“Euro-Blic” Interview With Mr. Wilfried Martens

Euro Blic: What specifically does the police reform in BiH bring? What are its advantages and possible disadvantages?

The Police Restructuring Commission (PRC) report that I submitted to the High Representative and Prime Minister Terzic will mean important improvements for BiH’s citizens. Five significant advantages come to mind immediately.

First, the restructuring will make it much harder for criminals to operate. Right now, your police are at a disadvantage when compared to criminals who operate without hindrance across BiH.

Second, restructuring will allow for significant savings in police administration, which means that you will be able to redirect budget funds to urgent needs in your society or, for example, to increase spending on schools and hospitals.

Third, restructuring means your policemen and women will have better access to modern technology – did you know that for example in Doboj there is no digital information database or digitalized finger print data base?

Fourth, police restructuring will for the first time recognize that the police in the RS do just as important a job as their colleagues in the Federation, by equalizing salaries and working conditions for police officers wherever they work in BiH.

Finally, and crucially, police restructuring is a requirement for the European Union. Let me caution you that Europe will not lower the bar on this issue; European taxpayers are as concerned about criminality as the BiH taxpayers are. The EU won’t admit a country that can’t keep its own security house

in order.

Euro Blic: Is the reform modelled on other European countries? Is the centralization of police forces its main objective?

During six months of intense work, the Police Restructuring Commission studied the policing systems of several European countries, including the Belgian system. In Belgium we undertook our own police restructuring a number of years ago. Different European countries favour more or less centralised systems, but the reform proposed for BiH incorporates elements common to most European policing systems.

These elements were outlined by the European Union, and the PRC proposal follows the three key elements for the police reform. First, competence for all police legislative and budgetary matters must be vested at the State level. Second, local policing is carried out in local areas designed on the basis of functional police criteria, not politics. And finally, the future system must protect the police against improper political interference.

These are the requirements of the European Union and the minimum basis for a functional system capable of fighting crime effectively across BiH. However, this does not mean that police operations are centralised. Local policing would be carried out through decentralised Local Police Areas and the proposed model significantly increases the involvement of local communities in overseeing the performance of the police.

Euro Blic: Is there a room for the existence of the respective Entity MUPs, and which tasks and responsibilities will they have in the future?

There is much misunderstanding in this regard. Let me state clearly; the PRC report does not state that the Entity Ministries of Interior should be abolished. The report only proposes a state-led policing system which I believe is the best solution for resolving the systemic deficiencies that

currently exist. Policing in BiH is too complicated, too costly, and not efficient.

Euro Blic: Is the reform going to be implemented by the means of frequently mentioned consensus, if one side, i.e. RS, constantly opposes its main points?

The fact is that the EU has made rationalisation of police structures a requirement for the next step in the EU accession process: opening negotiations for a Stabilisation and Association Agreement. EU officials have made it clear, in writing, that BiH will have met this requirement, only when a policing system with the three elements which I just mentioned, has been adopted. So it is a choice for your politicians to make, to agree on a solution that is acceptable to the EU.

Euro Blic: The RS authorities still claim that they will not allow the abolishment of the RS MUP and that they presented this position to your Commission. Was their position really so categorical? If the Commission had failed to take this position into account, what would it have signalled by such move? Or, was there an agreement and was the local public mislead?

As policing professionals, the members of the Commission agreed on many practical issues of police reform. For instance, I would say that there was complete agreement amongst the police professionals in the Commission on the fundamental principle that policing should be organized at the BiH state level. This principle, however, was rejected by RS politicians. It is my strongest personal conviction that the proposal represents the best professional consensus of the PRC participants and this is a very important point. Shouldn’t the professionals have the clear voice in how the public security system in BiH is organized? Shouldn’t the police in BiH be free of improper political influence? I’m not sure the politicians understand this point yet.

Euro Blic: Which RS representatives were the loudest opponents to reform, including the RS MUP abolishment, and who from the RS was ready to compromise?

Out of respect for my Commission colleagues I will not talk about what individuals may have said or not said. All the PRC members participated openly and in accordance with their professional knowledge, their conscience and beliefs. If you want to know what individuals on the PRC think then you must ask them!

Euro Blic: The police reform is often referred to in the context of great cost savings. Are there any calculations as to the amount of possible savings and a plan for using such funds in a wiser and more effective manner for the citizens' needs?

Rough calculations estimate that police reform could save BiH 140 million KM per year – in the RS alone savings are estimated at 30 million KM. Given BiH's economic situation and the huge number of people living below the poverty line I don't know why your politicians are delaying these reforms.

Euro Blic: In case of the abolishment of the Entity MUPs what would happen with its redundant employees and who would have to take care of them?

This isn't something that the PRC dealt with in detail, and again, this is something that would have to be resolved through the domestic political process, but I can tell you that the members of the PRC agreed that any police made redundant in the future would have to receive a fair social package.

Euro Blic: Considering that the reconciliation between peoples has not been fully completed yet and in view of frequent political conflicts between Banja Luka and Sarajevo, can one expect from citizens to have full confidence in the future police? To which degree can such police be impartially

professional in performance of its daily tasks?

Studies have show that the public lacks confidence in the performance of the police, particularly in fighting organised crime. The main problem, however, does not lie with the individual police officer.

The problem is in the system that BiH police officers are forced to operate in; a system that ties the police's hands in fighting crime that crosses the entities and cantons. A system where the criminals have more freedom of movement than the police. Take for example the armed robbery of an armoured car on the Banja Luka – Knezevo/Skender Vakuf road in December last year. The robbery was carefully planned to take place on a stretch of road that falls in the RS but the fastest access to the area requires passage through the FBiH. The lack of a common communications system delayed the arrival of police on the scene by 45 minutes and the gang got away with 2 million KM.

The only way to improve public confidence is through results and it is your politicians who now need to help the police fight crime across internal barriers. You can be sure that criminals do not stop at entity lines.

Euro Blic: Do you consider that the insisting on the exclusive State competence over the police in BiH violates the Dayton Peace Agreement and respective BiH and RS Constitutions, which assign such competence to the Entities?

Our work was guided by the PRC's mandate – to propose an efficient, effective, and more cost effective system of policing. It is true that police restructuring calls for changes, which would require the BiH state to exercise legislative and budgetary authority on police matters. The Dayton Agreement foresees making these changes through the democratic process in line with the Constitution. In the Commission, our primary concern was the need for effective law

enforcement. I do not think that we can accept anything less, and neither does the European Union.