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**Organization for Security and Co-operation in Europe  
Office of the Secretary General**

# **Annual Report of the Secretary General on Police-Related Activities in 2004**

**(Submitted in accordance with Decision 9, paragraph 6, of the  
Bucharest Ministerial Council Meeting, 4 December 2001)**

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**Appendix - ODIHR Annual Report on Police-Related Activities in 2003**



Organization for Security and Co-operation in Europe  
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**ANNUAL REPORT OF THE SECRETARY GENERAL  
ON POLICE-RELATED ACTIVITIES  
IN 2004**

**(Submitted in accordance with Decision 9, paragraph 6,  
of the Bucharest Ministerial Council Meeting, 4 December 2001)**

**1. INTRODUCTION**

1.1. This is the third report submitted in accordance with the mandate referred to above.

1.2. The report provides information about police capacity- and institution-building undertaken by the Organization for Security and Co-operation in Europe (OSCE) field operations in support of their respective host-State governments. The report describes the development of new or existing activities, and work by the OSCE Strategic Police Matters Unit (SPMU), to strengthen law enforcement activities within a country, region or on behalf of all the Organization's participating States. Attention is drawn to the role of the OSCE Senior Police Adviser to the Secretary General (SPA) and to resource and other matters at the conclusion of the report. The OSCE Office for Democratic Institutions and Human Rights (ODIHR) Annual Report on Police-Related Activities is attached to this report as an appendix.

1.3. The concerns which, during 2003 had most dominated the OSCE policing agenda for post-conflict States and States in transition, i.e., transnational crime, the negative effect of corruption on sustainable economic growth, police violations of human rights and the need for people to be served by a knowledgeable and responsive police service, have become incorporated into a list of long-term practical assistance priorities, identified jointly by OSCE policing assessments and host-State expressions of needs. The OSCE now possesses a growing repository of knowledge and experience about the areas of policing most commonly requiring improvement within such States and the forms of assistance and training most suited to achieving it.

1.4. This repository of knowledge is being supplemented by information about, and connections to, other intergovernmental and non-governmental organizations active in delivering credible police-related assistance, with a view to achieving greater engagement with them and providing a stronger practitioner input to political decision-making

1.5. Whilst the predominant focus of OSCE police-related assistance is on the need for knowledge-based policing - particularly in those areas of day-to-day operational policing which are fundamental to all else - there is an even greater need for a vision that will determine the culture of policing as much as the technical competencies to be achieved. Assistance to formulate a political vision for policing is increasingly identifying itself as a principal element of OSCE police-related activity.

1.6. A host-State government's aim to establish the Rule of Law requires not just law enforcement capacity- and institution-building, but comparable improvements across the entire criminal justice system. Legislative, law enforcement, prosecutorial, judicial and penal reform need to be part of an OSCE doctrine of Security Sector Reform (SSR) which will link together the operational elements of the Organization in order to guide the formulation of OSCE mission mandates, present a clear statement of purpose in association with existing ones and distinguish between the activities of the OSCE and its international counterparts in the future. The latter is a timely objective in virtue of the need for donor States to allocate funding on the basis of the comparative advantages of each.

1.7. The formulation of an OSCE SSR doctrine will also serve to inform participating States about the need to fully assess the implications of a host-State government's requirement, understand the crucial importance of the inter-relationship between legislative, executive and judicial reform and therefore be able to make decisions about the resources necessary to balance improvements between each. Experience over the last decade has shown that decisions to strengthen the internal security of participating States required much greater long-term planning and complementarities between principal actors. Similarly, no declaration to embark on the implantation of a rule of law assistance programme should be made unless donor States, or other international groupings on their behalf, commit multi-annual funding to it and create systems to find and supply sufficient numbers of qualified international personnel for the duration of the whole programme.

1.8. An SSR doctrine may also be used to inform non-OSCE States requesting OSCE assistance, about the Organization's mode of operation, political criteria and operational capabilities which would avoid concerns being voiced about encroachment upon any bi-lateral assistance activities.

\* \* \* \* \*

## 2. FIELD MISSIONS INCORPORATING POLICE-RELATED ACTIVITIES

### SOUTH-EASTERN EUROPE

#### The OSCE Mission to Croatia

2.1. Throughout 2004, the Police Affairs Unit consisted of six international and six national staff members. Mr. Dan Peterson (Sweden) remained as Head of Unit throughout 2004 with his headquarters in Zagreb along with two international staff members and three local staff. The remaining three international staff members operate in the field, each assisted by a national staff member.

2.2. Recognizing improvements in the overall security situation in Croatia and in the performance of the Croatian Police, the Mission's police component focused primarily on advising police authorities at the central level on the significant elements of police reform. The Unit also maintained an advisory role, and, to a lesser degree, a monitoring function of police activities in the field.

2.3. At the end of 2003, the Head of the Police Affairs Unit initiated an internal review of the Unit's objectives under the Mission Mandate, as a result of which, the overall objective in the police affairs area was defined as:

*“To support the establishment of a Police Service in Croatia imbued with democratic values that is accountable to the law, respects and protects human rights and the rights of minorities, assures law and order and security and instils public confidence through transparency”.*

2.4. Together with the Ministry of the Interior, the Police Affairs Unit developed a “Road Map” outlining in detail the process for creating a modern police service in Croatia in line with European standards.

2.5. The implementation of the ‘Road Map’ will commence in 2005 following the formal approval of the Minister of the Interior in early January 2005.

2.6. The Police Affairs Unit concentrated its limited resources on three strategic areas where the OSCE Mission can be considered to have a comparative advantage in relation to other international actors. The three areas are:

1) *Police reform, including:*

- Development of a police Road Map (the Mission in co-operation with the Ministry of the Interior);
- Development of a modern human resource management system within the Croatian Police;
- Reviewing the structure of the Border Police.

2) *Regional and international police co-operation, including:*

- Co-ordinating international police assistance to the Croatian Police by chairing the ‘International Donor Co-ordination Group on Police Assistance to Croatia’;
- Supporting specific projects and activities aimed at bringing the working methods of the Croatian Police in line with European standards (e.g. organizing training of the Croatian Witness Protection Unit in conjunction with the German Federal Crime Investigation Department - BKA).

*3) Community policing, including:*

- Assisting in training and preparation of community policing ‘Contact Officers’;
- Supporting the development of crime prevention and community partnerships;
- Promoting investigation of domestic violence (following the 2003 Law on Protection Against Domestic Violence);
- Promoting reconciliation between different communities.

***General Situation***

2.7. The number of police officers per capita in Croatia is still significantly higher than in most Western European countries (e.g. almost twice that of Germany or the United Kingdom). National minorities and women are under-represented within the Croatian Police, comprising approximately 4 and 8 percent respectively.

2.8. Some 70 percent of the Heads within the General Police Directorate and the regional Police Administrations were replaced during 2004, following a change of government in December 2003. However, this should be seen in the perspective that the previous government, in its first months in power, replaced some 95 percent of the top positions within the Police that at the time was generally seen to be heavily politicized.

2.9. According to Transparency International’s 2004 annual report on global corruption, Croatia has fallen on the rating list for the fifth year in a row. Corruption within the Croatian Police was identified as a continuing problem by the Croatian experts during the Road Map workshop (see below).

***Police Reform***

2.10. In early 2004, the OSCE Mission to Croatia and the Ministry of the Interior agreed to work together to develop a “Road Map for Developing a Modern Police Service in Croatia”. It was intended to complement the Ministry’s own police reform programme, ‘Action Strategy – Community Policing’, and allow this to be placed within a broader inter-agency context. For that purpose, the Mission organized a five-day workshop in May that included representatives of the relevant ministries, prosecutors, judiciary and civil society.

2.11. At a meeting in December 2004 between the Minister of the Interior, the Head of the OSCE Mission and the Head of the European Commission (EC) Delegation, it was agreed to establish a joint Co-ordination Group for the further implementation of the Road Map. The Co-ordination Group is anticipated to commence its work in early 2005.

2.12. The Ministry of the Interior's Working Group for Development, which is jointly chaired by the OSCE Mission and the Ministry, assumed responsibility for the development of a modern human resource management system in line with European standards. The Mission organized a human resource management workshop and a related study visit to Germany for representatives of the Ministry of the Interior in March and October 2004 respectively. The issue of under-representation of national minorities and women within the Croatian Police is continuing to be addressed by the Mission (see below).

### ***International and Regional Police Co-operation***

2.13. In April 2004, Croatia hosted a regional workshop on cross-border co-operation in conjunction with the agreement on joint regional training from the May 2003 Border Security and Management Conference at Lake Ohrid.

2.14. The first phase of the EC funded Twinning Project 'Integrated Border Management – Border Police' was concluded in March 2004. The OSCE Mission continues to advise the Croatian authorities on the process of separating the Border Police from the general Police.

2.15. The OSCE Mission chairs the International Donor Co-ordination Group on Police Assistance to Croatia, which comprises representatives of nine embassies, the European Commission Delegation, the International Organization for Migration (IOM) and relevant Croatian Ministries. The number of participants of the group has more than doubled in 2004. The group meets every sixth week. A status report on all police assistance activities is maintained and regularly updated by the Mission.

2.16. On 15 December 2004, the OSCE Mission in partnership with IOM submitted a project proposal for combating trafficking in human beings training for Croatian Border Police personnel to be funded by the EC AGIS Programme.

### ***Community Policing***

2.17. The introduction of the Contact Officer concept can be considered a cornerstone in the Government's efforts to reform the Croatian Police. The Mission has assisted the Contact Officer programme by providing expert training and advice. To date, 279 Contact Officers have been trained and deployed throughout the country out of a planned total of some 700. However, the Contact Officer training programme has been postponed since May 2004 due to budgetary constraints but will resume on 31 January 2005.

2.18. During 2004, the Mission organized two visits for Croatian officers to study community policing, one to England and one to Portugal in April and December 2004.

### ***Main Priorities for the Future***

2.19. The Mission will continue to provide support and advice to the Ministry of the Interior and the Croatian Police in the areas of police reform, international and regional police co-operation and Community Policing.

2.20. The Police Affairs Unit will continue to co-ordinate its work with the OSCE Strategic Police Matters Unit in Vienna and will pursue initiatives aimed at regional development and the harmonization of police matters and working practices. The Unit

will continue in its co-operation with other OSCE missions in the region, the European Union (EU) Police Mission in Bosnia and Herzegovina and relevant EC institutions.

2.21. The implementation of the Police Road Map will be a mainstay of Croatian Police reform for the future. Assistance will continue to be given in order to foster regional police co-operation, thereby allowing Croatia to more effectively combat major cross-border crime. The Mission will also continue to provide support and advice to the Croatian Police on the implementation of its Community Policing Programme. However, the Mission does not intend to replace the current Community Policing Adviser at the expiry of his assignment to the Mission in September 2005.

2.22. During 2005, the Police Affairs Unit will concentrate its resources on those strategic areas where the OSCE can be considered to have a comparative advantage, including the following main priorities:

*Police reform:*

- Implement the Road Map to reform the Croatian Police (in co-operation with the EC Delegation and the Ministry of the Interior);
- Continue the development of a modern human resource management system within the Croatian Police;
- Assist the Ministry of the Interior in formulating a strategy to increase the number of women and national minorities in the Croatian Police;
- Advise the Ministry of the Interior in the restructuring of the Border Police.

*Regional and international police co-operation:*

- Co-ordinate international support by continuing to chair the International Donor Co-ordination Group on Police Assistance to Croatia;
- Support the second phase of the OSCE South-Eastern Europe Cross-border Co-operation Programme (OSCCP);
- Co-ordinate the OSCE Mission's activities in the field of trafficking in human beings, which includes representing the Mission in the Project Management Board of an IOM anti-trafficking project;
- Conduct specific projects/activities aimed at bringing the working methods of the Croatian Police in line with European standards (e.g. witness protection).

*Community Policing:*

- Assist in the training and preparation of community policing Contact Officers;
- Support and advise on the development of crime prevention and community partnerships;
- Support and advise on the introduction of domestic violence in-service training (following the 2003 Law on Protection Against Domestic Violence);
- Arrange a cross-border co-operation study visit to Portugal, which will include police officers from Croatia and neighbouring countries (as preliminarily agreed with the Portuguese Police);
- Implement local projects aimed at reconciliation between different communities.

**Conclusion**



2.23. The relationship between the Mission and the Croatian police authorities has steadily improved over the past 18 months. In principle, all doors at the Ministry of the Interior, the Police Directorate and the regional Police Administrations are open to the Mission. Nevertheless, a number of problems (as outlined in the Road Map) remain to be addressed in order to achieve the overall objective of reforming the Croatian Police into a modern service in line with European standards.

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## **The OSCE Mission in Kosovo**

2.24. The ethnic violence in March - causing numerous deaths, serious injuries and the destruction of many properties - came as a terrible shock to all in Kosovo. It seemed that the exceptional progress made on the road to final status talks had been annulled in 72- hours of widespread violence.

2.25. It was with relief mixed with pride, when it was learned that the majority of Kosovo Police Service (KPS) officers and other public safety staff in Kosovo responded to these lawless acts of ethnic violence in a professional and laudable manner. In many instances the KPS demonstrated an ability to act bravely in defence of the equal status of all citizens in Kosovo.

2.26. At the same time, the KPS has recognized that there is much to do in the ongoing process of taking full responsibility for policing Kosovo and serving all its citizens. For much of 2004, and continuing throughout 2005, the Department of Police Education and Development (DPED) at the OSCE Kosovo Police Service School (KPSS) worked with renewed energy to assist the KPS and all public safety staff in achieving this important goal – that of creating a safe and peaceful environment for all ethnic groups of Kosovo.

2.27. Against this background the DPED/KPSS has continued to innovate and make progress in its mandate. It launched and established many new products and services. One highlight has been the successful launch of the Leadership Assessment Programme, in co-operation with UN Mission in Kosovo (UNMiK) Pillar I and KPS Headquarters.

2.28. Most importantly, DPED/KPSS has achieved great progress in the process of transferring responsibility from International Mission Members (IMMs) to the National Staff, both OSCE Mission in Kosovo (OMiK) and KPS. Successive tiers of management have been moved to a growing team of national managers who display energy, initiative and creativity. As we look toward 2005 we can do so with a note of celebration, knowing that the KPSS has an increasingly sustainable and professional national management team.

### ***Key Achievements in 2004***

2.29. In 2004 the KPSS/DPED successfully trained over 5,000 operational officers in the requirements of the revised criminal codes of Kosovo, through a cascade training scheme involving a large team of KPS field training officers. This effort has demonstrated a capability to conduct large-scale training through use of distance learning techniques.

2.30. DPED successfully implemented and evaluated a revised Basic Training Course, lasting twenty weeks and largely inspired by a competency-based model of training. The number of graduates is now 6,934.

2.31. DPED continued to build bridges with the community through the 'Future Leaders' Youth Camps, Community Policing Programmes and initiatives to tackle the causes of organized crime in partnership with local people.

2.32. In support of the ongoing capacity-building measures for KPS managers DPED continued to provide quality training programmes that build management capacity.

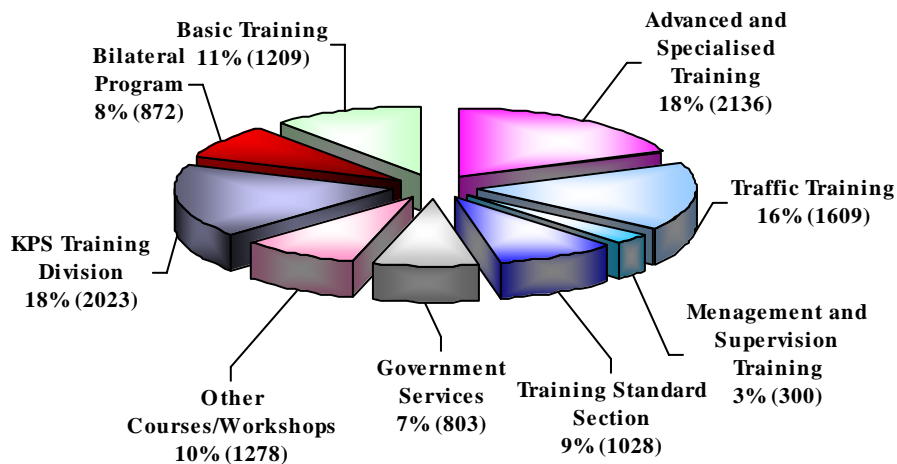
2.33. In support of the creation of the Judicial Police under the new Criminal Procedure Code of Kosovo, DPED continued to provide quality training programmes in a number of areas of criminal investigation.

2.34. In response to the youth involvement in the March violence, DPED designed a *School Guide to the Kosovo Police Service* that promotes an understanding of democratic policing and the role of young people in support of the police.

2.35. DPED successfully transferred over 68% of senior management posts to national staff, KPS and OMiK, in every area of the organization.

### ***Programmes and Trainees***

2.36. Continuing the pattern of improvement over previous years, KPSS has maximized the use of the facilities at Vushtrri/Vučitrn site and achieved a total of 11,237 training places in 2004. Annex 1 provides a detailed analysis of all the training programmes in 2004.



### ***Transition***

2.37. Of the 34 middle and senior management posts within DPED/KPSS a total of 24 (70%) have now been successfully transferred to national staff. The process of transfer has been implemented in a planned and structured manner, ensuring long-term sustainability through a combination of formal and informal training support measures for the new managers. There is a shortage of adult education specialists in Kosovo and DPED/KPSS has sought to build upon the growing experience of its own staff in the transition process. This approach will help to ensure that DPED/KPSS continues to deliver quality programmes to the KPS and other public safety groups over the next 5 to 10 years.

<b>Division</b>	<b>Total Management Posts</b>	<b>Total IMM Managers</b>	<b>Total National Managers</b>	<b>% National Managers</b>
Director's Office	1	1		0%
Police Training	10	4	6	60%
Management & Leadership	3	2	1	33%
Programme Support	7	1	6	85%
Administration Support	14	3	11	78%
Total	35	11	24	68.5%

### ***Professional Development***

2.38. The Professional Development area of the DPED/KPSS mandate comprises Basic Training and the Leadership Training Programmes.

#### ***Basic Training***

2.39. Basic Training is the largest programme area within the KPSS mandate and remained the focus of developmental effort throughout 2004. The revised and extended foundation programme lasts twenty weeks and incorporates recently revised legislation, as well as a far greater emphasis on practical demonstration of basic policing skills and student evaluation. The programme is comprised of three key areas: General Policing Skills, Operational Policing Skills, and Firearms Skills.

2.40. The relevant parts of the new Juvenile Justice Code, Criminal Procedure Code and Criminal Code have been fully integrated into a comprehensive programme.

2.41. Over the period of the year the Basic Training Course was fully evaluated and achieved 89% of student satisfaction overall. A total of 1249 students graduated in 2004, bringing the total number of trained KPS officers to 6,934.

### ***Leadership Programmes***

2.42. KPSS recognizes the need to support the process of identifying and preparing the future leaders of the KPS and other public safety groups in Kosovo. We offer a range of quality management and leadership programmes that are constantly evolving in response to the needs of these customer groups.

2.43. In 2004 the Management and Leadership Development Division (MLDD) delivered five Middle Management Courses (six weeks duration) for 87 KPS Lieutenants, 10 Customs managers and 6 Emergency Management officials. Of this total number of 103 participants, 7 were women and 6 participants were non-Albanian.

2.44. In addition, seven First-Line Supervision Courses (three weeks duration) were delivered to a total of 122 KPS Sergeants, 8 Customs managers and 3 Emergency management officials. Of this total number of 133 participants, 16 were women and 10 participants were ethnic minorities.

2.45. Toward the end of the year MLDD successfully launched a Leadership Assessment Programme in co-operation with UNMIK and KPS Headquarters. This important initiative consists of a number of assessed exercises that identify innate leadership qualities: it is hoped that programme will assist the KPS in the task of identifying and developing future leaders.

2.46. MLDD will introduce more KPS training instructors to ensure that the division continues to design and deliver the right management training to the right audience at the right time.

### ***Specialist Programmes***

2.47. Specialized Training is a key component in the overall development of a professional police organization. As the KPS has developed into a functional police service, the diversity of tasks and responsibilities carried out has increased accordingly and the need for further training has been identified. Specialized training programmes include operational skills as well as academic and theoretical issues:

- Basic Criminal Investigation Course and Advanced Criminal Investigation Course;
- Border and Boundary Course and In-service Border and Boundary Course;
- Drugs Investigation Course;
- Domestic Violence Course;
- Rifle Course;
- Customs Criminal Investigation Course;
- Domestic Violence Course;
- Surveillance Course.

### ***Initiatives to Tackle Organized Crime***

2.48. In 2004, the DPED/KPSS hosted another Organized Crime Basic Course. This was organized by the Organized Crime Unit of Kosovo and allowed participants to learn more about the basic principles of combating organized crime. In co-operation with the US Department of Justice, KPSS organized a Financial Investigation Course that examined the principles of Financial Investigation and enabled the investigators of the Kosovo Organized Crime Unit and Regional Crime Squads to apply legal measures to seize unlawfully obtained assets.

### ***Community Policing in Kosovo***

2.49. DPED/KPSS continues to generate proactive initiatives in the field of Community Policing. This work took on renewed vigour after the ethnic violence in March 2004 - even greater efforts were made to seek ways to reach out to the young people of Kosovo.

2.50. Following last year's successful youth programme (Junior Safety Camp), two similar events took place in July and November, 2004. Under the theme of 'Future Leaders' and funded by the US Department of Justice, International Criminal Investigative Training Assistance Programme (ICITAP) in Kosovo, the event was jointly organized by KPS Community Orientated Policing and Problem Solving Unit (K-COPPS) and KPSS Cops for Kids. Approximately 200 students attended each event from Secondary Schools from every part of Kosovo in a uniquely multi-ethnic venture.

2.51. In response to the violent riots in March 2004, the activities aimed to strengthen relationships between police and youth in order to increase safety and well-being in their communities. In the safe environment of the KPSS, the students had the opportunity to experience fun combined with interactive, participative learning that was focused on conflict and its non-violent management, problem solving, prejudice reduction, civic responsibility and community policing. Over the three days the students developed a 'toolkit' of conflict resolution skills.

### ***Community Safety Action Teams***

2.52. A successful component of the DPED/KPSS Community-Oriented Policing strategy is the *Community Safety Actions Teams* (CSAT) Programme. The purpose of the programme is to promote co-operative, trusting interaction between police, municipality representatives and community members (including village, business, and religious leaders, representatives from education, non-governmental organizations, and civil society, youth), based on the fundamental premise that "*the police are the people, and the people are the police*". Through the creation of proactive problem-solving forums, community concerns are collaboratively identified and addressed, resulting in reduced crime and improved safety and wellbeing.

2.53. Four multi-ethnic municipalities were selected to participate in the programme in 2004, bringing the total number of participating municipalities to eight. CSAT members participated in extensive training to include; the philosophy and benefits of community policing, community partnerships, and problem-solving. The accomplishments of the CSATs are remarkable. Above all, they have made a personal commitment to further promote the community policing philosophy through implementation of prevention, partnerships and problem-solving strategies to address meaningful concerns recognized by the people and the police.

### ***Programme Support***

2.54. A growing range of services are provided by the Programme Support Division (formerly the Educational Support Division), in support of all DPED/KPSS training programmes. At the close of 2004, the Programme Support Division (PSD) sought to build upon the successful organizational structure that has been developed over the last five years consolidating and improving the quality of its services to the KPS and other public safety groups. These services include Curriculum Design and Development, Testing, Evaluation of Courses, Instructor Development, Training Needs Analysis, Evaluation of Trainers, Distance Learning and Legal Advice.

### ***Training Design***

2.55. A number of large projects were completed during the year, including a revised PowerPoint slide package for more than 40 General Policing lessons and distance learning guides for the three new Codes (Juvenile, Procedure and Criminal Offence Codes).

2.56. Every police officer in Kosovo received a self-teach guide to the revised Criminal Procedure Code (115 pages) in his/her own language. Later each officer was issued with a copy of the guide to the Criminal (Offence) Code (120 pages).

### ***Training of Instructors***

2.57. A new Instructor Development Programme (IDP) was launched that will significantly improve the skills and abilities of instructors for the KPS and other public safety groups. The IDP is divided into three learning modules (Distance Learning Module, Residential Course Module, and Assessment Module) and will allow the KPS and other public safety groups to deliver a higher standard of training in the classroom and in the field.

### ***Quality Assurance***

2.58. The revised Basic Training Course was subjected to a vigorous evaluation process. The results were used to further improve the quality of the lesson plans and materials.

2.59. The all-national staff of the Evaluation Team has successfully evaluated over 70% of the training programmes at KPSS with an average 85%+ satisfaction rating. Data produced by the Team is constantly fed back into the Training Materials Section, ensuring that our training products are improved in a timely manner.

### ***Planning and Development***

2.60. Toward the end of the year a new Office of *Planning and Development* was formed to assist with the process of preparing KPSS for full transfer to the Kosovo Police Service. It has begun the work of preparing a strategic plan for delivery of training services to the KPS and other public safety groups.

2.61. The office has also launched a series of workshops to train all KPSS national managers in their current reporting function in respect of the Standards for Kosovo document and future role in reporting under the '*Rule of Law*' *Standards for Kosovo and Government Programme*.

### ***Government and Public Affairs***

2.62. As DPED/KPSS prepares for transfer of responsibility to its successor entity within the Provisional Institutions of Self-Government (PISG), the Office of Government and Public Affairs is investing more effort in building new partnerships and strengthening older ties with Government organizations. These include the Office of the Prime Minister, the Assembly of Kosovo, the Ministries, the higher education institutions and the media in Kosovo.

### ***Infrastructure Development***

2.63. The DPED/KPSS occupies the fully renovated facilities at Vushtrri/Vučitrn. As in previous years, the Administration and Support Division has maintained the infrastructure and facilities to an exacting standard in 2004. In addition, it has continued to make major investments that will ensure the longer-term sustainability of this premier site.

2.64. Following on from the renovation of the central heating plant in 2003, the aging underground heating-pipe network was replaced and extended in 2004 to include central heating to container classrooms and other buildings that had not been originally connected to the network. Complementary to this project, communications network conduits were installed in the same channels. These significant infrastructure upgrades were co-funded by the OSCE and the Kosovo Consolidated Budget and should provide trouble-free operations for the next 20 to 30 years.

2.65. The OSCE IT network is limited to those individuals who work directly for that organization and prevents access by other DPED/KPSS staff and customers. Early 2004 saw the arrival and installation of new servers along with a contract with a local internet provider. These steps allowed the KPSS to become a standalone IT and communications system. The KPSS can now effectively serve all of its Public Safety customers - including KPS, Corrections, Customs, Emergency Management, etc. This project was solely funded by the Kosovo Consolidated Budget.

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## **The OSCE Mission to Serbia and Montenegro**

2.66. The Law Enforcement Department (LED) is the Mission's largest department. Its principal purpose is to support the reform of the police service within the Ministries of the Interior of Serbia and Montenegro. Four years after the start of the transition period, the police services in both Serbia and Montenegro are still seeking to overcome the handicaps of more than a decade of international isolation. The shared goal of the OSCE and Ministries of the Interior is to put them on a course to reach the performance standards of their European counterparts. Following the parliamentary elections in Serbia in December 2003, the new Serbian government was formed in March 2004. This has not derailed the main course of reform, although political turnover has meant sweeping changes among the senior police staff.

2.67. The OSCE has been designated by the Serbian Ministry of the Interior as the coordinator of international assistance to police reform. This role was officially reconfirmed by a Memorandum of Understanding signed in November 2004 by the Ministry and OSCE. The Memorandum outlined eight priority areas of co-operation and assistance; police accountability, the fight against organized crime, border policing, community policing, police education and development, crime scene management/forensics, war crimes, strategic planning and development.

2.68. The Department has 14 international and 18 national members in the Mission's Belgrade headquarters and comprises sections for strategic development, organized crime, border policing, accountability, community policing, education and development, and programme support. Additionally, the Department has four international and four national members at the Advanced Police Training Centre in Zemun, four international and four national members at the Police Training Centre in Danilovgrad (Montenegro), and two international and four national members at the Police Training Centre in Bujanovac (south Serbia).

2.69 Although the Law Enforcement Department is frequently applauded by participating States for its accomplishments in the field of police reform, the appreciation needs to be matched by much greater support in providing qualified candidates for vacant posts. Throughout 2004, the Department faced serious short-falls in international staff and at the end of the year, six international posts (20% of the LED international establishment) remained unfilled.

2.70. The Mission's Office in Podgorica has a Police Adviser and an Organized Crime Adviser assigned to provide advice to the Head of Office on police-related matters, to liaise with the Montenegrin Ministry of the Interior and to assist LED in implementing projects in Montenegro.

2.71. The Department is under the leadership of a seconded senior police officer who is posted for a minimum of one year. The current Head of Department is Roger Berg (Norway), who finishes his contract in March 2005.

2.72. The Department delivers assistance programmes, which are financed from either the OSCE unified budget or by voluntary, extra-budgetary contributions. The approved budget for 2004 for the Law Enforcement Department was €2,395,900. Annex 2 provides a detailed overview of LED activities in 2004.

2.73. In January 2004, the Department finalized its second review of police reform in Serbia entitled '*Police Reform in Serbia: Towards the Creation of a Modern and Accountable Police Service,*'<sup>1</sup> in which, the author Dr. Mark Downes, provided 93 concrete recommendations to both Serbian authorities (mainly Ministry of the Interior) and the international community (mainly the OSCE). The Report has had a profound influence.

#### ***Accountability and Internal Control***

2.74. The Accountability Programme continued to provide assistance in the areas of internal and external oversight of the police to the Inspector General's Office in Serbia and the Internal Affairs Department, Montenegro. Accountability and oversight of police activities, both by the citizens they serve as well as by their government supervisors, is a crucial element in a modern police service. Police credibility remains low in both republics, but is slowly rising. In 2004, a number of activities were only made possibly owing to a voluntary extra-budgetary contribution from the Netherlands:

#### ***Organized Crime***

2.75. The fight against organized crime is still the most important priority area for the national authorities and the international community. Organized crime is a continuous threat and it can destabilize political, social and economic development in Serbia and Montenegro. While concrete projects to combat organized crime are underway, a much more serious commitment is needed at all levels of government to implement commitments and legislation.

#### ***Border Policing***

2.76. In 2004, the Border Policing Programme focused on enhancing overall capacity at the demilitarized borders to carry out the range of border policing tasks. At the core of this capacity is an integrated, centralized IT system. In particular, the Republic of Montenegro completed the demilitarization of their borders by transferring duties to the border police in 2004. The government of the Republic of Serbia plans to begin handing over control of the country's borders from the army to the border police from 1 January 2005, beginning with Hungarian border (174 km). The Serbian Ministry of the Interior has also completed a project that will provide citizens with electronic identification documents through an 'Integrated Automated System' in 2005.

#### ***Community Policing***

2.77. Community policing has become a priority area for development in both Serbia and Montenegro. The concept has been embraced by the Ministries of the two republics as the future for their police services. One key to success will be to encourage citizens to begin the process of re-engagement with the police.

2.78. In Serbia, the LED shifted its focus in 2003 from police training and launched community policing projects in the three pilot sites in the three municipalities of Bujanovac, Preševo and Medvedja. In 2004, the Community Policing Unit further developed the concept by recommending the adoption of 'community safety' elements as the next step towards implementing community policing. Through 10 pilot sites around Serbia, municipal authorities, the media, civil society and the police are developing formal channels of communication to collectively address the safety

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<sup>1</sup> See also The OSCE Study on Policing in the Federal Republic of Yugoslavia, 2001.

needs of all citizens. Three sites are run by the OSCE, and seven by variously the Department for International Development (DFID - UK), the Norwegian Police Directorate, and the Swiss Development and Cooperation Agency (SDCA). The Autonomous Province of Vojvodina will soon become a pilot 'region' for community policing ("safe community") also led by international agencies.

2.79. In south Serbia (i.e. the municipalities of Preševo, Bujanovac and Medvedja), the Community Policing Unit has led the Department's efforts to raise the level of policing in this post-conflict, multi-ethnic area. OSCE began its engagement there in 2001 with the introduction of the Multi-Ethnic Police Element (MEPE), which played a significant role in securing peace and stabilizing the region. However, the officers that were trained have not gained the depth of policing experience that was anticipated. An extensive Training Needs Analysis was organized by the Interior Ministry and OSCE to assess the needs of all police officers in the three municipalities with a view to train both MEPE and regular officers in an integrated fashion. To facilitate the delivery of this training, a construction project has been initiated to provide each of the three police stations with training facilities. In August 2004, LED convened the first South Serbia Working Group meeting. This Group brought together the mayors of the three municipalities, the three local police chiefs and their supervisors, high-ranking Ministry officials, the government's Co-ordination Body and the OSCE to discuss concrete initiatives.

2.80. In Montenegro, the community policing concept has taken shape and enjoys full support from the Ministry of the Interior. The Law Enforcement Department has conducted police and public perception surveys in the country intended to lay the foundation for the implementation of community policing and initial and ongoing training and workshops were held in 2004 to educate the police and civil society about community policing. Up to nine project pilot sites throughout Montenegro are due to formally commence in 2005.

### ***Police Education and Development***

2.81. Police reform in Serbia and Montenegro can be powerfully supported at its base by education and training. Using curricula in line with human rights standards and accepted guidelines on the use of force and ethics can develop attitudes and guide behaviours. A major challenge to be overcome is the focus of efforts, especially in Serbia, on a reform of police *education* as opposed to a reform of police *training*. While the issue may seem to be mere semantics, its effects are significant in planning and controlling the resources for real police reform.

2.82. The police education system prepares one for managerial positions within the police, and this system enjoys uncommon interest and support in the Serbian Ministry of the Interior. However, a sustainable training system that ensures that a police officer is properly qualified lacks this support. Adequate police training is essential to ensure that police officers possess knowledge of laws, technologies and methodologies.

2.83. At present, the OSCE Mission has training teams at three training sites, two in Serbia (at the OSCE Advanced Police Training Centre in Zemun and in Bujanovac in southern Serbia) and one in Danilovgrad in Montenegro. These teams provide training

designed to boost the capacity of the police to design and deliver their own training in future, and perform duties in line with a service ethic within their communities.

2.84. Efforts in Montenegro are exceeding expectations. In addition to training programmes and partnership building exercises conducted in 2004, efforts were undertaken to expand the officer development training and continue the involvement of national trainers in development and delivery of diverse topics.

***Strategic Planning and Development***

2.85. There is a critical need to develop a strategic planning and development capacity in the police service and Ministries of the Interior. Strategic planning lays the groundwork for activities in all areas of police reform. Capacity in this area will be necessary to oversee one of the first major tasks of reform: the comprehensive reorganization of the police service structure. In the future, such a capacity will allow the Serbian and Montenegrin Ministries of the Interior to prioritize reform and development issues, organize work, utilize human and technical resources in the most efficient and effective manner, and make realistic budgeting to create a more efficient and responsive system. A misunderstanding of the planning process still pervades discussion in the Ministries, but the international community will need to remain firm that reform and development needs to take place in a strategic framework and not on a piecemeal basis.

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## **The OSCE Spillover Monitor Mission to Skopje**

2.86. The Police Development Department (PDD) is under the leadership of David Tingle (UK) and consists of four sections: Management, Police Training, Community Development, and Education Support. The Reform Division, which was an integral part of the Department, was closed in April and thereupon, the PDD confined its police reform measures to focusing on police training and community policing development.

2.87. Throughout the year, the PDD maintained an establishment of 69 international staff posts (not all of which were filled) located at Headquarters in Skopje, the Police Academy at Idrizovo, and the Kumanovo and Tetovo Field Stations. The distribution of staff in December 2004 was as follows:

<b>International staff</b>			
	Filled	Vacant	Total
Management	5	6	11
Police Training	19	5	24
Education Support	2	1	3
Community Development (HQ)	9	2	11
Community Development-Field Station Kumanovo Community Police Trainers	7	3	10
Community Development-Field Station Tetovo Community Police Trainers	4	6	10
Total	45	24	69

2.88. In 2004, the budget of the Police Development Department was €3,900,000. It is proposed to reduce the 2005 budget by 16 per cent and at the end of 2004, the Department underwent a 20% downsizing, in readiness and preparation for the effects on community policing efforts and field activities in general.

2.89. In 2004, the PDD implemented its programme objectives though the activities summarized in the following sections and paragraphs.

### ***Police Training***

2.90. The year 2004 was characterized by a general shift in focus from basic to more specialized police training programmes in support of police reforms. Instead of leading all police training activities as in the years 2002 and 2003, the PDD in 2004, primarily assisted the national educational institutions with promoting long-term sustainability. This enabled the Department to concentrate on specialized courses from conception to implementation.

2.91. In 2004, Basic Training for police officers was extended from 3 to 9 months of classroom instruction followed by 3 months of field training. The first generation of

335 cadets undergoing such training was enrolled in April. As in previous selection processes, students were recruited in an effort to ensure that the police service reflects the composition and distribution of the country's population. The course group consists of 280 ethnic Albanians, 41 ethnic Macedonians and 14 cadets of other ethnicities.

2.92. The extended Basic Training curriculum was developed by national instructors at the Police Academy on the basis of lessons learned from previously written curricula by the Education Support Division. The curriculum is rooted in democratic principles, rule of law, best European policing practices and international human rights standards. Throughout the year, the PDD provided assistance to national instructors in development and preparation of lessons and learning support materials. The Department, however, raised concerns with the quality and usefulness of the largely theoretical curriculum. The work regarding the rewriting of the Basic Course curriculum, in co-operation with the Police Academy staff, will mark a large portion of activities in 2005.

2.93. In February, the PDD supported national counterparts in organizing Border Police Training. The training supports the handover of responsibility for security of state borders from military to the police, specified in the National Integrated Border Management Strategy. The course provides basic policing skills to soldiers being transferred to the Border Police. In 2004, 781 Border Police officers graduated from three courses that took place at the Police Academy. They assumed full control of the southern and eastern borders and at the end of the year started the deployment along the northern border. The full handover of responsibility is planned to take place by the end of 2005. The PDD has frequently pointed to the problem created by the transfer of largely ethnic Macedonian military personnel to Border Police, and the fact that it significantly skews ethnic composition of uniform police in favour of this ethnic group.

2.94. The general policing topics of the Border Police curriculum have been prepared by national instructors at the Police Academy. The PDD contributed by developing the aspects that pertain exclusively to border policing. The PDD instructors have initiated talks with the national trainers to revise the largely theoretical general policing part of the curriculum and make it more useful to the course's ultimate beneficiaries.

2.95. In total, the PDD has organized and delivered a large number of specialized courses for serving police officers. These courses include Drug Identification, Human Rights and Democratic Policing, and Election Security. Their common aim is to bring the host country's police service closer to the standards of policing that are commonly practiced in other European countries.

2.96. The PDD also supported an Inspectors' Training programme by providing learning support materials, including lesson plans for national instructors and handouts for students. The course lasted six months and included 102 participants with a previously earned university degree.

2.97. In 2004, the PDD participated in a multi-agency trainer team that organized specialized workshops for senior police officers on the subject of trafficking in human

beings. The PDD partners in this project included the Office of the Public Prosecutor, the Ministry of the Interior's Anti-Trafficking Unit, and experts from OSCE, IOM and NGO La Strada. The learning process confronted the officers with the difficulties and problems police are facing in the fight against human trafficking. Other relevant topics, such as how to apply human rights standards in the treatment of a victim and how to co-operate with NGOs and the community, were also covered during the workshops.

2.98. In 2004, the Police Academy embarked on university-level education activities through a newly-formed Faculty of Security. The first generation of 326 students will undergo a four-year training course leading to the degree of Graduated Criminologist. It is interesting that the Police Academy has launched such a high-level course of instruction, when even basic and in-service training are still below acceptable European standards.

2.99. In terms of planning for 2005, the PDD has embarked on the development of courses dealing with Organized Crime, Neighbourhood Policing, Road Safety, Trafficking in Human Beings/Gender Awareness, Management Training for New Police Chiefs and Department for Security and Counterintelligence, Media Training for Police Officers, as well as continuation of activities for Basic Course and Border Police Training.

### ***Police Reform***

2.100. The PDD, in close co-operation with the Council of Europe and the Ministry of the Interior, has developed a Code of Ethics which was endorsed by the Minister of the Interior in January 2004. Thereafter, the PDD trained 31 national trainers to cascade the training to each police officer in the country. A refresher course for the same group was conducted in November. The PDD has also presented to the Ministry of the Interior the action plan for implementation of the Code of Ethics training to every police officer, which is planned to commence in early 2005.

2.101. The PDD extended implementation of police reforms to training of management level personnel of the Border Police. In five sessions that were organized during the year, the PDD trained 81 middle and senior Border Police officers on team management and leadership skills.

2.102. Towards the end of the year, the PDD started to work on a Management Training Programme for senior officers of the Department for Security and Counterintelligence. Implementation of training is scheduled to take place in January 2005.

2.103. The total number of police officers trained in the courses organized or otherwise supported by the PDD is as follows:

Basic Course	335
Border Police Course	781
Drugs Identification	1154
Code of Ethics Train the Trainer	32
Human Rights & Democratic Policing	1681
Border Policing Management Training	81
Election Security Train the Trainer	150
Inspectors' Course	102
Trafficking in Human Beings	125

### ***Community Policing***

2.104. Throughout 2004, the Police Development Department continued to implement Community-Based Policing as an approach recognizing that effective policing is dependent on the assistance and support of the community that it serves. The Department developed many innovative ways that encouraged the police and community to work together to identify and solve problems and through workshops and seminars taught police officers and citizens contemporary joint problem-solving methods. Since the beginning of the programme in March 2003, more than 2,300 police officers and civilians have participated in these workshops.

2.105. Community Policing Seminars are complemented by further development and support to Citizen Advisory Groups (CAGs), in which volunteers from sectors of society and the police meet to discuss issues of mutual concern. To date, 53 CAGs have been set up inside and outside the former crisis area, covering more than 200 villages. In 2004, national police started to play a more active role in the development and fostering of CAGs, and assumed the responsibility for organization and running of a significant number of these forums. The continuation of this process will be one of Department's priorities in 2005.

2.106. In January 2004, the PDD completed the three-module Community Relations Co-co-ordinators (CRC) Training Programme for 32 middle-ranking police officers of mixed ethnicity and gender. The course included a working visit to the Netherlands, where the CRCs joined police officers on street patrols to observe how established community policing operates. The CRC work is based on trust and openness and concentrates particularly on developing relations with community groups, local media, municipal officials and NGOs. In 2005, the PDD intends to evaluate the work of the existing CRCs and train 32 new ones. The Ministry of the Interior is, however, yet to adopt valid rules of service for CRCs, which would enable them to focus exclusively on their community policing duties. The Department looks to the effect of the EC Police Reform Project to fully institutionalize these key posts.

### ***Community Policing Project Activities***

2.107. Funding provided by the Government of the Netherlands enabled the PDD to embark on development and implementation of a number of projects assisting the



establishment of community policing in the country. The Ministry of the Interior has provided full support and co-operation to the process.

2.108. In 2004, the PDD developed and implemented seven projects that are large in scope and funding. These include ‘Capacity Building Trainings for Citizen Advisory Groups’, ‘Community Based Policing Training and Exchange Programme for CRCs’, ‘Expanded Community Based Policing Training’, ‘Key Publications to Support the Police Training Programme’, ‘Community Based Policing Documentary and Regional Police Information Media Packages’, “Medical Equipment for the Ministry of the Interior” and “Building Positive Relations between Children and the Police’.

2.109. Fifteen small projects aiming to enhance the police-citizen relations at specific locations were funded through the CAG Project Development Support Fund. The Fund represents a portion of the Dutch funds specially allocated for projects developed in close co-operation with CAGs.

2.110. With resources provided through the CAG Support Fund, the PDD organized Police Open Day events in Skopje, Debar and Tetovo. The purpose of this activity was to give the public an insight into the everyday tasks of the police and enhance mutual trust and confidence. In addition to various police departments, representatives of the international community, including OSCE, EUPOL Proxima, ICITAP and UNDP, also participated in the event.

2.111. In liaison with the Ministry of the Interior and with funding provided by the US Government, the PDD has developed a multi-faceted approach to improve road safety for all citizens. The project consists of an extensive police training programme in both general traffic issues and in the area of child road safety. It also dedicates attention to enhancing the understanding and respect for traffic rules and regulations. The road safety training, scheduled to commence in March 2005, will be consolidated through a high profile public relations campaign.

2.112. Road safety matters are a regular and recurring issue at CAG meetings. Road safety is of such importance to the community that as a subject it provides the ideal interface for community – police relations, both on a practical and a confidence building level.

#### ***Co-operation with Other Missions and Partner Organizations***

2.113. In April and May 2004, the PDD’s Community Police Trainers assisted the community policing efforts of the OSCE Centre in Bishkek. In a three-week course focusing on Community Policing standards and principles, the PDD team trained 16 trainers from the Kyrgyz police and 3 from the Kazakh police. The training took place at the Bishkek Police Academy.

2.114. In October, the Head of the PDD and a PDD police instructor paid a visit to OSCE Mission to Moldova at the request of the Head of OSCE Mission to Moldova and the SPMU. During their stay, they met with high-ranking officials and members of NGOs involved in country’s anti-trafficking efforts. The PDD representatives carried out a Training Needs Analysis, identifying the need for assistance in training for interviewing and investigation techniques.

2.115. Throughout the year, the PDD maintained regular and ad-hoc co-ordination meetings with EU Police Mission 'Proxima', ICITAP, DFID and other partner international organizations at all levels. The result of these efforts is a very fruitful and productive co-operation that has developed within the international community in the country. The extended 'Proxima' mission promises to see a closer and more co-ordinated co-operation with OSCE.

***Other Forms of Support***

2.116. Through budgetary assistance, extra budgetary contributions and additional forms of support, the PDD provided the national police with a variety of useful operational equipment. In February 2004, the Department officially handed over the refurbished Police Academy to the national authorities. With the assistance of the Italian Government, the PDD delivered computers and other technical equipment to the Border Police. Different donations were also contributed for the use of CAGs, schools, community organizations and other important players in the field of community policing.

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### 3. POLICE-RELATED ACTIVITIES IN FIELD OPERATION AREAS

#### THE CAUCASUS

**Note:** *The responsibility for implementation of police development projects and programmes rests with Heads of respective Offices and Missions in their capacity as Fund Managers. The staff of Strategic Police Matters Unit supports them by leading the pre-requisite needs assessment and contributing expertise to project/programme formulation and implementation*

##### Armenia

3.1. The formulation of a police assistance programme for Armenia was completed by mid-2004, initially focusing on the following areas which subsequently became projects:

- Provision of support to the training centre for new police recruits, beginning with complete renovation of the building infrastructure and utility systems to be followed by development of a new training curriculum and investment in modern teaching aids, computer equipment, Internet access as well as study visits by the instructors to leading police training establishments in several countries;
- Implementation of a community policing model in one of the districts of Yerevan. A community survey was independently conducted by Transparency International in 2003 to identify the current level of community satisfaction with police services and the existing levels of trust. A working group comprising members of the Armenian police, NGOs, members from the community itself, and a seconded international expert reviewed the results early in 2004 and agreed on a course of action that was reflected in the following corresponding project.:
- The creation of a modern police emergency-response system in Yerevan, to provide the public with the means of calling the police in emergencies and to enable the police to provide an effective response’.

3.2. The police assistance programme document comprising all three projects was circulated to participating States in September 2004. A contribution was made by Sweden, but by the end of 2004 no other extra-budgetary contributions had been received and the programme proposals remain outstanding.

##### Azerbaijan

3.3. The formulation of a police assistance programme for Azerbaijan was completed by mid-2004, initially focusing on the following areas:

- A comprehensive restructuring of the training of police recruits. This will include changes to the content and methods of delivery, renovation of the training centre, provision of modern teaching aids and computers, and a twinning arrangement with a police training academy/institution;

- Implementation of a community policing model in one of the regional operational police centres, where a broad array of measures will be taken to improve the relationship and interaction between the police and the local population;
- Enhancement of the drug investigation capacity through analytical support, including to ascertain the true level of drug consumption in the country, drugs transit routes, and the probability of stockpiling of heroin and other opium derivatives. The existing criminal information management system will be upgraded. A sustainable capacity for the collection, storage and retrieval of drug-related operational information will be created through multi-level training of uniformed police, operational officers and investigators. Some basic equipment will also be provided to improve the effectiveness of drug investigations. (The elements of this project have been formulated in close collaboration with the UN Office for Drugs and Crime)

3.4. The police assistance programme document comprising projects addressing all three areas was circulated to participating States in September 2004. The US Delegation subsequently informed the Head of OSCE Office in Baku that as a result of the US Government accelerating its support to Azeri law enforcement agencies in the area of drug related investigations, there existed a potential for overlap with the corresponding OSCE project. Following consultation between the OSCE Office in Baku, the US Embassy in Baku and the Ministry of Internal Affairs of Azerbaijan it was agreed to remove the project from the OSCE programme, and replace it with a next listed priority to review traffic policing. A needs assessment mission to precede project formulation will be conducted in early 2005.

3.5. A contribution to the programme was made by Sweden, but by the end of 2004 no other extra-budgetary contributions had been received and the programme proposals remained outstanding. Meanwhile, renovation of the Centre for Induction Training was undertaken using the core budget of the OSCE Office in Baku and by the end of 2004 was close to being completed. A group of instructors from the Centre for Induction Training visited the basic police training facility of the Czech Police in November 2004 and a return visit by Czech Police instructors is planned for early 2005. These exchange visits are expected to lead to a twinning agreement developing a new basic police training curriculum in Azerbaijan.

### **Georgia**

3.6. A substantial preliminary assessment of the policing requirement was undertaken by SPMU Police Affairs Officers responsible for Crime and Training respectively in February/March 2004. Their reports were shared with the representatives of the EC/EU, UN, French, Italian, UK and US embassies, INTERPOL, IOM and with the, then, Minister of the Interior, as a result of which four projects were formulated for OSCE implementation:

- Assistance to the Minister of the Interior in formulating a vision, values and objectives for the reform of policing in Georgia and creating a strategic plan to deliver these aims in the short-, medium-, and long-term;

- Strengthening of the Ministry of the Interior personnel management system, including developing up-to-date police recruiting, evaluation and promotional practices, establishing professional standards along with a disciplinary system, and the computerization of the Human Resources Department records;
- Development of a new concept / model for basic police training for the Georgian Police Force;
- Introduction of modern community policing concepts as one of the foundations of the reform of the Georgian Police Force.

3.7. A good basis for co-operation having been established, the OSCE Mission sought a Police Adviser who could provide personal assistance to the Minister of the Interior and his staff on the implementation of the programme, and who would occupy, by common consent, the position of 'first amongst equals' within a 'Council of Advisers' comprising the representatives of the other international agencies that had already established by the SPMU Police Affairs Officer (Training).

3.8. In June 2004, the Minister of the Interior transferred to the Defence Ministry taking with him members of his staff knowledgeable about future co-operation on police-related matters. Although ready for signature, the Memorandum of Understanding was passed to the new Minister of the Interior who would assume formal responsibility for Georgian co-operation but from that point, all further responses ceased. Subsequently, it was learned that the 'Council of Advisers' was no longer regarded as of any value and the National Bureau on Police Reform had been abolished. Despite a long period of persistent representation, continuity and interest within the Ministry of the Interior lapsed until the signing of a Memorandum of Understanding at the end of October 2004 which launched a needs assessment fully funded by extra-budgetary contributions from Norway and the UK, for the formulation of a police assistance programme.

3.9. Project implementation will involve fielding eight international experts in four teams to conduct an in-depth assessment in the four above-mentioned policing areas. They will be supported by several local police experts to be nominated by the Georgian Ministry of Police and Public Security. The assessment is planned to be completed by the end of March 2005.

3.10. Project objectives include the building of a strong and transparent partnership with relevant local authorities. Georgian partners will be encouraged to actively provide inputs in the process of needs assessment and assign police officers to accompany visiting international experts. Findings and recommendations will then be jointly reviewed and discussed, to ensure that they are equally acceptable to both parties.

### ***Abkhazia***

3.11. The UN Mission in Georgia (UNOMIG), which holds a political responsibility for assisting settlement, requested the SPMU to advise on joint police training for Georgian-Abkhaz law enforcement personnel. The Secretary General and the Senior Police Adviser discussed this matter with UN officials in New York and a tentative agreement by all three sides appeared briefly, but following the political upheaval in Georgia, appears to have been withdrawn by the Abkhaz side. Additionally, an unexpected position taken by an OSCE participating State, temporarily blocked and then finally terminated the chance to perform training at the Kosovo Police Service School.

3.12. The SPMU has tried to find an alternative location in which to run the training. Both the International Law Enforcement Academy (ILEA) in Budapest and Romanian Police Academy in Bucharest were contacted, with the Romanian Police agreeing to host the training under very reasonable conditions. Appropriate information has been conveyed to the UNOMIG SRSG for consideration.

### ***South Ossetia***

3.13. The OSCE Mission to Georgia requested a consultation with the SPA and assistance from the SPMU to organize a similar programme of joint police training and confidence building for the police of South Ossetia and Georgia. During the first half of 2004, the South Ossetian side was encouraged to discuss the proposal, but no clear position towards this formula had been provided by them at the close of 2004. The recent escalation of the conflict in Georgian-South Ossetian zone of conflict has moved the attention of all of the parties concerned to prioritize military-related matters.

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## CENTRAL ASIA

**Note:** *Although responsibility for the implementation of police-related programmes in the following countries already rests, or will rest, with the Head of Centre, the technical aspects of the implementation preceded by the initial policing-needs assessment, information gathering, and programme formulation are attended to by the Strategic Police Matters Unit.*

### **Kazakhstan**

3.14. A pilot project with the Ministry of Internal Affairs of Kazakhstan aimed at the setting up of a core system for analysis of operational police information between the Ministry and Astana City Police Department was successfully completed by November 2004. The following results were achieved:

- Organizational and operational concepts of operational police information analysis units were formulated based on international good practices with support from the Spanish National Police and the West Yorkshire Police (UK), opening the way for phased introduction of analysis-led policing in the daily activities of the Kazakh police;
- Operational pilot system for collection, collation, evaluation and analysis of operational information aimed at increasing the efficiency of use of both historic/statistical data and information obtained by means of operational measures (informants, surveillance, wiretapping and undercover actions);
- A group of police officers were trained by the Spanish National Police in modern methodology of collection and analysis of operational information;
- A potential was created for more active participation in the investigations of cross-border criminal operations;
- Increased capacity for monitoring and disruption of organized crime operations and particularly serious crime;
- Capacity to produce for senior commanders more comprehensive information and forecasts of operational situation developments, which creates the basis for informed decision-making.

3.15. As a result of the use of new methodology and computer tools, two high-visibility crimes were cleared and several other were in various stages of investigation.

3.16. The project was implemented in the spirit of true partnership between OSCE and the Ministry of Internal Affairs of Kazakhstan. All project-related decisions were based on close consultation, which created strong ownership of the project by the Kazakh side.

3.17. The selected software is the same type as the one procured by a UNODC regional project. This outcome will support the possibility of regional exchange of operational information and analytical products, including through the proposed Central Asian Regional Information Centre (CARIC).

3.18. In November-December 2004, two SPMU Police Affairs Officers initiated consultations with the Kazakh police authorities with a view towards identifying possible areas for expanding OSCE police development activities. The Deputy-Head of SPMU conducted a one-week seminar for the Kazakh police on human rights and police ethics issues, which was positively received by both the direct participants and senior police commanders.

## **Kyrgyzstan**

### ***Implementation of the Police Assistance Programme***

3.19. The OSCE police assistance programme formulated on the basis of assessments by teams of policing experts from France, Germany, Norway, the Russian Federation, Spain, the UK, and the USA, became operational on 7 August 2003. The programme comprises eight projects, is costed at €3.6 million and was planned to end in February 2005.

3.20. Oversight of the programme is provided by a Programme Executive Steering Committee chaired by the Head of Centre. Members include the Minister of the Interior, the First Deputy Minister, the Head of Defence and Security Matters within the Presidential Administration, the Head of the Police Academy, Ambassadors of the donor States and representatives of NGOs. The Committee first met on 25 November 2003 and has since then had 4 meetings. At its 4<sup>th</sup> meeting on 18 October the Committee decided to extend the duration of the programme until 31 July 2005.

3.21. The programme's eight project aims and main results achieved in 2004 are:

- 1) *Improving the quality of police investigations* - Training and seminars in criminal investigation information analysis, crime profiling and crime scene examination have been held for investigators. International experts, who are presently working at the Centre for Criminal Investigation in the Police Academy, have also held short-term courses for investigators. Specialized vehicles with crime scene equipment were delivered;
- 2) *Improving police capacity for drug interdiction* - Eight mobile units with drug-scenting dogs have been created, equipped and trained. Officially the mobile units started working on 21 January 2004. During 2004 they seized a total of 510 kg of narcotic substances;
- 3) *Setting up a modern and efficient police emergency call-response centre* - There are three main activities – refurbishing the premises, installing the necessary technical equipment for efficient functioning of the Centre and measuring the effect/change. Implementation is planned during 2005;
- 4) *Establishing a core of the national criminal information analysis system* – all planned activities for the setting up of a new operational information analysis department have been completed, operational and organizational concepts and staffing table prepared. Implementation will continue in 2005;
- 5) *Providing a radio-communication system for police crime investigators* – over 800 surplus hand-held radios were transferred from OSCE operations in South-eastern Europe to Bishkek City Police Directorate and the Ministry of Internal Affairs;



- 6) *Improving the police's capacity to prevent, resolve or manage public conflict and disorder* - The Training and Resource Centre for Public Disorder Prevention and Resolution was inaugurated on 25 June 2004 at the Police Academy. Two international experts provide training on a regular basis. A seminar on Interaction of Police Units and Civil Society during Civil Disturbances was already conducted with participation of civil society representatives, parliamentarians, and Government officials. Three study tours were organized to England, France and Lithuania to study international legislative frameworks and international practice in conflict prevention and the management of public disorder. As a result, officers are developing methodological guidelines, suggestions for changing the statutory-legislative frameworks and recommendations for different police units' deployment;
- 7) *Introducing of community policing methods at a pilot site* – Premises at the Pervomaisky District police station have been re-organized and refurbished in accordance with the community policing requirements. Fifteen marked police vehicles were made available to station officers. A study trip to Northern Ireland on modern community policing practice was conducted. A public opinion poll on the perception of priority public security issues in the Pervomaisky District was conducted and its findings presented at a press conference on 24 September 2004. A Working Group on introduction of community policing at the Ministerial level agreed on guidelines for new duties and responsibilities of Neighbourhood Inspectors;
- 8) *Strengthening the Ministry of Internal Affairs' Police Academy* - Based upon working plans of the newly created Resource Centres (Centre for Professional Development; Centre for Human Rights and others), Police Academy instructors started conducting seminars and courses for different categories of police officers and cadets. Police Academy instructors developed a range of new disciplines, which were introduced into the curriculum this year (Community Policing Methods, Human Rights and Maintaining Public Order, Forensic Examination Theory, Psychological Peculiarities of Juveniles in Police Activities, Conflict Prevention and Managing Public Disorder and Interethnic Relations management);

### ***European Commission Rapid Reaction Mechanism Funding***

3.22. In early 2004, the EC and the OSCE signed a Financing Agreement for a total of €1 million, to support the implementation of the police assistance programme and a project aimed at other police sector assessment in support of police reform.

3.23. It has to be understood that short-term funding – Rapid Reaction Mechanism funds must be disbursed within a period of six months – do not offer the best funding basis for a police assistance programme with an implementation period of 18 months and that is focused on the *step-by-step* building up of institutional capacities and officer skills, which in itself is difficult to compress.

3.24. Careful planning and scheduling of programme activities permitted a large part of the EC contribution to be absorbed with good effect, providing valuable support to achievement of programme objectives by quick-starting the implementation of four projects out of eight.

### ***Comprehensive Assessment of the Police Sector***

3.25. Formulation of a Strategic Police Reform Concept was set as a target by the Kyrgyz State Commission on Police Reform as far back as in 2002. However, progress to its implementation proved to be elusive. The OSCE attempted to make the process more dynamic by conducting an in-depth assessment of such thematic areas as police organization and culture, police use of firearms and traffic police.

3.26. Expert reports contain an in-depth review of the present situation and comprehensive recommendations for remedial action in short, medium and long-term perspectives. *Short-term recommendations* aim to address basic problems such as distorted crime statistics, unrealistic budget, obvious gaps in human rights training, and administration of detention, as well as the discontinuation of the training of police officers in the use of assault rifles. *For the medium-term*, emphasis is placed on review of personnel policies with a view to adopting procedures for filling vacancies by transparent and competitive means; re-consideration of the role of internal troops in police duties; and increase in salaries of police officers. *Long-term targets* include separation of the police from the Ministry of the Interior; demilitarization and creation of an independent Police Complaints Commission whose objective should be to increase public confidence in the police.

3.27. The reports of the experts were reviewed by the Minister of the Interior and subsequently discussed in detail during a meeting chaired by the Minister with participation of more than 40 senior police officers, Head of OSCE Centre in Bishkek (CiB) and the SPA. In the opinion of the Minister, “an absolute majority of recommendations reflect problems and shortcomings that exist in the work of the police. Material implementation of the recommendations of OSCE experts will permit the Kyrgyz police to conduct its activities on a more efficient basis, which will create a positive impact on the results of their work aimed at protecting public security and fighting crime.”

3.28. All parties involved in the project agreed that experts’ work added significant momentum to the preparation of the Strategic Police Reform. The project gave the OSCE an opportunity to raise the issue of the reform at the highest levels in the Kyrgyz Government and State Administration and repeatedly urge the Kyrgyz authorities to take practical steps in order to progress preparations for the reform. As a direct consequence of the project, the President re-constituted the State Commission on the Reform of the Kyrgyz Police, which had become inactive and unable to make any progress on the subject.

3.29. The project also stimulated discussion of reform-related issues within the OSCE, where two working papers were prepared by the SPA and the Head of CiB. On the basis of these papers, a series of follow-up steps aimed at the finalization of the Strategic Reform Concept before the end of the year was agreed between the OSCE and the Ministry of the Interior.

3.30. Last but not least, the project contributed to the further strengthening of a dynamic and transparent partnership between the OSCE and the Kyrgyz Police at all levels. For the first time, it sought to actively involve police commanders and lower-ranked officers from all administrative regions of Kyrgyzstan visited by OSCE expert(s). It should be noted that experts had complete freedom of movement and

access to any police officer they choose to interview and that the Ministry of the Interior fully complied with its obligations within the provisions of the national legislation.

***Formulation by the Ministry of the Interior of a Police Reform Programme***

3.31. In the second half of 2004, two external consultants contracted by the OSCE Centre in Bishkek provided expert advice to the Ministry of the Interior on the formulation of a police reform concept and its implementation plan. In early December 2004 they were joined by a senior police expert provided by SPMU at a workshop with participation with main stake-holders from the Kyrgyz side.

3.32. At that workshop, the Ministry of the Interior presented a revised proposal for a Concept for Reform. In the opinion of OSCE experts, the concept document represented a praiseworthy step forward in terms of its direction towards a democratic police service, operating within the guidelines of the European Code of Police Ethics. Workshop participants agreed several amendments and submitted them for the approval by the State Commission on Police Reform. The programme management document drafted by the OSCE was also reviewed and endorsed.

3.33. In late December 2004, the Head of the OSCE Centre in Bishkek made a presentation of the concept and management plan to representatives of participating States in Vienna and advocated for their support at both policy and funding levels. The work on both the concept and the management plan will continue in 2005. It foresees the co-location of a senior police advisor to the Minister of the Interior of Kyrgyzstan to provide continuous guidance in the setting up of a service-wide reform implementation team.

**Uzbekistan**

3.34. At the beginning of 2004, following a preliminary assessment visit by SPMU staff, the following three areas were identified for police-related assistance:

- Introduction of and training in modern internationally accepted investigation techniques and related criminal procedures and legislation;
- Strengthening of the Police Academy in Tashkent through the development of a Chair of Human Rights Studies;
- Strengthening of the training for non-commissioned officers in the Uzbek Police.

3.35. In accordance with the SPMU Standard Operating Procedures, a Needs Assessment Project aiming at the formulation of a police assistance programme and a corresponding Agreement on project implementation were passed on to the Uzbek authorities for consideration.

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## 4. THE STRATEGIC POLICE MATTERS UNIT

### *Role*

4.1. The role of the Unit is:

*‘Through the critical assessment of needs, capacity-building, institution-building and evaluation, to assist the law-enforcement agencies of participating States to uphold the rule of law’.*

4.2. The Unit is not formally established by Permanent Council Resolution<sup>2</sup> but is the collective name, initially ascribed by OSCE Secretariat IT Services, to the Unit’s staff, each one of whom has been appointed according to individual agreement by the Permanent Council.

### *Staffing*

4.3. The SPMU is staffed by five police affairs officers to each of whom is assigned an individual portfolio of responsibilities, a programme officer, an information management officer and an administrative clerk. One police affairs officer acts *de facto* as the deputy head of the Unit. The Senior Police Adviser is the nominal Head of the Unit and is assisted by an executive officer and a secretary. A list of the areas of responsibility and expertise of the staff of the SPMU appears at Annex 3 to this report.

4.4. A contracted post of Police Affairs Officer (Anti-Trafficking), the incumbent of which is responsible for developing a law enforcement investigators’ response to trafficking in human beings particularly women and children, was applied for in the budget proposal for 2004. This post was removed by the Advisory Committee on Management and Finance, but was later reinstated as a seconded post. The post was not filled until July 2004, when the Netherlands generously agreed to fund the secondment on a year by year basis.

4.5. A decision to impose an Organization-wide moratorium on post upgrades was maintained throughout 2004 and has prevented the *de facto* deputy head of the SPMU from becoming recognized as a focal point for day-to-day operational matters. The Senior Police Adviser to the Secretary General continues to be the focal point for external communications to the Unit and his principal function is accordingly impaired.

4.6. The Police Affairs Officer responsible for General (Uniformed) Policing matters and the Police Affairs Officer responsible for Border Policing matters left the Unit in April and May respectively. Despite every effort to appoint new experts to take over their work with effect from those dates, successors were not appointed until August. Their absence combined with a need for the Police Affairs Officer (Training) to remain in Georgia for an extended period, reduced the operational capacity of the Unit for several months to one Police Affairs Officer, supported by the Senior Police Adviser to the Secretary General.

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<sup>2</sup> A draft proposal was submitted for consideration by the Sofia Ministerial Meeting in December 2003, but was not proceeded with.

4.7. The first post-holder of the post of Information Management Officer was required to resign in February 2004. This left an unoccupied position that was not filled until a second post-holder was appointed in August 2004. The very long time taken to appoint both post-holders has seriously impaired the outcomes proposed for a policing on-line data base.

4.8. The SPMU does not possess a member of staff with responsibility for financial management affairs within his/her job description. Whilst the Senior Police Adviser and the *de facto* deputy head of the Unit are designated as Fund Manager and nominated officer under the provisions of IRMA, the time and expertise necessary to drill down to find the source of and correct errors within the system is beyond their respective capabilities. The Information Management Officer possesses such expertise and therefore performs the task *over and above her normal working commitments*.

4.9. Throughout the year, OSCE field operations have sought advice on their own behalf or on behalf of host-States about police-related assistance matters. The OSCE is increasingly seen as possessing expertise in police capacity-building but lacks the sales force to market or manage its capabilities. Heads of Missions, other than those in missions in the Balkans that include a police unit, do not possess a personal point of reference with whom they may discuss opportunities to influence change in police-related matters, or to whom enquiries may be referred on behalf of host-State governments or other national organizations. Experience has shown that in the absence of an OSCE police focal point possessing knowledge of national and regional matters, staffs of missions are exposed to the risk of expressing opinions, making proposals or engaging in planning, insufficiently founded on practitioner advice.

4.10. A proposal for two Field Police Liaison Officers, one for the Caucasus region and another for the Central Asia region, each to be based in one of the region's missions, was included in the budget estimates for 2005. The proposal was not supported, but in view of the increasing need for such expertise, the proposal will be brought forward again in the SPMU programme outline for 2006.

4.11. The proposal is further substantiated by the inability of SPMU staff to service their own or field mission demands or expectations to an effective or efficient degree. Much of this is tied to clarifying in the minds of colleagues within the secretariat, delegations and other OSCE institutions, that the provisions of IRMA, by requiring that a Head of Mission becomes the Fund Manager for an assistance programme, thereby confers on the Head of Mission responsibility for the implementation and, to a greater or lesser degree, the evolution of future assistance programmes, independent of any need to engage SPMU technical assistance. Whilst the SPMU will, at the point where a mission uploads a programme or project into IRMA, step back, but not away from its work with a mission, delegations continue to believe that it is the SPMU that has responsibility for implementation of police assistance programmes as well as for finding and co-ordinating the funding for them. The need for clearer lines of technical as well as political authority, with consideration to combining them, may flow from recommendations of the Panel of Eminent Persons and from the review of the structure of the Secretariat.

4.12. The need for more SPMU expert resource to support field missions and respond to opportunities to advise, influence or plan police-related assistance activities with

host-States' Ministries of the Interior, has prompted the search for sources of personnel as alternatives to annual requests for staffing increases. These include requesting delegations with a proven commitment to police capacity-building to attach national police experts to their delegations, a percentage of whose work and time may be in support of OSCE/SPMU activities. France is the first participating State to have provided such support and the French delegation expert is increasingly contributing practical expertise of mutual practical benefit to the SPMU's priorities and to France.

4.13. The addition to the establishment of two border policing experts, in the staff of the Conflict Prevention Centre, in order to progress post-Ohrid Regional Conference On Border Security and Management activities, created a notion in some quarters that a border issues unit had been established that was responsible for all border matters, including operational matters. The responsibility for the latter continues to rest with the Police Affairs Officer (Borders) within the SPMU, who works closely with, but is separate from, his CPC counterparts.

4.14. Delivering concrete results in the field has remained the highest priority amongst the functions of the police affairs officers. However, the combined effects of so many adverse external factors on their work, for instance the delay and uncertainty occasioned by the recurring need to solicit extra-budgetary funding from delegations to support programmes of assistance, or requests to support field mission police-related activities, commenced without consultation with the SPMU, has led to focused discussion within the Unit, including at a staff retreat, as to whether that priority may be sustained. At present, there are strong reasons to say that it can not. Although no changes to working practices have been formally proposed, an alternative strategy is being considered, under the leadership of the *de facto* deputy Head of the Unit, whereby the Unit becomes a high-level consultancy offering advice to host-State governments on managing police capacity and institution- building but does not take responsibility for delivering it.

### ***Funding***

4.15. The total annual budget for the SPMU was €77,700, of which post table costs amounted to €28,800. A travel costs allocation of €180,900 was spent within the third quarter (Chiefly because of requests arising from unforeseen situations of intra-state tension) and was supplemented by adjustments from other budget lines.

4.16 Both the Chairmanship and the Secretary General have required the SPA and SPMU staff to participate in meetings and conferences and to undertake assessments at short notice for which there was no budgetary provision.

4.17. Travel is a necessary part of SPMU operations. The capacity of the SPMU to undertake fundamental assessments is currently dependent on the provision of extra-budgetary contributions. It is crucial that the SPMU receive funds adequate to enable the Unit to take care of preliminary in-country contracts, needs assessments, planning, follow-up and evaluation. It must be recognized that monitoring of programme delivery is an added core responsibility of SPMU staff, which should be reflected in the core SPMU budget.

4.18. In order to meet these demands during 2004, the SPMU requested additional funding of €200,000 for unforeseen travel expenditures, policing needs-assessment and programme monitoring. This amount was reduced to €100,000 during the internal Secretariat budget-planning process.

### ***Mode of Operation***

4.19. During 2004, the six-stage systematic approach to assessment and programme formulation has firmly encouraged collaboration by international partners and its comprehensive mode of management has formed the basis of questioning and research by donor States as to the outcomes achieved from external funding sources. The process comprises:

- 1) *A critical policing-needs assessment stage.* The outline assessment is formulated as a result of meetings between the Minister of the Interior and the SPA followed by an in-depth assessment by assessors drawn from States with an analogous experience and possessing a cultural relevance. Where possible, they are accompanied by police officers from the host-State, in order to foster the notion of local participation in problem-solving and ownership of solutions;
- 2) *An information-gathering stage.* Information is sought from the staff of embassies, other international organizations and local NGOs already active in, or planning to provide police-related assistance;
- 3) *The programme-formulation stage.* The projects, which comprise the programme, are agreed by the Minister of the Interior and aligned to the activities of other agencies;
- 4) *The programme implementation stage.* This is preceded by a formal presentation to each participating State delegation for the purpose of obtaining extra-budgetary contributions. On receipt of pledges for a minimum of 51% of the total financial estimate, a memorandum is signed by the OSCE head of mission and a high-ranking member of the country's government. Experience has shown that it is advisable to appoint at least a full-time police programme manager to be responsible to the head of mission for the efficient implementation of the programme. He or she is assisted by the SPMU staff, particularly the programme co-ordinator, and the SPA directly advises the head of centre or mission;
- 5) *The Programme-evaluation stage.* About half way through the period of implementation and at its end, independent experts are commissioned to evaluate the progress achieved and the processes followed. The report of their findings and recommendations is submitted through the head of centre/mission to the Secretary General and should be accompanied by a written response from the SPA. Both reports should be placed before the Permanent Council for its information and further action, if required;
- 6) *The conclusion or transition stage.* The aim for the process of development is to become self-sustaining. The process of detachment should be accordingly progressive and well managed. However, the components of the programme may be transferred to within a regional initiative, sponsored for instance by the EC, or may in individual form receive one or more further year(s) of support from a single country on the basis of a special relationship.

### ***Organized Crime***

4.20. The SPMU has been monitoring the progress of the UN Convention on Transnational Organized Crime. The convention entered into force after 40 nations ratified the document. A Police Affairs Officer has been tracking the progress of the Convention by attending periodic UN meetings in Vienna, and has also attended UN Paris Pact meetings related to anti-organized crime activities.

4.21. The SPMU is actively engaged with the Stability Pact's anti-Organized Crime unit (SPOC). The Police Affairs Officer (Criminal Investigation) participates in SPOC Board Meetings and maintains a functional contact with the Stability Pact's Police Forum.

4.22. Members of the SPMU staff have visited SECI headquarters in May 2004 and prompt mission staff on operational contact with SECI liaison officers.

4.23. During the Spring of 2004, the SPMU jointly with the OSCE Mission to Moldova began developing a police-based witness protection training programme drawing-in support from the Austrian Police in an effort to move this initiative forward. Lack of funding has so far prevented any practical activities.

***Action to Combat and Prevent Trafficking in Human Beings, particularly Women and Children***

4.24. During the first six months of 2004, Trafficking in Human Beings issues were handled by the Police Affairs Officer (Criminal Investigation). In July 2004, a seconded Police Affairs Officer (Trafficking in Human Beings (THB)) was appointed and tasked to assist with the implementation of the law enforcement aspects of the OSCE Action Plan to Combat Trafficking in Human Beings. Her assignment has a twofold focus:

- to integrate law enforcement perspective/objectives on Trafficking in Human Beings into OSCE activities, institutions and missions; and
- compliment the general OSCE victim-centred approach with a strategic focus on offenders.

4.25. Law enforcement's primary goal is to identify the victims and take them out of the exploitative and abusive situation. In collaboration with other police experts, the Police Affairs Officer (THB) has compiled a list of indications of trafficking for sexual exploitation. ODIHR, ATAU and SPMU will use this as a base upon which to elaborate when defining indicators for the other manifestations of trafficking.

4.26. The Police Affairs Officer (THB) has advised International Centre for Migration Policy Development (ICMPD) on the development of self-monitoring mechanisms for law enforcement on anti-trafficking in South-Eastern European States. In order to accomplish a comprehensive approach for law enforcement and measure its effectiveness, she has provided a methodology for establishing national police coordination, self-monitoring and evaluation systems. The ICMPD incorporated this into their Best Practice Guidelines for the Development and Implementation of a Comprehensive National Anti-trafficking Response.

4.27. The Police Affairs Officer (THB) has written a strategy paper on the benefits for law enforcement of confiscation of assets and compensation for victims in counter



trafficking (Cycles of Profit). The financial investigations required to reach these objectives provide an informed insight into the crime without relying on victim testimony while confiscation legislation gives law enforcement far more extensive investigative powers in pursuing the crime and its perpetrators. The paper found great support when presented at the ODIHR Conference *Breaking the Cycle of Trafficking in Human Beings* in Helsinki. The paper's conclusions were incorporated in the ODIHR Conference recommendations.

4.28. The OSCE Mission to Moldova and Police Affairs Officer (THB) have undertaken a joint initiative to strengthen police capacity in combating trafficking in human beings, within the framework of the OSCE Mission to Moldova project "Strengthening Protection and Assistance to Victims of Trafficking, Adults and Minors".

4.29. The mission had requested SPMU's assistance in finding training in proactive investigations into trafficking of human beings. Taking advantage of the experiences of the OSCE Spillover Monitor Mission in Skopje, where its Police Development Department (PDD) had already developed and successfully implemented a comprehensive high quality training package on human trafficking, the SPMU collaborated with the PDD and adapted this model to Moldovan needs. This training, teaching law enforcement how to initiate and conduct an investigation without victim testimony, will be conducted in February 2005.

4.30. Improving the capacity to investigate sex crimes is a tasking outlined in the OSCE Action Plans for *Combating Trafficking in Human Beings* and *Promoting Gender Equality*. The SPMU has been leading the way in promoting the competent and professional investigation of sexual crimes, especially those involving children.

4.31. The SPMU is in regular contact with Interpol, Europol, the UNODCP, IOM, ICMPD and the International Center for Missing and Exploited Children (ICMEC). There is a regular exchange of information and periodic meetings with all of these organizations. A police affairs officer has participated in Interpol and ICMEC training workshops related to computer crimes facilitated against children. This primarily involved child pornography being distributed over the internet and paedophiles seducing children in chat rooms. SPMU officers attended and participated in training in Croatia and Romania.

4.32. In June 2004, the Police Affairs Officer (Criminal Investigation) monitored and evaluated training provided to the Kyrgyz Police as part of the OSCE Police Assistance Programme. Two highly renowned British sex crimes experts were contracted to train operational investigators in basic profiling techniques, especially in regard to sex crimes investigation. The training followed a particularly sensational case of a 12 year-old Kyrgyz girl who had been brutally raped and murdered in Bishkek.

#### ***Police Experts Workshops***

4.33. In July 2004, the SPMU organized the first in a series of follow-up workshops to the 2003 Police Experts Meeting on *Preventing and Combating Trafficking in Persons, particularly Women and Children*. The workshop attracted many police practitioners, particularly from Central Asia, the Caucasus and South-Eastern Europe.

The training was given by renowned international figures and produced a profound impact on many of the investigators present. The emphasis lay on sharing practical skills instead of recommending costly equipment and/or facilities. One such example is the international policing experts/investigator directory originating from the 2003 meeting and which continues to be updated and distributed to THB and sex crimes investigators within the OSCE region. This modest activity is conducted in order to improve networking and more effective cooperation between operational investigators.

4.34. The second, in this series of regional workshops to be held throughout the OSCE area, is being planned for late 2005.

### ***Border Policing***

4.35. The SPMU has within its core functions a responsibility for all border-policing activities of an operational nature, including needs assessments, based on the established fact that border policing relies for its effectiveness on a wide range of other policing activities – and vice versa.

4.36. The Police Affairs Officer (Border Policing & Criminal Analysis) liaises on a frequent basis with CPC staff on the operational focus of future OSCE border strategies, including legal, judicial, administrative, political and operational issues as well as how to co-ordinate the expertise of other border management and security organizations. He also provides an input into Action against Terrorism Unit's cross-border related activities.

4.37. The former Police Affairs Officer responsible for border policing matters was, since the middle of 2003, engaged almost full-time with the post-Ohrid Regional Conference On Border Security and Management, seven-State border policing review, and preparation of the progressively more detailed plans and the concepts arising from it.

4.38. One of the recommendations arising from Phase I of the OSCE SEE Cross-Border Co-operation Programme (OSCCP) was the expression of participating States for assistance in order to implement the various agreements drafted during its course. Phase II will focus on the operational level of the seven-State Border Police Services, and assistance from the SPMU is foreseen in regard to the development criminal intelligence, criminal investigation and risk analysis capabilities.

4.39. A successor to the first Police Affairs Officer responsible for border policing matters joined the Unit in August 2004. For a period of four months before appointment there was no focal point within the SPMU to elaborate the role of border policing and related security within the OSCE's border security and management concept.

4.40. The Police Affairs Officer has assisted the Chair of the Informal Working Group on OSCE Border Security and Management Concept by providing professional and practitioner-based input regarding the development of the concept.

4.41. Following the issuing of the EC Guidelines for Integrated Border Management (IBM) in the Western Balkans, the Police Affairs Officer began making arrangements

for an OSCE Border Police Expert Meeting. The meeting will be designed to gather OSCE staff with an expertise in border police matters and working in South-Eastern Europe to discuss current and planned activities relating to IBM.

4.42. In December 2004, a joint SPMU/CPC team of border police experts conducted a Fact Finding Mission to Georgia. Their recommendations for possible assistance by the OSCE to the Georgian authorities are in the areas of co-ordination, and the development of a National Action Plan (NAP) in the fields of training and legislation with the proviso that any long term assistance to the Georgian Border Guard Service should be considered within the training given to general policing in the framework of an OSCE Police Assistance Programme (PAP).

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## **5. THE SENIOR POLICE ADVISER TO THE SECRETARY GENERAL**

5.1. The role of the Senior Police Adviser to the Secretary General (SPA) remains an amalgam of the operative clauses in the declarations of the Istanbul Summit (1999), the Bucharest Ministerial Conference (2001) and the Bishkek Conference (2001). The Senior Police Adviser is also the Head of the Strategic Police Matters Unit and since, April 2004, has become the Programme Manager for the SPMU element of the unified budget. During 2004, the main responsibilities of the SPA were to:

- Maintain a vision, strategy and processes for delivering police-related assistance to OSCE participating States;
- Provide advice and guidance on police-related matters to the Secretary General, Chairman-in-Office, the delegations and their capitals and to the heads of the field missions;
- Continue to develop the capacities of a Strategic Police Matters Unit and direct its annual work;
- Promote the capabilities of the OSCE to design and implement effective police capacity- and institution-building programmes, thereby encouraging professional and personal links between the OSCE and other security, law-enforcement and human rights organizations;
- Represent the OSCE at high-level international conferences, meetings and negotiations concerned with international law enforcement matters;
- Convene, preferably annually, meetings of police experts to examine contemporary topics of importance;
- As Fund Manager for the SPMU element of the unified budget, ensure that its allocation is effectively and efficiently spent.

5.2. In connection with his advisory role, the SPA has visited the OSCE Mission to Georgia and had meetings with the Minister of the Interior and representative of international organizations and States intending to deliver police-related assistance. He has paid regular visits to Kyrgyzstan and held meetings with members of the Presidential Administration on Police Reform, the Minister of the Interior, members of his senior staff and NGOs. He has urged broader representation amongst the members of the State Commission on Police Reform and submitted a Food For Thought paper to guide early deliberations. He was the principal speaker at the annual Graduation Ceremony of the National Police Academy of Kyrgyzstan and commissioned a trophy cup to be presented annually to the student who has displayed the foremost endeavour during the previous year. He has supervised assessments by international policing experts of police culture and organization, the police use of firearms and traffic policing, and advised the Head of Mission on the work of the OSCE Police Programme Office and its Executive Steering Committee. He has explained current police assistance issues to heads of delegations or their staffs on a regular basis and visited the Slovenian Ministry of Foreign Affairs and Ministry of the Interior to provide briefings for the incoming Chairmanship. He has made presentations to high-level meetings of international counterparts, including on the subject of consequence management following a bio-terrorist attack and continues to contribute to the formulation of transitional codes of conduct for interim administrations in post-conflict States.

5.3. The SPA has addressed meetings of the Preparatory Committee (PrepCom) in March and September on the principal issues pertaining to OSCE police-related activities and chairs bi-monthly briefings of delegations' police focal points by SPMU colleagues.

5.4. He has paid calls on the foreign ministries in Sweden and the UK to draw attention to the relevance of the OSCE's police assistance strategy to their foreign policies and obtained financial and expert resources for police assistance programme as a result.

5.5. The Senior Police Adviser will visit the OSCE South East European Missions early in the new-year to assess the effects of 2005 budget and staffing reductions on the operational capabilities of their respective police units, and report his findings to a meeting of the Preparatory Committee.

5.6. For a third of the year, the Strategic Police Matters Unit operated with only half of its established complement of four Police Affairs Officers, and for seven months before the new post of Police Affairs Officer (Anti-Trafficking) was filled. During this period, one of the two remaining Police Affairs Officers, spent extended periods in Georgia, providing advice and assistance to the Minister of the Interior, and on the latter's behalf, maintaining an informal network of collaboration amongst representatives of other international agencies in support of the country's post-revolution rebuilding. In order to sustain the Unit's minimum operational commitments, the Senior Police Adviser became wholly immersed in its day-to-day administrative matters, frequently cancelling or declining engagements related to his principal role, with consequent loss of visibility or presence on behalf of the Organization. The time taken for new staff to learn their respective roles and to be inculcated into the operating practices of the Unit, extended this period of introspection. The new responsibility for managing the SPMU element of the unified budget in the absence of financial staff support will, until such support is available, permanently add to the time spent by the SPA on internal Secretariat matters.

5.7. Briefing or consulting heads of missions, heads of delegations, foreign ministry officials, and senior counterparts of international partner organizations about present and future OSCE police-related activities, remains amongst the most important responsibilities of the SPA.

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## 6. CONCLUSIONS AND RECOMMENDATIONS

### *Planning and Co-ordination*

6.1. This report began by claiming that where a host-State government's aim is to establish the Rule of Law; such an intention requires not just law enforcement capacity- and institution-building but comparable improvements across an entire criminal justice system. The OSCE, has several years field mission and institutional knowledge of the subjects necessary to achieve criminal justice system reform; that is legislative, law enforcement, prosecutorial, judicial and penal reform, as well as an independent civil administration and of those organizations, other than itself, that are competent to deliver them. The OSCE should therefore consider itself qualified to promote a concept of criminal justice system reform and examine its existing or future capabilities to undertake a lead role in assessing and formulating a host-State's needs. To achieve measurable effect will require the OSCE to possess the capacity, either singly or in concert with others, to assess needs across the whole criminal justice spectrum and to be able to do so by reference to a set of guidelines and a matrix of indicators. These do not currently exist but they should. In many respects, international organizations deliver police assistance in areas identified in virtue of increased political attention but of questionable durability because the conditions within other elements of the criminal justice system necessary for them to be effective do not exist. It is also apparent that within law enforcement itself, selective improvements are mostly contingent upon, but fail to notice the absence of, comparable improvements on which they rely to be effective.

6.2. The justification for complementary reform of elements of the criminal justice system is evident to seasoned practitioners both within host-States and the departments or units of international development agencies. And it is the practitioners who should be asked to contribute most to a strategy, system and structure for supporting joint host-State/OSCE criminal justice reform activities. Consistent with the current rate of rotation of staff, there is sufficient activity and expertise within the OSCE, *or available to it*, for the Organization to consider whether overseeing or directly implementing rule of law reform should become one of the Organizations principal undertakings. Thereafter, it should seek a common understanding with its international partners on the temporal and spatial sphere of its activities and formalize that understanding in a collective strategy which enables donor States to allocate funding on the basis of the comparative advantages of each.

6.3. Desirable to such an undertaking is that the Organization's assessments and explanatory guidance are part of an OSCE doctrine of Security Sector Reform – a declaration of beliefs and principles - that overlays the collective strategies relating to reform of the elements of a criminal justice system, and that such a doctrine stresses the need for such strategies to be country and culture specific.

6.4. Strengthening the operational performance of a host-State's police organization may be guided by examining, in turn, and then by reference to one another, the organization's strategy, structure, systems, skills, staffing, shared values, and style. But it is the vision for policing that determines the strategy and all other constructs that will be required to support it. Whilst structural, technical and legislative matters will require modification, it is deciding the culture of the organization and the institutions to support it that will influence its overall standing in society. Any reform

strategy therefore requires a political vision about what policing should look like in five to ten years. Any plan to deliver that vision must belong to the Ministry of the Interior, and donors, after consultation and contributions to its formulation, should agree to be guided by it and to contribute the multi-year funding necessary to achieve its objectives.

### ***Institutional Memory***

6.5. One of the principal reasons for the uneven delivery of international police-related assistance is that, in the absence of enforceable agreements between the host-State and the OSCE, progress relies heavily on the personal persuasiveness of the international team leaders. Achieving effectiveness in such cases is by no means assured but is further undermined by the rotation of policing experts after short periods of secondment. The consequent lack or loss of organizational memory is further aggravated by staff rotations within the departments of donor States' foreign ministries and delegations. Whilst specialists remain within their respective disciplines for years, the generalists, on whom the responsibility rests to advise Ministers on the value of specialists participation within an OSCE assistance programme, rotate after short periods, apparently without leaving any, or sufficient, written records to inform their successors. The cost to effectiveness and efficiency is high, as SPMU and Secretariat staffs intervene to correct misconceptions, conduct lengthy explanations or recapitulate entire histories sufficient to enable the process of engagement and decision-making to re-commence.

6.6. It is also a fact that a principal source of information about the conditions which will impact on the effectiveness of selected areas of police-related assistance is the host-State practitioner recipient with whom there should be early and enduring consultation. Far too often, new governments are elected, new Ministers of the Interior are appointed, and with each change of administration, a top layer of senior police officers is removed and replaced by newly promoted officers deemed to be more responsive to the policies of the new administration but lacking the judgement and confidence of their predecessors. There may be sufficient grounds relating to the integrity of such individuals to justify these changes, but it is to be hoped that if this is so, the need will soon diminish in order to avoid further loss to the police organization, of knowledge and decision-making precedent.

6.7. It should be noted that a valuable repository of knowledge about field mission successes and the obstacles to be avoided, rests with the long-serving national/local staff of missions, who may also be able to provide a realistic street level assessment of the credibility and relevance of assistance-related activities. This source of information is also being considered as a resource for the SPMU Policing On-Line Database

### ***Staffing***

6.8. The requirement for qualified policing personnel to help their colleagues rebuild or reform law enforcement in post-conflict States and States in transition will exist for the foreseeable future. The trend during the past year continues upwards and the internal security situations within areas of the OSCE region indicate that this will continue. There is no argument any more about the importance of establishing law and order as a prerequisite for all else, and concern for maintaining a pool of appropriately skilled policing advisers should be factored into the budgets of donor

State police forces. States should therefore put in place systems for recruiting, selecting, providing pre-mission training to, and developing the careers of police officers whose skills and qualities match the police assistance profiles. States should also consider providing additional training to individual officers of high international commitment and potential, for example, language training. The reserve of experts should also include recently retired police officers whose availability may make it easier to deploy them at short notice.

6.9. The Annual Report on Police Related Activities 2003 highlighted the difficulty of attracting seconded civilian police experts whose qualifications and experience fully met the requirements of posts advertised through the OSCE REACT system. This situation was strongly evident, both in 2002, where in response to the 256 police posts advertised, 73% of the applications received from participating States did not fully meet the criteria of the published vacancy notice and also in 2003, where in response to 151 police vacancies advertised, 75% of the nominations received did not fully meet the requirements of the vacancy notice.

6.10. Because no change occurred during the first-half of 2004, in July 2004 the Director of Human Resources directed her Senior Advisor to begin a programme of visits to the capitals of OSCE police contributing countries to outline to the relevant authorities, current and future OSCE policing needs and lessons learned with regard to the screening, selection and nomination of police candidates. Six such visits have taken place during 2004 and six more are planned during next year. The meetings have proved productive and new processes and procedures with regard to the selection and nomination of civilian police officers have been developed and implemented in a number of capitals. In addition, it has also proved beneficial for representatives in capitals to obtain up to date information on OSCE international policing initiatives and receive direct feedback on current recruitment and nomination issues.

6.11. The changing needs and evolving requirements in relation to OSCE police related activities necessitates the provision of high-calibre police secondees, in the majority of cases with very specialist expertise. Greater attention is being paid to the complex areas of corruption, organized crime, police forensic work and the various forms of trafficking. Community police projects are being designed and implemented and policing assessments and technical assistance programmes are being planned and introduced. Basic police training has now given way to specialized training and training in management, supervision and accountability. In 2004, in response to the 114 posts advertised only 18% of the nominations met all the requirements specified in the respective vacancy notice. A further 25% met some of the requirements and were judged to be "worthy of consideration" for the post in question. Nevertheless, this illustrates that 57% of the applications received from participating States during 2004 did not meet the basic criteria of the published vacancy notice.

6.12. After visits of the Senior Advisor to the Director for Human Resources to the capitals of six of the police contributing countries, of the 27 nominations received from those participating States during the latter months of 2004, 30% met all the requirements of the vacancy notice and a further 40% were considered to be "worthy of consideration". This improvement is welcomed but would appear to confirm as a fact that many delegations choose to ignore, or are failing to understand, the critical role which only credible policing experts are able to play alongside their counterparts



in failed States or States in transition, and therefore the need to establish systems to find and recruit them.

6.13. Attention is again drawn to the disproportionately low number of female police secondees being offered to the OSCE. Female officers are a visible reinforcement of the message to host-State ministries that female officers should play an equal role to male officers in all aspects of operational policing and underlines the Organization's commitment to a more equitable gender balance.

6.14. The proposal contained in last year's Report that, for elements of discreet technical assistance that are narrowly defined and are of very short duration, and where contact will be between specialists speaking a common language, the English-language requirement be waived, and consequently removed from the list of requirements governing the engagement of such experts, was accepted by the Permanent Council. This has so far allowed forensic experts from the Russian Federation to give training to scenes of crime investigators at the National Police Academy of Kyrgyzstan.

6.15. It is regretted that some countries whose policing competencies are progressive and well respected, appear not to be any longer providing policing experts to OSCE deployments.

### ***Funding***

6.16. Police assistance activities within the States of South Eastern Europe are funded through the OSCE Unified Budget.

6.17. Police assistance programmes for the countries of the Caucasus and Central Asia require to be funded through extra-budgetary donations. The programmes are formulated on the basis of a policing needs assessment undertaken by staff of the SPMU augmented by policing experts recruited from participating States with a professional and cultural similarity to the host State. The SPMU has limited funds to support only a number of these assessments, and must therefore rely on field mission funds or on extra-budgetary voluntary contributions to respond to unscheduled or short-notice requests.

6.18. The time taken between completion of policing needs assessments and implementation of police assistance programmes is too long. This is chiefly because the extra-budgetary funding necessary to finance the programme projects is insufficiently forthcoming or in some cases not forthcoming at all. The result is that police-related work by other organizations or agencies begins to overlap elements of the proposed OSCE programme, thereby requiring a revised assessment and fresh agreement with host-State governments, and that host-State governments feel let down by the OSCE, irrespective of the sincere intentions of SPMU and mission staff.

6.19. The principal sources from which lessons relevant to funding shortfalls may be drawn are the police assistance programmes for Armenia and Azerbaijan. Both programmes were launched in September 2004 with budgets of €1.9m and €1.5m respectively. The Programmes were supported by the Heads of both State's delegations who addressed the Permanent Council with a request that funding be

found. By the end of 2004, only Sweden had made a tangible financial contribution to each, and there were insufficient funds available to launch either programme.

6.20. A budget allocation for short-notice commitments was cut from the SPMU's estimates for 2004 at an early stage in the budget discussions. These short-notice commitments, together with the work needed to make progress on the Action Plans relating to Roma and Sinti, Anti-Trafficking and Combating Terrorism, will therefore be funded out of other elements of the Unit's budget.

6.21. As reported in last year's Report, these two matters, staffing and funding deficiencies, affect every aspect of police-related assistance within the OSCE. The current drawbacks and deficiencies detract from the ability of the Organization to deliver on the undertakings of its Charter for European Security agreed at the Istanbul Summit in November 1999, and which to a very significant degree is the yardstick by which the Organization is judged by the peoples it exists to serve. Subsequent Ministerial declarations have raised expectations but have not been accompanied by the commitment necessary to achieve them.

6.22. The OSCE Charter for European Security commits the Organization to enhancing the role in civilian police-related activities as an integral part of the Organization's efforts in conflict prevention, crisis management and post-conflict rehabilitation. To do so, it lists the activities of police monitoring, police training, the provision of modern equipment appropriate to police services that receive training in new skills, and to examine options and conditions for a role in law enforcement. In the intervening years, the requirement for tangible assistance in all these areas has been thrown into stronger and stronger relief by the fact that in all territories that have endured internal conflict, criminal networks, corruption and intimidation continue to obstruct progress on political and economic rebuilding.

6.23. There are very few international organizations that can deliver capacity- and institution- building which will eventually make law enforcement effective against such forces. The OSCE is one of them but to be effective it must possess an efficient and effective long-term assistance strategy and a multi-year funding commitment to support it. Without renewed commitment on the part of participating States, significant institutional change - including the provision of core funding rather than extra-budgetary funding for programmatic activities - and a willingness by States to align bi-lateral activities with OSCE activities, the OSCE should not any longer ask practitioners to formulate or implement police assistance activities that depend for their success on long-term reform. If the Organization believes that the rule of law and professional law enforcement remain crucial to all other forms of national development, it must be prepared to re-think the amounts and means of providing the resources necessary to achieve them and not squander ideas, courage and expertise on activities that produce no sustainable or concrete outcomes.

\* \* \* \* \*

## ANNEX 1

### LIST OF KPSS TRAINING PROGRAMMES (2004)

	<b>No. Trained</b>
<b>Basic Training</b>	
General Policing	666
SSO	543
	<b>Total: 1209</b>
<b>Advanced and Specialized Training</b>	
- Basic Criminal Investigation Course	410
- Advanced Criminal Investigation Course	189
- Basic Drug Investigation Course	176
- Border and Boundary Police	350
- Border and Boundary Police - CIVPOL	65
- Border and Boundary Police – In-Service Training	219
- Forensics Crime Scene Technicians	25
- Surveillance Course	314
- Rifle course	165
- Domestic Violence	185
	<b>Total: 2098</b>
<b>Training Standard Section</b>	
- KPS Field Training Officers	83
- Primary Field Training Officers	41
- Trainer development Course - International	60
- Assessment Workshop	10
- Non verbal Com. & Stress Mgt.	26
- Team Leader, T. Building & Co. Mgt	82
- KPS Trainer Development	154
- Human Rights KPS Officers	330
- Penal and Procedural Law - TOT	61
- Workshop on Penal Code and Procedural Law	221
	<b>Total: 1068</b>
<b>Traffic Training</b>	
- Basic Emergency Vehicle Operation	154
- Basic Driving Theory Learners	284
- Practical Driving KPS Officers	608
- Traffic Accident Management and Investigation	188
- Miscellaneous	414
	<b>Total: 1648</b>
<b>KPS Training Division</b>	
- Re-certification	1864
- Emergency Safety Officer Programme	60
Motorcycling Course	9

MP 5	30
<b>Total: 1963</b>	
<b>Other Courses/Workshops</b>	
- Workshop	1278
<b>Total: 1278</b>	
<b>Management and Supervision Training</b>	
- First line Supervision	186
- Mid-Management Course	82
- Training Management	00
- Colonels Course	30
<b>Total: 298</b>	
<b>Government Services</b>	
- Fire and Rescue Service	0
- Basic Training Corrections	290
- SWISS Supervisory Training - Corrections	133
- SWISS Training for Correction Officers	51
- Candidate Assessment for Deputy Directors	63
- Senior Supervisory Training - Corrections	23
Trainers Meeting	55
Candidate Assessment Programme	44
Probation Officers	27
Officer Development – Corrections	100
Customs	18
<b>Total: 803</b>	
<b>Bilateral Programme</b>	
- Organized Crime	72
Advanced Crime Scene Technicians (Forensics)	11
Crime Scene Technicians (Forensics)	31
Civil Disorder Command	114
Close Protection Course	33
Crime Prevention – TOT	40
Crime Prevention Course	40
Criminal Investigation Management	61
Community Policing	120
Executive Development	28
School Resource Officer – TOT	25
School Resource Officer Course	50
SWAT Team Course	12
Drug Enforcement and Investigation Supervisory Course	15
Hostage Negotiation Team Course	10
Basic Latent Print Course	20
Advanced Latent Print Course	11
Blood Spatter Analysis	35
Advanced Training Management	20
Shooting Reconstruction	45
Human Rights and Dignity	00

First Response Life Saver	22
Glock Armoury Course	26
Expert Witness Course	31
<b>Total:</b>	<b>872</b>

## ANNEX 2

### **The Law Enforcement Department, OSCE Mission to Serbia and Montenegro** *Major events/activities in 2004*

#### ***Internal Affairs:***

- Assessed the technical needs of the Office of the Inspector General in Serbia.
- Supported twelve police officers from Serbia and Montenegro to attend a two-week practitioners' course on internal affairs in the UK.
- Assessed the gathering, analysis and use of intelligence within the Serbian Inspector General's Office.
- Provided technical equipment to assist in 'proactive' enquiries and provided IT equipment to allow for a secure stand-alone system.
- Arranged for the Serbian Inspector General and members of his staff to take study visits to the UK to learn about internal affairs.
- Designed, published and distributed leaflets to the police, public and human rights organizations, in three languages, on 'How to Make a Complaint Against the Police' in Serbia.
- Facilitated a national workshop in Serbia for senior police officers on the role of the Inspector General's Office.

#### ***Parliamentary and external oversight:***

- Provided two experts to provide assistance to the Security and Defence Committees in the Serbian and State Union Parliaments.
- Provided training on oversight issues to journalists and members of parliament.
- Assisted in developing the role of an Ombudsman in Serbia (relevant legislation still pending).
- Conducted an assessment of 22 local municipalities on oversight issues with a view to providing future training.
- Assisted in developing the concept of a Supreme Auditing Institution to deal with budgetary issues.

#### ***Organized Crime:***

- Implemented an extortion-kidnapping and anti-terrorism project for the Serbian Ministry of the Interior (training courses in modern police methodology for 145 police officers). The project was funded by the Norwegian Government.
- Assisted the Ministry of the Interior in the development of a national strategy on the fight against organized crime.
- Planned the development of a criminal intelligence system at the national level (organized study trips to Norway and Sweden, co-ordinated assistance from the international community).
- Organized an advanced hostage negotiation course for the members of the National Hostage Negotiation Team.
- Enhanced regional co-operation by organizing a regional conference on organized drug smuggling on the Balkan route.

#### ***Crime Scene Investigation and Forensics:***

- Facilitated and co-ordinated a bilateral Swedish-Serbian project 'Strengthening Crime Scene Investigation in Serbia' (including the organization of training courses and a study visit to Sweden).
- Organized three one-day Crime Scene Investigation/Forensics Seminars in Niš, Novi Sad and Belgrade for 250 forensic officers.
- Carried out an assessment on capacities in the Criminal Technical Centre in Podgorica, Montenegro.
- Enhanced regional co-operation by organizing a Regional Forensic and Crime Scene Investigation meeting in Belgrade for forensic and criminal investigation experts from ex-Yugoslav republics.
- Finalized a project proposal, 'Strengthening of Laboratory Examinations and Crime Scene Investigations in the Serbian Ministry of the Interior's Criminal Technical Centre in Niš, Serbia and Montenegro' which received funding from the Norwegian Government at the end of December 2004 and will be implemented in 2005.

***War Crime Investigation:***

- The following activities are a part of a Norwegian funded project called "Enhancing the Capacity of the Serbian Interior Ministry's War Crimes Investigation Department":
- Organized a war crime investigation training course for war crime investigators, investigative judges and prosecutors.
- Published and distributed a handbook on human rights investigation in co-operation with the Humanitarian Law Fund.
- Organized study trips to the ICTY for the participants in war crime investigations.
- Initiated development of witness protection programme (finalized a needs assessment for the creation of a witness protection programme, organized a study trip for witness protection police officers to the Metropolitan Police in London and the ICTY).

***Border Policing:***

- Completed the official hand over of the project 'Enhancing the Capacity of the Serbian Ministry of the Interior to Deal with Human Trafficking-Equipment—Start-up Package', as part of an extra-budgetary contribution from the Government of the Kingdom of Norway.
- Regularly co-ordinated meetings with representatives of the Ministries of the Interior and international counterparts interested in projects regarding border policing issues.
- Finalized the Project 'Capacity Development of the Border Police Service' as part of the extra-budgetary contribution from the Government of Italy.
- Co-operated with the British Immigration Service to conclude the project 'Development of Criminal Intelligence Analyses for the Border Police Service'.
- Provided advice to the Ministry of the Interior, both in Serbia and Montenegro, to carry out its strategy for the implementation of an Integrated Border Management System, in line with international standards;
- As a follow up to the Ohrid Conference on border issues in the Western Balkans, and as a part of the first phase of the OSCE SEE Cross Border Co-operation Programme (OSCCP) which was holding a series of six seminars to

enhance regional co-operation among the SEE countries' national border police services, together with increasing their capacities:

- 5<sup>th</sup> Seminar 'Workshop on Joint Measures', in Belgrade on 14-15 July;
- 6<sup>th</sup> Seminar 'Workshop on Procedures and implementation of existing Cross Border Agreements', in Budva (Montenegro) on 13-16 September.

***Community Policing:***

- Assisted the Ministry of the Interior in gathering best practices from the 10 pilot sites to enable the Ministry to develop a National Community Safety Strategy.
- Encouraged full co-operation between international actors to enter the evaluation phase of the pilot site projects.
- Developed the Ministry's understanding of the 'community safety' concept through workshops and seminars.
- Initiated the co-ordination process to assist the Ministry of the Interior with the development of its 'Safe Communities' Project in the Autonomous Province of Vojvodina.
- Formed the South Serbia Working Group, in a partnership process to address tensions between the police and local communities in south Serbia.
- Facilitated the formation of a Municipal Safety Council in Medvedja (a crucial element of community policing) and secured a commitment by Bujanovac and Preševo to establish similar councils in 2005.
- Delivered several workshops, seminars and roundtables to encourage full engagement between the police and municipal authorities to develop community safety strategies.
- Initiated a comprehensive project to construct modern training facilities in each of the municipalities for the delivery of in-service training during 2005.
- Initiated and funded police and public perception surveys, as well as focus groups, to establish a foundation for up to nine pilot project sites in 2005.
- Identified specific pilot sites for community policing implementation in Montenegro

***Police Education and Development:***

- Trained 200 police officers in Montenegro as part of the police development course, and 81 senior officers in modern management principles and community-oriented policing/problem solving.
- Trained and mentored 86 officers from both Serbia and Montenegro in a three-course trainer development programme.
- Trained 17 senior south Serbian officers in a management course and the community-oriented policing/problem solving courses, and 32 officers in combating trafficking of human beings.
- Supported confidence-building through 66 Community Action Group meetings in south Serbia and four partnership building seminars in Montenegro.
- Co-ordinated international community assistance to the Ministry of the Interior from Sweden, The Netherlands, and the United Kingdom that amounted to approximately €60,000 to support the reform of police education through training initiatives, equipment, and recommendations for education/training best practices.



- Co-organized the International Round Table on Police Education Reform in Serbia, attended by 120 international and national contributors to the develop plans for the next steps of reform.

***Strategic Planning and Development:***

- Held three strategic planning and change management workshops for senior officials of both Serbian and Montenegrin Ministries of the Interior with international experts.
- Co-ordinated the assistance of the Royal Netherlands Government to develop strategic capacity in the Montenegrin Ministry of the Interior.
- Maintained a comprehensive database of police reform projects involving international assistance.
- Mentored the Ministry personnel in both republics who were assigned the new strategic planning role by working closely with them to plan their activities. Significantly contributed to the establishment in both republics of a Strategic Planning Unit for the Ministry.
- Organized several co-ordination meetings that gathered together members of the international community involved in police reform.
- Took Serbian and Montenegrin strategic planners on a study visit to the Slovenian police headquarters to learn about the strategic development component of that police service.
- Organized English language courses for key Ministry personnel in both republics to facilitate their co-operation with international counterparts and to allow them in future to take over the co-ordination of assistance function that the OSCE now plays.

## ANNEX 3

### AREAS OF RESPONSIBILITY AND EXPERTISE OF STAFF OF THE STRATEGIC POLICE MATTERS UNIT (SPMU)

#### **Head of Unit**

**Senior Police Adviser to the Secretary General** – Richard Monk (UK)

Tel +43 (0) 1 514 36-264

Provides advice and guidance on police-related matters to the Secretary General, the Chairman in Office, the Heads of delegations and their capitals and to the Heads of the field missions. Responsible for vision, strategy and processes for delivering police-related assistance to OSCE participating States. Promotes the capabilities of the OSCE to design and implement effective police capacity and institution building and clarifies the distinction between OSCE's mode of operation and other international organizations. Establishes annual work plan and objectives and is Programme Manager for SPMU. Represents the OSCE at high level international conferences, meetings and negotiations on international law enforcement matters. Convenes, conferences, meetings and workshops of policing experts to examine contemporary topics of importance.

#### **Deputy Head of Unit**

**Police Affairs Officer (Uniform Policing and Support)** – Karl Pettersson (Sweden)

Tel: +43 (0) 1 514 36-170

All matters relating to uniform policing including patrol, community policing, public order, traffic policing, appraisal and promotion systems, gender and ethnic minority representation, leadership and management, information strategies, police performance indicators. All matters relating to materials and equipment support to uniform policing, including provision of radios vehicles and telephone systems. Also acts as Liaison Officer to Heads of Law Enforcement Departments in South East Europe Missions. Responsible for collaborative links with other international partners e.g. EU, EC, UN, IGOs and States active in police-related assistance activities,

**Police Affairs Officer (Training)** – Viacheslav Vorobiev (Russian Federation)

Tel: +43 (0) 1 514 36-726

All matters relating to police training, including selection and training of non-commissioned officer recruits, selection and training of commissioned officers, development of training curricula, accumulation of knowledge about training within major European police training schools and academies, links to external higher education institutions, field training, development of common police training elements.

**Police Affairs Officer (Crime)** – Timothy Del Vecchio (USA)

Tel: +43 (0) 1 514 36-772

All matters relating to crime detection and prevention, excluding trafficking in human beings (see below). Includes crime reporting, intelligence-led policing, crime scene search, and forensic examination of evidence, fingerprints, investigative techniques, evidence gathering, serious and organized crime, the investigation of sexual crime and paedophilia, links to Interpol, Europol and major international law-enforcement agencies.

**Police Affairs Officer (Trafficking in Human Beings) – Jola Vollebregt**  
(Netherlands)

Tel: +43 (0) 1 514 36-249

All matters relating to trafficking in human beings, especially women and children, including treatment of victims coming to the notice of police, investigative strategies based on knowledge of offenders as alternative to reliance on victim testimony, links to associated crime, e.g. forgery, fraud, money laundering as alternative sources of evidence gathering.

**Police Affairs Officer (Border Policing and Crime Intelligence) – Bjorn Pettersen**  
(Norway) Tel: +43 (0) 1 514 36-263

All matters relating to operational border policing, including control, search and seizure measures at checkpoints, physical configuration, operation and equipping of checkpoints, document authentication, information systems, measures to avert threats from crime to security of borders, border surveillance, investigation of border related offences within the Border Police jurisdiction and those matters above related to the Post Ohrid Regional Cross- Border Co-operation initiatives. All matters relating to crime intelligence, including collection, collation, analysis, transmission and dissemination of data both internal and trans-national, training of analysts and choices of operational and electronic systems.

**Programme Co-ordinator – Alexey Kuvshinnikov (Austria)**

Tel: +43 (0) 1 514 36-277

All matters relating to the formulation of projects and police assistance programmes from products of policing needs assessments and in collaboration with host-State field missions. Co-ordinates objectives and plans with police-related activities of other international organizations and States and negotiates implementation and funding partnerships with donors.

**Information Management Officer – Alina Josan (Moldova)**

Tel +43 (0) 1 514 36-732

All matters relating to the creation, operation and development of a knowledge-base and central repository of knowledge on policing, including information about new and established policing initiatives, techniques, operations, assistance programmes, funding opportunities, lessons learned and good practice, by and for the use of the OSCE, other international partners, organizations, bilateral schemes and NGOs active in OSCE mission areas. The database will have linkages to other organizations' databases in order to encourage co-ordination and collaboration and strengthen the OSCE's authority in police-related activities.

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## **ODIHR Annual Report on Police-Related Activities for 2004**

(Submitted as appendix to the SG Annual Report on Police-Related Activities, in accordance with Decision 9, paragraph 6, of the Bucharest Ministerial Council Meeting, 4 December 2001)

March 2005

**ODIHR Police-Related Activities 2004**

## ***INTRODUCTION***

The OSCE Office for Democratic Institutions and Human Rights (ODIHR), in line with its broad human dimension mandate, has a tradition of providing police-related assistance to governments in OSCE participating States. The Istanbul Summit Meeting of November 1999 called for increased activity of the entire Organization in civilian police-related activities as part of its efforts in conflict prevention, crisis management and post-conflict rehabilitation.

In this regard, the ODIHR has primarily focussed its activities on enhancing respect for human rights in police training and enhancing the capabilities of police services, providing new and modern policing skills, and promoting respect for human rights and fundamental freedoms through its activities in general. The ODIHR has provided technical assistance and human rights training on police-related issues to Interior Ministries, border police services, prison guard structures, as well as civil society groups. In all this, the ODIHR works in close co-operation with the Strategic Police Matters Unit.

In accordance with Decision 9, Paragraph 6 of the Bucharest Ministerial Council Meeting, this report to the Permanent Council gives an overview of the ODIHR police-related assistance activities during 2003.

## ***CO-OPERATION WITH THE OSCE STRATEGIC POLICE MATTERS UNIT***

The OSCE Strategic Police Matters Unit (SPMU) and the ODIHR hold regular co-ordination meetings and exchange information on a regular basis. The SPMU again took an active role in the Human Dimension Implementation Meeting (HDIM) in October 2004 and made contributions the Supplementary Human Dimension Meetings (SHDM) as well as on other human dimension related conferences and seminars.

The ODIHR's departments including the new programme on Tolerance and Non-Discrimination have co-operated with the SPMU on various occasions such as exchange of information, joint needs assessment and other forms of consultation. In all its police related activities, the ODIHR closely co-ordinates and synergizes with the SPMU, as well as, where possible, with OSCE field operations.

## ***SPECIFIC POLICE RELATED ASSISTANCE PROJECTS AND ACTIVITIES***

### **Anti-Trafficking**

In 2004 the ODIHR offered support to the OSCE Mission to Moldova from the Anti-Trafficking Project Fund to develop an anti-trafficking training module for police and to carry out a series of anti-trafficking training seminars for police, judges and prosecutors. The objectives of these activities were to enhance the capacity of law enforcement officers and representatives of the judiciary to investigate and prosecute trafficking cases and to ensure protection of trafficked persons during pre-trial investigation and in court.

### **Tolerance and Non-Discrimination in Law Enforcement**

In order to support participating States in establishing training programmes for law-enforcement officers relating to hate crimes, the ODIHR initiated the project Hate Crime Training Programme for Law Enforcement Agencies in the OSCE Region, in co-operation with the National Public Safety Strategy Group and the American Jewish Committee. The project aims to increase the capacity of law-enforcement officers to identify hate crimes and mobilize community and NGO resources to assist victim communities. The project will result in an evaluation of existing good practices that will be consolidated into a resource manual for use by law-enforcement officers. The project is also piloting a train-the-trainer programme in two participating States with the intention of expanding the programme further upon the request of other States.

### **Police and Roma: Towards Safety for Multi-Ethnic Communities**

The activities for 2004 consisted of workshops in Poland and Romania, together with the production of a practical guidance manual for police. The activities are being co-ordinated on behalf of the ODIHR's Contact Point for Roma and Sinti Issues (CPRSI) by the UK-based NGO European Dialogue (working in consultation with CPRSI and the SPMU). The purpose of these workshops was to (a) undertaking a systematic assessment of current policing policy and practice in relation to the policing recommendations of the OSCE Action Plan on Roma/Sinti, and (b) capacity-building for Roma NGOs to participate in the assessment and subsequent actions in co-operation with the police.

The practical initiatives presented at these workshops represent useful examples of good practice in improving Roma-police relations, and when written up they can be disseminated across the OSCE region in a more detailed 'practical examples' booklet that will be produced later in 2005. The Guidance Manual for Police will include relevant materials on human rights and professional policing standards and on police relations with minorities, together with documentation and selected examples of initiatives relating to Roma.

- The workshop in Romania was held at Busteni on 25-26 November. It was organized by Romani CRISS in association with the Ministry of the Interior, and attended by representatives of the Romanian police and Roma NGOs, as well as by the OSCE Roma/Sinti Adviser and by two experts from UK acting as OSCE consultants (Dr. Robin Oakley, and former police Chief Inspector Chris Taylor).
- The workshop in Poland took place on 10-11 February in Wroclaw, under the title "Against Discrimination: Roma - Administration – Police: the Experience of Mutual Co-operation". The workshop was organized jointly by the Governor's Office for Lower Silesia and the Wroclaw-based NGO 'Thesaurus Association', in consultation with CPRSI and European Dialogue.
- Detailed proposals for the workshop in Russia have been drawn up, and the Moscow-based NGO 'Romano Kher' has agreed to organize the workshop in association with the Russian Ministry of the Interior. The aim of the workshop would be to review current issues and problems in relations between Roma and the police in Russia, and to identify principles and examples of good practice that could be disseminated across the Russian Federation.

## **Human Rights Training for the Police**

The OSCE Office in Almaty in co-operation with the ODIHR and the SPMU organized a human rights training for police on 12-14 December 2004 in Almaty. This was a three-day training with 20 selected participants from all over the country representing different branches of the police, including some national police trainers. As none of the participants had received any kind of human rights training before the training was focusing on main principles.

## **Torture Prevention**

The ODIHR, through its criminal justice reform programme, takes an integrated approach to torture prevention. One aspect of torture prevention, clearly, is focusing on torture done under the guise of investigation. The ODIHR continues to raise at a political level the dynamics in many criminal justice systems that encourage police officers to torture, either by rewarding them for “solving cases” or punishing them for “failure to solve cases.”

## **Preventing and combating domestic violence**

As part of an on-going programme for the law enforcement personnel to raise awareness on preventing and combating domestic violence in the South Caucasus, in 2004 the ODIHR conducted series of activities to facilitate co-operation on this issue among law enforcement bodies and civil society organizations in Azerbaijan and Georgia.

In Azerbaijan the activities focused on setting up working groups in the Ministry of Internal Affairs, the Prosecutor General’s Office, the Courts and the Ministry of Justice with involvement of the NGO “Symmetria” to develop multidisciplinary measures, work towards finding solutions and preventive measures to the problem of domestic violence and to set up constructive mechanisms for co-operation with NGOs on this issue. The working groups, including NGO “Symmetria”, also conducted a survey among the law enforcement personnel on the issue and made recommendations to draft an action plan on combating domestic violence and the develop curriculum on “Preventing and combating domestic violence – the role of police” for the Police Academy.

In Georgia, in connection with facilitating co-operation of the law enforcement bodies with the Women’s Shelter in Tbilisi, number of special meetings were organized to give the civil society representatives opportunities to inform members of the law enforcement agencies about their work and their requirements in the field of combating domestic violence, especially briefing them on the necessity of a co-operation between the police and NGOs. Following this, co-operation mechanisms were set up between the Tbilisi police departments and Women’s Shelter.

## **Reform of the Propiska System**

The *propiska* system was originally developed to stem the flow of rural residents into cities and to track the whereabouts of residents, ostensibly for law-enforcement purposes. It restricted every resident to one legal place of residence. The issuance of passports and the *propiska* stamps remains a responsibility of uniformed Ministry of the Interior officers. Difficulties in obtaining this vital document have traditionally

made bribery and fake marriages commonplace. In addition, the *propiska* system can be used in a discriminatory way, where members of certain social and ethnic groups can be prevented from moving to certain locations. The *propiska* system contravenes the right to freedom of movement and choice of place of residence enshrined in the OSCE commitments.

The goal of the ODIHR programmes is to bring about a reform of civil registration systems, whereby the *propiska* system is replaced by a civil registration system that reduces the role of the state from issuing permits to for citizens to change their place of residence to one that simply records such changes of residence. This would not only comply with international standards and OSCE commitments, but also reduce the potential for abuse by law enforcement bodies. Projects, which included training visits to Western European and the Baltic States, as well as national and regional workshops, have touched on a variety of issues, including trust between the population and governmental agencies responsible for carrying out civil registration.

### **Legislative Support**

The ODIHR has provided legislative assistance in relation to the Draft Law on the Police and the Draft Law on Police Oversight of the Republic of Serbia. This assistance has been channelled through the OSCE Mission to Serbia and Montenegro, which organized a workshop in Belgrade on 18 February where the ODIHR's comments and recommendations were discussed. The ODIHR's comments and recommendations proved useful for all parties involved in both the drafting and review of the two draft laws, in that it provided valuable guidelines as to how both drafts could be further amended in order to be fully brought in compliance with the required international standards of policing and police oversight.

### ***Legislationline.org***

Amongst the 13 human rights issues addressed by Legislationline, 'police matters' has also been identified as a topic of focus. In line with the methodology of Legislationline, international standards as well as domestic legislation regulating the activities, competencies and powers of the police in the 55 OSCE participating States, has been collected. This information is accessible through the website to legislators, the legal profession and a wider, interested audience. The experts produced summaries describing the legal status quo for each of the 12 chosen States as regards, amongst others, community policing, rights of police personnel, collection and use of personal data, search, detention, arrest, use of force, protection of witnesses, as well as the complaints procedure against police misconduct. Legislationline also includes a description of the prevailing international standards and enforceable instruments.

### **Rule of Law Activities Involving Law Enforcement - Specific Examples**

- Training for Staff of Pre-Trial Detention Facilities – Kazakhstan: Training on international standards and conflict prevention for the staff of the police custody department of the Ministry of the Interior. The ODIHR co-organized this training with the Ministry of the Interior.
- First seminar (Almaty, 24 September 2004) - "Human Rights in Custody" Workshop for the Management of Special Facilities under the Oblast Main



Board of the Interior, Oblast Boards of the Interior and the Transport of the Kazakh Ministry of the Interior.

- Second seminar (Ust-Kamenogorsk, 8-9 November 2004) - "Prevention of Conflicts in Special Facilities in the context of Human Rights Observance" Workshop for the Staff of Special Facilities under the Main Boards of the Interior and Boards of the Interior of Almatinsky, Akmolinsky, Eastern Kazakhstan, Karagandinsky and Pavlodarsky Oblasts and the Transport of the South-Eastern Board of the Interior.
- Third seminar (Aktobe, 13-14 December 2004) - "Prevention of Conflicts in Special Facilities in the context of Human Rights Observance" for the Staff of Special Facilities of Main Boards of the Interior and Boards of the Interior of Aktubinsky, Atyraussky, Western Kazakhstan and Mangistaussky Oblasts and of the Western Board of the Interior (Transport).
- International Conference (Almaty, 25-26 November) - "Alternatives to Criminal Prosecution and Protection of Human Rights in Central Asia." Law enforcement officers from four Central Asian Countries (Kazakhstan, Kyrgyzstan, Uzbekistan and Tajikistan) participated.
- Open meeting of the Expert Council of the Juvenile Justice Project - Astana, Kazakhstan, 20 December 2004. The focus of the meeting was on detention of juveniles. The meeting was co-organized with the Soros Foundation.

## ***OTHER POLICE-RELATED ACTIVITIES***

### **Human Rights and Anti-Terrorism**

In March 2004 the ODIHR organized a conference in **Copenhagen on "The Protection of Human Rights while Countering Terrorism"**. The two day working-level workshop brought together legislative drafters and practitioners, human rights experts and counter-terrorism and law enforcement personnel, from across the OSCE region who actively participated in the workshop. In the course of the workshop, working group discussions focused on the practical means by which states can protect human rights and fundamental freedoms while countering terrorism and how long-term prevention can best be addressed.

Providing security in times of an increased globalized terrorist threat has become a major challenge. Recognizing this, the following areas of concern were the focus of discussion at the workshop: the issue of data protection, the need for clear and single definition of terrorism in international law, the problem of root causes of terrorism or conditions that give rise to terrorism, and the crucial issue of preventing terrorism by developing capabilities on an international level to identify potential threats emerging from terrorist groups and governments. Workshop participants also noticed that with the tendency towards totality in gathering information there is a greater need for protection of rights of individuals.

The workshop reiterated the basic idea related to any anti-terrorist measures. There may be no human rights without security and, moreover, without security, there are no guarantees for human rights. Security and law-enforcement policies gain strength and

credibility when they are implemented in a manner consistent with international human rights and humanitarian law.

### **Freedom of Assembly and Association**

The HDIM's 2004 Special Day on 13 October focused on freedom of assembly. Participants discussed the right of peaceful assembly as a fundamental right and one of the foundations of a democratic society. The participants agreed that the right encompasses all types of gatherings including assemblies and meetings, demonstrations, marches and processions, whether public or private, static or in motion.

The general conclusions were that the right to organize peaceful assemblies should be ensured, and possible counter-protests having violent intentions do not annul this guarantee. The participants must be able to hold the assembly without having to fear that they will be subjected to physical violence by their opponents or the authorities. Genuine, effective freedom of assembly cannot, therefore, be reduced to a mere duty on the part of the State not to interfere and requires States sometimes to take active measures to guarantee it.

A practitioner from Northern Ireland, the Assistant Chief Constable (ACC) Peter Sheridan from the National Police Service of Northern Ireland, shared experience of the National Police Service on ensuring safety of the demonstrators, sustaining public order and preventing violent expressions from the side of counter-demonstrators. He emphasized that in all activities, the National Police Service of Northern Ireland was guided by human rights principles and considerations of facilitating the exercise of the right to freedom of assembly in parallel with the need to maintain the public order.

The intervention during the plenary session was followed by a side event where the ACC Peter Sheridan together with two academics from Transitional Justice Institute of the University of Ulster and the Institute for Conflict Research of Northern Ireland elaborated further on the experience of Northern Ireland and drew parallels between common controversial issues encountered in various legal systems and to learn from the positive experiences of different States, in particular Northern Ireland, in ensuring Freedom of Assembly.

In particular they examined the notification process, and the interpretation of the statutory factors upon which any restrictions must be based (including 'public disorder' and 'the protection of the rights of others'). The ACC Peter Sheridan explained that planning for each potentially contentious parade did not just examine appropriate and proportionate operational policing responses, but it also took the advice of the organization's specially recruited human rights lawyer, with an aim of fulfilling three main goals:

- to prevent disorder,
- to resolve difficulties which arise, particularly where two main communities of Northern Ireland interface, through consultation;
- and, finally, to minimize disruption.

The panel focused on the need for transparency in decision making, the types of restrictions imposed, and ways to accommodate the interests of organizers, participants, those living in the immediate vicinity of a parade, and the wider community.

The concepts of mediation and stewarding were discussed in the context of the need to encourage organizers of assemblies to take greater responsibility for their own events. There was a separate focus on the policing of assemblies. This noted the positive effect that “community policing” and limiting the decision-making powers of the police could have in reducing confrontations. Examples of such involvement of the community included engaging, either directly or indirectly, with a range of interest groups such as residents’ representatives, business people, local politicians, the Parades Commission, marchers and indeed ordinary shoppers in the streets.

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