

REPORT

OSCE

**FIRST PRELIMINARY REPORT
ON A FOLLOW-ON MISSION
TO UNMIBH AND THE
UN INTERNATIONAL POLICE TASK FORCE**

**BY
RICHARD MONK**

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**ORGANISATION FOR SECURITY AND CO-OPERATION IN
EUROPE**

Foreword

Following the September Meeting of the Political Directors of the Peace Implementation Council, this Report was commissioned by Ambassador Robert Beecroft, to ensure that the OSCE Mission to Bosnia and Herzegovina would be in a position to contribute positively to the forthcoming discussions on a successor Mission to the UNMiBH.

The report is intended to provide a preliminary overview regarding police related issues, which will need to be considered by a follow-on mission.

The Report is the result of a single week's fact-finding merged with knowledge of less recent international and local policing matters in Bosnia.

No international organisation possesses the political, administrative and operational structures of the UN. After six years of irregular but persistent development of police reform in Bosnia Herzegovina, UNMiBH has gained a substantial knowledge of contemporary local policing matters and has comprehensive development programmes in place. If any organisation, other than the UN, is actively to consider the mode and method of driving local police (and possibly judicial) reform beyond the year 2002, collaboration, assessment and survey work will need to begin immediately.

Summary

The SRSG for UNMIBH has announced that unless decided otherwise by the Security Council, the mandate for the UN Mission in BiH will expire in Dec 2002. European Institutions and Organisations and particularly European states and the participating states of the OSCE will require an objective assessment of the work to be undertaken by a Follow-On Mission.

The overall strategy must remain the development of the Bosnian police to a level comparable to its European counterparts. This will need defining but will include concepts of institution building as well as advanced training in professional skills. A stronger focus should be placed on freeing the police from political interference in favour of public accountability, greater openness and transparency, independent performance and financial review, independent oversight of internal controls as well as advice to Ministers on strategic policy-making. Leadership, management and specialist training should be concentrated at middle and senior command levels only. The method should be, co-location of high quality, individually selected international policing experts as knowledge partners to local commanders and heads of specialist units. The mode of operation should be participative but carry authority for oversight and intervention.

The tasks to be chosen and hence the staff numbers and costs of the policing element of a Follow-On Mission are not clear, although UNMIBH has prepared estimates according to its own vision. What is clear, is that a detailed assessment of future policing priorities must be carried out without delay, if possible by a collaboration of senior police representatives of the UN, OSCE, EU, CoE and Stability Pact as well as local Ministries.

Background

Annex 11 of The General Framework Agreement for Peace in Bosnia and Herzegovina (The Dayton Agreement), requested the United Nations to establish by Security Council Resolution (SC1035 of 13 Dec.1995), an International Police Task Force (UNIPTF) charged, mainly, with monitoring, advising and training local law enforcement personnel. Subsequent Peace Implementation Council declarations supported by UN Security Council Resolutions strengthened the involvement of the IPTF in local police re-structuring or added specific tasks such as intrusively ensuring that allegations of human rights violations and malpractice by police be properly investigated.

The IPTF's mandate has become the most comprehensive ever given to a peacekeeping police force. Because of deep-rooted corruption and links to organised crime amongst many local politicians, coupled to persistent extremist interference in local policing on either side of the Inter-Entity Border Line, few UNCIVPOL missions have been asked to manage police reform and police re-structuring according to such complex expectations and in such trying circumstances.

The policemen and women of Bosnia and Herzegovina (BiH) possess mixed experiences and abilities. Some have very little aptitude for the role of the police

officer. Others are hard-nosed and shrewd with years of detective achievement against which to test the relevance of any IPTF contribution. Innovation and expertise are needed to progress the difficult work of reform of local police principles and practices. Training programmes have become more specialised and sophisticated. Equipment and assistance programmes have been developed to match this level of sophistication. General monitoring has giving way to a system of directed assistance by accompanying selected law enforcement personnel. Investigations into alleged human rights violations by the local police are more frequent and rigorous. Greater attention is being paid to complex areas of corruption and organised crime. Community policing projects have been designed and implemented. The reform task ahead of the IPTF is as much about issues of self-governance as the transfer of policing skills.

The Dayton Agreement remains an open-ended peace agreement. It is not a strategic plan supported by executive power and against which success or failure may be measured. No member of the UN was invited to participate in its drafting and no police officer contributed to the preparation of Annex 11. It has therefore been left to successive Heads of Mission and IPTF Commissioners to choose the principal components of a police reform programme and to create systems for project managing each component. The present UNMIBH Mandate Implementation Plan (MIP) is 'a consolidated mission-wide strategic and operational framework for the completion of the mission's core mandate by the 31 December 2002.'¹ The MIP has the following six core programmes:

- Police Reform: to raise police personnel standards to international level including observance of human rights;
- Police Restructuring: to rationalise the size, structure and resources of police forces to establish effective, efficient and non-political law enforcement institutions;
- Police Criminal Justice Co-operation: to improve police procedures and practices necessary for effective criminal justice follow-up;
- Institution Building and Inter-Police Force Co-operation to build the State Border Service, combat inter-entity and trans-national crime and facilitate international police co-operation;
- Public Awareness; to foster a knowledgeable and supportive citizenry as an integral part of implementing the principles and practice of democratic policing;
- Support for BiH participation in the United Nations system.

Progress in each programme is tracked across the seven IPTF Regions by a Mandate Implementation Team. A Mandate Implementation Plan Consultative Body comprising local academics as well as international and local law enforcement officials has been created to give local ownership to the changes.

In addition, the IPTF Commissioner has drawn up six major police technical assistance programmes intended to establish core competencies and professional confidence within areas corresponding to key contemporary policing tasks elsewhere in Europe. These comprise:

¹ See Introduction: UNMIBH Mandate Implementation Plan (2000-2002)

- A Public Order and Security Programme
- An Internal Affairs Programme
- A State Border Service Programme
- A Criminal Police programme
- A Police Administration Programme
- A Court Police Programme

Despite wearisome obstructionism, and constantly having to amend expectations according to the actions of the 'spoilers' and foot draggers, UNMIBH has exerted a major influence on the political direction of policing development. Welcomed by some and hindered by others, IPTF police officers closely engage to mentor police commanders and specialists of all ranks by physically locating themselves within local policing facilities. The vision of 'A Police Force Fit For Europe' provided by UNMIBH as a touchstone for both Entities, points them in the ultimate direction of a combined State police force but also serves to underpin common police practices according to European expectations.

The October Progress Report on the Mandate Implementation Plan shows that of sixty-six projects, thirty have been completed, twenty-eight are continuing and eight are in the planning stage. The State Border Police Service has a current strength of 1,400 police officers against a goal of 2,700 and presently covers 75% of the BiH border. A State Information and Protection Agency (SIPA) is being created to improve police co-operation between the 23 police administrations in dealing with organised crime. A Police Commissioner Project aimed at the appointment, through open competition, of Chiefs of Police with high professional and personal qualifications but no political affiliation has been adopted in six of the ten Federation cantons and by the Republic Srpska. In Sarajevo and three hard-line Croat dominated Cantons, the scheme is confronting political obstructionism.

UNMIBH intends to have completed the Mandate Implementation Plan by the end of 2002 but the persistent combination of severe political penetration, very low salaries and a lack of professional pride and esteem look set to diminish the value of the work or even threaten its completion. (For example, police still do not see it as their obligation to protect returnees). It is the SRSG Jacques Paul Klein's dismal but justifiable prediction that, notwithstanding the tireless efforts of many members of his staff, the end of the next three years may be marked by the familiar features of:

- a stagnant or depressed economic situation with high levels of unemployment contributing to social tension and unrest;
- the continued presence and influence of ultra-nationalist political parties. (As in several Central European countries, hard-line nationalists could even return to power on the back of popular disappointment about the inability of democrats to improve the economy).
- extensive corruption and organised crime. Criminal syndicates will become more sophisticated and more violent. This may be offset by the beginning of effective border control, reduced illegal migration and trafficking and improved customs collection.

- strategically placed and isolated minority communities continuing to demand observance of their human rights including the opening of destroyed religious facilities with politicised commemorations. Religious reconciliation will not have taken root - posing persistent problems between Croats and Bosniacs in the Federation. BiH will have passed the peak of minority returns.
- the full list of ICTY indictments (but not arrests) will be complete; local war crimes trials will generate attention and heat.²

Bearing on all that UNMIBH currently contends with, are the disruptive influences of nationalist and criminal forces elsewhere in the region. Regional co-ordination is crucial but requires greater political will and funding to create and sustain it. Agreements have been signed by BiH, the FRY and UNMIBH to train the trainers of the new Yugoslavia Border Police Service and facilitate the exchange of information and operations against trafficking in human beings, but there is no single recognised regional organisation overseeing a repository of information relating to categories of threat or actively providing the co-ordination of effort to counter them.

The 23 BiH police administrations comprise the Federation Ministry of Internal Affairs, the ten Federation Cantons, each with its own Interior Minister and Deputy Minister, the Republic Srpska with direct control over nine Public Security Centres (may reduce to five), the semi-autonomous region of Brcko, the State Border Police Service and the State Information and Protection Agency (SIPA). Overall, the Federation has 13,941 police officers and the Republic Srpska 10, 327.

The IPTF currently has 1850 officers. The IPTF Commissioner is supported by a Deputy Commissioner responsible for an Operations Office, Programme Co-ordinators, Training Sections, Senior Advisors, Legal Unit (comprising the Court Police) Human Rights and Donor Aid Co-Ordination; and a Chief of Staff responsible for Personnel, Logistics, Internal Training and Internal Control. Private Office Support Staff and a Chief of Commissioner's Cabinet report directly to the Commissioner. Co-location forms a significant feature of working, with IPTF monitors attached to 218 of the total 308 local police stations.

Issues

Notwithstanding the comprehensive programmes in train by UNMIBH, there is insufficient local willingness to embrace major concepts, which underpin progressive law enforcement reform and thereby build public trust and confidence in the police.

De-Politicisation

The Federation Minister of the Interior, Muhamed Besic (B) has recently been forced out of office apparently for too warmly embracing policies of ethnic representation and anti-discrimination within the Federal Ministry. Nevertheless, the Acting Minister of the Federation, Tomislav Limov (C) previously Besic's Deputy, points to the fact that both Ministerial post-holders share a single Chef De Cabinet and single

² Extract from 'The West and the Balkans' Remarks by Special Representative of the Secretary General, Jacques Paul Klein to The Atlantic Council of Slovenia, 5 October 2001.

Secretary and gives as proof of the independence of policing, the appointment of Serb police officers within his jurisdiction. He also cites police operations in the Capljina area, which few believed would ever be undertaken. Currently, some but not all, Ministers of Internal Affairs of the Federation Cantons also declare de-politicisation to be a principal goal within their respective Ministries. The means chosen are to require that no senior officials shall be members of political parties and to see that clear authorities and responsibilities are specified in respect of every member of a police force. The Interior Minister of the Republic Srpska, Dragomir Jovicic believes that a similar step is necessary, so that police may fight for professional status and not be susceptible to political changes in any way.

Nevertheless, the law applies to every individual and so far as the police uphold the law they are in the service of the individual – not the State. This is not the experience of the recent past and is not the case now. Currently, the words 'police' and 'Ministry of Internal Affairs' are interchangeable, hence working for the Ministry and working for the police mean the same thing. To all appearances, pending constitutional changes, Internal Affairs Ministers are effectively the heads of their respective police forces irrespective of whether individuals in the line of command hold party membership.

Co-operation on operational police matters between the two Entities requires the formal agreement of each Entity's Interior Minister. The principal forum for deliberation on such matters as organised crime, trafficking and information sharing is the Ministerial Committee on Police Matters organised by UNMIBH and led by the Commissioner of the IPTF. Because the Federal Minister cannot deliver the support of the ten Cantons, three Cantonal Interior Ministers represent the remaining seven. Proposals to create a national diplomatic protection service, a national anti-terrorist unit, a national unit to deal with organised crime and trafficking and the establishment of a national police academy are four ways supported by Minister Limov to strengthen joint-Entity participation and as a basis for a future state police force. Previously a senior crime investigator, Minister Jovicic will understand the value of this but seems bound to resist in line with the long established political position of the RS. As a result, it is difficult to see how a State with separate and autonomous police forces, judiciaries and intelligence services can co-ordinate its effort or its participation with European counterparts.

Openness and Transparency

There remains a need for greater openness and transparency. Attitudes and practices, well developed in other European countries, to ensure that the public may be informed about and have a voice in the mode and operation of policing, are lacking. The practice of co-locating IPTF Monitors alongside their professional counterparts does not guarantee full and frank disclosure of internal policies or lines of decision-making. This conforms entirely with the legacy of a post Communist state made worse by being embroiled in intra-state war but, in line with the contemporary need for reform, the degree of change required will need to be substantial.

UNMIBH will shortly commence an audit of policing structures within the ten Cantons followed by a 90 day Action Plan phase to bring each to a comparable level with Brcko. (A similar scrutiny of police internal structures and performance within Stolac in 1999 led to serious violence being offered to IPTF officers). Far

more necessary is a fundamental grasp of financial accounting within each police administrative area. The placement of international finance experts at strategic points in government accounting with powers to see or countersign allocations and disbursements would greatly improve knowledge about financial propriety and increase the confidence of international donors.

Internal Control

The scrupulous willingness of a police organisation to investigate complaints against its members or its policies is fundamental to human rights. Currently complaints are monitored and followed up and the UNMIBH MIP for 2002 will incorporate external measures for securing redress. The future imperative is to quality-assure the work of all Internal Control Units in a way that satisfies the public. To enable people to thrive, they must feel secure and confident that the law will protect them against the abuse of police authority and confident that they are able to seek redress. Complaints against the police are frequently about the unwillingness of police to act. To satisfactorily address this concern requires the creation of an independent body, with substantial powers of oversight and intervention.

Policy and External Performance Review

Enthusiasm and understanding about the need for reform and re-organisation against a progressive vision of policing does not exist in either Entity beyond that contributed by UNMIBH. Hence, methods of continuously improving effectiveness and efficiency according to a strategic business plan aligned to UNMIBH's MIP and used to actively inform donor contributions are not willingly undertaken. Within each police force's headquarters there will need to be formal inspection units, the members of which constantly review the performance of the organisation according to key performance indicators. The test of whether each police force is effective and efficient should not be left to internal inspection. The police should be constantly challenged on why they do things in a particular way, whether they need to do them at all, e.g. many functions may be undertaken by services outside the police and whether they could do things in a more effective and efficient way. The political administration does not welcome external scrutiny of policing but it is necessary nevertheless. In each Entity (and ultimately at State level) an independent Police Inspection and Review Body should be created. The Republic Srpska Interior Ministry appears still to be working to a unilateral agenda bound by rules and procedures long outdated. There is minimal interest in finding expert partners who can accompany the RS Ministry and Public Security Centre Chiefs of Police along the road to EU integration because there is no road map. Dark political and nationalist motives condition the mindset of many senior police officials and low pay and corruption provides a negative force that cancels much of the positive international contribution.

Crime

The level of conventional crime remains low and despite current circumstances, the level of clear up is relatively high. By far the greater threat to civil society comes from gangs of organised criminals and trans-border organised crime. The value of calling on international specialists to help tackle organised crime is offset by the reluctance of police officers to face ruthless opponents in the face of threats to themselves or their families. The absence of laws to deal with aspects of modern

organised crime and the blatant intimidation, political interference or corruption of judges present insurmountable obstacles.

Financial Crime

Within the Republic Srpska, finance police have been merged with tax administrators. An Economic Crime Unit has been established within the RS Ministry of Internal Affairs but police drawn by higher salaries are choosing to apply for the Border Police Service and numbers are dwindling. Within the Federation of BiH, finance police have been transferred from the Ministry of Finance to the Ministry of Justice to tackle fraud. (The Ministry of Internal Affairs, the more obvious location, was apparently not chosen because of likely political interference). Recruitment of 120 officers has been stopped at 80. The officers are experienced but the public prosecutors are not.

The Customs and Fiscal Assistance Office (CAFAO) funded by the EC has remained rock steady in its purpose and resolve to aid BiH to build a modern customs institution. It reports that the Entities and the State have all that they need to launch a functioning customs service. Officers have been trained and provided with formal systems and manuals, have received some of the best technical equipment available and been given powers to act under a new Criminal Code, yet fail to adequately operate. Salaries remain low and corruption is endemic. Crime intelligence systems are not functioning because customs and police officers are not paid sufficient to care or else are too fearful of being betrayed. Political appointees with bad records are re-cycled in and out of the administration and the system of appointing heads of customs houses is unsatisfactorily reliant on political patronage. The loss of revenue on imported goods is conservatively reckoned at 50 million dollars per annum and the international community is discredited by its incapacity to deal with what every local woman and child knows is going on. CAFAO has a role to play in counter-terrorism and countering organised crime activities but is leaving at the end of 2002. Counter-terrorism measures will add to policing and immigration task issues, e.g. the introduction of a stiffer visa regime.

The 21 member Anti Fraud Department of OHR is due to remain until 2004. The Department is currently engaged on investigating organised crime links to a Bank, undertaking investigations into fraud within the energy sector and drafting new legislation. The section is overwhelmed by potential work.

Courts

The structure and functioning of the judicial system is a strongly criticised element in the current criminal justice system. It is regrettably true that criminal judicial reform has received much less attention than policing reform and that civil judicial reform has received even less. Efforts to stiffen the resolve and crime fighting capacity of police investigators against major criminals are frequently thwarted by poor quality prosecutors and judges who remain weak, fearful or corrupt.

A Judicial System Assessment Project (JSAP) was created by a Security Council Resolution in July 1998 to monitor the judicial system as a whole and provide the analysis or diagnosis of problems within it. Subsequently, it advised on the appointment of judges, made contributions to their training and to co-operation

between police, prosecutors and courts. It was frequently asked for advice on the interpretation of laws. It did not however, possess the power to oversee, stop or intervene in prosecutions. Late in 2000, JSAP withered for lack of funding and after another empty period was replaced in March 2001 by the Independent Judicial Commission (IJC). Within UNMIBH, a much smaller Criminal Justice Advisory Unit was created to provide help to other parts of the Mission on criminal justice and judicial system issues. The IJC began its work in earnest in July 2001 and has identified a comprehensive list of core objectives in a Strategy Paper for 2001-2002. Recently, judge's salaries were substantially raised following an Order by the High Representative but with consequent envy and criticism from other professionals. Whilst the determination of the High Representative to use his powers has sent a valuable signal to the opponents of judicial reform, most, if not all of the objectives laid out in the IJC Strategy Paper will require the similar exercise of international direction or sustained political pressure. Meanwhile, local political interference remains as strong as ever.

Links between prosecutors and the police are considered by the IJC to be very weak with resulting poor supervision of cases. Criticism of the courts is offset by poor evidence gathering on the part of police. (A MIP Action Plan addresses this shortcoming). The courts structure is considered to be too flat with the consequent loss of major criminal cases at lower courts. A whole basket of legislation is outstanding coupled to which minor comparative analysis points to unhelpful variations in laws and penalties for identical offences within the region.

A Courts Police has been established to protect judges and courts and to enforce civil proceedings verdicts or the collection of fines because regular police force refuse to do so, thereby incurring a debt in their favour from a criminal. Such use of manpower, in the face of blatant refusal by others to do the work expected of them, is questionable.

Police Manpower

The ratio of police per head of population is astonishingly high. A process of downsizing is currently being undertaken and there are plans to reduce the Republic Srpska police by 10% during the forthcoming year. The process of downsizing is linked to the time consuming process of vetting and screening of police officers prior to permanent certification. This process may be expected to continue beyond 2002.

Minority representation within the police forces of each Entity - a key measure for encouraging minority returns - remains low. Of the 10,327 regular police officers in the Republic Srpska, there are 414 ethnic minority officers (4.1%). Of the 13,941 regular police officers in the Federation of BiH, there are 717 minority officers (5.15%). Ethnic minority recruitment occurs through direct entry to Academies, refresher training for former police officers or transfer from one Entity to another. The latter is severely unfavourable to the Republic Srpska in virtue of political obstructionism and the higher salaries paid to Federation of BiH police officers.

Women are substantially under-represented in policing.

Low police pay remains a major hindrance. (A lesson from the direction to dramatically increase the salaries of judges is that it would be better if pay were increased incrementally).

Education standards are diminishing across the country. Notwithstanding the need to enhance the status and pay of the police officer, the pool from which good quality recruits and future leaders may be drawn is becoming smaller.

SFOR

The ability or willingness of local police to police in an impartial manner and by so doing create a safe and secure environment for displaced persons and refugees, is a major consideration in deciding on the remaining size and structure of SFOR. At present, DPRE returns are not sufficiently deep-rooted or stable and it is frequently the presence of SFOR forward operating bases and patrols that provide returnee confidence. SFOR deployment is now inextricably bound up with IPTF or local police effectiveness in countering intimidation and public disorder aimed at ethnic minorities. SFOR's capability to patrol anywhere in all-terrain vehicles, its attendance at contentious evictions of persons illegally occupying properties, its support to IPTF in conducting weapons' checks, the disarming of dismissed police officers refusing to hand back their weapons and its intelligence contribution to IPTF in support of local police operations against organised crime, all remain crucial.

Significantly, although SFOR rules of engagement permit the deployment of the SFOR Multinational Specialised Unit (MSU) at scenes of actual or anticipated public disorder, they may do so only when local police refuse or lack the ability to act against members of their own ethnic group and the safety of other ethnicity's is threatened. The so-called 'security gap' exists not between SFOR and the IPTF, which has no capacity to deploy in such matters, but between SFOR and a minimally trained and equipped local police. Comprehensive joint training of local police in police order tactics by IPTF and Italian Carabinieri members of the SFOR MSU has been planned but the costs of equipment and accommodation have still to be found. Meanwhile, it is questionable whether SFOR may be asked to provide a credible back-up to stiffen the resolve of local police public order units at scenes of wide-scale civil disobedience unless protection or, if necessary, extraction of ethnic minorities becomes an imperative. The level of threat is currently assessed as low and there is praise for the Republic Srpska police who twice sustained serious injuries whilst confronting violent disorder in Banja Luka but a visible security gap remains which advanced training and local political assurances must quickly close.

While plans exist to reduce the current strength of SFOR from 18,500 to a Deterrence Force of 12,500 (DFOR), no change in numbers is currently being recommended to the North Atlantic Council. If agreed, there remains the real possibility that countries may reduce their contingents in the face of stronger military commitments.

A FOLLOW-ON MISSION

Strategy

The Head of UNMIBH has already posed a question about the shape of a Follow-On Mission favouring a Rule of Law Mission above a Stand Alone Police Monitoring Mission. This is a sound judgement. Judicial reform is as vital as police reform but so too is penal reform therefore simultaneous progress on all three should be matched and co-ordinated. The ability of a successor organisation to realise maximum positive impact and a seamless transition will depend greatly on the support from UNMIBH and the IJC to enable them to develop their strategy during the coming year.

The principal mode of operation of the police element of a Follow-On Mission should be to provide shoulder-to-shoulder participation by a much reduced but highly experienced number of policing experts alongside local counterparts. The aim should be to offer strategic and tactical oversight and guidance to middle and senior ranking commanders only, with recourse to intervention and sanctions if obstruction or malpractice is evident. Whilst it is not reasonable to expect that an international police commissioner can directly hold in excess of 20,000 police officers accountable for their actions, with political support from the International Community he may most certainly hold accountable divisional commanders and above within the 23 police administrations. Teams of international police officers and civilian policing specialists, e.g. forensic experts may also take part in comprehensive joint working groups to set up or improve the skills of a local units. For example, should a local force wish to set up a domestic violence unit, international police officers and members of NGOs experienced in running such units would form a mirror image alongside the local unit.

Consistent with the progress achieved by UNMIBH, the Follow-On Mission police element strategic plan should include creating a vision for policing at State and Entity level which should be facilitated by international business change management experts and include local academics and judges as well as local police commanders. In this regard the follow on Mission will require to include among its staff those serving or retired police officers who have experienced major re-organisation within their agencies.

Inclusive involvement of the local authorities in the planing of the follow on Mission must occur from the outset, it will be vital to ensure successful and sustainable capacity building. The determination of authorities, expectations, mode of operation and placements should accompany an independent inventory of current police competencies and culture. Local Ministers should be clear about the international commitment to providing accomplished professionals to implement the program and the International Community must demand reciprocal assurances regarding openness and co-operation from the very start.

The extent of the current actions of spoilers and foot-draggers indicates the need for a comprehensive scale of political, security and economic responses incorporated in a much tougher mandate, which is capable of speedy and robust application. Co-operation should be linked to organisational rewards but obstructionism should carry penalties for the individuals involved.

A strategic plan for command oversight and capacity building should be time limited to three years. Thereafter, a small number of participating States should be encouraged to continue specialist support through bi-lateral activities.

Structure

The structure of the new police follow on Mission should be flatter and less hierarchical than the present IPTF. By focusing its most significant resources at command level in the field, the strength and capacity of a headquarters may be reasonably lean but not emaciated. The experience of IPTF teaches the need for back-room resource and administrative support

Reporting lines should be clear and short. It is imperative that activity is focussed on achieving goals and overcoming obstacles and not valueless reporting. To ensure maximum effectiveness, the Commissioner and his senior staff must have the freedom to create networks of support with other agencies.

Streamlining

The current proposal to bring together all international activities under the co-ordination lead of OHR is supported. In order to successfully achieve the desired level of planing integration and co-ordination, OHR must enhance its operational co-ordinating capacity e.g. Principals' meetings should be small in number and Principals' decision-making should be supported by a policy analysis unit that charts progress, identifies future considerations and provides options for action.

Police regional co-ordinators should collaborate in a similar way with their counterparts. The number of police regional co-ordinators may be decided according to the span of requirement. Information between agencies must be shared in order to ensure that the Maximum potential of the collective effort is achieved. Disappointments or criticisms must be resolved at the lowest possible operational level.

At the centre of the police element of the Follow-On Mission must be a dynamic plan and critical path with milestones that are achievable. Consideration should be given to benchmarking aspects of police activity against progressive commercial practices. The plan must measure outcomes not outputs and be capable of differentiating between qualitative and quantitative performance measures.

In order to ensure that maximum effectiveness is achieved, the reform and development of the local police must be matched by the capacity and flexibility of the police successor organisation to adapt to evolving demands.

Systems

Systems need to be in place to enable the policing element of the Follow-On Mission to achieve a seamless transition from the completion of the UNMIBH MIP to the new program. It is imperative that the workforce understands and is committed to

achieving goals. The staff will need to possess manuals and templates, which are specific to common tasks to aid their inspection and assessment.

The follow on Police Mission will rely heavily on the UNMIBH information databank. UNMIBH should be asked to provide information from within its own systems and about which systems must be maintained. These will be bound to include information necessary for vetting and certification of serving and future police officers and such things as managing Trust Funds. It is a recurring feature of international agencies that far too little attention is given to ensuring the preservation of organisational memory. It is essential that the follow on Mission develop an effective archive system in advance of its becoming operational.

Communications between international staff is traditionally difficult. Effective means of communications and transport are vital for operational success. Estimates of communications, transport and logistics needs should be compared with the existing UNMIBH infrastructure.

The deployment of policing experts in a consultative and capacity building role must be supported by the authority to make decisions speedily with sufficient devolution of decision-making authority. The international community is frequently criticised by locals for being slow to react. A recent example cited is that the goal to build a multi-ethnic police force means that there are more police in some Cantons than are needed. Thus, police who are needed elsewhere to deal with current terrorist threat are not there. To reassign manpower requires IPTF agreement but the corresponding requirement to process an officer's history and character substantially delays the move.

Staffing

At present, IPTF has 1850 officers including 120 allocated to the Border Police Service. The IPTF has already calculated a reduction in the requirement of police monitors to 480 immediately following the October 2002 elections. The estimate is helpful but should be tested against the establishment requirement of the new organisation. Early planning between UNMIBH and the Follow-On Mission planning team should identify any suitable officers who may be transferred to the Follow-On Mission.

Skills

Staffing profiles must be clear and matched by high quality police or civilian advisers. Co-location as a strategy means policing specialists must be able to build up relationships of personal as well as professional confidence and be capable of working independently alongside local staff for long periods. The work they are committed to doing should be clear to both sides and should be documented. They should be part of an expert network, in some cases extending beyond the Mission, which will also offset any inclination to 'go native' or become ineffectual.

If the OSCE is identified as the successor organisation both the OSCE Head of Mission in BiH and the OSCE Secretariat must be convinced that countries will provide the necessary expert and experienced human resources in good time. The search should be for individuals not contingents. If candidates are unsuitable or are

repatriated for any reason there must be an unquestioning commitment to find an immediate replacement. Currently, the criteria for UN monitors are notified by UNCIVPOL to Member States, many of which totally disregard the guidance given. The OSCE REACT programme has been created to manage such provision but will be compromised if participating States' fail to create complimentary procedures. Present anti-terrorist requirements have thrown an even greater burden on national police forces. Furthermore, certain key staff will be required for more than one year or even the entire period of the Follow-On Mission mandate if effective mentoring/mentoring is to be achieved.

The reoccurring experience of poor quality staffing in Missions requires that other sources of staffing should be considered. The main aim of the new policing Mission is to provide advice to Ministers and technical assistance and training to local commanders at all levels. Within OSCE participating States, there are many police and policing (not all need to have been police officers) experts who are approaching the end of their careers, some of whom have international experience and who possess a high level of contemporary knowledge about their respective spheres of policing. Serious consideration should be given to directly recruiting such people on contract, firstly to assist with the preliminary assessments of the policing requirement and thereafter to provide oversight or intrusive monitoring/mentoring.

All international police and civilian advisers' staff must undergo pre-Mission training and preparation. This will include the topping-up of contemporary knowledge of the aspect of policing to be specialised-in and the preparation of core guidance manuals and templates to be used in the field

Sufficient interpreters and document translators will be essential. Programmes of language training for some senior posts in the new Follow-On Mission should also be provided.

Civilian backroom staffing will be vital to continuity of action between UNMIBH and the Follow-On Mission. Civilian posts may also provide continuity and institutional memory in key areas to help offset the destabilising turn-around produced by changes in front-line staff.

Shared Values

The policing element of the Follow-On Mission must have a clear mission statement. The values underpinning the purpose of the Mission must be embedded during the period of preparatory and in-mission training. Staff should be clear about their role and status, the extent of their decision-making authority and their own accountability.

Style

Personal style will vary but be related to local counterparts and professional partners. Individual style will be important and must reflect the participative and professional tone of the successor police organisation.

Recommendations

It is recommended that UNMIBH be formally requested to join an assessment team chaired by OHR, comprising OSCE, EU, COE and Stability Pact, to propose an outline of the role and functions of a Follow-On Mission.

It is recommended that the assessment team be led by a senior policing expert who should work closely with the present Commissioner of the UNIPTF. The Commissioner is leaving in March 2002 by which time he will have 2 years invaluable experience. He has intimated that he is prepared to offer advice and consultancy but only for short periods on an irregular basis.

Subsequently, the successor organisation should appoint a Planning Group to work with UNMIBH MIT to inform decision-making on principal policing functions under command of the senior policing expert as above. With the guidance and co-operation of UNMIBH, the Group should prepare explanatory documents covering all future principal elements, resource and authority requirements and mode of operation, of a Follow-On Mission.

It is recommended that all planning of the follow on Mission should incorporate the regional dimension. A decision to select long-term staff on contract will reduce the administration of rotations

It is recommended that Members of the Permanent Council of the OSCE be informed of the extent of the challenge faced given the strength of nationalist and political interference in policing and the administration of justice.

It is recommended that during the forthcoming year, maximum effort be given to judicial reform.

It is recommended that as the OSCE forms a closer programmatic association with UNMIBH in the course of strengthening its planning, the OSCE should undertake a number of programmes to support its operation in the future. These may include; an assessment of the culture of policing and a programme to inculcate values and integrity; the creation of Management Information Systems (as opposed to statistics gathering); and particularly, an examination of the entire continuum of criminal case management from evidence gathering to disposal by the courts. UNMIBH should be consulted for other suggestions.

Considerations

The international community has to learn a new resolve, reflected in a strong mandate and enforcement model. This should be factored into any OSCE decision-making. The latter requires a prepared list of ascending sanctions and a clear and unquestionable determination to enforce them. To be effective, international leaders must possess credible authority and access to immediate sanctions. At present, there is no strategy for dealing with extremists and spoilers and opposition is becoming more sophisticated and all too evident. The knowledge that the UN is contemplating withdrawal will stimulate further foot-dragging on the part of local authorities.

The requirement for suitably qualified staff cannot be stressed enough. Unless assurances can be given that such staff will be provided, no further action should be taken to create a Follow-On Mission.

The present perception of international police officers offering expert oversight and intervention at command level relies almost entirely on the satisfactory completion of the UNMIBH Mandate Implementation Plan.

The knowledge and information required to build and implement a follow-on police mission to UN IPTF requires an engagement from the earliest possible moment. A smooth and seamless hand-over is imperative. Transfer of authority should be imperceptible hence a need for the concluding UN termination year to include exercise of stronger direction and authority by OHR according to an end-state strategy

Finance

Considerably reducing the numbers of staff of a Follow-On Mission compared with the present strength of UNMIBH will reduce costs. However, a careful review of the IS and IT technical requirements of the new mission needs to occur and at the proposal to employ staff on direct hire contracts rather than totally rely on seconded personnel.

Timing

The need to begin assessment and planning as soon as possible is imperative. The scale of work necessary to pass responsibility for a country's police reform from one international organisation to another and according to an untested design is formidable. For the successor organisation to currently not possess a structure or the means for assessing the work, adds further obligations to the requirement.

Members of the OSCE Permanent Council will require regular updates and information on which to base any decisions to commit more and more resources to planning. Meanwhile judgements and early considerations need to be ready for meetings of contemporary organisations. The PIC Steering Board meets on the 06 December in Brussels.

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