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John Patten

I very much enjoyed meeting the BiH Police Restructuring Commission in Brussels on 28 October. I thought it might be helpful if I set out for the record some of what I said at that meeting, which may assist the Commission as it continues its deliberations.

The European Commission is, as I indicated at that meeting, taking a close interest in and strongly supporting the work of the Police Restructuring Commission (PRC). It is very important that the PRC should adopt recommendations which will rectify some of the serious systemic deficiencies that undermine policing in BiH today. The EU has a direct stake in this matter, because if BiH is not able to tackle crime effectively, that has a bearing on crime elsewhere in Europe, including within the EU. The studies of policing in BiH indicate that the current policing structure is not effective in combating those sorts of crime which are most prone to cross borders and spread throughout Europe. The EU also has an interest in making sure it has effective law enforcement partners in BiH with which it can deal – police counterparts at the state level, with broadly the same competences as their opposite numbers elsewhere in Europe. The current policing structure does not provide for this.

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The BiH Police Restructuring Commission has been asked to propose a single structure for policing in BiH. This means that political oversight should be exercised by the Ministry of Security at the State level – not by a raft of intermediate bodies. It also means that all competences for law enforcement will need to be transferred to the State of BiH. It will be for the Police Restructuring Commission to advise what competencies should then be devolved to a sub-state level, on the basis of what works best from a law-enforcement perspective.

Competence for police legislation, and for police funding will, however, need to remain at the State level if this reform is to be effective.

In deciding on the size, shape and number of local policing areas within the new BiH Police Service, my strong advice, not least drawing on my own experience in chairing a police reform commission in Northern Ireland, is that you should do all you can to be guided by what makes most sense for effective policing, not by political considerations.

Let me make a more general political point; the PRC offers BiH a crucial opportunity to break out of political constraints and establish what will deliver the most effective policing for the community. In my experience, policing and politics mix badly. The more you can use this chance to get politics out of policing, the better. That, I am sure, is what citizens in BiH, like citizens everywhere, want to see.

So I very much hope that all those in the Police Restructuring Commission, and those to whom the Commission will report, will make the most of this opportunity for the sake of BiH: not just to make quantum leap forward in policing in BiH, but also to demonstrate that BiH really is determined to make the fundamental, systemic reforms needed for a steadily closer relationship with the European Union. The conclusions of the PRC will offer you a great chance to do that.

I am copying this letter to Messrs Barisa Colak, Minister of Security, Mladen Ivanic, Foreign Minister, Ahmet Hadzipasic, Prime Minister of the Federation of Bosnia & Herzegovina and Dragan Mikeravic, Prime Minister of Republica Srpska, Bosnia & Herzegovina.

Best wishes,
James
Q. A.