

HR Meets Decertified Police Officers

The High Representative, Paddy Ashdown, held a meeting this morning at the OHR with eight former police officers, representing the former police officers who had gathered to demonstrate outside the OHR.

The High Representative reiterated the view that he has consistently expressed in public, and which he has on several occasions conveyed to the UN Security Council (UNSC), that the decertified police officers' demand for a review of problematic certification decisions is legitimate and that a review mechanism should be established by the United Nations.

A review of certain IPTF decisions by a UN-mandated body has also been recommended by the Venice Commission, the Council of Europe's advisory body on constitutional matters.

The High Representative explained to the former police officers that the legal authority to set up such a review mechanism lies exclusively with the United Nations Security Council, not the OHR or the BiH Judiciary, which have to comply with UNSC resolutions.

Under the Dayton Peace Agreement the UN/IPTF was entrusted with the mandate to review the background of individual police officers. The IPTF had a completely separate mandate from that of the OHR and was a completely separate body. The OHR's mandate derives from a different Annex in the DPA . The IPTF was responsible to the UN Security Council; the OHR is responsible to the Peace Implementation Council.

Since May 2003 the High Representative has taken up the case of the decertified police officers with the United Nations. Most recently, in November last year, when making his regular report to the UNSC the High Representative said "I

understand that the Council may give consideration to setting up a review of the police certification process conducted by the UN's International Police Task Force. I encourage you, as I have done these last two years, to do this and to do it without delay... When the process was concluded, at the end of 2002, no provision was made for reviewing problematic decisions where credible evidence exists that the right procedures were not followed. A review mechanism would consolidate the certification process by overturning or confirming decisions that currently raise questions about the process as a whole."

The certification of police officers by the IPTF was an ambitious and largely successful attempt to rehabilitate the ranks of police officers in BiH. Only the UN – not the OHR – can resolve those issues that remain outstanding.