



# Policing the peace:

**Police reform experiences in Kosovo,  
Southern Serbia and Macedonia**



**Gordon Peake**

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## Acronyms

<b>CIVPOL</b>	United Nations Civilian Police
<b>EU</b>	European Union
<b>FTO</b>	Field Training Officer
<b>KFOR</b>	Kosovo Force
<b>KLA</b>	Kosovo Liberation Army
<b>KPC</b>	Kosovo Protection Corps
<b>KPS</b>	Kosovo Police Service
<b>MEPE</b>	Multi-Ethnic Police Element
<b>NATO</b>	North Atlantic Treaty Organisation
<b>NLA</b>	National Liberation Army
<b>OSCE</b>	Organization for Security and Co-operation in Europe
<b>PFTO</b>	Primary Field Training Officer
<b>UCPMB</b>	Army for the Liberation of Presevo, Medvedja and Bujanovac
<b>UN</b>	United Nations
<b>UNMIK</b>	United Nations Mission in Kosovo
<b>VMRO-DPMNE</b>	Internal Macedonian Revolutionary Organisation – Democratic Party for Macedonian National Unity

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# Executive summary

**POLICE REFORM** is an area that is receiving increasing attention from policy-makers, non-governmental organisations, the media and academics. The radical reform of police institutions and the introduction of a new style of policing is often a prerequisite to achieving and maintaining the resolution of conflicts. Such is the magnitude of the task that police reform in post-conflict environments requires considerable levels of international support and involvement. This report examines three cases in South Eastern Europe where there has been substantial international assistance in support of police reform.

With the fast pace of reform, however, there has yet to be a systematic examination of what an international audience can learn from police reform programmes in the Balkans. The challenges in the Balkans are similar to those elsewhere, where a police force has to be extensively reformed or reconstructed as part of a wider overhaul of existing institutions mandated by a negotiated peace process. The conclusions of this report are applicable beyond the immediate areas in question. In post-conflict situations, in areas where the police have been directly involved, or are perceived to have taken sides, police reform is often a key step towards sustainable peace. This study discovers what lessons can be learned for future instances when the international community is to be charged with the reconstruction and refurbishment of police forces. It is unlikely that the lessons from the Balkans will represent the final word on the police reform aspects of conflict resolution, but they do offer valuable insights.

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## Three case studies – Kosovo, Macedonia and Southern Serbia

### Kosovo

When it assumed responsibility for the province in 1999, the United Nations administration in Kosovo (UNMIK) faced a complete policing vacuum, and created two new forces to fill it. An international police force was tasked with primary responsibility for actual policing while an accelerated plan was made for establishing an indigenous police service to take over that responsibility in the long term.

The concept of a local Kosovar police service, trained and equipped by international sponsors, has been translated from a commitment on paper into a functioning reality on the streets. That, in and of itself, is an impressive achievement. However, while the police contributed to bringing a semblance of order and stability to the province, the core problem, namely the future status of the territory, remains unaddressed. In such an uncertain climate, any police force's ability to improve inter-group relations will be strictly limited as the political interests of the different communities remain polarised.

## Macedonia and Southern Serbia

The context that faced would-be reformers in Southern Serbia and Macedonia was markedly different from that in Kosovo. A police force did not have to be established in either place; instead there was the challenge of reforming forces that enjoyed little or no trust among large sections of the population. Both projects have received extensive international support.

Since work began on the projects in 2001, the police in both places are now much more representative of the population. There is strong symbolic value to the sight of ethnic Albanians and Macedonians, and ethnic Albanians and Serbs patrolling together in common uniforms. However, neither institutional change nor integrating historically excluded communities has been easy in either of these efforts. In many ways the task has only just begun. Both experiences demonstrate the difficulty of altering a policing culture that remains deeply identified with one ethnic group at the expense of another. Although there are now greater numbers of Albanian and other minority members in the police forces of Macedonia and Southern Serbia, safeguarding this achievement will require deep and sustainable institutional police reform, rather than the short-term measures undertaken so far in Macedonia by both international and national actors, and sustained political will to make it work. It will be much longer before the effects of all the reform initiatives have percolated through the police services concerned and definitive judgements can be made.

## Recommendations

Examination of the cases indicates significant efforts and commendable achievements that should not be downplayed. However, there is much that can be learned from and improved on. The following observations and accompanying recommendations are the result of consultation in the field and comparative analysis, including current best practice and emerging standards. These concluding observations have been split into two groups. Firstly, points on the design and implementation of the police reform programme and secondly, points on the role played by the international community and the assistance various organisations and agencies provided in each of the three cases examined.

### Programme design

**1 Classroom and field training** Getting the new local police out on the beat performing actual policing tasks has been one of most visible signs of progress in each of the three initiatives in Kosovo, Macedonia and Southern Serbia. Kosovo's expedited training programme was emulated in neighbouring reform missions; its basic curriculum is to be commended where a quick start for policing is needed. Overall, the main problems have not been with classroom instruction but the flawed field training programmes that follow it. The new officer's knowledge and experience gaps are not being sufficiently filled by shadowing, observing and learning from more experienced national or international officers and it is not clear whether all of the mentors assigned have the skills and knowledge required for this role. The field training programmes should be thoroughly evaluated, and re-designed if necessary, in order to ensure equality of experience and learning for all cadets.

**2 Training of trainers** In Kosovo, where a police force was established from scratch, all members started at the same learning point at roughly the same time and so, broadly, have been steeped in equal measure in courses and training. In the larger forces of Macedonia and Southern Serbia, older serving members are given just a few hours of classroom-based training in human rights and democratic policing principles, or are even expected to be instructed by fellow officers who have attended such a course. So far this does not seem sufficient to modify long-held and powerful attitudes: proper assessments must be undertaken to evaluate whether such short bursts of remedial training actually promote a change in attitudes.

**3 Integration** New recruits find it difficult to integrate fully within existing police structures dominated by a majority ethnic group and gender. There is currently a risk that different officers within a force are perceived and trusted differently and more attention needs to be paid to strategies to assist the processes of assimilation and incorporation.

**4 Effective maintenance of law and order** The new ethos and principles of democratic and community policing should not be associated with a softening of attitudes to crime and law enforcement. Any failure to address the serious and deep-rooted crime problems that affect each of the three reform areas will risk exacerbating crime and creating public perceptions of an ineffective and impotent police service. More efforts should be made in supporting robust law enforcement when needed.

**5 Commitment to reform** It is still unclear in Macedonia and Southern Serbia whether commitment to reform extends throughout the police structure and what options and procedures are in place for promotion and recruitment. One possible solution would be to encourage development of a properly structured promotion and appointments policy linked to specialist and career education courses. This would encourage, and duly reward, motivated individuals to progress.

**6 Political context** The continuing uncertainty over Kosovo's future status continues to intrude upon policing in all three reform processes, as well as stability, across the entire region. Unless and until that question is resolved, it will be difficult for normal policing to begin in earnest.

## The international dimension

**7 Equipment and assistance** In many cases, the physical infrastructure, equipment, and personnel of a police force undergoing reform are either compromised beyond repair, unusable or simply unavailable for use by the new force. It is thus crucial that the practical assistance required is given quickly, and that this assistance is sustained; police reform is a long-term investment.

**8 Planning a post-conflict response** In post-conflict environments, police reform will be a component of wider peace-building efforts. Yet detailed planning tends to take place belatedly in the scramble following the end of a conflict when there is no time for reflection and consideration. More thought needs to be allocated to pre-planning and the timely formulation of a clear blueprint of the practical steps needed to implement reform, rather than the *ad hoc* planning that is often the norm.

**9 Deployment of international officers** In Kosovo, international police deployment came too late, lagging behind the establishment of the international administration. Problems were compounded by varying standards of ability and experience of international officers, complicated lines of authority and an almost continual rotation of senior staff. Having a permanent multi-national roster of officers willing to serve in an international force and able to deploy at short notice would avoid having to go through cumbersome recruitment from national police posts. *Ad hoc* decision-making could be avoided by utilising the expertise of veteran personnel, retained through careful rotation of experienced staff. Lines of authority should be streamlined.

**10 Pre-deployment training** Those charged with providing international assistance to police development are often not culturally and linguistically attuned to the nuances of the situation, and are therefore restricted in their ability to impart skills and knowledge fully. Greater weight should be given to pre-deployment and on-mission training, including in local languages.

**11 Additional areas of expertise** The complex sphere of police reform – which includes issues of management, institutional restructuring, education and engagement with civil society – is perhaps too multi-faceted to be left solely to police officers, who are currently almost the exclusive source of staff for missions. Involving a wider range of personnel with relevant skills and experience could be beneficial.

**12 Accompanying criminal justice reform** Police reform cannot be successful if it is carried out in isolation: its accomplishment is intimately bound up with other issues, namely judicial and penal reform. Planning needs to be integrated so that police and criminal justice reform can run concurrently, allowing mutual reinforcement of the processes.

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# Introduction

**ACHIEVING AND MAINTAINING THE RESOLUTION OF CONFLICTS** often requires radical reform to police institutions and the introduction of a new style of policing. Such reform aims to transform the structure and purpose of these institutions in keeping with the needs of a durable peace settlement. In addition, in the case studies examined by this report, a further aim of reformers has been to assist peace-building efforts through reconciling former foes within existing police institutions.<sup>1</sup> Successful police reform requires considerable levels of international support and involvement over a sustained period of time. Not only is the reconstruction of the police prohibitively expensive for countries impoverished by conflict, but it is a task that local authorities often cannot be trusted to perform without external monitoring of the integrity of the process. The commitment is not just financial: technical support is also required in the form of experienced international personnel. Since police reform became an integral part of UN peacekeeping missions in the early 1990s, the role of external personnel has expanded dramatically, moving from a strictly monitoring function to designing and implementing local police reforms. In many ways, the experience of the Balkans has served as a laboratory for the development of emerging concepts of police reform. Given the newness of police reform within the traditional peacekeeping mandate, this learning process often has been of an *ad hoc* nature. However, it is becoming more common for officers to move from one international mission to another, bringing their learning and experience. Some of the international officers in Kosovo had previous experience in Bosnia and Herzegovina and earlier police reform missions. In turn, some moved on to police reforming roles in Southern Serbia and Macedonia. Lessons learned from earlier missions have been taken on board in the three later cases and concepts pioneered in the Balkans are already being exported to police reform processes elsewhere; for example, the model of accelerated learning developed in Kosovo is being used in Afghanistan.<sup>2</sup> In addition, members of the reformed police forces themselves have also gone on to advise other nations involved in similar efforts.<sup>3</sup>

Police reform is a central feature of the fledgling peace processes now underway in the southern Balkans, where it has received considerable international assistance. There has been extensive re-structuring of existing police forces and, in the case of Kosovo, the establishment of an entirely new one. In Kosovo since mid-1999, an international force under United Nations authority has been carrying out interim policing

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<sup>1</sup> Holm T, Eide E (eds), *Peacebuilding and Police Reform*, (Frank Cass, 2000); Leys C, 'State and Civil Society: Policing in Transition', Leys C, Saul J (eds), *Namibia's Liberation Struggle: A Two-Edged Sword*, (James Currey, 1995), pp 133–52; Marenin O, *Policing Change, Changing Police, International Perspectives*, (Garland Publishing, 1996); Chanaa J, *Security Sector Reform: Issues, Challenges and Prospects*, (OUP/IISS, 2002); Call C, *Challenges in Police Reform: Promoting Effectiveness and Accountability*, (International Peace Academy 2002).

<sup>2</sup> Interviews, Steve Bennet, Head of Kosovo Police Service School, 3 October 2002; Walter Wolff, Head of Office, German Project for Support of the Police in Afghanistan, Kabul, 21 October 2002; Beverly B Eighmy, Crime and Narcotics Advisor, United States Embassy, Kabul, 24 October 2002.

<sup>3</sup> 'Bosnian peacekeepers for Africa Horn', 27 January 2001 <http://news.bbc.co.uk/1/hi/world/europe/1139442.stm>

functions while training a local service that will eventually take over. In Macedonia, a core component of the 2001 Ohrid peace agreement provides that Albanians and other minorities will be integrated into the police in numbers that better reflect the size of their population. A similar reform process is happening in the Southern Serbian counties of Presevo, Medvedja and Bujanovac.<sup>4</sup>

With the fast pace of reform, however, there has yet to be a systematic examination of what an international audience can learn from police reform programmes in the Balkans. The challenges in the region are similar to those elsewhere, where a police force has been extensively reformed or reconstructed as part of a wider overhaul of existing institutions mandated by a negotiated peace process. In post-conflict situations, in areas where the police have been directly involved, or are perceived to have taken sides, police reform is often a key step towards sustainable peace. Often the fact as to whether or not a conflict has been one of internal as opposed to external security will be an indicator as to whether police reform will later be required. Police reform is therefore an area that is receiving increasing attention from policy-makers, non-governmental organisations (NGOs), the media and academics. Based on comparative analysis and research in the field, conducted mainly between September 2002 and March 2003, the conclusions of this report are applicable beyond the immediate areas in question. It is unlikely that the lessons from the Balkans will represent the final word on the police reform aspects of conflict resolution, but they do offer valuable insights.

## Kosovo, Macedonia and Southern Serbia – the context for reform

With the break up of the former Yugoslavia in the 1990s and accompanying tension and instability, former policing institutions and frameworks were compromised and associated with political violence. Following the secession, in some cases violent, of Slovenia, Croatia, Macedonia and Bosnia and Herzegovina, in 1998 violence erupted between ethnic Serb and Albanian communities in Kosovo, a province of the largest Yugoslav state, Serbia. The results were international intervention in 1999 and the entity's current administrative status under the United Nations Mission in Kosovo (UNMIK). Southern Serbia and the neighbouring state of Macedonia (the areas bordering Kosovo to the south and east) were also affected, with fighting breaking out in 2000 and 2001 respectively, between ethnic Albanian militant groups and the predominantly ethnic Slav authorities of both states. The sizeable Albanian communities in each area, together with other minorities, were under-represented, although not completely absent from the ranks of the police.

Each police force tended to be overwhelmingly staffed by members of one ethnic group and policed in the interests of that group to the exclusion of others. The police in Southern Serbia were dominated almost wholly by Serbs; it was a similar story with Macedonians in Macedonia. There were demographically reflective numbers of Albanians in the old Yugoslav police but they were ejected from their posts following the stripping of Kosovo's autonomy by Slobodan Milosevic in 1990. Traditionally, the police forces of the former Yugoslavia were closely associated with politicised policing. As Michael Dzeidzic and Andrew Bair observed:

*The police role has been to maintain control on behalf of whoever wields powers. The purpose was regulation and control of individual conduct, as opposed to protection of the public against criminal activity.*<sup>5</sup>

The police were intimately involved during each conflict, which pitched competing group

<sup>4</sup> Although Saferworld acknowledges the internationally-administered status of the entity of Kosovo and the cultural significance of the Albanian language, in the interests of consistency and readability all place names referred to in this report are given in Macedonian and Serbian, as the official languages of those states.

<sup>5</sup> Dzeidzic M, Bair A, 'Bosnia and the International Police Task Force' in *Policing the New World Disorder*, (1998).

conceptions of the future status of each territory against each other. However, reformulated and reconstituted, the police were assigned a central role in each peace-building process.

### Kosovo

Throughout the 1990s, policing in Kosovo had been the preserve of Serbian police and, during the fighting in 1998 and 1999, also of paramilitary factions on both sides. Their methods were brutal and illegitimate, driving a further wedge between an already divided populace. In recognition of the divisiveness of the institution, attempts to create a more acceptable civilian policing alternative were a central feature of internationally-brokered negotiations during 1998–1999 to configure an acceptable political blueprint for the province. These proved unsuccessful and an international coalition launched attacks upon Serbia to force a settlement. The end of the war in May 1999 and the departure of Serbian police and paramilitaries in its aftermath necessitated a new beginning to policing. Accompanying UNMIK was an international police force which assumed executive authority for policing, while at the same time the Organization for Security and Co-operation in Europe (OSCE) began helping to train a local force that would eventually take over that responsibility.

### Southern Serbia

The terms of the internationally enforced peace in Kosovo impinged upon the security cartography of Serbia. As part of the ceasefire terms agreed, the five-km swathe of Serbian territory around Kosovo was given the status of 'ground safety zone'. Serbian military were forbidden from entering the zone. Following international intervention in Kosovo this space in Southern Serbia was exploited by an armed ethnic Albanian group, the UCPMB (Army for Liberation of Presevo, Medvedja, and Bujanovac), who used it as a secure base from which to launch attacks against Serbian security forces, including police officers. Police reform was a central feature in the plan to end the conflict put forward by Serb Deputy Prime Minister Nebojsa Covic in 2001. A Multi-Ethnic Police Element (MEPE) made up of more representative numbers of Serbs and Albanians has been formed and there has been substantial international assistance for this project, primarily from the OSCE, which provides the majority of the MEPE cadets' training.

### Macedonia

Attempts to craft a more demographically reflective police force in Macedonia was also a major feature of the 2001 Ohrid Accord, which aimed at addressing the sources of Albanian discontent that had manifested themselves in an armed rebellion against the state in the early months of that year. Minorities had effectively been excluded from the Macedonian police force. Although underlying reasons for this included much broader inter-group problems, such as access to education and urban-rural divisions,<sup>6</sup> the result was a force that was almost exclusively mono-ethnic in its composition. As well as increasing the numbers of minority recruits in the police, reforms in Macedonia have also aimed to change the ethos and approach by which policing is carried out in the country. Key international support of reform has also included monitoring, training, advice on institutional restructuring and help in funding the process.

Region	International Agency Policing Responsibility	Training	Restructuring	Numbers of international personnel <sup>7</sup>	Agencies Involved
Kosovo	✓	✓	✓	4,500	UNMIK/OSCE
Macedonia		✓	✓	250	OSCE/EU
S. Serbia		✓	✓	30	OSCE

<sup>6</sup> One of the main factors resulting in fewer ethnic Albanian police officers has been the tendency of Albanians to leave the educational system before completing high school, a legal requirement for entry into the service. This factor, which itself has routes both in lack of educational investment from the state and the social behaviour of the mainly rural ethnic Albanian community has yet to be addressed in Macedonia.

<sup>7</sup> Approximate numbers as of October 2002.

## **Policing is part of the problem...**

In many conflict situations the police are regarded as emblematic of the problems and abuses that have torn societies apart. In inter-group conflicts, the police are often staffed by a particular ethnic or political group and are associated with repression, partiality, unaccountability and militarism. In such situations, significant sections of the community are either under-represented or completely absent from police ranks and policing in general may serve the interests of one segment of society to the exclusion of the whole. Police behaviour is frequently cited as a factor that entrenches the divisions in already polarised populations. However, when conflicts flare up between communities, members of the police are often forced to take sides in the violence through their role in attempting to enforce law and public order, through hostility directed against them, or as a result of state employment of the police as an authoritarian or militaristic tool. Once involved, their one-sided image is reinforced, thus perpetuating mistrust and conflict. Often police work is carried out with scant regard for human rights, the rule of law or due legal process.<sup>8</sup> This points at a need for reform, both structurally and culturally.

Police in some divided societies have historically been more interested in protecting the state than the rights of individual citizens, especially when the state is an instrument for preserving one community's dominance over the other. In response, communities that feel excluded by the police tend to develop their own mechanisms for regulating law and order. The development of insurgent or paramilitary groups may be one example of this, though such functions are also assumed by less formalised networks – such as tribes, extended families and clans – who tend to follow local rather than central social authority. The result is a large social sphere from which uniformed police and policing are largely absent and unwelcome.

## **... And part of the solution**

Despite being such an important part of the problem, effective, professional and accountable police forces, or reformed and reconstituted forces, may also occupy a central role in protecting and safeguarding the implementation of a peace process. For those who have suffered at the hands of the police in the past, such a situation is often tinged with bitter irony. But effective and credible police services are essential to sustaining the momentum of reconciliation, since without civil order and law enforcement the chances of wider political, social and economic progress taking root are reduced to nil. Thus, a reformed crime-fighting apparatus does much more than just guarantee public order.

The police are also an important symbol. For the rule of law to be effective and for a new political regime to have any chance of success, the police must demonstrate that they can gain the trust of all sections of the community. Making a clean break from any repressive practices of the past is an important sign of a society's transition away from conflict. It indicates a community-wide acceptance of the settlement and the wider resolution process. Moreover, the changing character of the police is a defining badge of a new political and ideological outlook.

## **A shared model of police reform**

The emerging concept of police reform in post-conflict situations has come to be known as 'democratic policing'. A distillation of ideal practice, democratic policing is a system of policing that emphasises respect for human dignity, civil rights, accountability and the rule of law. It has been the guiding principle behind many of the reform

<sup>8</sup> Brewer J, 'Policing in Divided Societies: Theorising a Type of Policing', *Policing and Society*, 1991, pp 183–5.

processes that have been attempted over the past decade.<sup>9</sup> With this principle in mind, the hope of on-the-ground reformers working on a practical level to increase minority representation or community-orientated functions for example, is not just that the complexion of the police will change but also the ethos and practices by which policing functions are carried out.

### Objectives of democratic policing

- **Redefinition** of the force's mission away from the state, making it accountable both under the law for its actions and to the community it serves
- **Restructuring** its institutions, deployment and operations
- **Re-affirmation** of its non-political orientation by on the ground actions

Existing police organisations are extensively restructured in order to de-politicise them and make their workings more professional. Where quasi-military structures exist, they are dismantled and replaced by more inclusive, slimmed-down institutions with clearly defined roles.<sup>10</sup> These foundations aim to provide for more non-partisan, law-abiding, competent and accountable institutions than before. Through changing structures the overall objective is to shift public attitudes so that, ultimately the police force becomes an institution that only criminals need fear.

This is a two-way process. Besides changing the police, the attitudes of the wider community must also change. Policing can only be effective if it takes place in a meaningful partnership with the entire community. Communities become involved both through decentralising decision-making, as well as being involved in the process of reform and thereby being given a stake in its outcome.

### Features of police reform in the Southern Balkans

- Abbreviated training periods for new recruits
- Retraining for serving officers
- Management and structural change so that the new force may best reflect and embody the principles of democratic policing

All of these processes follow a similar model. In all three southern Balkan reform processes, there are major similarities in the accelerated quick-start officer training programmes, the curriculum taught, and the provisions for monitoring their progress.

## The difficulties of effecting reform

The obstacles associated with police reform cut across national boundaries. The police have proved to be one of the institutions most resistant to reform following the formal end of a conflict. Even in instances where police reforms enjoy extensive donor support, the difficulties go beyond the merely financial. Infant police forces face major obstacles to creating trust and building legitimacy in societies where a uniformed officer has in the recent past been an emblem of fear rather than one of protection and comfort.

<sup>9</sup> Trojanowicz R, Kappelar V, Gaines L, Bucqueroux B, *Community Policing: A Contemporary Perspective*, (Anderson Books, 1998); Mendes E, Zuckenberg J, Lecorre S, Gabriel A and Clark J, *Democratic Policing and Accountability: Global Perspectives*, (Ashgate, 1999).

<sup>10</sup> Perito R, 'Managing US participation in International Police Operations', *Civilian Police and Multinational Peacekeeping: A Workshop Series*; Jeremy King *Building Peace in Bosnia: Lessons Learned in Disarmament, Demobilization, Reintegration and Civilian Police Capacity Building*, (Department of Foreign Affairs and International Trade, 2001).

While blending different communities or ethnicities together into a single police force may be highly symbolic, altering a policing culture that remains deeply identified with one community and increasing confidence among historically excluded communities is a painstakingly slow process. It also often requires profound structural change. Legacies of mistrust are difficult to overcome; a culture of reliance on and trust in the police is difficult to create. Operating in a tense political context, already difficult work is complicated by the lack of legal and logistical support that police forces elsewhere take for granted. Mutually linked and reinforcing, the chief problems facing the police can be divided into a number of categories:

- **Law enforcement** One by-product of many peace agreements is a sharp rise in crime owing to the lawlessness associated with a traumatised society, a shattered economy, large number of idle former fighters and a large number of weapons in circulation.<sup>11</sup> Criminal gangs also tend to take advantage of the past to turn these lawless areas into nests for trafficking weapons, drugs and people. The perception has taken root in many post-conflict societies (including those in the southern Balkans) that the end of conflict brings a society awash with illegal weapons where criminality is allowed to reign supreme, and the possibility of instability being created or perpetuated for development of criminal opportunity must not be ignored.
- **Institutional resistance to change** As part of reform, or in order to implement reform, a police force's operational culture often has to be addressed. Police forces are frequently described as distrustful of outsiders and resistant to change.<sup>12</sup> Changes in philosophy and approach at the top are often slow to percolate down through the rest of the organisation. It is difficult for police to re-orient themselves away from what they know and embrace new attitudes: while some officers will be amenable to change, others will not. While reforms may redress the issues of numerical under-representation, the new officers who have benefited from improved training begin as beat patrol officers; it takes much longer to assume leadership positions and affect institutional culture. The approach in Macedonia and Southern Serbia has been to integrate personnel from previously excluded groups into the police in an effort to build trust and reconciliation. This, however, brings its own challenges.
- **Entrenched public scepticism** Convincing the general public of the sincerity of police reforms presents a major challenge. In societies where the police have long been associated with occupation and repression, non-institutional policing mechanisms such as family and community have deep roots and long histories. Initiatives to make police forces more transparent and inclusive are not able to erase that tradition, making the task of embedding legitimacy all the more difficult. There is also the problem of dealing with a changing social context among the population. In deeply divided societies, one section of the public may see the police as protectors of the public good, while the other section will for the same reason regard them as instruments of discrimination or repression. These conflicting perceptions cannot be changed overnight. Many torn societies see political reform as a zero-sum game in which a perceived gain for one community inevitably entails a loss for the other. Accordingly, new police forces in the early stages of reform may actually begin with less firm support than they enjoyed under the previous regime.
- **Political uncertainty** Police reform often takes place in the least favourable of environments. Economic collapse, weak traditions of statehood and continuing political uncertainty make vulnerable post-conflict environments even more potentially combustible and hence even more difficult to police. Just one incident has the risk of unravelling political fabrics that have been delicately pieced together.
- **Criminal justice reform** Institutional reform of the police is insufficient to bring about a new start for policing in the absence of reforms to the other institutions of criminal

<sup>11</sup> Berdal M, *Disarmament and Demobilisation after Civil Wars*, (IISS/Oxford University Press, 1996).

<sup>12</sup> Bayley D, *Patterns of Policing: A Comparative International Analysis*, (Rutgers Press, 1985).

justice, the courts and the legal system. Policing has been likened to one leg of a three-legged stool: to support the stool, the other legs need to keep pace with reform to the police. If judicial and legal reform is too slow or limited, the positive impacts of improvements in policing will be nullified.<sup>13</sup> Fundamental institutions such as courts or an effective legal system are often destroyed, damaged or politicised by years of conflict and in many cases may need to be built from scratch.

- **Under-funded, under-trained and under-equipped** Police reform does not come cheap and levels of funding are often insufficient to meet the expectations that come with it. The importance of getting new forces out onto the streets as quickly as is practicably possible necessitates training periods that are comparatively short. Reformed police forces also tend to inherit equipment of either outmoded quality and/or insufficient quantity to confront these numerous challenges effectively.

## International assistance and the challenge of police reform

Getting policing right is one of the most fundamental components of post-conflict reconstruction, but the task of constructing new police forces and refurbishing existing ones is, as explained, fraught with difficulty. International policing assistance is vital for reform to succeed but it also suffers from a myriad of problems.

Practical responsibility for implementing police reform has fallen to an amalgam of civilian police officers hailing from different countries that operate under the umbrella of a number of international organisations.<sup>14</sup> Serving officers in their home countries, these individuals are seconded from their home forces and operate under the flag of an inter-governmental organisation. When a peacekeeping mission falls under UN auspices, it has been the responsibility of United Nations Civilian Police (CIVPOL), a section in the Department of Peacekeeping Operations. In other circumstances, international organisations such as the Organization for Security and Co-operation in Europe (OSCE) or the European Union (which assumed responsibility for police reform in Bosnia and Herzegovina in 2003) have taken the lead. Officers tend to serve stints of between one and two years before returning to their home stations.

The task these officers face is daunting. There are major institutional and cultural obstacles inhibiting international police missions. The growing visibility of international officers in missions has not necessarily equated with greater efficiency. Broadly speaking, the effectiveness of the international police is intimately related to the scope of their mandate. Early mandates restricted international police to monitoring the local police force but accorded them few powers of intervention. As a result they had a limited capacity to encourage positive change in the character of these forces, which made them seem powerless and ineffectual. These problems were compounded by organisational deficiencies, including tardy deployment, chaotic bureaucracy and insufficient equipment and transportation. Concerns have also been raised about the inconsistent quality of the international officers themselves. Many come from countries that lack strong civilian policing traditions and there has been a wide variation in language skills, policing experience, personal ability and commitment. Somewhat paradoxically, it may not be helpful if officers from a similar policing culture arrive. If they are acculturated in a comparably autocratic milieu, it will be duly difficult to impart 'best practice' towards their new charges. However, with the growing trend towards greater empowerment of police assistance missions, the potential scope for changing practice is increasing.

<sup>13</sup> Mani R, 'The Rule of Law or the Rule of Might? Restoring Legal Justice in the Aftermath of Conflict', Pugh M (ed), *Regeneration of War-Torn Societies*, (Macmillan, 2000).

<sup>14</sup> Hansen A, *From Congo to Kosovo: Civilian Police in Peace Operations*, (IISS/Oxford University Press 2002).

# 1

## Police establishment: Kosovo

### International administration, international police

**THE UNITED NATIONS MISSION IN KOSOVO** (UNMIK) faced a complete policing vacuum when it assumed responsibility for the province in 1999, and created two new forces to fill it. Policing had previously been the preserve of the Serbian police and paramilitaries who departed in the aftermath of the war between Serbia and forces acting under the authority of NATO. Under UNMIK, an international police force was tasked with primary responsibility for actual policing, while an accelerated plan was made for founding and developing a professional, impartial and politically neutral indigenous police service to take over that responsibility – the Kosovo Police Service (KPS). The UNMIK force was composed of police officers of more than fifty nationalities with experience of policing but not of Kosovo; the KPS had local knowledge and linguistic advantage but little policing experience. Amidst an uncertain wider political context, this approach of creating two new police forces has been to a large extent a novel experiment.

The concept of a local Kosovar police service, trained and equipped by international sponsors, was turned from a commitment in a peace plan into a reality on the streets. However, while the police have contributed to bringing a semblance of order and stability to the province, the core problem, the future status of the territory, remains unaddressed. In such an uncertain climate, any police force's ability to improve inter-group relations is strictly limited.<sup>15</sup>

### Resolution 1244 and a new beginning to policing

With the end of the war, the UN was charged with creating a new political and policing architecture. The United Nations Interim Administrative Mission in Kosovo (UNMIK) was endowed with broader executive and administrative powers than any previous peacekeeping operation in UN history. It would have primary political and administrative responsibility for Kosovo, which it was expected to transfer to local politicians after a suitable transition period.<sup>16</sup> Resolution 1244 did not attempt to resolve the claims of Serbs and Albanians to the territory of Kosovo, the central issue in the conflict. Instead it postponed discussion of Kosovo's future and reaffirmed the international community's support for the territorial integrity of the Yugoslav

<sup>15</sup> For a more detailed discussion about the impact of the unresolved nature of Kosovo's status on security in the province, see Matveeva A and Paes W-C, *The Kosovo Serbs – an ethnic minority between collaboration and defiance*, BICC/FNF/ Saferworld, June 2003.

<sup>16</sup> United Nations Security Council Resolution 1244, Paragraph 10.

federation.<sup>17</sup> It was a sweeping mandate, the first instance of the United Nations assuming complete and open-ended control over a disputed territory as part of a peacekeeping operation.

Policing was a central feature of the interim period. Previous blueprints for the province – drafted during failed attempts in 1998 and early 1999 to avert conflict – had envisaged that the local force would assume primary responsibility for policing, with advice and training supplied by international monitors. However, all of those plans envisaged the process taking place in the aftermath of a negotiated political agreement, not a war. No previous plan had foreseen executive authority for policing coming from the international community. But in the absence of a viable local police force following the conflict there was no practical alternative to a direct takeover of civilian policing: responsibility for civilian policing fell to the international community for the first time in Kosovo. The policing mandate involved two important innovations. For the first time, international police would be directly responsible for law enforcement operations. And while previous mandates had provided for training, mentoring and oversight of local police forces, the Kosovo mandate tasked international organisations with building a new force from the ground up. Once that force was able to stand on its own, authority would be transferred in stages from the international force, whose role would then revert to one of monitoring and oversight.

There were very few specifics about the new local police force, the KPS, contained in the legal instrument that created it. Resolution 1244 did not specify the ethnic make-up of the new force, its structure or its specific tasks. The shape of the force was only to become clear in the months after the arrival of UNMIK, when international police officers began planning the KPS. It was initially decided that the KPS force would number 4,000, a figure that was revised up to 6,000 in 2001. The intended composition was multi-ethnic, with a 20 percent quota for women officers, above the Western European average for female participation, which stands at 10 percent. The force would be trained in the ethos of ‘democratic policing’. The aims of the force’s creators were as ambitious as the obstacles facing them were large:

*It’s a combined model of North American and Western European policing traditions – a collective version of those countries that have a history of providing democratic policing, that is, policing where the rights of the citizen are meant to come before protecting the interests of an ethnic group or the state. It’s an alien model and one that few of these new officers will have had exposure to. Culturally it means overcoming barriers that we [the international police] are working against all the time: perceptions of the police, perceptions of other groups. There are also the problems of funding and having the time to set aside to ensure that each of these individuals become mature police officers.<sup>18</sup>*

## Two police forces: UNMIK police and the KPS

The officers who make up UNMIK’s police force are startlingly diverse. Kosovo’s police stations contain a mixture of uniforms and languages from more than 50 countries. The quality of officers in terms of skills, range of experience, standards and previous training is equally diverse. Given the large number of donor countries and their geographical spread, it is hardly surprising that the mission combines such a wide array of policing styles and practice. Nor are the different approaches to policing restricted to inter-country variation; officers from different departments in the same country display different attitudes to the same problems. These variations tend to feed through to the training given to KPS cadets, who were often offered contradictory advice about how to approach the same problem. What many international police officers found frustrating was not the difficulty of policing with limited resources, but

<sup>17</sup> Ibid, Paragraph 11e.

<sup>18</sup> Interview, Deputy Commissioner for Planning and Development, Pristina, 11 April 2001.

that they were working in a wholly alien political context. With the exception of officers from Northern Ireland, few of the international officers had experience of policing a divided population. Another significant problem was lack of language skills. Without the ability to communicate, officers are unable to interact directly with the public, a handicap that constrains their ability to police effectively.

The other half of the uniformed policing equation, the indigenous, long-term inheritors of the entire policing set-up in Kosovo, are just as diverse as their international counterparts in UNMIK as they vary widely in terms of age, background, fitness and aptitude. Some of the new recruits barely reach the minimum age requirement; others are over 50 and span the range of educational and professional backgrounds. More than half were former members of the Kosovo Liberation Army (KLA); some of the older recruits also had previous experience as police officers in the pre-1989 Yugoslav police.

The OSCE and UNMIK are at pains to stress that the force is comprised of all the province's ethnic groups – Albanians, Serbs, Turks, Roma, Bosniaks, Gorani and Ashkalis – who train together and wear the same badge. All those who sign up for the service take a pledge of impartiality and are bound by extensive and wide-ranging regulations.<sup>19</sup> But the reality on the ground is different. Although members of different ethnic groups learn together in the same classes, they attend separate graduation ceremonies: an occasion incorporating all ethnic groups is still considered too inflammatory. This is a telling sign of how far Kosovo still has to come and the difficulty of turning aspirations into a workable reality. There are just a handful of stations where Albanians and Serbs work side by side. Attempts to impose integration have not been successful. While officially multi-ethnic, in practice there are few instances of genuine co-operation.

Although conceived as a politically neutral police service, given the political turmoil surrounding the creation of the force it would have been unrealistic to expect members of the KPS to have succeeded in insulating themselves from the charged political environment around them. Generally KPS officers sense that their institution is important in leading Kosovo into a new political future. But, while this feeling is common to officers of all ethnic backgrounds, preferences regarding the future political direction of the force depend largely on the community to which the officer belongs.

## Eight months to be a cop

Two major institutional actors share responsibility for creating a police force for Kosovo, the OSCE and UNMIK. The OSCE has initial responsibility for training the new recruits at the Kosovo Police Service School. As the cadets graduate from this initial stage of training and arrive at police stations for field training, UNMIK police then assume primary responsibility for their development. Initially (1999–2000), eight weeks were spent in the classroom, though for subsequent classes of cadets this was extended to nine, and then to twelve weeks of training. Seventeen weeks are to be spent in the field under the supervision of international officers. Following that period, new officers are deemed sufficiently prepared to undertake independent assignments. While the classroom training has worked well, problems have been encountered once recruits leave for field training.

It is symbolically and practically imperative that locally trained officers get out onto the streets as quickly as possible. The only way to achieve this is to expedite their training period. An abbreviated training period contains inherent risks. In the UK, for example, initial training comprises 20 weeks followed by training modules spanning a two-year probationary period. The worry is that one is trading away long-term

<sup>19</sup> Among the pledges made in the oath sworn by new officers is that 'I will never [...] permit personal feelings, prejudices, animosities, or friendships to influence my decisions.' Kosovo Police Service, *Policy and Procedures Manual*, (1999).

competence in order to build, in the short term, a strong initial basis for the overall process of police reform. Without a solid foundation from which to develop, there is a risk that the qualities and aptitudes of future recruits may suffer. It is thus crucial that the short training period is used as effectively as possible. In Kosovo, as much material as possible has been packed into the time allocated for initial school training: it is a significant achievement. It is rather in the following field training component that more serious programme flaws begin to appear.

### Classroom training

Training takes place in an impressively refurbished facility in Vucitrn, 20 miles north of Pristina. The course covers a broad range of essential policing skills: patrol duties; use of force and firearms; criminal investigation; evidence gathering; traffic control; first aid; applicable laws; and interviewing techniques.<sup>20</sup> The teaching methodology is interactive, with class discussions, group work, individual presentations, practical exercises, role-playing exercises and case studies being emphasised over didactic learning.<sup>21</sup> Instruction for the course is provided by international police officers,<sup>22</sup> many of them from Western European and North American countries that exemplify best practice in democratic policing. As the KPS expanded in line with the planned transition programme, the range of required courses increased and new training modules have been developed to teach specialised, advanced courses, such as supervisory skills and management. In another sign of its maturation, some KPS officers who graduated from the first batch of classes have returned for training that will enable them to act as police instructors.

But while some parts of the process have worked well, others have not. It has been understandably difficult to translate the abstract idea of democratic policing into everyday reality, especially for an area that has very little experience of such a style of policing. For many officers it remains a vague concept, variously described as: 'Making sure people were helped out... the difference between the present type of policing and the past... not hitting suspects... taking down thorough notes on a case... doing what you know to be the right thing'.<sup>23</sup> While eager to emphasise their democratic policing credentials, remarks and attitudes suggest a discordant vision of effective policing. The combination of time constraints, and the cadets' unfamiliarity with the core concepts of democratic policing, presented a constant challenge to the training programme. Because of the tight schedule there is little time to address topics in depth and forcing trainers to deal quickly with complex concepts makes it difficult for recruits to absorb the new information fully. The time available for teaching is reduced further by the need for simultaneous translation from English, the language of instruction, into Albanian and Serbian.

### Field training

Following graduation from classroom training at the academy, cadets leave for training in the field. Due to the short training period, critical responsibility for moulding inexperienced officers into seasoned cops rests with the serving police officers assigned to mentor each of the new recruits as their Field Training Officer. The Field Training Officer (FTO) programme is meant to consolidate the classroom work undertaken at the police school, fill in gaps in knowledge, and build on skills learned. The programme envisaged that each KPS officer would work under the close supervision of an UNMIK officer in order to learn policing best practice on the job. The international officer is

<sup>20</sup> Kosovo Police Service School *Annual Report 2000/Annual Report 2001* (OSCE 2001); *Kosovo: A Review of the Criminal Justice System 1 September 2000–28 September 2001* (Pristina, OSCE/LSMS, 2001).

<sup>21</sup> A secondary intention of the interactive approach was to get members of different ethnic groups to mix socially. Instructors reported that while it worked well when forced, afterwards the different class members reverted back to their usual groups. Interviews, Kosovo Police Service School, October 2002.

<sup>22</sup> Although the number of trainers and countries they represented fluctuated with personnel changes, the maximum number at full capacity is 211 trainers. Officers from 20 countries have trained students at the police school. OSCE 2001. Personal Communication, Executive Officer, 25 February 2002.

<sup>23</sup> Interviews with police cadets, Vucitrn, April 2001.

supposed to act as a mentor and provide feedback on the cadet's performance and aptitude.<sup>24</sup> By the end of the field training period, the new cadet is expected to be able to function independently as a police officer. In many ways, the field training programme is the most crucial phase of the cadet's educational development. However, uneven interest, variable dedication to the task at hand and the mixed ability of the international officers deployed as field trainers meant that there has been a distinct lack of structure and standardisation in the programme for new recruits.

The initial field training programme was found wanting in a number of respects. The inconsistent quality of officers in the UNMIK police also meant that many field trainers were barely knowledgeable enough themselves to give proper instruction; many had received only rudimentary training in their own country, and the pre-deployment training for Kosovo proved insufficient to fill the gaps. Many station commanders put a higher priority on maintaining public order than training KPS officers for their long-term responsibilities and there was no coherent policy on what to do with the recruits once they reached the stations. Consequently, many KPS officers were falling short of the goals for developing policing skills set out in the original timetable.<sup>25</sup> The entire programme had to be extensively restructured in 2000 in order to improve its effectiveness. A Primary Field Training Officer (PFTO) scheme was introduced whereby international officers with the requisite experience and interest would be identified and given primary responsibility for cadet training. The subsequent filtering out of many UNMIK personnel from the training programme inevitably meant a rise in the ratio of local officers to international officers. Compared to the previous figure of 1:1, the new figure set the ratio at an optimum of 5:1, though in many stations a shortage of PFTOs meant that the ratio was often two or three times that figure.<sup>26</sup> As the KPS progressed, the situation improved and there are now local KPS officers from early graduating classes being assigned mentorship roles. Currently there are 500 local field trainers working in tandem with international officers.

## The absence of a wider judicial structure

A major problem that faced both international and local police when UNMIK took over in 1999 was the absence of a wider criminal justice framework. There was no functioning court system. The courts had originally been run by the Serb-dominated Yugoslav administration, which had systematically disbarred Albanian judges and lawyers over the previous ten years. With the departure of many of Kosovo's Serb inhabitants in the aftermath of the war, there were not enough trained lawyers, prosecutors, judges and administrators to allow the system to run effectively. There was no correctional service and the prisons that survived the war had a tiny capacity.

While the United Nations has established a correctional service and some existing facilities were expanded and refurbished, Kosovo's prisons remain short of cell space.<sup>27</sup> The judicial system is equally ill-equipped. Lacking infrastructure, money, equipment and personnel it remains unable to cope with the volume of cases brought before it.<sup>28</sup> The problems affecting it are practical, legal and political and many can only be addressed through technical assistance programmes, not direct financial aid. Even after the appointment of international judges and lawyers and the accelerated training of local legal personnel, the system remains understaffed. Adding to the disarray is the disputed nature of Kosovo's legal framework. Disagreement over the applicability of

<sup>24</sup> Among the broad categories on which the cadets were evaluated regularly are professional and ethical standards, communication skills, self-motivation and decision-making. Field Training Officers were also expected to note the cadet's most and least satisfactory areas of performance.

<sup>25</sup> Interviews, Heads of KPS Administration and Personnel, 5 October 2002.

<sup>26</sup> Personal communication with Head of KPS Administration and Personnel, 20 February 2002.

<sup>27</sup> Interview, Head of Planning, Kosovo Correctional Service, 19 August 2000: Kosovo Correctional Service, Strategic Plan 2000-01.

<sup>28</sup> *A Fragile Peace: Laying the Foundations for Justice in Kosovo* (Lawyers Committee for Human Rights, 1999); Yannis A, 'Kosovo Under International Administration', *Survival*, 43, 38, (OSCE 2001).

laws has worsened the tangled system, with politics frequently intruding into the legal process.<sup>29</sup> A lack of detachment and objectivity among the predominantly Albanian judiciary is also evident, exposing the legal system to criticism from international observers for violating international standards.<sup>30</sup>

## Working conditions

Problems of infrastructure exist at the police level too. When the first batch of officers began to arrive at their stations in the late summer of 1999 more often than not they were greeted by an empty shell. Many of the buildings were without heating or electricity and few possessed paper and pens, let alone cars or a communication system. No criminal record database existed.

Things have not vastly improved. A large number of Kosovo's police stations, especially those situated outside the main cities, remain dank and dilapidated. The lack of computers and other office equipment is a persistent problem. The radio communications network is patchy and there is still a shortage of working police jeeps. Understaffing is chronic: the number of international officers actually serving in the province has consistently remained below the level pledged by contributing nations in the aftermath of the war.<sup>31</sup> Crucially, it was not up to the necessary levels when needed most: the months in 1999 immediately after international assumption of administrative control.

Regardless of a local officer's ethnicity, one complaint that cuts across all boundaries concerns salaries and working conditions. Officers are paid approximately €200 per month, difficult to get by on in an area where the cost of living has soared since the arrival of the international military, administrative and police forces. In spite of the inherent danger of police work there are no occupational benefits, such as health insurance or pensions.<sup>32</sup> The low wages are a source of resentment, causing many officers to question the value that the province's international administrators attach to their work. Wages are also not high enough to insulate the police from the temptation of corruption.

A first for policing in Kosovo is women officers. Some 20 percent of the officers are women and getting used to the presence of female officers is a challenge for fellow officers and the public alike. Female officers speak of being patronised by their male counterparts and shielded from some duties on account of their supposed lack of physical strength. They often feel the need to prove themselves in performing the same tasks as men. The biggest complaint, however, is how members of the public treat female officers. On call outs, woman officers complain that they are either ignored by the public or made into targets for abuse.<sup>33</sup>

## The transfer of policing responsibility from UNMIK to the KPS

The training induction programme, which transforms recruits from inexperienced cadets into seasoned officers, mirrors at an individual level what UNMIK is trying to achieve with the KPS at an institutional level. The plan envisaged a gradual transfer of responsibility, a transition of four stages, from executive authority policing to monitoring. A local leadership structure is being installed as an element of this

<sup>29</sup> Bota Sot, 'Kosovo Police Refuse to Enforce "Yugoslav" traffic laws', *Summary of World Broadcasts*, (EE/D3979/C, 2000).

<sup>30</sup> Independent International Commission on Kosovo 2000: 112–14.

<sup>31</sup> Smith J, 'With Few Police to Stop It, Crime Flourishes in Kosovo', *Washington Post*, 23 October 1999; Associated Press, 'UN Lacks Funding to Protect Kosovo', 1 January 2000; Erlanger S, 'UN Chief in Kosovo Says Lack of Money Imperils Mission', *New York Times*, 4 March 2000.

<sup>32</sup> The walls of police stations in Kosovo are often plastered with photocopied pictures of local officers who have been injured in the line of duty and require costly medical attention, imploring the international officers to contribute money to their treatment.

<sup>33</sup> Interviews, Prizren, 21 August 2000.

ultimate transition in 2006, with the intention that the 6,000 officers of the KPS will assume responsibility for all aspects of the organisation, taking over the full repertoire of policing tasks. As the KPS builds up its capacities, UNMIK will be simultaneously scaling back.

The process is scheduled to end with a stand-alone local police force in 2006, with a strong international monitoring and assistance component remaining behind. The process is well underway. Over four years, the balance of responsibility has tilted between international and local officers: incrementally, local officers are assuming more responsibility. There are now more local than international officers on the beat. By mid-2003, there will be nearly 5,000 KPS officers in the stations who have attained varying stages of professional development. Some of the recruits are fresh out of the academy and undergoing field training, while many have moved into a second stage of training, where they are allowed to go out on independent patrol. Others have been picked to fill senior management positions, shadowing the international officers whom they will eventually replace.

Ultimately, the success of police reform will be judged by whether the KPS becomes an independent and self-sustaining policing service that embodies the principles that international police have tried to instil. UNMIK and the OSCE will be successful only insofar as they manage to work themselves out of a job. Kosovo being the first executive authority mission, there is no precedent for managing the transition from an international executive authority mission to local ownership.<sup>34</sup> Out of necessity, improvisation has characterised the learning process.

UNMIK's task is not just one of redesigning the institutional set-up of the police. An important aspect of police reform has been to put in place a strong policing ethos and the means to guarantee its integrity. International officers, working under the aegis of the UN, have been charged with designing operational structures and procedures. Getting these features right is crucial to the force's ability to adapt to the democratic policing model. Working from their headquarters in Pristina, UNMIK officers set about constructing the organisation from scratch. They created an organisational ladder, and specified the criteria required for each position so that appointments would be made on merit. UNMIK also sought to embed democratic policing principles into the procedures of the force. By 2001, more than 500 policies, concerning operational and regulatory issues, and dealing with subjects such as the conduct of officers and the protection of suspects' rights, were adopted.<sup>35</sup>

Mistakes are inevitable, especially when embarking on a process for the first time, and should be learned from when similar transitions occur again elsewhere. There have been four major problems during the transition in Kosovo. The first is the hesitancy of the international officers to hand over meaningful levels of operational independence to local officers or to elicit ideas from them in crafting the ultimate shape of the force. One senior international figure bemoaned that "the KPS are being treated like children" and that overlooking or disregarding them could have long-term consequences for the development of the force. The second concerns political influence seeping into the selection process for leadership positions – there are perceptions that the appointment of certain senior officers has been based as much on political affiliation as policing competency.<sup>36</sup> A third problem is lack of direction in the process. With responsibility for the development of the KPS effectively shared between various arms of UNMIK and the OSCE, the different agencies involved have brought their own agendas, which some feel has at times resulted in a lack of clear and coherent planning and co-ordination.<sup>37</sup>

<sup>34</sup> While the UN has assumed *de facto* political and military control of a Balkan territory before, it did not assume authority for policing as part of its mandate. Policing in the United Nations Transitional Administration in Eastern Slavonia (UNTAES) was carried out by a locally constituted transitional police force under the supervision of CIVPOL. Holm T, 'CIVPOL Operations in Eastern Slavonia 1992–1998', Holm T and Eide E (eds), op cit, pp 135–156.

<sup>35</sup> Kosovo Police Service, 1999–2001.

<sup>36</sup> Conversations with international police personnel, October 2002.

<sup>37</sup> Conversations with OSCE and UNMIK police officials, October 2002.

The fourth problem is perhaps the most crucial to the long-term success of police reform in Kosovo – funding. To realise and sustain the ideal of crafting a new police service conforming to the ideals of policing best practice requires a sustained investment of money backed by political will. Even the annual budgetary provision of just under €40 million per annum was deemed insufficient to meet the basic equipment and overhead needs of the force, and was certainly not enough to achieve the democratic policing ideals of its founders. As the Kosovo General Government Budget for 2003 admitted, “there are a number of unfunded capital project proposals for 2003 that will require external donor support to provide important capabilities to support law and order.”<sup>38</sup>

The problem of securing funding can only grow ever more acute as increasing responsibility is handed from UNMIK to the KPS and donor fatigue grows. Behind such obvious ‘front-end’ needs such as uniforms, weapons, vehicles and training, there appears little prospect that Kosovo will be able to shoulder by itself all of the financial burdens associated with running a modern police service. The very long-term nature of any police reform project means that detecting any change will take a long time. There also appears to be additional reticence on the part of donors to continue funding ongoing projects where returns or outputs are mostly intangible.

## Conclusion

The experience of Kosovo shows how police reform can be central to stabilising a volatile post-conflict situation. It also offers important lessons in how to make future instances when a police force has to be established from scratch run more smoothly.

Four years into the interim period, Kosovo is much more tranquil than when international administrators took control of the province. However, the experience of Kosovo points to the profound difficulty of establishing a new force to carry out policing in a troubled political atmosphere.<sup>39</sup> The interim period in Kosovo has presented significant challenges for police officers, both local and international.

There are a number of reasons for this. Both the local and international police have been operating in an extremely challenging environment where they lack the wider legal and logistical support which police forces with a longer history take for granted. The officers of the UNMIK police had to deal with policing an unfamiliar environment. At the same time there was an adjustment for local Kosovars who were assuming new roles as officers committed to a democratic policing ethic. Added to this were some problems with training, lean funding and the prevailing sense of limbo stemming from the continuing uncertainty over Kosovo’s future status. Taking into consideration the experimental nature of Kosovo’s policing reform – where the unique nature of the challenge meant there was little pertinent learning to fall back on – the project must, broadly, be considered a success.

Elements of the model have already been adapted. The two-fold model of policing pioneered in the province was subsequently employed during East Timor’s UN-assisted transition period. It seems likely that the ‘Kosovo approach’ may be a model for future instances where an existing police apparatus has either departed or is deemed so compromised that it is not an option in the interim.<sup>40</sup> Other features of Kosovo’s police construction project have resonances elsewhere. In an effort to create a police force as speedily as possible and get police out onto the streets, the training period for KPS recruits was abbreviated; this practice has been copied in the

<sup>38</sup> The Kosovo General Government Budget 2003, Kosovo Police Service p 2

<sup>39</sup> This underlying tension was tragically demonstrated with the murder of an UNMIK police officer from India in August 2003 ‘KLA link suspected in UN police murder’, *The Independent*, 6 August 2003.

<sup>40</sup> The deployment of an international civilian police force composed of officers from Muslim countries was recommended as a possible model for post-war Iraq while the local policing structure is overhauled: sadly this never came to pass. Deployment of an international civilian police force to fill the vacuum may well have helped reduce the country’s law and order problems following the toppling of Saddam.

subsequent police reconstruction missions in Macedonia and Southern Serbia where speedy training of minority recruits was also crucial to the mission's success.

So, what needs to be learnt from the experience of police reform in Kosovo? One important lesson is the need for inter-governmental bodies to have in place contingency plans to enable the rapid deployment of personnel and resources needed to turn the international community's political commitments into reality. Any future assumption by international police of responsibility over a territory needs to hit the ground running. While policing remains a long-term project, there is much that can be done to ensure that it gets off to as good a start as possible. In Kosovo, slow deployment of personnel, their uneven quality, and cumbersome bureaucratic procedures hampered many aspects of the initial police reform effort. At the same time, it needs to be recognised that even the best planning and preparation can only accomplish so much in a situation of continuing political uncertainty. Kosovo is a vivid demonstration of the difficulties. Even for a reform project on the scale of Kosovo, a project which has attracted exceptionally high levels of international support for a police reform effort, progress has been accompanied by genuine uncertainty about whether the police as an institution will survive in quite the form originally intended.

## **Policing a rough neighbourhood: policing Mitrovica South**

Policing in the northern city of Mitrovica is a microcosm of the Kosovo-wide situation and its challenges of creating new policing institutions amid fragile institutions, competition from alternative policing structures, minimal resources and continuing inter-group strife.

Mitrovica has gained a reputation as the most disorderly of Kosovo's cities. Lying 25 miles north of Pristina and containing just over 100,000 inhabitants, the town has been described by Richard Holbrooke, ex-US envoy to the former Yugoslavia, as "the most dangerous place in Europe".<sup>41</sup> Split down the middle into Albanian and Serb neighbourhoods, it is one of the most tragic symbols of Kosovo's divided society. The Albanian population, numbering about 95,000, mostly lives south of the river Ibar that runs through the centre of the town. Around 15,000 Serbs – local residents and internally displaced persons driven from other parts of Kosovo – live in the northern part of the city and its hinterlands. The city was mixed before the war, and some Albanians continue to live in Kosovo Force (KFOR) guarded tower blocks on the northern bank of the river.

Mitrovica is effectively divided into two administrations. In the southern part, populated mostly by Albanians, UNMIK runs local services in conjunction with the elected local municipal authorities. In the Serb-dominated north, however, service provision is often disrupted owing to local resistance. The atmosphere is so tense that international police are virtually unable to carry out their day-to-day duties. No members of the KPS are stationed on the northern side.

The bridge connecting the two halves of the city is heavily fortified and guarded by French KFOR peacekeepers. It is often a focal point for communal disturbances. On a number of occasions displaced Albanians have marched on the bridge demanding the re-unification of the city and the right to return to their homes on the northern side. These demonstrations often turn violent, with sniping, firebombing and riots commonplace.

Lying a hundred yards south of the bridge in the predominantly Albanian half of the city is the South Police Station, a large dilapidated two-storey building. It is run-down, ill-equipped and possibly unsafe. With one computer for the three 12-member patrol teams and an insufficient number of vehicles, the station is home to 60 international and 40 KPS officers.

<sup>41</sup> Purvis A, 'A Bridge Too Far in Kosovo; Is Mitrovica the Most Dangerous Place in Europe?', *Time*, 6 March 2000, p 47.

Property crime is a major problem in the city. Police are regularly called in to file crime reports on properties that have been broken into and burgled. Along with cash, the most prized booty, in a city with intermittent power supplies, are portable electricity generators. Vehicle theft is also prevalent. The biggest problem for the police is dealing with customary laws governing dispute resolution among the Albanian population, meaning that problems are often resolved without recourse to the formal justice system but through forms of communal law and tradition. The police are frequently called to take witness statements when someone is hurt or injured, fully aware of the likelihood of the victim taking action independently and not through the court system. There was little reporting of crime to the Yugoslav police by the Albanian population before the war, and this has not changed overnight.

Mitrovica and its surrounding villages are important transit points in the trafficking of women and illegal goods. Local smuggling rings have proved impossible for the international police to penetrate, even though the identity of their members is often an open secret. Adding to the language barrier faced by the hybrid force are the intelligence shortcomings, lack of informants and paucity of investigative resources. Even if the police had the requisite intelligence to carry out surveillance operations on criminal gangs they have neither language capabilities nor the resources to do so. It would be impossible, for a start, to carry out surveillance with a language assistant in tow. The police in Mitrovica, as in the rest of Kosovo, have no central identity or vehicle licence database. There is also a lack of institutional support. The inadequacy of the judicial and penal systems is felt particularly keenly by the police in southern Mitrovica. Both the court and the correctional facility are north of the river, meaning that it is often more practical to transport prisoners to court over an hour's drive away in Pristina rather than risk crossing the bridge. There are only three holding cells in the entire station and no facilities for segregating prisoners.

In addition to responding to calls, most police time is devoted to mobile and foot patrols. Police cars cover the city as well as outlying towns and villages, a total area of about 40 square miles. They also visit mines and factories outside the city in the hope that their periodic presence will deter potential intruders. Foot patrols take in a short area around the central business district. Each patrol is normally made up of the policing triumvirate – an UNMIK officer, a KPS officer and a language assistant. The patrols are designed more with visibility than utility in mind. Mobile patrols follow regular routes. Officers seem on occasion to manufacture things to do to keep themselves occupied – more often than not traffic stops. It is an irony recognised by officers that, in one of the most apparently crime-ridden parts of the Balkans, a lot of time is spent in relative idleness, largely because the tools for proper police work are lacking.

## The Kosovo Protection Corps

The Kosovo Police Service (KPS) was not the only new uniformed institution created in Kosovo following the NATO-led war. A second agency, known as the Kosovo Protection Corps (KPC), was founded with the official purpose of providing a 'disaster response capacity.' Its real function was to give institutional cover to demobilised fighters from the Kosovo Liberation Army (KLA). While the existence of the KPS was explicitly mandated by UN Security Council Resolution 1244, the creation of the KPC was a by-product of the UN's obligation to oversee a transformation of the KLA.

A demilitarisation agreement signed between the leadership of the KLA and KFOR on 21 June 1999 provided for the establishment of a new Kosovar agency to incorporate some of the former fighters; in return, the KLA agreed to disband and decommission its weapons. Some of the KLA's estimated 25,000 members would be assimilated on an individual basis into the new police force. The agreement also promised "the formation of an army in Kosovo on the lines of the US National Guard in due course as part of a political process designed to determine Kosovo's future status".<sup>42</sup> It was this force that was expected – along with the KPS – to absorb the largest number of ex-fighters.

In the months that followed, a debate raged back and forth as to the precise role of the so-called National Guard. While KFOR and UNMIK had an emergency response unit in mind, the KLA's vision was much closer to that of a regular army or defence force.<sup>43</sup>

The KPC was finally established in September 1999, days after KFOR had pronounced itself satisfied with the KLA's demilitarisation. Its organisation reflected a compromise between the international administration's desire for a de-militarised force with largely civilian duties, and the KLA's ambition for a force that would serve as the nucleus of a future national army.

The new organisation would have no explicit offensive or defensive functions, but retained the appearance and command structure of such an organisation. According to its terms of reference, the force would "provide a disaster response capability, including a) major fires and industrial accidents or spills, b) conduct search and rescue, c) provide humanitarian assistance in isolated areas, d) assist in de-mining, and e) contribute to rebuilding infrastructure and communities".<sup>44</sup> It was explicitly stated that the force would "not have any role in law enforcement or the maintenance of law and order".<sup>45</sup> It would number 5,000 officers, 60 percent of whom would be full-time employees. Places were reserved for minority recruits (predominantly ethnic Serbs or Roma in the post-war composition of Kosovo), most of which remain open four years on and are unlikely to be filled. Tight restrictions were placed on the amount of weapons the organisation's members can hold and who can hold them.

Although the September 1999 agreement limited the Corps to disaster response, the KPC has seemed to take on other functions. Certainly it does not seem to be exclusively involved in many civil defence functions. In part this is the result of poor planning. Funding for the organisation is relatively low and many of the tasks it is assigned duplicate those already carried out by KFOR. Its lack of a clearly defined role in turn reflects the nature of the September agreement as an expedient measure meant to disband the KLA. UNMIK and KFOR did not want to formalise the KLA in the form of a standing army but, realising that it was unrealistic to expect the organisation to dissolve, had to turn it into something. Hence its present incarnation as what was described by one officer as "the best armed fire brigade one is likely to see". The KPC looks more like a military organisation than a civilian one. Its officers wear military fatigues, visitors passing its facilities are met with armed guards and a system of military rank is in place.

<sup>42</sup> Undertaking of Demilitarisation and Transformation by the Kosovo Liberation Army, 25 b, 21 June 1999. In total 25,773 Albanians and others registered themselves with the International Organisation for Migration (IOM) as being fighters with the KLA, a figure nearly three times as big as previous estimates, IOM 2000.

<sup>43</sup> *Wag the Dog: The Mobilization and Demobilization of the Kosovo Liberation Army*, (Bonn International Centre for Conversion, 2001).

<sup>44</sup> UNMIK Regulation No 1999/8 on the Establishment of the Kosovo Protection Corps. 1.1.

<sup>45</sup> UNMIK Regulation No 1999/8 on the Establishment of the Kosovo Protection Corps. 1.1.

As the inheritors of an organisation that had extensive policing responsibility during the war and its immediate aftermath, KPC members have enjoyed extensive public legitimacy. However, the Corps has earned a somewhat negative reputation, and now, ironically, arguably contributes to the workloads of the UNMIK police and KPS. Some of its members have taken the law into their own hands and have been prosecuted and jailed for a range of offences, including kidnapping, assault and even murder. A report recently submitted to the US House of Representatives stated “professionalism within the KPC is lacking; criminals and extremists remain within its ranks; and firm civilian control, eventually by Kosovo’s elected authorities, is needed”.<sup>46</sup>

UNMIK officers have observed the development of informal linkages between the two, organisationally distinct, institutions of the KPC and KPS. There appeared to be a large migration of membership from the KPC to the KPS in the early years. This was significant given that the KPC is identified with military and nationalist forces in Kosovo, and that the KPS is meant to be a politically neutral organisation.<sup>47</sup> Officers observed unwillingness on the part of some KPS officers to become involved in any incident that would entail a physical challenge or law-enforcement action against members of the Kosovo Protection Corps. The existence of the KPC remains something of an obstacle to the acceptance and assertion of the KPS as the sole legitimate policing authority in the entity.

<sup>46</sup> Institute for War and Peace Reporting, ‘Policing the Protectors’, *Balkan Crisis Report* 440, 30 June 2003.

<sup>47</sup> The Bonn International Centre for Conversion (BICC), in its report on the demobilisation of the KLA, stated that the lasting influence of KLA and KPC structures is a continuing concern. Instructors at the Kosovo Police Service School were reported to be worried that a dual loyalty to the KLA leadership and their associated political parties could develop within cadet ranks. “It is striking that two thirds of the course commanders elected by KPS recruits as class representatives came from the ranks of the KLA, indicating either the greater leadership potential of the former guerrillas or a continuity of power structures unknown to the international instructors.” *Wag the Dog: The Mobilization and Demobilization of the Kosovo Liberation Army*, (Bonn International Centre for Conversion, 2001), 28.

# 2

## Police reforms: Southern Serbia and Macedonia

**THE CONTEXT THAT FACED WOULD-BE REFORMERS** in Southern Serbia and Macedonia was markedly different from that in Kosovo. A police force did not have to be established in either place; instead there was the profound challenge of reforming forces that enjoyed scant legitimacy among large sections of the population and had the added constraints of antiquated policing styles and antediluvian equipment. Both projects have received extensive international support, primarily from the Organization for Security and Co-operation in Europe (OSCE), and share a common methodology on how best to achieve reform. Broadly speaking this has emphasised three core elements: expedited training periods for new recruits, field training by existing members of the service, and wider structural and management reform to existing police institutions.

The question of how to restore legitimacy and trust to discredited forces is one that confronted police reformers in both cases in question. The problems of how best to train new recruits and integrate them within structurally and conceptually revamped institutions are hardly unique to Macedonia or Southern Serbia. How reformers went about the process in these two areas will therefore contain valuable lessons for police reform.

The changes to Macedonia and Southern Serbia's policing arrangements over the last three years are truly noteworthy. For a start, the police in both places are now much more representative of the population they serve. There is strong symbolic value to the sight of ethnic Albanians and Macedonians, and ethnic Albanians and Serbs patrolling together in common uniforms in areas where just a few years ago policing was intimately associated with the perpetuation of communal conflict.

However, neither institutional change nor integrating historically excluded communities has been easy in either effort. In many ways the task has only just begun. While bringing different ethnicities together in a single police uniform may be symbolically important, both experiences demonstrate the difficulty of altering a policing culture that remains deeply identified with inter-group conflict. Although there are now greater numbers of Albanian and other minority members in the police forces of Macedonia and Southern Serbia, safeguarding this achievement will require deep institutional reform and sustained political will to make it work. It will take much longer before the effects of all the reform initiatives can be felt throughout the force and a definitive judgement can be made on its success. The experience in Macedonia and Southern Serbia reinforces the message that police reform is a long-term process that needs sustained support to have a fighting chance of success.

## The Kosovo effect: Albanian insurgency in Macedonia and Southern Serbia

The conflict in Kosovo in 1999 was a major trigger for spill-over insurgencies in northern Macedonia and the Southern Serbian municipalities of Presevo, Medvedja and Bujanovac. With large Albanian populations and an incendiary combination of underdevelopment, high unemployment and institutional neglect, these areas were fertile ground for political conflict.<sup>48</sup> The emergence of two rebel groups with organisational links to the KLA provided the spark.

The absence of Yugoslav army and police units inside the 'Ground Safety Zone' (GSZ), a demilitarised buffer zone which runs along the administrative border with Kosovo in Southern Serbia, led to a security vacuum in which Albanian irregulars sought to ferment an armed revolt. Dubbing themselves the UCPMB,<sup>49</sup> or 'Army for the Liberation of Presevo, Medvedja and Bujanovac', many of their fighters had gained active fighting experience during the Kosovo conflict and benefited from fluid borders and close links with Kosovo. Taking control of villages within the zone, the UCPMB were able to mount armed attacks with impunity. A porous frontier between Macedonia and Kosovo was also advantageous for the operations of another armed ethnic Albanian grouping called the National Liberation Army in Northern Macedonia. It too had close organisational links with the KLA and undertook an insurgency-style campaign against the Macedonian Government that borrowed much from the experience of Albanian rebels in Kosovo and Southern Serbia: during seven months of low-level fighting approximately 70 people were killed and 170,000 displaced. While the public demands of the ethnic Albanian paramilitary groups in both places were for equal civil and political rights and economic opportunity, there were fears that their unspoken real aim was partition and suspicions that they had strong links with organised crime.

Significantly, the prime target of both insurgencies was police officers. Of the 386 armed attacks logged in the first fifteen months of the creation of the GSZ in Southern Serbia in June 1999, more than three quarters were directed against the police.<sup>50</sup> In Macedonia, 60 members of the security and police forces were killed during the fighting in the spring and summer of 2001 and it is arguable that the 2001 violence in Macedonia was sparked by the targeted killing of a police officer. The first rounds in that conflict were fired in the village of Tanusevci which straddles the border with Kosovo: Macedonian police, en route to carry out an anti-smuggling operation, were ambushed and suffered a number of casualties.

In trying to combat the attacks in both areas, the police were gravely hampered by their reputation. Policing was a central element of Albanian grievance. There were few minority members in either force and low levels of public trust in the police. Police behaviour was partial and heavy-handed and neither force was particularly effective, a shortcoming that was particularly evident in their failure to stem the rise of organised crime. Over the previous decade, parts of Macedonia and Southern Serbia had become effective havens for smuggling and trafficking. Another problem facing the police forces was shortage of equipment, which was limited and often rudimentary or obsolete – many stations without such basic necessities as operable police cars, computers or forensic equipment. Their limited capabilities in either locale were certainly no match for the sophistication of criminal elements, which had developed and consolidated lucrative smuggling routes for contraband in the key Macedonia-Kosovo-Southern Serbia triangle.

<sup>48</sup> More than 70% of the population in the three Southern Serbian counties of approximately 100,000 are estimated to be ethnic Albanian. This population figure is based on a census taken in 1991. The population of the area is estimated to have risen during the subsequent decade. *Peace in Presevo: Quick Fix or Long Term Solution?* (International Crisis Group, 2001).

<sup>49</sup> *Ushtria Çlirimtare e Preshevës, Medvegjës dhe Bujanocit.*

<sup>50</sup> Statistics from the Serbian Ministry of the Interior and Co-ordination Body for Southern Serbia.

## **Policing as a central element of resolution efforts**

Policing was a central feature of attempts to find political resolutions to both conflicts. For the agreements to take hold, the police would need to enjoy broad support from all sections of the community. Moreover, an unspoken hope was that reform of the police, coupled with broader institutional reforms, would also have the general effect of making both police forces more effective.

Police reform was an integral part of the proposed resolution for Southern Serbia. Among the most urgent priorities of the new government headed by Vojislav Kostunica that replaced the Milosevic administration in 2000 was the restoration of calm in the troubled southern counties. As Deputy Prime Minister with special responsibility for Southern Serbia and Kosovo, Nebojsa Covic pledged nation-wide reforms to provincial government, a central element being policing reform. Covic's plan envisaged boosting the numbers of Albanian recruits and creating a Multi-Ethnic Police Element (MEPE) in the force that would be more reflective of the population in the areas bordering Kosovo, as well as a valuable confidence-building measure. It was intended that this new 'element' would integrate into the existing police structures and stations rather than be an adjunct separate from it. It was hoped that the sight of mixed patrols of Albanian and Serb officers would signal a new approach to policing. In tandem with other integration programmes (to increase Albanian numbers in municipal and other state structures) and an economic stimulus package, the 'Covic Plan' hoped to dampen Albanian ardour for autonomy, special status or a redrawing of the borders. It was very much a plan rather than a peace agreement; no negotiation of its terms took place with either local Albanian elected representatives or UCPMB fighters. Implementation, however, has depended and will continue to depend upon close co-operation between all local actors and continuing political will on the part of the Serbian Government.

In Macedonia, an accord signed in the resort town of Ohrid between parliamentarians from the leading Macedonian and Albanian political parties in August 2001 provided for significant constitutional and political reforms as well as addressing issues of police reform and development. Key features of the Ohrid Agreement related to the police were:

- Better reflection of the ethnic composition of the country by boosting the numbers of non-Macedonians (mostly Albanians) in the police by 1,000 officers by mid-2003 through expedited hiring and training programmes.
- Redeployment of ethnically mixed police patrols to the 'crisis areas' from which they had been ejected during the conflict, as a confidence-building measure.
- Retraining of the police force in principles of policing best practice and community policing.
- Restructuring of the police as an organisation.

## **International assistance to police reform in Macedonia and Southern Serbia**

Police reform was a task so large that it could not be undertaken by the Macedonian and Serbian Governments without outside help. Substantial amounts of external assistance were required to turn the commitments into reality. The principal international organisation tasked with overseeing reform in both countries was the OSCE.

The role of international assistance in Macedonian and Southern Serbian police reform was much smaller than it had been in Kosovo. No actual policing would be carried out by international officers: their role was confined to training, monitoring and designing new structures, as well as being symbolic of wider interest in the reform process and guarantors of neutrality. Instead of steering the process, the international community can only exert influence – ultimate assessment, evaluation and policy

choices rest elsewhere. Domestic political will and dedication to the task are therefore paramount if the reform commitments are to succeed.

The initial objective in both areas was to make the commitment to a more ethnically representative force a reality on the streets as quickly as possible. The model chosen was one of accelerated training in the classroom followed by intensive on-the-job training, mimicking the fast track programme pioneered in Kosovo. In both countries, international police trainers instruct the new recruits in the classroom and monitor their progress once they reach their stations. As new cadets take to the streets, attention is now beginning to turn to the more difficult task of changing institutionalised attitudes towards policing and creating structures that embody this new approach.

## Creating new police officers

The political importance of turning applicants to the police into officers as quickly as possible required substantially abridged training. In Macedonia it takes nine months to become a fully-fledged police officer, while in Southern Serbia the total process lasts a year. In both places, the programme begins with 12 to 15 weeks instruction in the classroom followed by a period in the field to allow for the practical application of coursework and to enable the recruit to develop community policing skills. Following successful completion of state exams and a probationary period, the cadets become vested with full authority to carry out independent policing tasks.<sup>51</sup> Currently, all MEPE officers in Southern Serbia have graduated from basic training, while the first stage of the programme continues in Macedonia.

The job of sifting through applications from aspiring cadets raised a thorny dilemma that confronts many police reform programmes during transitions from conflict: should former fighters be allowed to join the police? In these two cases, a policy of ‘don’t ask, don’t tell’ was adopted to negotiate the transition. For example, in Southern Serbia a compromise was struck that demonstrated the commitment of the main actors to the process. It was agreed that ex-fighters would neither be preferentially treated in their applications nor would their application be rejected because of it. Provided they did not have a criminal record, their application would be considered strictly on its merits. It was an important concession by the Serbian authorities: a policy of excluding the UCPMB could have doomed the process to failure before it started.

Classroom training in both places borrowed extensively from the basic training curriculum developed for recruits in neighbouring Kosovo.<sup>52</sup> The main subjects covered by the course – police ethics, human rights, rule of law, patrol procedure, traffic, criminal investigation, policing in a multi-ethnic environment, hate crimes, firearms, defensive tactics and operational skills, community policing and conflict resolution – are all set within an overall framework of democratic policing.

Training is provided by a combination of national and international police instructors and translated into local languages.<sup>53</sup> The abbreviated training course is enough to introduce the basics of policing but little more. As the head of the police school in Macedonia observes, “Having fulfilled the basic course, the student is still not a fully trained police officer; he or she should be a safe officer both in relation to himself or herself and the working environment when working with an experienced colleague.”<sup>54</sup>

<sup>51</sup> The mechanics of the process are slightly different in each place. In Macedonia, recruits spend six months in the field. They then return to the police school for two weeks of in-service training which reviews what has been learned and provides remedial training where necessary. Following this, recruits take a state policing examination. Only then are they vested with their weapon and authority to carry out independent policing tasks. In Southern Serbia recruits receive 15 weeks of field training, followed by 24 weeks of probation, after which they too must pass a proficiency exam. Successful completion of the exam awards them full police officer status.

<sup>52</sup> Indeed, the OSCE were in such haste in Southern Serbia that many of the training manuals and classroom materials were simply photocopied from material used by the UN in Kosovo.

<sup>53</sup> In Macedonia, the only language that lessons were translated into was Macedonian. In contrast to the training in Southern Serbia, no Albanian translation was provided. Although many of the cadets were competent in the language, others were less confident, putting them at an obvious disadvantage.

<sup>54</sup> Interview, Chief of Police Training, 3 October 2002.

The inherent trade-off in getting police officers out onto the streets as quickly as possible is that they assume their duties without being fully trained.

As the classroom training period is so short, it is imperative that cadets receive mentorship and support from older colleagues, station commanders and international monitors in order to develop. Critical responsibility for continuing the education of the raw, inexperienced officer rests with a serving police officer who is assigned to one of the new recruits as their Field Training Officer (FTO). An experienced serving officer, the FTO has responsibility for imparting hands-on knowledge and mentoring the new recruit in the practice of policing. Like the rest of the training programme, the concept of an FTO borrowed extensively from Kosovo. Prospective local field trainers in Macedonia and Southern Serbia also received some education in skills deemed necessary for monitoring and training.

However, despite the knowledge gained from the experience of Kosovo, field training, the most crucial step in the educational process, was found wanting. Problems similar to the ones that afflicted the first field training officer programme in Kosovo also arose in Macedonia and Southern Serbia. Uneven interest, variable dedication to the tasks and mixed abilities among those assigned FTO responsibilities meant that there has been a lack of structure and standardisation in the programme for new recruits. While some cadets' skills were being developed and interest shown in their progress, disinterest and lack of attention were the order of the day at other stations. In many ways the structure of the programmes was badly designed, depending as they did on the altruism of the field trainers who were, in effect, being asked to take on significant extra work for no additional pay. This, combined with the lack of promotion incentives, removed any significant motivation for them to perform fully. There have been some incremental and on-going improvements to the programmes which aim to increase the 'buy in' of serving officers to the reform which are reaping some results. It is a slow process though.

An additional challenge was and remains the potentially divisive issue of how serving members perceive the newcomers. This is most keenly felt in Southern Serbia, where it has been difficult for the infant police there to claim legitimacy for themselves as law enforcement officers (**see box on p 37**). Serving members express doubts about the capability and skills of their new colleagues and the MEPE is still largely seen as a separate, and less capable, entity to the actual police.

While such attitudes are no doubt also prevalent in Macedonia, the major problem there is not so much the programme itself but the limited responsibilities that can be assigned to recruits under Macedonian law. Trainees cannot carry firearms, nor are they able to carry out any independent policing task (even under supervision) such as taking down a witness statement. This lack of responsibility made the new officers, in effect, spare wheels, relegated to more mundane functions because they lacked the equipment and legal empowerment to do anything else.<sup>55</sup>

<sup>55</sup> Recognising deficiencies, the Macedonian programme was overhauled in early 2002. Crucial to making the revamped programme more effective was getting the right officers of a generally higher calibre and interest level to serve as field trainers. A course was developed for 500 Field Training Officers to provide the existing officers both with a better idea about what they were required to do when paired with their young charges as well as with the tools to tutor properly. While this has made the programme sharper, the very (human) nature of mixed interest and capabilities for the task will mean that the individual experience of the fledgling officers will inevitably still vary from station to station and from FTO to FTO.

## **A lot done, more to do: the longer term challenges of changing ethos and structure**

The two initial objectives of training minority candidates and re-entering areas from which the police had been ejected during the conflicts are nearing completion. In Southern Serbia the training process ended in May 2002. Training continues in Macedonia. By July 2003, 1270 new officers had been trained. Of this number 1000 are from minority groups and 15 percent are women.<sup>56</sup>

Concentration now turns to the twin tasks of instilling a new community-minded ethos for the police, while at the same time trying to restructure the organisation to embody and promote this new approach. This, the last but probably the most telling and important part of the reform effort, is as much about issues of management, structure and leadership as it is about policing.

Seven key issues need to be addressed in both Macedonia and Southern Serbia in order for substantial progress to be made:

- Decentralisation
- Development of codes of conduct
- Recruitment and promotion structures
- Ethnic imbalance
- Decreasing overall force size
- Local capacity for training officers
- Funding

One of the most important structural changes required to give effect to community policing is decentralisation. A force cannot adopt strategies tailored to the particular needs of the community, or be accountable to it, if decision-making authority on the smallest operational matter lies elsewhere.

The second most pressing need is the development of codes of conduct and a mechanism for reporting public complaints to the police. A citizenry that believes that its complaints will be dealt with and that there is a point to reporting misconduct is indicative of trust in the service. In Macedonia and Southern Serbia that still remains an objective rather than a reality. There is still no institution to which a citizen may lodge a complaint against abuse by a police officer and be confident that it will be dealt with.

A third issue is clarity in both career recruitment and promotion structures. Presently both remain opaque and the perception is strong that career development is as much to do with political and familial affiliation as with merit or hard work. Without the principle of deserved advancement enshrined into practice, wider changes in the force, such as the retention of qualified officers representing all communities, will be undermined. This problem has been exacerbated to some extent by the OSCE recruit training programme, which, whilst training recruits to a basic standard, has failed to address the issue of a framework of specialist or career education courses. Thus, after a recruit finishes his/her basic and field training there is no structured follow-up. Without the need for successful career or specialist educational qualifications there is plenty of scope for political and personal connections to influence appointments.

The fourth point involves redressing the ethnic imbalance at all stages and levels of the force. In these first few years of deployment, those minorities who joined the force as part of the accelerated training packages are still learning the ropes in relatively low-level positions. For the police to be a truly inclusive force, it is necessary that previously excluded ethnic groups be integrated at all levels of the force, including the most senior. Of course, ascending to leadership and positions of authority does not take place overnight and cannot be expected in the short term but the process must take place relatively quickly for change to be felt. In both Macedonia and Southern Serbia, balanced, sustainable and long-term multi-ethnic recruitment will be dependent on

overcoming the Albanian, and Roma, communities' tendency to leave the educational system early – a dynamic which results in the lack of requisite educational qualifications for police service.

Fifth, it is not just a matter of *increasing* the number of under-represented members; there is a broader issue of whether force re-structuring should reduce the actual number of serving officers. In the case of Macedonia, educated estimates put the number of serving officers at 10,000. For a country of just over 2 million people – 200 per officer – the ratio seems high (the UN recommends a ratio of 1:450<sup>57</sup>). This number of officers is probably too expensive for the country to afford, but downsizing will require confronting the political interests that remain inextricably tied to policing. It also presents a paradoxical difficulty: at the same time as one is trying to bring in historically under-represented minorities into the force, one is trying to cut the total number.

Sixth, for the wide range of training programmes to have a lasting impact, there needs to be a local capacity to train fellow officers. The police development part of the OSCE missions will not continue indefinitely and it is thus essential that local instructors are trained to provide both further training and project design without the oversight of international police instructors. The international agencies responsible for police training must be careful not to neglect this need for fear of doing themselves out of a job.

Finally, many of these problems can be mitigated, if not fully solved, with adequate funding. Comprehensively implementing these reforms is expensive: although the dividends can be great, the start-up investment costs of carrying out proactive, inclusive, community-oriented policing are formidable. Currently there is not enough money to bring the under-equipped police apparatus up to the equipment level of those forces whose methods and approach that they are meant to emulate. Existent equipment is antiquated and hulking, hopeless for confronting the challenges currently faced. Basics such as radio networks, forensic kits and computers continue to be missing from most stations. The perennial cry from station commanders is for more basic equipment.<sup>58</sup> Without it, goodwill, political will and rhetoric can only go so far.

## The first step on a long road to reform

There have been encouraging reforms to the institutional structures of the Macedonian police. Most significant so far has been the disbanding of the so-called 'Lions'. A special police unit formed by the Interior Ministry during the conflict between the National Liberation Army (NLA) and the Macedonian police and security forces in 2001, the Lions, recruited from the police and civilian life,<sup>59</sup> were as much a militia to the then governing party, the Internal Macedonian Revolutionary Organisation-Democratic Party for Macedonian National Unity (VMRO-DPMNE), as they were a police unit. Negative publicity constantly surrounded the Lions. On top of their actions during the conflict, allegations of everything from bar brawls to harassment led to widespread calls for their dissolution.

The Lions were, however, the only cohesive, competent and well-equipped unit available to the police during the fighting in 2001 and therefore many of their negative aspects were overlooked by the authorities. The dissolution of the Lions over the period November 2002 to May 2003 by a new government was an encouraging sign, but international calls for 'Disbandment and Dispersal', led by an American Government perceived as pro-Albanian, were considered by some with suspicion. Hence there was much Macedonian foot-dragging over the unit's final disbandment. At the present

<sup>57</sup> DFID, 'Safety, Security and Accessible Justice', London, 2002, p 35.

<sup>58</sup> Meetings with station commanders in Bujanovac, 27 September 2002.

<sup>59</sup> Informed estimates put their recruitment composition at approximately 400 police and 900 civilian.

time, some 100 or so ex-Lions continue to serve on in a unit known as the Rapid Deployment Unit.<sup>60</sup> Profound difficulties remain in other areas of the Macedonian security sector that are more well-established and less simple to change than dismantling a police unit.<sup>61</sup> Ill-treatment of suspects (often with an ethnic or racial bias) continues to be a concern, as does the absence of any internal control mechanism to handle complaints from the public or to discipline officers. An entrenched culture of politically partisan decision-making throughout the country intrudes upon policing, reflected both in policies towards the police as well as attitudes among senior members in the force hierarchy. If position and advancement based upon political affiliation continue to be the norm, the spread of new principles and democratic approaches to policing will be an uphill task.

In Southern Serbia, the policing project is inextricably tied to progress of the Covic plan (see box on p 37). International involvement in police reform is not confined to that region however. The OSCE is extensively involved throughout the country in several police reform initiatives across six areas identified as needing priority attention: police education and development, accountability and internal control, organised crime, forensics, border policing and community policing. (Southern Serbia has not been included among the five pilot sites chosen to test community-based policing.)

Holistic police reform in Southern Serbia will be a hefty challenge that involves building both the capacity of the force and the public trust invested in it, both of which had been degraded during the Milosevic era. At the same time, success will require marrying the objectives of increased capacity and legitimacy with empowering the police to effectively confront the pervasive influence of organised crime, so vividly demonstrated by the assassination of Serbian Prime Minister Zoran Djindjic in March 2003. Despite the progress made so far, significant obstacles lie ahead before the policing aims of Ohrid and the Covic plan can be fully realised. Building trust in the police as an institution will take time; perceptions are slow to change and just one incident can still easily set back progress painstakingly achieved. The mere creation of these programmes will not by itself result in immediate changes to ingrained institutional cultures or public perceptions of the force. Given the formidable nature of the task at hand, the current hope – a few years into the processes in both countries – should not be that police reform has succeeded, but that new ideas and approaches have been floated and introduced. It is still too early to say whether they have taken hold in Macedonia or Southern Serbia. Whether they will become established within the policing institutions of the two countries is largely dependent upon political will among the parties and continuing levels of international support.

<sup>60</sup> The perceived motives of the international community can, if considered negative to the interests of one or other parties in a post-conflict or tense environment, undermine reform and therefore must be considered and addressed. Amongst ethnic Macedonian civilians the belief that the international community is gradually undermining state security structures in order to facilitate some sort of Albanian federation is gathering support and is likely to create resistance to further well-intentioned efforts.

<sup>61</sup> Report to the Government of the Former Yugoslav Republic of Macedonia on the visit carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 15–19 July 2002, (Council of Europe 2002) *Former Yugoslav Republic of Macedonia: Police Allegedly Ill-Treat Members of Ethnic Minorities*, (Amnesty International 2003).

## Community policing in Macedonia

Broadly speaking, the objective of community policing reform in Macedonia is to make the police an essential, valued and trusted part of the wider fabric of the community. Achieving that involves changing the police's perception of their role as a reactive, state-centred agency and, at the same time, embarking on a project to win the hearts and minds of the communities in the crisis zones that were traditionally distrustful of the police.

In Macedonia, the concept, encouraged by the international community, of "community policing" is at the forefront of the government's attempts to reclaim and stabilise northern areas of the country where the National Liberation Army (NLA) insurgency was strongest.<sup>62</sup> Joint patrols of equal numbers of ethnic Albanian and Macedonian police officers, usually accompanied by international police monitors, were the first representatives of the state to return to the territory following the Ohrid peace deal. Traveling by jeep, the officers visit remote villages that were strongholds of the National Liberation Army (NLA) during the tense months of 2001. Their daily assignments, which include arranging the transport of infirm villagers to hospitals in nearby towns, would not be found on many Western European police rosters. Listening, arbitrating, negotiating, in many ways they are as much social workers as police officers. Albanian officers tend to take the lead in encounters with the Albanian villagers while their Macedonian colleagues hang back, and vice versa when the joint patrols liaise with ethnic Macedonians.

Such patrols face a doubly difficult task. Many officers are just out of the training academy. As well as trying to engender trust among local Albanian communities, they must also build an atmosphere of trust and camaraderie among fellow officers of different ethnicities. Constrained from conducting policing themselves, the international monitors – who are police officers in their own countries – observe conduct and provide guidance, but have no authority to insist that their recommendations be adopted.

An extended lunch with the headman in one village provides an example of community policing, Macedonian style. The meeting did not directly cover policing issues but was more about creating trust. The delicate process of winning the elder's trust was undertaken by the officers' show of deference (taking off their holster belts when entering his house) and the sheer act of stopping by to engage in extended conversation. After a few hours, by the time the lunch was drawing to a close, a valuable relationship had been established and a small step had been taken towards building trust in the police.

While confidence in the police as an institution may be increasing, a negative trade off is that some laws are not being enforced rigorously. In an effort not to lose the trust that has so recently been achieved, large policing challenges in these areas tend to be given a reduced priority. The porous Macedonia-Kosovo frontier has long been a conduit for smugglers. Organised criminal networks took advantage of the policing vacuum during the conflict to strengthen cross-border links further and in some cases those involved in the conflict were motivated by maximising criminal opportunities. In an effort to ingratiate themselves with the residents of the border areas, police have tended to turn a blind eye to these problems; to do otherwise would risk a return to conflict. The Macedonian police force thus finds itself in something of a no-win situation. Strong, and confrontational, action in an effort to improve security and crack down on criminal networks risks alienating the community; conversely, a 'softly, softly' approach leads to charges of ineffectiveness. It also undermines the confidence of the police to act and allows organised crime to go unchecked.

However, at the same time, no policing can be effective without the consent of those being policed. The uneven history of policing in Macedonia has meant that often more faith has been put in traditional, family-based solutions than in the police. Nor can the police alone re-establish governmental control and legitimacy. It is only when police reform is allied with

<sup>62</sup> Based on participant observations with police patrols, October 2002.

other, equally long-term, local government reforms and economic development projects that it can strengthen the process of building lasting legitimacy and trust.

## Multi-ethnic policing in Southern Serbia

The surface change to policing in Southern Serbia is remarkable. All officers trained under the multi-ethnic policing initiative have finished classroom training and are to be found at police stations and mobile containers dotted throughout the region. In areas where the sight of a police officer would just a few years ago have been rare, joint patrols of Albanian and Serbian Multi-Ethnic Police Element (MEPE) officers is now commonplace.<sup>63</sup>

However, symbolism alone does not guarantee an effective, legitimate police. The multi-ethnic force is encumbered by powerful legacies of the past and an inability to win the respect of the local populace. Nor have the wider political problems, of which policing is merely one symptom, been resolved. The creation of a multi-ethnic police force for Southern Serbia was primarily a political project, part of a package of reforms intended to increase Albanian confidence in state institutions. The uncertain status of Kosovo continues to intrude on developments in Southern Serbia. Unless and until there is some clarity on the province's future status, the situation in the Southern Serbian municipalities will remain similarly uncertain.

The police reform project began auspiciously enough with support from local Albanian representatives and a UCPMB (Army for the Liberation of Presevo, Medvedja and Bujanovac) cease-fire. The co-operation between local actors over the creation of the force is a model to be studied and emulated. However, creating the reality of a legitimate multi-ethnic force has presented a more difficult challenge. A combination of continuing political uncertainty, together with distrust and scepticism from within the institution itself has made it extremely difficult for the new officers to feel fully integrated into the force. Compounded by a demonstrable lack of policing capabilities among many new recruits, the project must so far be judged a mixed success. The 'quick-fix' solution of expediting the admission of minority applicants into the police has proven insufficient in itself to represent a new beginning to policing.

Reformers in Southern Serbia intended that permanent and temporary police stations would become focal points for administrative contact with outlying areas. The hope was that the police would, in effect, become trusted civil servants and conduits for relations between the citizenry, regional municipalities and the state. Certainly a beginning has been made. Registration and administrative matters such as issuing driving licences and civil registration documents are dealt with through the stations. OSCE officials remark that stations have become trusted places to go for citizens in need of everyday assistance, such as the transportation of the sick to hospital, and attribute this to a growing trust in the police.<sup>64</sup>

However, while their progression as administrators is undoubted, it has been more difficult for the new force to build legitimacy for themselves as law enforcement officers. The continuing presence of Serbian police and gendarmerie in the areas has meant that the MEPE police have had trouble asserting sole authority for themselves. The mainstream police and gendarmerie continue to take the lead in policing operations, relegating the MEPE to auxiliaries in the public's eyes. Two years since the multi-ethnic force's inception, raids on suspect individuals continue to be carried out by the Serbian police, reinforcing a perception that the MEPE is something less than a full police force in its own right.<sup>65</sup> Achieving the intended goal of seamless integration into existing structures remains far away.

<sup>63</sup> The OSCE have trumpeted their role in creating inclusive police in a number of articles. See for example 'Abdulah and Slobodan on patrol', [http://www.osce.org/news/in\\_focus/2001-08-17\\_fry\\_police\\_training.php3#3](http://www.osce.org/news/in_focus/2001-08-17_fry_police_training.php3#3)

<sup>64</sup> Interview with OSCE police co-ordinator for Southern Serbia, 19 December 2002.

<sup>65</sup> 'Mass Albanian Protest in Presevo', *VIP News*, 20 February 2003.

Limited training created other difficulties. An OSCE report into the progress of the officers reported inefficient work practices. Only 20 percent were believed to possess the skills and aptitude necessary to function as police officers. Equally as important, the short training period also meant that neither the MEPE recruits themselves, nor their colleagues in the Serbian police (who had been in training for a period of up to eight times longer), have full confidence in their own capabilities. Serving members doubt the capabilities and skills of their new colleagues and the MEPE continues to be seen as a largely separate, and less capable, entity. The influx of a few hundred Albanian officers has done little to change the organisational culture of a force that remains resolutely Serbian. The language of policing remains Serbian and the old attitudes of serving officers are difficult to break down overnight. It is, for example, not uncommon to hear old stereotypes of Albanians bandied around in conversations between members of the force.<sup>66</sup>

Nor has the sheer presence of Albanian officers in the police increased trust in the institution itself. Indeed, given the deep distrust among the Albanian population, an immediate change of attitudes could hardly have been expected. In some villages, the presence of the police, even the MEPE, remains unwelcome. The Albanian community may gradually be beginning to trust the police, but after years of distrust and fear, that trust is fragile, with just one incident capable of shattering it. Given alternative sources for self-policing, such as extended families, respected community elders or codes of traditional law, that process is more difficult still.

In many respects, the fortunes of the Multi-Ethnic Police Element are tied to two factors that are beyond their direct influence: progress of the Covic plan and political developments in neighbouring Kosovo. The success of the Covic plan was predicated largely upon the reversal of decades of institutional and economic neglect. Albanian nationalism is less likely to retain its adherents if the economy is healthy and standard of living comfortable. With numerous obstacles to development remaining in the area, few sustainable benefits can yet be seen and the three Southern Serbian counties remain economic backwaters. Although economic assistance has been an important plank of Covic's plan, it has so far done little to halt the continuing bleak economic trend. That the \$250 monthly wage of a police officer makes a position in the force coveted illustrates how deep the economic problems are. These problems also weigh down the prospects for lasting political stability.

Political support from the Albanian community for the Covic plan has not been consistent. Overall, the political climate in the area in which the MEPE operate remains deeply unsettled. Although there was widespread participation in municipal polls, the Albanian community boycotted the Serbian national elections in September 2002 and the December presidential run-off and there remains a ground swell of support for some re-negotiation or change of the area's constitutional status, whether in the direction of regional autonomy or the re-drawing of the borders with Kosovo and a land swap.<sup>67</sup> Although the UCPMB are formally observing a cease-fire, sporadic attacks continue. Ominously, since the beginning of 2003 one of the prime targets of their attacks have been police officers and their homes, only this time the targets are ethnic Albanian MEPE officers rather than Serbs.<sup>68</sup>

<sup>66</sup> Interviews, Bujanovac, 26 September 2002.

<sup>67</sup> 'Presevo Albanians Eye Autonomy', *Institute for War and Peace Reporting Balkan Crisis Report 406*, 13 February 2003.

<sup>68</sup> 'South Serbia Flare Up Feared', *Institute for War and Peace Reporting Balkan Crisis Report 406*, 13 February 2003.

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# Conclusion

**THE THREE FORMER BALKAN CONFLICT ZONES** examined in this report have tentatively embarked on a path to the resolution of longstanding political disputes. As part of each process there has been a commitment either to create or extensively refurbish an existing police force. This is because experience has shown that without robust policing structures, fragile new peace agreements find it difficult to survive and take root. However, despite being the recipient of considerable international support and goodwill, such efforts face daunting political, financial, logistical and historical obstacles. Achieving lasting and effective police reform, therefore, requires cutting through a Gordian knot of management, leadership, political will, set attitudes, established behaviours, negative public perceptions and, at times, misunderstood international motives. Police reform is a task every bit as fraught with difficulty and uncertainty as solving the underlying disputes themselves. Its complexity makes it a daunting proposition for would-be reformers. Nevertheless, the very centrality of the issue means that it cannot be shied away from.

The reform efforts in Kosovo, Macedonia and Southern Serbia share similar features. All or part of the new police apparatuses were made responsible for territories where there had never before been an effective local force based on democratic policing principles. They had no luxury of a settling-in period and had to establish their authority immediately, often without the requisite tools to do a credible job. Often the long absence of effective law enforcement and justice systems had encouraged the development of alternative systems of conflict management and dispute resolution. To the extent that the new police are seen as threatening those mechanisms without offering a viable alternative, the task of embedding the democratic principles of the police is made all the more difficult. Finally, in all three cases there has been the danger that if the new police forces are not sufficiently well-funded and equipped to make an immediate show of their authority, already fragile public confidence will shatter, endangering the entire process. Given the myriad obstacles, the efforts and achievements of the police reformers over a relatively short period in these three cases should be commended and applauded.

That said, examination of the cases indicates a lot can be learned from and improved on, both in terms of specific alterations to programming as well as broader lessons for future international police reform missions. The following points or concluding observations have been made on the basis of the research and analysis conducted for this report and are accompanied by recommendations for consideration by decision-makers and practitioners of police reform.

## Programme design

### 1 Classroom and field training

Getting the new local police out on the beat performing actual policing tasks has been one of most visible signs of progress in each of the three initiatives in Kosovo, Macedonia and Southern Serbia. Kosovo's expedited training programme was emulated in neighbouring reform missions; its basic curriculum is to be commended where a quick start for policing is needed. Overall, the problems have not been with classroom instruction but the flawed field training programmes that follow it. The new officer's knowledge and experience gaps are not being sufficiently filled by shadowing, observing and learning from more experienced national or international officers. The overall consequence is a less effective force. Uneven interest, variable dedication, mixed abilities, and the occasional patronising attitude among field trainers to their charges has meant a wide unpredictability in learning. Clearly, there is no guarantee that serving officers have the ability to train fresh recruits up to the requisite levels of expertise. This is extremely worrying, especially as so much learning and future planning hinges upon dissemination through field trainers.

**Recommendation:** The learning methodology behind field training must be thoroughly evaluated and re-designed if necessary. A lot of stock is being placed in 'train the local trainers' courses – the evaluation should test whether the correct information and approaches are diffusing down to officers on the beat and new cadets. More attention should be given to consistency in the field training element of programmes in order to ensure equality of experience and learning for all cadets.

### 2 Training of trainers

In Kosovo, where a police force was established from scratch, all members started from the same learning point at roughly the same time and so, broadly, have been steeped in equal measure in courses and training. In the larger forces of Macedonia and Southern Serbia, older serving members are given just a few hours of classroom-based training in human rights and democratic policing principles, or are even expected to be instructed by fellow officers who have attended such a course. So far this does not seem sufficient to modify long held and powerful attitudes which may not be appropriate for the more modern 'democratic policing' approach reformers are aiming to achieve. It is questionable whether such short bursts of remedial training actually promote a change in attitudes and practice.

**Recommendation:** Questions must be asked, and tests undertaken to measure the efficacy of short bursts of training for qualified officers and of the training of trainers courses currently used. The allocation of more time for training is likely to be a step that will bring immediate benefits.

### 3 Integration

New recruits find it difficult to integrate fully within existing police structures dominated by a majority ethnic group and gender. Currently, reformers run the risk of establishing a force with differing levels of legitimacy and trust vested in officers wearing the same uniform.

**Recommendation:** More attention needs to be paid to strategies to assist processes of assimilation and incorporation. Field training should be utilised as a method of integrating discrete groups as well as a training tool.

### 4 Effective maintenance of law and order

It is right that each police reform effort is framed within the principles of democratic and community policing and introduction of this more humanistic form of policing

has helped break down barriers between the community and the police. However, this new ethos should not be associated with a softening of attitudes to crime and law enforcement. Each area faces serious and deep-rooted crime problems that will only swell and spread if they are not addressed head on. Any failure to do so may create public perceptions of an ineffective and impotent police service, which in turn will present serious obstacles to engaging the public support necessary to police effectively and control crime.

**Recommendation:** More attention needs to be paid to encouraging and supporting, both publicly and with advice, more robust law enforcement when it is needed. This will offset any perception that more inclusive policing means more ineffective policing, when in fact the contrary should be the case.

### 5 Career development as a reform tool

There remains in Macedonia and Southern Serbia a degree of opacity about whether commitment to reform extends beyond mere rhetoric and throughout the whole police structure. There is also a similar lack of clarity in procedures for career advancement and selection of new recruits in specific police reform programmes.

**Recommendation:** It is important to bring as much clarity as possible to the system. A connection between institutional reform and career development should be entrenched. One possible solution would be to encourage development of a properly structured promotion and appointments policy linked to specialist and career education courses. This would both reward and encourage those officers who wish to progress, and who are therefore motivated, to apply for further training.

### 6 Political context

All three reform processes are affected by the political uncertainty resulting from the still unresolved status of Kosovo. The continuing uncertainty as to Kosovo's status continues to intrude upon policing, as well as stability, across the entire region. Unless and until that question is resolved, it will be difficult for normal policing to begin effectively.

## The international dimension

### 7 Equipment and assistance

A legacy of past behaviour is often the only thing inherited by a successor force. In many cases, the physical infrastructure, equipment, and personnel of the previous force are either compromised beyond repair, unusable or simply not available to be of use to the new force. It is thus crucial that the practical assistance required is delivered quickly. Delivery of assistance months and years after the initiation of the process may mean that whatever chance there is of nurturing infant police forces may be lost.

**Recommendation:** Although there has been large and public international support for police reform and establishment, that support – financial, practical and human – needs to be quick off the mark and then continual and sustained. It needs to be accepted that police reform is a long-term investment and it will take many years before clear dividends emerge. This understanding needs to be built into both funding and programming.

### 8 Planning a post-conflict response

In post-conflict environments, it is a given that police reform will be a component of wider peace-building efforts. Yet, the nuts and bolts of planning tends to take place

only amidst the scramble following the end of a conflict where there is no time for any period of reflection and consideration.

**Recommendation:** More thought needs to be allocated to pre-planning and the formulation of a clear blueprint that harnesses existing learning and experience to choreograph in detail the practical steps needed to implement police reform quickly once a conflict subsides. The development of these blueprints will help offset the rather *ad hoc* on-the-ground planning that appears to be the norm now.

### 9 Deployment of international officers

The Kosovo policing experience should inform future instances where the UN will take on policing responsibility. In Kosovo, international police deployment came too late, lagging behind the establishment of the international administration, which, ironically, was when it was needed most. The arriving international police officers were also an extremely mixed bag in terms of ability. Problems were compounded by complicated lines of authority and an almost continual rotation of senior staff, whose deployment period ended as soon as they had begun to familiarise themselves with their task.

**Recommendation a:** Having a permanent roster of officers willing to serve in an international force and able to deploy at short notice would avoid having to go through cumbersome recruitment from national police posts. A multi-national roster of officers – whose skills have been assessed or proven – would enable more immediate policing than is currently possible.<sup>69</sup>

**Recommendation b:** One way of avoiding *ad hoc* decision-making would be to utilise expertise that already exists. Officers who have served in police reform missions constitute an important reservoir of opinions and views. These individuals should be more comprehensively canvassed for lessons learned to feed into the policy development process.

**Recommendation c:** Lines of authority need to be streamlined and attention given to setting in place a personnel management system that maintains an experienced and knowledgeable core even allowing for (inevitable) staff turnover.

### 10 Pre-deployment training

Those charged with providing international assistance to police development are often not culturally and linguistically attuned to the nuances of the situation. The situation is even more difficult when dealing with a closed society of familial networks, such as the ethnic Albanian communities in the former Yugoslavia, or parallel community policing or security structures, a common product of conflict environments. The implications of this unfamiliarity result in a restricted ability to impart skills and knowledge fully.

**Recommendation:** It is not expected that all international officers will be skilled polyglots with a forensic understanding of political and historical particularities. Currently, however international officers' unfamiliarity is accentuated by rushed and inadequate pre-deployment briefings, suggesting little importance is attached to a good understanding of the policing environment. Greater weight should be given to this, especially to basic training in the local language(s), which should continue during the deployment of international personnel in theatre.

<sup>69</sup> One author has considered the practicability of a 'global gendarmerie' of officers that could quickly deploy to situations where needed. Hills A, 'International Peace Support Operations and CIVPOL: Should there be a Permanent Global Gendarmerie?', *International Peacekeeping* 5, (Autumn 1998), pp 26–41.

## 11 Additional areas of expertise

Currently, it remains the norm that international police missions are almost exclusively staffed by either currently serving or recently retired police officers. However, the complexity of the area of police reform – one which includes issues of management, institutional restructuring, education and engagement with civil society – is perhaps too multi-faceted to be left solely to police officers and international experts on policing.

**Recommendation:** It may be worth considering widening the eligibility bracket for those recruited into police reform and assistance missions to include international personnel with a wider range of skills and experience relevant to the overall challenges police reform faces.

## 12 Accompanying criminal justice reform

Police reform will not be successful if it is carried out in isolation: its accomplishment is intimately bound up with other issues, namely judicial and penal reform.

**Recommendation:** International organisations and governments need to integrate their planning and ensure criminal justice reform programmes run concurrently with police reform and that both processes can mutually strengthen and reinforce each other, rather than each suffering from the lack of the other as often happens at present.

In addition to the observations and recommendations above, a pertinent note to conclude on is the overall comment that one should not expect too much too soon from new police forces. These are for the most part inexperienced forces, operating within politically uncertain contexts, where there is no recent experience of a legitimate local force. Police forces tend to be among the most visible symbols of the transition from conflict to peace, and are therefore almost always burdened with high expectations. It is hardly surprising that under-paid, under-equipped, under-trained and under-staffed forces almost always find such hopes difficult to fulfil. That these police forces may not live up to expectations is perhaps less a function of their own failings than a reflection of the multiplicity of demands placed upon them. Police reform is a difficult process, and success is far from guaranteed. Effectiveness of reform should be judged over the time frame of a decade or more. Two or three years is too short a period to judge such complex institutions. It is worth bearing in mind that Western police forces – those the forces undergoing reform are meant to emulate – are hardly perfect themselves. It's much too high an expectation to think that these new forces will consistently meet high standards of competence and practice as they struggle to police incomplete peace processes.

Although it is still too early to be definitive about the long-term success of the police reform projects in Southern Serbia, Macedonia and Kosovo, an encouraging beginning has been made. However, diversion of international attention, funds and political support could mean that all that has been painstakingly created could be very easily lost. One of the most pertinent lessons to be learnt from these experiences, namely the need for consistent support, remains as relevant for the three Balkan case studies today as for all future police reform initiatives.



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