Decision on Minority Police Recruitment and IPTF Selection Procedures

In the exercise of the powers vested in me by Article 5 of Annex 10 to the General Agreement for Peace in Bosnia and Herzegovina, according to which the High Representative ” *is the final authority regarding interpretation of the civilian implementation aspects of the peace agreement* “;

Endorsing the interpretation of such powers given in paragraph XI.2 of the Conclusions of the Peace Implementation Conference held in Bonn on 10 December 1997;

Considering the request of the Peace Implementation Council in Chapter II, paragraph 16 for “ *the High Representative to use his authority to ensure compliance with obligations in cooperation with the parties* ” in relation to police development and reform;

Mentioning the reiteration of the acknowledgement of such powers by the Peace Implementation Council in Chapter X of the Annex to the Madrid Declaration of 16 December 1998;

I hereby establish the following

Decision
To declare that the provisions of the IPTF Selection Procedures take precedence over all local laws, regulations, and administrative decisions relating to the recruiting and hiring of minority candidates for police. Furthermore, I waive the requirement that local officials, elected, appointed or otherwise bearing legal responsibility, apply or enforce the provisions of local laws, regulations, and administrative decisions in Bosnia and Herzegovina that are not in conformity

with the IPTF Selection Procedures, as determined and certified by the Commissioner of IPTF. My decision will remain in effect until the levels of minority representation stipulated in the Bonn-Petersberg Agreement for restructuring the police in the Federation and in the RS Framework Agreement on police restructuring are met, as determined and certified by the Commissioner of IPTF.

Explanation

Local authorities' use of legal and administrative reasons that result in the slowing or prevention of minority recruitment is contrary to the General Framework Agreement for Peace (GFAP) and is inconsistent with the provisions of the Bonn-Petersberg Agreement, RS Framework Agreement on police restructuring, IPTF Selection Procedures, and IPTF Standards for Democratic Advertising.

The Commissioner's Instruction that identifies specific aspects of the recruitment and hiring process forms a sound basis for the effective and efficient inclusion of minority police candidates in local police forces. IPTF's efforts to assist the authorities of BiH in developing democratic, professional, and multi-ethnic law enforcement institutions in Bosnia and Herzegovina is a common goal vital to the Dayton peace process.

Sarajevo, 10 March 1999

Carlos Westendorp
High Representative

Office of the High Representative