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

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NOTE

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

Subject : European Union Police Mission in Bosnia and Herzegovina Weekly report 44/08

Delegations will find attached the EUPM Weekly Assessment report for the period of 4 November to 11 November 2008.



EUROPEAN UNION POLICE MISSION

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Weekly Mission Report 44/08

17 November 2008

Executive Summary

Amendments to the FBiH LoPO have been published in the *Official Gazette of FBiH* on 5 November 2008. On 5 November the State Protection and Investigation Agency (SIPA) War Crime Investigation unit in cooperation with SIPA Special Support Unit and SIPA Regional Office Tuzla arrested two suspected war criminals. Searches were conducted in Sarajevo (Canton 9) following *Crime hotline* report. An explosive device targeting a Croat detonated in Derventa municipality. The heads of three of the six main political parties met and agreed on proposals to address some of the outstanding reforms for BiH. Over the past week RS MoI hosted several meetings on regional police cooperation, and EUPM organises the first course on Legal Drafting techniques.

Significant Mission Activities

Police Reform

Federation (F)BiH Law on Police Officials (LoPO) amendments published in the Official Gazette FBiH – Amendments to the FBiH LoPO have been published in the *Official Gazette of FBiH* on 5 November, 2008. The amendments were proposed almost two years ago, but due to a disputed wording of Article 128 were not sent for adoption. It was agreed that amendments to the Article 128 were to be deleted, and the problem of rank attribution to certain civilian employees should be resolved through amendments to FBiH Law on Internal Affairs (FLIA), which would

provide a different solution to the question of the status of those employees. The published amendments, besides some technical corrections, include provisions on salary coefficients, disciplinary procedure and suspension, a transitional provision on employment of active police officials from other police bodies and provisions on employment of “uncertified” police officials.

Draft Republika Srpska (RS) Law on Police Officials (LoPO) sent for adoption without prior notification to EUPM

– With reference to the LoPO, while it was agreed at the meeting held on 17 September with the Advisor and the Secretary of the Minister of Interior (MoI) that further discussions regarding disputed issues in the LoPO were needed, the draft LoPO was sent to the Government special session on 3 November and approved on the same day without any clarification of these issues. Despite the fact that EUPM requested a copy of the draft law, EUPM was only copied on 7 November to EUPM, once it had already been approved by the Government. It appears that the draft law reflects to a very large extent the version communicated in June, which caused EUPM to express reservations to RS MoI through official letters, as a number of key disputed issues were still to be clarified in relation to the draft.

The law should be discussed in draft form on 25 November in the RS National Assembly (RSNA). A short summary of the RSNA debate will be prepared and then the passage will take place, optimistically, in the following week. The draft law will still have to go back to the Government and the RSNA for the second reading in order to be complete. It is expected that the adoption procedure would continue until the end of the year. EUPM will seek any possibility in the course of the adoption procedure, in coordination with OHR/EUSR, to include amendments to the draft law.

FMoI Book of Rules on Internal Organization (BoRIO) Commission formed

– On 5 November the FBiH Minister of Interior passed a Decision on appointment of members of the Commission for drafting a final proposal of amendments to the MoI BoRIO. The Commission was given 7 to 10 days deadline to complete the work. This comes as a result of one of the conclusions reached at the meeting of the Federal Minister of Interior Collegium Body held on 31 October 2008 to intensify efforts aimed at finalization of the amendments and changes to the FMoI BoRIO. The Commission is formed by three members from the Ministry (including the Chairperson) and two from the FAoP. Based on a DoP request, the Minister has also invited EUPM representatives who will contribute to the Commission’s work within the scope of EUPM’s mandate. Additionally, EUPM has encouraged the Minister to focus on the amendments which are essential to solve problems within the operational functions of certain units within the FAoP. The first meeting of the Commission is

scheduled for 12 November, where the Commission's Rules of Procedure are to be adopted.

Operational

SIPA arrests war criminals – On 5 November, based on an order issued by the State Prosecutor's Office, the State Protection and Investigation Agency (SIPA) War Crime Investigation unit in cooperation with SIPA Special Support Unit and SIPA Regional Office Tuzla officers carried out an arrest and search operation of two suspected war criminals in the Zvornik area. The arrested suspects are accused of Genocide committed in the Srebrenica area in July 1995, participating in the apprehension and execution of 1700 Bosniak men from the Srebrenica enclave of Pilica and at the military farm Branjevo. The arrested suspects were members of the Serb military at the time of the alleged crimes (former deputy commander of the 1st Battalion and other former assistant to commander for security of the 1st Battalion of the Zvornik brigade).

Searches in Sarajevo (Canton 9) following Crime hotline report – On 4 November, following an order issued by the Municipal Court Sarajevo, Police Department IV officers searched a hotel and business premises in Ilidza municipality and a house in Hadzici municipality. During the searches, the police found and seized two pistols, 36 bullets of various calibers and a rifle. Two suspects will be charged for illegal possession of weapons and ammunition. The local police was acting on the basis of the report received through the Crime hotline (*Krimolovci*). SIPA provided local police with the intelligence reports and the police initiated an investigation against the suspects. The Chief of crime section within the Police department IV commends citizens for reporting it to the Crime hotline. The suspects have neither criminal background nor links to the organized crime.

Explosive device targeting Croat returnee in Derventa municipality – On 8 November, an unknown perpetrator threw a hand grenade into the yard of a newly reconstructed house of Croat returnees to Kostres settlement in the municipality of Derventa. Local police carried out 'on the scene' investigation the same morning and established the level of damage caused to the house. Albeit the investigation is still ongoing, the media concluded the attack was ethnically motivated. The Catholic Press Agency (KTA) from Sarajevo is also of the opinion that this attack was meant to intimidate Croat returnees to the area of Derventa. Over the past 5 years there have been no registered complaints regarding inter-ethnic tensions in the area. Moreover, local police received letters of appreciation regarding the safe and secure situation of the returnee's in the AoR.

Approximately five Croat families out of seventy pre-war households have returned so far to Gradac/Kostres. The RS Minister of Interior instantly condemned this attack as well as other similar attacks committed against non-Serb returnees in Republika Srpska. Derventa was severely damaged in the clashes between Serb and Croat military forces in 1992. According to a 1991 census, out of 56,328 people living in Derventa 39% were Croats. In June, a monument erected in memory of dead Croat soldiers was damaged by unknown perpetrators.

Political/Legal

Heads of Political Parties meeting – The heads of three of the six main political parties, namely, Milorad Dodik (SNSD), Suljeman Tihic (SDA), and Dragan Covic (HDZ BiH) met and agreed on proposals to address some of the outstanding reforms for BiH. Although at this stage these represent only principles, a number of political issues and a possible way forward have been suggested. These include the settlement of the issue of state property, the status of the Brcko District, a population census by 2011, necessary constitutional amendments to harmonise BiH's constitution, and support to the return of refugees and displaced persons.

However, the agreement is not without its detractors, with SBIH and HDZ 1990 critical of the components. According to Mr. Silajdzic (SBIH) it is against the integrity of BiH and shows moral and political capitulation of the SDA. While cautiously optimistic, the international community (IC) has reserved judgment until further details are known.

Police Accountability

Necessity of regional police cooperation prompted – Over the past week, RS MoI hosted several meetings on regional police cooperation. A two-day meeting of the working group on the Fight Against Terrorism took place on 4 and 5 November. It gathered representatives of police forces in Southeast Europe as well as EUROPOL and Southeast European Cooperative Initiative (SECI) on 6 November heads of police forces in the country met in Banja Luka and also on the same day, the RS Police Director Pena met with Federation DoP Miletic and Croatian Police Director Faber. Such cooperation was prompted and intensified by the recent murders in Zagreb. The Common denominator of these meetings is a strong will and necessity to enhance police cooperation in all aspects. RS MoI officials stress in contacts with EUPM that cooperation is not only established but

that many police forces in the region recognize the RS Ministry of Interior as a credible and reliable partner.

Prisons

Workshop in Sarajevo (Canton 9) – All BiH prison directors are invited to attend a workshop on 13 November in Sarajevo, hosted by EUPM, OSCE and the Council of Europe. EUPM's Prison Expert will present international prison service standards, prison staff training prospective and also planning procedures in relation to prison environment and security.

Media

New feature available on EUPM website – In the scope of the 'Dare!' campaign, EUPM has invited prominent members of the BiH society, police inspectors, journalists, professors, and intellectuals, to reflect on the situation in the country in particular with regards to crime and corruption. Their observations are being published through columns in daily and weekly print media. EUPM features the columns in a special section on its website.

Security:

The situation remains stable at the mission.

Other

EUPM organises the first course on Legal Drafting techniques – The course was held in Sarajevo from 3 to 5 November and it aimed to further enhance the knowledge and skill of lawyers and legal experts from BiH institutions on drafting legal acts. Lectures were given by experts and officials from the BiH Ministry of Justice, Legislative Offices of Council of Ministers of BiH, RS and FBiH. The course covered a variety of issues ranging from types and content of legal acts, terminology, grammar and acronyms used, as well as methods of implementing changes to existing pieces of legislation. The course was positively assessed by the participants and was deemed useful. A total of 31 representatives from Ministry of Security, SIPA, Border Police, RS MoI, FBiH MoI, Ministries of Interior of all Cantons and Brcko District Police attended the course along

with ten representatives from EUPM.

Potential Critical Issues

NTR

Forecast of Events

17/19 November – EUPM (Chief PPID) will participate in an ESDP Course for Press and Public Information Staff organized by the EU Presidency and hosted by the Institute for Higher National Defense Studies of France.

19 – 20 November – HoM to attend PIC meeting in Brussels

Crime-stoppers website – Crime-stoppers website design and content has been finalised. PPID plans to organize official launch on 21 November in the presence of the HoM Stefan Feller and SIPA Director Mirko Lujic.

**Approved by HoM
Commissioner Stefan Feller**
