



## Security Council

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### **Letter dated 2 September 2004 from the Secretary-General addressed to the President of the Security Council**

In accordance with the statement by the President of the Security Council of 12 December 2002 (S/PRST/2002/33), I have the honour to convey the attached report on the activities of the European Union Police Mission in Bosnia and Herzegovina covering the period from 1 January to 30 June 2004.

I should be grateful if you would bring this to the attention of the members of the Security Council.

*(Signed)* Kofi A. **Annan**

**Annex**

**Letter dated 30 July 2004 from the Secretary-General and High Representative for the Common Foreign and Security Policy of the European Union to the Secretary-General of the United Nations**

In accordance with the statement by the President of the United Nations Security Council of 12 December 2002 (S/PRST/2002/33), I attach a report on the activities of the European Union Police Mission in Bosnia and Herzegovina covering the six months from 1 January to 30 June 2004. I propose to provide the Security Council with a written update on the progress of the European Union Police Mission every six months as appropriate. I would be grateful if you would transmit this report to the President of the United Nations Security Council.

*(Signed)* Javier **Solana**

## Enclosure

### **Report of the Secretary-General and High Representative for the Common Foreign and Security Policy of the European Union on the activities of the European Union Police Mission in Bosnia and Herzegovina covering the period from 1 January to 30 June 2004**

#### **Introduction**

The European Union Police Mission (EUPM) is the first operation undertaken under the European Security and Defence Policy. It was initiated as a follow-on mission to the United Nations International Police Task Force (IPTF) in Bosnia and Herzegovina.

This report is the third update by the Secretary-General and High Representative for the Common Foreign and Security Policy of the European Union to the United Nations Security Council on the activities of the EUPM and covers the period from 1 January to 30 June 2004.

#### **Status**

As at 30 June 2004 EUPM numbered 879 personnel of whom 476 are seconded police officers, 67 international civilians and 336 Bosnia and Herzegovina national staff. Twenty-four EU member States participate in EUPM (426 police officers) together with nine non-European Union contributing States (50 police officers).<sup>1</sup>

Following the sudden and tragic death of the first Head of Mission, Commissioner Sven Frederiksen, on 26 January 2004, Commissioner Kevin Carty from Ireland was appointed as Head of Mission by the Council and started his duties on 1 March 2004.<sup>2</sup>

#### **Mandate and programmes**

The European Union Police Mission began operations on 1 January 2003 with a mission to establish sustainable policing arrangements under Bosnia and Herzegovina ownership in accordance with best European and international practice, thereby raising current Bosnia and Herzegovina police standards.<sup>3</sup> It is a non-executive mission and achieves its objectives through mentoring, monitoring and inspecting police managerial and operational capacities of the police forces of Bosnia and Herzegovina.

The European Union Police Mission conducts its activities through co-location alongside the commanders of the various police forces at medium and senior levels. Based on the four strategic priorities (police independence and accountability, organized crime and corruption, financial viability and sustainability, institution- and capacity-building at management level), the Mission's seven core programmes

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<sup>1</sup> The nine non-European Union contributing States are Bulgaria, Canada, Iceland, Norway, Romania, the Russian Federation, Switzerland, Turkey and Ukraine.

<sup>2</sup> Council of the European Union decision of 23 February 2004 on the appointment of the Head of Mission/Police Commissioner of the European Union Police Mission (2004/188/CFSP).

<sup>3</sup> Council of the European Union Joint Action of 11 March 2002 on the European Union Police Mission (2002/210/CFSP), annex, Mission Statement for EUPM.

(five thematic and two institutional), subdivided into some 43 projects, continued to be implemented during the reporting period.

The Police Steering Board, consisting of the top stakeholders of the police forces,<sup>4</sup> and its working groups continued to mature over the last six months and showed increasing effectiveness in assessing the needs, designing and approving projects, and evaluating their implementation. The chairmanship has been successfully handed over to the Mission's local counterparts, with EUPM still fulfilling the role of a secretariat for the Board.

Notable achievements in relation to the Mission's seven programmes during the reporting period include the following:

**Crime police** (Programme One). From the start of EUPM the importance of major and organized crime has been recognized and highlighted. EUPM has introduced an intelligence-led approach to policing that has been recognized as fitting best European practice and is enabling Bosnia and Herzegovina to fight major and organized crime more effectively and coherently. Crucial to this has been the development of the National Intelligence Model, which has been introduced countrywide. It has become increasingly effective at lower levels (public security centre, canton, entities) and the information gleaned at this level will flow upwards to feed the newly created State Investigation and Protection Agency (SIPA) (see below). Intelligence and the use of the 4x4 system<sup>5</sup> is an important start but it needs to be used effectively. To this end good progress has been made in the fine-tuning of the Criminal Investigation Departments (CID) in the different police forces. Standardizing the CID system across the entities and Brcko District has paved the way for the State-level agencies (SIPA, State Border Service (SBS) and Interpol working under the umbrella of the Ministry of Security to work more effectively with these lower-level bodies.

Together with other stakeholders, EUPM set up a free crime hotline, called *Krimo Lovci* (Crime Catchers) in March 2004. Citizens of Bosnia and Herzegovina can now, free of charge and anonymously, report any crime to local police officers monitored by EUPM. Bosnian citizens have already taken advantage of this opportunity: in the first three months, on average, 19 calls a day have been received. Many of the calls resulted in arrests, recovery of property and criminal charges. The crime hotline is therefore adding significantly to the generation of usable information and its full integration into the intelligence network will only further enhance its value.

**Criminal justice, now police education and training** (Programme Two). This programme was aimed at finalizing the establishment of the State judicial police and the two court police forces at entity level. Fourteen months after the Mission's start most of the projects covered by the programme were successfully concluded. The supervision of the newly established bodies has now been placed under Programme One (Crime police).

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<sup>4</sup> The Bosnia and Herzegovina Police Steering Board comprises the Director of SIPA, the Director and Chief of Service of SBS, the Director of Police of the Federation of Bosnia and Herzegovina, the Republika Srpska Police Director, the Brcko District Police Chief and the EUPM Head of Mission.

<sup>5</sup> A method of identifying the quality and source of information provided to or obtained by the police for use in the intelligence field.

In close consultation with local authorities, a new programme focusing on a police education and training system has been launched. The subject holds strategic importance as it affects the sustainability of the police forces in Bosnia and Herzegovina. A harmonized police education system needs developing alongside the process of police restructuring in order to support and consolidate the overall institution-building efforts. In this context, harmonizing and streamlining the institutional assets of police training centres will ensure suitable coordination.

**Internal affairs** (Programme Three). Seven professional standards units (in cantons 3, 4, 5, 6, 8, 9 and 10) and nine public complaints bureaux (in cantons 1, 2, 3, 6, 7, 8 and 10, in the Brcko District and in Republika Srpska) were established.

**Police administration** (Programme Four). EUPM mentoring is helping the police to create their operational budget lines within the Ministry of the Interior budgets, through constant monitoring and training on strategic budget planning. Closely related to financial sustainability, a number of police bodies have started implementing financial plans to rationalize the use of resources so as to produce budgetary savings.

**Public order and security** (Programme Five). Major public events guidelines, aimed at defining a number of principles deemed necessary to prevent serious crowd disturbances during major public events, have successfully passed the Steering Board procedures and are now being implemented.

**State Border Service** (Programme Six). The State Border Service has continued to robustly enforce its mandate. During the reporting period, for the first time, four persons indicted for war crimes were arrested by SBS while attempting to cross the border. Those arrests constitute an additional step in the development of the State Border Service as a modern and effective border police. In addition, the State Border Service has intensified its cooperation with SFOR and other entity-based police forces. They now conduct regular joint border operations. A new law providing SBS a more solid basis is currently under discussion.

**State Investigation and Protection Agency** (Programme Seven). This programme saw significant developments in the reporting period. In order for Bosnia and Herzegovina to meet its international obligations to fight major and organized crime, money-laundering, drugs and arms trafficking, the powers of the existing State Information and Protection Agency<sup>6</sup> needed to be expanded.

After five months of work in close cooperation between the Office of the High Representative and EUPM, as well as with local stakeholders in the Consultative Task Force, a package of laws was submitted to the Bosnia and Herzegovina Council of Ministers on 4 February 2004. On 11 March 2004 the Council of Ministers approved the SIPA legislative package before sending it to the Parliamentary Assembly of Bosnia and Herzegovina for approval. The package of laws gave SIPA executive powers and enhanced responsibility for key areas in the fight against organized crime.

Technical amendments to the Bosnia and Herzegovina Criminal Procedure Code and Law on Civil Service were also necessary to harmonize those laws with the other SIPA laws. All laws were adopted by the Parliamentary Assembly of

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<sup>6</sup> The new law on SIPA changed its name from State Information and Protection Agency to State Investigation and Protection Agency.

Bosnia and Herzegovina during the reporting period and have now come into effect or will do so shortly.

### **Police restructuring**

A functional review commissioned by the European Commission on the current police structures and finalized at the end of May concluded that Bosnia and Herzegovina has too many levels of policing and identified a number of different options for the restructuring process. Regardless of which model of policing is finally chosen, it is clearly evident that many elements of police management and administration need to be centralized and standardized. New systems for the management of human and financial resources must be identified and implemented. This upcoming police restructuring will therefore be totally compatible with the current EUPM programmes.

Considerable work by the Office of the High Representative in close coordination with EUPM in preparing a mechanism to address those imminent questions was performed during the reporting period. The Chairman of the Council of Ministers, Adnan Terzic, called for a Police Restructuring Commission in May 2004. The High Representative/European Union Special Representative, Lord Ashdown, undertook the provision of an international Chairperson. The official launch of the Commission is due early in July. The High Representative/European Union Special Representative has made it clear that, owing to the failure of the Republika Srpska authorities and the Republika Srpska Ministry of the Interior in particular to arrest persons indicted for war crimes and the failure of Bosnia and Herzegovina to join the NATO Partnership for Peace, the task of the Commission will be to produce recommendations for a single and effective police structure for the whole of Bosnia and Herzegovina.

EUPM will continue to be fully engaged in the restructuring process alongside the local authorities. The EUPM Commissioner will serve as a member of the Commission, while the Mission will second personnel to the Commission's secretariat. The work of the Commission should be completed by 31 December 2004.

### **Challenges**

It should be noted that the implementation of the Mission's programmes continues to be hampered by the issue of legal challenges to the outcome of the UNMIBH/IPTF certification process. During the reporting period, challenges before local courts upon the dismissals implemented by local ministries, subsequent to decisions issued by IPTF, have continued. This period also saw some verdicts in favour of the plaintiffs. Pursuant to the Security Council presidential statement,<sup>7</sup> the Office of the High Representative and the Department of Peacekeeping Operations of the Secretariat continue to hold talks on the way forward with a view of finding a satisfactory solution.

### **Outlook**

As the European Union Police Mission enters the second half of its mandate, it will continue apace with the implementation of its programmes.

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<sup>7</sup> S/PRST/2004/22 of 25 June 2004.

Following developments during the first half of its mandate, notably the establishment of SIPA as a law enforcement agency, the formation of the Police Restructuring Commission and the need for increased EUPM engagement in assisting the local authorities' fight against organized crime, additional resources will continue to be allocated to these key areas of police development in Bosnia and Herzegovina. It is foreseen, at this early stage, that EU engagement in these areas may be required after 2005, in order to implement the results of the Police Restructuring Commission and further assist the development of SIPA and the capacity of Bosnia and Herzegovina to fight organized crime.

The arrival of a military component of a European Security and Defence Policy mission at the beginning of 2005, as a follow-on to SFOR (see Security Council resolution 1551 (2004)), will further increase European Union coherence and cooperation in Bosnia and Herzegovina. As part of the European Union's comprehensive approach towards Bosnia and Herzegovina, EUPM will play a notable part, especially in relation to the Bosnia and Herzegovina authorities' fight against organized crime, under the coordination of the European Union Special Representative, with the substantial support of the delegation of the European Commission, in Bosnia and Herzegovina's path towards membership in the European Union.

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