OSCE’s police-related activities: Lessons-learned during the last decade

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The OSCE’s role in policing
Within the last ten years, police-related activities have become a key component of the OSCE’s post-conflict rehabilitation operations and have gained increasing relevance in the organization’s democratization and rule of law activities in states of transition as well as in the promotion of international co-operation in the fight against terrorism and organized crime. At the beginning of 2009, 15 out of 18 OSCE field operations undertook police-related activities. Due to OSCE’s comprehensive and cross-dimensional approach to the three dimensions of security, police-related activities have been increasingly attracting attention by the OSCE’s executive structures. In addition to the field operations and the Strategic Police Matters Unit (SPMU), headed by the Senior Police Adviser to the Secretary General, other thematic units within the OSCE Secretariat as well as the OSCE High Commissioner on National Minorities (HCNM) and the Office for Democratic Institutions and Human Rights (ODIHR) have included certain aspects of policing in their respective projects. Such projects have been developed and implemented in consultation and co-operation with the SPMU.

Strong democratic institutions and the rule of law play an important role in preventing the emergence of threats to security and stability. Weak governance, and a failure on the part of the states to secure adequate and functioning democratic institutions that can promote stability, may, in themselves, constitute a fertile environment for a range of threats. An effective rule of law is paramount, and policing is vital to maintaining the rule of law and providing a safe and secure environment. Democratic policing, that is effective in crime prevention, unbiased,

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2 Since not all of the 18 field operations have a distinguished police component, police-related activities of these field operations have been undertaken by other thematic components such as democratization, human rights or rule of law units.
3 The three dimensions are: the politico-military; the economic and environmental; and the human dimension.
4 For instance, the Action against Terrorism Unit (ATU), the Borders Unit (Conflict Prevention Centre, Operations Service, Borders Team/CPC OS Borders), the Gender Section, the Office of the Co-ordinator of Economic and Environmental Activities (OCEEA) or the Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings (OSR).
and safeguards the rights of the individual, is central to preventing conflicts, preserving social stability during crisis and supporting post-conflict rehabilitation.

While policing is widely recognized among the OSCE participating States as a major pillar of the organization’s comprehensive security concept, there has often been a disparity between the policing tasks and the available resources, along with a lack of stringent political guidance the participating States provided to the organization’s executive structures.

These and a number of other challenges that have hampered the implementation of the OSCE’s police-related activities will be in the focus of this article. Furthermore, the article will describe a number of strategies, the OSCE’s executive structures have developed during the last tens years to cope with these challenges. The article will conclude with a brief outlook regarding the way forward.

**Post-conflict rehabilitation and police reform in South-Eastern Europe**

The OSCE police engagement started in 1998 in South-Eastern Europe with the deployment of the OSCE Police Monitoring Group (PMG), which was tasked to succeed the monitoring work of the United Nations Police Support Group (UNPSG). The PMG focused particularly on the performance of the Croatian police in connection with the return of displaced persons. Less than a year later, the OSCE also deployed a police component to Kosovo, tasked with establishing and training a new, multi-ethnic and democratic Kosovo Police Service.

In view of the successful police engagement in Croatia and in acknowledgement of its supporting role of the United Nations, the participating States, in 1999, declared in the Istanbul Charter for European Security, to enhance the OSCE’s role in civilian police-related activities as an integral part of the Organization’s efforts in conflict prevention, crisis management, and post-conflict rehabilitation.6

The general mandate for police-related activities was further refined in 2001 with the Bucharest Ministerial Council Decision No. 9 on policing, in which the OSCE participating States declared to: ‘increase and promote co-operation among participating States in countering new security challenges, including by’, inter alia, ‘improving operational and tactical policing capacities; enhancing key policing skills, including respect for human rights and fundamental freedoms, and, as appropriate, dealing with the criminal aspects of illegal migration; and increasing community policing, anti-drug, anti-corruption and anti-terrorist capacities;’7 and by ‘providing advice or arranging for the provision of expert advice on requirements for effective policing (needs assessments) and how to meet them’.8

Furthermore, the participating States encouraged ‘the exchange of

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8 Ibid, p. 35.
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information among and between participating States regarding lessons learned and best policing practices in countering these new security challenges.9

Earlier that same year, the Permanent Council had already tasked the Organization’s field operations in Serbia and Montenegro and in the former Yugoslav Republic of Macedonia to undertake similar tasks as in Kosovo, namely to train multi-ethnic police services as a post-conflict confidence-building measure and to further reform the national police services towards democratic law enforcement institutions, inter alia by introducing community policing and new police training curricula. In the following years, the police reform activities of the Law Enforcement Departments (LEDs) of the field operations also focused on subjects such as police accountability, human resource management, the fight against organized crime, border policing, or regional police co-operation.10

This enlargement of the scope of activities was also due to a number of new decisions by the participating States, which tasked the OSCE’s executive structures over the years, to focus on trafficking in human beings,11 the improvement of the situation of Roma and Sinti,12 the promotion of gender equality,13 the fight against transnational organized crime,14 and in particular illicit drugs and precursors;15 and to fight the sexual exploitation of children.16

Challenges for the field operations in South-Eastern Europe

While being tasked with a wide variety of police-related activities, the LEDs of the field operations in South-Eastern Europe faced multiple challenges with regard to the implementation of their mandates. Mission-internal as well as external causes sometimes significantly hampered the planning, implementation and finalization of

9  Ibid.

10  For a comprehensive overview of the OSCE’s police-related activities see the Annual Reports of the Secretary General on Police-Related Activities, which can be downloaded from the OSCE’s POLIS digital library at: http://polis.osce.org/library/.

11  See Ministerial Council Declaration No. 1/02 on Trafficking in Human Beings (Porto 2002); Ministerial Council Decision No. 2/03 on Combating Trafficking in Human Beings (Maastricht 2003); OSCE Action Plan to Combat Trafficking in Human Beings (Maastricht 2003); and Ministerial Council Decision No. 5/08 on Enhancing Criminal Justice Responses to Trafficking in Human Beings (Helsinki 2008).

12  See Ministerial Council Decision No. 3/03 on OSCE Action Plan on Improving the Situation of Roma and Sinti within the OSCE Area (Maastricht 2003).

13  See OSCE Action Plan for the Promotion of Gender Equality (Sofia 2004);


16  See Ministerial Council Decision No. 15/06 on Combating Sexual Exploitation of Children (Brussels 2006).
police-related projects and programmes.\textsuperscript{17}

A lack of strategic planning during the first years of mission deployments, also caused by the ad hoc character of mission deployments on very short notice following the signing of peace agreements, lead to short-comings with respect to effective and efficient planning of reform programmes, and in some cases to missed opportunities to influence strategic planning of the local counterparts, when they were particularly supportive of any OSCE activities.

The OSCE field operations in South-Eastern Europe have received substantial financial and human resources as well as political support for the important and challenging tasks that were performed by their dedicated staff members. However, as the interests and objectives of the European Union (EU) in South-Eastern Europe show many similarities with those of the OSCE, there has been considerable overlap between the agendas of the two organizations. All EU member States are also OSCE participating States, providing some 70\% of the OSCE budget, a large share of the extra-budgetary contributions, as well as some 80\% of the personnel\textsuperscript{18}. This has been manifested in gradual but substantial downsizing in some of the OSCE field operations in South-Eastern Europe.

The increasing lack of staff not only had a quantitative dimension but also a qualitative one. In some cases, the decrease of staff applications as well as general shortcomings in mission preparations, both lead to the arrival of staff which were not prepared to effectively and efficiently fulfil their duties, particularly with regard to tasks of a managerial character, such as project planning/implementation/evaluation or advising local counterparts in structural reform and change management.

All LEDs with a major focus on training multi-ethnic police services faced an infrastructural challenge. Existing training facilities were in very poor condition sometimes requiring a complete refurbishment of classrooms and dormitories, heating and electricity systems, and the provision of furniture, office- and communication equipment and other training material. Since the unified budgets of the LEDs were never sufficient to cover the costs of refurbishment, the LEDs relied on extra-budgetary contributions and donations. Fortunately, participating States were willing to provide a sufficient amount of funding and donations. However, the allocation process of extra-budgetary funds at times delayed the refurbishment of the facilities.

High turnover rates of staff within the OSCE LEDs and within the local Ministries of Interior/Police Directorates, caused by short-term secondments of international police officers and changes in key positions in the local police structures following political power changes after elections severely hampered the

\textsuperscript{17} For a comprehensive analysis of these challenges and the description of strategies to address these challenges, see: OSCE, Implementation of Police-Related Programmes. Lessons Learned in South-Eastern Europe, SPMU Publication Series Vol. 7, Vienna, December 2008.

smooth and consistent continuation of project implementation as well as the sustainability of reform achievements.

A decrease of political support from the local counterparts, caused by changing political environments resulted in delays or cancellations of formerly agreed reform programmes and projects. In some cases, the Ministers of the Interior and the police leaderships did not display much enthusiasm to continue with reform implementation in areas which were politically sensitive, such as accountability or even community policing (because of the concepts’ implications for decentralization).

Cases of insufficient co-operation between international organizations, participating States and other donors resulted in a lack of coherent reform goals, strategies and demands from the beneficiaries; and lead to duplication of work, the conveyance of contradictory reform philosophies, and the provision of incompatible equipment donations.

Strategies to address the challenges

In order to address these challenges, and in particular the mission’s internal challenges — as this is the area where the OSCE has most influence for introducing change —, the OSCE Secretariat and the field operations have undertaken a number of new strategic approaches to project development and implementation.

For instance, in order to enhance the efficiency and effectiveness of programmes and projects, more emphasis was placed on thorough needs assessments and the development of sound action plans for project implementation. The introduction of the ‘Performance Based Programme Budgeting’ (PBPB) process in 2007, which requests the definition of objectives and expected outcomes and outputs of activities, facilitated the development of detailed and clearly structured action plans and provided transparent information about the spending of the budget.

Furthermore, with the introduction and maintenance of a network of project management resource persons by the Secretariat’s Programme Evaluation Support Unit and the Training Section, significant steps have been taken to improve project management in the field missions and the other executive structures.

In order to improve the recruitment process, the SPMU developed an online police experts database, where police experts can provide information about their expertise and availability. The database allows for the proper and quick selection of these experts for short-term purposes. For long-term assignments, however, the standard OSCE selection procedures for seconded and contracted staff must still be applied.

However, these improvements will only have a real impact, if the most crucial preconditions for the successful implementation of police reform mandates are given: the provision of a sufficient amount of human, material and financial resources by the participating States to the LEDs, and the political will of all international and national stakeholders involved to support a coherent and sustainable police reform process.
Police assistance to Central Asia, the Southern Caucasus and Eastern Europe

Since the mid-1990s, the OSCE had been engaged in Central Asia with small field presences in order to help settle the civil war and foster post-conflict reconstruction in Tajikistan as well as to support the democratization process, develop the rule of law and maintain stability in the Central Asian states in general, as being requested by the participating States at the Lisbon Summit in 2006. Initially, activities of the field presences focused primarily on monitoring human rights developments and supporting civil society. However, over time, the Central Asian states decided to benefit from OSCE’s time-proven experience and organizational tool-box in police development and police-related activities appeared on the agenda in 2002. Activities started in Kyrgyzstan, whose President had declared to make police reform a priority.

The OSCE engagement in police-related activities was also boosted by the ‘Programme of Action’, adopted by some 60 states at the ‘Bishkek International Conference on Enhancing Security and Stability in Central Asia: Strengthening Comprehensive Efforts to Counter Terrorism’, which had been organized by the OSCE and the United Nations Office for Drug Control and Crime Prevention (UNODCCP) in December 2001. The ‘Programme of Action’ foresaw, inter alia, to ‘prevent and to combat terrorism by increasing co-operation in the fields of human rights and fundamental freedoms and by strengthening the rule of law and the building of democratic institutions, based in part, on the funding of relevant programmes of the UN as well as the OSCE’. In the framework of the ‘Programme of Action’, the newly appointed Senior Police Adviser to the OSCE Secretary General (SPA), whose position had been established at the beginning of 2002, visited Kyrgyzstan in May 2002 to discuss with the representatives of the Ministry of the Interior (MoI) potential areas for police assistance, such a police training, and measures for combating terrorism and organized crime. Based on a thorough needs assessment by the OSCE, the first police assistance programme in Kyrgyzstan was launched in August 2003, focusing on strengthening the MoI’s Police Academy, introducing community policing methods at pilot sites; setting up a modern and efficient police emergency call-response centre, and building capacity in the areas of crime analysis, investigations, drug fighting and the prevention and management of public conflict and disorder.

In the following years, similar police assistance programmes were developed by the SPMU for Armenia, Azerbaijan and Georgia, focusing on the enhancement of basic police training capacities; the improvement of public order management and crime fighting skills, and the introduction of community policing. The activities in Georgia also aimed at confidence-building in the Georgian-South

Ossetian zone of conflict.

The development of police assistance programmes in Kyrgyzstan became a good practice and model for other neighbouring countries too, which pursued — albeit at a slower speed — similar developments. In this process, the SPMU played a pivotal role in exploring potential fields of police assistance in 2004, which would not only include the provision of technical assistance for the fight against drug trafficking and terrorism, but would also focus on issues such as human rights and police ethics. By 2008, substantial police assistance activities were finally visible in Kazakhstan, Tajikistan and Uzbekistan.

Police-related activities have also been increasing in Eastern Europe, where the field presences and the SPMU, since 2006, have started a number of initiatives in Belarus, Moldova and the Ukraine. These initiative included awareness raising and training programmes on democratic policing in Belarus, addressing issues such as the use of force and firearms, communication skills, policing with society, domestic violence and the fight against trafficking in human beings\(^{21}\) and the facilitation of study visits and conference participation of Moldovan police experts in other participating States in 2007, to make them familiar with the concept of community policing and to provide advice on issues such as policing of public assemblies and fighting trafficking in human beings.\(^{22}\) Activities in Ukraine included support in creating a mechanism for monitoring detention centres in Ukraine in 2007 and trainings and awareness raising activities to enhance the fight against trafficking in human beings.\(^{23}\)

**Challenges for the field operations in Central Asia and the Southern Caucasus**

In comparison to the field operations in South-Eastern Europe, the OSCE field presences in Central Asia and the Southern Caucasus had the advantage of having much more time to prepare their police assistance programmes, which allowed for a thorough and strategic programme planning facilitated by the SPMU. This strategic planning also benefited from the lessons the OSCE had learned in South-Eastern Europe in the years prior.

However, this was the only advantage the OSCE had in Central Asia and the Southern Caucasus. Apart from that, the field presences were confronted with similar challenges as the missions in South-Eastern Europe. In view of the provision of financial resources their challenges were even bigger.

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Although, since 2002, funds from the OSCE’s Unified Budget have been shifted from South-Eastern Europe to Central Asia and the Caucasus, these field operations still receive only a small share of the whole budget. While in 2008, the seven field operations in South-Eastern Europe alone received 43.3 percent of the total budget, the 10 field presences in Central Asia and the Caucasus all together received only 19.4 percent, which is roughly equivalent with the budget of the Kosovo Mission.\(^{24}\) Due to the small unified mission budgets, police related activities in Central Asia and the Caucasus have been financed only through extra budgetary contributions until 2007. The allocation of extra budgetary funds from the participating States, however, proved to be a difficult and time consuming task. Due to the delays in the provision of extra budgetary funds, a number of projects in Central Asia and the Southern Caucasus could not start on time or had to be reformulated by the time funds were provided due to new conditions on the ground, also including the introduction of similar activities by other international actors. Some community policing projects in the Southern Caucasus therefore started only about two years after their formulation.

A lack of funding also posed an obstacle to responding quickly to windows of opportunities. In one case, for instance, the change of government at the beginning of the year provided opportunities for supporting a new democratically elected administration, focusing on the most pressing needs, including the prevention and management of public disorder, police reform and community policing, police training, and operational police efficiency. Project implementation started in the second half of the same year, but was affected by a slow response of participating States to the fundraising challenge. By the end of the year, only 40 percent of the programme was funded.\(^{25}\) It wasn’t until 2007, that the participating States agreed to have parts of the police assistance programmes for Kyrgyzstan, Armenia, Azerbaijan and Georgia financed from the missions’ unified budgets.

In contrast to the field operations in South-Eastern Europe, the field presences in Central Asia and the Southern Caucasus do not have the ‘carrot’ of EU Accession at their disposal in order to encourage the host states to commit themselves to police reform. Therefore, they have to rely on the visible benefits of police reform to convince their national counterparts of the value of democratic police reform. Naturally, this process takes time.

Initially, a number of host states had also shown little enthusiasm for police assistance that focused on the human dimension. Instead, they demanded primarily technical assistance (technical equipment), support for border management, and co-operation in the operational areas in the fight against organized crime and drug trafficking.

Moreover, and similar to the cases in South-Eastern Europe, changes of government did not always improve the prospects for democratic police reform,


but in some cases, also lead to the postponement of all planned activities. In addition, high turnover rates among the national authorities created certain drawbacks as the newcomers often needed time to comprehend and embrace the new policing concepts their predecessors had agreed to.

Furthermore, security-political obstacles such as protracted conflicts in Armenia, Azerbaijan and Georgia have severely hampered the implementation of certain confidence-building policing projects or even brought them to a complete halt as, for instance, the escalating conflict between Georgia and the separatist regions of South-Ossetia and Abkhazia in 2008.26

Strategies to address the challenges
As the field presences did not possess the capacities for planning and implementing comprehensive police assistance programmes on their own, the SPMU took responsibility for initiating, planning and partially implementing police assistance activities. Thorough baseline assessment of the state of policing in the respective countries, including consultations with a variety of stakeholders such as local authorities, civil society and international actors, was followed by in-depth consultations with local governments and the joint development of project strategies and action plans, which, in a number of cases, resulted in the development of sound police reform strategies. All these planning activities were undertaken by the staff of the SPMU or by external police experts contracted by the SPMU for a short time.

The development of the police experts database by the SPMU helped to identify and recruit police experts for short-time assignments. By 2009, all of the field operations have received direct access to this database. This has enabled them to directly contact those experts listed in the database who seemed to be best suited for the missions’ specific demands.

The decision by the participating States to make parts of the mission unified budgets available for funding police-related activities has improved the financial capabilities of the bigger field operations in the Caucasus and in Kyrgyzstan. Nevertheless, their situation is still far from being ideal and they face the same general financial problems as the missions in South-Eastern Europe.

The strategy of the field operations and the SPMU that technical police assistance and capacity building in crime fighting would only go hand in hand with the provision of basic democratic policing skills that would permit police agencies to close the gap in their relationship with the communities they serve and open the way to police-public partnerships has been complemented by the publication of key guideline documents on democratic policing, such as the High Commissioner on National Minorities’ Recommendations on Policing in Multi-Ethnic Societies, and the SPMU’s Guidebook on Democratic Policing, the Good Practices in Building Police-Public Partnerships and the Good Practices in Basic Police

Training — Curricula Aspects, which have been developed in close co-operation with more than 100 police experts from the OSCE region. The continuing promotion of the good practices identified in these documents, also comprising of regional high-level workshops for law enforcement practitioners, government representatives and civil society groups further helped to raise awareness of the good law enforcement practices and to identify the next steps for their implementation into daily police work in the host states. These activities resulted in the formulation of further assistance projects in a number of host States, a development warmly welcomed by many participating States who have subsequently requested similar regional workshops in different OSCE regions.

Conclusion
Despite the plethora of challenges that they have been facing, the LEDs in South-Eastern Europe have accomplished significant progress in their host states. In addition to generally improving the relationship between the police and the public, the LEDs have achieved progress in many areas of police reform, ranging from the adoption of new police legislations, codes of police ethics and operational procedures, to the creation of modern training facilities, the development and implementation of new basic and advanced training curricula, and capacity building in many specialized areas of policing such as investigation, forensics, and border policing. Notable progress has also been achieved in a number of other reform areas such as accountability, human resource management and regional police co-operation.

In Central Asia and the Caucasus, promising results have also been achieved in a number of host states covering a variety of policing aspects; although sometimes at a slower speed than in South-Eastern Europe due to an even greater lack of resources and political incentives. There has been a remarkable increase of police assistance projects in public order management, crime investigations, drug fighting, and the fight against trafficking in human beings, going hand in hand with crucial elements of comprehensive police reforms such as community policing, accountability, public oversight and monitoring of detention facilities and basic legal and administrative reforms, which have complemented the pragmatic and technical assistance provided primarily in the initial phase of police assistance.

Finally, in the last two years basic elements of democratic police reform have also gained a remarkable level of interest by a number of participating States in Eastern Europe. The regional roundtable on the operationalization of the Guidebook on Democratic Policing which is scheduled to take place in Minsk in 2009 is the latest promising step in this regard.

With respect to the scope of activities it should be reiterated that the OSCE is not geared for delivering a large amount of technical aid in the form of equipment, and should thus retain its focus on providing assistance in conceptual and structural police reform activities. The vision of democratic policing is promoted by the SPMU, the field operations and other executive structures through the development and dissemination of relevant guideline documents and their
operationalization in the participating States, particularly through extensive training and other capacity building activities.

During the last ten years, the OSCE gained invaluable experience and knowledge in the training area and in the implementation of police reforms in post-conflict societies and societies of transition, which the organization since 2006, has also started to accumulate and preserve as its institutional memory within the Policing Online Information System (POLIS).27

Furthermore, the OSCE has demonstrated its commitment to long-term engagements, which is crucial for achieving sustainable reforms.

The OSCE is therefore well placed to maintain a key role in international police reform assistance.

Moreover, the OSCE’s competence and institutional knowledge in police-related activities is well acknowledged and utilized even by other international organizations, as well as the OSCE’s capacity to promote regional co-operation among its participating States, in particular in the fight against transnational organized crime and terrorism. Here the OSCE has been very successful in cooperating with the UNODC in promoting among its participating States the ratification and implementation of relevant international conventions, such as the UN Convention on Transnational Organized Crime (UNTOC) and its protocols.

The OSCE’s achievements in this wide scope of police-related activities, which have been pursued in accordance with the field operations mandates and further taskings promulgated by the participating States in a number of Summit, MC and PC decisions over the last ten years, have been acknowledged and welcomed by the participating States.

Nonetheless, a number of participating States, not least because of the scarce resources available, promote the creation of a clear strategy of police engagement for the organization, which would streamline and prioritize activities and provide clear guidance for the coming years. In principal, this request is very reasonable, as a clear strategy and political guidance would allow for the accumulation of resources for a limited field of activities and for long-time planning of activities. However, the annual discussions about the budget, programme outlines and performance reports of the executive structures repeatedly demonstrate that there are significantly diverging views among key players of the OSCE with regard to the main tasks. It will therefore be difficult to find an agreement on further prioritizing certain tasks.

27 POLIS can be accessed at: www.polis.osce.org.