

High Representative Sends Intelligence Law to Parliament

The High Representative, Paddy Ashdown, in accordance with Article 66 of the Rules of Procedure of the Council of Ministers, today sent a draft Law on the Intelligence Service of Bosnia and Herzegovina to both BiH Houses of Parliament for consideration and adoption by 1 March 2004.

On Tuesday evening, BiH Prime Minister Adnan Terzic, and his Deputies, Barisa Colak and Mladen Ivanic, were unable to reach consensus on adopting the law. "This is a regrettable failure of Government to ensure the safety and security of all its citizens – its most basic task," the High Representative said today. "I have therefore sent this draft legislation to BiH's Parliament to allow BiH's Parliamentarians to consider it."

Over the past three months the Council of Ministers has failed to adopt the law and send it to Parliament for its consideration. This cannot be allowed to continue at a time when BiH desperately needs a modern and professional State intelligence agency that will enable it to meet its international and domestic obligations while ensuring the highest respect for human rights.

Reforming BiH's intelligence services has been identified as one of the key tasks to be accomplished before BiH can move further towards EU integration. BiH can no longer afford to have an intelligence-security sector effectively operating outside proper State control. The longer this situation exists, the more dysfunctional the country's intelligence services will become. Maintaining the present unreformed system increases the risk to the country and to its citizens from the current threat of international terrorism.

The High Representative, in a letter sent today to all BiH's Parliamentarians, the BiH Presidency and Government leaders at State and Entity levels, said that "BiH needs to move beyond the days in which politicised, corrupt intelligence services spend more time spying on citizens than protecting the State under the oversight of Parliament." He called on Parliament to "seize this opportunity to create a modern, effective and democratically accountable agency in line with the highest European standards confirming the Parliamentary Assembly's willingness to play a full and active role in the reform process."

In May this year the High Representative established an Expert Commission on Intelligence Reform, comprised of BiH experts, charged with drafting a State-level Law to form a single intelligence-security agency in BiH in line with democratic principles and practice elsewhere in Europe. On 16 September the Chairman of the Commission, Kalman Kocsis, presented a draft Law on the Intelligence and Security Agency to the Chair of the Council of Ministers, which, since that date, has failed to move this draft into BiH's legislative process.