crime. In addition, the European Commission's Head of Delegation, Michael Humphreys, stated that the Delegation had earmarked 450,000 Euro for continued assistance to the SBS.

On 26 July, representatives of the German Ministry of Interior presented the SBS with computer hardware, equipment for the detection of forged documents, patrol boats and generators, worth 200,000 Euro. The donation is part of the assistance agreed within the framework of the Stability Pact for Southeast Europe, between the German MoI and the SBS. Germany has so far contributed 6 million Euro to the SBS. The German delegation underlined the importance of close co-operation between police structures as well as the need for police reform.

State Investigation and Protection Agency (SIPA)

As of 1 July, SIPA has 600 staff, whilst other officers who successfully passed the recruitment procedures are expected to sign contracts in the weeks to follow. To facilitate further recruitment campaigns, EUPM identified that the following areas should be addressed by SIPA:

- Prioritised Recruitment – future vacancy announcements should be more specific and aimed at filling all vacancies in a unit at once;
- Positive Recruitment – applicants who have passed previous recruitment tests but who were not offered positions should be encouraged to re-apply. Furthermore, SIPA should establish a ‘reserve list’;
- Ethnic Balance Structure – although ethnic balance is important, more flexibility is required and recruitment should be based on performance – the quest for ethnic balance in SIPA should not be an impediment to staffing positions;
- Selection Committees - each recruitment process must be properly planned and selection committees should be staffed with personnel that has experience in the positions SIPA is hiring for;
- Communication between the SIPA management and personnel department - the personnel department should be responsible for the coordination of advertisements and the subsequent recruitment process. Currently, the Cabinet of the Director prepares all the advertisements, without referring to the personnel department.

SIPA’s Financial Intelligence Department (FID), seven months after its inception, has been officially invited to become a member of the Egmont Group at the group’s 13th Plenary Meeting, which took place in the United States. The Group is a worldwide network of LEAs from 85 states that gathers and shares financial intelligence on money laundering. SIPA’s membership will open the door to further strengthening of BiH’s efforts to fight criminal networks. It will enable the FID to expand and systematize the exchange of financial intelligence, improve the expertise and capabilities of its staff, and foster better communication with its counterparts in other countries. The EUPM Head of Mission, Commissioner Kevin Carty, who had supported SIPA’s membership, noted this move as “an important step forward for BiH in its fight against money laundering. The Egmont Group’s invitation to BiH is a clear signal that SIPA’s continued efforts and development have been recognized by the international partners”.

On 19 July, the head of the EC Delegation in BiH, Ambassador Humphreys, announced a significant IT donation to SIPA. The package of 30 computers and a server will enable the Agency to connect with other LEAs. Appropriate information systems to facilitate this have already been handed over to the Agency. In addition, SIPA received software to provide suspect composite images and this is expected to assist SIPA in the fight against crime. Nevertheless, SIPA has identified that a lack of equipment is still hindering the Agency’s development. The EUPM donor co-ordinator is compiling a list of priority equipment needed for each department. Once the information is complete, attempts will be made to assist with the requests.

While the Srebrenica anniversary commemoration took place without incident, the discovery on 5 July by police of 35 kilos of explosives in two locations close to the Potocari memorial just six days before the ceremony, caused a flurry of media speculation. EUPM advisors to SIPA closely

RESTREINT UE
RELEASABLE TO THIRD STATES CONTRIBUTING TO EUPM

monitored the ensuing investigation, particularly in light of its efforts to monitor the local police's security arrangements for the event. The investigation is ongoing, involving cooperation with the BiH Prosecutors Office and is monitored by EUPM.

Interpol

The BiH Indirect Tax Administration (ITA) has formally requested access to Interpol's Global Communication System, I-24/7, the gateway to the Interpol General Secretariat's police services and databases, enabling law enforcement officials to perform instantaneous, secure research on a wide range of areas to assist in their investigations. Interpol Sarajevo agrees in principle with the need for ITA access to the system, but the Interpol director suggests that both parties should sign a memorandum of understanding (MoU) to safeguard the security requirements and the rules and regulations of the Interpol Secretariat. When such an agreement is reached, Interpol Sarajevo would offer training on the system. EUPM has advised the agency that granting the ITA access to the system would be beneficial to law enforcement in general, but also agrees with the process that the Interpol director proposes.

The South Eastern Cooperation Initiative (SECI) operation 'Safe Place', targeting arms and ammunition in the Balkans, started on 1 March and will end on 31 August 2005. In BiH, the operation is conducted by the entity MoIs, SIPA, SBS, Brcko District Police and the ITA. The SECI Centre has published the first results of the operation, covering the period March – May 2005. The interim results reveal significant recovery of small arms, ammunition and explosives. These results have also been reported to the SECI Centre in Bucharest where the 'Small Arms and Light Weapons' Regional Data Base has been established.

Police Restructuring

In July, the RS national assembly called on the RS government to resume negotiations on police reform through the state and entity institutions. This was welcomed by the CoM, especially given the fact that BiH hopes to begin negotiations on a SAA with the EU in mid-November 2005. The HR/EUSR welcomed this intention of the RS Government, also noting that if BiH is to have the opportunity to start SAA negotiations by the 10th anniversary of the signing of the Dayton/Paris Peace Agreement (November-December), talks on restructuring would need to be concluded and a political agreement put to the entity parliaments by the middle of September. He emphasized negotiations on police reform should continue as soon as possible and that the three principles set by the EU, as well as the 'Vlasic agreement', be respected.

Following this appeal by the RS, the chair of the CoM, Adnan Terzic, and the HR invited representatives of political parties to meet on 26 July 2005 to discuss police reform. Mr Terzic co-chaired the meeting with the HR. However, in the absence of the ruling and main opposition parties from the RS (SDS, SNSD and the DNS), the participants could not reach any conclusions on possible new ways to unblock the police re-structuring process.

Following this blockage, the HR invited the RS political parties - SDS, SNSD, DNS and PDP – to indicate, in writing, their willingness to allow the institutions to continue discussions on police restructuring. The parties did submit such letters and it was agreed that a working group of representatives from these institutions would continue to discuss elements of police reform in preparation for final negotiations in September.

RESTREINT UE
RELEASABLE TO THIRD STATES CONTRIBUTING TO EUPM

The Police Restructuring Working Group (PRWG) has discussed with the OHR future activities concerning the police restructuring process. The current hiatus represents an opportunity to meet sections of society which could have an input in the future police restructuring process, particularly during the implementation phase, such as non-governmental organisations (NGOs). It was agreed that the EUPM and the OHR would meet NGOs representing various interests from around BiH, to gather their opinions on police restructuring.

As part of its overall strategy, the PRWG continued to meet with police unions. Apart from discussing the formation and function of these unions, the consultations provide an opportunity to support and facilitate the future establishment of a single police union.

Besides 'The Union of Independent Police workers Association of BiH' and the 'Livno Police Union', members of the PRWG have also met with the president and deputy presidents of the newly established 'Association of the Independent Union of Civil Servants, Police Employees and Employees in State Institutions, Judicial Authorities and Public Institutions in Bosnia and Herzegovina'. The Association represents all state institution employees, including the police at state level, i.e. SBS and SIPA. It is considered that after the police restructuring process, this association could facilitate the establishment of a single police union for all police officers within BiH. The president explained however, that entity level unions could not become members of state-level unions, as the law currently would not allow it. PRWG agreed to meet with other police union representatives concerning this issue and to discuss how EUPM can assist in organising the exchange of information and experience through seminars and conferences.

Legal Analysis

On 25 July, the final Federation Law on Internal Affairs (FLIA) was formally adopted by the Federation of BiH parliament. The FLIA introduces several changes which should unblock the functioning of the FMOI and move forward several EUPM-driven programs: 1) The law provides the legal basis for establishing the PCBs; 2) It terminates the mandate of the two Administration of Police (AoP) police officials sitting in the Independent Selection and Review Board; 3) It introduces a certain number of authorized positions in the structure of the Police Academy; 4) It does not mention the Administration of Administrative Services (AAS) as an FMOI administration any longer. In the short and medium term, the FLIA also creates conditions for the issuing of the new FMOI BoR on internal organization; for dissolving the AAS, followed by internal restructuring and centralisation of all policing administrative functions in the AoP (setting up of a new 'Sector for Logistics and Support'). While the Federation Law on the Organisation of Administrative Bodies provides for the transfer of personnel and competencies between bodies such as the AAS and AoP, the Ministry has been slow in planning for the required changes. Accordingly, the Legal Department will continue to provide advisory support to the Ministry to ensure the required reorganisation is conducted in an efficient and effective manner. The Department will also be closely monitoring the establishment of the FMOI PCB.

On 25 July, the FMOI sent to the FBiH Government Office for Legality and the Ministry of Justice five new by-laws that need to be adopted by the Minister of Interior, Director of Police, or the government, pursuant to the Federation Law on Police Officials (FLoPO). Earlier, on 13 July, the first six draft documents had been forwarded for technical review. Together, all 11 by-laws (out of 23) so far finalized in the FMOI form part of the texts that need to be passed by the Minister of Interior (Article 131 of the FLoPO). The Minister is confident that the 12 remaining regulations can be sent to the respective government institutions by 05 August.

RESTREINT UE

RELEASABLE TO THIRD STATES CONTRIBUTING TO EUPM

On 28 July, the adoption procedure for the BiH Law on the Protection of Secret Data was formally completed by the BiH parliament. The law will enter into force upon publication in the *BiH Official Gazette* and will provide for legal regulation of secret information; a prerequisite for both EU and NATO accession. This will also help open the path to Europol membership. Under the law, SIPA will be responsible for conducting security checks for all new and existing employees of state-level agencies. A draft Book of Rules for security checks has been produced by the Legal Department and will be discussed with the MoS. The law will also be closely reviewed by EUPM in relation to its intelligence reform work to, ensure that any agreements or legal amendments on cooperation and information sharing between law enforcement and intelligence sector agencies comply with the law's information protection requirements.

During July, the Legal Department also worked with Programme Development and Coordination Department on initiating an action plan for the establishment of a PCB for state level LEAs (SIPA, SBS and Interpol). While a state level PCB is provided for within the BoR on Internal Organisation of the MoS, no actions have been taken by local authorities to facilitate implementation. The first draft of the concept paper on the development of principles, competencies, and the future structure of the PCB will be developed in consultation and cooperation with the MoS. Once the final report is completed, it will be submitted to the PSB for formal approval.

On 05 July the Federation Supreme Court overturned an August 2004 decision of the Zenica Cantonal Court to reinstate a former Canton 04 (Zenica) police officer who had been denied certification by International Police Task Force (IPTF) in 2002. The former officer was subsequently reinstated in an unauthorised position. The Cantonal Court decision on reinstatement had been taken on the basis that IPTF decertification was not provided as grounds for termination under cantonal legislation in force at the time. Upon the appeal of the Canton 04 MoI, the FBiH Supreme Court found that UN Security Council resolutions and international agreements establishing the IPTF certification process take precedence in the event of any conflict with local legislation. The Canton 04 MoI has since informed EUPM that a further 12 decertification cases await Federation Supreme Court decisions. EUPM will continue to closely monitor developments with decertification cases before BiH courts and will continue to advise relevant MoIs to appeal against all reinstatement decisions.

Press and Public Information Department (PPID)

The EUPM PPID was heavily involved during July in representing the EUPM's work in monitoring the preparations for, activities during and aftermath of the tenth anniversary commemorations of the Srebrenica massacre. The high profile nature of the event (*see* Political Affairs) and the discovery of explosives in the run up to the event (*see* SIPA) necessitated a high level of public relations activity by the EUPM, particularly in broadcasting the overall success of the event. To facilitate media liaison, a sub PPID office was set up close to the site of the commemoration.

Efforts to restart negotiations on police reform received widespread press attention and the PPID worked closely with the PRWG in the release of information following the discussions that took place.

All BiH media carried the 17 July announcement of the EU's continued engagement in support of policing in BiH after the completion of the EUPM's mandate in December. The decision of the EU General and Foreign Affairs Council to ask its competent bodies to prepare for a follow on Mission were reported in full.

RESTREINT UE

RELEASABLE TO THIRD STATES CONTRIBUTING TO EUPM

A major event for PPID in July was its organisation of a second workshop in support of the work of the police spokespersons of BiH. The Workshop, held on 7-8 July in Sarajevo, was attended by 20 of the 29 spokespersons from entity and state-level LEAs. The Workshop topics were entitled: 'Improving awareness on the work and responsibilities of police spokespersons' and 'ways of strengthening the work and effectiveness of police spokespersons'. To stimulate ideas, presentations were given by the former and current heads of the Public Affairs Bureaux of the Croatian Ministry of Interior and the Serbian Ministry of Interior. A separate presentation by police spokespersons from Canton 3 (Tuzla) and Canton 7 (Mostar) demonstrated effective ways to organise public awareness projects to promote public understanding of the work of the police. An important outcome of the workshop was the planning and content proposed by the spokespersons for four different campaign topics (traffic safety, drugs, police accountability and domestic violence). A third Workshop is currently being planned for September.

Political Analysis and coordination with the EU-IC

Srebrenica commemorations dominated July. As this year was the tenth anniversary since the massacre, the annual gathering at the Potocari memorial site took on a particular significance, with Serbian and Croatian presidents Borislav Tadic and Stjepan Mesic attending. It was the first time that a member of the Serbian government attended the commemoration. The RS government was also represented for the first time at the highest level by Prime Minister Bukejlovic and Minister of Interior Matijasevic. In addition, up to 50,000 people converged on the Srebrenica area on the day. In spite of obvious security concerns, the event passed off peacefully.

Progress towards NATO accession was significant this month. On 18 July, the Defence Reform Commission presented its final conclusions, which foresee the end of conscription as well as the disappearance of the entity armies and ministries of defence. The next day, in a key speech to the BiH House of Representatives (HoR) laying out the steps in the process of transforming the OHR into an EU-led mission (including a phase out of the Bonn Powers), the EUSR/HR confirmed that the transfer of Radovan Karadzic and Ratko Mladic to ICTY is now the only obstacle to BiH joining NATO's partnership for peace. Further pressure is being put on those thought to be supporting Mr. Karadzic, with his son being detained by NATO for questioning for ten days. Significantly, the RS MoI spokesperson confirmed the reason for his custody as his "direct involvement in a network that hides Karadzic". Moreover, Mr. Karadzic's wife publicly appealed on 28 July for her husband to surrender because of pressure on the family; a call publicly endorsed by the RS MoI.

In negotiations for a SAA with the EU, BiH came one step closer to fulfilling the Feasibility Study's sixteen conditions. On 22 July, the Constitutional Court ruled that the draft law on the Public Broadcasting System does not endanger the vital national interests of the Croat nation in BiH. This ruling paves the way for the law's adoption by the House of Peoples. When this is done, police restructuring will be the only condition from the Feasibility Study still not fulfilled.

RESTREINT UE
RELEASABLE TO THIRD STATES CONTRIBUTING TO EUPM

EU/IC Coordination

With the planning for the security arrangements around the Srebrenica 10th anniversary commemoration coming to the fore in July, EUPM attended a number of EUFOR meetings. At the main pre-event meeting, held on 5 July, the Commander of EUFOR, Major Leaky, stressed the following guidelines:

1. The mandate of EUFOR is to provide a secure and safe environment;
2. In this event the local police and authorities are in the lead;
3. EUFOR will not be “out of sight but not behind the horizon”;
4. EUFOR will provide helicopter transportation for VIPs from EUFOR/NATO Camp Butmir to Bratunac or from Tuzla air base to Bratunac.

From 9 July, EUPM stationed a permanent liaison officer in EUFOR MHQ to provide liaison with the local police, if needed, as well as setting up a facility at Bijeljina Police Station to monitor the events.

EUPM participated in the EUFOR “Spring Clean 4-6” after action review meeting. There was consensus that the cooperation with the local police and authorities had significantly improved. EUFOR accept that, in future, the local police should take a more proactive role in the planning phase of these kinds of operations. It was suggested to EUPM to encourage the local police to develop initiatives along these lines, whilst EUFOR will in future stay more in the background as ‘Second Echelon’, and leaving the actual operations to the local police.

On 28 July, EUFOR launched search operations against private security companies in several areas, including Banja Luka, Bosanska Gradiska, Mostar, Prijedor and Sarajevo. EUFOR stated that such operations are within its mandate and in accordance with the provisions of the General Framework Agreement for Peace. The searches, which also targeted the private residences of members of the security companies, yielded intelligence as well as assorted weapons and explosives. EUPM and the local authorities were informed immediately after the start of the operation and the local police performed a supporting role when requested by EUFOR.

The EU/IC coordination cell has been examining the latest UNHCR and The Helsinki Committee of Human Rights in BiH reports regarding to returnee security and policing issues. According to *UNCHR Review* of June 2005, as of end April 2005, about one million former refugees and internally displaced persons have been recorded as having returned to their pre-war homes, including some 450,000 so-called minority returns. The *Helsinki Committee 2004 Annual Report* considers the actual returns to be much lower. However, both organisations agree that, generally, the security situation in comparison with previous years has improved, albeit it remains an important concern for returnees and continues to be an obstacle to return in certain cases.

In most return locations, the security situation has steadily improved and many returnee communities report that relations with local residents are good and that the local police are acting professionally. However, serious incidents directed against persons or properties continue to occur in certain areas, as well as incidents of harassment and vandalism of religious premises. The

RESTREINT UE
RELEASABLE TO THIRD STATES CONTRIBUTING TO EUPM

presence of alleged war criminals and failure to arrest and prosecute them continues to constitute an obstacle to return for many and affects the sense of security of returnees.

The Helsinki Committee report estimates that juvenile delinquency is permanently on the increase, while the age of perpetrators is lowering progressively. There is no general database on this phenomenon, although the information available from the RS indicates an approximately 44% increase in juvenile delinquency in 2004. This is believed to be influenced by a number of factors, for example: BiH does not have specialized accommodation capacities for juveniles, those imprisoned are not separated from adult convicts; and those against whom a disciplinary measure is pronounced are not provided with adequate re-socialization. Further, the social services do not have sufficient human resources to work on the issues of re-socialization and other relevant issues.

_____**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 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 |
| 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 Security) |
| 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 |
| LEA | Law Enforcement Agency |

RESTREINT UE

RELEASABLE TO THIRD STATES CONTRIBUTING TO EUPM

| | |
|---------------|---|
| 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 |
| 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 |


























RESTREINT UE

RELEASABLE TO THIRD STATES CONTRIBUTING TO EUPM










| | |
|---------------|--|
| 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 |

DECLASSIFIED

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

| 02-Sep-2005 | | Current EUPM Establishment | | | | EUPM Current total |
|---|------------------|----------------------------|-------------------------|------------|-----------|--------------------|
| COUNTRY | Police officers | | International Civilians | | | |
| | Contracted | Seconded | Seconded | Contracted | | |
|  | Austria | | 5 | | 2 | 7 |
|  | Belgium | | 3 | | 2 | 5 |
|  | Cyprus | | 6 | | | 6 |
|  | Czech Republic | | 7 | | | 7 |
|  | Denmark | | 12 | | | 12 |
|  | Estonia | | 2 | | | 2 |
|  | Finland | | 6 | 3 | 2 | 11 |
|  | France | | 61 | | 2 | 63 |
|  | Germany | | 55 | 1 | 4 | 60 |
|  | Greece | | 9 | | | 9 |
|  | Hungary | | 5 | | | 5 |
|  | Ireland | 1 | | | 6 | 10 |
|  | Italy | | 13 | | 6 | 19 |
|  | Latvia | | 4 | | | 4 |
|  | Lithuania | | 2 | | | 2 |
|  | Luxemburg | | 2 | | | 2 |
|  | Malta | | 2 | | | 2 |
|  | Netherlands | | 30 | 1 | 2 | 33 |
|  | Poland | | 11 | | | 11 |
|  | Portugal | | 7 | | 1 | 8 |
|  | Slovakia | | 6 | | | 6 |
|  | Slovenia | | 3 | | | 3 |
|  | Spain | | 15 | | 5 | 20 |
|  | Sweden | | 12 | | | 12 |
|  | United Kingdom | | 44 | 5 | 3 | 52 |
| | Sub-total | 1 | 325 | 10 | 35 | 371 |

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

| 02-Sep-2005 | | Current EUPM Establis' ment | | |
|---|-----------------|-----------------------------|------------|--------------------|
| COUNTRY | Police officers | International Civilians | | EUPM Current total |
| | | Seconded | Contracted | |
|  Bulgaria | 3 | | 2 | 5 |
|  Canada | 7 | | | 7 |
|  Iceland | 1 | | | 1 |
|  Norway | 6 | 2 | | 8 |
|  Romania | 9 | | | 9 |
|  Russia | 3 | | | 3 |
|  Switzerland | 4 | | | 4 |
|  Turkey | 9 | | 3 | 12 |
|  Ukraine | 4 | | 1 | 5 |
| Sub-total | 40 | 2 | 6 | 54 |
| TOTALS: | 425 | 12 | 41 | 425 |
| | | 53 | | |