

ORGANISATION FOR SECURITY AND CO-OPERATION IN EUROPE
Mission to FRY

*Assisting police reform in FRY –
ensuring a co-ordinated approach*

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INTRODUCTION

At the Ministerial Council in Bucharest in December 2001 the OSCE declared its intention to strengthen its police-related activities in order to protect participating states against emerging new risks and challenges posed by trans-national and organised crime. Drugs, human trafficking, the failure to uphold the rule of law and human rights violations were also included in a list of emerging threats to democratic values.

Ample evidence exists to show that without effective law enforcement and genuine respect for the institutions responsible for upholding the rule of law, social, political and economic stability is unlikely. Therefore, the creation of a new, modernised police service is a crucial component of the Serbian and Montenegrin Government's effort to move from an era of isolation, repression and conflict towards becoming a functioning democratic society.

This document is designed to provide an overview of the role that the OSCE has played in the police reform process, progress that has been made to date. ¹

The OSCE/OMIFRY is actively engaged in assisting the FRY and Republican Governments develop and implement reforms across all state institutions, including law enforcement structures, both through the Law Enforcement Department and co-ordinated high-level contacts by the Head of Mission (HoM). As police reform is viewed to be central to the stabilisation process in Serbia and Montenegro, the OSCE Mission works closely with Government Ministries and agencies to provide assistance to modernise the police service. This is undertaken in line with International standards and aims to integrate the FRY police services with the international policing community.

A strong working relationship has been forged between the Ministries of Interior and the OSCE. In December 2001, the Serbian Minister of Interior formally requested the Law Enforcement Department to assist as the lead organisation for co-ordinating the police reform process. In this role, the OSCE endeavours to ensure that there is no overlap or duplication in support and that assistance is timely, prioritised, sustainable and responsive to the needs of the Ministries of the two Republics.

The need to reform the police service in the Federal Republic of Yugoslavia has been defined by a number of high profile reports that have been produced by expert senior police consultants, independent research centres and government agencies. These reports have been augmented by an internal report on policing commissioned by the Serbian Ministry of Interior.² This was supplemented by an OSCE report 'Study on Policing in the Federal Republic of Yugoslavia' carried out by a senior British police consultant.³ This

¹ For specific information on all of these assessments see further the Background report on Policing in Serbia, that was developed for the Police Reform Sponsorship Conference of 5th June 2002. This report can be obtained from the OSCE website: www.osce.org/yugoslavia/documents/reports

² Mission and Vision Summary - Ministry of Interior, Republic of Serbia - 2001. A similar report is currently being compiled in Montenegro.

³ Richard Monk, A Study on Policing in the Federal Republic of Yugoslavia - An OSCE Report - October 2001

document places policing in FRY into its legal, historical, political and technical context, critically evaluating the needs and the strategic direction required for reform.

In tandem with this report, an assessment was developed on behalf of the Council of Europe that viewed the need for police reform from a human rights perspective.⁴ Additionally, the Geneva Centre for the Democratic Control of the Armed Forces (DCAF) produced an evaluation that emphasised the need for the democratic control of the police service, through the creation of external oversight structures.⁵

Viewed together, these reports highlight a number of specific areas within the police service that are in urgent need of internal reform and international support. The OSCE, in consultation with the Serbian Ministry of Interior, has taken the recommendations of the above reports and consolidated them into six priority areas of reform:

- **Police Education and Development**
- **Accountability and Internal Control**
- **Organised Crime**
- **Forensics**
- **Border Policing**
- **Community Policing**

The Montenegrin Ministry of Interior is currently undertaking a similar process and a police advisor has been placed in the OSCE Office in Podgorica to assist with this endeavour.

LAW ENFORCEMENT DEPARTMENT – MANDATE AND STRATEGY

The Mission's Law Enforcement Department is dedicated to supporting the current process of police reform in Serbia and Montenegro, together with the establishment of the multi-ethnic policing element in South Serbia which will be included within national policing structures. In addition, the department is committed to providing FRY and the Republican authorities with expert advice on policing in accordance with international and democratic principles.

The development and implementation of project activities within the aforementioned priority areas is a prime objective of the Ministries of Interior of both Republics and the OSCE Law Enforcement Department. To date, with international assistance, much has been achieved. Varied and diverse projects, covering many different areas of policing, have been developed and funding has been co-ordinated to sponsor a significant number of projects designed to develop the police service in the direction of responsiveness,

⁴ John Slater, An Assessment of the Human Rights, Ethics and Policing Standards in the Federal Republic of Yugoslavia, Serbia and Montenegro – A Council of Europe Report – September 2001

⁵ Democratic Control of the Police and Police Reform in the Federal Republic of Yugoslavia and Serbia – DCAF, Working Paper Series – March 2002

representation and greater professionalism. Most activities of the department include the following core aims:

- **To assist in Conflict Prevention Measures in South Serbia**, that will ease ethnic tension and provide a representative professional police force for the region
- **Providing and co-ordinating expert assessment to ensure that all assistance provided is planned, effective, efficient and sustainable.** This involves critical assessments, evaluations and reviews of current practices, systems and equipment. This is to ensure all international assistance is project managed and **SMART** (Specific, Measured, Achievable, Relevant and Timely).
- **Providing and co-ordinating international and national expert advice to develop systems, procedures and legislation.** This involves either the Law Enforcement Department providing support directly to the Ministry of Interior (MUP) or working in partnership with an international partner.
- **Providing and co-ordinating educational support to develop police staff.** The Advanced Police Training Centre, established in Belgrade, is an integral part of this process, providing basic training, modern policing skills and specialist courses.
- **Supporting and co-ordinating critical investment to equip the police service with adequate resources, with respect to reform priorities.** This involves, where possible, support for critical areas of investment and ensuring that police reform is effective and efficient.

Police reform within the Federal Republic of Yugoslavia requires a co-ordinated and systematic approach, within which all of the above areas should be considered in tandem. Both the Ministries of Interior and the OSCE considers the aims outlined above to be important priorities, and international support is co-ordinated and directed into these areas.

At the Police Reform Sponsorship Conference in Belgrade in June 2002, the OSCE presented a strategic paper which offered a holistic overview of police reform in Serbia. It outlines the overall aims, objectives and mandate of the Mission's Law Enforcement Department. Furthermore, it highlights the strategic direction and focus that the department is taking with regard to police reform in Serbia. It also details the close working relationship between the Mission and the Ministry of Interior and introduces programs and projects required to address the needs of the six priority areas.

TRAINING ACTIVITIES

SOUTH SERBIA INITIATIVE

The Co-ordination Body of the Federal and Serbian governments highlighted the need for the integration of ethnic Albanians into state institutions and noted that such a process

was central to reducing the sense of social exclusion in the region and would facilitate the search for a successful resolution to the crisis in South Serbia. The first and most important step of this process was the creation of the Multi-Ethnic Police Element (MEPE).

After a series of negotiations between the state authorities, Albanian representatives, the OSCE and other international partners, an agreement was reached that detailed the technical issues involved in the creation of the MEPE. A specific document – “Agreed Principles” was drafted and agreed with all interested parties.

The Co-ordination Body, the OSCE Mission to FRY and Albanian representatives formed a “Working Group” with the aim of facilitating the co-ordination of all activities related to the MEPE. This group has become the medium through which appropriate candidates are selected and problems are resolved. The Working Group has developed a concrete procedure for the selection and vetting for potential new recruits to the MEPE. A procedure that ensures openness, transparency and a professional, representative police service for the region.

Initially, a 5-day program was developed specifically for former police officers. Three courses have been completed resulting in 50 officers receiving the appropriate training, these officers were subsequently deployed. Following the success of the 5-day program, a 5-week training program was established to train additional former police officers, and reserve police officers. This program was successfully implemented in May and June 2001.

The entire Basic Police Training Program for South Serbia was built around a three-phase concept. The 5-day program followed by the 5-week program, which was augmented by a 12-week Basic Training program.

With the support of the OSCE and after months of negotiations with the parties involved, the 12-week program commenced on August 6, 2001. This training program is at the heart of our operations in South Serbia. It was established with the intention of training 406 Multi-ethnic police officers, using joint instructors from both the international community and the Serbian Police Academy. Four groups, with an average of 100 students attended this training program at the Mitrovo Polje Training Facility. After completing their training, the recruits were deployed within the existing police service in South Serbia. This program brought equal representation within the police service to all ethnic groups in the region and was one of the key components to the 'Covic Peace Plan', which was supported by the OSCE.

Following their extensive training program, the new MEPE-officers were placed within the existing ranks of the police service and received an additional 15 weeks of “on-the-job” training. The “on-the-job” training is commonly referred to as Field Training and is carried out on a one-to-one basis with a new recruit and an experienced officer. Following the successful completion of the Field Training, officers remained on probation for a further 24 weeks. During this time, the officers were continuously evaluated and remedial training was provided as necessary.

Existing officers also attended a similar Field Training program. This program was designed to provide them with the necessary skills and ability to monitor and train the new recruits. Experienced officers also received classroom instruction in key human rights issues, police ethics and guidelines for operating in a multi-ethnic environment.

Taking into considerations the specifics of the region, the following key factors and assumptions have been used while developing the concept of the MEPE in South Serbia:

- Former UCPMB members that were not involved in any criminal activities are eligible to apply to the MEPE. The approach during the selection process is that neither preference will be given to such candidates nor they will be rejected because of that reason.
- The Serbian side will accept the UNMIK and/or UNMIK verified diplomas of secondary education issued in Kosovo.
- Female candidates are encouraged to participate in the MEPE.
- New Police Officers from Medvedja, Presevo and Bujanovac will replace existing officers after successfully passing the State Proficiency Test, so the total figures of existing Serbian officers would remain intact.

In April 2002 a follow up course for the MEPE was offered as part of the Modern Policing Course that was developed for the existing Serbian police officers throughout the country. It is part of an on-going training program offered by the OMiFRY Law Enforcement Department to the entire MUP of Serbia.

Since this pilot project, "Modern Policing" has been delivered to 439 police officers in Bujanovac. It is foreseen that the course will be attended by all police officers in the region of South Serbia.

The course includes seven (7) individual learning domains, which span five days and includes approximately thirty hours of instruction. International police training staff teach six of these domains; while one block is taught by national police training staff.

The OMiFRY Law Enforcement curriculum unit, with input and suggestions from MUP, developed the learning domains for this course. These modules follow the recommendations of the OSCE report 'Study on Policing in the Federal Republic of Yugoslavia.' These modules include:

- Law Enforcement and the Community
- Communication,
- Use of Force,
- Defensive Tactics,
- Legal Update,

Courses delivered by OSCE personnel incorporate international standards of human rights, police conduct, and police ethics. All courses are interactive using group

discussions, group activities and self-assessment activities. Each course is summarised in a student handbook, which is provided to each participant.

The expected date of the completion of the project in that region is envisaged for December 20, 2002 and will have resulted in over 600 police officers being trained.

The following statistics indicate the the participation at the different training programs for MEPE with regard to gender and ethnic representation:

| Course | Albanians | | Serbs | | Roma | Other | Total |
|----------------|-----------|---------|-------|---------|------|-------|------------|
| | Males | Females | Males | Females | | | |
| 5-day | 25 | - | 25 | - | - | - | 50 |
| 5-week | 15 | - | 15 | - | - | - | 30 |
| 12-week | 239 | 7 | 103 | 21 | 2 | 3 | 375 |

Challenges and plans for the future in South Serbia

A primary objective for 2003 is the integration of the South Serbian police force into the national police structure. In conjunction with DFID, a study of the current situation regarding confidence building measures in the South Serbia was carried out, focusing particularly on the community policing aspect. A draft implementation plan was compiled, in consultation with the Ministry of Interior, for the establishment and improvement of ongoing community policing initiatives and structures that will raise the level of trust between the public and the police and result in increased police efficiency. The region of South Serbia is designated as one of the five pilot areas for the implementation of a national community-policing program, the other pilot areas include Zvezdara, Belgrade; Vrnjacka Banja, Central Serbia; Novi Becej, Vojvodina; Kragujevac, Central Serbia.

MODERN POLICING TRAINING PROGRAM

The Modern Policing Course was developed for existing Serbian Police officers, as part of an on-going training program offered by the OMIFRY Law Enforcement Department. It is foreseen that the course will be attended by all police officers in Serbia. This course has been provided at a number of sites through Serbia including, Bujanovac, Mitrovo Polje and at the OSCEs Advanced Police Training Centre in Belgrade.

As of 9 October 2002 - 1169 officers have attended the Modern Police Training Course and it is expected a total of 2500 officers will be trained by the end of the December 2002. This amounts to 25 percent of all Serbian patrol officers and includes 600 officers from South Serbia.

The development of basic police training and a model for police education specifically structured for the purposes of Montenegro is currently under consideration and is high on the agenda of discussions between OMIFRY officials and the Montenegrin Ministry of Interior.

Furthermore, the development of specialised police training in both Serbia and Montenegro will be the focus of the LED in 2003. This training will take place across a number of disciplines, and aims to increase police effectiveness and enhance societal in the ability of the police services.

POLICE REFORM

In line with the recommendations of the study on 'Policing in FRY', a co-ordination conference was held in December 2001 to outline the way forward for police reform activities. At this gathering it was announced that the OSCE would be the lead organisation for police reform activities in Serbia.

Much has been learnt regarding reform co-ordination and implementation, as a result of this role. How an organisation approaches a reform process, can have a direct impact on its successful implementation and its acceptance at government level. The main lesson that has been learnt from our experience in Serbia is the need to have government and local ownership of the reform process.

It is imperative that the strategic direction of the reform process is based on sound, international and national expertise. This is to ensure that the program goals are relevant and that they meet local needs. Once the program goals, activities and specific projects have been developed, these are present to the relevant Ministerial working group for approval and where necessary adapted. There was in this respect government buy-in to the implementation plan.

Thereafter, a strategy is worked out in conjunction with the Ministry and an implementation plan is then developed that is carried out with the assistance of international sponsorship and expertise. Project development and co-ordination with international partners take place so as to obtain the necessary support and to ensure that there is no project overlap

We have found that this process ensures government support for reform process, thereby maximising the reform impact and ensuring the success of the program area. Furthermore, it provides a co-ordinated approach to reform that ensures support is provided to critical areas in a timely and prioritised manner.

THE 6 PRIORITY AREAS

1. Police Education and Development

This program area is actively engaged in the development, rationalisation and modernisation of the police education system. This is achieved through the development of new curricula and new institutional structures (merging the existent institutions into one) within the police education system. This program will have tangible results with

regards to police training efficiency and will produce a highly professional police graduate. Part of the development of the police service is the objective to make it more representative and effective.

- Substantial success has already been made in this area, including the fact that following a successful recruitment drive 350 new female recruits have been added to the ranks of the police service and for the first time 30% of the student population in the police academy is female.
- Although the OSCE Belgrade Advanced Police Training Centre, established in September 2002, is primarily used to deliver OSCE police training programs. This site will also be used to support national education programs. This will include the provision of an established infrastructure from which training can be delivered. It also entails assisting the Ministry of Interior and the OSCE with quality assured training activities in order to ensure all educational support is consistent and meets critical needs, together with international policing standards and human rights conventions.
- A Dutch police education expert has compiled a report on the system of police education with recommendations for improvement, based on a thorough assessment of the planned institutional reform of the system of police education in Serbia. An implementation strategy is currently being developed to realise the recommendations in this report.

2. Accountability and Internal Control

This program aims to promote and improve police accountability through the establishment of an internal investigative unit, an external independent oversight body and a parliamentary sub-committee to ensure police service transparency and effectiveness. This program of activities also involves recommendations of the most effective systems, policies and procedures of internal/external and Parliamentary oversight that should be implemented, as well as anti-corruption initiatives within the Ministry of Interior.

The OSCE and Council of Europe provided a Joint Report on Police Accountability in FRY. The report highlights issues of internal accountability and the general state of oversight of the police service, while making recommendations for reforms which would be in line with EU standards and democratic principles. The Department is developing an implementation plan for Serbia and Montenegro that will incorporate the report's findings into a draft implementation plan for the establishment of anti-corruption initiatives and police oversight mechanisms.

3. Organised Crime

Through enhancing the quality and effectiveness of police investigations related to organised crime, this program area aims to increase public safety, improve co-operation with other international police organisations and provide the resources, training and

legislative support necessary to effectively tackle major and serious crime, including terrorism.

- The UK's National Criminal Intelligence Service (NCIS) provided an analysis of the assistance required for fighting organised crime in Serbia.
- A comprehensive analysis of the IT needs for the capacity development of the Organised Crime Directorates in Serbia and Montenegro was conducted by an OSCE expert, in partnership with the Ministries of Interior.
- Some of the critical technical investments to develop the capacity of both Republics in the fight of organised crime and terrorism have been co-ordinated by the Department. (secure communications and IT equipment)
- The Department played an integral role in supporting the re-establishment of the FRY Interpol Office in Belgrade.
- The Department is currently involved in providing expert assistance and a co-ordinated approach to the process of harmonisation of the existing legislation with the recently passed Law on Special Competencies on the Suppression of the Organised Crimes and Corruption. This law creates a new institution in the fight against organised crime. The harmonised law and the development of secondary legislation are crucial to the effectiveness of this critical institution. This project was developed in partnership with all of the pillars of the administration of justice (i.e. the Ministries of Interior and Justice, the State Prosecutor and the Serbian Supreme Court of Serbia).
- Following an OSCE assessment of the secure communications and surveillance capability, areas highlighted for reform are being addressed, specifically technical and training requirements of the police service.

4. Forensics

This program area has two core objectives. The first is the development of the analysis capabilities within the forensic community, and the second is the development of localised Crime Scene Management teams. These objectives aim to enhance the quality and effectiveness of police investigations.

An expert assessment was carried out in conjunction with the British Government and dealt with the forensic capability of the Serbian Police Service. The implementation of the study is currently underway with the aim to increase the capacity and capability of the police service to develop systems to test illicit drugs locally.

5. Border Policing

The core benefits of an improved Border Police Service include improving the control of illegal immigration within Europe; increased public safety through an enhanced ability to curtail smuggling networks; and assistance towards the fight against organised crime, especially drugs and human trafficking. A further benefit includes increased international

safety by improved co-operation and effectiveness in the global co-ordinated fight against terrorism.

DCAF, European Agency for Reconstruction (EAR) and the OSCE carried out assessments on the needs for the establishment of a Border Security System. The LED is currently involved in developing an implementation plan that would increase the effectiveness of the border police.

The Department is actively involved in providing support to the Ministry of Interior Working Group in the realisation of projects to develop and improve border police staff and provide critical investment for border crossings.

In association with the International Organisation for Migration, a procedure was set up to assist the border police in dealing with and processing victims of human trafficking. A separate detention centre was set up to provide shelter, while a project is being developed for training on issues of trafficking for the border police service.

6. Community Policing

The development of a Community Policing Policy has as its objective the development of a partnership between the police service and the public. Several expert assessments conducted in this area of reform have resulted in a draft implementation plan for the establishment of community policing initiatives and structures both locally, in the designated pilot districts for implementation of the program, and on the national level. The strategy for the implementation of community policing is being devised in close partnership with the Serbian Ministry of Interior expert team.

- In order to assess the existing approach and attitude towards community policing two major surveys were undertaken. The Police Perception Survey, which examined the extent to which the police are familiar with and practise community policing, looked into the feasibility of possible initiatives to be developed in the field. A second survey, a public perception survey, aims to gain insight into the way citizens perceive the role of the police in their community. It also aims to measure the extent of their willingness to participate in any projects that would be developed with the goal of strengthening co-operation and trust between the public and the police.
- The information gathered through the surveys will serve to establish the training needs for police in this area and will guide the development of a strategy to initiate projects which will result in a closer partnership between the police and the public it serves.

THE FUTURE OF POLICE REFORM IN SERBIA AND MONETENGRO

There are many lessons to be drawn from the ongoing process of police reform in the Federal Republic of Yugoslavia. Most important has been the need to be guided by clearly defined goals and objectives validated by expert assessments. It is also necessary to co-ordinate international support effectively; to be consistent in one's definition of long

and short-term goals and flexible in terms of solutions tailored to the local environment in programme implementation. Additionally it is also important to note the benefits accrued from local ownership of the reform process. This especially should include the approval of the entire reform concept from the most senior members of government.

The immediate further steps to be made in the reform process include the development of priority areas and a strategy plan for the Montenegrin Police reform process. Furthermore, the development of specialist training nationally in Serbia and Montenegro is required. Another critical step that would move the reform process forward is the implementation of critical projects across all priority areas in Serbia, including education, oversight, organised crime and border issues. Finally, it will be necessary to secure future donor funding for completion of priority area programs.

In order to ensure the reform process moves forward smoothly and effectively, it will be important to build on the momentum of reform that currently exists within the Government and Ministry of Interior structures. This can be achieved by producing tangible results - which necessitates a move from the planning and assessment phase to the implementation phase. This is imperative so that the public and police personnel can see the benefits of the reform process, thereby garnering the required support for the continuation of the process of reform.

This would also ensure that the international community remains aware of the need to continue their engagement in police reform activities, to ensure completion of stabilisation process. This is especially true when it comes to the need for continuous engagement with the Multi-Ethnic Policing Element in South Serbia to assist in preventing a renewed outbreak of ethnic tensions.

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