

Bosnia: Extraditions May Threaten CoE Membership

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Bosnia may have put its membership of a key European body at risk by handing over Arab terrorist suspects to the Americans

Bosnia's controversial decision last week to hand over six suspected Arab terrorists to the US could jeopardise the country's chances of joining the Council of Europe, CoE, warned a senior UN official this week.

Madeleine Rees, the UN High Commissioner for Human Rights, UNHCHR, issued the warning at a press conference in Sarajevo on Tuesday, hours before the CoE's parliamentary assembly made its recommendation to accept Bosnia.

But Bosnia's much criticised handover of the suspected terrorists could jeopardise the membership process since the CoE holds human rights issues as key to declining or postponing entry to the organisation. Council members are due to vote in April.

Five of the suspects had originally been arrested in connection with an alleged plot to launch attacks on British and US embassies in Sarajevo in October last year. The sixth was held on suspicion of having contact with Osama bin Laden. All are now currently thought to be in custody at the Guantanamo Bay facility in Cuba.

The controversy surrounding the case centres on the fact that the detainees had already been acquitted by Bosnia's supreme court for lack of evidence and the country's human rights' chamber had ordered a halt to the extradition until their legal appeals had been heard.

"The need to combat terrorism in all forms is necessary and legitimate - it must not, however, be done in such a manner that everything is held hostage to that necessity," said Rees.

It is widely believed the Bosnian government was pressured by the US into handing over the the six Arab detainees on January 17. American ambassador Clifford Bond has denied the suggestion. But many Bosnians are unconvinced and are angry with their government for apparently caving into Washington's demands.

While supporting the current American attempt to crack down on global terrorism, the prevailing feeling here is that such circumvention of local law is highly damaging to the country.

International officials based in Bosnia declined to comment on the affair, apparently reluctant to openly criticise the US government, but some acknowledged that it would harm the country's young and fragile democracy.

"There is no question that legal action should have been taken against those six men had there been any evidence implicating them in terrorist activities," said one Western official. "It could and should have been done in the accordance with the law - not in this way."

It seems there have been problems with the case against the six Arabs ever since their arrest back in

October last year.

Firstly, serious doubts were cast over US assertions that the main suspect, Bensayah Belkacem, was a key figure in the al-Qaeda network and had close ties with Bin Laden. A local police investigation only turned up evidence that members of the group had forged documents, but even this was later thrown out.

Then, media reports in Bosnia said that both the US and NATO were unwilling to divulge key evidence implicating the group for fear of exposing their intelligence network in the country.

With no hard facts to hand, the supreme court decided the suspects should be released. However, the Bosnian press say US officials had already secured a promise to hand them over by threatening severe sanctions if they decided not to comply.

"The rule of law was clearly circumvented in this process... and to ignore human rights considerations places us at a great risk for future democracy and freedoms," said Rees.

She called for legal sanctions against those Bosnian government and police officials who had participated in the extradition, but also stressed that she holds American officials involved in the action also responsible. "We cannot have a dual system here. It's either the rule of law or it is not," she said.

Janez Kovac is a regular IWPR contributor.

Location: [Bosnia and Herzegovina](#)

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