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One year on: the injustice continues

On 20 June 2008, 45¹ former Bosnian policemen broke off a hunger strike that they had begun nine days earlier in front of the building of the Office of the High Representative (OHR) in Sarajevo. These were men who did not pass a 1999-2002 United Nations' police vetting process and were banned from police service for life. In most cases, they have not managed to find any other jobs as employers in Bosnia and Herzegovina are suspicious of UN-banned ex-policemen.

However, as ESI showed in a [February 2007 report](#), the UN vetting process violated human rights standards and was in some cases erroneous because it was conducted in a hasty and sloppy manner towards the end. The men on strike in Sarajevo last week are victims of the UN's insistence on infallibility, OHR's complicity in this effort and the failure of Bosnian authorities to stand up for the rights of its citizens.

Between 1999 and 2002, the UN assessed 18,000 police officers and declared 793 unfit to exercise police powers. The flaws in the vetting process became apparent after the UN mission to Bosnia left in December 2002. But the UN headquarters in New York and OHR, the supreme international authority in Bosnia, refused to acknowledge them. (Behind the scenes, however, OHR lobbied the UN for a review process.) As many as 262 policemen sought help from local courts, yet OHR declared the courts not authorised to deal with the cases. The policemen then formed associations that fought for a review process and for their re-instatements.

On 30 April 2007 - more than four years after the end of the UN police mission in Bosnia and two months after the publication of ESI's February 2007 report [On Mount Olympus: How the UN violated human rights in Bosnia and Herzegovina and why nothing has been done to correct it](#) - the [UN Security Council agreed](#) to give the non-certified policemen the chance to work again for the Bosnian police forces, in accordance with the standards of a new Bosnian law on police officials. It stressed that its non-certification decisions remained valid, but argued that the new law reflected "improvements in the legal standards and practices for the recruitment and selection of police officers within BiH", which allowed the former police officers to apply for positions in Bosnia's law enforcement agencies.

[ESI pointed out](#) that the lifting of the lifetime ban from police service amounted to a *de facto* recognition of the deficiencies of the vetting process, but was insufficient because the solution did not offer the police officers the chance to clear their names individually, or any compensation for the loss of income and reputation.

The former police officers accepted the solution, expecting a return to their previous or similar positions. On 24 May 2007, Bosnia's government set up a "Monitoring Team" that would monitor the re-employment process, and the responsible Ministry

¹ The information about the number of decertified policemen on strike comes from their representatives.

for Human Rights proposed a detailed action plan. OHR, however, declared the proposed activities a violation of the UN letter and the law on police officials.

In a letter dated 6 June 2007, Principal Deputy High Representative Raffi Gregorian explained what the UN had in mind when it mentioned adherence to the law on police officials. According to him, this meant that the policemen denied UN certification do not get back their old jobs, but must apply to openings for new cadets, undergo basic training if they are selected, and start with beginners' salaries and ranks, since this is the established procedure for hiring new police officers under the law.

The Associations of Decertified Policemen in Bosnia are embittered and say only few of their members would be willing to start their police careers all over again, but that there have not been any openings anyway. Minister of Human Rights Safet Halilovic agrees that the solution offered by the UN and OHR is unsatisfactory, but a [statement from his ministry](#) puts all responsibility on OHR. Ironically, OHR also agrees that the solution is unsatisfactory, but it puts all responsibility on the UN: "This is not an ideal solution, but it is the only solution offered by the UN," [Raffi Gregorian told the former officers on 12 June](#). "The OHR spent three years lobbying the UN for a review process. [...] The UN rejected this possibility." On top of that, Gregorian accused the policemen of being manipulated by politicians who want to "shift blame for their failure to the OHR", which he called "shameful."

On 20 June, the former policemen finished their hunger strike for health reasons and went home, in the hope that somebody had noticed their appeal for help and would become active. This does not seem likely. They have been sacrificed by the omnipotent, but fickle gods of Mount Olympus who interfere with impunity in the lives of ordinary mortals, but would never admit any wrongdoing.

An application by 157 non-certified policemen to the European Court of Human Rights also did not go anywhere. In November 2007, the Court declared the application inadmissible arguing that it did not constitute an interference *by the authorities of Bosnia and Herzegovina* into the rights of the applicants.

The case of the former police officials illustrates that unaccountable international power inevitably goes wrong. Nobody is infallible, and this is why in our democracies we have institutional checks and balances to control those who exercise power. International administrations charged with promoting democracy, human rights and the rule of law in post-conflict societies must not operate by lesser standards.