Mission Challenges, Lessons Learned

and Guiding Principles:

Policing with Communities in Fragile and Conflict Affected States

Lessons from the Field and Practitioner Perspectives

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Mission Challenges, Lessons Learned and Guiding Principles: Policing with Communities in Fragile and Conflict Affected States

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Mission Challenges, Lessons Learned and Guiding Principles: Policing with Communities in Fragile and Conflict-Affected States - An Introduction to Lessons from the Field and Practitioner Perspectives'

Georgina Sinclair and Rohan Burdett[3,4]

Introduction

Insecurity, conflict and instability are global phenomena that can lead to fragile and conflict affected states (FCAS) requiring post-conflict stabilisation and development. International policing assistance is integral to 'peacebuilding'[5], post-conflict stabilisation and capacity-building and is embedded within security sector reform (SSR).[6] Policing support in this context now encompasses a range of activities that have moved beyond monitoring of host state police to reforming, rebuilding, restructuring and redeveloping within FCAS. Whilst the continuing decline in interstate conflict has been highlighted, the role of international organisations in undertaking stabilisation and development activities is key to maintaining this trend in the future.[7] Some scholars have made more ambitious claims positing that increasing development assistance and peace-building has resulted in much of the decline of intrastate conflict.[8]

International policing assistance is often key to stabilisation and development, although it remains less well researched than some other SSR activities. We suggest that in furthering an understanding of the challenges faced by police practitioners, this results in 'lessons learned' and, the development of 'best practice' which helps to build sustainable and impactful projects. Mission challenges must, therefore,

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[5]   'Peacebuilding' was first defined by United Nations (UN) Secretary-General Boutros Boutros-Ghali, as an 'action to identify and support structures which tend to strengthen peace and solidify peace to avoid a relapse into conflict'. United Nations (1992). *An Agenda for Peace: Preventive Diplomacy, Peacemaking, and Peace-keeping*, A/47/277-S/24111, 17 June 1992, para. 21.

[6]   'SSR gained prominence within the international community (including the EU) in the 1990s and has been identified as an 'important tool in conflict prevention, peace and state-building, and sustainable development'. European Commission: Joint Staff Working Document (2016). *Lessons drawn from past interventions and stakeholders' views*, Strasbourg: SWD (2016). 221 final, p. 3.

[7]   T. S. Szayna, A. O'Mahony, J. Kavanagh, S. Watts, B. A. Frederick, T. C. Norlen & P. Voorhies (2017). *Conflict Trends and Conflict Drivers: An Empirical Assessment of Historical Conflict Patterns and Future Conflict Projections*, Santa Monica, Calif.: RAND Corporation, p. 245.

[8]   See for example: J. S. Goldstein (2011). *Winning the War on War*, New York: Penguin Group & Human Security Report 2009/2010 & *The Causes of Peace and the Shrinking Costs of War* (2011). New York: Oxford University Press.

be coherently addressed to feed into the development of political and mission strategy.[9] There is an urgent need for guiding principles to be based on field experiences into which subsequent monitoring and evaluation processes can filter over time. However, most missions lack the personnel, resources or timeframe to build this approach into institutional learning and corporate memory. Whilst there are many independent silos of learning within the EU and other international institutions, knowledge exchange and transfer of training activities across all missions have little if any linkage.

Contributing to the wider debate on mission 'best practice' within international policing assistance is at the core of this project: 'Policing with Communities in Fragile and Conflict-Affected States (FCAS)'. Initial inspiration for this project stemmed from the European Union Police Services Training (EUPST) which brings EU practitioners and academics together within 'live exercise' and theoretical training environments to broadly discuss elements of best practice within overseas missions. With this collection of practitioner-led essays, we seek to further contribute to empirically driven research within the context of the global security agenda. Practically we are raising awareness of the challenges encountered by police within international mission environments, and of lessons learned and guiding principles.

The support for an initial workshop was provided by the Joint International Policing Hub (JIPH), which operates off the UK government's Stabilisation Unit platform, in partnership with the Guarda Nacional Republicana (GNR) in Portugal. The aim of this workshop in January 2017 was to bring together a cross-section of European police and gendarmes with international mission expertise to broadly debate mission challenges, consider lessons learned and develop guiding principles. Thirteen highly experienced police practitioners from the UK, Portugal, France, Italy, Germany, Spain, the Netherlands, Romania and Ukraine attended this workshop to disseminate so-called 'best practice'. The discussions further benefitted from the observations of international policing experts and representatives from the JIPH, GNR and the European External Action Service (EEAS)/Civilian Planning and Conduct Capability (CPCC), who brought their wide experiences of international policing.

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[9]   E. Mobekk (2005). 'Identifying Lessons in United Nations International Policing Missions', *Policy Paper No 9*. Geneva: Geneva Centre for the Democratic Control of Armed Forces (DCAF), pp. 1 – 27.

Workshop - "Policing with Communities: Mission Challenges, Lessons Learned and Guiding Principles" (31st January to 02nd February 2017)

Observations on the EU approach to mission challenges, lessons learned and guiding principles

International policing assistance within broader mission mandates is complex and fraught with challenges. These may pertain, for example, to a design of the mission mandate that bears little resemblance to local needs; to the lack of resource allocation and support from member states; to the coordination and strategic direction of international stabilisation projects; to the transition strategy and; to the situational context-related constraints including levels of conflict, security and state fragility, and the local political-economy. [10] Missions are theoretically expected *or* intended to be successful and importantly be sustainable over time. Yet this is largely dependent upon member states providing support across political, human resources, financial and strategic lines and, maintaining this over a dedicated period of time. Capacity and capability to promote long term sustainability should in theory be developed both top-down and bottom-up in order for the top-down level to respond to localised development and public demand, and produce sustainability.[11] This may often be no more than a vision rather than a reality as one recent study on the EUPOL mission in Afghanistan report noted that the concept of a 'capability-expectations gap' occurred at the strategic level over and above all other issues.[12]

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[10] Mobekk, pp. 1 – 27.
[11] B. Hughes, C. T Hunt & J. Curth-Bibb (2013). *Forging New Conventional Wisdom beyond International Policing; Learning from Complex, Political Realities*. Leiden/Boston: Martinus Nijhoff Publishers.
[12] T. Tardy (2017). 'EUPOL Afghanistan 2007/16: Mission Impossible', *Brief Issue 22*. European Union Institute of Security Studies (EUISS).

There is a growing body of anecdotal evidence that within missions, 'lessons learned'[13] and 'best practice'[14] are increasingly perceived as key in contributing to mission effectiveness and sustainability and, the building of institutional memory. In the experience of both editors, many police practitioners perceive lessons as sitting within the 'operational, procedural and conceptual' (e.g. stakeholder coherence and coordination; international cooperation; implementation of mandate; recruitment; training and staffing; procurement, budget and finances) and lodged within the 'strategic and political' (mandate feasibility; comprehensive approach; impact assessment and local context). [15] Yet to what extent are these mission challenges and lessons learned represented at an institutional level within the international mission and, what has been the focus on policing activities?

The EU remains a global political actor inspiring scholarly debate in relation to a growing defence and security role. The Common Security and Defence Policy (CSDP) laid out the framework for EU political and military structures and military and civilian missions overseas. In 2016, the EU Global Strategy determined CSDP strategy and, more recently, underwent important strategic and operational changes whilst continuing to evolve to meet 'security challenges and popular demand for increased EU responses.'[16] Evidently crisis management within missions continues to evolve and CSDP missions and operations are now tasked to carry out a far wider array of activities, including regarding policing. This the extant literature regarding European Defence Policy and CSDP missions has highlighted as it has steadily gained momentum over the past decade.[17] The literature has reached a consensus of the need for fully functioning and standardised processes to capture data and develop institutional learning.[18] It is recognised that the 'Annual CSDP Lessons' reports from the past

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[13] A definition of 'lessons learned' might be that a 'lesson' is an occurrence or finding that impacts sufficiently to require further development and/or monitoring. Once a lesson has been observed it becomes a lesson 'identified' requiring change to existing concepts, development of planning and training and so on. That lesson is only 'learned' after remedial action has been undertaken and action taken to make that change. See for example: G. Cremonini (2015). 'Lessons learnt and best practices' in J. Rehrl & G. Glume (2015) (eds.). *Handbook on CSDP Missions and Operations: The Common Security and Defence Policy of the European Union*. Vienna, Austria: Directorate for Security Policy of the Federal Ministry of Defence and Sports of the Republic of Austria, pp. 188 - 190.

[14] 'Best practice' may be referred to as 'successful' practice that can be repeated. See Cremonini (2015). 'Lessons learnt and best practices', pp. 188 - 190. We also suggest that there could be wider reference to 'good practice' when referring to short term mission effectiveness and efficiency within the context of FCAS.

[15] Early organisational learning theories highlighted the processes of learning and change and the need to collect 'lessons learned' for practical implementation. For pioneering work see: C. Argyris & D. Schon (1978). *Organizational Learning, a theory of action perspective*. University of Michigan: Addison-Wesley Publishers. Co.

[16] J. Legrand (2017). 'Common Security and Defence Policy', *Fact Sheets on the European Union – 2017* accessed @ http://www.europarl.europa.eu/ftu/pdf/en/FTU_6.1.2.pdf on 29 September 2017.

[17] See for example: G. Grevi; D. Helly & N. Keohane (eds.) (2009). *European Security and Defence Policy: the first ten years (1999 – 2009)*. Paris: The European Institute for Security Studies; C. J. Bickerton, B. Irondelle & A. Menon (2010). 'Security Co-operation beyond the Nation-State: The EU's Common Security and Defence Policy', *Journal of Common Market Studies*, 49/1, pp. 1-21; M. Asseburg & R. Kempin (2011). 'ESDP in Practice: Crisis Management without Strategic Planning', *Journal of International Peacekeeping*, 15/1-2, pp. 178-199; R. Bossong (2012). *The Evolution of EU Counter-Terrorism; European Security Policy after 9/11*. Abingdon: Routledge; P. M. Norheim-Martinsen (2013). *Rise and Decline of EU Security and Defense Policy*. Cambridge: Cambridge University Press; J. Howorth (2014). *Security and Defence Policy in the European Union*, 2nd Edition. Basingstoke: Palgrave Macmillan; M. H. A. Larive (2016). *Debating European Security and Defense Policy; Understanding the Complexity*. London: Routledge; L. Chappell, J. Mawdsley & P. Petrov (2016). *The EU, Strategy and Security Policy; Regional and strategic challenges*. Basingstoke: Routledge and G. Faleg (2016). *The EU's Common Security and Defence Policy: Learning Communities in International Organizations*. Palgrave Studies in European Union Politics, Springer International Publishing.

[18] See for example: Bossong, 2012; M. E. Smith (2011). 'A liberal grand strategy in a realist world? Power, purpose and the EU's changing global role', *Journal of European Public Policy*, 18/2, pp. 144-163.

four years (2013 to 2016) have identified key mission and personnel-related challenges across a range of issues with recommendations made for future implementation.[19] In 2016 the CSDP report noted that progress had been made with the 'implementation of key lessons and recommendations identified in previous years'. The key lessons developed from 2016 referred to the 'development of an information strategy at the outset of a crisis; the alignment of mission budget cycles with mission mandates and, establishing a gender focal point system to improve gender mainstreaming.'[20] Yet the military it is argued have been more attuned than the civilian bodies to a lessons learned approach within peacekeeping and wider capacity-building institutions.[21] This is also true of military EU CSDP missions with a tradition of self-evaluation, built on existing doctrine from member states and NATO.

Broadly, the EU is dedicated to the provision of operational guidance and has highlighted the importance of capturing lessons learned from missions. There is a dedicated point of contact within each mission to enable this process; although the EU Rule of Law (EULEX) mission in Kosovo is the only mission to have a dedicated team. Theoretically each 'lessons learned' point of contact relays information to the focal point within the EEAS/CPCC. This process, however, is heavily reliant on the willingness of mission personnel relaying data to the appropriate person. It appears that there is often a lack of personnel, resources and time to fully capture and analyse data and build this into corporate memory though several EU departments have been involved in the emergence of these learning processes. They have included the EU Military Staff (EUMS), the CPCC and the Crisis Management Planning Directorate (CMPD). The overriding challenge is that the lessons collected within each of these three structures cannot be implemented *independently* as policy and/or guidelines. The CSDP Lessons Management Group/Lessons Working Group is tasked with the overall collection and identification of overarching themes across these three structures and their implementation.[22]

One of the earliest references to 'civilian' (rather than military) CSDP lessons learned was in 2002 in Council Document 14513/02 that discussed 'Rule of Law' within missions. Here an early section was dedicated to lessons learned, drawing on the experiences of other institutions (including the UN) that could be applied to the EU with its shorter history of undertaking missions. The following year, two key documents identified lessons learned as being a 'top priority'[23] with a formal request to the Committee for Civilian Aspects of Crisis Management (CIVCOM) to establish evaluation processes for lessons learned.[24] From 2003 onwards, the EU has dialogued with both the UN and Organization for Security and Co-operation in Europe (OSCE) in relation to lessons learned and crisis management.[25] Overall the establishment of 'lessons learned' processes within the EU has been slow to filter through. Whilst

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[19] A. Creta, A. di Martino, M. Nemedi & P. Taitto (2017*). Civilian and military personnel in CSDP missions and operations*, Directorate-General for External Policies, Policy Department, EU Publications Office.

[20] EEAS (2017). Annual 2016 Lessons Report. EEAS (2017) 252, 12/05/2017.

[21] See for example: D. C. F. Daniel, P. D. Williams & A. C. Smith (2015). *Deploying Combined Teams: Lessons Learned from Operational Partnerships in UN Peace keeping*. New York: International Peace Institute. This report provided lessons learned and recommendations for their implementation to enhance the effectiveness and success of military partnerships.

[22] Rehrl & Glume (2015).

[23] Council of the EU (2003). 'Report on planning and mission support capability for civilian crisis management', Council Document, 13835/03, Brussels: Political and Security Committee, 23 October 2003.

[24] Council of the EU (2003). 'Suggestions for Procedures for Coherent, Comprehensive EU Crisis Management', Col 11127/03 dated 3 July 2003.

[25] Grevi, Helly & Keohane (eds). (2009). p. 101.

the 2004 and 2007 Civilian Headline Goals included this process as a necessary step to improve the quality of CSDP missions, there was little discussion as to how this should be undertaken. It was not until 2008 that specific guidelines established a process for lessons learned to be captured within an annual report.[26] This was pushed by later requests from the Security and Defence Sub-Committee to update 'lessons learned' and knowledge management within CSDP missions and operations.[27] The EU's 2013 Comprehensive Approach to external conflict and crisis, which advocated improved partnership working and coordination, and effective and impactful policy, supported the principle of lessons learned that could be fed into the overall mission cycle, including prevention efforts, training and exercises.[28] Hence the publication since 2013, by the EEAS of annual CSDP lessons reports.[29]

Whilst there is a drive to gather, collate and analyse lessons learned difficulties remain in embedding this within policy and practice. Formalised processes have been described as cumbersome and time-consuming particularly in view of the number of EU missions and operations – the EU has launched some 35 missions and operations since 2003 and currently has a total of approximately 2,467 civilian personnel serving across these missions.[30] In consequence the editors believe that the collection and sharing processes are underpinned by *informal* mechanisms, whereby practitioner networks share mission experiences and challenges and seek solutions on an *ad hoc* basis. Whether these informal solutions (or possible guiding principles) lead to change cannot be known without a qualitative research project. However, anecdotal evidence acquired by the editors from police practitioners would suggest that these informal mechanisms of knowledge exchange can lead to change. Overall it is suggested that there is a need to update learning processes to 'encourage, develop and support a culture of institutional memory-building and knowledge-sharing, including through enhanced training and in-mission learning.'[31]

During the course of this workshop, practitioners were adamant that knowledge exchange should be embedded within best practice 'doctrine' and that the emergence of 'handbooks', 'guidelines' and 'toolkits' within the past decade was a good starting point. The EEAS/CPCC has produced operational guidance, for example, regarding monitoring, mentoring and advising (MMA).[32] OSCE and OSCE-DCAF published seven Strategic Police Matters Unit (SPMU) 'lessons-to-be-learned' and 'good practice' volumes in 2008. [33] OSCE has widely considered mission challenges from a generic as well

26 Council of the European Union (2008). *Guidelines for identification and implementation of lessons and best practices in civilian ESDP missions*, 15987/08, 19 November 2008.

27 E. Dari, J. van der Wal, M. Gottwald, N. Koenig (2012). *CSDP Missions and Operations: Lessons Learned Processes.* Policy Department Study, EXPO/B/SEDE/FWC/2009-01/Lot6/16 APRIL 2012 PE 457.062 EN, Directorate General for External Policies of the Union, Directorate B.

28 Joint communication to the European Parliament and the Council (2013). *The EU's comprehensive approach to external conflict and crises*, JOIN(2013) 30 final.

29 See for example Document EEAS(2015) 256, public version, 23/02/2015 accessed @ http://data.consilium.europa.eu/doc/document/ST-6777-2015-INIT/en/pdf 23 September 2017.

30 Creta, di Martino, Nemedi & Taitto (2017), p. 14.

31 Y. Arnaud, C. Barbieri, M. Deneckere, T. De Zan & T. Flessenkemper (2017). 'Analysis of CSDP institutional and policy aspects and lessons learned March 2017', CIVILEX, p. 84.

32 EEAS/CPCC (2014). *CIVOPSCDR Operational Guidelines for Monitoring, Mentoring and Advising in Civilian CSDP Missions*, EEAS.CPCC 4077896.

33 See: OSCE 2006 (2008). 'Guidebook on Democratic Policing by the Senior Police Adviser to the OSCE Secretary General', *SPMU Publication Series Vol. 1*, 2nd Edition, Vienna: OSCE Secretariat; OSCE 2007 (2006). 'Reference Guide to Criminal Procedure', *SPMU Publication Series Vol. 2*, Vienna: OSCE Secretariat;

as a police perspective, providing conclusions and recommendations and 'lessons-to-be-learned'. [34] Further 'policing' guidebooks have been published since this period which will continue in the future.[35] There are also handbooks and guidelines that have been developed in Sweden in a similar vein.[36]

Within broader EU training programmes, the EUPST has focused on the development of pan-European best practice within police missions. The EUPST established a 'Lessons Learned Joint Working Group' during the 2011-2013 EUPST cycle, 'tasked with processing the best practices collected during the seven sessions of the cycle and to identify common standards for police officers deployed in European Union crisis management missions. The standards have been summarised in [this] *sic* handbook, which has been conceived as a tool to provide basic information prior to and during the conduct of missions in the framework of CSDP … *practices that can be easily shared and implemented on the ground and as a contribution to improve the ability of the European Union, its Member States and their International partners to deploy police officers in those demanding areas where security is in danger.'*[37] The importance of this handbook is that it draws directly on the experiences and expertise of EU officers (police and gendarmes) who have participated in EU missions and EUPST training sessions and provides a useful framework to build upon in the future.

Outside the EU, the UN has made valuable contributions to the development of guidance doctrine often in partnership with the EU, the African Union and OSCE although this work is still in its infancy. The Strategic Guidance Framework on International Police Peacekeeping (SGF) builds on a shared understanding of fundamental 'principles, tasks and approaches of police in peacekeeping and crisis management' and, considers the 'what' of UN police peacekeeping through policy and the 'how' through the development of specific guidelines. It has provided a useful framework upon which to build best practice doctrine.[38] Whilst the UN has engaged with peacekeeping and crisis management for a greater period of time than its EU counterparts, the concept of 'lessons-to-be-learned' has been slow to come to fruition. There is an opportunity to develop future handbooks that build upon these broad principles of 'lessons-to-be-learned' within the strategic, operational and tactical spheres.

The UN Department of Peacekeeping Operations (UNDPKO) has worked towards the development of *police* doctrine: the 'UN Civilian Police Principles and Guidelines' and the 'Handbook on UN

Vol. 3 OSCE 2007 (2007). 'Enhancing cooperation among police, prosecutors and judges in the fight against transnational organized crime', *Project Report, SPMU Publication Series Vol. 3*, Vienna: OSCE Secretariat; OSCE 2008 (2008). 'Good Practice in Building Police-Public Partnerships by the Senior Police Adviser to the OSCE Secretary General', *SPMU Publication Series Vol. 4*, Vienna: OSCE Secretariat; OSCE 2008 (2008). 'Good Practices in Basic Police Training – Curricula Aspects by the Senior Police Adviser to the OSCE Secretary General', *SPMU Publication Series Vol. 5*, Vienna: OSCE Secretariat; and OSCE 2008 (2008). 'Implementation of Police-Related Programmes. Lessons Learned in South-Eastern Europe', *SPMU Publication Series Vol. 7*, Vienna: OSCE Secretariat.

[34] See for example: OSCE (2008). 'Implementation of Police-Related Programme: Lessons Learned in South-Eastern Europe', *SPMU Publication Series Vol. 7*. Vienna: OSCE Secretariat.

[35] See for example: OSCE (2017). 'OSCE Guidebook Intelligence-Led Policing', Vienna: OSCE Secretariat, Transnational Threat Department, Strategic Police Matters Unit.

[36] See for example E. Skeppström with contributions from F. Gabrielsson-Kjäll (2016). *The SSR Adviser's Handbook*, Sweden: Folke Bernadotte Academy.

[37] EUPST 2011 – 2013 (2011). *Handbook for Police Officers deployed in EU CSDP Missions*, EUPST Consortium. The EUPST training programme was designed to develop a rapid deployment capability of police elements in crisis management operations.

[38] United Nations Police Division (UNPOL) (2012). *United Nations Police: On duty for Peace*. New York: UNDPKO, Office of Rule of Law and Security Institutions.

Multidimensional Peacekeeping Operations' being published in 2000 and 2003 respectively and subsequently revised in 2005. A dedicated UN Police Handbook entitled 'Building Institutional Police Capacity in Post-Conflict Environments' emerged the same year bringing a greater focus to the operational. Yet the 2007 Stimson Center Report noted that 'structural shortcomings in doctrine and strategy have limited the operational effectiveness of UN police activities' and that these guidance handbooks had not gone far enough.[39] Since 2009, the UN has been building on SGF, which overarches 'Policy on UN Police in Peacekeeping Operations and Special Political Missions' [40] and, four sets of guidelines on police capacity-building and development, police command, police operations and police administration with the proviso that further manuals and training material will be developed under the umbrella of the SGF. [41] The UNDPKO now fully recognises that 'police peacekeepers must perform a variety of increasingly complex tasks most unforeseen at the dawn of the United Nations police peacekeeping …' and that guidance doctrine is crucial. [42] Indeed in 2017 the UN released a manual dedicated to MMA which notes:

> '*In accordance with the United Nations Peacekeeping's knowledge sharing and organizational learning framework, significant activities must be reflected upon in a lessons identified and learned exercise. As monitoring, mentoring and advising form such an essential part of the United Nations police activities and budgets, all police components ought to engage in lesson identification and to learn from both good and bad experiences in the area of monitoring, mentoring and advising. The Head of the Police Component should – as a matter of routine – direct such exercises to be carried out by the Mission's Policy and Best Practices Officer (or focal point) and the Mentoring and Advising Coordinator. All UNPOL officers ought to be aware of the DPKO-DFS Policy on Knowledge Sharing and Organizational Learning (2015.13) and be encouraged to contribute to the UNPOL lessons learned exercises and to avail themselves of a standout day available to all peacekeepers on an annual basis to reflect on their experiences*'.[43]

There is also a growing trend to develop national guidelines independently.[44] For example, the UK government's Stabilisation Unit, for example, has a dedicated 'Lessons Team' which has produced a series of 'What Works' documents including a specific volume on international policing assistance.[45]

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[39] W. J. Durch & M. L. Egland (eds.) (2010). 'Enhancing United Nations Capacity to support post-conflict policing and rule of law', Revised and updated, *Stimson Center Report No 63*, Rev 1, August 2010, Washington: The Stimson Center.

[40] See UNPOL Strategic Guidance Framework for International Police Peacekeeping @ http://www.un.org/en/peacekeeping/sites/police/initiatives/framework.shtml accessed 29 September 2017.

[41] Within these specific areas the following are being developed: community-oriented policing, intelligence-led policing, operational police planning, border security and management, donor coordination and fund management, and MMA @ http://www.un.org/en/peacekeeping/sites/police/initiatives/framework.shtml accessed 29 September 2017.

[42] UNDPKO (2014). *Police Operations in UN Peacekeeping Operations and Special Political Missions*, New York: UNDPKO, Department of Field Support, p. 3.

[43] UNDPKO (2017). *Manual - Police Monitoring, Mentoring and Advising in Peace Operation*s, New York: UNHQ, pp. 29-30.

[44] See for example: F. van der Laan; L. van de Goor; R. Hendriks; J. van der Lijn; M. Meijinders & D. Zandee (2016). *The Future of Police Missions, Clingendael Report*. NL: Netherlands Institute of International Relations 'Clingendael', February 2016.

[45] Stabilisation Unit (2014). *Policing the context: Principles and guidance to inform international policing assistance, What Works Series*, London: Stabilisation Unit.

The GNR has a 'Lessons Learned' project underway with the aim of collecting and sharing data and 'adopting and improving best practice'. This knowledge exchange project fits the GNR concept of a 'learning organisation' and has in part been garnered by the international experiences of the GNR, as well as other Gendarmeries and NATO, to analyse and disseminate knowledge. The GNR has highlighted the importance of understanding the challenges faced by organisations in 'a changing world' and, the need to adapt police procedures accordingly whilst maintaining organisational values and guiding principles.[46]

Exploring Workshop Themes

Participants were invited within their original presentations to select an appropriate topic that reflected the workshop title 'Mission challenges, lessons learned and guiding principles in FCAS'. As a result, the papers covered both EU and UN missions across a wide geographical range (including Kosovo, Iraq, Afghanistan, East Timor, South Sudan and the Sahel Region) highlighting the experiences of participants from the late 1990s through to the present.

Each and every participant placed an importance on formally identifying challenges and capturing lessons learned to dock into future institutional guidance doctrine, institutional learning and shared best practice. Jorge Barradas notes, for example, in his essay 'Supporting Locally-Contextualised Adoption of a Policing Model: An East Timor Case Study' that typically the learning acquired through personal and professional experiences is not adequately shared and, as a consequence, 'other practitioners risk repeating mistakes of the past'. Whilst the development of institutional knowledge is laborious and time-consuming it is the only way to crystallise shared learning outcomes for the future success and sustainability of missions. As Barradas suggests, traditionally the military capture lessons learned and guiding principles to a greater extent than police enabling a more efficient response to the strategic, operational and tactical challenges within a mission.

Several of the papers considered global phenomena that are perceived as ongoing challenges for Europe and tackled within EU missions, including migration issues, the protection of vulnerable communities, women and children, and sexual and gender-based violence. These themes were put into context within specific mission case studies including Marcos Gomez Romera's 'The Guardia Civil in the Sahel: A Milestone in EU-Africa Police Cooperation: Enhancing Integrated Border Management Capabilities'. Here several decades of police activities to build international policing cooperation within West Africa were considered, specifically in relation to the border management of migration from West to North Africa and across to Spanish territories. As the Guardia Civil has sought to build maritime and cross-border cooperation in the Sahel Region, so the development of SSR projects has gathered pace to support African partner countries and their security actors caught up in the maelstrom of migration. Over time, as Gomez points out, there have been numerous projects dedicated to building

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[46] Guarda Nacional Republicana (2017). PDGNR 0-03 *Manual de Lições Aprendidas*. Lisboa: Guarda Nacional Republican, Comando-Geral. Restricted.

cooperation and trust within the Sahel which have allowed the Guardia Civil to reflect on challenges arising within joint operational activities.

Barradas explores another case study through an observation of the longstanding deployment of GNR officers to East Timor. Here the need for adequate planning within a conflict resolution objective alongside an in-depth understanding of the root causes of conflict is highlighted. There is emphasis on the need to build adequate local socio-political knowledge as well as cultural awareness when capacity building. Barradas touches on key challenges facing practitioners on mission, which parallels many of the themes emerging within other individual papers. Emphasis is placed on the importance of developing consensus across all mission stakeholders and local security actors in an attempt to bridge the cultural gulf and differing expectations that may create tensions when bringing new concepts of policing to the fore.

Indeed, the how and the when a particular 'model' of policing may or may not be effectively transferred within a mission is regularly addressed within these papers. There is agreement that the transfer of any 'Western model' is not the best way forward unless it takes full account of local context and needs. Barradas reflects on East Timor's act of self-determination in 1999 and the international community's desire to implement a suitable 'policing model'. This had to occur within a short time frame and with the proviso that the model selected would bring about the right results. Yet as Barradas points out there it is always challenging when faced with the tensions in reconciling local context, the mission mandate and the various policing approaches proposed by a multiplicity of international actors to bring about change. As demonstrated within several papers the local politico-legal and cultural context may well collide with broader aspirations espoused by international donor communities. Transporting 'Western' values and standards (including human rights, gender and diversity issues as outlined for example within the 2016 EU Global Strategy) to that 'other' mission context may not be reconciled with local values. It is this tension between doctrinal theory and mission capability and practice that is so pronounced within many of the papers.

Transferring international policing capability is at the core of Renato Raggi's paper 'The Development of European Union Capabilities for Civilian Crisis Management: The Contribution of the Italian Carabinieri', providing both an historic and contemporary overview of CSDP missions. Raggi describes how the Carabinieri Corps (in a similar vein to other EU gendarmeries) is a 'police service with military status' gainfully employed within both the 'civilian' and 'military' approaches to conflict and crisis management within missions. This Raggi suggests is a type of 'hybrid warfare' approach meeting the EU's comprehensive approach which rests on joint military and civilian capabilities and an ability to bridge the security gap. Raggi suggests that synergies must be created between the military and the police within an international mission environment, from the planning through to the operational phase. 'Cooperation' and 'coordination' across the police-military divide are necessary if the adequate processes and procedures are to be standardised. Indeed, the need for synergy between the police and the military is recognised by Joe Napolitano in his paper 'Working Alongside the Military: Policing and Private Contracting in Kosovo, Iraq and Afghanistan 1999 – 2014'. Napolitano stresses the importance of civilian-military cooperation within hostile environments and

particularly those requiring high-level securitisation. Napolitano's earlier experiences stem from a number of deployments to Kosovo. There Napolitano worked alongside the military and was able to pinpoint the organisational differences and variance in mission objectives between both parties, which might prevent cohesion between the police and military. Napolitano outlines the corrective measures that were taken to bring a more nuanced approach to managing the security gap and in encouraging community engagement.

The importance of community partnerships within FCAS is an important theme addressed within this collection. Jackie Gold's ''Nyagoa': From Somerset to South Sudan: Community Policing in a Conflict Zone, August 2014 – May 2016' considers the role of the first UK policing team to be deployed to UNMISS in South Sudan to set up community policing projects within the UN Protection of Civilians sites (POC). Gold's paper details the challenge faced by UN police when operating within unstable and insecure environments and considers how police, who originate from typically stable and secure countries manage a very different citizen normality. Developing community policing projects within the POC was reliant on partnership with the Internally Displaced Persons (IDPs), which was only achieved through awareness of the socio-cultural context.

Forging relationships with local stakeholders is reliant on cultural awareness, which has been discussed to some extent in all the papers. In Jan Leenslag's 'Developing a Training Curriculum in Fragile and Conflict Affected States: Experiences and Lessons Learned from the Afghan National Police Staff College in 2013', the author demonstrates how the training curriculum was developed only through a heightened cultural awareness of policing in Afghanistan. Here Leenslag gives a step-by-step guide as to how the training curriculum was developed through trust and cooperation between the international and local police. Leenslag is clear that any preconceived 'Western way of thinking' had to be adjusted to 'get closer to the Afghan way of thinking' which relied on communication and transparency through the use of 'soft skills'. Indeed, the importance of soft skills within broader MMA is at the heart of several papers. Markus Feilke in 'Soft Skills as an Essential Part of Leadership and Monitoring, Mentoring and Advising (MMA) Training for CSDP missions' emphasises the difficulty practitioners face in delivering MMA within overseas missions despite the pre-deployment training provided by EU member states. MMA remains integral to international policing missions as noted by Pascal Scordia in 'Monitoring, Mentoring and Advising Challenges in Fragile and Conflict Affected States – Experiences from the Field', embedded within a mission mandate to capacity build and transfer knowledge. Scordia argues that there needs to be a coordinated approach within a mission to deliver the 'MMA concept' and a concerted effort to analyse mission risks and sustainability and, how MMA might be adapted accordingly. Yet as Feilke notes, 'specialised' MMA and leadership pre-deployment training is often lacking, as highlighted in the 2015 CPCC training survey, and he emphasises the need to develop soft skills (for example interpersonal relations and communication) training to raise cultural awareness and forger greater affinity with local stakeholders. In providing an extensive overview of the current MMA and leadership training available, Feilke suggests that too much importance is placed on management-related skills ('hard' skills) rather than 'soft' skills. Furthermore, as Scordia observes, there has to be an acceptance that any MMA undertaken within a

mission requires a 'calculated risk' that may be personal to that practitioner or related to the project or mandate.

Managing 'risk' within an international mission environment courses through several papers and reflects the day-to-day of the police practitioner within any policing environment. Cecilia Dunster in 'Managing Competing Risks affecting Displaced Persons in a Conflict Environment: A Case Study from United Nations Policing in South Sudan' considers the serious security incidents that occurred within the POC sites where the Government and local security actors (including the police) stood accused of serious human rights abuses. Risk is described as the risk to the victim as well as the risk to the perpetrator should they leave the POC UN protection. Dunster also explores the risks taken by international police, in this case the UK policing team, as they investigated crimes within the POCs and 'balanced the risks' to provide accountability for decision-making. In this context Dunster refers to the need to take risks in developing what is described as a 'clumsy solution' to a 'wicked problem', which in itself carried associated risks that international police sought to 'tame'. Taking a calculated risk lies argues Scordia is one difficulty faced by the international practitioner and one of the challenges of delivering MMA within FCAS. Deployed police will be faced with reputational and political risks as well as threats to personal safety and security as faced by UN personnel. Reaching reasonable and indeed sustainable goals in a mission as determined by the 'comprehensive approach' is particularly challenging to the international and the local practitioner and, as Scordia notes further underpins the need to engage with calculated risk to maximise the chances of successful project implementation and longer-term sustainability.

Concluding Observations

This practitioner-led collection of essays seeks to inform and build upon emerging EU, UN and national doctrine that centres of the concept of developing 'best practice'. Within each of these essays there are challenges and lessons learned across of range of themes described by experienced practitioners. More often than not through trial and error, they have provided guidance in how to meet the challenges of mission life through a series of guiding principles Throughout this workshop practitioners argued for the development of 'best practice' doctrine that should be formally captured, synthesised and fed into broader guidance material. This could include policing handbooks containing detailed evidence as well as basic toolkits with the most essential information for practitioners. The current practice tended to rest on informal information-sharing which prevented dissemination to a far wider audience and, any subsequent impact upon policy makers. We have sought within this collection of essays to spark further discussions of how and why practitioners operate within a mission in the way that they do, how they meet the challenges of an environment that is so far removed from policing at home. It is hoped that we can make a positive contribution to the development of current guiding principles for use by police practitioners when deploying to an international environment and raise the profile of international policing assistance.

Abbreviations

CMPD   Crisis Management Planning Directorate

CSPD   Common Security and Defence Policy

CPCC   Civilian Planning and Conduct Capability

EU   European Union

EEAS   European External Action Service

EUMS   EU Military Staff

EUPST   European Union Police Services Training

FCAS   Fragile and Conflict-Affected States

GNR   Guarda Republicana Nacional

JIPH   Joint International Policing Hub

MMA   Monitoring, Mentoring and Advising

OSCE   Organization for Security and Co-operation in Europe

SSR   Security Sector Reform

SU   Stabilisation Unit

UN   United Nations

UNDKPO   United Nations Department of Peacekeeping

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Supporting a Locally-Contextualised Adoption of a Policing Model: An East Timor Case Study

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Abstract

International policing particularly within a post-conflict scenario presents huge challenges for the international practitioner. The police knowledge used to support police reform programmes has typically been acquired within the particular cultural context of a home environment, which poses particular challenges. Some of the key challenges faced by international practitioners are identified and explored within this essay and expanded through a lessons learned approach that may be of future use to those deploying overseas. The guiding principles emerging are set within the longstanding deployments of the GNR to East Timor. The GNR contributed to the United Nations (UN) Transitional Administration in East Timor (UNTAET) and then the UN Integrated Mission (UNMIT) to Timor Leste where they were tasked to develop a GNR civilian policing. The experiences of the author are meshed throughout this paper with evidence drawn from Security Sector Reform (SSR) doctrine.

Introduction

For many years police officers have developed their professional experience from international missions that all too often is not shared as lessons learned. Sometimes, just by telling our story, especially if it is a positive one, it can help other practitioners to avoid the same errors or to understand useful approaches to similar challenges. This paper is based on my experiences in East Timor (Timor-Leste).[48] Through giving a personal perspective, I have identified some of the challenges I faced, lessons learned and potential guidelines that may be useful for police officers deploying on future international policing missions. My observations are set within a wider literature review.

The Guarda Nacional Republicana (GNR), Portugal's gendarmerie-style police force, was deployed immediately after the 1999 East Timor referendum, as part of the United Nations (UN) Transitional

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[47] Most of my policing experience has been in Riot and Crowd Control, where there has been a focus on accomplishing objectives by performing particular tasks as a result of a predetermined plan. Through my academic studies and my international experience on the ground, I have become aware of many factors that could affect perceptions and decision-making processes in international policing missions. My experience in East Timor included three deployments from 2001 to 2012 which gave me an understanding of the challenges of conflict environments and, the approaches required to resolve conflict and to achieve police mission objectives.

[48] 2001: Rapid Response Unit Platoon Commander, United Nations Transitional Administration in East Timor (UNTAET); 2006/2007 and 2012: Formed Police Unit Commander, United Nations Integrated Mission in Timor-Leste (UNMIT).

Administration in East Timor (UNTAET) police component to help the UN maintain a peaceful and secure environment. Due to its well-trained personnel and organisational capacity, the GNR was able to solve many of the challenges that arose in the mission. It provided an example to the Timorese people of police professionalism that led the Government of East Timor to include Portugal, and specifically the GNR, in its 2006 request for international assistance when the internal security structures had collapsed. When this assistance ended through the UN Integrated Mission in Timor-Leste (UNMIT), East Timor chose to follow the GNR model of policing (i.e. gendarmerie style) and Portugal continued to engage with the country through a bilateral agreement to select and train new East Timorese police officers. Although East Timorese authorities selected a police model with a strong degree of hierarchy, command and control, they have maintained the civilian nature of their police officers.

Challenges Encountered

The Conflict Context

The conflict context of an international policing mission is one of the greatest challenges faced, and understanding this context is one of the guiding principles of successful planning in conflict resolution. The grievances that form the root causes of the conflict are always present in the minds of local society and must be understood by the international community. This understanding and the adoption of conflict sensitive approaches will bring a greater likelihood of reducing conflict, promoting peace and stability, and achieving a political settlement. East Timor's historical background, the causes of conflict and the need to facilitate the reconciliation process should have shaped the setting out of the mission mandate from the beginning. But according to a working paper by Olav Ofstad[49] on UN operations in East Timor from 1999 to 2006, there was a focus on conflict *management* and a lack of conflict *analysi*s, particularly regarding reconciliation and conflict resolution. Furthermore, the Brahimi Report of 2000 that focused on UN peace operations noted the importance of using a comprehensive approach to understand the conflict that should be specified in a sound mandate laid out from the onset and supported by an aligned strategy.[50] By understanding the root causes of conflict as integral to the local context, we take into consideration one of the most important principles considered by the Organization for Economic Co-operation and Development (OECD) as the 'starting point' of international crisis assessment.[51]

My personal observation in 2001, which was before East Timor became an independent country, was that the UN police operations were always focused on physically separating the neighbourhoods or population that were at greater risk of conflict or were directly involved in public disorder. Better

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[49] O. Ofstad (2012). 'Reconciliation and Conflict Resolution in East Timor: Lessons for Future Peace Operations', *Working Paper*. Oxford Institute for Ethics, Law and Armed Conflict, April 2012, pp. 2, 3, 8, 10, 11, 18, 21.

[50] L. Brahimi (2000). *Report of the Panel on United Nations Peace Operations*. New York: United Nations, pp. 1, 12, 16.

[51] OECD (2011). *International Engagement in Fragile States - Can't we do better?* OECD Conflict and Fragility Edition, OECD Publishing, pp. 23-24.

political guidance was needed on the ground so that police efforts would improve their understanding of both sides of the conflict. On my second deployment in 2006, I encountered another challenging period when the UN completed the vetting process of Timorese police officers involved (or not) in the disorders that had precipitated the crisis of that year. Due to time constraints, some of the procedures were relaxed leading to some officers who had passed the vetting using their standard issue weapons against a population that was accusing them of previous criminal acts. This led to reduced confidence and trust in the UN's work and in the local police. This demonstrated that accountability (of both the UN and local police) should be taken into consideration from the very beginning of a mission because once trust is damaged, it takes a long time to get it back. By the time the UNMIT mission was coming to an end (after 2011), with new East Timorese police officers having been recently trained in the Police Academy, the population had started to get used to and respect the police. In that period, we planned joint patrolling with the East Timorese police and when we felt they were fully prepared for higher risk situations, we stepped back and gave them the lead.

<u>Local Ownership</u>

Local Ownership has been used for several years as an indicator for the success of an international mission. The 2005 Paris Declaration on Aid Effectiveness[52] considers 'ownership' to be the first principle of 'smart aid', and it includes several indicators to assess progress in this regard. Local ownership was not a priority in East Timor, at least at the start of UN deployments, because there was an international transitional administration that led the country to independence (UNTAET) and then had to prepare East Timorese personnel for the task of local administration.

International policing mission environments often have police experts from many countries and face a challenge in bringing harmonisation to the multiplicity of different contributor nations. This requires sufficient coordination in an attempt to reconcile the differing approaches though consensus within the international community as well as the acceptance of the host nation. The first steps in preparing for an international policing assistance mission are analysis, strategy development and establishment of the mandate. In the case of East Timor, the country was adopting a new model of policing, and the host nation's involvement was crucial to its development as the local police force was going to test it out on the ground. Therefore, input from the local authorities/police is key to providing donors with the right information so that they can continue to share their knowledge with the host nation, allowing the best possible police model option(s) to be selected. As an example, there could be controlled pilot exercised within a dedicated area to check whether an approach works, which can then be replicated in other places (possibly with adjustments). As mentioned before, the local context will impact upon an imported policing model's appropriateness and therefore it will need to be locally adapted.

But what does this concept mean exactly? The local ownership idea is implicit in a 2001 report by the then UN Secretary-General Kofi Annan, when he explained that sustainable peace and development

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[52]   See: http://www.oecd.org/dac/effectiveness/34428351.pdf .

'can only be achieved by the local population itself; the role of the UN is merely to facilitate the process that seeks to dismantle the structures of violence and create the conditions conducive to durable peace and sustainable development'.[53] Reflecting upon this 2001 remark, my judgement is that local ownership was not a priority in the mandate of the UNTAET[54], the first UN mission in East Timor after the 1999 referendum.

According to a 2016 study commissioned by the British Department for International Development (DFID), domestic initiatives should be driven by locals with donor support, not the opposite.[55] In some cases in East Timor, imposed models, delivered according to international standard timetables, did not fit the East Timorese socio-cultural context. An example was the implementation of the concept of 'community policing', especially for crimes related to sexual and gender-based violence, for which the local society was not yet prepared. When a crime was committed, instead of pressing charges in the police station and taking the case to court, the victims would address the tribal chief who would resolve the matter internally through long-standing informal justice mechanisms. The lesson here was that other local stakeholders (e.g. traditional leaders) should have been involved in the community policing initiative, in order to collaborate in the implementation of a new law that may conflict with traditional approaches.

Celebrating 'Children's' Day' in East Timor

This moves us on to another point: which local people? As identified in the 2016 DFID study, there are challenges related to local ownership that include identifying the numerous stakeholders (governmental and non-governmental), being inclusive and promoting the willingness of stakeholders to accept and cooperate with each other. Authors such as Koenraad van Brabant consider the public

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53 United Nations (2001). *UN Secretary General's Report: No Exit without Strategy: Security Council Decision making and the Closure or Transition of United Nations Peacekeeping Operations*,   Security Council Report., p.2.
54 See United Nations Security Council Resolution (UNSCR) 1272, S/RES/1272 (1999).
55 S. Bakrania & H. Haider (2016). *Safety, Security and Justice: Topic Guide*. Birmingham, UK:GSDRC, University of Birmingham, p.26.

in general as 'locals', because they need to be engaged to build legitimacy around the decisions taken by international organisations or national governments.[56]

In the initial phase of UNTAET, most of the high-level identifiable actors were ex-fighters or their relatives, except for José Ramos-Horta, who had a diplomatic background, and Mari Alkatiri, who was a lawyer and also had some international experience. Therefore, in some cases leading local actors participating in the state building process may have lacked some of the requisite political knowledge, skills and experience.[57] By way of example, this was reflected in women's participation in this process (including policing) taking time to develop owing to difficulty in overcoming social traditions.

One further challenge that impacts upon local ownership is time and funding. The mandate and available budgets, which follow international standards are sometimes not compatible with local needs even though the mission period may be lengthy.

Ole Jacob Sending identifies three local ownership models: when it is a goal or an outcome of peacebuilding efforts; when it is a right (sovereignty); and when it is a conditional right (i.e. a lack of capacity or responsibility).[58] In my first mission to East Timor (2001), we were dealing with aspects of all three. First, it was an outcome of the peacebuilding process, because domestic initiatives should drive counterparts to cooperate with each other and with the international community to stop internal disputes. Secondly, it was a country's right for a country to seek to be independent, and as such local initiatives should be supported by donors and to include assistance to Indonesia in a quest for a peaceful transition. Thirdly, the East Timorese public institutions and leaders lacked a certain capacity and experience, and therefore needed support to prepare their human and institutional resources for government.

By the time of my second mission (2006), East Timor was already an independent country, so we had to follow UN guidance that coordinated with East Timorese authorities. The first contingent in 2006 needed to provide safety and stop internal disputes, while during subsequent police deployments we increased the number of trainers and cut the number of operational personnel.

Which Country and Police Model should be selected?

After the 1999 independence referendum, East Timor had to decide which policing model to implement with the help of the international community to ensure that it developed in a sustainable way. The history of the conflict may suggest use of a formula that had been used with success within another country with a similar contextual background. However, it takes time to find the correct

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[56] K. Van Brabant (2010). 'Peacebuilding How? Broad Local Ownership'. *International Peacebuiding Alliance*, Online, pp. 3-6.

[57] H. Shinoda (2008). 'The Difficulty and Importance of Local Ownership and Capacity Development in Peacebuilding.' *Hiroshima Peace Science*, 30, pp.95-115, p.100.

[58] O.J. Sending (2010). *Learning to Build a Sustainable Peace: Ownership and Everyday Peacebuilding*. Oslo: Chr. Michelsen Institute, p.2.

pathway for local solutions. This was made more challenging by the fact that the UN had a mandate[59] to accomplish and the international community was in a hurry to finish the task of undertaking the necessary measures to give independence to East Timor.[60]

As previously explained, there might be conflict between the different international approaches each with perceptions of the conflict environment, differing agendas and local practices (i.e. cultural, political or legal) that may collide with international standards (e.g. human rights). In these cases, it may be necessary to achieve a compromise medium term solution. In some international scenarios, when 'Western' standards are presented as basic principles, we should be aware of the implications for the host nation. If international actors ignore the root causes of the conflict or the socio-cultural environment, some tranches of the population will perceive the intervention as not being truly inclusive or contextually sensitive.

As previously explained, East Timor was not then prepared to take the lead in relevant areas such as the rule of law, including the relationships between courts and the police and the issues around the population's level of trust towards these institutions. Therefore, trying to implement, for example, community policing programmes during this phase was impossible because it would have required the involvement of the whole of society in circumstances where the country's governmental structure as well as the population's mind-set were not adequately prepared for that change.

As a further example of this point, attempts to apply some of the new laws relating to sexual and gender-based violence failed. These laws were enacted, and the support structures were implemented, but because there was a strong heritage of traditional and informal dispute resolution for sexual crimes and domestic violence few cases were reported to the police or to the courts. It took time, local actor involvement and a lot of persuasion from the international community to operationalise these laws. This is evidence that the mission direction must be planned carefully with as many stakeholders as possible being involved and then collaborating with the donors on the agreed model.

To be better prepared in military crisis planning and to involve as many stakeholders as possible (including civilian ones), the North Atlantic Treaty Organization (NATO) developed the 'Comprehensive Approach',[61] in which non-military actors (including 'locals'), could be involved within in a mission planning process. The Comprehensive Approach can bring local ownership into the process, identifying constraints in the planning phase that could hamper activities in the field. The EU has had a similar approach since 2013 and particularly after the 2015 Action Plan,[62] when it has sought to integrate other participants in the planning process. If local authorities are involved from the start of the planning phase of a mission, and if the local perspective of a conflict is considered, the

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[59] The UNTAET Mandate was extended by UNSCR S/RES/1338 (2001) until 31 December 2002, and by UNSCR S/RES/1392 (2002) until 20th May 2002 when East Timor became an independent state.

[60] Although another supporting mission would follow: the United Nations Mission of Support in East Timor (UNMISET), UNSCR S/RES/1410.

[61] NATO (2013). *Allied Command Operations Comprehensive Operations Planning Directive - COPD Interim V2.0*.NATO: Supreme Headquarters Allied Power Europe.

[62] European Commission (2015). *Taking forward the EU's Comprehensive Approach to external conflict and crises - Action Plan 2015*. EC: Council of the European Union, 2015.

outcome of the initial plan and strategy will be improved. The most recent EU Global Strategy[63] further develops the concept of a 'comprehensive approach to conflicts and crises, bringing a wider perspective to working through all the dimensions of the conflict cycle.

Lessons Learned

When we speak about lessons learned we are often talking about learning from individuals or group experiences.[64] However, regarding police and military[65] deployment for international missions, this knowledge must be converted into institutional learning otherwise it will be kept on the level of just the personal experience and other practitioners risk repeating the mistakes of the past. This institutional learning takes time and needs an adaptive organisational structure that interacts with external bodies to exchange knowledge and develop the organisation's own learning outcomes. In a study of EU Missions and Operations[66] that considered 21 missions and operations, it was possible to identify that whilst there is European doctrine that deals with this issue, coordination of this doctrine is lacking among the three main European structures that deal with lessons learned: the European Union Military Staff (EUMS), the Civilian Planning and Conduct Capability (CPCC) and the Crisis Management Planning Directorate (CMPD).

<u>Required skills and knowledge</u>

As previously mentioned, an officer's personal experience and knowledge is a highly relevant tool in the field. In the case of East Timor, experienced UN career officers including David Harland have given overviews of the accomplishments and lessons learned in the field that should be taken into consideration in mission planning, strategic advice, pre-deployment training and selection of future deployed officers. Quoting Lakhdar Brahimi[67] he identified the basic problem that I too faced in East Timor over 12 years:

> '*There is a 'knowledge deficit' that is one of the repeating dilemmas of United Nations work in post-conflict countries – the most important decisions are the ones taken at the very*

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[63] European Union (2016). *European Union Global Strategy*, Brussels: European External Action Service, p. 28.

[64] The UN began with a small 'Lessons Learned Unit' in East Timor though successive reports led to the development of a living document. This document rather than collecting end of mission reports, developed guidelines and standard operational procedures needed in the field for ongoing or future missions. Only after the external assistance from Governments, Non-Governmental Organisations (NGOs) and think tanks, among others, could the UN learning gap be filled.

[65] This concept has now been well organised and defined by NATO within overall military capacity (NATO, 2016). NATO notes the common mistakes that are committed, emphasising the difference between the 'lessons learned' procedure and the term 'lesson learned', which is the result of the procedure (NATO, 2016, p.2). Bearing this in mind, NATO has an additional concept of 'lesson identified', which takes place prior to any lessons learning, and is defined as 'a mature observation with a determined root cause of the observed issue and a recommended remedial action and action body, which has been developed and proposed to the appropriate authority.' (NATO, 2016, p. 12).

[66] European Parliament (2012). *CSDP Missions and Operations: Lessons Learned Processes*. EC: Directorate-General for External Policies.

[67] D. Harland (2005). *UN-peacekeeping operations in post-conflict Timor-Leste: accomplishments and lessons learned*. Dili: Peacekeeping Best Practice Unit DPKO, p. 2.

beginning, when everything is fluid, but at the very time when we know least about the people and the place with which we are dealing'.[68]

Through an early decision the GNR managed to deploy the best police professionals they had, originating from the same specialised unit (with crowd control, criminal investigation and explosives experts, among others). However, over time these officers had to be replaced and the approach taken was to redeploy a majority of the same officers (in my case this entailed three deployments). There are advantages and disadvantages to this approach; if motivated and with a supportive and stable family these officers become an added value. If this is not the case then there will be a need to replace them or have a strong command and control approach, which we had in this sort of unit.

Additional skills including professional planning capability and the necessary soft skills to interact with the local community (particularly the National Council of Timor Resistance - CNRT) and the wide range of institutions in the field was an added value of the experts on the mission. One aspect that every contingent deployed brought home was a series of case studies to help in the preparation of new officers in their pre-deployment training. Of course, it is possible that the local police may not have the required skills to achieve a certain goal within a dedicated timeframe even after training. Therefore, the path to be followed may take longer than UN agenda allows. It takes time, patience and often other skill sets (mainly soft). This leads to the question of when local capacity can be sufficiently developed enough to stand alone? This issue of sustainability had to be considered within the UN withdrawal plan.

Taking into consideration my personal experience, when I was asked, for example, by the UN Police (UNPOL) in 2007 to provide Riot and Crowd Control training to the East Timorese police, I declined to do so because the local police were not yet sufficiently prepared. They had received previous training from Australian and Malaysian Police but it had not been successful. The local police said they wanted to follow the Portuguese Formed Police Unit (FPU) model but they did not know exactly why. It appeared to them to be a good choice just because it was perceived by local authorities as having been successful in undertaking riot control in East Timor. As the UN knew about this request the GNR were asked to provide the training 'under the UN umbrella'. I told the UN that even if we had the best trainers and working conditions, it would not be enough because the local police needed a different approach to learning and training.

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[68]   UNTAET (2001); UNMIT – United Nations Integrated Mission in Timor-Leste (2006/2007 and 2012).

The GNR working with the local police in East Timor

In team building exercises all the East Timorese participants initially responded with an individual approach (learned from years as insurgents through survival instincts and stemming from a lack of trust). After an explanation of the procedures for group working, they performed the exercises faster and finished less exhausted, recognising that it was rewarding to work in such a way. But after three or four exercises, when similar group responses were needed, they acted in an individual manner because there was lack of trust amongst them all. Consequently, a lot of social competency and skills development was required before any type of training, especially relating to public order, could be undertaken. When they are really pushed to the limit, as occurred during the 2006 crisis, the teambuilding competencies linked with police technical procedures are crucial to self-confidence and the achievement of success.

Thinking 'outside the box'

A lack of institutional guidance may lead to bilateral approaches that sometimes obtain apparent immediate success but are not integrated in a wider and long-term strategy and, therefore, are not sustainable. This was the case in East Timor where the local leadership asked for support from the UN and, at the same time, from several countries and donors. The support provided by several organisations (including NGOs) and governments was not coordinated, and sometimes similar programmes were implemented. This included programmes relating to the development of police doctrine, tactics, techniques and procedures which in the end confused the East Timorese as they were trying to develop their own way of doing things. This also had an influence on resources including which equipment to procure and how much the initial investment should be (e.g. for the

entire police or on a trial basis for a smaller group) because international advice affects the decision-making process which impacts in the longer term.

There are typically two options for intervention: to start with the appropriate measures and solutions for the local and specific context (maybe an 'out of the box' idea), that after a successful trial period could be expanded to other areas with the same circumstances, or even to the whole country; or to try something on national level (more difficult for out of the box solutions). In any case, the lessons should be identified, consolidated and implemented if learned.

In the case of East Timor, after 2011, we took the national level option of a planned and clear police recruitment process where there was a concerted effort to select the best amongst the young population. Then, after intensive and centralised training on relevant issues (human rights, law, teambuilding, etc.), these officers were ready to integrate into the national structure in every district. There were a lot of initial clashes with the 'old generation' of police officers but with a strong professional approach the cultural issues were resolved over time.

Guiding Principles

One of the desired end states of this workshop was to achieve some guiding principles that could be shared with police practitioners and academics. There are many possible guiding principles that could be referred to, but I have highlighted three that bring a focus on the key points raised. These reflections are related to the East Timor scenario and are based on my personal experience so any attempt to apply them elsewhere should take into consideration the specific socio-political context. Even in the same place, but at a different time, former solutions may not be applicable, due to evolutionary changes in context. Some of the findings of this paper lead to these guiding principles:

Assessment and Planning of Mission Context

As emphasised in the East Timor case and in relation to specific challenges, assessment and planning of the mission needs to focus on the correct analysis of the root causes of the conflict and to understand the impact it would have on the mission's context and tasks performed by UN officers. Without undertaking a proper assessment to facilitate decisions at the strategic level and suitable planning in the short to medium period, both the UN and/or other donors' success can be stymied. There is the need for local ownership, institutional and public support in this process.

<u>Small steps</u>

International policing missions should be built upon small steps with reliable and easily measured indicators of progress, which give a clear picture of structured development. When relating these steps to the previous point, planning should be based on a suitable timetable, which provides limits and a clear picture of the development process and achievements. However, when linked with the next principle, it must be flexible enough and adjustable to local needs, allowing for an increase in confidence of all stakeholders.

<u>Flexibility</u>

Flexibility and the constant need to adapt is a necessary element in an international mission's approach. Besides previous personal and institutional experiences that may result in preconceived ideas about how to approach a certain problem, organisations and individuals must be prepared for delays, misperceptions, and even to fail, in circumstances where it seems that there is an easy answer. International understanding together with local ownership and joint development of solutions may lead to 'out of the box' solutions that should be based on consensus. As we say about police planning options, plan for the most predictable but be prepared for the most dangerous.

The Author meeting UN Secretary General Ban Ki-moon in East Timor

Final remarks

As a final remark, we should reflect on the identified lessons that come out of personal and institutional experiences – the more you prepare yourself and the more stakeholders you involve in the assessment and planning phase, the more accurate will be the development of the process to correctly analyse, take the right decisions and allocate the proper resources.

The development of a mission strategic plan and the monitoring of organisational actions through the analysis of indicators provide lessons identified that appropriately reviewed and included in a lessons learned process will provide guidance for future peacekeepers and other stakeholders.

East Timor was a personal and professional experience for which I was not really prepared in the beginning, but on my second and especially my third mission, I had a clearer notion of the mission requirements and was better prepared to support the implementation of a policing model which was adapted to the local needs. By this time the East Timorese were also better prepared to receive the international inputs by having developed the relevant institutional capacity to allow the training interventions to be understood and sustained.

Abbreviations and Acronyms

CNRT   National Council of Timor Resistance

CMPD   Crisis Management Planning Directorate

CPCC   Civilian Planning and Conduct Capability

EEAS   European External Action Service

EU   European Union

EUMS   European Union Military Staff

FPU   Formed Police Unit

GNR   Guarda Nacional Republicana

LI   Lesson Identified

LL   Lessons learned

NATO   North Atlantic Treaty Organization

NGO   Non-Governmental Organisation

OECD   Organization for Economic Co-operation and Development

UN   United Nations

UNMISET   United Nations Mission of Support in East Timor

UNMIT   United Nations Integrated Mission in Timor-Leste

UNSCR   United Nations Security Council Resolution

UNTAET   United Nations Transitional Administration in East Timor

SSR   Security Sector Reform

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The Guardia Civil in the Sahel: A Milestone in EU-Africa Police Cooperation: Enhancing Integrated Border Management Capacities

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Abstract

An escalation in illegal immigration from Sub Saharan Africa to the Spanish Atlantic has resulted in the need for more tailored approaches and solutions from across European Union (EU) member and associated partner states. The core focus of this paper is the international cooperation with West African countries initiated by the Guardia Civil within the wider context of Security Sector Reform (SSR) programmes. In particular, there is consideration given to short to long term maritime and border control management systems developed since the 1990s. This has occurred within a framework of international cooperation between EU and African countries across a range of projects that have included operational, cooperation, institutional strengthening and capacity-building, and cross cutting activities. Emanating from the challenges of implementing these programmes come reflections on the key lessons learned and guiding principles: patience, proximity, doctrinal flexibility, local ownership and regional strategy.

Introduction

In the past three decades the illegal immigration phenomenon facing the Atlantic and Mediterranean coasts of Spain has undergone various stages and processes, presenting challenges which have needed tailored approaches and solutions depending on the countries involved, the characteristics of the migrant influx, and the level of cooperation with partner nations, including those of the EU.

The aim of this essay is two-fold: to explain the development of the migration problem in the Spanish Atlantic coasts of the Canary Islands, and the solutions implemented to tackle it; and to provide some lessons learned and/or guiding principles based on the challenges faced and the experience gained. With these aims in mind, the paper is divided into four sections, exploring: the background to the problem; the action plan established by the Guardia Civil; the projects and actions implemented to operationalise the action plan; and the challenges and lessons learned. The key focus of this paper is international cooperation with Africa where cooperation was initiated between the Guardia Civil and police authorities of West Africa within the context of wider Security Sector Reform (SSR). The timeframe selected for this study starts in 1990 with the strategic decision to create the Guardia Civil's Maritime Service. Many of the measures implemented are still in force or have been enhanced over time.

The paper is based mainly on the experience gained through the years of the Guardia Civil's close work with the local authorities of the countries concerned. [69] It is also informed by a literature review focused on SSR publications.

Background

Immigration from the North African continent towards Spain by a maritime route is not a new phenomenon, as the first small boats coming from northern Morocco – known as "*pateras*"[70] – arrived at the Spanish Mediterranean coast at Cadiz in the mid-1980s. Over the next few years, the arrivals gradually increased, as did the number of departure and arrival points along the northern Moroccan and southern Spanish coasts respectively; especially from 1988 onwards, when arrivals to Malaga and Granada became more and more frequent. In light of this situation, political and policing measures were implemented, focused on the fast return of the immigrants to Morocco as well as establishing control over the coastline through the creation of the Maritime Service of the Guardia Civil in 1991 and, the implementation of the External Surveillance Integrated System (SIVE)[71] in 2000.

The improvement of maritime control over the Strait of Gibraltar and neighbouring areas forced the clusters of immigrants to move towards southeast Morocco, reaching the Atlantic coast of Western Sahara, where the distance to the Canary island[72] of Fuerteventura is navigable in one night or less using a small boat. As a result, since the late twentieth century, the arrival of *pateras* to this island increased significantly following similar patterns as seen in the Mediterranean Sea. For this reason, Spain – and the Guardia Civil in particular – strengthened its efforts to control this area, replicating the model used in the Strait from 2001 when an upward arrival trend was detected.

These policing measures implemented by the Guardia Civil represented a remarkable success in maritime control but led to increased migratory pressure on northern Morocco. As a result, in 2005 a massive increase in migrant influx at the land border between Spain and Morocco took place at the Spanish cities of Ceuta and Melilla. This uncontrolled wave of immigrants exceeded the containment capacity of the border fence in both cities and large numbers of immigrants entered into both, creating a highly complicated social and humanitarian situation. New measures were needed, which led to an

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[69] The author's direct experience with the subject of the essay covers two periods: 2007-2010 as coordinator of international border cooperation at the central level within the Fiscal and Borders Command in Madrid, directly responsible for Guardia Civil operational activities in Africa; and in 2012 to 2014, managing the operational and tactical Guardia Civil activities in Sahel countries and inter-institutional regional immigration cooperation as Head of the Operations Area of the Canaries Regional Coordination Centre in Las Palmas de Gran Canaria.

[70] A *patera* is a traditional wooden coastal fishing boat used in Morocco. It is usually about 3-6 metres long and equipped with a single 15-30 hp outboard engine. The number of migrants carried by each varies from three to 20.

[71] SIVE is an integrated coastal surveillance system that encompasses an early detection component (coastal stations equipped with radar, infrared, thermal and high definition cameras), a Command and Control Centre, and an interception component (land, aerial and maritime patrols). Nowadays it covers the whole Spanish southern and eastern coasts, and some areas of Galicia in the north.

[72] The Canary Islands are an archipelago located approximately 100 kilometres off the coast of Western Sahara. The archipelago is made up of seven main islands (Tenerife, Fuerteventura, Gran Canaria, Lanzarote, La Palma, La Gomera, and El Hierro) as well as some smaller ones. The islands constitute one of Spain's seventeen autonomous communities and it is considered as an EU ultra-peripheral area.

increase in Spanish political and police cooperation with the Moroccan authorities. New border control measures were implemented, and a new and enhanced border fence was built, with its custody and control being entrusted to the Guardia Civil.

A change of trend took place in 2006, when the maritime and border control measures implemented on the Mediterranean coasts and the land border of Ceuta and Melilla stabilised the situation, and stricter Moroccan migration policies made it more difficult for migrants to reach and cross the country. However, other political and economic factors in Sub-Saharan countries continued pulling migrants to Spain, opening a new route and causing the outbreak of the 'cayuco crisis',[73] resulting in a fourfold increase in the arrival of boats to the Canary Islands with more than 30,000 immigrants in 2006 alone. This was not only related to the number of immigrants or the overcrowding of the local area; it was also the confirmation of the existence of a new paradigm comprising a change in *modus operandi* and routes, as well as an extension of the departure areas and nationality of the immigrants, resulting in a human tragedy of even greater proportion.

Under this new paradigm, immigration no longer involved small wooden boats holding less than 10 persons - mainly adult males from the Maghreb - and departing from the Western Sahara coast towards Fuerteventura through an easy maritime route of less than 15 hours. Instead it involved *cayucos,* mainly from Northern Mauritania and Senegal (and less commonly from Gambia and southern Senegal), that were over ten metres long and overloaded with usually 60 to 100 immigrants of all ages and both genders, coming from all over Sub-Saharan Africa. These people ventured into a dangerous sea route which took between three and 10 days' duration, bound for the islands of Gran Canaria and Tenerife. Their exposure to a variety of disasters caused the deaths of many migrants.

Migrants bound for Gran Canaria and Tenerife

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[73] A *cayuco* is a traditional fishing boat of Mauritania and Senegal, which is over 10 metres-long and uses a 30-50 hp engine suitable for longer sailing trips.

Faced with this scenario, Spanish national efforts[74] were intensified at political and the Guardia Civil level to speed up the implementation of the actions launched in 2005, in the form of new administrative measures such as the establishment of the Canaries Regional Coordination Centre (CRCC), operations to reinforce and extend SIVE, air and sea capabilities of the Canary Islands, as well as international cooperation with EU and African countries.

Since the very beginning it was obvious that Spanish national measures alone would not be sufficient to tackle the arrival of *cayucos* to the Canary Islands while the reasons for this immigration remained unchanged and deeply rooted in the countries of origin and transit. Therefore, priority was given to actions in the countries of origin, seeking to establish an advanced surveillance system that in the long term has proven to be a success and an example for others to follow. The initial focus was on the countries of origin of the *cayucos* - Mauritania and Senegal - and after the first political and diplomatic contacts the need to engage on multiple fronts became clear. To this end, bilateral agreements were signed to implement capacity development within these countries in the political, economic, health and social fields, as well as wider SSR. The latter area directly concerned the Guardia Civil due to its active role in working with the local police forces.

Guardia Civil sea capability in the Canary Islands

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[74] The Spanish authorities took a whole-of-government approach and mobilised the necessary economic resources, engaging all relevant ministries along with regional and local governments and civil society.

Action Plan

In responding to these challenges, the Guardia Civil established a threefold action plan[75] to implement an Integrated Border Management system as local capacity in this field was clearly insufficient and sometimes even non-existent:

Short term

In the short term, to tackle the departure of *cayucos* bound for the Canary Islands, the Guardia Civil undertook aerial and maritime control operational activities in the focal points of departure: Nouadhibou in Mauritania and Dakar in Senegal. To this end, in 2006 offshore Guardia Civil patrol vessels and helicopters were deployed to these focal points of departure and they have remained there ever since, performing maritime surveillance joint operations to prevent the departure of vessels with illegal immigrants. To complement the operational activities of the Guardia Civil, African partner countries were included in the operational plans of the European Border and Coast Guard Agency (FRONTEX), [76] allowing the presence of air and sea border protection elements from EU countries. Liaison officers were exchanged to promote cooperation and mutual understanding. This included exchanges with Cape Verde and Gambia due to their specific geostrategic interests.

Medium term

In the medium term, the Guardia Civil sought to develop local capacities for border management and control. To this end, projects for the donation of equipment and technical assistance[77] for training were (and continue to be) implemented, including for Cape Verde and Gambia. After initially focusing on maritime surveillance, support was also provided to improve land and airport surveillance. The Guardia Civil also established police information exchange channels to set up a police cooperation network.

Long term

The Guardia Civil's long-term plan was to extend local capacity development to areas beyond border control, such as criminal investigation, prevention of crime and terrorism, and the protection of VIPs and critical infrastructure. This included extending the police cooperation network across other interested states and expanding the SSR efforts to other countries of the Sahel to improve security throughout this region, and thereby increasing security for Europe.

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[75] This was part of an ambitious and far-reaching governmental action plan known as the Plan Africa.
[76] Established by EU Regulation 2016/1624, replacing the European Agency for the Management of Operational Cooperation at the External Borders of the Member States, created by Council Regulation (EC) 2007/2004.
[77] Some examples of these are the GAR-SI Sahel (Rapid Action Groups – Surveillance and Intervention in the Sahel), Ksar Sghir and Blue Sahel projects.

The aforementioned action plan was implemented through a capacity development and SSR programme based on specific projects, which have been implemented in several stages or simultaneously by taking advantage of the synergies among them. The aforementioned planned time frames have been merely indicative of the final implementation, as it was possible to accomplish some of the medium and long-term goals through short-term projects. This blend of simultaneous and sequential projects has not only benefited from synergies, but it has also provided important lessons learned, new fields of action and, in general, valuable experience that will strengthen and improve the future projects to be planned and implemented. It is important to highlight that each individual action or project works together in an integrated manner to achieve the final goal, namely the improvement of local police capacities to fight against threats (including jihadism, illegal trafficking routes and political instability) that plague the region and have a deep impact on Spain and other EU countries.

SSR programming was implemented in three steps. The Guardia Civil first needed to obtain the local authorities' consent to establish the projects. This was achieved through various agreements, starting at a high political level and moving ultimately to the partner personnel on the ground. Memoranda of understanding established the framework at the political level (usually between Ministries of Home Affairs/ Interior) and bilateral agreements at the tactical and operational levels were made amongst law enforcement institutions. The second step was to make arrangements for further actions through the deployment of Spanish operational detachments, exchange of liaison officers and donation of basic tactical equipment, which was completed during specific training programmes. Finally, the Guardia Civil established various SSR projects according to the situation and needs of the respective country and law enforcement agency.

Financial factors were crucial when planning projects, because it is impossible to implement any project without proper planning and allocation of economic resources. The first step was to reach a clear, determined and constant commitment by the Spanish Government to allocate the financial resources needed. Secondly, and based on the principle of reciprocal solidarity governing the EU, European Commission support was sought by means of the various mechanisms of activity funding intended for third countries. Although the European funding provided important support,[78] the limitations[79] of these funding instruments were also apparent. For this reason, there was full awareness that the Spanish Ministry of the Interior and the Guardia Civil would be responsible for significant funding for a lengthy period in all the aspects not covered by the EU, which in practice represented the largest proportion of expenditure.

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[78] The EU has a wide set of financial instruments to fund cooperation and capacity building projects between EU members and third countries. Relevant to the Guardia Civil activity were the following funded programmes: ARGO, AENEAS and the Thematic Programme for Migration and Asylum.

[79] These limitations are related mainly to the eligibility criteria of the projects, which are sometimes rather tight and dependent on the countries targeted; the funding instrument itself and the responsible EU Commission's Directorate General; compulsory involvement of institutions of two or more EU countries; and financial constraints in terms of budget preparation complexity, co-funding between EU and participating institutions and difficult accountability rules for expenses.

Project Development

As mentioned above, there have been various projects, with different approaches and purposes, including multiple activities intended to reach different goals. They can be grouped under four main categories:

- *Operational activities:* mainly joint patrolling and coastal surveillance.
- *Cooperation activities*: establishment, maintenance and strengthening of police cooperation networks.
- *Institutional strengthening and capacity building activities*: activities aimed at strengthening institutions and establishment of capacities: technical assistance, training and donation of equipment.
- *Cross-cutting or complementary activities*: improvement of mutual trust through study visits, workshops and seminars, information and awareness campaigns on the migration phenomenon, and cooperation with NGOs and other countries' development assistance agencies regarding the implementation of their projects.

As previously mentioned, projects intertwine to benefit from potential synergies. In addition, some are the continuation of previous projects and others are implemented simultaneously. In the interest of clarity, there is a division between closed projects (those administratively completed and closed regardless of whether their actions are still in force), present projects (those in full implementation) and future projects (those that are still in their bidding or planning stages and those in their very initial implementation stage). Likewise, there are other small-scale activities, which are not encompassed in any project – although they contribute to the global goal – and therefore are not mentioned here.

Another key issue is local sustainability of the projects, which is the capacity of the local authorities to maintain the actions and the equipment by themselves. Our presence or support will differ depending upon the location and/or the stage of the project. This is important in determining the type of support and equipment provided as it is, for example, of no use to equip police patrols with state-of-the art technology which cannot be maintained from a financial standpoint over time. In addition, there is a need to plan the gradual draw down of external support mechanisms.

Operational activities

Maritime Surveillance

Maritime surveillance operations began in 2006 with the deployment of Guardia Civil personnel and resources to Africa to prevent the departure of *cayucos* bound for the Canary Islands, expanding later to cover other types of illegal trafficking, pollution or fisheries control. Maritime surveillance patrolling has two modalities: mixed patrols, in which local and Spanish personnel use Spanish vessels and aircraft exclusively; and joint patrols, in which Spanish resources are included in the local roster of operational means as a reinforcement of the local capacities. To keep local ownership of the action

and to preserve the legality of Spanish actions, local officers embarked on our vessels and aircraft to undertake joint patrolling with Guardia Civil.

These modalities follow the same objective, being dependent on the bilateral agreement signed with each country, and local capacities.[80] In Mauritania, the Guardia Civil detachment is based in Nouadhibou and formed of two offshore patrol vessels and one helicopter, with their respective crews. In its early stages, patrolling was exclusively mixed (since the only available resources were Spanish) but this turned into joint patrolling after the implementation of the institutional strengthening projects. In Senegal, this support began in 2006 and continues to the present day, with a Guardia Civil maritime detachment in Dakar formed of personnel and two offshore patrol vessels carrying out joint maritime surveillance services from the onset. In Cape Verde between 2006 and 2010, joint patrolling activities were implemented in territorial waters to locate *cayucos* in transit towards the Canary Islands.

Border control

Maritime surveillance proved to be effective[81] but according to the medium-term strategy articulated it was necessary to keep on building and strengthening local capacities. This required maritime surveillance to be supplemented by coastal (land) surveillance by means of joint patrols undertaken by personnel from the Guardia Civil and the National Gendarmerie of Mauritania, which have been operational since 2014.

Cooperation activities

Liaison Officers Network

From the moment that Guardia Civil resources arrived on the African continent, an exchange of liaison officers was established. Guardia Civil officers were seconded to Nouadhibou, Mauritania and Dakar, Senegal. The CRCC received an officer from the National Gendarmerie of Mauritania and the Senegalese Armed Forces (the latter rotated among the three branches of the Armed Forces and the Gendarmerie). Subsequently, Guardia Civil liaison officers were deployed to Gambia, Cape Verde, Guinea Bissau, Niger and Mali.

Seahorse Projects

Between 2007 and 2010 three different EU-funded projects (Seahorse, Seahorse Network and Seahorse Cooperation Centres) created a secure satellite communications network among the

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[80] EU co-funding was achieved using tailored projects under the umbrella of the ARGO and AENEAS and the EU Emergency Trust Fund for Africa; as well as under FRONTEX cooperation and through co-funding in the form of Joint Operation HERA.

[81] Since the patrolling began the number of arrivals to the Canaries has been greatly reduced and there has been an increase in interceptions at the departure points. The number of migrants arriving in the Canaries in 2007 was 60.82% lower than in 2006, while the interceptions in Africa increased to 8,500.

migration authorities of Spain, Portugal, Morocco, Mauritania, Senegal, Cape Verde, Gambia and Guinea-Bissau, complemented by other trust building and cooperation activities.

Institutional strengthening and capacity building activities

Technical assistance

Technical assistance has included the establishment or enhancement of maritime units/ services in Mauritania, Senegal and Gambia between 2006 and 2012. This model was exported to Guinea-Bissau where it is still being implemented. Airport security[82] is an on-going capacity building project with the Mauritanian authorities, which includes a period of mentoring.

The GAR-Senegal project was launched in 2012 on a bilateral cooperation basis between the Guardia Civil and the Gendarmerie of Senegal to establish a Rapid Action Group (GAR), a company-size unit specialised in counter-terrorism. The project included training (both in Spain and Senegal), provision of equipment, and a period of mentoring in the field by Spanish experts. Based on the lessons learned from GAR-Senegal, the EU is now co-funding the GAR-SI Sahel (Rapid Action Groups – Surveillance and Intervention in the Sahel) project for the establishment of company-sized units specialised in counter-terrorism, border surveillance, and protection of VIPs and critical infrastructure. The first stage is focused on Mauritania, Senegal and Mali, while the second stage will have Niger, Burkina Faso and Chad as partner countries.

Training and education

Guardia Civil has provided diving and maritime policing training locally and in Spain as a complement to its technical assistance to Mauritania and Senegal. Training on dedicated border control techniques[83] has included operational techniques on land and Senegal River border control, complemented by training and implementation of police dog units in Senegal, Mauritania, Mali and Niger. Latterly, it is being extended to Cape Verde, Gambia, Guinea-Bissau and Guinea. Officer education has comprised provision of annual scholarships to officers from Mauritania and Senegal to the Guardia Civil officers' bachelor's degree (lieutenant), master's degree (captain), and Staff Officer (major) courses in Spain.

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[82]   The Ksar Sghir project, co-funded by the EU.
[83]   The West Sahel and Blue Sahel projects are co-funded by the EU.

Guardia Civil training programme in Senegal

Establishment of operational structures

Operational coordination centres for border control have been established to manage border control activities in Nouadhibou and Dakar. Maritime intelligence and risk analysis units[84] have been created and supported in Mauritania, Senegal, Gambia, Cape Verde, Mali, Guinea-Bissau and Guinea.

Donation of equipment

Maritime surveillance vessels were donated between 2007 and 2009 to the gendarmeries of Mauritania, Senegal and Gambia, which allowed for the implementation of technical assistance programmes, including regarding operational and technical maintenance. Current technical assistance to Guinea-Bissau has also been implemented in a similar manner. Under the framework of other projects (such as West and Blue Sahel), specific equipment for border surveillance has been provided to Mauritania, Senegal, Gambia, Cape Verde, Mali, Guinea-Bissau and Guinea, including vehicles, telecommunications and night vision devices, and first aid kits for immigrants. Over time, and depending on the nature of the bilateral cooperation, the partner countries (mainly Mauritania and Senegal) have also been provided with generic police equipment, including vehicles (cars and motorcycles), telecommunications, office supplies and logistical support equipment.

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[84]   The Blue Sahel project.

Cross-cutting activities:

Inter-regional cooperation

Seahorse projects provided the basis for the annual Euro-African Conference in Las Palmas de Gran Canaria between EU, Maghreb and Sahel immigration and law enforcement authorities, to share experiences and problems.[85] In order to promote cooperation bonds among authorities from the Sahel region and as a follow-up to the Euro-African Conference, every project includes meetings, seminars and workshops to address common issues about internal security and international police cooperation among stakeholders.

Study visits and seminars

Within Seahorse and as parallel activities, study visits to Spain and specialised seminars have been implemented, involving immigration and security authorities from Spain and different Sahel countries.

Civilian-police cooperation

Since the Guardia Civil contingents were set up in Mauritania and Senegal, it was understood that they had to cooperate with civilian structures with the aim of supporting local development cooperation and other trust building activities. As a result, the Guardia Civil has worked with the Spanish Agency for International Development (AECID) and the EU Delegations with the respective countries on non-police projects through provision of volunteers, logistical transport of materials from Spain, donation of non-police material and so on.[86]

Challenges

When the Guardia Civil became aware of the need to counter the problem of illegal immigration at source, a wide variety of challenges and problems appeared, including:

Local acceptance

When working in a different country it is crucial to reach a common understanding of the situation, merging the local and European view of the migration problem, and to achieve local acceptance of an outside presence. To respond to this challenge, the Guardia Civil undertook action at three levels:

- Government-level bilateral agreements: These defined the legal grounds for the presence of

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[85] In October 2017 the IX Euro-African Conference took place. Since 2011 it has been held under the umbrella of different EU-funded projects.

[86] The West and Blue Sahel projects include awareness campaigns on illegal immigration risks and facts, in cooperation with civilian organisations, which target areas with high migration levels.

Spanish assets in the area and the nature of the joint work among law enforcement authorities. In the case of Spain and the Sahel countries, it has comprised mainly memoranda of understanding, each with various contents and time periods but giving the framework of the bilateral agreement and collaboration.

- Institutional-level bilateral agreements: Spanish and partner police institutions established mutual cooperation agreements setting up the specific conditions to develop operational work. These are as wide as possible in scope to cover present and future operational actions. Ideally, they must be reached after the political agreements, but in the African case, due to the lack of robust governmental structures, some of these institutional agreements permitted the presence of the Guardia Civil in the country without any higher-level political agreement.
- Local 'agreements': These confirm local acceptance of the presence and the role to be played by Spanish officers in the field, and the readiness of police, political, religious or tribal local authorities in the deployment location to cooperate.

Mutual trust

Mutual trust is a challenge linked particularly to the local 'agreements' mentioned above, since distrust among the parties involved, misconceptions or prejudices can destroy this initial local 'agreement', prevent the development of operations, or at least undermine their effectiveness. This trust is also necessary at police and political management levels, so as not to jeopardise the activities at the operational and tactical levels. The creation of bonds of trust should not be limited to police authorities alone and should also include local civil stakeholders as Spanish officers live in that community and must be accepted by that community.

Security

 'Security' must be understood as comprising both the safety of the staff and security of the assets deployed, since any incident affecting either one or the other might hinder, impact or even prevent the fulfilment of operational activities. In this sense, common crime is not the main problem, but rather protection against local actors that may be opposing the Spanish presence (mainly illegal immigration networks) and against radical Islamist terrorism. Within the framework of this challenge to security, local 'agreements' are critical as they help to ensure the minimum level of protection necessary to conduct operations. Moreover, such efforts at building confidence will improve security because if bonds are strengthened with the local community there will be greater engagement and less risk of possible attacks. Finally, the necessary resources must be provided to reduce the vulnerability of personnel and equipment by adopting necessary active, passive and counter-intelligence protection measures.

Logistics

The logistical challenge results from being at a distance from Spanish territory and the lack of international military and police structures in the field. As a result, force projection and sustainability should rely on the Spanish police unit's own resources and on civilian resources hired to support this in parallel with the essential support of the local authorities to remove customs and administrative barriers. A tailored logistical support structure should be established for every country, enabling the initial operational activities to begin. In later stages, it is also important to create synergies among the individual support structures to boost efficiency and to establish the most cost-effective support chain.

Cultural awareness and sensitivity

Cultural differences do not only affect the daily lives of deployed personnel, but they also have some impact on every aspect of the mission. Cultural issues impact mission planning because different approaches to solving a given problem must be accommodated; and there is a need to convince the other party how to address the issue and to address challenges facing not only Spanish but also local authorities. In the early stages of the deployment, the culture clash (often language and religion) and how it is addressed will be the key to reaching a local 'agreement'. While executing operations, adapting to the local tactics, techniques and procedures will determine operational success and lay the foundations for mutual trust. Finally, familiarity of personnel with the traditional practices within the area in which they live and work is critical to building mutual trust.

Lack of doctrine

There was no Spanish doctrine on SSR when the illegal immigration problem arose, while international doctrine[87] was still emerging. The international doctrine, even when it is applicable to bilateral missions, is more relevant to multinational and multi-purpose missions, where the reform of the security sector is one of the mission pillars and police capacity building sits within a complex network of activities. At the beginning of the Guardia Civil actions in the Sahel, SSR principles were not fully developed nor disseminated within the Guardia Civil operational structure, so decision-makers opted to design tailored solutions to tackle the specific problems faced. There is still no Spanish national or Guardia Civil written doctrine on SSR although the international doctrine remains relevant.

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[87] See for example: UN (2014). Security Council Resolutions 215 & 2185; *Policy on United Nations Police in Peacekeeping Operations and Special Political Missions* (Ref. 2014.1, Rev. 01/02/2017); NATO (2016). Annex B to AJP-3.4.5 B-1 SSR (Edition A Version 1); AJP-3.22 *Stability Policing* (Edition A Version 1 July 2016); EU (2016). *Communication from the Commission to the Council and the European Parliament, Elements for an EU-wide strategic framework to support security sector reform* (Ref. SWD (2016) 221 final; 05/07/2016) & OECD (2005). *Security System Reform and Governance*, DAC Guidelines and Reference Series.

<u>Financial sustainability</u>

This type of mission requires a huge amount of economic resources that will be used in countries with economic and commercial structures and capacities very different to Europe. This creates challenges in relation to local procurement, difficulties in finding local authorised dealers and suppliers for specific technical equipment, and meeting the compliance requirements of Spanish financial authorities regarding budget allocation and the legal mechanisms to control and audit expenses. The problem is exacerbated in times of economic recession with higher levels of financial restraints, as has been the case in recent years.

Lessons Learned

Based on the aforementioned challenges and the solutions developed by the Guardia Civil, there are a number of lessons that can be classified into five main categories:

<u>Patience</u>

These programmes involve a long-term effort as experience demonstrates that short or medium-term solutions will not be sufficient to tackle the root causes of the problem, nor will they provide countries with scarce resources sufficient capacity to adopt complex policing practices. Another aspect to consider is perseverance, since tangible benefits can be obtained at some point, but as long as the structural reasons for the problems faced still exist, any reduction in Spanish operational actions will lead to reversals of previous successes.

<u>Proximity</u>

Close personal contact with our counterparts and with the society where projects are undertaken is an indispensable factor to the creation of success. The goal should be to understand and be understood, to accept and be accepted within a socio-cultural framework very different from your own that demands far more flexibility than the practice of working with Western police forces. Gaining the confidence of local authorities with a view to winning the confidence of the community at a later stage and becoming a trusted part of that community ensures a more positive operational and living environment. This approach entails some risks, since not knowing certain social codes, and use of excessive caution might result in deployed personnel being ostracised and might also adversely affect the conduct of operational activities and even result in situations of insecurity.

Doctrinal flexibility

It is not possible to perform a mission while strictly implementing *our own* operational doctrine for two reasons: the differences in tactical procedures and the incompatibility of technical resources and approaches. That is why we should adapt our way of action to that of the local authorities in an attempt to find a balance. In this case, it is important to develop local operational capabilities through training and mentoring activities and through the provision of technical equipment. One of the best lessons the Guardia Civil learned was incorporating local staff into our team and permitting them to play active roles so that they were able to better assimilate the theoretical training received, whilst also incorporating new working methods that were more efficient, modern and effective than the traditional ones.

Local ownership

Local authorities must be in charge of directing operations, coordinating assets and assuming the responsibility to solve existing problems, whilst the outsiders should contribute to the technical solutions the locals lack, adapting them to local needs. Nevertheless, during the early stages of an intervention it may be necessary to play a much more active management role, providing it is clear that it is neither our responsibility nor our goal to substitute for local authorities, and always taking clear and consistent steps towards the improvement of local management capacities. Examples of this are: the gradual establishment of operational coordination centres that allow local authorities to better manage their own resources; the total compliance of our personnel and activities with local legislation; and the fact that local on-board officers are responsible for the operational direction, while the Spanish crew is limited to technical implementation alone.

Regional strategy

A regional approach is needed to prevent 'solving' the problem in one country yet displacing it to another. The benefits of a regional strategy also include putting the issue of migration and displacement in a broader and longer-term context (which also applies to other fields such as weapons and drug trafficking or fighting against jihadism). A regional strategy also presents the opportunity to broaden regional political stability and economic networks by fostering regional bonds and mutual cooperation.

Conclusions

The experience of the Guardia Civil in the Sahel is the result of over a decade of a constant presence *in situ*. This has had a strategic perspective aimed at capacity building and institutional strengthening of police institutions in the African countries involved. This has also been a mechanism to fulfil the initial goal of tackling illegal immigration bound for the Canary Islands as well as the more ambitious objective of enhancing security in a highly unstable area, thus enhancing security in Spain and across the EU.

The Guardia Civil contingents in Mauritania and Senegal form the only EU exclusive police mission with an executive mandate and operational capacities deployed to Africa, and the only mission that has been able to merge European and African police officers in mixed and joint operational activities on a permanent basis and not limited to training exercises. This has led to highly effective border control as demonstrated by the data in relation to the arrival of boats and immigrants to the Canary Islands.

This essay has described a wide range of bilateral actions, successful or adequate to a greater or lesser extent; but all should be seen as beneficial in some way or another as the global assessment of the results achieved is highly positive. Training programmes and technical assistance coordinated with joint patrols could be seen as having the most impact on the institutions involved, notably increasing the capacities and knowledge of their personnel despite the lack of up-to-date technical means. This absence of modern means must be considered when designing the training programs to fully adequate the needs to the possibilities. It is also important to study the reality on the ground and the environment to enable the personnel to understand the real capacities able to be reached and the timing to accomplish the learning goals.

The negative side to these training and mentoring programmes rests on the extent to which they can be sustained, and whether there are sufficient personnel and resources available. Typically, there is a prevailing culture where sustainability is not perceived as an issue because of insufficient local funding giving rise to little sense of the importance of long-term projects and weak oversight of personnel or resources. Both sustainability and local culture are quite difficult to deal with considering that local ownership of the actions requires minimum interference in local management, avoiding as much as possible any perception of exceeding the limits of mentoring.

In this general assessment of the projects and actions undertaken during this period, undoubtedly the most successful is the Liaison Officers Network, due to its vital role in trust building, mutual confidence, information gathering and on the spot assessment about the measures taken and the follow-up steps. Those deployed to the Sahel countries also create the conditions for a day-to-day mentoring without having a formal project and maintain a high level of local acceptance through strict and ongoing monitoring of Guardia Civil personnel resolving any issues of misconduct that occur.

The range of programmes described in this paper demonstrates how effective joint working and efficient integration within the social and administrative structures of the host countries creates new openings and activities that have been closed until now - in that country and also in neighbouring countries generating synergies in the region, reducing border and political tensions, and enhancing regional cooperation and security.

The key question is where does responsibility for the efficacy and sustainability of projects lie. This depends on the place of implementation, which impacts upon the project's pre-planning phase, highlighting key Institutions and people, including formal and informal leaders and relationships at all levels, and the cultural awareness needed for the donor to be locally accepted. These contacts will need to assist with detailing and tailoring the project to suit the host country needs and the donor country objectives. Efficacy relies on tailored projects and their flexibility to adapt to the situation on the ground while looking for possible synergies and interactions with other stakeholders, achieving the necessary sustainability, which has its own main challenges: local ownership in terms of local commitment, budget constraints and mutual trust.

Acronyms and abbreviations

AECID   Spanish Agency for International Development

CRCC   Canaries Regional Coordination Centre

EU   European Union

FRONTEX   European Border and Coast Guard Agency

GAR   Rapid Action Group

GAR-SI   Rapid Action Group – Surveillance and Intervention in the Sahel

NGOs   Non-Governmental Organisations

SIVE   External Surveillance Integrated System

SSR   Security Sector Reform

UN   United Nations

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The Development of European Union Capabilities for Civilian Crisis Management: The Contribution of the Italian Carabinieri

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Abstract

The UN, the EU and NATO have developed new doctrine over the past decade to improve their response capabilities following escalating conflict and crises. As a result, there has been a shift in the planning and in the management of EU missions with the development of the so-called 'comprehensive approach', which requires synergy across military and civilian institutions (including the police). This paper explores how this comprehensive approach is being implemented within international missions and the need for a constant integrated Civilian-Military (Civ-Mil) response as a strategic priority. Capacity building within broader Security Sector Reform (SSR) provides good examples of possible integration and coordination in the Civ-Mil arena within the comprehensive approach. Arguably, the most effective response to crises is achieved when there is coordination and cooperation across all security sector institutions although standardisation has not yet been fully achieved. The Carabinieri Corps have taken part in European Union Common and Security Defence Policy (EU CSDP) missions since the earliest deployments contributing to the development of a doctrinal framework from which the 'Stability Policing' concept has emerged. The Carabinieri along with other gendarmeries can employ both military and civilian style policing approaches. It is suggested that a gendarmerie is the most suited to the Stability Policing concept which has been demonstrated in the use of formed police units by the UN, NATO and the EU.

Introduction

The Italian Carabinieri Corps (Arma dei Carabinieri) is a police service with military status. Even if it is formally part of the Armed Forces, it has full civilian jurisdiction and authority. Technically, it can be considered a 'gendarmerie', due to similarities with other European sibling forces. The Carabinieri are the biggest police service in Italy with an establishment of approximately 107,000 men and women. The Carabinieri have taken part in European Union Common and Security Defence Policy (EU CSDP) missions since the earliest deployments. They have contributed to the development of the doctrinal framework of executive missions from which the most recent 'Stability Policing' concept has emerged as formally recognised by NATO. Indeed, the Carabinieri have been deployed under many flags, not only European. Since 2000, almost 14,000 officers have served in Peace and Crisis Management operations with NATO, the UN and the EU.

Due to their multi-faceted capability as 'military' and 'police', the Carabinieri have employed the 'comprehensive approach' to crisis management to harmonise the activities of both military and civilian components. This is particularly the case regarding the deployment of 'Stability Police Units' within a post-conflict phase when there is instability within a theatre of operations where organised crime, public order incidents and terrorism can occur. This dual approach is possible through the type of education received by Carabinieri officers, which is also military in nature including topics such as planning, command and control and logistics. It is also specifically the case for those Carabinieri units that have clearly designated military tasks including the 1st Parachute Regiment based in Livorno, Tuscany, and the 7th Trentino Alto Adige and the 13th Friuli Venezia Giulia which form the 2nd Mobile Brigade. With an establishment of 2,000, this Brigade is rapidly deployable to Peace Operations and its companies can operate in a manner similar to light infantry, even in a conflict zone, under a military chain of command. However, it should be noted that this Brigade is constituted first and foremost of police officers trained in law enforcement duties who have the additional military capability. In addition to the 2nd Mobile Brigade, thousands of Carabinieri serving in the so-called 'territorial' stations (almost 5000 police stations) – forming the largest Carabinieri branch - have served in international missions bringing their policing experience to the service of peace.

In this essay I will demonstrate how the Carabinieri Corps has contributed to the development of the current EU doctrine on mission crisis management and how this policy has been implemented and will continue in the future. I will also reflect on guiding principles that have emerged as a result of this longstanding contribution to EU crisis management with reference to my own personal experiences of overseas policing missions. [88]

The EU Crisis Management Concept: from the European Council of Santa Maria da Feira until the present

The responsibility for European security and defence was already in the minds of the UK, France and the Benelux countries in 1948 when the Western European Union (WEU) was founded. It was also one premise behind European integration in the 1950s that generated interest within the field of security. In 1954 the European Community of Defence failed in their ambitious goal to create a standing European army. However, later many of these earlier ideas have surfaced with the publication of the 2016 'Global Strategy for the EU Foreign and Security Policy'.[89] During the Cold War the security of Europe relied mainly on Article 5 of the NATO treaty whereby security was about a

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[88] Along with author's personal considerations, some contents are based on the outcomes of the international conference on Civilian Crisis Management organized by Carabinieri General Headquarters in 2015 at the Officers School of Rome with contributions of several experts, among others: Prof. F.Luciolli (Atlantic Treaty Association), Mr. G. Porzio, Mr. X. Denis (European External Action Service), R.Adm. C. Massagli (Italian General Staff), Lt.Gen. V. Coppola, Maj.Gen. E. Bernardini (Carabinieri General Headquarters) and Col. N. Mangialavori (Center of Excellence for the Stability Police Units).

[89] EU (2016). *Shared Vision, Common Action: A Stronger Europe – A Global Strategy for the European Union's Foreign and Security Policy*, High Representative of the Union for Foreign Affairs and Security Policy, June 2016.

static military defence of EU territory. This changed at the end of the Cold War with the collapse of Germany's inner borders and the onset of the Balkan conflicts. The management of security crises became a more dynamic concept requiring a political and/or civilian approach alongside the military dimension. EU members states took on new responsibilities with the 1992 Maastricht Treaty. This addressed the Common Foreign and Security Policy (CFSP) which embedded the European Security and Defence Policy (ESDP). Thereafter the WEU added humanitarian and rescue tasks, crisis management, and peacekeeping operations to the traditional task of collective defence with the so-called 'Petersburg tasks'.

Europe then required new capabilities. Two options were available: one led by the UK and other countries to develop and reinforce the pillar of a transatlantic bridge, looking for complementary capabilities, *separable* but not *separate* from NATO and suitable for EU- led operations. From another perspective some countries pointed to the WEU's armed capability to develop independently from NATO. This debate was carried out at a strategic level in the 1990s. In 1994, at the North Atlantic Council Meeting in Brussels, the joint combined task force concept was conceived, which indicated that a separation of some of the forces from the North Atlantic Alliance to be used by WEU for European operations where US allies were not involved. In 1997, during the Amsterdam Summit, the Petersburg tasks were included in the Treaty of the European Union and, in 1998 the representatives advocating the aforementioned approaches met and reached an agreement that boosted the European Security Defence Policy (ESDP). Subsequently, new capabilities and institutions were set up under the so-called 'Madeleine Albright 3rd vision'. The new EU capabilities noted:

- that the transatlantic link should not be uncoupled;
- that some non-EU countries including Turkey should not be discriminated against but able to participate in the ESDP; and
- that the creation of dedicated institutions was needed to further pursue this policy.

In 1999, after the Councils of Cologne and Helsinki, the Political and Security Committee (PSC) was established along with the EU Military Committee (EUMC) and the EU Military Staff (EUMS). Another debate was initiated in relation to having a permanent body to manage EU and overseas operations. In 2000, at Santa Maria de Feira, the importance of civilian capabilities was outlined within wider security concepts so that political, economic and social issues could be considered alongside those of a military nature. By the time of the Berlin Plus Agreement in 2002 it was decided that NATO military and civilian assets could be deployed within EU operations.

After the second Iraq war, the debate regarding transatlantic cooperation intensified as many EU countries were divided in their opinion. At a meeting in Naples in 2003, an agreement on options on how EU countries could lead operations was reached. Those options are still on the table and include reliance on NATO assets under the Berlin Plus agreement. It was agreed that there should be five

operational headquarters to 'plan, conduct and terminate a military crisis response operation.'[90] Italy provided the first headquarters of this type.

With the establishment of the European External Action Service (EEAS) after the Treaty of Lisbon in 2007, it became clear that the EU could provide added value by conducting civilian missions. Many missions have been launched by the EU since that period of either a civilian or 'hybrid' nature. From 2007-08, an operations centre within the EEAS was created for hybrid operations whilst the Civilian Planning and Conduct Capability (CPCC) created a unique chain of command for civilian missions. The importance and need for an 'integrated' approach to conflict management was noted by the High Representative of the EU Common Foreign and Security Policy, Federica Mogherini, as a priority in the 2016 European Union Global Strategy. She called for a more effective 'comprehensive approach' to crisis and conflict management and the need for EU-NATO cooperation.[91]

Development of civilian capabilities and synergies with the military

The shift of crisis management from the military to the civilian has followed the evolution of modern crisis towards a type of hybrid warfare, where a belligerent's military power or tactics can be significantly different to perceived conventional conflict. Most current conflicts are internal where many armed groups (who may be insurgents or terrorists) can be described as having greater similarity with organised criminal groups than armed forces. These groups self-sustain with criminal activities, operating in environments where public disorder frequently occurs and where an absence or weakness of the local police or security services creates additional challenges. In order to counter these new threats to stability, current EU doctrine endorses the use of a 'comprehensive approach' across all military and civilian capabilities (including the police) to deal with the challenges.

There is no common definition of this comprehensive approach. In theory, it is intended to create synergy between the relevant civilian and military institutions from the strategic to the tactical and to deal with and cover all the aspects of a crisis and the international response to that crisis. Member States have interpreted this concept in different ways which have had the effect of slowing down capability response. In 2013, the European Council stressed the importance of increasing Civilian - Military (Civ-Mil) synergies and capabilities. This was further reinforced by the 2016 European Union Global Strategy where 'taking an integrated approach to conflicts and crises' is considered a strategic priority.[92]

This affirmation of the importance of the comprehensive approach stems from a current perception that the EU has a unique ability to combine political, economic, diplomatic, legal and security tools

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[90] The five EU operational headquarters are: Italian EU Operation headquarters – Rome (EU OHQ); French Centre de Planification et de Conduite des Operations – Paris (CPCO); British Permanent Joint Headquarters (PJHQ) – Northwood; German Armed Forces Operational Command – Potsdam and Greek Operations Headquarters – Larissa.
[91] EU (2016), *Shared Vision, Common Action: A Stronger Europe -, A Global Strategy for the European Union's Foreign and Security Policy*
[92] EU (2016). *Shared Vision, Common Action: A Stronger Europe - A Global Strategy for the European Union's Foreign and Security Policy*.

within the current crisis management environment. In fact, the EU pursues a comprehensive policy that applies to all phases of the conflict cycle, and tries to anticipate, prevent and seek to resolve crisis in the longer term, rather than merely responding to the emergence of the crisis. A new strategic scenario characterised by a range of threats: hybrid, asymmetric and unconventional, including terrorism and regional conflicts, social dissent and organised crime, creates the need for new solutions that are not necessarily military. There is recognition of the ability to employ a mix of activities drawn from both military and civilian capabilities. The author believes that in a post-conflict phase, military tools represent important enablers, avoiding a possible disintegration into a situation of instability. However, the use of civilian crisis management tools is also essential. Today the comprehensive approach has shifted from being a concept to crisis-solving into a method or even a mindset. The author posits that the most effective EU response to crisis is achieved when all available instruments are considered and used in a comprehensive, coherent and coordinated manner from the onset of strategic planning.

Yet synergies between the military and the civilian components could benefit from joint operational planning that today occurs largely in isolation particularly with the Council's approval of the common Crisis Management Concept (CMC) at a strategic level. In this regard, even if the civilian and military efforts are complementary, the existing *artificial* divisions appear to create limitations. It is fortunate that cooperation in the field can be achieved through the willingness of operators at a tactical level. Some examples of this coordination that later became doctrine have been demonstrated during the Balkan conflicts.[93]

Overall there is a need for further standardisation of all the core processes including financial mechanisms, logistics and manpower. There is also a lack of common training policy to develop the use of common and interoperable doctrine as well as no common mandate and the consequent compartmentalisation of activities undertaken in a crisis area. Moreover, there are different chains of command for missions and operations, even within the same geographical area. Improving coordination is insufficient and there is a need for deeper synchronisation. Bringing together these two different mindsets within a common planning pattern is not simple. In fact, on the military side a consolidated planning tradition, as well as an appropriate body of doctrine, lessons learned and procedures, allows for timely and rapid force generation, if the political will is clearly articulated. On the other hand, whilst civilian planners may have successfully adapted the military planning process to their needs, different financing mechanisms and more complicated force generation processes mean that any attempt to merge with the military will be challenging and complex.

In an attempt to better synchronise the military planning and command structures with the civilian ones has come the creation of the new Military Planning and Command Capability (MPCC). In some ways, the MPCC mirrors the Civilian Planning and Command Capability (CPCC) which provide the EU military training operations a chain of command, enhancing the capability of the former EUMS that had only planning responsibilities. Considering the financing mechanisms, civilian crisis management is

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[93]   See later points on the 'Blue Box / Green Box' concept.

fully supported by the EU Commission which facilitates new initiatives and member states engagement with the requested expertise. Military operations rely in part on the Athena mechanism[94] and on the principle that 'cost lies where it falls' linking all military initiatives to the member states that can contribute and absorb some of the related costs within their own budgets.

There are challenges, however, with the military force generation process and the application and selection mechanisms based on the offers made by member states to ensure rapid and effective EU engagement. It is well known that the selection and deployment of civilians poses difficulties for member states that cannot always fill the requisite number of positions. In fact, candidates with the required skills are not always available, for example judges and prosecutors. This implies that there are significant gaps in meeting the necessary establishment which can prevent the launch of a mission. In this regard, the Carabinieri Corps, due to its structure, has demonstrated that is has the capacity to deploy formed police units in a similar way to the military.

Capacity building provides a good example of possible integration and coordination in the Civ-Mil arena in the wake of the comprehensive approach. In this phase of crisis management activities are normally carried out in the medium to long term by both civilian and military components undertaking different but interrelated functions, which are aimed at building stability. The long-term solution I would argue is always the responsibility of the civilian component with the aim of rebuilding the social, economic, political and cultural fabric of a country emerging from a crisis or conflict. In this respect, the 'military' in its widest form have a leading role in providing security to bring about early stabilisation and an indirect role in the reconstruction process. There are several activities where the military and civilian components can interoperate including wider Security Sector Reform (SSR), Disarmament, Demobilisation and Reintegration (DDR), Security Force Assistance, and Stability Policing. One characteristic of the Carabinieri Corps is this linkage between the military and civilian components. This allows for a flexible response within the comprehensive approach, implementing Stability Policing strategies through the creation of robust formed police units when necessary, which are able to interact with the military and can be rapidly deployed to an area of crisis.

Coordination of different CSDP components within the comprehensive approach

There are different ways of implementing the comprehensive approach. This can involve a combination of CSDP instruments with two different approaches: 'integrated' or 'holistic'. The 'integrated' approach[95] within police missions has evolved as a system of cross sector solutions with unified objectives and structures. Regular liaison with other EU security actors operating within this

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[94] Since its establishment in March 2004 by the Council of the EU, the Athena financing mechanism has funded only common costs relating to EU military operations as well as the nation borne costs (e.g. HQ implementation and running costs and medical services (in theatre). In real terms this extends to approximately 10 – 15% of the overall cost of an operation. The rules on contributions to Athena are set out in article 41.2 of the Treaty of the European Union. Member states contribute an annual share based on Gross National Income. See: The Council of the European Union (2015). Council Decisions (CFSP) 2015/528 of 27 March 2015.

[95] EU (2016). *Shared Vision, Common Action: A Stronger Europe* considers the 'Integrated Approach to Conflicts and Crises' as one of the five strategic priorities.

field is needed to implement this approach. The holistic approach, which is commonplace within SSR, is where police missions are organised on multifunctional lines and then merged into a single package of approaches and solutions. An example of this is the EU Rule of Law Mission (EULEX) in Kosovo where police expertise has been docked into the two key pillars of the mission: executive policing powers and strengthening the local police.

From the perspective of an integrated or holistic approach within the broader comprehensive approach theory, this lies somewhere between *cooperation* and *coordination* with other mission components. Coordination occurs when the police mission shares its responsibilities with other CSDP elements and work towards common objectives. Cooperation implies harmonised *ad hoc* interactions and mutual support to avoid over-lapping and competition where the objectives can be different. One further interpretation of the comprehensive approach can be explored within planning, where two approaches are possible: horizontal or vertical. Missions employing a horizontal approach use cooperation aimed at achieving a stronger local presence. One example could be that of EUCAP Nestor integrated with another mission, e.g. EU Naval Force Operation Atalanta (EUNAVFOR) to avoid 'competing' missions. A vertical approach occurs when a mission contributes to the whole crisis management from the initial phase to reconstruction in terms of planning.

Here the question arises as to the most effective way of combining police missions with other CSDP elements within the comprehensive approach. The international experiences of this author have demonstrated that an integrated approach can be more effective and efficient than the holistic approach. This is because there can be too many actors involved in the holistic approach, each with different objectives, approaches, activities and funding sources. As a result, the police function can be less apparent than it needs to be. Moreover, it would appear that coordination may be a more effective model than cooperation. When coordination occurs, all the mission components are operating on at the same level (horizontal) and with their own leadership and priorities. A way to overcome mistrust by any individual component is to justify each priority, negotiating a joined implementation plan based on rational and achievable solutions. The author suggests that within the planning process vertical combinations are more straightforward than the horizontal. Vertical integration allows policing activities to be scrutinised from the beginning to the end of a mission.

Within the EU family there are different positions taken up that either favour the military or the civilian side of CSDP in relation to different crises. When the decision to undertake a mission is underway, lobbying is undertaken by member states to establish consensus on their positions. This occurred, for example, when the EUFOR operation in Central African Republic (CAR) was decided, when police assets were used. In this case the European Gendarmerie Force (EGF) was deployed under a military chain of command for public order management. This particular operation is a positive example of how concepts of coordination and vertical integration in planning has led to positive results.

To date the comprehensive approach has been used in crisis management only rather than in crisis prevention. This may change now that the 2016 EU Global Strategy, calling for 'pre-emptive peace' is in place and new solutions are to be adopted. Until now, CSDP assets have been deployed separately. In the case of conflict, the military component is deployed almost immediately while police

reach the area of operations at a later stage. An exception has been the operation in CAR where all assets were deployed in an integrated and coordinated manner from the start with a vertical planning approach. There is, however, a general awareness of the need to improve CSDP integration and EEAS is undergoing a reform process. It is certain that there will be solutions reached for the implementation of a more effective comprehensive approach. The EU Global Strategy will bring about new approaches to conflict management for short through to long-term measures. Within this newer approach the EU should involve the policing component to greater effect. A needs assessment exercise could be undertaken to identify the correct procedures and the necessary police assets to be deployed in the future.

Civilian crisis management: the role of Italy and Gendarmerie forces in implementing the strategy of 'Stability Policing'

Two generic models for use in police missions emerged after the European Council meeting in Nice in 2000 that involved the strengthening and substitution of local police forces.[96] The 'strengthening concept' within a mission requires that local police are educated, trained, monitored and advised with the aim of enhancing their capabilities to international standards recognised by the EU and, ultimately, by the UN. The 'substitution concept' considers scenarios where local services are failing or failed and subsequent missions where a police component is asked to contribute to the restoration of public security and the judicial services. These two concepts can be complementary and elements within a substitution mission can carry out strengthening activities.

The police units deployed by the Italian Carabinieri Corps have implemented these concepts since the start and have in some ways contributed to their development. This occurred in the Balkans in the 1990s when the Carabinieri formed units played an active role in NATO operations for the first time which was then employed within EU CSDP missions. During that period the Carabinieri operated in UN peacekeeping missions, from Cambodia to Cyprus, acting as observers or advisors. The activities undertaken in those different missions were analysed and were later integrated into the experiences of Iraq and Afghanistan. These experiences and lessons learned have contributed to the development of the latest concept of 'Stability Policing' as recognised by NATO[97] that mirrors the aforementioned EU concepts. Stability Policing can be defined as a set of police-related activities for the restoration and/or

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[96] See in particular: Council of the European Union (2010). 8655/2/02 REV 2 RESTREINT UE, 23 August 2003, *Comprehensive concept for Police Substitution Missions – revised version*; Council of the European Union (2012). 8508/2/05 REV 2RESTREINT UE/EU RESTRICTED 31 May 2005, *Concept for rapid deployment of police elements in an EU-led substitution mission and Council of the European Union*, Council of the European Union (2009). 15031/09, *Comprehensive Concept for ESDP Police Strengthening Missions (Interface with Broader Rule of Law)*.

[97] See NATO AJP 3 Doctrinal series (AJP-3) & NATO Stability Policing Centre of Excellence., 'Stability Policing'. Not dated.

upholding of public order, security and rule of law, as well as the protection of human rights through supporting and, when necessary, temporarily replacing the local police forces, when the latter are either unable or unwilling to perform the function themselves. These tasks can be undertaken by specialised units particularly during the post-conflict stage when the situation is one of instability.

NATO, the EU and the UN have created units with similar characteristics for undertaking the aforementioned tasks that I will term 'Stability Police Units' (SPUs), which is taken from the Italian. At the request of NATO, the Carabinieri Corps created the first NATO 'Multinational Specialised Unit' (MSU) in 1997 to support the Stabilisation Force (SFOR) in Sarajevo. Since then, MSUs have been deployed to Bosnia, Albania, Iraq and an MSU is still present in Kosovo.

The MSU idea – and the ensuing models that it has inspired– stems from the military being unable to deal with policing issues during the immediate post-conflict phase. Assistance in bringing conflict to an end is not necessarily sufficient to restore a safe and secure environment, particularly when local structures and institutions no longer exist and basic law and order cannot be maintained. One of the most critical post-conflict objectives is to re-establish a peaceful and civil society whereby public security is maintained, rule of law is enforced, crime is effectively controlled. and immigration and border control are ensured. So once conflict has ceased there is still a 'security gap' to be filled. Often this security gap is characterised by aggressive acts of terrorism, organised crime and violent public order that weak local police cannot deal with. The presence of these threats to security could jeopardise the effort of strengthening activities, at least during the early stages of CCM missions. To fill this security gap, the military need to be appropriately supported by a specialised police presence through a coordinated and horizontal approach. SPUs are formed units that are rapidly deployable, are self-sufficient and have a capacity for self-protection. As UN Formed Police Units their establishment can vary between 125 to 140 police officers divided into dedicated logistics, mobile and specialised components under a single chain of command. As European and NATO units they can consist of 450 officers (NATO Multinational Specialised Unit, EU Integrated Police Unit).

Rwanda Police in public order and riot control training using Carabinieri equipment

However, the role of SPUs does not end with the post-conflict stabilisation phase. Over a longer period of time, these units can undertake a variety of capacity-building activities including Monitoring, Mentoring and Advising (MMA) and/or training. These different approaches are only possible because the one key characteristic of an SPU is flexibility.[98] These types of formed and robust police units are generally deployed alongside other police including Law Enforcement Officers (LEOs) or specialised teams which have the following characteristics:

Integrated Police Unit (IPU):

- A structured pre-existing unit with its own chain of command employing standard Tactics, Techniques and Procedures (TTPs), training and availability of logistics;
- robust, rapidly deployable, flexible and interoperable;
- suitable for deployment in unstable situations;
- may be placed temporarily under the responsibility of a military authority entrusted with the protection of the population;
- capable of self-protection in performing standard police operations; and
- able to perform a wide spectrum of police functions through a mobile element responsible for Crowd and Riot Control (CRC) and security police tasks, and a specialised element responsible for other police tasks according to the needs and mandate of the mission.

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[98] All major international institutions have developed their own dedicated specialised units which include for example: EU – Integrated Police Units (IPU), UN – Formed Police Units (FPU). In relation to the EU see: Council of the European Union (2012). 8508/2/05 REV 2RESTREINT UE/EU RESTRICTED 31 May 2005, *Concept for rapid deployment of police elements in an EU-led substitution mission*.

Formed Police Unit (FPU):

- A police unit with common TTPs, training and availability of operational equipment and weapons, which can be constituted through integrating several smaller sized units, from one or more member states;
- rapidly deployable, flexible and interoperable;
- not necessarily pre-existing, set up to deploy to a specific theatre outside the EU;
- not normally deployed to unstable situations, though this may occur if the appropriate self-protection capability is established;
- cannot be placed under military command; and
- performs executive police tasks as mentioned in the 'substitution mission' scenario, usually CRC, patrolling, site protection, escorting personnel, etc.

One key issue is that SPUs are a bridge between typical military duties and civilian police activities. This occurs when the SPU is a 'Force Commander' asset (e.g. NATO MSU, EU IPU) and when they have combat capacities (e.g. NATO MSU) and can conduct operations at a tactical level with the military component in cases where civilian and military components are deployed for the same operation. An example of this is the so-called 'Blue Box/Green Box' arrangement. This concept applies to crowd and riot control operations that can potentially degenerate into a conflict-like situation. At the onset, this is managed by the police component (MSU, IPU), coordinating with the military that acts as a back-up. If the demonstration runs peacefully then there is no need for the military. In the case of demonstrators exceeding lawful use of force and employing firearms against the international police, the military takes the lead using their own procedures.[99] The handover is coordinated in an Incident Control Point (ICP) where police and military commanders monitor the situation and make decisions. Gendarmerie forces, like the Carabinieri Corps, are particularly suitable for performing these tasks. They operate as a police service in their own countries and can provide military support in the defence of national territory. Their military capability identifies their use as preferred organisations to be deployed in high risk or destabilised scenarios. Furthermore, most gendarmeries are national organisations with a strong logistical back-bone that allows them to rapidly deploy to crisis areas, enabling units to be self-sustaining at least during the early phases of an operation.

The aforementioned issues relate to the attempts to fill the 'security gap' that can occur within post-conflict scenarios. This has led to the six EU gendarmeries (Spanish Guardia Civil, Portuguese Guardia National Republicana, Romanian Jandermeria, Royal Dutch Marechaussee, French Gendarmerie and Italian Carabinieri) having created the EGF which has its operational headquarters in Vicenza, Italy. The EGF is capable of being highly responsive and can rapidly deploy. It is self-sufficient and has strong political support from contributing member states. Aside from the EU where this force can operate within both military and civilian operations, it can be utilised by the Organization

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[99] Technically the police component goes under TACON (Tactical Control) of the military.

for Security and Cooperation in Europe (OSCE), NATO and the UN. The Crisis Management Planning Directorate (CMPD) and the EGF have drafted a framework paper to enhance cooperation within the EEAS and there is now full administrative support between the EGF and EEAS to allow participation in EU missions. This led, for example, to the EGF engaging in EUFOR CAR in the CAR.

Guardia Civil undergoing CRC training

Italy, through the Carabinieri, has capitalised on its Stability Policing experience by establishing the Centre of Excellence for Stability Police Units (COESPU) in Vicenza and promoting the foundation of the NATO Stability Policing Centre of Excellence (NATO SP COE). Established in 2005 after a G8 decision to prepare peacekeepers for operations in the African continent, the COESPU has prepared more than 9,000 police officers, civilians and military personnel coming from 40 countries for deployment in UN and African Union (AU) missions. With a focus on FPU training programs, courses cover all relevant topics for modern missions, from gender-related issues to the protection of civilians. The Italian commitment to Stability Policing activities is acknowledged through the leadership given by the European Commission to COESPU for the organisation of the European Union Police Services Training (EUPST) from 2011 to 2013.

EUPST 1 (2011 – 2013) patch on the uniform of a Carabinieri Major

The project implemented in the period 2012-2014 focused on the organisation of seven training sessions (five in Europe and two in Africa) on a wide range of police capabilities: public order, convoy escort, criminal investigations, investigations, explosives, VIP and witness protection, environment and public health, teamwork, and human rights amongst others. During the last EUPST session in Italy in September 2014, capacity-building skills (MMA) were also delivered as training programmes and later assessed.

Many international organisations were involved in this programme as participants and observers including the United Nations Department of Peacekeeping Operations (UN DPKO), International Committee of the Red Cross (ICRC), OSCE, AU and African sub-regional organisations. Representatives from 45 Law Enforcement Agencies (from 35 countries) took part. The high value of this training activity was to bring together a large number of police officers from many European and non-European police services who shared TTPs, working in dedicated teams for the purpose of the exercise scenario. An additional added value of the exercise has been the outcome of the Lessons Learned Joint Working Group that collaborated with the External Evaluation Team to produce assessments for each exercise session, and draw up a handbook on standing operating procedures and best practices, in order to facilitate the interaction among the different participants and provide input for future activities.[100] The success of EUPST 2011 – 2013 has led to EUPST 2015 – 2018 with the lead taken by the Netherlands. EUPST II has focused more on the strengthening skills of EU Civilian Crisis Management such as MMA.

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[100] EU Commission EUPST 2011 – 2013, *Handbook for Police Officers Deployed in EU CSDP Missions*.

Conclusions

New scenarios bring different challenges and the need to develop new tools or to improve existing ones. Modern conflicts are primarily intrastate, presenting a multitude of aspects that can be addressed only by a combined deployment of different capabilities. The UN, the EU and NATO have reacted to the recent crises over the past decade by improving their response and developing new doctrine. All the major actors involved within peace operations agree on the need for synergy between the military and civilian components and this includes policing. This synergy is summarised within the comprehensive approach to crisis that has two dimensions: vertical, regarding the decision-making process from the strategic level to the field implementation, and horizontal, concerning joint action of the two major components. The comprehensive approach between the military component and the police is difficult due to the different planning procedures, tasks, doctrines and tactical procedures. Nonetheless it is extremely important to overcome these difficulties, especially in the post-conflict phase where challenges are multiple due to the lack of general security. One of the responses given is the deployment of robust and armed police units which can integrate with the military.

The Italian Carabinieri have deployed these types of units from the 1990s with NATO. It was the MSU that inspired similar EU and UN units, namely IPU and FPU. Substitution and strengthening activities carried out have been called 'Stability Policing', a concept that today is also extended to different types of units. Gendarmerie forces seem particularly suited to this type of operation due to their double nature as military and police. In truth, deploying these types of units poses many issues: they are expensive, and ensuring a sufficient establishment is not easy owing to the large number of officers required. Overall it is difficult to sustain this effort in the long term. Another challenge stems from the international nature of these missions and the lack of standardised procedures. This leads to difficulties within pre-deployment training, especially for EU Crisis Management Missions. An attempt to overcome these problems is the aforementioned EUPST cycle.

The Carabinieri Corps has participated actively in all major crisis scenarios, from the Balkans to Middle East, in an attempt to overcome some of these difficulties. The establishment in Vicenza of the COESPU, hosting in the same premises the EGF Headquarters and the NATO SP COE, has given life to a doctrinal hub where different experiences are compared and lessons learned and best practices from peace operations are shared. This is a place where soldiers, police officers and civilians can discuss the best way to work together in order to reach common goals. The outcomes of discussions are translated into the curriculum of courses offered by COESPU attended so far by 9,000 participants from 40 countries, eligible for deployment to UN, AU and EU operations. The major lesson from this endeavor is that different professional cultures can work together in an effective way. The essential prerequisite is that there should be an attitude of active listening, overcoming prejudices and sharing a common ethos in the name of peace.

Acronyms and Abbreviations

AJP	Allied Joint Publication
AU	African Union
CAR	Central Africa Republic
CCM	Civilian Crisis Management
CFSP	Common Foreign and Security Policy
CMPD	Crisis Management Planning Directorate
COE	Centre of Excellence
COESPU	Centre of Excellence for the Stability Police Units
CPCC	Civilian Planning and Command Capability
CRC	Crowd and Riot Control
CSDP	Common Security and Defence Policy
DPKO	Department of Peacekeeping Operations
EEAS	European External Action Service
EGF	European Gendarmerie Force
ESDP	European Security and Defence Policy
EU	European Union
EUCAP	European Union Capacity Building Mission
EUFOR	European Union Force
EULEX	European Union Rule of Law Mission
EUMS	European Union Military Staff
EUPST	European Union Police Services Training
FPU	Formed Police Unit
ICRC	International Committee of the Red Cross
IPU	Integrated Police Unit
LEO	Law Enforcement Officer
MMA	Monitoring, Mentoring and Advising
MPCC	Military Planning and Command Capability
MSU	Multinational Specialised Unit
NATO	North Atlantic Treaty Organization
OSCE	Organization for Security and Cooperation in Europe
SFOR	Stabilisation Force
SP	Stability Policing
SPU	Stability Police Units
SSR	Security Sector Reform
TACON	Tactical Control
TTP	Tactics, Technics and Procedures
UN	United Nations
WEU	Western European Union

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The Council of the European Union (2012), 8508/2/05 REV 2RESTREINT UE/EU RESTRICTED 31 May 2005, *Concept for rapid deployment of police elements in an EU-led substitution mission*.

The Council of the European Union (2009), 15031/09, *Comprehensive Concept for ESDP Police Strengthening Missions (Interface with Broader Rule of Law)*.

Working Alongside the Military: Policing and Private Contracting in Kosovo, Iraq and Afghanistan 1999 – 2014

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Abstract

In this paper I will outline my experiences as a police officer and as a private contractor working alongside the military delivering policing expertise in Kosovo, Iraq and Afghanistan. Firstly, I will focus on my time from 1999 to 2005 as a United Nations Mission in Kosovo (UNMIK) civilian police officer (CIVPOL) policing both a compliant population assisted by a supportive military element Kosovo Force (KFOR) as well as policing a hostile community alongside a more insular KFOR. I will discuss how organisational differences and variance in mission objectives often stymied the cohesive effort of police and military and what corrective measures were taken to achieve an equilibrium. I will also evaluate my experiences as a US Army Department of Defense (DoD) contractor delivering policing expertise to host nation police from 2008 to 2014 in Iraq and Afghanistan. I will use examples to illustrate the difficulties of delivering Security Sector Reform in highly operationalised environments where often as not training and development requirements are measured against getting 'boots on the ground'. Throughout the paper I will highlight a number of lessons learned and guiding principles concerning police and military activity including those touching on the need for improved cooperation as equal partners, the benefit of increased joint training and operational planning, better effective liaison, the importance of continuity and more focus on longer term outcomes.[101]

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[101] The author soldiered with the British Army before becoming a police officer. During a 25-year career in the RUC and PSNI he was a counter terrorist operations manager and in addition served with the UN in Kosovo for over four years as a civilian police officer holding positions including Station Commander North Mitrovica Station and Regional Commander Mitrovica. As a contractor with the US Army the author spent over five years in Iraq and Afghanistan.

Policing Divided Communities – Royal Ulster Constabulary (RUC) / Police Service of Northern Ireland (PSNI)

At the start of November 1999, I arrived at the Police Training Centre (PTC), Pristina, Kosovo, as a member of Royal Ulster Constabulary (RUC) UK Contingent consisting of 60 officers. Each of us had been selected to support the international policing component of UNMIK under UN Security Council Resolution 1244. The main aim of our mission was, with full executive powers of arrest and detention, to deliver policing to the people of Kosovo until the nascent locally recruited Kosovo Police Service (KPS) was ready to assume full policing responsibility. The contingent was well prepared to meet the challenges of post conflict policing because 'unlike mainland British police officers they (RUC) are routinely carrying weapons, patrolling with the military and working with divided communities'.[102]

Kosovo had been divided into five KFOR Multi National Brigades zones and police contingents were distributed as individuals across all areas. An exception was made for the RUC Contingent (renamed and remodelled in 2001 as part of the 'peace process' into the Police Service of Northern Ireland (PSNI)) which remained within the British KFOR Brigade in the Pristina Region. This made absolute sense as the British Army and RUC had worked closely together for over 30 years during the Northern Ireland 'Troubles' and both organisations had a good understanding of each other's tactics, techniques and procedures. As such the pairing of the British Army and the RUC was a perfect match for a post intervention Kosovo where community tensions coupled with access to illegal munitions made the situation comparable to conflict policing in Northern Ireland. Lessons learned tend to indicate any country which has paired military and police in joint operations or training exercises is likely to see added value in a 'militarised' theatre of operations as 'joint training enhances knowledge of each other's procedures and makes it easier for both police and armed forces to, when necessary, escalate or de-escalate their response.'[103] In March 2004 when the Kosovo mission was close to collapse as violence swept across the province the resilience of the Northern Irish police and their ability to operate under pressure was given some praise in an otherwise damning report by the International Crisis Group (ICG) concerning the poor response of both police and KFOR. The report noted 'as the crisis unfolded a small cell of PSNI officers took the reins of crisis management' and where others failed to mobilise 'the Station Commander of North Mitrovica (PSNI) was leading from the front on the Mitrovica bridge and who, facing a stone-throwing mob, without body armour took on the rioters.' [104]

On arrival in the mission area in 1999 the RUC contingent immediately created a Neighbourhood Police Unit (NPU) and assigned two officers to make regular foot patrols in Pristina with the British Army much as they had done so to good effect in Northern Ireland. Other tactics developed with the army including the 'Rat Trap', a means whereby terrorist escape routes after an attack were rapidly sealed off, proved to be effective in combating a spate of kidnappings in Pristina. RUC officers

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[102] G. Segell (2000). *Reflections on Security in the Third Millennium*. London: GMS Publishers, p. 53.
[103] R. Moelker (2009). 'Cultures Converging upon Constabularisation', in M. Easton, M. Den Boer, M. J. Janssens, R. Moelker & T. Vanderberbeken (eds.) *Blurring Military and Police Role.* Eleven International Publishing, p.172.
[104] International Crisis Group (2004). *Collapse in Kosovo*, pp 24 – 25.

understood the benefit of close cooperation with the army, a concept more difficult to grasp for police with limited or indeed no exposure to the military. The militarisation of police in recent years has attracted debate about the blurring of the roles between police and military and how the trend may undermine the relationship with the community,[105] it is one thing for police officers to look and act like soldiers, but it is a more developed skill to work alongside the military and perform a distinct but complementary role as the RUC / PSNI did in both Northern Ireland and Kosovo. 'Soldiers are soldiers and police are police; neither should believe themselves to be expert in the field of the other. Respect, cooperation and understanding should be fostered - ideally starting before arrival in the mission area'.[106] This is an important guiding principle and one which should be applied to all enterprises involving joint police and military activity.

Local Police: Living 'Outside the Wire'

Whilst in the Police Training Centre our contingent remained in the protective bubble of not only each other's company but also the security of our protected location. The military were very active in patrolling 'outside the wire' however at some point most soldiers could look forward to the reassuring security of their base which provided dining facilities, washrooms and a safe bed. In contrast CIVPOL lived amongst the civilian population in rented accommodation and like the locals experienced shortages of electricity, mains water and the ever present threat of violence. KFOR, operating from secure bases, provided its own force protection, whilst CIVPOL, embedded in the community became 'de facto' local police who were obliged to forge a bond with those whom they policed which in turn provided a layer of protection. Integration of the police within the local population was important 'as the presence of international police within the community contributes towards the restoration of public confidence and stability'.[107] For international police to live amongst the civilian population was not without risk and the threat to personal security increased significantly in the more volatile parts of Kosovo. A North Mitrovica police report records between November 1999 and July 2000 there were at least 86 documented criminal offences perpetrated against police officers including 32 burglaries and 45 assaults,[108] one week after this report was submitted the police were again caught up in street violence during which an officer was taken hostage. Despite the challenges and personal risk, the police, subject to local restrictions, were never prevented from living in these contentious areas as to do so would have undermined the effort to restore 'public confidence and stability'; these same citizens needed reassurance as some few months before many had been bombed by the international community who now provided their security. Whereas duty of care to officers deployed into mission areas is a fundamental obligation and important guiding principle, experience tends to indicate

[105] K. Bickel (2013). *Will the Growing Militarization of Our Police Doom Community Policing?* United States Department of Justice, 2013. Web 10 Nov.2014.

[106] Foreign and Commonwealth Office (2007). *Peace Support Operations: Information and Guidance for UK Personnel*, London, FCO, Police and Justice Team Conflict Issues Group, p. 25.

[107] R. M. Perito (2000). *The Role of International Police in Peace Operations*. The Cornwallis Group V: Analysis for Crisis Response and Societal Reconstruction, pp. 110 – 127.

[108] North Station Investigation Report (2000). 'Survey of Incidents occurring against UNMIK Police Personnel 05/07/00'.

exposure to an increased level of risk, above that of normal 'home service', must be accepted and managed if mission objectives are to be realised.

CIVPOL: Lacking Cohesion

KFOR had entered Kosovo as 'formed units' and operated with a high degree of competency and professionalism; in contrast UNMIK CIVPOL required a 'bedding in' period. Whereas KFOR operated as homogenous units within Multi National Brigades the police, with nearly 50 contributing nations, operated as multinational patrols – commonly three different nationalities in a patrol jeep; it was little wonder the military shook their heads in amazement! Some observers noted 'the quality of a significant proportion of the police' was in question.[109] Varying levels of professionalism and a diversity of skills, language and culture often meant those CIVPOL officers who had command of the English language and confidence to make decisions shouldered the burden of responsibility. A foil to the creation of a mission dominated by modern 'westernised' police services was the UN requirement for 'national balance' whereby every contingent had to be represented in some dimension of command. The lesson learned by the international community is that weight of numbers does not necessarily transmute into more effective policing on the ground – quality not quantity is what makes the difference.

Personnel Rotations: Continuity

Whilst CIVPOL were typically in mission for one to two years, KFOR normally rotated personnel out of theatre after four to six months; the steady turnover of military units had the effect of limiting their local knowledge and situational awareness. Living in close proximity to the civilian population and being exposed to cultural nuances and subtleties was a catalyst to the development of the police relationship with the community whilst that of the military, lacking exposure to cultural familiarity, remained perfunctory. As a result, CIVPOL, despite lacking cohesion, took the lead at local level in delivering security and reassurance to many communities in a relatively short period of time. Progress in handing over responsibility to the police allowed the military to consider a drawdown in troop numbers; 'security responsibilities are assumed or transferred to the civil power by the military as soon as the situation allows'.[110] A lesson learned is the importance of continuity in determining mission progress and forward momentum. Both Iraq and Afghanistan are examples of missions where a lack of continuity has contributed towards questionable outcomes. During 'The Troubles' in Northern Ireland the British Army always maintained a 'resident battalion' on a two-year tour in each brigade area to support other

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[109] UK Parliament Select Committee on Foreign Affairs (2001). *Fourth Report*, 2001.
[110] J. Wither J. and T. Schroeter (2012). 'Police Primacy: The Challenges of Developing Host Nation Police Capacity on Stability Operations', The George C. Marshall European Centre for Security Studies, Occasional Papers series, 2012, pp. 4 -5.

units undertaking the more normal 6-month rotation. A guiding principle should be to have a core number of personnel who are not on short term rotations to maintain mission continuity.

Local Police and Specialised Police Units (SPUs)

In addition to local CIVPOL UNMIK deployed SPUs, formed units whose main purpose was to provide support to CIVPOL in a wide range of duties including prisoner escorts and crowd and riot control. The SPUs operated from secure bases and unlike CIVPOL lacked daily contact with the civilian population. These units were deployed and acted as units on the ground, not individuals, and were routinely equipped with armoured vehicles, helmets, shields, batons and other protective equipment thereby creating the semblance of a military unit. In contrast to CIVPOL it might be said such militarised police units 'have strong group dynamics, an authoritarian style of management and a warrior-like orientation which in some cases has the effect of creating an 'us versus them'.[111] This style of policing sets less importance on the relationship between police and public which very much differs from the historical and fundamental principles of policing where emphasis is placed on the close relationship between the police and the community they serve.[112] One of the guiding principles of community policing is to remove all barriers which would otherwise hinder interaction between police and community even if this does expose the officer to an increased but managed risk. This principle also reflects military counter insurgency (COIN) strategy – it would be deemed better to patrol in soft hats rather than helmets.

In the Mitrovica Region SPUs provided useful support, however because they lacked routine interaction with the community which in turn restricted their situational awareness, local knowledge and cultural awareness, they were used very selectively in Serbian areas where in misunderstanding or deliberate provocation by locals lay the potential for confrontation. The religious aspect of the conflict in Kosovo also meant the use of SPUs originating from Muslim countries such as Pakistan and Jordan were always subject to additional scrutiny. In 2004 the credibility of the Mitrovica based Jordanian SPU was compromised when one of their members shot dead two US police officers and wounded a further 11 officers at the regional jail.[113]

KFOR also had their own militarised police in the form of the Multinational Specialised Unit (MSU) largely made up of the Italian Carabinieri. The MSU worked directly to the Commander KFOR which limited their contact with UNMIK police.[114] As a police commander of a high profile area I never had any contact with the MSU and only saw them engaged alongside KFOR on crowd and riot control duties. If KFOR had granted the MSU flexibility to co-operate more closely with CIVPOL their policing skills would undoubtedly have been put to good use. The lesson learned is that policing professionals

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[111] K. Bickel (2013). *Will the Growing Militarization of Our Police Doom Community Policing,* United States Department of Justice, Dec. 2013.

[112] UK Government (2012). 'Definition of policing by consent and historic principles of British policing', @ https://www.gov.uk/government/publications/policing-by-consent/definition-of-policing-by-consent.

[113] New York Times (2004). 'Three UN police die in shoot out'. *New York Times*, 2004.

[114] J. Cady (2012). 'Establishing the Rule of Law, The UN Challenge in Kosovo', *Focus strategique* no. 34 bis, June 2012, Centre des Etudes de Securite, p. 23.

whether military or civilian should at least liaise with one another in the mission area even if only to gain a better understanding of their respective role and function and the challenges faced.

Security Gap Challenges

KFOR had entered Kosovo on 12 June 1999 and as the planned UN policing component was not yet ready for deployment military formations had been further tasked to 're-establish law and order' pending the arrival of the international police. Despite a planned requirement of 4,500 CIVPOL the actual deployed numbers by the middle of September 1999 was 1,100.[115]   KFOR, maximising the use of their military police component, did what they could to combat widespread violence and criminality. During the first six months of the international presence there were, according to the UN High Commissioner for Refugees (UNHCR), 350 murders, 150 kidnappings and over 1,000 reported cases of arson. The 'security gap' between the military and police deployment contributed towards permanent change in the demographic landscape of Kosovo as Serbs and minorities fled. The military 'simply did not have sufficient personnel or skills to conduct investigations into serious crimes and their failure to collect evidence in detail rendered many subsequent investigations unproductive'.[116] The early deployment of a professional police component would have added an additional layer of security and brought much needed expertise to basic investigation techniques and crime scene management. UNMIK were heavily criticised in an Amnesty International report published in 2013 for their failure to properly investigate the murders and abductions which took place in 1999.[117] Had a 'ready to deploy' police organisation such as the European Gendarmerie Force (EGF) existed at the time there is little doubt the security gap would have been narrower and demographic change contained. What happened in Kosovo is an important lesson learned for the international community and underscores an important guiding principle concerning the availability of a rapid deployable police component to not only maintain order (a task that can be shared with the military) but to do what the military cannot - manage crime scenes, secure evidence and prepare prosecution files for the judiciary.

Drenica: Compliant Population and Supportive Military

I was initially assigned to the police station in Glogovac, a small town situated in the Drenica Valley, west of Pristina, where a Canadian Battlegroup provided the 'safe and secure' environment in which the UN and other international bodies operated. The Commander KFOR wanted more cooperation between the police and military and this was achieved through joint foot patrols, vehicle checkpoints, shared KFOR/police communications and a joint response to reports of shootings and explosions. Cooperation between KFOR and the police in this relatively stable area was generally excellent notwithstanding that the relationship remained untested by more demanding circumstances.

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[115] United Nations (2000). *Report of the Security Council 16 June 1999 – 15 June 2000*. New York: United Nations, pp. 3- 7.

[116] Cady (2012). *Establishing the Rule of Law, The UN Challenge in Kosovo*. Focus strategique no. 34 bis, June 2012, Centre des Etudes de Securite, p.19.

[117] Amnesty International (2013). 'Serbia (Kosovo): UNMIK Legacy: The failure to deliver justice and reparations to the relatives of the abducted', Report, 27 August 2013, Index number: EUR 70/009/2013.

UN Police and Canadian Battle Group in Drenica Valley 1999

Glogovac and its surrounding villages were deeply scarred by the war as the Drenica Valley had been the cradle of resistance to Serbian authority and the birthplace of the Kosovo Liberation Army (KLA). I found myself on patrol with former KLA fighters who were now in the KPS having completed initial training at the Organization for Security and Cooperation in Europe (OSCE) Police School in Vushtri. Despite objections from certain quarters it had been a political imperative to re-integrate members of the now disbanded KLA into Kosovo institutions and initially they were deemed a 'specific beneficiary group' with regards to recruitment into the KPS.[118] Clearly former combatants regarded as terrorists by the Serbian and minority population were not going to enhance community support for the police in some areas but here, in the Drenica Valley, all the Serbs and minorities had fled leaving just Kosovar Albanians, most of whom regarded the 'internationals' as 'liberators'. The presence of former KLA in police stations was clearly an obstacle to intelligence sharing at the local level between CIVPOL and KFOR as intelligence reporting was already attributing the rise in political violence and organised crime across Kosovo to former members of the KLA. The entry quota for former KLA into the police was later rescinded as it was recognised as an obstacle to progress - a lesson learned. The guiding principle must be to avoid wholesale involvement of former combatants in a policing model designed to serve the whole community.

Mitrovica: Dysfunctional Police – Military Relationship

In February 2000 tensions between Serbians and Albanians in the Northern French Brigade area spilt over into violence and in response both the military and CIVPOL 'surged' into the city of Mitrovica, 'the

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[118] S. J Shala (2015). 'Demilitarization in Kosovo: A story of 'success'', Blog 5 October 2015.

most dangerous place in Europe'.[119] Much of the violence against the police was instigated by the so called 'Bridge Watchers', a group of Serbians numbering 200 – 300 who were organised into teams, carried radios and had access to weapons. Their main aim was to deter Albanians from returning to the northern now Serbian area of the city, encourage those already there to leave and to frustrate the international effort. In the Serbian dominated neighbourhoods CIVPOL were not called liberators but, in the Serbian tongue, '*okupators*'. On my first day of duty the CIVPOL Regional Commander was sacked when he criticised KFOR for not allowing police investigators to manage a major crime scene involving troops and civilians; in the testing conditions of Mitrovica the KFOR- UN police relationship was clearly under strain. As a result of the CIVPOL 'surge', a case of quantity rather than quality, there was a loss of situational awareness, local knowledge and any real connection to the community. The words of George Washington, 'It is infinitely better to have a few good men than many indifferent ones' struck a chord. The lesson learned is reiterated: the quality of personnel can be much more important than the numbers deployed.

KFOR's mandate to maintain 'a safe and secure environment' grated against the efforts of CIVPOL to uphold the Rule of Law which often triggered civil unrest. An apparent policy of 'non-escalation' by KFOR was much criticised by the police who accused soldiers of idly standing by whilst they were attacked. Indicative of the level of animosity, a tee shirt bearing insulting slogans about military capability was produced and distributed in the police station. On a tactical level KFOR's 'non-escalation' was an attempt to contain the unstable situation in a volatile area of operations and was equally applied to their own forces – a fact which didn't assuage police sentiment. Thrown together in numbers onto the unpredictable streets of Mitrovica, soldiers and police, despite liaison efforts at Regional HQ, became victims of misunderstanding. A lesson learned is that harmony at the HQ level does not necessarily mean harmony on the streets.

An underlying cause of friction between the military and police was the lack of understanding they had of one another's working practices and operating procedures. The military respect the chain of command, follow orders in the pursuit of objectives and act as units: 'Servicemen seldom operate individually, and cultivate a strong collectivist feeling'. By contrast 'police are individually responsible for their actions and have to be streetwise. When something goes amiss, they can ask for assistance, but the first actions will be solitary operations by individuals'.[120] A police officer observes, assesses and acts, often exercising flexibility 'for as the ultimate arbiter of the law on the street (s/he) is able to exercise discretion'.[121] CIVPOL had an unpredictable and maverick quality which often confounded a KFOR more familiar with the militarised policing of their own Gendarmerie; a more predictable style having qualities similar to their own including unit discipline and compliance with orders. The lesson learned is that exposure to the unfamiliar can undermine cohesion in an operational environment. As a guiding principle to achieving police-military functionality, any lack of knowledge regarding operating

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[119] BBC News (2000). 'Troop boost after Kosovo violence'. 24 February 2000.
[120] P. D. Boer, (2001). 'Small Unit Cohesion: The Case of Fighter Squadron 3-VI.G. IV'. *Armed Forces & Society*, 28, no 1 (Fall 2001), pp. 33-54.
[121] M. Lipsky (1980). *Street-level Bureaucracy: Dilemmas of the Individual in Public Services*. New York: Russell Sage Foundation.

procedures can be managed and the effect minimised through joint training, familiarisation and good liaison both at the HQ and street level.

Neighbourhood Policing: Bridging the Divide

In order to address the divide between both KFOR and the local community I was asked to set up a Neighbourhood Police Unit (NPU) whose task was to patrol a mixed population area in a heavily militarised zone on the interface between Serbians and Albanians. Patrolling was to be done on foot, something which went against the grain of common practice but afforded the opportunity for more than just passing contact with the locals; as US General David Petraeus instructed in Baghdad, 'Patrol on foot and engage the population. Situational awareness can only be gained by interacting with the people face-to-face, not separated by ballistic glass'.[122]

Joint UN Police and KFOR patrol in Mitrovica 2000

The start point of the scheme was on the East Bridge where KFOR had set up a permanent checkpoint. As this was a 'bottom up' police solution with little or no military support the NPU initially maintained a position beside the checkpoint and whenever possible engaged with both soldiers and

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[122] D. Petraeus (2008). *Multinational Force-Iraq Counter Insurgency Guidance*. Baghdad, 2008 & Ministry of Defence (UK) (2009). 'Security and Stabilisation: The Military Contribution'. *Joint Doctrine Publication: 3-40*, Nov 2009, p. 139.

locals. When one of the team used a KFOR 'portaloo' located beside a ruined building I was told, 'the portaloo is for KFOR use, not the police'. Not a good start but through dogged persistence, familiarity and good humour a bond was eventually established with the soldiers. In time KFOR Brigade Command recognised the value of the collaborative effort of working with the NPU to restore stability in an otherwise contentious area.

Over the next few months this formula was rolled out across the whole of North Mitrovica and the NPU became an important communication interface between KFOR and UNMIK police and also provided a valuable conduit to community leaders and 'ground opinion'. As a result of the NPU initiative the police moved closer to establishing an effective functional relationship with the military whilst maintaining a separate operational profile. A key lesson learned is that the military are likely to have a better working relationship with a 'street based' police team such as an NPU rather than the wider police apparatus or indeed HQ based liaison officers. A good guiding principle is to select a police team with sound local knowledge to act as a point of contact for the military concerning operational issues arising from contact with the community or other police units.

Military and Police: Mission Perspectives

Despite improved cooperation the military and CIVPOL continued to view the mission from differing perspectives. The police focus tended to be on longer term projects such as establishing the Rule of Law, community relations and developing KPS capability. The operational perspective of an average military unit tended to be more short term and was invariably linked to their length of tour, normally four to six months; a situation equally applicable to Iraq and Afghanistan as it was in Kosovo: 'anything that might take longer than six months was simply not done. There was no credit in something that would be finished after one's time was up'.[123] As such the military ran the risk of sacrificing long term objectives for short term gain. 'At times observing and shaping, rather than engaging in aggressive operations, may be the best approach. This can be difficult for a military which expects to deliver rapid, ideally decisive results'.[124]

Due to separate chains of command in Kosovo cooperation between the military and police was not mandatory but by agreement and on occasion both sides declined to support the other; for example, as a police commander I declined to support a KFOR operation to search Serbian houses on Orthodox Christmas Day because of the likely damage to community relations. Another incident highlighted the differences between CIVPOL's local policing ethos and the more task orientated outlook of the military. During a KFOR operation to clear barricades a civilian had his foot blown off by a device thrown from a military armoured car, an incident witnessed by police. KFOR's methodology was questionable and a CIVPOL officer was assigned to ascertain the facts; in doing so CIVPOL not only demonstrated a commitment to the community but also to upholding individual human rights.

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[123] F. Ledwidge (2011). *Losing Small Wars: British Military Failure in Iraq and Afghanistan*. New Haven and London: Yale University Press, p.56.

[124] Ministry of Defence (UK) (2009). 'Security and Stabilisation: The Military Contribution'. *Joint Doctrine Publication: 3-40*, Nov 2009, p.17.

Whilst KFOR continued to deny any responsibility the police in stark contrast organised a collection for the injured man. A lesson learned is that a community based policing strategy can put the police and military onto divergent tracks. A guiding principle must be to educate short term rotating military units on the importance of long term mission objectives which invariably focus on building trust within the local communities so as to elicit stability and compliance with the Rule of Law.

Collapse in Kosovo: Security Failures

The events of 17 March 2004 and following days in which 20 persons were killed, over 900 injured, and almost 1000 homes and 26 churches destroyed, are well documented for a number of reasons, most of which refer to challenges faced by the security forces and their less than adequate response.[125] 'In violent circumstances only the military, the military police and gendarmerie forces have the necessary fire power and training to take on law enforcement responsibilities'; [126] unfortunately on this occasion it was not the case. Taken by surprise, a divided KFOR Command subjected to national restrictions and caveats concerning military use of force failed to halt the destruction and ethnic cleansing. In contrast, police, including some in Mitrovica, acting spontaneously as individuals with a responsibility to protect life opened fire without reference to higher command; a lesson learned perhaps regarding the comparative freedom of action of the individual over the group. Later, when intelligence indicated an all-out assault on Serbian North Mitrovica by armed groups of Kosovar Albanians, a fighting line of both soldiers and police was organised on the North bank of the River Ibar. The CIVPOL Regional Commander asked what he should do regarding the UNMIK Police Regional HQ in the South and was told by KFOR Brigade to 'burn it down'. The Commander did not take the advice and the building was defended by CIVPOL and volunteer KPS. One has to speculate what would have happened if the military had put the same suggestion to a gendarmerie styled police unit more likely to be influenced by military instructions. However, there were examples of excellent cooperation between CIVPOL, KPS and KFOR including a large scale operation in Mitrovica to search an apartment complex from where gunmen had opened fire. This joint operation during an extremely critical period demonstrated the ability of the security forces to plan, coordinate and act as one in decisive action to seize back the initiative – cohesion born out of crisis. The lesson learned is that operational planning, close liaison and determination does produce results.

At the time both my deputy and the patrol supervisor were US police officers who ensured injured officers had access to the 'DynCorp' doctor. The US police contingent in Kosovo was unique insomuch as it was a contingent recruited by a commercial company, DynCorp International. 'Until April 2004 DynCorp International was the sole supplier of US civilian police to the Department of State, meaning that every US police officer taking part in UN Civilian Police (UNCIVPOL) was in fact a

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[125] International Crisis Group (2004).
[126] J. G. Smith, V. K. Holt & W. J. Durch (2007). *From Timor-Leste to Darfur: New Initiatives for Enhancing UN Civilian Policing Capacity.* Washington DC: Henry L. Stimson Center

DynCorp employee.... international observers provided by the US to multinational operations [are] now more likely to come from private companies than from the regular military.'[127]

Contractors and Peace Support Operations

Over recent years the use of contractors to support international missions has become ever more widespread. The US military and State Department make wide use of contractors in overseas missions to provide a range of services from administration and logistic support to more niche requirements including the provision of military and policing expertise in the form of trainers, mentors and advisors. Where skills are lacking the US military are quick to plug the gap with contractor expertise. The US military in Iraq and Afghanistan, in 'recognizing the amount of actionable and incriminating evidence being lost because of soldiers' lack of police skills', embedded contracted Law Enforcement Professionals (LEPs) right down to the patrol level.[128]

Corporations and entrepreneurs are quick to act when they see a commercial opportunity and will readily provide solutions for any resourcing issue. From 2007 to 2015 the US Department of Defense (DoD) obligations for contracts performed in the greater Iraq and Afghanistan areas of operation were approximately $220 billion.[129] As Cicero observed, 'The *sinews of war* are infinite *money'*. According to 2014 estimates the cost to maintain a US soldier in Afghanistan on a one-year tour was $2.1 million;[130] in broad terms a civilian contractor without training requirements or pension rights would cost considerably less. In March 2016 there were approximately 28,600 private contractors in Afghanistan, compared to 8,730 US troops.[131] Many contractors fulfil support roles allowing soldiers to undertake operational tasks.

The partnering of military and corporate contractors is not without challenge or indeed personal risk; 'between Jan. 1, 2009, and March 31, 2016, 1,540 contractors were killed in Iraq and Afghanistan. During that period, 1,301 U.S. troops were killed in Afghanistan and Iraq.'[132] Contractor deaths as opposed to military deaths do not normally attract the same level of public sympathy or press attention – no doubt a factor for which many governments are thankful. Wide scale involvement of contractors in Iraq and Afghanistan highlighted many negative aspects of a large scale deployment; lack of contract oversight led to corruption, criminal activity and failed mission objectives. The liberal use of contractors also put a strain on the military to provide their life support, security and transport; in both Iraq and Afghanistan the sheer number of contractors requiring movement 'outside the wire' impacted

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[127] À. G. Østensen (2011). *UN Use of Private Military and Security Companies: Practices and Policies*. The Geneva Centre for the Democratic Control of Armed Forces (DCAF), 2011, pp. 13-14.
[128] T Hsia (2008). 'Law-Enforcement Professional and the Army', *Army,* July, 2008.
[129] Congressional Research Service (2016). 'Department of Defense Contractor and Troop Levels in Iraq and Afghanistan: 2007-2016', 2016.
[130] R. Martinage (2014). 'Toward a New Offset Strategy: Exploiting U.S. Long-Term Advantages to Restore U.S. Global Power Projection Capability, CSBA, 27 October 2014.
[131] Congressional Research Service, (2016). 'Department of Defense Contractor and Troop Levels in Iraq and Afghanistan: 2007-2016'.
[132] M. Zenko (2016). 'Mercenaries Are the Silent Majority of Obama's Military', *Foreign Policy Communication,* 18 May 2016.

on the military's ability to provide sufficient transport which in turn undermined service delivery on many contracts. However, in the world of private contracting every problem has a solution; in Afghanistan armed contractors often found themselves designated as self-protect and self-drive and lived in either defended private compounds or on commercially run contractor camps.

'Militarised' contractors tagged onto army patrols in Iraq to meet host nation partners:
the author is seated third from the left

On retiring from the police, I was recruited by a British company contracted by the US DoD to supply subject matter experts with a police intelligence background. After interview by US military officers I was deployed to Iraq and later to Afghanistan. In Afghanistan my task was to establish an Afghan Police Intelligence Operations Centre with an enduring capability enabling it to function after a planned International Security Assistance Force (ISAF) Coalition withdrawal. For four years I and three fellow contractors developed this project from concept to full operational transition to Afghan police control. Success was in no small part due to the continuity of advisors; faced with a prospect of continual changes in personnel the project would have had very little chance of success. The quip 'Afghanistan was a one-year mission repeated 15 times' was symptomatic of the high churn rate of military personnel. The problem of continuity was compounded by a high 24% attrition rate of Afghan National

Defence and Security Force (ANDSF) personnel [133] layered on top of widespread corruption including large numbers of 'ghost personnel' who only existed on payrolls. The lesson learned is that contractors in comparison to military personnel have greater mission endurance, a critical factor in overcoming 'short-termism' which undermines the continuum of progress. As a guiding principle, it might be said mission flexibility is better served through the use of private contractors – subject matter experts hired and fired to meet mission requirements.

Despite its ultimate success, the project to establish an Afghan Police Operations Centre was initially dogged by criticism from certain quarters within the military who sought immediate 'operational effect'. To realise in the short term full operational capacity the military were willing to undermine long-term capability building by inputting assistance and resources not available after their departure. 'It was common practice for the military to shortcut combat support enablers expertise so as to support combat operations...these (combat support expertise) capabilities end up being anaemic for a long time and perhaps never develop'.[134] The European Police (EUPOL) Mission in Afghanistan encountered the same problem of capacity building in a war zone; 'EUPOL's long-term development program was incompatible with the military imperative of getting "feet on the ground"'.[135] Afghans recruited into the police were being deployed with minimal training. Lt. Gen. William B. Caldwell IV, head of the NATO Training Mission in Afghanistan 'admitted that police training has been a train wreck since the toppling of the Taliban almost nine years ago. "We weren't doing it right. The most important thing is to recruit and then train police [before deployment]. It is still beyond my comprehension that we weren't doing that"'.[136] The lesson learned must be that there are no shortcuts to building a comprehensive and enduring police capability. Clearly one guiding principle is to have a strategy involving both the military and civil authorities to address the conflicting overlap of war fighting and the requirement to build Host Nation capacity and capability.

Today contractors are commonly used by a wide range of governments and international organisations to deliver assistance to fragile and conflicted affected states. Contractors are well established in mission areas and often work as equal partners with other agencies; by way of example as a US DoD contractor I passed the proposed template of an Afghan Police Intelligence Reporting Form to EUPOL personnel who, using their connections, had it endorsed by the Ministry of Interior for use across the whole country. The fusion of contractor, police and military is likely to gain even greater traction in the future. In an effort to secure higher standards and greater regulation an International Code of Conduct for Private Security Service Providers, an initiative of the Swiss Government, has been signed up to by many security providers and is supported by several governments including those of the US and UK as well as international organisations including the UN.

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[133] A. A. Jalali (2016). *Afghanistan National Defense and Security Forces. Forces: Mission, Challenges and Sustainability*. Washington: United States Institute of Peace.

[134] A. Long, T. C. Helmus, S. R. Zimmerman, C. M Schnaubelt & P. Chalk (2015). Building Special Operations partnerships in Afghanistan and Beyond. Challenges and Best Practices from Afghanistan, Iraq, and Columbia. Santa Monica, California: RAND Corporation. p. 13.

[135] UK European Committee (2011). 'The EU's Afghan Police Mission – EU Committee Contents: Chapter 3: International Cooperation and the Role of The Police'.

[136] P. Chatterjee (2010). 'Policing Afghanistan: How Afghan Police Training Became a Train Wreck'. *The World Post*.

In terms of security sector reform contractors have a number of advantages including the ability to deliver bespoke expertise tailored to mission requirements; are likely to have a higher threshold of acceptable risk thereby creating opportunities for increased 'face time' with Host Nation partners; offer greater flexibility and cost effectiveness compared to national assets; and by attracting less media attention are casualty resilient. Adverse reporting concerning contractor performance can often be traced back to 'contracting officers' who don't effectively administer the terms of the contract or oversee service delivery. Contractor confidence, not necessarily confidence in contractors, has given rise to the former Chief Executive Officer of Blackwater Eric Prince hawking around Washington his plan, 'A strategic Economy of Force', to send 5,500 private military contractors to embed with Afghan National Defence and Security Forces units at the battalion level to fight the Taliban, supported by a 90-plane private air force.[137] This move would not be welcomed by the military nor by many in the private security industry who see the return of a tag they have long sought to distance themselves from - mercenaries.

The functional relationship between police, soldiers and private contractors is critical to mission success across the globe. During the stabilisation phase of any mission the military is likely to be the dominant partner and because of organisational differences the relationship between soldiers and their equivalent civilian counterpart - police or contractor - can be challenging. Gendarmerie style units are likely to have more in common with the military psyche and can provide an effective means in the critical early stages of any mission to close the security gap and provide policing expertise. Just as militarised police have a role to play so too do local and community policing initiatives including the use of Neighbourhood Police Units (NPUs) whose value are sometimes underestimated. Strong links to the community and local knowledge mean NPUs have the ability to identify and resolve problems without resorting to baton or gun; in military terms an NPU is a force multiplier – more can be done with less. The relationship between military and local police may be more problematic because of the clear separation of roles which lack the 'blurring' of militarised policing. The application of community based policing skills should be incorporated into deployment planning where the fusion of military, gendarmerie and local policing will be an effective combination to realise stability in fragile and conflict affected states. Operational success in any setting, but especially in a complex threat environment, is only made possible when differences are put aside and the focus is firmly placed on collaborative effort.

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[137] J. Rogin (2017). 'Inside Erik Prince's secret proposal to outsource the war in Afghanistan'. *Washington Post*, 9 Aug 2017.

Acronyms and Abbreviations

ANDSF	Afghan National Defence and Security Force
CIVPOL	Civilian Police Officer
COIN	Counter Insurgency
DoD	US Department of Defence
EGF	European Gendarmerie Force
EU	European Union
EUPOL	European Police Mission in Afghanistan
ICG	International Crisis Group
ISAF	International Security Assistance Force
KFOR	Kosovo Force
KLA	Kosovo Liberation Army
KPS	Kosovo Police Service
LEP	Law Enforcement Professional
MSU	Multi National Specialised Unit
NPU	Neighbourhood Police Unit
OSCE	Organization for Security and Cooperation in Europe
PSNI	Police Service of Northern Ireland
PTC	Police Training Centre
RUC	Royal Ulster Constabulary
SPU	Specialised Police Unit
UN CIVPOL	UN Civilian Police
UNHCR	UN High Commissioner for Refugees
UNMIK	United Nations Mission in Kosovo

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'Nyagoa'[138] – From Somerset to South Sudan: Community Policing in a Conflict Zone, August 2014 to May 2016

Jackie Gold, Chief Inspector, Avon and Somerset Police, UK (Rtd.) [139]

Abstract

This paper reflects upon the author's deployment from August 2014 as a member of the UK policing team to the United Nations Mission in South Sudan (UNMISS). The purpose of the deployment was to set up a community policing strategy working within the context of the UNMISS mandate, to provide additional value to the UN mission in terms of the protection of 140,000 civilians in a country overwhelmed by civil war and human rights abuses. The UK policing mission is considered within this paper alongside the challenges of working within a UN Protection of Civilians site with some lessons learned and guiding principles provided. These include gaining a clear understanding of the mandate, finding opportunities for 'quick wins', influencing others, cultural awareness and taking risks.

Introduction

This paper concentrates on my journey in working with the local communities of South Sudan and looking at the challenges and processes entailed in designing and implementing workable community policing programme across all UN Protection of Civilians sites (POC) in South Sudan that were acceptable by all. [140] I also include an examination of some of the cultural challenges of working within a complex UN environment and undertaking a monitoring, mentoring and advisory role. My contribution to the communities within the POC was generally well received and the community bestowed upon me the honorary name 'Nyagoa'.

Deploying to a country in conflict, with its people fleeing into the protection of the UN, is a wake-up call to anyone with a professional interest in global stability. I refer to the gulf that exists between those nations in a complete state of stability and security, in comparison with those nations that have instability, insecurity, and (in some cases) violent conflict and ongoing human rights abuses. South Sudan is just one such country where thoughts of freedom and liberty have never been as resonant as

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[138] Nuer name 'Nya' meaning 'girl', 'goa' meaning 'big heart'.

[139] Whilst individual police personnel had been deployed to UN Missions in South Sudan, this was the first time a 'team' had been sent from the UK. I had been a police officer for over 23 years having moved through the ranks to Inspector doing various roles. However, my policing activities had always been working within Community Policing projects, leading a team and working closely with stakeholders and communities. Being deployed to South Sudan within a diverse environment was, therefore, my opportunity to work in an area that I was committed to and where I had gained considerable experience over the years.

[140] The UK has a long tradition of 'consensus' policing as encapsulated in the famous 'Peelian' principle of 'the police are the public and the public are the police' allowing the UK approach to be 'customer focused' and community led.

when entering a POC site for the first time. Juba is one of six locations across South Sudan protecting civilians under the UN umbrella.

My personal journey[141] in transitioning from UK police officer to UN peacekeeper allowed me to work with many other international peacekeepers, living and working with the UN to protect the communities within the compounds where approximately 250,000 people sought refuge. Their existence is dependent upon humanitarian actors working alongside the UN and requires consideration of the appropriateness of applying normal westernised measures in terms of policing and reducing the fear of crime. When referring to crime, this is not just about the type of crime witnessed in every other society, but also crimes of the gravest nature: war crimes and human rights atrocities. So how is it possible to relate to this environment and its people? How can contributing countries transfer and adapt strategies, models and programmes to local communities that have deeply instilled traditional ideas and values? In considering these questions, deploying nations need to look carefully at their own 'pools of experience', understanding the respective national responsibilities in terms of vision, values and approach[142] and the need to send police officers who can adapt quickly to hostile and harsh environments.

Community Policing is a worldwide concept, developed, adapted and interpreted in many ways. It has also been referred to using many other terms: Neighbourhood Policing, Citizen Focused Policing, Community Oriented Policing, Local Policing and so on. What one is striving to achieve within this environment is to bring the concept of best practice 'to the table'.[143] Taking good practice from an international policing field is about developing strategies, models and projects and, having an ongoing programme of monitoring and evaluation. Identifying opportunities at an early stage that lead to 'quick wins' can help to move to move the programme forward during the initial phases of one's mission experience. Fundamentally, this is about how international policing assistance (including UK policing) can influence within a UN environment, leaving a legacy behind and a corporate memory.

Experiences

Whilst the South Sudanese Police Service (SSPS) [144] do not police or enter POC sites, it was possible to 'sow seeds' of potential future activity by developing and implementing basic training programmes around community policing, building trust and confidence within communities, and dealing with sexual and gender-based violence. There were cultural and social challenges to this but many South

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[141] For a more detailed account of my role within UNMISS see my blog at www.ukpoliceinafrica.co.uk.

[142] HM Government (2010). A Strong Britain in an Age of Uncertainty: The *National Security Strategy,* Cm 7953, London: HMSO; HM Government (2015*). National Security Strategy and Strategic Defence and Security Review* (2015). Policy Paper, London: PM Office, Cabinet Office, Department for International Development, Foreign and Commonwealth Office, Home Office & Ministry of Defence. These policy papers set out how the UK will deliver our vision and strategy through the National Security Objectives.

[143] J. Casey, John (2010). *Implementing Community Policing in different countries and cultures,* New York, City University: School of Public Affairs*.*

[144] Members of SSPS are predominantly from military backgrounds, with limited or no training in policing. Tribal barriers aside, trust and confidence in policing is virtually non-existent. Hence any attempts by SSPS to enter any protection site leads to disorder and repercussions of the most serious and violent nature. Incidents in recent years have demonstrated that even a 'whisper' of infiltration onto a POC site by SSPS will lead to violence and community tension.

Sudanese police officers had a real thirst to explore approaches that were outside South Sudanese practice and social norms. This cultural learning was felt by both the 'teacher and student'. It is possible to take small steps, in what is a long and arduous process, to find ways for the SSPS to take aspects of training that can translate culturally and build this into their working practices. It should not be forgotten that traditional values are deeply rooted and often at variance with many other societies. It was important to understand those differing viewpoints in order to adapt our own working methods.

Regardless of ongoing and frustrating challenges faced, it was possible to have significant and impactive successes. In my view, the key is to consider three critical elements: the challenges, the lessons, and the successes or, in very simple terms: what did we do? how did we do it? And, how did we reach our objectives? Did it work? If it did then we develop, we learn and move forward. If it did not then we put it behind us and we re-think, we learn and we move forward. However, it is crucial to capture lessons learned along the way.

For the deployed British team, one of the very early lessons learned was that of looking for opportunities for quick wins from the outset. This was about being on the 'front foot' from day one and in this context the team were quickly able to identify the problems, context and stakeholders local and external (to UNMISS) international actors. Opportunities were sought for early engagement at all levels, 'showing our faces' and quickly building a network. The concept was replicated with our beneficiaries, in this case the local communities on the POC sites where at a very early stage, the team made introductions to traditional leaders and other key members of the community. Of all the work carried out by the British team throughout the duration of the mission, the most crucial phase was the initial concentrated engagement with all levels of the local communities, developing our cultural awareness in order to learn about local living conditions, wants, needs, cultural practices and future challenges. This was pivotal to the success of the team and in the implementation of projects and plans. One reason for this was that as the UK Team was leading the UNMISS community policing programme we were expected to facilitate ongoing community engagement.

A further challenge was differing community policing concepts amongst international stakeholders. Importantly, building trust and confidence amongst international actors and the local communities did ultimately reap significant rewards. For example, each of our team members committed to teaching English language skills to classes within the POC during our down time at the request of tribal leaders, which was well received. Aside from any rewards this had for the team, this approach was useful during the early stages of the mission in helping us to identify the opportunities for 'quick wins', which leads to the view that this could be a guiding principle.

Local community engagement with the IDGs in South Sudan

Challenges

> *'Policing is too big and important a function to be performed by the police alone.'* (Colin Port, former Chief Constable, Avon and Somerset Police, UK and former Lead for ACPO International Affairs)

On my arrival in mission, many international colleagues with considerable mission experience talked of UNMISS as one of the most challenging and complex they had experienced. South Sudan was described as a country that remained in the grips of a deep-rooted conflict where the rights and protection of women and children remained problematic. Cultural challenges within this mission began within the walls of the compounds. International police came with differing values, communication styles, skills and abilities, motives, attitudes and overall ideas and concepts of social norms. The UN are very clear on the expectations of their personnel in terms of behaviour, ethical and professional standards, and treatment of colleagues. Indeed, posters depicting scenes of bullying with clear value statements along with advertisements for mandatory courses for UN Police (UNPOL) are commonplace. However, I had some concerns about bullying and a lack of responsiveness for such alleged incidents during my time in the mission.

A deployment to such a diverse mission where attitudes and practices can be so variable, must be met with an open mind, understanding, adaptability, resilience, strength, ability to challenge and if

possible, the will to influence change. The greatest challenge is understanding how the UN can provide a consistent and collaborative approach to delivering much needed policing services to the tribal communities within the POC sites, where cultural challenges are ever present. From a UK perspective, our values and methods were largely mirrored by colleagues from Northern Europe but there were greater differences with those colleagues from further afield.   Whilst my view is that this is partly due to good European cooperation in policing through shared training and best practice, it is also about cultural and social similarity. This was all part of the learning curve and the fascination of working within an international arena.

In South Sudan, local values and traditions are deeply ingrained in a society where sexual and gender-based violence is a weapon of conflict as well as a contributory part of domestic abuse. Women within the tribal communities of South Sudan and indeed within the POCs, may carry out many of the labour-intensive duties as may the children. Entrenched in this culture, there can be a danger that children growing up may understand violence as a solution to resolving conflict. The female members are largely marginalised and can be physically abused in some way during the course of their lives. That said it is evident that female children attending school is becoming more commonplace with the ratio of female children within the UN POC sites rapidly catching up with their male counterparts.

Local attitudes toward UN personnel and humanitarian aid workers is significantly variable. Determining factors can be the wearing of uniform, colour of skin, if there is added value to quality of life or personal gain from a group or person and, how well the tribal communities have come to know and trust a person.   In relation to the latter, one of the most outstanding collective attributes of the Nuer people within the POC (based on Juba sites) is their ability to create a warm, hospitable and welcoming environment for those who they have come to know and trust. I was fortunate to have been in the centre of daily life within the POCs to witness this. Consequently, this allows for reciprocated influence between UN personnel and key members of the Nuer Community, particularly traditional leaders and elders. We clearly observed a deep-rooted distrust those people or organisations in any way affiliated or associated with the Government of South Sudan (GOSS) and particularly the SSPS and Sudanese Peoples Liberation Army (SPLA). In terms of impact of UN policing services on the POC sites, behaviours exhibited from the merest suspicion of GOSS infiltration of any kind onto the POC sites has resulted in serious disorder, violent demonstrations against the UN (including incursions onto UN residential compounds) and, 'finger pointing' at any person or organisation in whom there is the slightest distrust. Criminality within POCs, inter-clan clashes and increasing numbers entering POC sites stretched often diminishing vital service provision. Policing within the UN compounds demands not only the expectations of meeting the ever-present and changing diverse challenges of a UN POC site, but in the broader context, the need to fill those voids that exist between communities and local police.   This is about thinking ahead to a what a normalised society may look like, where POCs no longer exist and there is co-operation and communication within society. Whilst this is a long-term aspiration, foundations need to be laid and there is a requirement for the UN to consider developing capacity within the SSPS, which is primarily

made up of ex-military personnel, with little or no training in policing communities. These challenges are far reaching and deeply ingrained in this new nation from the highest levels in Government to the lowest levels in policing.

Successes

> *'Look at a day when you are supremely satisfied at the end. It is not a day when you lounge around doing nothing, it's a day you've had everything to do and you've done it.'* (Margaret Thatcher)

In building effective community policing programmes, the team needed to gather evidence of existing policing practices.   The UK Team conducted early reality checks which included interviewing UNPOL officers, observing briefings and undertaking joint patrols.   This included visits by the UK team across the protection sites with detailed assessments being made of the policing services on offer. This included examining the variations of all the protection sites, how they were being policed and how a community policing model could be adapted to fit each and every site. The UN places significant global emphasis on placing women at the centre of mission objectives. One of the UN sustainable goals is to achieve gender equality and to empower all women and girls.[145] This remains an uphill battle and in all the work undertaken there is always a common thread of providing strong responses to the protection issues of gender, children and vulnerable people.   Based on early assessments and engagement, a basic community policing model was developed. Whilst any model will always be created and adapted to suit the environment and needs of the community, it also has to reflect existing tried and tested models. The pillars of a community policing model must focus on engagement, crime reduction, visibility, problem solving and partnership working. Specifically relating to UNMISS, this included early warning activities and information collection. Building and implementing a model is essentially problem solving on a large scale. What follows from a basic community policing model are the component parts that will make it effective and workable. This can include building a Key Individual Network (KIN), the development of a tactical plan, building the capacity of the POC communities particularly in relation to the prevention of crime and disorder, and development of projects and thematic activities. In terms of sustainability, in order to ensure that policing services continued to provide success, it was important to think about sharing best practice. The UK approach ensured that new international police recruits to UNMISS were aware of the direction of the mission from the onset of their secondment and the need to reassure POC communities about UNMISS strategies.

I negotiated and then instigated participation in the UNMISS UNPOL induction process by way of a one-day programme focusing on sexual and gender-based violence and the policing of POC sites. For the first time in UNMISS this provided new recruits with practical advice and direction on what the issues are and how they might be addressed. Additionally, a networking program was set up for

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[145] United Nations Sustainable Development Goals (2015). *17 Goals to transform our world,* Goal 5: Gender Equality.

existing officers working across South Sudan within the Gender, Children, and Vulnerable Person Protection (GCVPP) Teams. This provided regular teleconferencing meeting opportunities where best practice was shared, issues raised and a cohesive team ethos created. Previously teams had worked in silos with little or no practical input at a tactical level. What followed the development of a working community policing programme within UNMISS was a sustained period of direct working with the SSPS in the creation and delivery of training programmes. These programmes sought to provide elementary policing concepts based on policing communities. The subject areas concentrated on building trust and confidence and understanding issues of sexual and gender-based violence in the community. In reaching wider audiences, the use of media is a crucial element and was a tool utilised by the UK team on a regular basis with daily crime reduction messages broadcast across the country, community phone-ins and, live broadcasted partnership crime panels.

Training programme with the SSPS

In all of this, the creation of ideas, implementation and delivery were not the real challenge. This came later with the creation of a 'corporate memory' and having the confidence and ability as a team to handover responsibility. No one person or team will stay within a mission for long enough and thus being able to leave a legacy has to be the ultimate goal. Therefore, from the outset, and firmly embedded within the team's aspirations was the mantra: *create-develop-implement- demonstrate-teach-handover-record-mentor-monitor-advise-step back.* One guiding principle is that having the respect, trust and confidence of the community can be the key to the overall success of the project.

This paper has reflected on the importance of the quick win approach which cannot be under-estimated in terms of quickly gaining the advantage. We found that by having very clear ideas of how we intended to engage with the community at an early stage not only served to fulfil the need for building relationships, but also demonstrated to international colleagues how community policing can

be practiced. This was useful in the light of the gulf that existed for some in relation to their understanding of community policing and engagement. As a team, we took an immediate interest in those living within the local protection sites, who were our primary beneficiaries. We became visible at meetings, made early introductions as far and wide as possible within the local community, accepted offers to be included in events and programmes and always ensured that there was a good communication channel provided for the local community. We took opportunities to work with partners on the ground and at times I acted as an intermediary if there was tension between local communities and other international stakeholders. We offered additional support within the schools and often engaged informally with community members, sitting for long periods of time talking about cultural differences and always learning more about the complexities of local values and traditions.

As we became more accepted and better known, we began to sow seeds in terms of building community projects and finding ways to enhance the quality of life for those living within this tight knit community. This was particularly important for the women and children who continue to live in a society where expectations of their social status are deep rooted, and attitudes have remained unchanged for many centuries. Sowing seeds was about as much as could be achieved in terms of women's rights. However, there were male members, mainly with good educational backgrounds, who demonstrated a genuine interest in understanding how 'western' society benefits from gender balance and some began to explore and question their own values.

A good example of this was the setting up of specific projects to highlight successes of equality and demonstrate how a more gender-balanced society can and does work. One such project was the 'debate society' held once a week with a gender-balanced participation. This was a particular success with attendance soaring over the months with standing room only on most occasions. For many this was new and interesting with young male students clearly intrigued and eager to work with their female counterparts. Another project set up was for teachers and members of the Community Watch Groups (CWG); the objective was to challenge the ongoing use of corporal punishment, both within the schools and within the local justice system, and then seek new non- violent methods of arbitration. This was a joint workshop between UNPOL and the International Rescue Committee (IRC).

One of my main projects was the development of the CWG, initially piloted in Juba. After a successful initial phase this was broadened out to all UNMISS protection sites across South Sudan, allowing for a consistent and coordinated approach. During the very early stages of community engagement, we were introduced to a group of local community members, both male and female and of all adult age groups, who expressed their wish to serve their community in terms of keeping their communities safe and provide a degree of reassurance. This sparked the start of a long and fruitful relationship which culminated in the set-up of structured CWGs across the country and organised in a way that would allow for the system to be easily transferable. I understood that many CWG members had either not received any formal education or had only been educated to primary level. Therefore, every step had to be crafted at a very basic level to meet the needs of the participants. I also had to find strategies to deal with the many challenges that came with this project including the high level of expectation, the leadership struggles and the ongoing social attitudes which inhibited the female members. Having

said this, the CWG leadership were receptive to new ideas and concepts, particularly regarding female members and this was something that we were further able to build on within the training programme.

The author seated with members of the Community Watch Group

The CWG training programme was delivered to members over a period of three days. It included subjects relating to gender and child protection, the rights of women and children, local justice, HIV awareness, dispute resolution, patrol and community reassurance, partnership working/Non-Governmental Organisations (NGOs), ground rules (of the POC), fire safety and basic concepts of problem solving. Each member who successfully completed the course was provided with a UN certificate of training.   To consolidate and add value to this programme that was delivered every six months, I was able to add workshops and navigate the complexities of the UN funding system by providing much needed resources. For those receiving training this provided status and sense of empowerment.

Guiding Principles

One of the challenges around the perceived successes within UNMISS was capturing those methods and outcomes and instilling them within corporate memory. With the high turn-over of UN staff this was difficult to do, and often depended on the tenacity and commitment of the incoming team member. However, in terms of the UK Team, lessons were reflected and captured during a detailed de-brief with the British Foreign and Commonwealth Office (FCO) for future reference.   In my view these lessons learned can lead to the following key guiding principles.

Adopt a quick win approach

Without question an early quick win team approach will pay dividends. This includes early interventions and visibility of the team, understanding who the key partners are, developing a KIN, understanding the broader picture of how the partners might contribute to the mission mandate or peace processes and, how this then might correlate with UN policing aims and objectives. Knowing and understanding your partners is a crucial element of this phase.

Understand the mandate and how it relates to the work being undertaken

I quickly learnt that the mission mandate was the foundation for all personnel working within UNMISS, and that there were different interpretations as to how the mandate was applied. This often led to misunderstandings that hindered progress and often team/departmental heads had conflicting views about the direction in which the mission should be moving. Therefore, having a clear understanding of what the mandate entails, ensuring communication amongst mission members to bring about a consensus around the implementation is crucial.

Influence others

Being prepared and willing to have an influence on others, often in the face of reluctance or objection, is another key element within a mission. Without this attitude achieving momentum of any kind becomes more challenging and goals harder to reach. This often necessitates what are felt to be frustrating repetitive processes and efforts to maintain a motivation to deliver the programmes.

Know your audience and have cultural awareness

International missions of this type are about working in a diverse environment alongside international colleagues and serving those living within local communities in POCs. Every day of being in mission can be a golden opportunity to continue to learn and develop cultural awareness. Personally, I was able to plunge into an entirely different culture and spent everyday day listening, discussing, understanding, sharing cultural values and trying to take away something useful to allow me to understand my role better and thus engage with the communities. When trust was built, I then started to sow seeds, impart knowledge and ideas and to gently challenge some of the local traditions pertaining to the status of women and children.

Be bold, take risks, be prepared to fail, never give up

There has never been a time when I have been more frustrated, angry, and exasperated as when working within UNMISS. And there have never been times when I have been more elated, proud, jubilant and with an immense sense of achievement. Every day was without question a battle of some kind and most battles would be lost. Sometimes a breakthrough was made and an idea was

accepted, the funding was approved and the resources were made available. These were times of apparent success, both for me, my team and for the communities. Giving time, patience, understanding and being visible should be balanced with the need to be prepared to challenge, be bold, creative and take calculated risks. Having a clear idea of your plan or model working in conjunction with the mandate will often be tested by a variety of factors. However, we need to return to that ability to be flexible and to stay on track regardless of often negative external influences.

Conclusions

In such a diverse and hostile environment, where communication, leadership and methodology in policing are so broadly inconsistent and often at variance within contributing countries, successes, no matter how small, need not only to be celebrated but carefully captured within corporate memory. The inclusion of modern policing systems and styles can be impactive in many ways. What is needed are people who can navigate and exercise patience in a complex and challenging UN environment, have the resilience to accept routine defeat and be a chameleon in an international theatre where communication, ethics and working attitudes are challenging. Developed nations do have a responsibility to less developed countries, particularly to communities who have a lifetime of suffering in times of conflict compounded by the limitations of a patriarchal society. Engagement is necessary and by example to try and ensure that our mistakes are points of learning so that we have the confidence to move forward in the face of significant challenges. We therefore need country leads to ensure early detailed briefings for deployees are undertaken, where possible led by those who have previous experience and knowledge.

UNMISS is widely thought to be one of the most challenging of all UN missions so for the British team it was even more of a reason to strive for significant outcomes, learning and impact. There were definite successes within the British team; we each applied our own stamp in terms of experience, knowledge and creativity and transferred it to an environment that was new and diverse for us all. There were apparent successes within the mission which I have been able to share with other policing and military colleagues.

True connections and friendships are made in such missions, learning never ends, experience of hardship, conflict and danger places life into perspective and I have experienced just how much of a difference can be made in an unstable and hostile environment. Small steps to one can be of titanic proportions to another. Therefore, the value of international police deployments should never be underestimated in terms of reaching out for global stability.

Acronyms and Abbreviations

CWG	Community Watch Group
FCO	Foreign and Commonwealth Office
GCVPP	Gender, Child, Vulnerable Person
GOSS	Government of South Sudan
IRC	International Rescue Committee
KIN	Key Individual Network
NGO	Non-Governmental Organisation
POC	Protection of Civilians
SPLA	Sudanese Peoples Liberation Army
SSPS	South Sudan Police Service
UN	United Nations
UNMISS	United Nations Mission in South Sudan
UNPOL	United Nations Police

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Developing a Training Curriculum in Fragile and Conflict Affected States: Experiences and Lessons Learned from the Afghan National Police Staff College in 2013

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Abstract

This paper discusses my approach to building training capacity during my 2013 European Police (EUPOL) Mission deployment to support the Afghan National Police Staff College. One principal aim was to provide sustainable training material for use by Afghan National Police (ANP) trainers. These training materials were developed in close collaboration with local ANP trainers whilst focusing on resolving 'local' educational/training needs with Afghan-inspired solutions. This entailed a different approach than had previously been used which necessitated having sufficient cultural awareness and communication skills to understand and implement the needs of the ANP counterparts. Here I describe how a new curriculum was developed using a novel method devised with the ANP trainers that used the principles of 'map reading skills' to develop 'train the trainer' programmes. The journey undertaken to develop this course is detailed with guiding principles highlighted throughout the paper that focus on the importance of 'soft skills' and cultural awareness.

Introduction

I am a Police Inspector in the Dutch National Police (DNP). After graduating from the Police Academy in 1982, I began my career policing in a community. In 1991, I switched to Special Weapons and Tactics (SWAT), followed by Specialised Investigation Support Unit and, then I became a 'High Risk Squad' leader at the Royal and Diplomatic Security Unit. Since 2008, I have been involved with education within the DNP, developing and delivering training across several departments. In 2016, I was appointed 'Educational Ambassador' for Specialised Units and with twelve others am responsible for the 'Strategic Education and Training Plan' for both the DNP and the Royal Dutch Marechaussee. After attending many specific training courses, I undertook an Education Development Course at the University of Arnhem/Nijmegen.

After a few years working as an 'Educational Ambassador', I responded to requests to assist the European Union Police Mission in Afghanistan (EUPOL). The opportunity to step into a multi-national and multi-disciplinary world; to use my skills to help people in Fragile and Conflict Affected States (FCAS) in rebuilding their world was both appealing and instrumental in this decision. One further key reason was an opportunity to build an international professional network and, to share my knowledge and experience for the benefit of the Afghan National Police (ANP). From November 2012 to November 2013, I was part of the European Training Component with the role of 'Training Adviser / Development Specialist'.

My principal tasks and responsibilities were to:

- Analyse and develop a training curriculum in close cooperation with Afghan partners;
- Support senior police trainers through the drafting and submission of relevant strategic and operational plans, directives and orders;
- Assist the ANP in implementing a national training strategy in close coordination with each project component mentor and with the mission implementation office;
- Lead the ANP towards an Afghan-owned and self-sustaining training capacity across the country by planning and implementing ´train the trainers' programmes;
- Coordinate, on behalf of the Chief of Police Trainers, all activities of the 'Police Reform Training Support Cell;' and
- Conduct training programmes within dedicated areas of expertise.

After my selection and pre-deployment training, I was stationed in Kabul and embedded within the European Training Component (ETC), which was British-led at that time. From the onset, there was excellent cooperation with my line manager who both actively and passively supported my ideas and plans.

Scoping Exercise

During this initial period at the ETC, I studied the contents of the EUPOL Training Library. This provided a good overview of the educational palette available and highlighted the areas that had not yet been covered within the curriculum. Most of the courses were fairly basic including training for traffic police, and on Rule of Law, investigations and so on. I was struck by the fact that several 'train the trainer' courses were perceived by the ETC as being the most important in creating sustainability and awareness for the Afghan Police. However, I could not identify courses that could help Afghans to resolve their own 'Afghan' (training) problems with 'Afghan' (training) solutions. So many of the courses consisted of an enormous number of PowerPoint presentations; each slide being filled with (Dari) text, rather than practical examples that depicted the Afghan context. The students seemed to be preoccupied with translating *European* doctrine into their way of life and even culture, which totally missed the Afghan context and cultural awareness.

Parallel to this, I interviewed key players within my Afghan network to investigate their real educational needs. This included discussions with, for example, the Afghan senior staff at the Police Staff College (PSC) including the Director; the head of the Kabul City Police Training Component; and Kabul Chief of Police District 9 (PD-9). In exploring their educational needs, my focus was on how Afghan students can learn best and, equally important, what and how they *want* to learn. It is important to explore the internal motives for learning as this makes students eager to learn and helps to establish engagement with the course content. Here I was greatly assisted by the Language Assistant (LA) who demonstrated the right way forward, raising my cultural awareness in a constructive manner and helping me to avoid the pitfalls: one being 'Thinking European'. Offering them European-inspired

courses and training material misses the point particularly when one considers the vast difference in their culture, laws and everyday life. The first important guiding principle to be highlighted as a result of this early scoping exercise is to always look for 'tailor made solutions'.

I have continued to use this methodological approach when developing training material in the Netherlands, linking the specific needs of my students to the operational requirements. It could be argued that when students can recognise and fully understand the training environment that this creates a lasting change in behaviour, rather than temporarily 'performing new tricks'. Using *implicit* methods rather than *explicit* methods leads to self-generated problem-solving approaches rather than a tendency towards 'please the trainer' behaviour.

Establishing how to trigger internal motivation within students was key to the success of developing these bespoke courses tailored to the needs of the ANP, which have continued to run to this day. Afghan police students proved to be humble and to avoid confrontation with their 'teacher/trainer' no matter the level of disagreement or level of (de)motivation. They do hold onto the cultural belief that the teacher/trainer is always 'right' and, as a consequence, do not challenge a teaching approach. Even when they do not understand a point, they will never admit to it as this is seen as an insult to the teacher as it demonstrates his/her incompetence. This thinking can explain the particular behaviour of some students including a reluctance to attend class, taking too much time for tea-breaks and lunch and finding reasons to leave early. To prevent this from occurring it was essential to incorporate Afghan interest and culture into the course material to benefit not only the outcome but also the sustainability of the course. In essence this is about 'translating' that course both in terms of the language as well as the culture.

There are guiding principles that should be incorporated into all mission guidance when planning this initial phase and developing an educational methodology:

1. Rigorously check the contents of the Training Library in the host country for quality and material that is missing.
2. Investigate and understand the educational needs of the host country practitioners.
3. Explore and understand the learning methodologies and cultural approaches of the host country students.

Using the mission goals to develop training curriculum

The goal I was set was to develop training curriculum in close collaboration with the Afghan police partners and to support the ANP in developing training capacity. Cooperation and capacity building were key requirements of the project. The training needs analysis and the scoping exercise had surprising consequences as many of my Afghan police counterparts told me that what they wanted was a 'map reading course'. Map reading was considered important by the Afghans because of the sheer size of their country and the lack of effective road signs. Also, they perceived that mastering map reading skills led to a certain sense of pride, which in itself is an important cultural value. It was a clear sign at that time that any 'Western' way of thinking required adjustment to get closer to the

Afghan way of thinking and to deliver a bespoke product. As such it would be necessary to reconsider, or at least adjust the initial plan. The next step was to establish how the findings from the initial scoping exercise could be moulded in such a way that they would fit the mission requirements. It became a key challenge to translate my preconceived plans to meet the needs and requirements of the ANP, merging European knowledge and experience into a culturally acceptable Afghan way of thinking and working. Initially I was thrown off balance, as I had not expected this outcome. However, looking back at the overall process this phase allowed a linkage between my initial ideas and the local Afghan requirements. Yet how would I be able to sell this map reading course to the Head of Training? In the event the opposite proved true as the similarities between the two subjects provided a breakthrough.

Relating Map reading to training needs analysis and curriculum design

The best teachers are those who show you where to look but don't tell you what to see.

A. K. Trenfor (This was the original course motto)

My earlier military background and experiences provided me with all the necessary skills to provide a map reading course linked to the necessary subject matter around training needs analysis and curriculum design. During a 'mind mapping' session the similarities between both became clear and the design of the course feasible. Importantly this would prove to contain the key ingredients to generate interest among the local police students being suited to the Afghan way of thinking and learning:

What is map reading all about?

1. Establishing (on the map) the starting point of the journey.
2. Deciding where to go and establishing the designated trip to undertake.
3. Looking at the map to create an inventory of the obstacles between start and finish as travel is not always in a straight line.
4. Choosing the means of transport.
5. Checking on a regular basis that the journey is on course.

Training need analysis / curriculum design is all about:

1. Establishing what are the student aims: the 'starting point'.
2. Setting the course objectives: skills and/or knowledge.
3. Deciding on the training approaches and necessary training tools.
4. Choosing the most appropriate training methods.
5. Regular summative tests to see if students are still on track.

During a meeting of the Professional Development Board (PDB) it was explained that the German Police Project Team (GPPT) were undertaking train the trainer courses for potential Afghan police officers. My (intended) course, with the working title 'Curriculum Design Course' aimed to capacitate Afghan police trainers to develop their own curriculum, which facilitated Afghan (skill/knowledge) problems being tackled with Afghan (training) solutions. My approach was to use mission goals to develop a training curriculum in close cooperation with the Afghans and to lead the ANP towards an Afghan-owned and sustainable training capacity to align with the development of my own 'specialist' programmes. Meanwhile a representative of the NATO Training Mission in Afghanistan (NTM-A) who was planning to develop courses similar to my own agreed to work in parallel, developing an 'Introduction to Training Development for the Afghan National Police' prior to the creation of the 'Advanced Curriculum Design Course'.

The importance of delivering soft skills training

Before discussing the importance of 'soft skills' training within the development of these courses, it is worth highlighting an experience that reveals the importance of soft skills. Some time ago whilst walking through my hometown, I overheard a conversation between some school children of about twelve years old. One of them told the others that science was boring and difficult, and he did not like it. He explained that his teacher only used theory and mathematical equations and gave the students almost no individual attention. His friend replied that he had not liked science at first either, but since he had a new teacher he was 'really into the subject'. He explained that the new teacher used exciting stories about how science works, metaphors to make things clear and allowed the class to experiment during lessons to prove the theories that were being taught. This teaching approach had made this young person a great science fan who looked forward to science lessons. What became important during the course of this seemingly random conversation, which supports my own teaching philosophy, is that the *how* proves to be the most effective tool to transfer the *what*.

There is in fact no magic to teaching. It is simply about having the soft skills to understand and connect with student, and to have the power to make students curious about the subject and willing to learn. The approach used by the science teacher in this story clearly shows the importance of having the skills to link the students to the subject by presenting the material in such a way that is appealing and triggers curiosity. By planting the seeds of curiosity, students *want* to explore. This was an example given by these young people of the good use of soft skills. To achieve this, it is necessary to dig into the learning style of students, and in an international setting, to explore the cultural aspects and socio-political context of your host country. It is evident that Afghan students have a different way of learning than for example Dutch students. It appeared to be a challenge to many of the trainers in Afghanistan to get students motivated and focus their attention. A good connection through the appropriate use of soft skills leads to better results and a firm commitment. This was despite the fact that the Afghan students were high ranking officers, many of whom were graduates who had studied in Europe.

Some guiding principles for the use of soft skills are:

1. Cultural Awareness is not just a 'fancy' method or ideology.
2. Choose your teaching method wisely, suited to the learning style of your audience.
3. Remember that you are a guest in your host country - respect is key.
4. Let go of 'European Teaching Process Flow'; implement, rather than apply your skills as a Training Developer.
5. Afghan students say: 'You learn much more easily with a smile on your face'!

The reason for this focus on soft skills comes from the fact that this turned out to play a key role in the entire process. Moreover, I soon came to the conclusion that the contents of many of the European courses were barely 'digested' by the Afghan students. Not through lack of interest, but because the (European) training materials did not fit the (Afghan) students and their respective learning styles. After discussing these 'learning avoidance tendencies' with my LA, he explained how and why Afghan students struggled with the European course material. He also pointed out that the students did not want to offend the European trainer intentionally, but that they typically had difficulties in connecting with the course content. Their classroom behavior and avoidance tactics were typical of Afghan culture in relation to learning and teaching. I would like to refer to this as an important part of being 'lost or not in translation'. It became so much more than merely transferring and then translating text from one language to another. Indeed, the *cultural* translation, *educational* translation and *learning and teaching skills* translation are the soft skills that add so much value and success top building projects in an international environment like Afghanistan. The guiding principle is that soft skills proved to be the way forward to connecting the police students to the course on curriculum design.[146] In this way we were able to create a full range of bespoke training courses contributing to the ongoing learning and teaching of the ANP based on cooperation between multi organisational and multinational parties, supporting the host Nation.[147]

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[146] See Appendix 1.
[147] EUPOL published details of this course are shown at Appendix 1.

The author on the right with the course interpreter who was invaluable for his cultural, educational and language translation skills

Building the Course Material

The aims and purposes of this designated course were established within an overarching framework.[148] With the ongoing development of the course, I was given ten potential names of students, a designated classroom, all the necessary training materials and asked to provide a course of three weeks' maximum, which equates to approximately 100.5 hours of contact time. Considering the content and the subject matter, this was probably inadequate but had to suffice to build the necessary foundation to ensure success at that student level. The next step was to present the course outline to the PDB. As expected all parties agreed to support this course, including the representatives of the Afghan Ministry of Interior. The following huge step was to create the curriculum, including the *Trainers Guide* and the *Student Guide*, incorporating bespoke material that met the ANP requirements and needs. In order to meet this requirement, it was first necessary to ascertain the students' understanding of the basics of a training needs analysis. Then to present some Afghan problems, so they could determine which Afghan solutions they could come up with. To construct an inventory of Afghan problems, I organised a meeting with Colonel Samsoor, the Police Chief of PD-9. (PD-9 is located next to the EUPOL headquarters on Jalalabad Road in Kabul.) This is the largest and most important PD in Kabul because it includes the Green Zone, where all the embassies are located. Samsoor's cooperation was essential to create that 'All Afghan Environment' and this police chief who had studied politics saw the potential benefits of this type of course. Samsoor agreed to provide an

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[148] See Appendix 2.

initial lecture at the Police Staff College entitled 'What problems does a PD Chief encounter during his daily duties', which helped the students to come up with a suitable agenda for the development of training curriculum. It also provided an opportunity to start 'learning by doing' (rather than 'death by PowerPoint'), which became the preferred learning method. Finally, the course content needed to be translated into Dari but not word for word but taking into account the Afghan way of learning and creating the commitment to learn, as this is perceived in Afghanistan as most effective way of learning and teaching.

There were many lessons learned during this period of course building. I learned that my normal 'Western' approach of getting the job doing by speed became a disadvantage and a potential cause of friction. I realised the need to often slow down and ensure that I had feedback from my local counterparts, and importantly to adapt to the work pace of my local counterparts. Essentially the lesson was to be more patient, to take the opportunity to 'grow' into this new role and used the power of soft skills on this journey. The greatest lesson learned, however, was letting go of my European approach to teaching and learning as this was not effective within an Afghan context.

Training kickoff and gaining course momentum

Delighted to see my police students arriving on time, I welcomed them all in the doorway of the classroom and greeted them in Dari, which was much appreciated. Standing in the doorway ensured that they were being made to feel welcome in 'my territory'. Another gesture that was well appreciated was the Afghan tradition of sharing food. Knowing that Afghans like sweet things, I brought traditional Dutch biscuits to accompany morning tea. The course began with personal introductions as I wanted to get to know my students. This worked well though cost more in time than had been estimated, which was a lesson learned for the next course. I introduced myself as a guest of Afghanistan and told them I wanted to learn as much about my students and Afghan culture as possible understanding the importance of knowledge transfer within any international environment.

Having overviewed 'Map Reading, Training Needs Analysis and Curriculum design', we went on to a question and answer session which provided a good overview of the interests of the students and afforded an opportunity to create classroom-oriented group dynamics. This formed the basis of student commitment and involvement, which lasted throughout the course and it soon became apparent that these police students did not want to lose any time, and, as a general rule, they arrived early and went home late. I considered this as a clear change of direction in regular behavior. Indeed, the students explained this as being a case of wanting to know more and their enjoying the learning environment, which could be ascribed to mutual respect.

'Train the trainer' police students attending the course. Note the absence of tables and the use of an 'open' learning environment.

During the course, we created a student handbook which contained the highlights the students selected for inclusion. In this way we developed an all-inclusive 'Afghan product' which the students regarded as an honour have been involved with. Sustaining their attention was effortless in working this way and created both Afghan *ownership* and *sustainability*, which were mission goals. As previously mentioned, Colonel Samsoor's lecture proved to be very useful. After his lecture, I divided the students into three groups of three, giving each the challenge of choosing one of Samsoor's problems and create a course as a solution to this problem. The following three topics were chosen:

1. How to build trust between police and the community.

2. Understanding of the law (Afghan understanding of the 'Rule of Law').

3. Improvement of training capabilities.

Following the course methodology, the students went through the process step by step, from an exploratory phase to creating plans and transferring those plans into actual courses. Constantly checking if they were still on course, guiding each other and all in a stimulating, competitive way the self-chosen subjects were transferred into a training needs analysis, and, thereafter into real time courses. Each and every police student was dedicated to this process and graduated as a capable curriculum designer.

The course participants at the Police Staff College in Kabul

At the end of the course, one student complimented me on the delivery and outcome of course by telling me the metaphor of the suit:

> '*We want to thank you for the lovely suit you gave us. We received many suits in the past which are all hanging in our closet. They are all equally beautiful. We will however wear your suit with great pleasure. You asked us what fabric we like, what lining is soft to the touch and what colour matches our eyes and hair. Wearing your suit, we will always remember who gave it to us*'.

This metaphor was explained by my LA as showing that the level of cultural awareness had been very well appreciated. As a lesson learned it must again be stressed that a particular and preferred learning style has to be understood and then reflected in the teaching style. This is in essence about cultural awareness and developing solutions for the challenges that lie within that particular context: in this case the context of Afghanistan.

Conclusion

I have continued to use the lessons learned I brought home from Afghanistan in my daily work. Under the supervision of the Director of Operations and in collaboration with the ten other Educational Ambassadors, our training courses have used the 'map reading' metaphor. Meeting the *demand* and the *need* within teaching and learning is key to the day-to-day. Before I went to Afghanistan, the

courses undertaken in pedagogic skills provided guidance in relation to professional or hard skills but through an international mission, I realised and really connected with the importance of soft skills and delivering a tailored training programme. This approach allowed for a more effective delivery of bespoke training programmes to specialist groups whereas in the past I offered 'off the shelf' programmes. I learned how to generate an individual's interest in learning within a group, which can be more effective than merely teaching at a group. Perhaps the most important lesson learned from Afghanistan has been the importance of using soft skills to heighten the cultural awareness in understanding the educational context.

Acronyms and Abbreviations

ANP   Afghan National Police

ETC   European Training Component

FCAS   Fragile and Conflict Affected States

GPPT   German Police Project Team

HEAT   Hostile Environment Awareness Training

MoI   Ministry of Interior

NTM-A   NATO Training Mission in Afghanistan

PD-9   Police District 9

PDB   Professional Developing Board

PSC   Police Staff College

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Appendix 1

Publication from EUPOL News Bulletin.

Curriculum Design Course: Afghan solutions to Afghan problems

(Source: EUPOL Afghanistan Newsletter)

Kabul. 'Great methods in a safe and warm learning environment, especially the many practical situations were helpful,' it is one of the comments EUPOL Developing Specialist Jan Leenslag gets when he evaluates the three-week Afghan Training Developer's Course. Nine experienced trainers from the Afghan National Police Academy participated in this new pilot course which is to be accredited by the Professional Development Board. At the board, NTM-A found it a course to be used in future for their own training development.

'It is futile to just develop a training course because someone in the hierarchy says so', EUPOL Developing Specialist Jan Leenslag starts the three-week pilot course at the Police Staff College. 'Why not? ', the trainers ask, 'We have always done it like that. It is the beginning of a three-week process to guide the nine experienced Afghan trainers through the land of course development. It is a rough land as there is no clear path and the aim is not to just develop a training course, but to also assess training needs and have sustainable and attainable training objectives.

Before EUPOL Developing Specialist Jan Leenslag started with the development of the developer's course, he studied the training library for the Staff College and found there were many specialised training courses but none were focused on the development of training processes. Being from a professional training background, Leenslag fancies interactive learning and was given the chance by the Training Component to develop a new kind of training. 'It fits perfectly well in our wish to transfer the training to Afghan Ownership. It gives the Afghan trainers the possibility to learn how to assess training needs, how to develop training objectives and develop new ways of teaching ', Police Staff College Project Coordinator Ed Henriet explains.

In the classroom, the nine trainers start by finding a client for whom they can develop a course. They invite Colonel Samsoor from Police District 9 in Kabul who has a lot to say about the training courses but that's not what this morning is about. 'If the Colonel could say in what direction his men and women should develop? The trainers will decide if it is something they can develop a course for', Jan Leenslag explains.

After a lot of discussions on the entering requirements for the police force and the necessity to recruit new policemen every three years as everyone gets a three-year contract, the trainers get an idea of what the training needs in a Police District are. The trainers have to combine these general notions with their own assessment of what kind of capability is important for the future of the Afghan National Police. 'It is a difficult phase in which everything is unclear and nobody tells you what to do or how to do it,' EUPOL Developing Specialist Jan Leenslag explains. It is one of the reasons for the motto of the course: 'The best teacher tells you where to look but not what to see.'

So after a session of pros and cons, they unanimously decide to develop three different courses for police officers, 1. How to build trust between police and the community, 2. Understanding of the law, 3. Improvement of training capabilities. They analyse the required behavior and skills and organise the information in a kind of blue print. Another difficult phase is to define the training objectives and to specify which end noted the courses should have. Jan Leenslag: 'The clearer you set your target, the bigger the chance you hit the "Bulls-eye!' That is what the new course is all about; to deliver what you aim for. Also: 'We have learned a way to deliver Afghan solutions to Afghan problems'. The nine trainers developed in threesomes their new courses which will also be used either as a module in an existing course or as a new course to be presented to the Professional Development Board.

FACT BOX

Phases of Training Development

1. PREPARE: Know what you want to investigate, how and with whom

2. ANALYSE: Make sure what kind of behavior you require and what the key elements of this behavior are.

3. ORGANISE: Make sure you organize your information in a proper way.

4. PRIORITISE and SELECT: Place the required behavior and skills in the right order and select the most suitable way of teaching this.

5. REPORTING and ADVISING: Report to the "client" and advice on how to proceed. Then he will decide on whether or not to develop a course, based on your report and advice.

Appendix 2

Introduction to Training Development for the Afghan National Police

Student Guide.

Here in front of you is the Student Guide to the "Introduction to Training Development for the Afghan National Police".

This guide will help you to successfully follow the process of needs assessment to produce a Training Needs analysis, a Course Development, followed by a Course Evaluation.

If you follow these steps as a guideline you will be able to create new custom made courses to benefit the Afghan National Police.

Once completed this course you need to practice these skills, preferably together with other colleagues, in order to get the best results.

I wish you all the success and pleasure in building courses; it brought me a lot of fulfillment!

Next to that it will benefit the development of the Afghan National Police by your own hands.

Creating progress is a benefit to all people involved!

Step 1: Training Need Analysis.

Designing does NOT start with Creating, it starts with Analyzing.

Before you start designing a course you have to stop and look around you in order to get things straight.

When you think you need to create a course, there must always be a problem to solve, either direct or indirect.

You need to establish the true nature of this problem before you can advise on creating a course or other type of solution.

You can do this by answering five questions and check with as many involved people as possible to see if it is necessary to create a course.

These are the questions that need all the answers you can find:

1. What does the problem situation look like?
2. What does the situation look like after the problem is solved?
3. The difference between these two situations should be covered by the content of your course.
4. What causes these problems in the first place?
5. Which of these causes can be taken away by any form of teaching / learning?
6. Is there a balance between the costs of this course and the benefits afterwards?

After answering these questions you can write your advice to the "client" about developing a course or not.

If the answer contains a clear yes, describe what part of the problem it covers.

In the end, the "client" is responsible for the decision whether or not to create a course.

In a way this all looks like map reading, you start by finding out where you are, after that you find on the map where you want to go.

After that you establish what obstacles you meet underway and whether going on route is necessary, (there might be a similar shop nearby!)

This is great fun to do, but also time consuming; you want to give the right advice to the "client" so this Training Need Analysis should be carried out very secure!

Take your time to find all the answers and try not to do it alone, if you do it together with a colleague you will find out more than on your own.

"Four eyes will see much more than two eyes"!

So, Training Need Analysis is the first step in the process and it is essential you get this right!

The next topic we describe is the Analysis of the Required Behavior / Skills you want to see after students attended your course.

When you analyze these, the results will be as follows:

- ✓ You will have a description of the required behavior / skills.
- ✓ Now you can see the strength and weaknesses in this outcome.
- ✓ Also you have tips on how to teach this required behavior / skills.

Analysis of Required Behavior /Skills is important because:

- ✓ You really make the required result of your course "visible".
- ✓ You get a real good view on the route you have to take to reach your set goals, so getting there is now much easier.

You do the total Analysis of the Required Behavior / Skills in five phases;

1. **PREPARE**: Know what you want to investigate, how and with who and get organized.
2. **ANALYZE**: Make sure what behavior you require and what the elements of this behavior are.
3. **ORGANIZE**: Make sure you organize your information in a proper way.
4. **PRIORITIZE** and **SELECT**: Get the required behavior / skills in the right order and select the most suitable way of teaching this.
5. **REPORTING** and **ADVISING**: Report to the "client" and advise on how to proceed. Then he will decide on whether or not to develop a course, based on your report and advice.

Important to mention is that you do this together with a colleague if possible, remember, four eyes see more than two and professional feedback is very helpful in this stage of developing.

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Finding the pieces of the puzzle

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Competencies are:

Someone's abilities in a certain context, to use or develop knowledge, vision, skills or behavior so he will perform in a way that may be expected from him.

Someone develops competencies trough learning, and not only by education.

After these exercises we have to describe the "End Terms" of the course, which means describing what required behavior / skills the students of your new course should have learned by the time they graduate.

You can use these "End Terms" as "Teaching / Educating Targets".

These "Teaching / Educating Targets" determine what the content of your new course should be.

The five most important rules for setting these "Teaching / Educating Targets" are:

1. **Make sure** you describe them as precise as possible.
2. **Determine** what the main- and secondary objectives are.
3. **Check** if all targets are of the right level, in accordance to your new course.
4. **Check** if targets are in the right order of priority.
5. **Check** for relevance and adjust where needed!

There are at least three reasons for doing this in the described way:

1. It **HELPS** in making a properly designed new course.
2. It **HELPS** in communicating with others about your new course.
3. It **HELPS** in making the result clear and measurable.

> **The clearer you set your target, the bigger the chance you hit the "Bulls-eye"**

Now that we have set the "Teaching / Educating Targets", we will look at a suitable way to organize them.

For achieving this we use the following five steps:

1. Put them in the right order, so your new course will follow logical steps.
2. Make sure you can achieve all your "Teaching / Educating Targets".
3. Create an organizing schedule, to visualize your "Teaching / Educating Targets".
4. Fill the organizing schedule with the "Teaching / Educating Targets".
5. Test if the organizing schedule is logical and setup in the right order.

It is also advisable to discuss these five points with a colleague and to involve them.

This organizing schedule will form the "Blueprint" of your new course and can be used as a model to communicate your course again with every involved party, such as the "client".

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Blueprint to the course.

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This "Blueprint" will be of help when implementing and executing your new course in practice.

When these things are all done in the proper way and everybody gives you "Green light", you can decide together on how long your new course will take and after that use all the gathered information to create the course material.

This should not be a problem at all, since you have everything ready and you are good to go!

After the course has run for the first time, you can consider this as a "Try-Out" or "Shake-Down".

Next step to perfection is evaluating your course in the proper and constructive way.

Evaluating in the proper and constructive way will give you the opportunity to "Fine-Tune" your course.

During the process of evaluating you will most likely find some issues of improvement to your course, for sure it will help you to bring the course in "balance".

But remember, evaluation only makes sense if you know what to do with the outcome.

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Carefully Balancing….

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Before evaluating it is a good idea to make up an "Evaluation-Plan", which could look like this:

- ✓ The reason for this evaluation.

- ✓ What do we want to decide on after this evaluation.

  - Organization and Planning,

  - Duration of the course (longer, shorter)

  - Budget on the course (more, less money)

  - Number of students (more, less)

  - Etcetera…

The outcome of the evaluation will bring you information to bring your new course as close to perfection as possible.

I hope you will find this "Student-Guide" helpful as a refresher to what we did during the course. Bringing it into practice is rewarding and a lot of fun to do! I wish you a good journey through the land of "Course Development" ….

DISCLAIMER The original images have been removed for editorial purposes

Soft Skills as an Essential Part of Leadership and Monitoring, Mentoring & Advising (MMA) Training for CSDP Missions

Senior Chief Superintendent Markus Feilke, Federal Police Academy, Germany

Abstract:

Being a leader in an international environment as well as a mentor or advisor is a challenging task that requires good preparation prior to deployment. There are several training activities in EU member states and training institutions that support such preparation. In reality many leaders, mentors and advisors struggle with their tasks in EU Common Security and Defence Policy (CSDP) missions. One reason could be the focus on management-related skills (hard skills) and a lack of training on soft skills. The paper explains why soft skills are important to working in an international environment. It reviews the state of play of soft skills in leadership and MMA training, existing training activities and initiatives as well as current needs and demands. The paper seeks to share some guiding principles on how to improve the situation.

Introduction

Working within international environments is always challenging. We have to leave the comfort zone of our own well-known culture where we are familiar with patterns of behaviour and communication. Simply working in a foreign country with a different culture is challenging but working in an international peace operation, like an EU CSDP mission, with counterparts from the host country and mission members from many different countries and cultures, can demonstrate our own limitations. Therefore, it is important to learn and to train in coping with these challenges.[149] To learn this during the mission using the trial-and-error technique might not be the best way because it could put the achievement of individuals' and mission objectives at risk from the very beginning. The first impression counts and thus it should be a good one. The most suitable way to prepare is through training on necessary skills prior to the mission deployment, for example in pre-deployment training (PDT) or specialised training.

In a CSDP mission there are two dimensions of intercultural challenge. The first is working together with counterparts from the host country and, the second is cooperation and coordination among the mission members. Whilst the former dimension mainly affects the relationships between the mission member and his/her counterpart (mentoring) or counterparts (advising), the latter affects the relationships among the mission members, especially those between the superior/leader and subordinates/team members.

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[149] Recruitment and selection of the appropriate personnel for missions is also crucial but it cannot be discussed here as it is beyond the scope of this paper.

Intercultural challenges: working with international colleagues and counterparts
in the host country: Liberia 2012

From my own mission experience[150] and many years of being responsible for the preparation of German police officers for international assignments, as well as attendance at a variety of training-related meetings, working groups and conferences, I have noticed that not only mission members but also people working at headquarters level have complained about the outcome of MMA activities and, about the performance of leaders at different levels. The mere fact that those complaints are diffuse and are not differentiated makes it difficult to get to the core of the problem. The Civilian Planning and Conduct Capability (CPCC)[151] training survey from 2015[152] has also demonstrated the need for MMA and leadership training. An interesting fact is that whilst the importance of MMA and the training needed is referred to in EU lessons reports, leadership is not even mentioned.[153] This is discussed in further detail below.

Even though a considerable number of training courses are available, there seem to be elements that are missing. I have developed the impression that the focus is given to the managerial side of the tasks. Good management skills and knowledge about the mission environment are important in achieving mission objectives, especially in leadership positions. However, focusing on management skills alone seems to be insufficient. So, what could be changed? An answer to this question could be

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[150] The author's international experience includes: 2009 – present Head of Section Foreign Police Missions at the German Federal Police Academy; 2014 -2015 European Union/EEAS/CPCC Focal Point for Training; 2011 -2012 Team Leader Project Management Team UN Mission in Liberia (UNMIL); 2008 – 2009 EU/CPCC/Planner, EU Police Mission (EUPOL) in Afghanistan mission expansion planning; and 2006 – 2007 German Police Project Office Kabul (GPPO) – Mentor of the Commander of the Afghan National Border Police and Deputy Head of the GPPO.

[151] The Civilian Planning and Conduct Capability (CPCC) Directorate is a Directorate of the European External Action Service (EEAS) and the Operational Headquarters for the civilian CSDP Missions.

[152] CPCC survey on training, August 2015.

[153] EEAS (2016). 'Annual 2015 CSDP Lessons Report', doc. 536 (21 April 2016). CPCC II. para 3.

a more holistic view within training. Management and leadership skills are complementary, and both are needed to cope with intercultural challenges in often fragile, insecure and diverse environments.

To find a clear distinction between leadership and management in the literature is not easy and the results are sometimes contradictory. The following excerpt from an article published in the *Wall Street Journal* conveys this idea:

> *'Leadership and management must go hand in hand. They are not the same thing. But they are necessarily linked, and complementary. Any effort to separate the two is likely to cause more problems than it solves.*
>
> *Still, much ink has been spent delineating the differences. The manager's job is to plan, organize and coordinate. The leader's job is to inspire and motivate'.* [154]

While management is about procedures, processes, structures, policies, rules and regulations (hard skills), leadership focuses on the leader as a person, thus on his/her soft skills. At the core of MMA are interpersonal relations and communication. Thus, well developed soft skills are crucial to being successful. This paper discusses the aforementioned issues in more detail, and reflects about the state of play, initiatives and opportunities for improvement. It examines challenges, identifies lessons to be learned, and proposes guidelines. This is not scientific research; rather it is a 'food for thought' paper based on a literature review and on my own experience within international deployments and training for international assignments.

What are soft skills and why are they important?

The term 'soft skills' is not easily defined and there have been many attempts to find a suitable definition. A USAID paper defines soft skills as:

> *'… a broad set of skills, competencies, behaviours, attitudes, and personal qualities that enable people to effectively navigate their environment, work well with others, perform well, and achieve their goals. These skills are broadly applicable and complement other skills such as technical, vocational, and academic skills'.* [155]

The Gaming for Peace Project (GAP) defines soft skills for the purpose of the project as:

> *'... skills that are cross-cutting across jobs and sectors and relate to personal competences and social competences, personal qualities, attributes, habits and attitudes and non-job specific skills that are related to individual ability to operate effectively on peacekeeping and peacebuilding missions'.* [156]

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[154] Wall Street Journal (2017). 'What is the difference between Management and Leadership'. *Wall Street Journal*, 25 October 2017.

[155] L. H. Lippmann, R. Ryberg, R. Carney & K. A. Moore (2015). 'Workforce connections - Key 'Soft Skills' that foster youth workforce success: Toward a consensus across fields'. *Child Trends Publication*, No. 24, June 2015.

[156] GAP project conference, Helsinki, 19 June 2017.

Consequently, soft skills do not depend on acquired knowledge and management techniques but on personality traits, social skills, attitudes and behaviour. People with life, work life and leadership experience should ideally have good personal skills. But why is it important to train on soft skills as a part of the preparation for international assignments?

Working in an international environment requires adapting one's behaviour, communication style, leadership style and so on to this context. In the national context, previously acquired soft skills are generally a good basis for that. But within overseas MMA work the police officer has to learn how to engage with people from different nationalities and thus different cultures in the right way. So, communication must become intercultural communication; he/she has to switch from leading police staff at home to leading a diverse team and the MMA approach has to be adapted to one suited to the host country's culture.

Local engagement within an international environment: the author is on the far right

This need has been recognised by the police training community in Europe and there are some good training courses and initiatives in place. The following observations provide a closer look at the current state of play.

Training for CSDP missions in general

CPCC training survey

The CPCC conducted a training survey in August 2015.[157] The result of the survey shows that only a relatively small proportion of international mission members received PDT or specialised training, including on MMA or leadership. Only 56.6% of respondents attended a PDT course prior to their deployment. When observed in more detail we see that a particularly high proportion of contracted (as opposed to seconded) staff was deployed without a PDT.[158]

It is interesting that 82% of the staff members who attended a PDT course stated that it provided added value for their own mission performance; this figure shows the perceived importance of PDT for CSDP missions. Unfortunately, the survey does not mention which training contents produced the perceived added value.

The questionnaire also asked about any other mission-related training received prior to the mission. 44.7% of respondents received at least one CSDP-related training course, and 92% opined that these courses were of added value for the mission tasks. There is no information available as to which kind of training had been received and there are no figures available for leadership or MMA training received. The mission personnel who responded to the survey recommended conducting task-related training prior to deployment or as in-mission training, *inter alia* on leadership and management as well as on MMA-related tasks.

The survey concluded that PDT and specialised training were necessary for filling the gaps between the national professional skills and the mission task-specific skills. Taking the insufficient number of mission members who attended a PDT into account, it is not surprising that the number of those who attended advanced or specialised training like leadership and MMA is much lower.

EU lessons reports

The Annual 2014 CSDP Lessons Report[159] contains few statements about training of CSDP staff. A general statement in the summary is that '…staff in Brussels and in EU Delegations would benefit from more systematic CSDP training…'[160] While this certainly also applies for staff working in CSDP missions this has not been mentioned in the report due to the fact that the preparation for seconded staff is the responsibility of the member states. Thus, while the report mentions the need for PDT for

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[157] 521 of 1412 international mission members responded. Of the 1412 contacted, 962 were seconded and 450 contracted personnel; out of the 521 replies, 345 seconded and 176 contracted staff answered the questionnaire.

[158] 71.6% of the contracted staff who completed the questionnaire did not undertake a PDT course compared to 29% of seconded staff.

[159] EEAS (2015). Document 256, public version, 23/02/2015.

[160] EEAS (2015). Document 256, key lessons from 2014, para 3, p. 2

contracted staff[161] it does not explicitly address the needs of seconded staff. In regard to advanced and specialised training, the report focuses mainly on human rights and gender training to be implemented in general and mission- and operation-specific PDT courses.[162]

Taking note of these gaps, the new EU Policy on Training for CSDP[163] covers the necessity for common standards for training to guarantee an equal qualification of mission members from different member states. Furthermore, PDT is a prerequisite for deployment now, including for contracted staff. The 'Implementing Guidelines' of the EU Policy on Training for CSDP[164] describe the standards and procedures in more detail.

The need for training in MMA was highlighted in the 2014 lessons report including the need for soft skills, *inter alia* negotiation skills and cultural awareness:

> *'It is key to establish a good mentoring relationship. Successful mentoring requires relationship and trust. Mentors/advisers need to be better trained prior to deployment or before taking up their mentoring role (this includes coaching and negotiation skills as well as cultural awareness). In addition, closer cooperation amongst mentors within the mission, as well as with other operational/political colleagues should be encouraged. CPCC has addressed this issue in the new MMA guidelines'.*[165]

The MMA Guidelines focus very much on soft skills, in particular chapter 5: 'Basic Principles on Monitoring, Mentoring and Advising.'[166]

Whilst the need for training on MMA is mentioned, there is no mention of leadership training within the Annual 2014 CSDP Lessons Report. The Annual 2015 Lessons Report[167] says nothing about MMA training with the exception of referring to the 2014 report, noting that the MMA Guidelines are now implemented within training courses for CSDP. Leadership is also not mentioned in the 2015 report with the exception of one reference to the ESDC EU Senior Mission Leaders Course and CSDP High Level Course, which is only in the context of military participation in these courses. The report refers to the CPCC training survey in 2015[168] and emphasises the necessity to address training needs after the adoption of the new Policy on Training for CSDP.[169] At the time of writing the Annual 2016 Lessons Report had not been published.

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[161] EEAS (2015). Document 256, p. 35.
[162] EEAS (2015). Document 256, para iii, p. 19.
[163] Council of the European Union (2017). Document 7838/17, 3 April 2017.
[164] EEAS (2016). European External Action Service document 1627 REV 1.
[165] EEAS (2015). Document 256, p. 32.
[166] EEAS/CPCC (2014). 'Operational Guidelines for Monitoring, Mentoring and Advising in Civilian Crisis Management', document (2014) 4077896.
[167] EEAS (2016). Document 536, 21/04/2016.
[168] CPCC (2014). Implementation of Lessons Identified in Chapter I, para 5.
[169] EU (2017). EU Policy on Training for CSDP, Document 7838/17, adopted by the Foreign Affairs Council on 3 April 2017.

The German approach to CSDP training for police officers

Police Training

Germany has a federal system with 18 police academies, of which 16 are within the federal states with one additional academy each for the Federal Police and for the Federal Criminal Police Office. From a decision made by the Committee for International Police Missions (AG IPM) only three out of these 18 police academies[170] provide training for international peace operations and bilateral projects abroad. The guidelines of the AG IPM[171] detail all the steps that must be taken by German police officers from their application for an international assignment to the return from a mission. Participation in the Generic Pre-Deployment Training, mission-specific training and a debriefing is mandatory.

All police officers have to pass an assessment centre within their respective police force as a first step. Those who succeed the assessment centre attend the Generic Pre-Deployment Training as a basis for future applications for particular missions or bilateral projects. This Generic Pre-Deployment Training is a two-week core/basic PDT course. All three police academies are ENTRi (Europe's New Training Initiative) and UN certified[172] for such training. After completing this training, the police officer applies for a particular mission. If he/she is selected they must then attend a mission specific training course, which is tailor-made and provides all the important information about the host country and the mission. These vary in duration from four days up to four weeks depending on the complexity of and security situation within the mission. Every police officer has to attend a mission debriefing of about one week. The main purposes of the debriefing are reintegration into the home police force and duty of care aspects. Besides this, the officer's mission preparation and conduct will be evaluated. Without having attended the mission debriefing the police officer is not allowed to apply for another mission.

In addition to the mandatory training courses, the three German police training centres offer advanced training courses for specific functions or cross-cutting topics like Mentoring & Advising, Project Management, and Women, Peace and Security. Police officers who are likely to be put forward for a leadership position attend a one-week course on leadership and management. Having a closer look at this course it is obvious that it is more oriented towards management than leadership, with a strong focus on the function of a contingent commander and the legal background of the secondment, certain aspects of MMA and Women, Peace and Security, as well as Project Management. In order to develop synergies and to learn and train in an international environment, German police officers also attend training in training institutions abroad as well as courses of European training institutions and projects.[173]

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[170] Federal Police Academy in Luebeck; State Bureau for Education, Training and Personnel of the NRW Police; Baden-Wuerttemberg State Police College Department for Foreign Assignments

[171] Bundespolizei (2016). *Leitlinien fuer die gemeinsame Beteiligung des Bundes und der Laender an internationalen Polizeimissionen*, 02 December 2016.

[172] ENTRi (2017). ENTRi Core Course. UN Core Pre-Deployment Training Materials (CPTM) and Specialized Training Materials (STM)

[173] See: CEPOL, ESDC, ENTRi, EUPST II.

The German Training Partner Platform - a comprehensive approach to training

The German Training Partner Platform (TPP) is comprised of civilian, police and military training institutions, which prepare personnel for foreign assignments.[174] The TPP was founded in 2008 and meets twice yearly. Training activities have been broadened to include partners and common training activities have been developed which include: 'Mentoring in Civilian Crisis Management', 'Comprehensive Approaches in Multi-Dimensional Peace Operations' (CAMPO), and 'Women, Peace and Security'. The TPP members exchange trainers, lecturers and participants with the main purpose of getting to know the other actors in the field prior to deployment as well as understanding their tasks, capabilities and limitations. Furthermore, the TPP tries to identify the training needs for international peace operations, including CSDP missions, aiming to develop and provide training to close existing knowledge and skills gaps.

One of the current TPP projects is the development of a new format for leadership training that focuses on the leader as a person rather than on management skills. More about this training is detailed below.

State of play for leadership training

As mentioned in the introduction, there are many training programmes and courses in place that we call 'leadership courses'. Taking a closer look at the content of many of these courses we see a real focus on management skills and information. The typical contents include the functions of the mandate provider institutions like the EU, UN and OSCE, human rights and gender in a mission context, security sector reform, detailed information about particular missions, leadership styles and concepts and so on. Overall most of these training activities focus on structures, processes and policies. Examples of this type of training are the 'Police Command and Planning' course at the European Agency for Law Enforcement Training (CEPOL) and the CSDP High Level Course from the European Security and Defence College (ESDC). In both training curricula, there are few topics related to soft skills. The two-week course programme of the 'CEPOL Police Command and Planning Course' conducted in November 2016[175] contains only one hour on 'Leadership and Management', three hours on 'MMA', one hour on 'Stress Management' and one hour on 'Negotiation and Mediation'. These topics were most probably also addressed in the case study that formed one part of the training but in total the course focuses more on management skills than on soft skills.

The 2017 - 2018 Curriculum of the CSDP High Level Course' run by ESDC [176] has only one competency in Module 1, 'respect intercultural differences,' which refers to soft skills. While soft skills play an important role for the personal interaction and the practical exercises within this course the four modules overall do not contain soft skills related objectives. However, most courses like those

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[174] See: http://www.zif-berlin.org/en/training/training-partners/national-platform-of-training-institutions.html.
[175] CEPOL (2016). Course 59/2016 – 'EU CSDP Police Command and Planning Course' form 7 to 18 November 2016.
[176] CSDP (2017). 13th CSDP High Level Course 2017-2018 'Johan Willem Beyen', ESDC/2017/064.

mentioned above address high level leaders while courses for middle management, e.g. team leaders, are rare.

By contrast, the 'FRONTEX Operational Training for EU Mid-Management in Border Guarding' is a good example of a leadership training, which emphasises soft skills. The residential part of the first module on 'Management and Practical Leadership within EU Border Guard Activities' of the four-week course lasts one week. Within the 40 lesson hours during the residential week, only 8 lesson hours deal with management principles and 6 hours with situational leadership. The remaining 28 lesson and exercise hours contain soft skills, cultural diversity, motivation, communication skills, conflict management and group dynamics. It is of note that the main methodology for the majority of the course is the use of interactive workshops. Lectures are given only in the case of management principles subject matter. This shows the difference in relation to the methodology needed for management or leadership-focused training. While a presentation or lecture is the right way to teach structures, processes and policies, training on soft skills requires interaction and the discussion of personal experiences.

Apart from the question as to whether there is something missing in regard to the content, a further challenge is the low availability of international management and leadership training. The aforementioned courses from CEPOL and ESDC take place only once a year and focus on very senior leaders working at a strategic level. The European Border and Coast Guard Agency (FRONTEX) course is directed to a very specific group namely FRONTEX border guard officers. The same applies to the CEPOL 'Police Command and Planning Course', which is only for senior police officers. Thus, only a minority out of a wide range of different leadership positions are properly addressed in training terms. One reason that courses for senior staff focus more on management skills and, courses for mid-level leaders contain more soft skills, could be the assumption that senior leaders have more work and life experience and a higher professional education and, thus have developed better soft skills. This assumption might be right, but in many cases, it applies mainly within the national context.

Furthermore, limited target groups do not reflect the reality on the ground in civilian CSDP missions or other international peace operations. The teams are often mixed; in particular civilian and police staff. Moreover, the leaders have to cooperate with several international partners and actors in the theatre that have civilian, police or military backgrounds. Therefore, it would make sense to implement interagency leadership training courses with the aim of getting to know each other prior to the deployment.

State of play for MMA training

Since the introduction of multidimensional peacekeeping at the beginning of the 1990s, mentoring, advising and training have been the main working methodologies to transfer knowledge and experience to host countries' organisations. While use of 'train the trainers' courses had been established quite early on to prepare future mission staff for its task as trainers in the host countries, there was for a long time almost no training available for the preparation of mentors and advisors. It

was assumed that sending experienced experts was enough to transfer knowledge within an advising or mentoring relationship. In reality however, many experts faced, and still face severe challenges in building up a good working relationship with their counterparts to achieve satisfactory results.

More and more we have come to realise that being an expert is a prerequisite to giving good advice. However, to give advice in a way that our counterparts will accept and use it for future development requires a great deal more. Being a mentor or advisor is ultimately like having a second profession besides one's individual technical expertise. Like a teacher or trainer, a mentor or advisor needs the ability to address people in the right way by showing empathy and understanding the context and the environment in which he/she works. This applies in particular to an international context. In the end, success always depends on the quality of the interpersonal relationship between the mentor or advisor and the counterpart.

Training local police in Liberia (UNMIL) 2012

MMA training does not have a long history in the context of international peace operations within Europe. The Centre for International Peace Operations (ZIF), for example, offered a training activity on 'Strengthening Local Capacity: Training, Mentoring and Advising'[177] in close cooperation with the US Institute for Peace (USIP), which focused on the importance and an exploration of mentoring, advising and training but less on providing the tools for performing well as a mentor or advisor. The same applied to the old format of the 'CEPOL Mentoring Course'.

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[177] ZIF (2010). Strengthening Local Capacity: Training, Mentoring and Advising, 10 to 13 March 2010 in Berlin.

The German TPP developed a mentoring course in 2009/2010 that provides tools for conducting this complex task and how to deal with the challenges, prioritising soft skills in regard to the content. Thus, the course covers, for example, the attributes and role of mentors and advisors, intercultural communication and awareness, negotiation, motivation, coping with resistance, and working with interpreters. The course has been designed as an interactive workshop with a strong emphasis on sharing experiences. The pilot course was conducted in May 2010 at the Federal Police Academy in Luebeck and the course was certified by ENTRi in November 2012.[178] The CPCC launched the 'CivOpsCdr Operational Guidelines for Monitoring Mentoring and Advising in Civilian CSDP Missions'[179] in November 2014. These MMA Guidelines are now the basis for the ENTRi course and the ENTRi course concept will be updated shortly. The importance of these courses is widely acknowledged and the ENTRi course concept and the programme can be viewed on the ENTRi website. Nevertheless, only three European training institutions are ENTRi-certified and conduct this course.[180] A good further development, however, is the adaption of the CEPOL Mentoring course from three to five days in a similar format to the ENTRi course.[181] Being aware of the availability gap another four mentoring and advising training courses were conducted within the framework of the EUPST II (European Union Police Services Training) Project[182] in Germany and Portugal in 2016 and 2017 and more are planned.

Nevertheless, the availability of MMA training is still low. The national MMA training courses are usually conducted with 12 to 14 international participants due to the highly intensive interactive format. As a compromise to the rules of CEPOL and EUPST II these training courses take 20 to 25 participants. At the 4th annual meeting on training of CSDP missions and operations personnel in Brussels in 2015 the total number of available mentoring and advising training places for participants in Europe were added up and it was noted that there had been approximately 70 places available in 2015. Taking this number in proportion to the MMA positions within the existing CSDP missions and, the regular rotation of the mission staff, it is far too low. Another interesting development at the German Federal Police Academy is the participation of senior staff that use the MMA training as a substitute for leadership training for international assignments. These participants stated in the course feedback that the taught and trained soft skills are especially useful for leaders, as well as the coping strategies taught and the interactive format of the course.

The high demand for the aforementioned training indicates the necessity for more mentoring and advising training places. However, there have been no assessments of the impact of MMA training on the success or otherwise of a mission. The high number of requests for that training appear to have

[178] See: http://www.entriforccm.eu/certification/developed-courses/specialisation-course-mentoring-in-civilian-crisis-management.html.

[179] EEAS (2014). *CivOpsCdr Operational Guidelines for Monitoring, Mentoring and Advising in Civilian CSDP missions*. EEAS document (2014) 4 077896, 7 November 2014.

[180] The Course is currently conducted by the German Federal Police Academy, Guarda Nacional Republicana School of Guards, Centre for International Peace Operations.

[181] CEPOL (2017). Course curriculum and programme, CEPOL 47/2017, Monitoring, Mentoring and Advising, 29 May to 2 June, School of Guard, Queluz, Portugal.

[182] European Union Police Services Training II, project of the European Commission financed by Foreign Policy Instruments (FPI).

stemmed from the positive feedback of training participants in their home countries and within the missions. A field study on the impact of MMA training could be a logical next step to improving the quality of training.

What is needed in regard to leadership and MMA training?

First of all, we have to identify possible reasons behind the limitations and shortfalls in regard to leadership and MMA training for international peace operations. With respect to CSDP missions I have observed that member states carefully select their applicants for leadership positions. Personnel development is in the responsibility of the deploying countries and organisations and is a part of the sovereignty of the member states. In particular, personnel in leadership positions represent the deploying country. Thus, member states select a person who shows good leadership performance in the national context, which is a sound basis to perform well in the mission. The main challenge of all of this starts here. The national context is not comparable with an international, highly diverse context. Leadership concepts and styles, communication strategies, culture-based behaviour and attitudes that we are used to from our national context often do not apply to the international environment. Consequently, candidates for leadership positions within an international context have to add on skills, which enable them to cope with leading in a highly diverse and cross-cultural environment. Erin Meyer describes in her book 'The Culture Map'[183] how challenging it is to lead multinational teams within a foreign culture. The subtitle of the book, 'Decoding how people think, lead, and get things done across cultures' describes exactly what people in such leadership positions need to understand. Following nationally learned leadership patterns while working in a multicultural team will most likely lead to misunderstandings, mistakes and in the end failure.

But what is needed to cope with these challenges? Meyer uses what she calls 'eight dimensions'. These are communicating, evaluating (giving feedback), persuading, leading, deciding, trusting, disagreeing and scheduling. All of these 'dimensions' are related to soft skills. Even the important learned management skills have to be used in a way that fits the specific international context. Besides Meyer's dimensions many personal attributes are needed including empathy, flexibility, patience, respectfulness, modesty, open-mindedness, etc., to work successfully in a diverse context. Furthermore, it is useful to know about the motivation of people and how to address these differences by taking their own motivation into consideration. For example, David McClelland's three needs theory [184] is very useful in understanding the influence of personal motivation in human interaction.

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[183] E. Meyer (2015). *The Culture Map*; *Decoding how People think, lead, and get things done across cultures*. Hachette Book Group: Public Affairs.

[184] D. McClelland and the Theory of Needs or 3 Needs Theory (power, achievement and affiliation). The core assumption of this theory is that everyone has a particular motive (need) that drives him/her. Everyone aims for the positive. Depending on the person's motive, it will have to be addressed in a way which satisfies his/her motive/need to create a positive feeling.

Approaching someone in the wrong way could lead to resistance, which is another important challenge for leaders and mentors in an international context.[185]

The same soft skills are needed for mentors and advisors in an international environment. Mentoring or advising another person within one's own national context is already a complex task that demands a high level of empathy. But mentoring or advising people with a different cultural background in a foreign country is much more challenging. For mentoring and advising it is already acknowledged that soft skills are essential to be successful and the above-mentioned ENTRi-certified course already contains soft skills and coping strategies. In regard to mentoring and advising training we seem to be on the right track but there is always room for improvement. The biggest issue remains the lack of availability of MMA courses.

Soft Skills Training Methodology

Training on soft skills and personality development requires different methods to management and technical training. Lectures supported by PowerPoint, flipchart or whiteboards are the standard method for teaching management skills and technical information like structures, processes, procedures, laws, doctrines, etc. Teaching soft skills requires highly interactive methods. As the German neurobiologist Gerald Huether notes that learning must be connected with emotions to be effective. Activating emotions means learning should be undertaken enthusiastically.[186] Making new experiences with all of our senses connects the learning content with emotions and enables us to remember learned skills better. Most of us have lost the enthusiasm, the curiosity and the creativity that we had as children. We can reactivate it, but it takes courage to look behind our individual traditionally-acquired thought structures and ideas. We have to be open to merging our individual capabilities, insights, talents and ideas that we have acquired in our own world with those of others.[187] This means the training designer must create an environment in which the participants are able to make new experiences using their different senses, being curious and creative and sharing experiences from their different individual backgrounds.

This does not mean that we have to reinvent the wheel. Many interactive methods and tools are available, and companies offer materials and equipment for interactive learning games for adults. A good collection of tools for interactive leadership training is the 'Tool Box – Leadership for Global Responsibility' from the Deutsche Gesellschaft fuer Internationale Zusammenarbeit (GIZ) GmbH/Akademie fuer International Zusammenarbeit (AIZ).[188] Tools like journaling, dialogue walk, river

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[185] See for example: Theory of needs by McClelland; Harmon-Jones, E., Brehm, J. W., Greenberg, J., Simon, L., & Nelson, D. E. (1996). Evidence that the production of aversive consequences is not necessary to create cognitive dissonance. *Journal of Personality and Social Psychology, 70*(1), pp. 5-16.; C. R. Weisbach (2014). *Professionelle Gespraechsfuehrung;* Doppler, K. and Lauterburg, C. (2014). *Widerstand im Change Management Prozess.*

[186] G. Huether (2012). 'Learning enthusiastically - A conversation with Prof. Dr. Gerald Huether'. *Televizion*, 25/2012/E.

[187] G. Huether (2013). *The Neurobiological Preconditions for the Development of Curiosity and Creativity* at http://www.gerald- Huether.de/Mediathek/english/The_neurobiological_Preconditions.pdf.

[188] See: https://www.giz.de/de/downloads/giz2013-de-aiz-toolbox-leadership-development.pdf.

of life, peer coaching and sculpting exercises, to name but a few, are very useful for interactive learning through self-reflection and the exchange of experiences. The point is to activate the participants and to minimise the teacher-centred teaching. The trainer has to be a facilitator rather than a lecturer. Methods and tools like group discussions, peer exercises, painting, building, sculpting with modelling clay, moving, walking and talking activate all senses and therefore emotions. The aim is to widen the individual horizons and create an environment to change mind-sets and attitudes.

Another interesting innovative approach is the use of a novel[189] for the mandatory Swedish police pre-deployment course, the International Police Officers Course (IPOC). This novel puts the learning content into the context of a family in a fictional country. Story telling is also a good method to connect learning contents with emotions.

The GAP project is currently developing a game on training soft skills for peacekeeping and peace building. The idea is to use virtual reality (VR) in an interactive game simulating real mission environments and situations. The project finalised the initial phase analysing the needs and priorities in regard to soft skills. The next step is to design the game and specify the technical requirements. For this purpose, a conference on 'Soft Skills in Peacebuilding – Training through Gaming' took place on 19 September 2017. The inputs of the participants will be implemented within the game design.

German leadership training initiatives as an example of a new training format

The recently developed 'Leadership Training of the German Training Partner Platform'[190] presents a completely new way of focusing on soft skills by approaching the leader as an individual and using the modern training methods as previously described. It contains almost no management content. It addresses people with leadership experience in an international context and mixes civilian, police and military staff from different national and international organisations.

The training starts with the introduction to the course aims, structure and methodology, setting the context as well as explaining the difference between management and leadership. Even during this information-led and preparatory part of the training the contents are already interactive. The second day focuses totally on self-reflection, with topics including exploring the participants' own individual history, moods and emotions, motivation and personal vision. The third day focuses on diversity within the working context. The participants work on team diversity, intercultural communication, values and team visions. The fourth day aims to empower, motivate and energise the participants as individuals as well as a team and to learn new methods, which can be used in the mission environment. The participants also have to give feedback to each other. The fifth day completes the participants' involvement through a discussion of how to transfer these insights into action in the field.

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[189] Swedish Police (2015). *Making Mosaic - A Story About Picking Peaces*. Swedish Police: Peace support operations & International development cooperation, first edition 2015.
[190] Title 'Mastering the Art of Leadership in Peace Operations and Fragile Environments'.

Throughout the entire course the participants must be active, and they have to interact with each other and the trainers. Methods and tools including the so-called journaling, check-in in the morning, river of life, dialogue walk, value diamond, group and peer exercises, sculpting with modelling clay and so on are used to create an interactive working environment, which addresses different senses of the participants. These methods and tools require experienced trainers with a high level of empathy.

The pilot training took place in June 2016 in Germany and was conducted by three trainers for a group of 10 participants. While this might sound like a large number of trainers for such a small group, this kind of training is highly intensive for both the participants and the trainers. This could be one of the reasons why some training centres are reluctant to set up such training activities I have also noticed that it takes some persuasion to convince member states and organisations to send their leadership personnel to this kind of new training. A reason might be the assumption that leadership development within the national context is perfectly good for an international and fragile context.

One lesson from the pilot training was the importance of giving the participants the opportunity to have individual discussions with the trainers to talk about any personal matters, which the participants do not want to discuss within the group. The training schedule should provide time for this. The first regular training programme with a maximum of 12 participants took place in October 2017 in Germany. It is an interagency training course that was opened to international participants.

The New EU Policy on Training for CSDP Missions and the Implementing Guidelines

The Foreign Affairs Council of the European Union adopted the new EU Policy on Training for CSDP on 3 April 2017.[191] The Implementing Guidelines put the regulations into practice.[192] The main improvement stemming from this policy is that it makes PDT mandatory. This will also influence advanced and specialised training because there will be a common baseline to build on. It is interesting to note that the policy itself includes a statement on interactive methods.[193] This statement is reflected and described in more detail within the 'Implementing Guidelines'.

The policy mentions that leadership training for very senior leaders within CSDP missions and operations should be conducted together with civilians, police and military.[194] There are no further statements on leadership and MMA training, but this is not necessary within the policy because it is more of a political and strategic document. Detailed definitions, regulations and procedures, e.g. on the training cycle, are covered within the Implementing Guidelines.

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[191] Council of the European Union (2017). Document 7838/17, 3 April 2017.
[192] EEAS (2016). Document 1627 REV 1.
[193] EU Policy on Training for CSDP, paragraph 13: 'Developing skills and competencies cannot be achieved only through formal training. It has been proven that most of the knowledge and skills acquired during formal training activities begin to fade as soon as they are over. Unless complemented by continuous contact with the subject matter and interactive methods, among which the most important is on-the-job or experiential learning, the investment in classical training produces limited returns.'
[194] EU Policy on Training for CSDP, paragraph 22.

The way forward

During the knowledge exchange workshop 'Policing with Communities: Mission Challenges, Lessons Learned and Guiding Principles' at the Portuguese Guarda Nacional Republicana (GNR) School of Guards in January 2017 I was asked if there is a need for a 'soft skills doctrine'. I do not think so. From my point of view overseeing soft skills training through doctrine does not make sense. Yes, we could determine that soft skills are important and need training. Good training needs analysis and evaluations could give some ideas as to which soft skills could be helpful. But soft skills *are* individual skills. Therefore, the individual skillsets and needs of people in missions differ greatly. As a result, soft skills training has to be highly flexible. The question should be what is the right type of soft skills training and for whom? Furthermore, the evaluation of soft skills training is quite complicated. How do we assess if soft skills training has been successful? How do we measure a change of mind-sets or attitudes?

These questions show that soft skills training requires a different approach and a different way of thinking. Our management-oriented thinking in training and operations and the idea that everything can be measured and benchmarked does not fit here. We have to go back to the more people-centred and individual-related approach that we have lost a bit since the 1990s when the idea of leading people through the use of statistics and benchmarks came to the fore. Today we know that performance management is an important tool but not the solution to everything. Working on soft skills means approaching each participant as an individual to be successful in the end.

Awareness-raising could be a first step to filling this training gap. Member states, national as well as international organisations need to be made aware that management skills are necessary but these alone are not enough to succeed in regard to leading, mentoring and advising within an international context. Interaction among people is not a measurable process or procedure and thus needs to be addressed separately within training courses.

Furthermore, more training institutions are needed that are able and willing to invest in people-centred training. Well-educated and internationally experienced training teams are essential for such training activities. The training teams should be able to address each participant as an individual within the group but at the same time to build a team spirit among all participants. An international and interagency training audience would be ideal as it projects the reality in the theatre.

The evaluation of soft skills focused training is a challenge due to the absence of quantitative indicators. An evaluation of behavioural changes and their impact on the mission outcome is difficult to establish as it is related to social competencies. An extensive scientific study would be needed to establish cause and effect and to take the environmental influences into consideration.

Rather than the creation of a soft skills doctrine, I would propose the creation of a handbook or guide for training on soft skills, which could foster understanding and curiosity with regard to people-centred training as well as providing training methods and tools.

We have to be careful not to make a complete U-turn demonising management training and other training on hard skills. This is particularly true within an international and diverse context like an international peace operation where good hard skills adapted to this challenging environment are also crucial. On the other hand, more people-oriented training, which addresses leaders, mentors and advisors as individuals to develop soft skills that work in such an environment, is also needed. It is not the question of what is more important - hard or soft skills. Both are complementary and figuratively speaking they are two sides of the same coin.

Acronyms and Abbreviations

AG IPM	Arbeitsgruppe Internationale Polizeimissionen
AIZ	Akademie fuer International Zusammenarbeit
CEPOL	European Union Agency for Law Enforcement Training
CivOpsCdr	Civilian Operation Commander
CPCC	Civilian Planning and Conduct Capability
CPTM	Core Pre-deployment Training Materials
CSDP	Common Security and Defence Policy
DPKO	Department for Peacekeeping Operations
EEAS	European External Action Service
ENTRi	Europe's New Training Initiative
ESDC	European Security and Defense College
EUPST II	European Union Police Services Training II
EU	European Union
FRONTEX	European Border and Coast Guard Agency
GIZ	Gesellschaft fuer Internationale Zusammenarbeit GmbH
HQ	Headquarters
IPOC	International Police Officers Course
ITS	Integrated Training Service
MMA	Monitoring, Mentoring and Advising
OSCE	Organization for Security and Co-operation in Europe
PDT	Pre-deployment Training
STM	Specialised Training Materials
TPP	German Training Partner Platform
UN	United Nations
USAID	United States Agency for International Development
USIP	US Institute for Peace
ZIF	Centre for International Peace Operations

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Monitoring, Mentoring and Advising Challenges in Fragile and Conflict Affected States: Experiences from the Field

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Abstract

The paper reflects on a number of key challenges that arise within an international environment where Monitoring, Mentoring and Advising (MMA) are integral to the success of the mission. Here guidance is provided in relation to the issues faced by practitioners when delivering MMA projects. The author has developed a 'decision-making model' known as 'VASA' (Vision, Analysis, Strategy, Action) which may assist the police practitioner in better implementing MMA concepts on political, strategic and operational levels.

There is also a focus on two problem areas that arise within a mission context: the management of risk and the awareness of cultural diversity. International practitioners will always have to make calculated risks in order to achieve mission objectives and fulfil professional expectation and importantly to 'learn lessons'. Missions bring together a range of actors from multiple countries with different experiences that can challenge an individual's cultural sensitivity and, will be further complicated by the host country's cultural diversity. There is often the potential for misunderstanding and conflict as a result. Delivering effective and efficient MMA programs is reliant on building trust and confidence with local police colleagues.

Introduction

A fragile and conflict affected state (FCAS) refers to a country

> '*where the social contract is broken due to the State's incapacity or unwillingness to deal with its basic functions, meet its obligations and responsibilities regarding service delivery, management of resources, rule of law, equitable access to power, security and safety of the populace and protection and promotion of citizens' rights and freedoms*'.[195]

Over the past few decades there has been an increase in the number of missions undertaken within FCAS providing stabilisation and development activities within both executive authority and non-

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[195] Commission of the European Communities (2007) quoted in European Commission, Directorate-General for International Cooperation and Development: 'Operating in situations of conflict and fragility', *Tools and Methods Series Reference Document No 17*, December 2014.

executive missions.[196] Delivering policing services overseas has been one of the French National Gendarmerie's many activities and I have spent over half of my professional career within an international mission environment. [197] My professional and personal aims have always been to work internationally in order to make a contribution to policing assistance more broadly, and to improve the lives of those people living within the most difficult of circumstances. This I describe as being part of what constitutes a 'citizen of the world' to meet the challenges that arise within FCAS.

In developing this paper, I have reflected back over my career and the different missions and operations that I have been deployed to over the past decades. Here I broadly consider a number of key challenges that arise during missions where monitoring, mentoring and advising (MMA) is at the core of international police work. The focus within this paper is on MMA and the management of risk and cultural awareness and sensitivity. I will develop some broad themes around MMA and, propose some 'lessons learned' and guiding principles that have arisen from my experiences in the field, in keeping with the core themes that were discussed during the 'Mission Challenges, Lessons Learned and Guiding Principles; Policing with Communities in Fragile and Conflict Affected States' workshop.

The French National Gendarmerie has a longstanding experience of supporting over 50 civilian police missions that have included the United Nations (UN), the European Union (EU) and the Organization for Security and Cooperation in Europe (OSCE) since the Gendarmerie's first mission in 1992 – the UN Transitional Authority in Cambodia (UNTAC).

The French National Gendarmerie has always collected 'lessons learned' based on the feedback given by officers who have been deployed on mission. Lessons learned are key to improving the efficiency and efficacy of any organisation and the French National Gendarmerie subscribes to this policy. Moreover, police officers serving in peacekeeping and other overseas missions are expected to provide training courses at the French National Gendarmerie International Training Centre for officers subsequently deploying on mission. This learning is filtered into French National Gendarmerie doctrine and guidance manuals, which are up-to-date and accurate in terms of content and are transferred by French police officers deploying on mission into EU best practice. However, these guidance manuals are not available for public dissemination and are restricted for internal use only within the Gendarmerie.

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[196] Within an executive mandate, mission members are embedded in the host country institutions and serve according to the host country laws until there has been a complete transition of policing functions to the local authorities. Within a non-executive mission, international police practitioners, through the MMA process, support the host country to further strengthen the rule of law institutions and their progress towards sustainability and accountability.

[197] The author is a commissioned officer in the French National Gendarmerie with 30 years' service including sixteen years spent overseas. This has included three years in Germany; four years in the French West Indies; seven years in Kosovo (UNMIK and EULEX missions); one year in Bosnia-Herzegovina (UNMIBH); four months in CAR (EUFOR RCA mission) and an ongoing EUCAP Sahel Mali mission. His principal fields of expertise are intelligence and criminal investigations within both executive authority and non-executive missions.

French Gendarmerie departure for a mission to the Central African Republic 2014

Exploring Challenges within an FCAS Mission Environment

Each and every international mission is faced with a different set of challenges that directly impact upon the aims of the mission mandate and supporting programmes. Any given mission will call for a different level of response according to the situational context and levels of conflict and fragility within a given state. 'State fragility' can be considered as a multi-dimensional concept in line with the 'security-capacity-legitimacy' model where a country's fragility has been classified according to specific deficiencies or gaps involving three sets of issues identified as:

- *Security* issues (the state has a good degree of capacity and legitimacy, but has limited outreach and suffers from illegal trafficking and/or chronic violence);
- *Capacity* issues (the state has legitimacy e.g. through regular elections, but low capacity to deliver services);
- *Legitimacy* issues (the state has some capacity to deliver services but suffers from weak legitimacy, resulting from, for example, the violation of agreed rules, poor public service delivery, beliefs shaped by tradition and religion, or international action undermining national sovereignty).[198]

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[198] J. Grävingholt, S. Ziaja & M. Kreibaum (2012). 'State Fragility: Towards a Multi-Dimensional Empirical Typology', *German Development Institute Discussion Paper 3/2012*.

These aforementioned factors may interfere directly with the internal and external dynamics of the mission within the host country. A risk assessment will determine, for example, the level of security and guidelines a mission practitioner must comply with as a result. In a highly volatile and risky environment where there have been routine disturbances, for example Mali that is plagued by ongoing terrorist, criminal and political setbacks or, in situations where conflict has been prolonged, for example Lebanon and Iraq, the implementation of a development programme must be understood as long-term commitment and engagement on behalf of the donor communities. The commitment that donor states have regarding a particular programme is reliant on the activities and purpose of the 'International Mission Expert'.[199] One of the challenges that the individual will face within an international environment is the concept of 'risk'.

Risk in this context is not just about security risk within the mission but also about the personal risk to that individual. Being deployed on an international mission, either as a civilian or as military personnel, carries a high level of risk for that officer's safety and indeed life and, therefore, a mission may not be a suitable environment for every individual. Any course of action undertaken within an FCAS has to be carefully planned and laid out within the aims of the mission programmes. When the security situation itself is considered alongside the programme(s), the individual mission practitioners will always have to make a *calculated risk* whilst keeping the mission aims at the forefront of their minds and, giving them reasonable consideration to the best of their abilities.

Risk has been highlighted by Simone Weil when she writes that it is an essential human undertaking and that an absence of risk can be somewhat similar to that of fear, in preventing the human being from driving for change.[200] The experience of international missions for many police practitioners has demonstrated that often a deployment takes place in a country where the security situation is constantly deteriorating and where the individual fears for the safety of his or her life. This can have a huge impact on that person's morale, and on professional relations with colleagues and family and friends in their home country. In relation to an officer's professional career, an international mission presents risks because if an individual is deployed overseas for too long, then the displacement from the home organisation can result in that person being left out for possible promotion or for career development. There are so many aspects of an international mission that require the individual to take that *calculated risk* in order to achieve both mission and professional goals, and 'lessons learned' can enable that calculated risk to be made in the best possible way. Taking calculated risks is an absolute prerequisite for any action undertaken by a police officer and to ensure that a 'plan' can be developed and implemented in a coherent manner.

Learning lessons is reliant on an International Mission Expert being faced with particular experiences within their respective area of expertise, where an issue needs to be engaged with, understood and improved in order to move an activity forward. In this case taking a calculated risk can be key to

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[199] The French National Gendarmerie refers to Civilian Police Experts. I prefer to use the term International Mission Expert because the duties and responsibilities for any police officer on mission are often far wider than police work.

[200] Simone Weil (1949). *L' Enracinement*, Abingdon: Routledge.

learning that lesson and ensuring the success of that programme. [201] The possibility that the practitioner will engage with risk has to be acknowledged, calculated and managed. Here the guiding principle is that the international practitioner must consider his or her actions objectively; to study and to criticise his or her own decisions and, where he or she perceives their own role and how this will be impacted as the programme updates and develops over time: cultural awareness and sensitivity have to be demonstrated throughout.

Cultural diversity and the sensitivity and how this is managed is very challenging in an international environment where mission participants from different nations and backgrounds, from different age groups and with a diversity of experiences have to work together. Moreover, the host country also has a range of different cultures linked to the historical and geographical context. There is always the potential for misunderstanding and conflict when faced with cultural diversity. However, this should be seen more as an opportunity for sharing experiences and for moving forward together as a team whilst engaging with the local culture.

During the course of my international work, I have often been in situations where I was made aware of the importance of culture. In 2006, during the UNMIK mission to Kosovo, I was involved in the development and delivery of an MMA programme. Our local police colleagues who were Kosovan Albanians did not agree with aspects of the MMA programme that concerned 'intelligence-led policing' and were being delivered by international police practitioners. As we attempted to deliver the session, I could see that the local police officers were moving their heads up and down, which in many cultures means 'I agree with what you are saying'. However, what I knew is that in Albanian culture, this stands for 'No, I don't agree with you' and I could see this happening throughout the session. Afterwards I explained to the supervisor what this had meant which caused him concern that the training session had not gone as planned, but at least the point was made clearly about needing to be aware of local culture if a project is to be successful.

An international practitioner will be faced with an opportunity for lesson learning in the field. Currently this approach has already provided basic principles for the International Mission Expert including his or her attitude to overseas mission, work ethics, timekeeping, communication, corporate memory, cultural awareness and differences, and the motivation needed. However, it appears that many practitioners still have pre-conceived ideas when deploying on mission which can include such notions as 'the local police are incompetent and that is the reason that we are here' or, 'all the mission planning is in place and now all that remains is the implementation'. The tension between the theory of delivering a mission mandate and the practice of the ground is at the heart of many missions. Many practitioners believe that mission planning has taken all eventualities on board but on arriving in mission they then realise that the situational context is different and, that changes have to be made to that planning phase. This is reliant on calculated risks being taken to move the mission forward which

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[201] Engagement could be described as 'the extent to which people enjoy and believe in what they do and feel valued for doing it. People go above and beyond the call of duty to further their Organisation's interests: 'Say, Stay and Strive''. R. S. Wellins & P. Bernthal (2015). 'Employee Engagement: the Key to Realizing Competitive Advantage'. Development Dimensions International, Inc., 2005-2015.

can create tensions within the mission if there has been inadequate planning.

Pre-conceived opinions emanating from the international community may be false and can mislead the direction of programme implementation. In my experience of international missions, I would argue that the local security actors often have valid viewpoints that need to be taken into consideration. Typically, these people are stuck within complex situations and need assistance from the outside to bring about improvements. Whilst the planning phase may have been completed in advance, the ensuing documentation has to be seen as being a 'living document' that must continuously be reviewed and updated as new situations and options open up. In essence, this is a question of timing. It is not a simple question of ticking items off the mission programme agenda as there has to be a real understanding of local context and how the programme concepts can fit (or not) the ongoing situation. If that understanding is not brought to the fore, then the manner in which the programme is implemented will bring no added value in the longer term.

Considering lessons learned and guiding principles within the framework of MMA

The main goal of any mission is to strengthen the Rule of Law which means that any MMA concepts will support the reforming, restructuring and rebuilding processes of the host country law enforcement agencies and, through the official security institutions further their progress towards sustainability and accountability. It is key that any mission goals should offer support within the right framework to develop local capabilities whilst transferring policing 'best practice'. Best practice refers to what works well and achieves good results based on lessons learned instead of a fixed routine in a system or specific context. In addition, within the law enforcement system, best practice is also referring to the respect of fundamental human rights. In order to enhance security, including legitimacy, good governance and integrity within a FCAS, a win-win strategy with local ownership should be implemented within an MMA concept. There are many different definitions and approaches regarding the MMA concept, although my experiences have demonstrated that typically the main goals are capacity building and transfer of knowledge. The 'Vision Analysis, Strategy, Action' (VASA) decision-making model that I have developed[202] may assist in furthering an understanding of the MMA concept and, assisting with successful implementation on political, strategic and operational levels. First, a *vision* is needed: what do I want to do and what do I want to achieve? Then to proceed to the relevant *analysis*, based on the information collected and related to different parameters (environment, cultural issues, existing strengths and weaknesses): to what extend is this feasible? The *strategy* decided upon for implementation has to be pragmatic: concrete achievements are sought after. When the *action* begins, it must be in complete transparency with colleagues and counterparts: 'I am taking calculated risks to achieve reasonable goals with you'. Here the importance of cooperation is clearly identified. This could sit alongside the EU concept of MMA within the civilian Common Security and

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[202] See Appendix 1 for details.

Defence Policy (CSDP) missions which is included in a 'comprehensive approach' framework.[203] This is stated as being:

- ➢ To Monitor: watching and assessing the efficiency of the local counterparts
- ➢ To Mentor: supporting and encouraging an individual (mentee)
- ➢ To Advise: addressing and providing professional counselling to an organisation

There are four key areas in the comprehensive approach that embrace military, police and civilian activities: planning and conduct of operations; lessons learned, training, education and exercises; cooperation with external actors; and strategic communication.[204] The effective implementation of a comprehensive approach to crisis situations requires states, international organisations and non-governmental organisations to contribute in a coordinated manner. In other words, this is reliant on there being enhanced cooperation with external actors and it should be a common goal relevant to all parties. Within the comprehensive approach a wide range of interventions are needed that hinge upon legitimacy, security and capacity issues.

The objective of this approach is to analyse opportunity, risk management and programme feasibility with the view to proposing a coherent step-by-step approach. From this method, lessons learned are again mission critical when it comes to planning and training. This approach seeks to improve programmes and services and offers different options to meet the MMA concept. Each of the specific areas highlighted need to be considered on their own merit as well as the potential impact on other issues. This becomes all the more important when there is a need to quickly identify an issue that may be causing blockages for the overall implementation plan. However, there can be real difficulties in developing lessons learned within MMA programmes owing to the myriad of approaches of each international organisation. The end goal should always be that an MMA programme focuses on capacity building and knowledge transfer and must impact the host country positively and be sustainable. As previously highlighted this rests on international practitioners being prepared to take calculated risks as and when required.

However, there are also specific MMA programmes that fall within a different type of mission, that is the executive authority mission as opposed to a non-executive or advisory mission. This was the case with the UNMIK and the EULEX Rule of Law missions in Kosovo that had an executive MMA mandate. In this context international police practitioners retained executive powers operating jointly with the local Kosovan police to deliver policing services within a wider law and order function.

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[203] European External Action Service (2014). *Operational Guidelines for Monitoring, Mentoring and Advising in Civilian CSDP mission.* Brussels: EU: EEAS.
[204] 'Lessons learned from NATO operations show that addressing crisis situations calls for a comprehensive approach combining political, civilian and military instruments.' NATO (2016). *A comprehensive approach to crisis*, 21st June 2016.

The author at the EU Office for Criminal Intelligence, Kosovo: EULEX mission 2015

They undertook joint operations and investigations whilst monitoring the activities of local authorities with a goal of transferring those executive functions to the local police in the future. Within this context, the approach to MMA was planned and delivered in a different manner and came later within overall mission objectives.

It has always been worth reflecting on the manner in which lessons have been learned or not within this context. In 2016, during the EULEX mission to Kosovo, our team had to implement a number of different projects within the broader MMA concept. One of these projects concerned the lesbian, gay, bisexual and transgender (LGBT) issues relating to Kosovan Police and civil societies. This project stayed very low key because our local counterparts were not really at a stage where they were prepared to hear and discuss LGBT issues and indeed display any open mindedness about this. As a result, we had to tackle this issue step-by-step in a very diplomatic way otherwise it could have had a negative impact upon the whole programme delivery. This was a good 'lessons learned': cultural awareness is a key to success within the implementation of any MMA programme. There have been many situations during my international missions however where lessons are not learned. During the UNMIK mission to Kosovo in 2008, I was provided with unconfirmed information from a reliable source about a shipment of cocaine arriving at Pristina Airport in a suitcase. This information was given to me at the moment when the plane landed at the airport. The 'risk' was to set up a quick operation without knowing all the details beyond the little information that had been supplied but I decided to run with the operation and take that calculated risk. The operation failed because the individual was 'escorted' by numerous armed criminals and we were seen which brought a situational risk of collateral damage. Basically, this was a typical 'lessons not learned': leave your ego home when you are at work, and do not run an operation without proper planning.

As a guiding principle it could be suggested that effectively and efficiently delivering MMA within the context of any mission mandate is reliant on trust and confidence being built with local police colleagues. This could be termed a 'whole of mission approach' and entails the International Mission Expert being prepared to fully engage in their role as mentor with the mentee as a 'whole person' and taking full responsibility for this process. Described as leadership in its fullest sense, the mentor draws on all of his or her professional and personal resources, supporting the mentee through a process of insight, rationality, logic, emotion, instinct, creativity and pragmatism, whilst also considering the local social and political environment. This is as much about using one's personal skills as it is about professional expertise and demonstrates *in fine* that there are many different ways that the MMA concept can be approached; although these approaches should be seen as complementary to each other. It is up to the international practitioner to often take a calculated risk in selecting the right approach. Often a pragmatic approach grounded on actual experience rather than pulling theory from a document is recommended.

As highlighted this whole of mission approach goes hand-in-hand with 'local ownership', an expression that has been current in international missions for the past few years although it can be used without a real understanding of what it means. Local ownership is not just making sure that local stakeholders agree with the project planning developed by the international actors but that those international actors support the planning ideas of their local colleagues. Moreover, local ownership is not just about the opinions of host country public institutions (for example the police and judiciary) but also about ownership by the wider community within that country.

Local engagement in Mali: EUCAP Sahel Niger mission 2017

For this to happen, international practitioners have to understand the local context: the history, social aspects, demography, politics, economic, safety and security aspects. They also have to asses the potential interaction between any planned action and or intervention and that context. What impact will there be on the social and political environment either negative or positive? Will the mission programme require change as a result and further planning to minimise, for example, any negative impact that might occur? One guiding principle has to be gaining a full understanding of local context alongside cultural awareness and sensitivity when ensuring that there is a two-way communication between international practitioners and local stakeholders. This can be assisted pre-deployment by collecting information about the values, beliefs, culture, religion and context within that country and mission from relevant parties who have real experience. This might be from police officers who have previously deployed to that mission but also from academics who have researched that field. Once in country it is important to be humble when faced with local stakeholders. A key guiding principle is to 'give and to get' which means that the practitioner is prepared to share all his or her experiences and expertise and to be prepared, in exchange, to learn from their local police counterparts.

Conclusion

Based on my personal experience, the MMA programmes that I have been involved with have been implemented some with greater success than others within missions. However, it seems that so many international practitioners become frustrated when they participate in less than successful programmes. However, even without what might be termed success there can be a positive side.[205] A clearly pragmatic approach, which keeps an eye on the strategic as well as the detail is key when implementing a programme.

Based on my personal experience and lessons learned, I thought it was useful to create a decision-making model which would assist and which could potentially fit into different situations. The VASA decision-making process[206] I created is a simple tool that provides guidance and different possibilities for further development to progress implementation across the range of sectors. A project success I would argue is determined by constructive and sustained implementation phases. So often when faced with the prospect of a new programme, the practitioner queries how they will tackle the enormity of the problem. Therefore, one needs to follow a theoretical line of reasoning, which has some solid conceptual foundation otherwise the goals cannot be met and implementation cannot take place. Cooperation is a not only key to success at work but also a cornerstone of mission success, strengthening partnership with other stakeholders and multilateral partners. All mission actors should be involved in seeking out the best way to cooperate in protecting and maintain the principal objectives and not solely in seeking to fulfil personal objectives.

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[205] Mother Teresa said 'We ourselves feel that what we are doing is just a drop in the ocean, but the ocean would be less because of that missing drop. *Mother Teresa MC – Nobel Peace Prize 1979.* There are two concepts that are important. We can all do something however small to make that difference and everything undertaken will impact to some extent upon aspects of global activity.
[206] See Appendix 1.

Acronyms and abbreviations

CSDP	Common Security and Defence Policy
EULEX	European Union Mission to Kosovo
FCAS	Fragile and Conflict Affected States
LGBT	Lesbian, Gay, Bisexual and Transgender
MMA	Monitoring, Mentoring and Advising
UNMIK	United Nations Mission to Kosovo
VASA	Vision, Analysis, Strategy, Action

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'VASA' Decision-making model: Aid to the Implementation of a Monitoring, Mentoring and Advising (MMA) Concept

- ➢ **VISION:** A forward-looking vision should form the basis of the strategy. Use 'intuitive' intelligence to go beyond language, concepts and reason

- ➢ **ANALYSIS:** The SWOT (Strengths, Weaknesses, Options, Threats) is useful in starting this analysis process. Gaps in the analysis can be remedied through intelligence-gathering. Information + Analysis = Intelligence

- ➢ **STRATEGY:** Adopting a far-sighted approach aligned with the principles of 'institutional' conditionality and a pragmatic approach when implementing 'institutional' MMA

- ➢ **ACTION:** The degree of transparency and visibility, accountability and sustainability will determine the credibility of the action

Managing competing risks affecting displaced persons in a conflict environment: A case study from United Nations Policing in South Sudan

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Abstract

During the South Sudan crisis of December 2013 thousands of civilians sought safety with the United Nations Mission in South Sudan. By 2015, approximately 200,000 internally displaced people were residing in UN protection of civilian (POC) sites. The Government and its forces, including the Police, were accused of serious human rights abuses.

Serious security incidents were occurring in the sites such as murder, gang rape and child abuse. The Security Council Resolution mandated the Mission to protect civilians from physical violence but, with no executive powers or adjudication system, it faced the challenge of how to respond. Whilst the suspect presented a significant risk to their victim and the security of the POC site they were also at serious risk should they leave the safety of the UN's protection.

An approach was developed to review each case, identify and balance the risks and provide accountability for decision making. A menu of responses was developed ranging from a community led restorative justice mechanism to continued detention by the Mission. These are 'Clumsy Solutions' driven by an operational necessity to take action to address this 'Wicked Problem'. As the Peace Process changes the context, the problem may be 'tamed' offering opportunities for 'Elegant Solutions'.

Introduction

In 2013 the United Nations (UN) Mission supporting the development of the newly independent South Sudan suddenly faced a unique set of challenges. As a conflict spread across the country tens of thousands of civilians fled to the UN compounds. The mandate changed to focus on the protection of civilians. In this highly complex environment the existing powers, responsibilities and approaches of the Mission were no longer fit for the challenges it faced. The Mission's failure to adhere to an existing agreement to handover detainees resulted in assertions of harbouring from the Government. Mistrust

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developed and cooperation suffered. The UN Police (UNPOL) became responsible for dealing with crime and disorder within the protection of civilian (POC) sites. Amongst the internally displaced people (IDPs) in the POC sites there was little confidence in the UN imposed restorative justice mechanism and customary justice continued to be practiced, employing corporal punishment and a strong gender bias against the rights of girls and women. There was no precedent for how the Mission should deal with suspects who had been detained for serious incidents such as murder and rape and every option presented significant risks.

A theoretical framework assisted in understanding the nature of the challenge and identified opportunities and mechanisms to develop guiding principles. Recognition that this was a 'Wicked Problem'[208] informed an appropriate approach to produce a 'Clumsy Solution'.[209] Following the implementation of the Peace Process the changing context may produce opportunities to tame[210] the problem; for the Government to resume responsibility for the safety and security of all of its citizens, providing an 'Elegant Solution'[211] to the Mission's problems.

A menu of responses was developed ranging from a community led restorative justice mechanism to continued detention by the Mission. Each carried immediate and/or ongoing risks. In conclusion the learning from this case study will identify guiding principles that are appropriate to complex contexts and challenges and, can inform organisations and individuals in their practice.

South Sudan; a country in conflict

Following two Sudanese civil wars fought over six decades, the Republic of South Sudan won its independence on 9 July 2011. This new country enjoyed a short period of peace until 15 December 2013, when fighting broke out within the Presidential Guard. Factions aligned on political and tribal lines. Supporters of President Salva Kiir were predominantly Dinka, the largest tribe, and supporters of Vice President Riek Machar were predominantly Nuer, the second largest tribe in South Sudan.

A number of reasons for this conflict have been suggested, including a power struggle between the President and Vice President, an attempted coup and an assertion made by some Nuer Leaders that this was the beginning of a planned genocide of the Nuer people by the Dinka as highlighted to the author by Nuer leaders in the POC site in Juba in 2015. This appeared to be a strongly and widely held belief amongst the Nuer, contributing to fear and distrust of the Government, Government Authorities and Dinka civilians.

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[208] A 'Wicked Problem' is complex and novel with high uncertainty. There are no right or wrong answers, only better or worse alternatives. See: H. W. J. Rittell & M. M. Webber (1973). 'Dilemmas in a general theory of planning', Policy Sciences, 4, 155-69.

[209] A 'Clumsy Solution' relies on collective engagement and shared responsibility. Challenge and debate are required and the ability to make do with what is available and learn from failure to produce and 'more appropriate' solution. See: K. Grint (2005). 'Problems, problems, problems: The social construct of 'leadership''. Human Relations, Vol. 58(11): 1467-1494. London; Grint (2008). 'Wicked Problems and Clumsy Solutions: the Role of Leadership', Clinical Leader, 1/II.

[210] Although it may be complicated it is resolvable. See Rittell & Webber (1973).

[211] An 'Elegant Solution' is a managed process that has worked before. See Grint, 2005.

The conflict quickly escalated across the capital, Juba, involving other military units. Over the coming days, fighting exploded across the country. Reports of human rights atrocities committed against civilians by both sides were widespread, including allegations against South Sudan Police Officers.[212] By 2015, as a result of the on-going conflict, more than 1.66 million South Sudanese had been internally displaced.[213]

POC site in South Sudan

United Nations Mission in South Sudan

Post-independence there was a United Nations Mission in South Sudan (UNMISS) delivering capacity building. During the crisis many civilians fled to the Mission for sanctuary. As the conflict continued these IDPs remained because of fear to return home due to potential violence. POC sites were established, with UNMISS providing security and protection and humanitarian aid partners providing clean water, food, healthcare and shelter. By the end of December 2015 over 190,000 civilians were being accommodated in UNMISS compounds.[214] The capacity building mandate was replaced by a protection of civilian mandate and almost all capacity building ceased.

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[212] United Nations (2014). 'Interim Report on Human Rights'; 'Crisis in South Sudan', *UN Report*, 21/02/2014 & *Conflict in South Sudan: A Human Rights Report*, 8 May 2014.

[213] United Nations (2016). *UNMISS Police concept of operations* (CONOPS), para. 4.1, 16 May 2016.

[214] United Nations (2016). *UNMISS Police concept of operations* (CONOPS), para. 4.1, 16 May 2016.

Powers and responsibilities

The Status of Forces Agreement (SOFA) between the UN and the Government of the Republic of South Sudan concerning the United Nations Mission in South Sudan of 8 August 2011 sets out the obligations and responsibilities of the Mission and the Government:

> '*The Government shall provide ... areas for headquarters, camps or other premises as may be necessary for the conduct of the operational and administration activities of UNMISS ... Without prejudice to the fact that all such premises remain territory of South Sudan, they shall be inviolable and subject to the exclusive control and authority of the United Nations. The United Nations alone may consent to the entry of any Government officials or of any other person who are not members of UNMISS to such premises*'. [215]

The Mission did not permit the South Sudan Police to enter the UNMISS POC sites. As the IDPs distrusted and feared Government Authorities any attempt by the Authorities to covertly enter the POC sites was met with violent resistance from the IDPs. The SOFA sets out how the Mission provides security on its compounds and interacts with the Government's security institutions and notes that '... personnel designated by the Special Representative (of the Secretary General; SRSG) shall police the premises of UNMISS and areas where its members are deployed'.[216]

Policing of the POC sites was exclusively provided by UNPOL. A Community Watch Group (CWG)[217] of IDP volunteers was developed to provide community safety patrols and act as eyes and ears to assist UNPOL but was not afforded any powers:

> '*The personnel (designated by the SRSG) may take into custody any other person on the premises of UNMISS. Such other person shall be delivered immediately to the nearest appropriate official of the Government for the purpose of dealing with any offence or disturbance on such premises. When a person is taken into custody ... 'UNMISS or the Government ... may make a preliminary interrogation, but may not delay the transfer of custody'. 'The present agreement shall remain in force until the departure of the final element of UNMISS from South Sudan ...*'.[218]

In practice, some of these obligations, e.g. handover, were not adhered to by the Mission and this resulted in the Government distrusting the Mission and, may have been a factor in poor levels of cooperation by the South Sudan authorities.

The Mission deployed two types of Police Officers; 'individual' Police Officers and Formed Police Units (FPUs). Only the FPUs were trained, equipped, armed and authorised to use force. The Mission did not have an executive mandate so the UNPOL had no Police powers within South Sudan. The

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[215] United Nations (2011). The Status of Forces Agreement between the United Nations and the Government of the Republic of South Sudan concerning the United Nations Mission in South Sudan (SOFA), para. 16, 8 August 2011.
[216] United Nations (2011). *The Status of Forces Agreement*.
[217] See Jackie Gold's paper for more detail.
[218] United Nations (2011). *The Status of Forces Agreement*.

'Directive on Detention, Searches and Use of Force for members of FPUs on assignment with the United Nations Mission in South Sudan'[219] provided the authority for detention, searches and use of force by members of FPUs in their areas of deployment in UNMISS[220] and set out the principles, parameters and conditions under which detention, searches and use of force may be used by members of FPUs. This use of force is regulated by international human rights norms and standards. UNMISS FPUs are authorised to stop and detain individuals in their areas of deployment, in all situations where the use of force is authorised as set out in paragraphs 22 and 23 of this directive.[221] It is stated that the UNMISS FPUs were authorised to use force to:

> '*prevent or stop the commission of an act or violence or other disturbance within an UNMISS protection of civilian site; to prevent the escape of any detained person, pending their hand-over to the South Sudanese law enforcement agencies and/or community leaders to be dealt with by Mitigation and Dispute Resolution Mechanism; to protect civilians, including humanitarian workers, under treat of physical violence; to protect and defend themselves, other United Nations and associated personnel, UN facilities, installations, equipment, areas or goods; to prevent or put a stop to acts of civil unrest; to prevent or stop the commission of serious crime under international or national law that presents an imminent threat of death or serious injury'.* [222]

Considering the SOFA and FPU directive together the FPUs were authorised to use force and detain individuals in certain circumstances then, in the case of an offence or disturbance on UNMISS premises, the Mission should immediately hand them over to the Government.

Threats to the security of the POC sites

The CONOPS acknowledged that incidents of violence in and around UNMISS POC sites continued to present a serious concern noting that:

> '*Violence has been perpetrated against IDPs, as well as United Nations and associated personnel, stemming from intercommunal tensions, increasing community leadership struggles, youth radicalization and the abuse of drugs and alcohol… Serious security incidents have occurred on a regular basis, including murders, rapes, assaults, and trafficking in illegal substances… Security incidents, threatening women and children have also been noted to occur regularly within the POC sites and it is suspected that many such incidents have gone unreported.*'[223]

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[219] 22 February 2016.
[220] United Nations (2016). *Directive on Detention, Searches and Use of Force for members of FPUs on assignment with the United Nations Mission in South Sudan (UNMISS)*, para. 2, 22 February 2016.
[221] United Nations (2016). *Directive on Detention*.
[222] United Nations (2016). *Directive on Detention*.
[223] United Nations (2016). *UNMISS Police concept of operations* (CONOPS), para. 4.2.

In the author's experience murder, assault with weapons causing serious injury, gang rapes, domestic violence, child abuse, possession of firearms and munitions and gang activities including extortion and the supply of weapons, drugs and alcohol were commonplace in UNMISS POC sites.

Engaging with Government Authorities

There were practical and political difficulties in engaging with South Sudan's Authorities. Reports continued to expose ongoing human rights abuses perpetrated on civilians by Government forces.[224] To provide a balanced viewpoint, it should be acknowledged that such abuses continued to be committed by both sides of the conflict. Around the UNMISS POC sites IDPs were in fear. Rapes, abductions, beatings and murders of IDPs by Government forces in close proximity to the POC sites were reported to UNMISS. Some corroboration of these allegations from witnesses and injuries was obtained. The Mission, therefore, had a high level of concern about the safety of any person they handed over to the Authorities.

There were attempts by the Mission to secure an agreement about how persons handed over would be treated and that UNMISS Human Rights Officers could have unrestricted and unsupervised access to monitor their treatment. This was consistently resisted by the Government. When Human Rights Officers tried to monitor Government conditions of detention they were sometimes refused access to the detainee or information about where he or she was being held and, if access was granted, it was invariably supervised by Police or Prison Officers thereby preventing or deterring the detainee giving a truthful account of their treatment.

The capacity of Government Authorities

There is very limited capacity within the justice systems in South Sudan. Outside of Juba Government institutions have limited reach. Many factors influence this; scarce resources, a vast geographic area, limited communications infrastructure and poor roads that are impassable in the wet season. In many areas there may be no Police available. Where there is a presence, they often have few resources. Illiteracy is exceptionally high with 70% of Police Officers illiterate.[225] The country has also experienced a financial crisis with soaring inflation and Government employees are frequently not paid for weeks or months at a time. This exacerbates corrupt practices and criminality, with reports of motorists being stopped and fined and 'fees' being demanded for documents and processes. Armed robberies and vehicle highjacking also increased when the Police had not been paid. Many Police Officers appeared to lack basic skills. Few were trained in the law and there were no reference materials available.

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[224] United Nations (2016). *Assessment mission by the Office of the United Nations High Commissioner for Human Rights to improve human rights, accountability, reconciliation and capacity in South Sudan: detailed findings*. 10 March 2016.
[225] United Nations (2016). *Assessment Missions for Human Rights*, para. 375.

The culture

There is a prevailing machismo culture in South Sudan where women and girls are considered property. The value of a girl is the bride price she will fetch in cows. A wife undertakes the household, child-raising and cultivation chores, provides more children and submits to the will of her husband. Despite the law providing protection and rights for girls and women, these are widely unknown or ignored and the justice system may be unwilling to enforce them. For example, the laws of South Sudan prohibit child marriage but if a girl refuses marriage the family may turn to the Police who will imprison her. In a pilot scheme to handover UNMISS detainees to the local authorities, negotiated by the Mission with the Minister for Justice, detainees suspected of gang rape and another of child sexual abuse, were handed over to the Criminal Investigation Department. They were transferred to a local station where the Commander decided to release them. No investigation had been conducted.

The justice system

Formal courts and prisons are limited to the main towns. The customary justice system is recognised alongside the formal system and this flourishes in communities across the country. This system is limited in the types of offences it is permitted to address although that is widely ignored. Community Leaders are appointed to preside over customary courts. They are not legally qualified and their training is limited. Whilst the customary system enjoys much support and its determinations are accepted they are often brutal and not human rights compliant. Physical punishment, including beating, lashing and being held down and repeatedly bitten have been reported within UNMISS POC sites and the resulting injuries observed. Where an unmarried female has been raped the families may negotiate compensation for her reduced value as a bride. The perpetrator's family will make a payment in cows and the victim is married to the perpetrator.

Customary justice was not permitted within the POC sites by the UN as it supported corporal punishment and unjust practices. The alternative restorative justice approach imposed by the UN, the Informal Mitigation Dispute Resolution Mechanism (IMDRM), was not supported by the IDPs, who had more confidence in their brutal approaches, and in any case, was determined by the UN as unsuitable to address more serious incidents and any sexual or gender based violence.[226] The Mission has had no adjudication process available so no means of establishing the innocence or guilt of a suspect, and no authority to determine punishment or restitution.

Observations

The context of South Sudan, the Government, culture and the Mission is unique and highly complex. Pre-deployment training and briefings in the UK and UN induction training provided little understanding and deployees learnt on the job. This was a common observation for all UNPOL contributing countries. There was limited UN guidance material available and rapid turnover of personnel and poor

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[226] United Nations (2014) *Guidelines on Informal Mitigation and Dispute Resolution Mechanisms in POC Sites.* UNMISS Internal Document.

knowledge throughout the command structure resulted in little knowledge being passed down from managers and supervisors. Faster progress and more effective engagement could be secured through more focussed training, greater provision of UN guidance, ease of accessing such guidance and an ongoing responsibility for managers and supervisors to inform and develop their staff.

The protection of civilian mandate shifted the Mission's focus away from capacity building. Concurrently many donor programmes also stopped or significantly reduced capacity building activities. Whilst there were many compelling reasons to do this, the ongoing limited capacity perpetuated the challenges of poor knowledge and application of the law and contributed to continuing corrupt, unlawful and discriminatory practices. At political and practical levels the Mission struggled to engage with the Government and its authorities on the issue of crime and disorder in the POC sites and this compounded the mutual distrust. Maintaining capacity building within the justice system may have enabled greater cooperation and increased confidence.

The South Sudan customary justice system enjoyed a high level of confidence amongst IDPs but punishments were often not compliant with human rights so were not permitted to be practiced within the POC sites. The UN imposed the IMDRM which was not considered effective by the IDPs and, as the UN only sanctioned this approach for very low-level incidents and excluded any sexual or gender-based violence, it had very limited potential. Engaging the IDPs in the creation and implementation of a restorative justice mechanism that more closely resembled their customary justice system and was more consistent with their cultural practices, may have resulted in greater levels of confidence and reduced human rights abuses. The UN may struggle with tolerating this imperfect solution, however, the reality was that the IMDRM was largely ignored by the IDPs whilst the customary justice system flourished. The gap between locally accepted practice and international standards was too great to breach in one step and a graduated, incremental approach, accepting a level of risk, was potentially more effective.

The SOFA was signed in August 2011 for a Mission to support a newly independent South Sudan. The obligations the Mission agreed to in relation to handover to Government Authorities did not fit the context of the post-December 2013 conflict environment and ongoing human rights abuses. The Mission had compelling reasons not to hand over detainees but this fuelled assertions from the Government and authorities of harbouring criminals and supporting the Opposition, and led to mutual distrust and poor cooperation. The SOFA did not appear fit for the context of the conflict environment.

The Security Council Resolution

Security Council Resolution 2252 of 2015 decided that the UNMISS mandate should be as follows, and authorised UNMISS to use all necessary means to perform the following tasks: 'Protection of civilian: To protect civilians under threat of physical violence, irrespective of the sources of such

violence, within its capacity and areas of deployment, with specific protection for women and children…' [227]

The Mission's challenges

The Mission was faced with a series of challenges. The mandate required the Mission to protect civilians from physical violence and this included protecting IDPs residing in UN POC sites from physical violence perpetrated by other IDPs within the site. This duty applied to actual violence and to the threat of violence so required an immediate intervention and created an ongoing responsibility to protect the victim or other potential victims. The mandate also applied to the suspected perpetrator. They had to be protected from the actual or threat of physical violence, which may come from community retribution or from Government forces, particularly as many IDPs are from tribal and political background that are associated with the opposition. Trying to address these concurrent responsibilities created a complex set of challenges.

Risks

There were many significant risks as highlighted here:

- The incidents - murder, serious assault, gang rape, child sexual abuse - caused 'high harm' to the victim and often to the wider community creating anger, distrust and tensions. This led to retribution attacks and sometimes escalated to widespread violence involving hundreds of members of the IDP community.

- There was concern about re-offending, particularly where perpetrators were motivated by a desire to dominate or by deviant tendencies.

- It was believed that the Government continued to commit tribal and politically motivated human rights abuses.

- The death penalty is still imposed in South Sudan for some offences including murder.

- Given the low skills of many Police Officers, lack of capacity, a machismo culture and widespread corruption, confidence in securing a sound conviction is low.

- There is almost no mental health support available in South Sudan so when a female IDP, who was known to behave strangely, beat a man to death, it was a NGO operating in the POC site who sourced a psychiatrist. The doctor was able to diagnose severe mental illness and provided drug therapy improving the patient's condition to the point that she appeared calm

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[227] United Nations (2015). Security Council Resolution 2252, para. 8 a i.

and content. If the family cannot manage an affected person then the usual approach to mental health issues in South Sudan is for the authorities to keep them in jail.

- There was tension between the Government and the Mission where the Government levelled accusations at the Mission of breaching the SOFA by refusing to hand over detainees and of harbouring criminals and opposition fighters within its POC sites. Both accusations had merit.

- The Mission was not resourced to provide legal representation so people detained by the Mission had no access to legal advice and no-one to make legal representations on their behalf.

- The Mission has no adjudication system so detainees had no process to engage with to test their innocence or guilt, nor to decide on a form of punishment. In effect this created a situation where a suspect remained a suspect indefinitely and, despite long periods of detention, could not be recognised to have served their punishment. It could be considered that this is prolonged, arbitrary detention by the UN; an abuse of an individual's rights imposed as a means of protecting the rights of others and in some cases protecting the detainee from human rights abuses by their Government.

Understanding the problem

In order to adopt an appropriate approach to addressing these challenges it is first necessary to understand the nature of the problem. Horst W. J. Rittell and Melvin M. Webber described a 'Tame Problem' as one that may be complicated but is resolvable, is likely to have occurred before and, has only a limited degree of uncertainty. A 'Wicked Problem' is more complex rather than just complicated: it is novel; any apparent solution often generates more problems; there are no right or wrong answers, only better or worse alternatives; and there is a huge degree of uncertainty.

The context is unique and the UN had never experienced this set of challenges before and, therefore, there was significant uncertainty. Addressing one issue created more issues and there did not appear to be a right answer, rather a series of options, each with its pros and cons. Identifying that this was a 'Wicked Problem' was an important step in deciding how to approach it. It was only on reflection some months after the end of deployment that the author recalled a presentation by Keith Grint on 'Wicked Problems' and was able to set the challenges and approaches within a theoretical framework. During her time in the mission the author worked intuitively and organically, trusting in the skills, knowledge and professional practice gained over two and a half decades in policing and with the confidence to adapt and develop solutions through trial and error.

Elegant and Clumsy Solutions

A 'Tame Problem' can be solved with an 'Elegant Solution'; a managed process that has worked before.[228] A 'Wicked Problem' requires a 'Clumsy Solution' that relies on collective engagement and shared responsibility. Soft leadership skills of persuasion, debate and ideological attraction encourage positive deviance and constructive dissent to ask the right questions and challenge established norms or assumptions. Having the confidence to accept imperfection and make do with what is available is necessary as is an ability to accept failure as part of a learning process by trying new approaches to see what works. It required the skill of the bricoleur to stitch together whatever is at hand to ensure practical success and an acceptance the 'Clumsy Solution' will only ever be the 'more appropriate' rather than 'the best'.[229]

The approach

Accordingly, senior Mission leaders developed an approach. Under the existing system, when a serious security incident was reported or discovered the suspect was arrested. UNPOL conducted an administrative investigation, the purpose of which was to establish what had happened, rather than to gather evidence to prove or disprove an offence. In the meantime, the suspect would be transferred to a holding facility within the Mission's compound, consisting of a secure fenced area with large metal transport containers, adapted with a door and window openings, which accommodated them. The area was guarded by FPU Officers and staffed by International Corrections Officers.

Holding Facility in the POC, South Sudan

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228 Grint (2005).
229 Grint (2005) & (2008).

The new approach introduced risk assessments that were undertaken by Human Rights Officers or in the case of juveniles by Child Protection Officers. The risk assessment considered the suspect's background and circumstances; was s/he an ex-combatant, and from which side of the conflict, did s/he have family outside of the POC site, did s/he go out of the POC site and for how long, what was his/her view of any risk s/he faced outside the POC site? The assessment concluded with a summary of the risk factors and a recommendation whether handover to the authorities or expulsion from the POC sites presented a significant risk to the security of the detainee. Within a further approach, UNPOL delivering community policing in the POC site consulted the community leaders to assess their attitude to the suspect and whether he or she would be accepted back into the community. Enquiries were made about the circumstances of the victim, with some voluntarily moving out of the POC site or on to other POC sites.

The author initiated a 360 degree case conference review. This meeting was chaired by the Detention Focal Point, a Senior Manager in the Mission appointed by the SRSG to take responsibility for overseeing all detentions. Contributors included senior representatives from Legal, Human Rights, Child Protection, Corrections and UNPOL. NGO representatives were invited to observe and comment. They were able to offer support, particularly with regard to pastoral care for detainees. The UNPOL assessment team and the Senior UNPOL Officer in charge of the POC site participated to present the administrative investigation and community consultation respectively and Human Rights presented the risk assessment. The meetings were explorative and challenging. Differing views and ideas were encouraged and debated, and the risks were weighed and balanced. All options were considered to try to move the individual out of UNMISS detention. A democratic process was employed to determine a recommendation, and this was later presented to the SRSG for a decision. To ensure transparency and accountability a record was made of the key considerations, recommendation and SRSG's decision, which was retained with the administrative investigation file and risk assessment. The frequency of the case conference was every 21 days whilst the person remained in detention.

Case Conference Review Meeting, South Sudan with the author seated on left

This approach appeared unique and novel within the Mission. It relied upon individuals who were prepared to work outside of the normal organisational culture; to be challenged, to fail, to take risks and to be accountable. Given the complexity of the contexts in which the UN works, this approach, and the skills, attitudes and courage required to employ it, may be useful for future development and support.

UNMISS options and associated risks

Each option presented particular risks for the victim, potential victims, detainee and IDP community, which had to be carefully considered and balanced when making the judgement whether it was an appropriate course of action. Generally considered in this order these were:

Release to the community due to insufficient evidence to support reasonable grounds to believe that the detainee was responsible for the serious security incident. Sometimes the conference identified a poor investigation, or new information had come to light, or the victim and suspect's families had come to other arrangements and the victim withdrew their allegation. There was a risk of retribution against the suspect or their family and of the suspect re-offending.

Release to the community for IMDRM. Whilst the Mission prohibited this as an initial response to an alleged serious offence or any sexual or gender-based violence, the case conference group developed a practice for this to be used post-detention for these offence types where there was strong community support for the detainee to return to the POC site. The risks included the suspect being subjected to corporal punishment and of him or her re-offending.

<u>Handover to Government Authorities</u>. This presented significant risks of human rights abuses, a lack of cooperation to monitor the suspect once handed over and corruption, culture or incompetence resulting in release without an effective investigation and accountable process. A pilot was conducted with four detainees as a result of which the Mission decided not to continue with handovers.

<u>Expulsion from all UNMISS POC sites</u>. This could also present significant risks of human rights abuses although the authorities would not be aware of the expulsion. In practice, expulsion was almost impossible to enforce due to the porous nature of the POC sites. Civilians can freely enter POC sites through the gates without any system to check their identification or status as an IDP. In addition, the perimeter fences at some sites were incomplete and at others had breach points that were commonly used for ingress and egress.

<u>Release for assertive management in the community</u>. This practice was developed as a means of releasing long term detainees and re-integrating them back into the POC community. It was controversial in respect of the types of offending it was implemented for including child sexual abuse. It was a community-led process where the detainee's family and community leaders and the CWG agreed to intensively supervise and monitor the suspect. UNPOL were responsible for supervision of the community monitoring to ensure it was robust and effective and to be alert to any allegations or information that would suggest breaches of the agreed monitoring or signals of re-offending. In addition, environmental factors were considered such as family living conditions; for a child sex offender this would require that no children shared the accommodation and neighbours were aware of the suspect and the potential risk to their children. Given the occupation density and the fact that shelters consisted of plastic sheets over a wooden frame, security and separation were impossible to ensure. The risks of this option were considerable and included retribution and reoffending.

<u>Continued detention</u>. If none of the aforementioned options were appropriate detention would continue for up to a further 21 days when it would be reconsidered at the next 360 degree case conference. Some sections of the international community voiced their concerns about arbitrary detention and the Government made allegations against the Mission of harbouring criminals.

UNMISS had been detaining IDPs for serious security incidents since the POC sites were established. By July 2016, hundreds of IDPs had passed through this system. Some had been detained for very long periods, in excess of a year, without charge, without legal representation and without access to any type of adjudication system. For those who were suspected of offences that attract the death penalty, including the woman with the mental health illness, they remain in UN detention and there still does not appear to be any alternative and the Mission has had no long-term plan of how to resolve this since 2016. The process and options UNMISS senior colleagues developed were a practical response to the circumstances but they remain imperfect and legal and moral questions remain.

The changing context; taming the problem

The changing context may present opportunities that will 'tame the problem'. The Peace Agreement signed in Addis Ababa in August 2015 intended to bring sustainable peace. As part of that agreement the Government and the Opposition will contribute 50/50 to a 5,400 strong Police unit called the Joint Integrated Police (JIP).[230] This included UN training in human rights and community policing techniques and deployment to areas where there are high numbers of IDPs. This was intended to increase public trust and confidence in the Police and, to open the way for the South Sudan Police to be accepted on the POC sites by the IDP communities and by the Mission. Committed actions to achieve the Peace Agreement from both sides would attract international aid, allowing capacity building to recommence.

To develop an effective and human rights compliant justice system, capacity building is needed at all stages, from the Police, through the court systems to corrections and re-integration. As security improves, it is widely anticipated by the UN, International Community and others that the IDPs will feel confident to leave the protection of the UN and return to locations of their choice.[231] The desired end state for the UNMISS Police component is the establishment and full operationalisation of the JIP which will take ultimate responsibility for the security situation in the areas where the POC sites are located to enable the eventual safe and voluntary return of IDPs and refugees to the places and/or live in areas of their choice in safety and dignity.[232]

As the Government of South Sudan becomes able to effectively exercise responsibility for the safety and security of its citizens so the UN will be able to rely on an 'Elegant Solution'; to return responsibility for dealing with this group of suspects of serious offences to the authorities to be dealt with through their justice systems.

Conclusion

The rapid and significant change in the context from post-conflict capacity building to ongoing conflict and human rights abuses presented UNMISS with a unique set of challenges and risks. The existing powers, responsibilities and approaches were no longer fit for purpose and there was no precedent to guide the Mission on how to deal with IDPs suspected of serious crime and disorder that threatened the security of the POC sites.

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[230] Intergovernmental Authority on Development (2015). *Agreement on the Resolution of the Conflict in the Republic of South Sudan*, Chapter II, para. 5. 17 August 2015, Intergovernmental Authority on Development (2015) & *Minutes of Permanent Ceasefire and Transitional Security Arrangements* (PCTSA) workshop. Para. 6.1. 17 September 2015. & Intergovernmental Authority on Development (2015). *Outcome of the Meeting of the Principle Signatory Parties to the Agreement on Planning Implementation of The Provisions,* Chapter II, Para 4. 3. November 2015.

[231] However, this view may not take into account the impact of poverty and dependency on aid concentrated within the POC sites and their continuing development into townships with their own leadership structures, which have been valued by the IDPs.

[232] United Nations (2016). *UNMISS Police concept of operations* (CONOPS), para. 8, 16 May 2016.

A theoretical framework assisted in understanding the nature of the challenges and the possible approaches. The learning from this case study identifies guiding principles that are appropriate to complex contexts and challenges. By nature, a 'Clumsy Solution' will never be perfect. The 'Wicked Problem' is complex and unique; there is no management process that will deliver a correct answer or perfect solution. Soft leadership, cooperation, shared responsibility, mutual challenge, a willingness to work with what is available, and the ability to accept that the outcome will be more appropriate to the circumstances rather than the best, are all necessary to move forward. The optimum outcome is to identify the least worst option whilst accepting this may carry significant ongoing risk.

This is the approach the senior colleagues from UNMISS took when they were struggling with the challenge of what to do with IDPs suspected of serious incidents who were in UN detention. In seeking a 'Clumsy Solution' they had to encourage challenge, fail quickly, learn and try again and be accountable. These skills, attitudes and behaviours can be selected, developed and encouraged by organisations and practiced by individuals to make them more effective in addressing complex challenges.

Acronyms and abbreviations

CWG	Community Watch Group
CONOPS	Concept of Operations
FPUs	Formed Police Units
IDPs	Internally Displaced People
IMDRM	Informal Mitigation and Dispute Resolution Mechanism
JIP	Joint Integrated Police
PC	Protection of Civilian
SOFA	Status of Forces Agreement
SRSG	Special Representative of the Secretary General
UN	United Nations
UNMISS	United Nations Mission in South Sudan
UNPOL	United Nations Police

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