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## **TI BiH: Controversial extension of police powers**

*The proposed solutions extend police powers through provisions which are not clearly defined and thus allow police officers to use excessive discretionary powers in practice*

**Banjaluca, 15th April 2019** – Transparency International in BiH (TI BiH) and a group of non-governmental organization submitted their comments on ***Draft Law on Amendments to the Law on Police and Internal Affairs (hereinafter: the Draft)*** which should be discussed at the 4th regular session of the National Assembly of the Republic of Srpska, starting tomorrow. The Draft was prepared by the Ministry of Interior of the Republic of Srpska (MOI RS) along with other controversial draft laws, such as Draft Law on Amendments to the Law on Public Peace and Order.

The provided comments of the civil society emphasize that the proposed solutions significantly extend police powers in regard to inviting persons, taking statements and depriving them of freedom, including the conduction of special investigative actions, all based on provisions which are not clearly defined. In this way the police officers are allowed to apply extensive discretionary powers in practice. If this is related to recent events that took place in Banja Luka when numerous citizens reported abuse of police powers, which is why TI BiH filed criminal charges, it is clear why this raises citizens' concern. The Draft does not clearly specifies reasons for the adoption of controversial amendments.

The controversial Draft belongs to a group of regulations considered in the previous days, and which were recognized by the public as regulations with only one aim, to deny civil rights and freedoms. It is particularly controversial that police powers are extended contrary to the criminal and procedural provisions, and at the expense of systemic laws, such as the Criminal Procedure Law (CPL). It is thus proposed that undercover investigators can be any person, while CPL stipulates that only authorized officials can perform this function. TI BiH invites expert and academic public to react, but it also invites the RS Government and the MOI RS to withdraw the Draft in order to revise the controversial solutions.

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