



HELSINKI COMMISSION HEARING

UNITED STATES COMMISSION ON
SECURITY AND COOPERATION IN EUROPE

Testimony :: The Honorable Christopher H. Smith

[Print](#)

Co-Chairman - The Helsinki Commission

International civilian policing is, without question, an issue of growing importance in human rights work.

We have seen the difficulties encountered in southeastern Europe by those who were earlier displaced and now seek to return to their original homes. In Bosnia-Herzegovina, where minority returns have generally increased, the rate of return to Republika Srpska has remained far too low, and those who do return are sometimes greeted by violence and intimidation. The local police offer little protection in this regard. Indeed, last May when Muslims sought to rebuild the destroyed mosques in Banja Luka and Trebinje, they were attacked by organized mobs. The police not only failed to protect the workers and the Bosnian and international officials who accompanied them, there were indications that the police had colluded in the attack.

The peacekeeping forces in Bosnia-Herzegovina, known as SFOR, are not equipped or trained to provide the day-to-day security of law enforcement officers. The events in April of this year in Mostar demonstrated this, when civilians stood in the peacekeepers' way as thugs attacked and beat international auditors trying to uncover criminal banking activity. No doubt, Mr. Chairman, there is a law-and-order gap which needs to be bridged.

That gap in law-and-order was among the items members of this Commission and other Members of Congress discussed with General Ralston, NATO's Supreme Allied Commander, this past July. The General noted the particular threat posed by organized crime in Bosnia and felt that doing more to establish the rule of law in that country will be a critical component of any exit strategy.

Bosnia is not alone in its problems. Virtually no minority returns have taken place in Kosovo, and protecting those that did not leave is a challenge for the UNMIK police and KFOR. Earlier this year I met with young people from Serbia who were from Otpor, or resistance movement. These courageous men and women seek legal action against those police officers who intimidated, detained and sometimes beat them during the Milosevic years. In Macedonia, not only the ethnic makeup of the police but their treatment of private citizens has been a major concern.

Indeed, law enforcement problems go beyond southeastern Europe; they exist in many OSCE States. In Northern Ireland, the U.K. Government has used the overwhelmingly Protestant police force – the Royal Ulster Constabulary – as an instrument in responding to the Protestant-Catholic conflict there. The police have been implicated in many human rights abuses and have rarely been held accountable. As a result, rather than being a police service that serves all sides of the community in Northern Ireland, the RUC became a direct target for nationalists opposed to the U.K. Government's policies. I have chaired more than a half-dozen hearings on human rights problems in Northern Ireland and have heard consistently that root-and-branch reform of the RUC, including the vetting of officers who have engaged in past abuses, is a critical factor in securing a lasting peace in Northern Ireland. I expect that many of the principles of civilian policing in the Balkans which our witnesses will discuss today will be equally applicable in Northern Ireland.

Similarly, I am quite disturbed by reports that local police in several countries do little if anything to stop the trafficking of human beings. The police are often part of trafficking network. In some countries, the police continue to be used as instruments of the state to quash dissenting voices, even with the use of torture. Elsewhere, members of the Roma minorities have been harassed and sometimes killed by police officers for no reason.

Of course, there are incidents of police abuse in this country which is of great concern to all of us. At the same time, the outrage rightly expressed over such incidents stems in large part from the understanding, expectation and common experience in the United States of having faithful and dutiful local police officers serve the public, protect the innocent and arrest the lawbreakers. The police officer standing on the corner should be seen as the protector of civil liberties, not the abuser.

I strongly support efforts to provide countries in transition with assistance and expertise in democratic governance, and I look forward to the testimony about your efforts to train civilian police and how to improve their effectiveness.