

Press Release

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Council of Europe Human Rights Commissioner concludes talks at UN on Bosnia's de-certified police officers

Strasbourg, 02.04.2007 - Following talks with representatives of UN Security Council member states on 29-30 March, the Council of Europe Commissioner for Human Rights, Thomas Hammarberg, expressed optimism that the UN will issue a proper response to those police officers in Bosnia and Herzegovina who have complained of unfair dismissal by the UN International Police Task Force (IPTF).

In accordance with the provisions of Annexe 11 of the General Framework Agreement for Peace in Bosnia and Herzegovina (the Dayton Peace Accords), a vetting exercise was conducted in order to remove police officers who had committed crimes during the war, were not properly qualified or were not otherwise suited to the function. Between 1999 and 2002, 18,000 officers were vetted by the IPTF, and 793 were barred from police duty for life.

However, following their dismissal, 262 de-certified officers sought help from Bosnian courts, with concerns over the lack of an independent appeals procedure, the lack of transparency and alleged irregularities.

"The talks in New York have assured me that the Security Council, which holds formal authority over the vetting process, is open to reviewing the matter and to providing a solution – one which would deliver justice on individual cases in accordance with the Security Council's authority on this matter," Commissioner Hammarberg said.

"The standards and practices for police recruitment in Bosnia and Herzegovina have improved. In my opinion, this makes it possible for the UN to allow the BiH authorities to consider applications from individuals who have been formally de-certified or whose status is unclear," the Commissioner said.

Thomas Hammarberg held discussions with representatives of several Security Council member states, including China, Russia and the United States, and with high officials at the UN Department for Peacekeeping Operations.

The Commissioner decided to assist in the settlement of the dispute following a visit to Bosnia and Herzegovina in December 2006, during which he confirmed that the vetting process had not been sufficiently transparent, and that no adequate appeals procedures had been put in place. In his report in December, the Commissioner remarked that the decision to bar officers from police duty "for life" has generated a social stigma. He also drew attention to the 150 cases which were never finalised, leaving police officers in limbo about the status of their certification.

Commissioner Hammarberg then argued that the matter should be swiftly taken up by the UN Security Council, which, he said, had an obligation to respond to the human rights concerns raised earlier by the Bosnian government, the Office of the High Representative and the Council of Europe's Venice Commission. He appealed to BiH authorities not to take unilateral decisions until the Security Council expressed its position on the matter.

During the visit to New York, the Commissioner was accompanied by Tim Cartwright, the Special Representative of the Council of Europe's Secretary General in Bosnia and Herzegovina.

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