

The Future of Police Missions

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Clingendael Report



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Abstract

The current security situation in the world, and specifically the zones of instability that surround and affect Europe, provide the Netherlands with many good reasons to contribute police capabilities to international crisis management missions. The EU, UN and OSCE struggle with both quantitative and qualitative personnel shortages when it comes to deploying police in missions. In qualitative terms, the increasing complexity of police mandates in missions, the multi-dimensional approach to security sector reform and other forms of crisis management and the shift of attention from observation and monitoring missions to mentoring, training, and capacity-building missions asks for high quality experts and senior leaders. NATO will continue to need police capabilities that can operate under a military command structure for the performance of its executive police duties, and, in exceptional cases, for urgent SSR tasks, in conflict situations where no other actors are present that can take up these tasks.

Providing that the efforts in creating stability are successful, police deployment in multilateral operations abroad can prevent or reduce future spill-over effects from the crises these operations address. With both the Royal Marechaussee and the Netherlands' Police as donor organisations, the Netherlands has a broad and well developed policing toolkit that can in many ways meet, or adapt to, the demand of the IOs. In order to match the increasing demand for police contributions, increasing the contribution of NP and/ or KMar staff to multilateral operations should be taken into consideration. The study argues to focus these contributions on a set of niches that fits both the IOs' demand and national (security) policy objectives. More specialisation can enhance the quality of deployed staff or teams, it can streamline the relative competency discussion between the KMar and NP and it would sharpen the profile of the Netherlands as a supplier of policing capabilities.

Executive Summary

The central objective of this study is to assess how the Netherlands can optimally adapt the police tools which it can make available for deployment in crisis situations abroad to the expected future demand from international organisations, and, secondly, to its own (security) policy goals. This summary adopts a three-step approach: Firstly, the future demand for police deployment of the EU, UN, OSCE and NATO is assessed. Secondly, the relevant Dutch policy goals are analysed, followed by an exploration of the question to what extent deployment in multilateral missions can serve these goals. The third step is to assess the policing capabilities which the Royal Netherlands Marechaussee (KMar) and the Netherlands Police (NP) can make available for deployment in these organisations' missions and operations.

The demand for police capabilities of the IOs is increasing and outpaces supply. The future demand for police capabilities is to a large extent determined by the number, geographical distribution and the nature of crises and conflicts. The security environment of Europe is volatile and is likely to remain this way. In the Eastern neighbourhood, there will remain the major challenge of hybrid warfare, tactics which Russia will most likely continue to use in future conflicts. On the Southern flank of Europe, the (wider-) MENA region is and will most probably remain characterised by instability and a complex pattern of intra- and interstate conflicts. These zones of instability produce spill-over effects that affect, inter alia, the EU, such as increasing migration, transnational crime and the spread of terrorism. For the EU, border security has become a major issue in the course of 2014 and 2015 due to the enormous increase in migration flows from the MENA region. Most likely, security problems related to migration to Europe will grow in importance and have an impact on the need to deploy more police personnel to guard Europe's borders.

The EU, UN and OSCE struggle with both quantitative and qualitative personnel shortages when it comes to deploying police in missions. In qualitative terms, the increasing complexity of police mandates in missions, the multi-dimensional approach to security sector reform and other forms of crisis management and the shift of attention from observation and monitoring missions to mentoring, training, and capacity-building missions asks for high quality experts and senior leaders. From countries like the Netherlands these IOs especially desire the deployment of senior staff to perform leading roles in their missions. In the case of the UN and the EU, a shift to more volatile operating conditions has increased training needs for staff in order to cope with physical hardship and violence. NATO will continue to need police capabilities that can operate under a military command structure for the performance of executive

police duties and, in exceptional cases for urgent SSR tasks, in conflict situations when no other actors are present that can take up these tasks.

For the optimal effectiveness of mentoring and reforming activities in EU, UN or OSCE operations, rotation cycles of police deployment should be extended to at least 12 months. Next to technical competencies, pedagogical and cultural adaptation skills, and political and conflict sensitivity are of the utmost importance. Since more UN and EU missions are likely to take place in francophone Africa, more francophone capacity is required and the desire to deploy more female police staff is expressed in relation to both the UN and OSCE. The EU's Frontex operations have witnessed an increasing human resources gap and the EU Commission's initiative to create a European Border and Coast Guard might in the near future lead to a mandatory pooling of much larger numbers of border police than seen before.

Several ways of bridging the gap between demand and supply have been suggested. More direct contacts between mission leadership and Dutch supply management can help in identifying the most urgent needs and also in promoting what the Netherlands can offer. Also, the representation of the Netherlands Police or Gendarmerie at the IO's headquarters or secretariats, be it as part of a Permanent Representation or as police advisors within the IO's administrations, can be effective in shortening communication lines and having a better grip on (the results of and the possibilities for) police deployment.

In the Netherlands, the most prominent policy framework for police deployment in multilateral operations is the International Security Strategy (ISS.) The ISS presents territorial defence, an effective international legal order and economic security as the country's leading strategic security interests. It considers the EU to be the leading multilateral security provider from a Dutch perspective and it motivates democratisation and stabilisation efforts in EU's neighbourhood by pointing out that events in these regions have a direct impact on Dutch national security and prosperity. Although the ISS is dominant, the Netherlands lacks an integrated security policy that harmonises the agendas and efforts of the different security actors, such as the armed forces, the intelligence services, the Netherlands Police and the KMar. In the case of police deployment, this results in the five most important stakeholders formulating priorities and policy goals that overlap to a certain degree, but are not fully harmonised.

An overlap of priorities can be found in themes like the prevention of cyber insecurity, organised crime and terrorism. Geographically, instable regions within Europe and in the EU's Eastern and Southern neighbouring areas are commonly seen as the most relevant to focus on from a national security perspective, although in countering transnational organised crime, the Americas and West Africa are also of interest. A shared aim is to optimise Dutch (police) contributions to missions and, through mission contribution, to optimise the working and effectiveness of missions themselves. There is, however,

a fundamental difference in the Ministry of Security and Justice and the Netherlands Police focusing on ongoing national security issues and, on the other side, the Ministries of Foreign Affairs and Defence and the KMar that have a more international orientation. The desire of the first two stakeholders to align police deployment abroad with the activities of the NP national territory has not been responded to in the ISS.

The current security situation in the world provides the Netherlands with many good reasons to contribute to international crisis management missions. Serving national security interests is just one of them. The final part of this study explores the question to what extent police deployment in multilateral missions can address security issues which the KMar and the NP deal with on national territory. For this exploration direct security effects have been distinguished from indirect effects and, next to that, it has been acknowledged that police deployment abroad can also have a reverse capacity-building effect on the sending organisation. The possibility of establishing direct operational effects, meaning that police deployment abroad directly and positively contributes to ongoing national security efforts, should not be overestimated. If intelligence is needed from abroad or cross-border operations have to be carried out for national security reasons, bilateral police cooperation or intelligence sharing via the existing bilateral or multilateral channels – or multilateral police cooperation in dedicated Joint Investigation Teams – is probably the more effective route to take. Contributing to the EU's migration-related missions within the framework of Frontex or other EU operations is an important exception to this rule, since these are strongly related to the national police workload in border security and other security and humanitarian activities deriving from the influx of migrants. Apart from the EU's migration operations, it is more probable that police deployment in multilateral operations abroad will have an indirect effect on security issues dealt with nationally, meaning that future spill-over effects from crises abroad can be prevented or reduced. These indirect national security effects might occur providing that the missions' efforts in creating stability by building governance capacity are successful.

Several ways have been explored to optimise the contribution of the deployment in police missions to national security issues: the proactive preselection of missions that might be interesting from a national security perspective and including national security interests as criteria that have weight in deciding on deployment seem to be the most important opportunities. Influencing mandate and mission design and trying to acquire leading positions before missions are launched come next. The operational phase is the moment that security and reverse capacity-building effects should be realised. The growing practice of information exchange between the EU's CSDP and the EU's internal security agencies might offer possibilities for increasing the chances of national operational results from police deployment in missions. A further assessment of these possibilities and their outcomes is recommended. After their return, the deployed KMar or NP staff can enrich their organisations with valuable experience, the personal competencies gained and an enhanced international network and, possibly, with

valuable knowledge about the security situation in the region of deployment. It requires a high standard of personal and functional briefing and debriefing procedures for the sending organisations to fully benefit from these advantages.

With both KMar and NP as donor organisations, the Netherlands has a broad and well-developed policing toolkit that in many ways meets, or can adapt to, the demand of the four IOs assessed in this report. A central interdepartmental coordination of civil deployment to missions could be a further step in integrating and better organising the total Dutch 'deployment package' for missions. When it comes to the relative competency of the KMar and NP, defining criteria for the deployment of either of the organisations cannot be based on both organisations' capabilities alone. Mission-specific demands are variable, so that criteria determining which capability should be deployed cannot be too detailed. However, agreement on a division of tasks is advisable. Both organisations bring a basic level of policing ability, enhanced by very specific skill sets. In SSR/MMT&A tasks, when a fundamental and generic reform of police is needed, both the KMar and the NP are in position to be deployed, although strict time limits on the duration of deployment can stand in the way of the KMar being optimally effective. KMar-staff are better trained for volatile circumstances and will be more suitable in highly unstable areas. When more in-depth expertise in certain areas of policing is needed, a decision to deploy the NP or KMar should be made on a case-to-case basis, taking into account the risk level in theatre, optimal rotation cycles and cultural aspects. Other relevant criteria are the type of local organisation(s) that has/have to be cooperated with, the nature of the reform tasks and the institutional obstacles that complicate the deployment of civil police under military command in NATO missions and the deployment of military staff in active service in the OSCE's field operations.

In order to optimise both the quality of Dutch contributions to missions and to harmonise these contributions with national (security) policy goals, a specialisation in certain niches of deployment should be taken into consideration. The Netherlands could decide to adopt certain regions, to focus on themes like people smuggling, terrorism, or (other) forms of organised crimes, or to specialise in certain types of expertise, such as intelligence-led policing and border management. In this context, the UN's deployment concept of Specialised Police Teams offers a possibility to have a better grip on the tasks performed and the effectiveness of staff deployment once in a mission. More specialisation offers the additional advantages of streamlining assessments of the relative competency of the KMar and NP – decisions to contribute are made more proactively, based on the chosen niches – and a sharper profile of Dutch policing capabilities increases the probability of getting them deployed.

The main recommendations that derive from this study are the following:

- In order to meet the IOs increasing demand, increasing the contribution of NP and/or KMar staff to their operations should be taken into consideration.
- Specialisation in niches that fit both the IOs' demand and national security objectives should be taken into consideration as both a way of enhancing the quality of deployed staff or teams, a way of optimising the results of police deployment from a national (security) policy perspective and of sharpening the Dutch profile as a supplier of policing capabilities.
- In order to match the IOs demand, more high-level senior staff should be selected and senior positions in missions should be aimed at. This also creates a context that is optimal for addressing Dutch national (security) policy goals.
- Investing in staff who are able to work in challenging environments and in rapidly deployable contribution formats is recommendable.
- Organising more direct communication lines with the mission organisations can help in identifying the IOs' or missions' needs and in linking those needs to Dutch policy aims and policing capabilities.

Given the international demand for police capabilities, in determining the scale of Dutch police contribution to multilateral missions and in choosing niches, a range of factors are of importance and can be weighed in at the national (or European) level. First, there is the question of values: how do goals such as the promotion of the international rule of law and humanitarian aid relate to more *realpolitische* objectives of national or European (economic) security and to commitments to alliances? Another political question lies in choosing the sort of instruments to deploy in crisis management: do the Netherlands and the EU want to profile themselves as civil or as military powers? Or as both? Then there is the question of effectivity that has been addressed in this study: to what extent is upstream deployment of blue forces effective in achieving national or European policy goals, if related to possible other instruments and to deployment of these blue forces on national territory? And, in specific cases: how effective is deployment of these blue forces under the flag of one of the IOs if compared to bilateral or smaller multilateral options? And finally, there is the organisational question of what fits the Dutch toolkit. What capabilities are available and will be available in the future? Based on the outcome of these questions, niches can be defined in terms of themes, countries, regions, IO's and policing of police reform instruments.

Introduction

During the past two decades, the police components of international crisis management missions have gained increasing importance.¹ The UN's 2000 Brahimi Report² on improving United Nations peacekeeping operations called for, among other things, a “doctrinal shift” in the use of police and other rule of law elements to support a greater focus on intrastate reform and restructuring activities, after the resolution of violent conflicts. Since the beginning of this millennium the deployment of civil police or gendarmerie in international missions, be it under the UN flag, or in NATO, EU or OSCE missions, has gained weight, quantitatively, but also regarding the diversity of tasks and its relative importance compared to military components in crisis management. The increased importance of policing was reconfirmed in the first UN Security Council resolution to particularly focus on policing. This resolution 2185, unanimously adopted in November 2014, has resolved that policing should be included as an integral part of the UN's peacekeeping mandates and special political missions, since it is an invaluable contribution to peacekeeping, civilian protection and the rule of law.³

In the Netherlands, the Minister of Internal Affairs decided in 2008 to raise the maximum number of civil police⁴ staff to be deployed in peacekeeping missions from 40 to 100 a year. Civil police staff were from that moment permitted to perform executive tasks and to work under more violent circumstances than before. At the same time, for the Royal Netherlands Marechaussee, a gendarmerie corps falling under the Ministry of Defence, taking part in missions had been one of the core responsibilities since its deployment to Namibia in 1989.⁵ The Minister's decision was not only motivated by the increasing demand – on the EU level the development of a capacity of 5,000 police officers for international deployment had been agreed upon⁶ – but also by the expected ‘return of investment’ of broadening the international network of the Netherlands Police and

1 The authors would like to thank Margriet Drent, Ko Colijn, Barend ter Haar, Paul Görts and Lily van Egeraat for their thoughtful and meaningful contributions to this project.

2 Brahimi, L., *Report of the Panel on United Nations Peace Operations A/55/305-S/2000/809*, United Nations, New York, 2000. The follow-up of this report was published in 2015 by the UN's High Level Independent Panel on Peace Operations (HIPPO): UN Document A/70/95-S/2015/446, United Nations, 17 June 2015.

3 *Resolution 2185*, UN, New York, 20 November 2014.

4 The use of the term ‘police’ in this report is explained in the section ‘Research scope, terms and definitions’.

5 KMar personnel were employed in policing tasks within the United Nations Transition Assistance Group (UNTAG).

6 *About CSDP – Civilian Headline Goals*, EEAS, Brussels, http://eeas.europa.eu/csdp/about-csdp/civilian_headline_goals/index_en.htm.

intensifying international cooperation. On top of that, there was the desire to improve the link between police deployment in missions and the activities of the Netherlands Police on Dutch territory.⁷

This study assesses, firstly, how the Netherlands can optimally adapt the police tools it can make available for deployment in crisis situations abroad to the expected future demand from international organisations, and, secondly, to its own (security) policy goals. The first section explores what type of police capacities international organisations would want contributing countries like the Netherlands to deliver for operations in international crisis situations. In order to determine the UN's, EU's, NATO's and OSCE's future demand for contributions to police missions, this part of the study takes stock of these organisations' developments regarding inducements, mandates, instruments and the actual organisation of missions.

The second part of the study focuses on the instruments available in the Netherlands for performing police tasks in missions. It zooms in on the capability and expertise that the Royal Netherlands Marechaussee (KMar) and the Netherlands Police (NP) can offer for deployment in international crisis situations and on policy considerations that play a role. The possibility of deploying KMar staff in the framework of the European Gendarmerie Force (Eurogendfor) is discussed in this section.

The final part examines how Dutch (security) policy goals can be served by deploying police staff in missions abroad. Starting from an assessment of what these security policy goals are, this section explores the (potential) effects of the deployment of police staff in international operations on security issues that (might) affect the Netherlands.

The study results in conclusions on the expected future demand for a Dutch police presence in foreign missions and in formulating recommendations for shaping the Dutch toolkit and procedures for deployment in such way that this demand can be optimally met, while taking into account the Dutch national policy goals.

Research scope, terms and definitions

Police

In this study the noun 'police' refers to a civil governmental institution responsible for assistance to the public when needed, the maintenance of public order and the prevention, detection and investigation of criminal offences. When used in the Dutch context, it can refer to both the Netherlands Police (Politie) and the Royal Netherlands

⁷ *Inzet Nederlandse politie en Koninklijke Marechaussee bij internationale civiele politie-operaties*, Document 27476 nr 14, Netherlands Minister of Internal Affairs and Kingdom Relations, The Hague, 5 November 2008.

Marechaussee (Koninklijke Marechaussee, abbreviated as KMar). When there is a need to distinguish either of these organisations, the Netherlands Police will be referred to as such, or abbreviated as NP.⁸ The Royal Netherlands Marechaussee will be referred to as such, or by its abbreviation, KMar.

Police missions

In this study, the term police missions is defined as the deployment of police officers in EU, UN, OSCE or NATO operations. This includes the whole spectrum of police tasks, including executive tasks, Security Sector Reform (SSR), international border security tasks and training, mentoring, monitoring and advising (MMT&A) functions. These tasks can be performed in different kinds of operations or missions, ranging from crisis management with an integrated approach, combining military and civilian resources, operations from the Eurogendfor, to purely civilian missions or European Border Security (Frontex) operations.

Included in the study are the deployment of police in:

- Dedicated police field operations/missions
- Police components in more comprehensive field operations/missions
- Field operations/missions performing activities not directly related to police tasks

A police component is a part of a mission where police-related tasks are fulfilled by the police or gendarmerie staff.

Excluded from the scope of this study are police-related activities in field operations/missions without the deployment of police staff. This can be the case when military officers perform policing tasks. Also excluded are the secondment of police staff in secretarial or administrative organs of international organisations and policing responsibilities of the Royal Marechaussee regarding Dutch military staff, the classical military police task, as described in Article 4b of the Dutch Police Act.

Tasks and reform concepts

In the context of EU, UN, OSCE and NATO operations, sometimes different terms are used for similar policing tasks. Where needed in order to be able to compare policing tasks as performed within these organisations, this report distinguishes the following policing tasks:

- Substitution (interim administration with executive powers)
- Operations/ Operational support to host state police (e.g. maritime or border security assistance, anti-trafficking operations, the protection of civilians)

8 In some Dutch publications, especially when the fusion of 26 regional police forces into one national police force is discussed, the abbreviation NP is used to refer to the National Police (*Nationale Politie*). National Police is however not the formal name of the institution.

- Training/Reforming (advising, mentoring, monitoring, SSR, etc.) Training and reforming tasks can focus on individual officers or departments, but also on entire institutions or sectors
- Monitoring the implementation of agreements

If tasks cannot be categorised under one of these terms, they will be specified where relevant.

More specific concepts, related to training and reforming police tasks in missions, are Security Sector Reform (SSR) and Rule of Law development (RoL). In the NATO chapter, Security Forces Assistance (SFA) is a central theme. The different actors discussed in this report to a certain extent use different definitions of and approaches to these concepts. The most variety lies in the sets of security actors that SSR deals with. A common and widely used definition of SSR is the one put forward by the Development Assistance Committee of the Organisation for Economic Co-operation and Development (OECD DAC):

“Security sector reform means transforming the security sector/system, which includes all the actors, their roles, responsibilities and actions, so that they work together to manage and operate the system in a manner that is more consistent with democratic norms and sound principles of good governance, and thus contributes to a well-functioning security framework.”⁹

This definition includes a broad set of security sector actors, not only the traditional core security actors (armed forces, the police, gendarmerie, intelligence, etc.) but also security management institutions and oversight bodies, justice and law enforcement institutions and, finally, non-statutory security forces (such as private sector companies). When in this study the concept of SSR differs from this definition in a relevant way, this will be indicated and explained.

Security Sector Reform in most missions either implicitly or explicitly refers to an overarching Rule of Law ideal. The UN, EU and OSCE have formulated this ideal as one of their guiding values in different ways in their treaties and declarations and reports.¹⁰

9 *Security System Reform and governance*, OECD, 2005, p. 20; For a discussion on definitions of SSR see: *SSR Overview*, ISSAT, <http://issat.dcaf.ch/Learn/SSR-Overview>; Edmunds, T. 'Security Sector Reform: Concepts and Implementation' in *Sourcebook on Security Sector Reform*, eds. Fluri, P. and Hadži , M., Geneva Centre for the Democratic Control of Armed Forces, Geneva, 2004.

10 *Report of the Secretary-General on the Rule of Law and Transitional Justice in Conflict and Post-Conflict Societies UN Doc. S/2004/616:4*, UN, New York, 23 August 2004; 'Communication from the Commission to European Parliament', *Official Journal of the European Union*, European Commission, Brussels, 9 May 2008; *Document of the Copenhagen Meeting of the Conference of the Human Dimensions of the CSCE*, CSCE, 29 June 1990.

Operationalised for the field activities of these organisations, the term Rule of Law missions can refer to reforming different sets of institutional systems varying from an exclusive focus on the judiciary sector to all governmental security actors. Unless indicated otherwise, in this study the term Rule of Law- (RoL-) missions is used for what the EU refers to as 'integrated rule of law missions': a reform of the police, the judiciary and the penitentiary sector.

NATO's specific contribution to SSR, besides support to other entities' activities, is Security Forces Assistance (SFA), focusing mainly on military forces and institutions that are directly linked to military forces. Chapter 2 elaborates further on the boundaries of the SFA concept and its practical implementation.

Research Methods

The mapping of security issues in chapter 2 is based upon recently published in-depth Clingendael studies on the MENA region and the eastern border of the EU¹¹, and on the Clingendael Monitor 2015.¹²

For the assessment of demand and supply in respectively chapters 2 and 3 and for identifying opportunities to address nationally prioritised security issues by police deployment in missions (chapter 4), a total of 49 respondents have been interviewed from the EU, UN, OSCE, NATO, KMar, NP and the Ministries of Security and Justice, Defence and Foreign Affairs. In selecting respondents, a balance has been sought between the IO's Head Quarters or Secretariat, Permanent Representations, Law Enforcement leadership in missions, international deployment managers at NP and KMar and NP and KMar staff with mission experience. The respondents are not referred to in person.

In order to retrieve lessons learned from earlier missions and mission deployments, next to the interviews, existing public evaluations have been reviewed, including earlier studies that took stock of NP and KMar deployments in peacekeeping missions.

11 Gartenstein-Ross, D. and Barr, N., *Europe's Volatile Southern Neighbourhood: Policy Options for North Africa*, The Clingendael Institute, The Hague, 2015; Gartenstein-Ross, D. et al, *The Crisis in North Africa: Implications for Europe and Options for EU Policymakers*, The Clingendael Institute, The Hague, 2015; Hamid, S. and Byman, D., *HHAdversity and Opportunity: Facing the Security and Policy Challenges in the Middle East*, The Clingendael Institute, The Hague, 2015; Drent, M., Hendriks, R. and Zandee, D., *New Threats, New EU and NATO Responses*, The Clingendael Institute, The Hague, 2015; Van Ham, P., *The BRICS as an EU Security Challenge: The Case for Conservatism*, The Clingendael Institute, The Hague, 2015.

12 Rood, J., Van der Putten, F.P. and Meijnders, M., *Clingendael Monitor 2015*, The Clingendael Institute, The Hague, 2015.

Further literature includes annual reports of the IOs, policy documents from the Dutch Ministries of Foreign Affairs and Security and Justice, the KMar and the NP and several related (security) organisations.

In order to optimise the policy relevance and accuracy of this publication, an advisory group consisting of experts from the Ministries of Foreign Affairs, Defence, Security and Justice, the KMar and the NP has been consulted to comment on the research set-up and a first draft of the report.

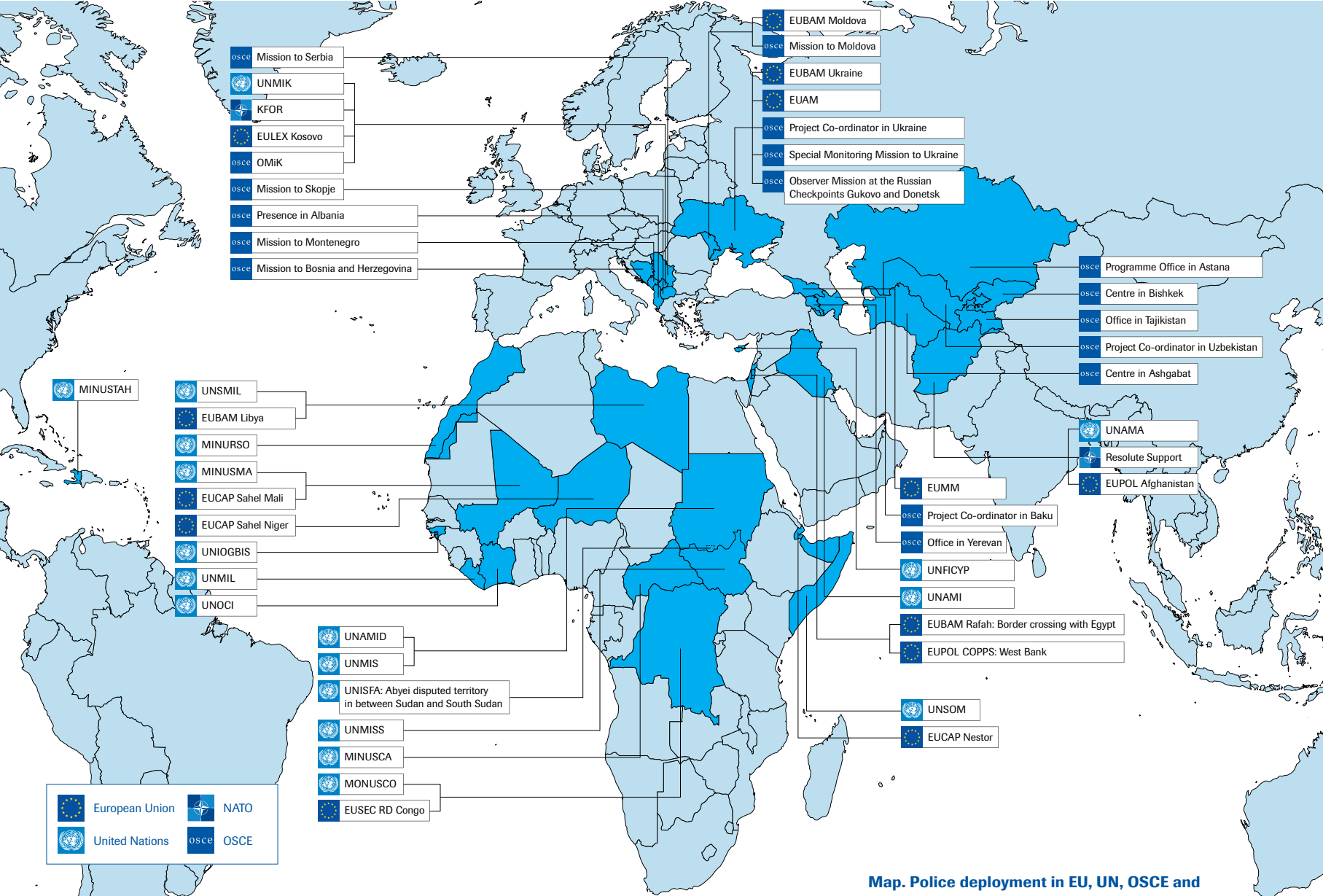
1 Future demand for police deployment in crisis situations

This section seeks to assess the future demand for police deployment as part of multilateral operations or missions in crisis situations. This demand is firstly determined by the security situation in the world. Since the international security strategy of the Dutch government¹³ focuses on the regions surrounding Europe, the section starts with mapping the security issues in the Middle East, Africa and Eastern Europe and discussing the border security issues in southern Europe. This study does not discuss the several crises and conflicts distributed over these regions in full detail, but a short explanation of their nature and possible spill-over effects to Europe is considered key to understanding how the demand for police deployment in multilateral operations will evolve in the near future.

Secondly, the demand for police deployment of the international organisations EU, UN, OSCE and NATO results from their approach to policing and police reform. In separate sections for each IO, after a short introduction to its role in crisis management and the characteristics of the several approaches to police deployment in crisis situations, the actual and future demand for police capabilities will be discussed. Where possible at the detailed level of the (policing) expertise and competencies that are needed.

This demand assessment of the EU, UN, OSCE and NATO is based on documents and publications discussing police deployment in missions and on interviews held at each organisation's headquarters and with respondents from command structures of missions. In the case of the UN, since this organisation deploys police staff seconded by such a broad range of source countries, after giving a general picture of the organisation's demand for police competencies, the organisation's demand articulation has been specifically related to the Netherlands as a donor country. For other IOs this specification is applied where relevant.

13 *International Security Strategy – A Secure Netherlands in a Secure World*, Government of the Netherlands, The Hague, 2013; *Beleidsbrief Internationale Veiligheid – Turbulente Tijden in een Instabiele Omgeving*, Netherlands Minister of Foreign Affairs, The Hague, 2014.



Map. Police deployment in EU, UN, OSCE and NATO operations active in November 2015

1.1 Evolving security issues and crisis regions

Currently, the EU, UN, NATO and OSCE deploy staff in police functions in the missions and operations highlighted in the map.¹⁴

The map shows a strong emphasis on the African continent, Central Asia, the Balkans and Ukraine when it comes to police being deployed as part of multilateral missions. This reflects both the respective crisis management tasks of the international organisations, discussed further on in this chapter, and the current security situation in the world.

Europe faces new security threats and challenges, that have different regional manifestations and which derive from a diverse range of state and non-state actors. As the Clingendael Monitor¹⁵ has already asserted, there is a more complex and 'hybrid' spectrum of conflict in the regions surrounding Europe. On the Eastern flank, there is a more assertive and aggressive Russia. At the same time, in the South, Europe has to deal with the effects of increasing unrest in the Middle East and North-Africa (MENA) region, which has resulted in large refugee flows to Europe and the spread of Jihadist extremism. This instability is not limited to merely the MENA region, but can also be seen further south as well.

Eastern environment

On the Eastern borders, the continuing efforts of Russia to assert its influence have led to instability in the region. The annexation of the Crimea, Russia's support to separatists and the covert military presence of Russian military personnel in Ukraine are the main examples in this regard. Russia's behaviour seems to be determined by its desire to change the post-Cold War order and to become a dominant regional player, which has led to deteriorating relationships with the West.

In the Russian military doctrine it is explicitly stated that modern warfare is based on the 'integrated use of military force, political, economic, informational and other non-military measures'. Hybrid warfare, involving a wide range of both soft and hard power instruments, is by no means a Russian invention, it is as old as warfare itself, but has become the centre of attention since Russian actions in Ukraine. The conflict in Ukraine has resulted in the redistribution of weapons in the region, which could potentially be smuggled into the EU. Before the crisis, criminal elements in both Russia and Ukraine were already large players on the international drugs market (specifically heroin

14 In the appendix section of this study, more detailed overviews of each of the IO's current missions with police deployed can be found.

15 Rood, J., Van der Putten, F.P. and Meijnders, M., Clingendael Monitor 2015, The Clingendael Institute, The Hague, 2015.

and precursors for synthetic drugs) and ran some major supply routes to the EU. Of special concern are the Ukrainian port of Odessa and the Crimean port of Sevastopol. These ports have been logistical hubs for organised crime activities since before the crisis. Because of the porous borders, a high degree of corruption and the weak state of the Ukrainian police forces, it is expected that these ports might be integrated more closely with Russian organised crime networks.

However, as much of the attention goes to the crisis in Ukraine and Russia's involvement therein, attention is diverted away from other countries in the region. Russia's revisionism will continue to shape the region and potentially destabilise it. It is taking an increasingly aggressive stance in the 'frozen conflicts' of the region, particularly in Transnistria, South Ossetia and Abkhazia, but also in other regions, such as Armenia and Georgia. Russia will continue to put pressure on Moldova and Georgia to undermine their closer integration with the EU. In addition, tensions between the Baltic states and Russia have increased and it is feared that Russia will try to destabilise these countries as well.

Increased risk and unrest in the MENA region

The challenges and threats deriving from the MENA region are different in nature than those coming from the Eastern flank. The MENA region is a region in chaos; some states have collapsed as a result of political and religious sectarianism, while others are very fragile. The region is ravaged by several intra- and inter-state wars. What began as the "Arab Spring" in 2011, has unleashed civil wars in Syria, Libya and Yemen and has worsened the ongoing civil war in Iraq. The civil wars in Syria and Iraq have acquired a new dimension with the empowerment of the extremist Islamic State (IS), which has proclaimed a caliphate in both countries. In a very short time, it has developed in an extremely violent group. While it is broadly labelled as a terrorist group, it also shows state-like features as they control and defend territory and install state-like institutions. Yemen, too, is facing the threat of complete chaos, due to an insurgency led by a Shia rebel group and the strengthening of the terrorist group al-Qaida in the Arabian Peninsula (AQAP). Recently, IS has also begun operations in this country.

The European migration crisis

What characterises these contemporary conflicts is their intractability and the increased risk of serious, unpredictable but persistent spill-over effects, that do not only destabilise the neighbouring countries, but which have direct effects for Europe as well. The current refugee and migrant crisis is a major example in this regard. For months the news has been dominated by stories of thousands of people who want to reach Europe, sometimes with catastrophic humanitarian results. At this moment, the world is facing the biggest refugee crisis since World War II. The largest refugee group consists of Syrians at the moment, with more than 4 million people who have fled the country. A majority of these refugees (2,9 million) are hosted in the region, primarily in Turkey, Lebanon, Jordan, Iraq and Egypt. An increasing amount of refugees are trying to reach the EU. The EU's border

agency Frontex recorded 1.2 million irregular crossings of migrants and asylum seekers to the EU by the end of October 2015, four times the 282,000 that Frontex registered for the whole of 2014.¹⁶ Most migrants try to enter Europe via the Western Balkans or via the Eastern Mediterranean route, which puts enormous migratory pressure on the external borders of Greece, Italy, Hungary, Serbia and Macedonia. In some EU countries, the influx of migrants has affected domestic stability. Violent incidents have occurred and there are doubts about the EU's ability to find solutions for the migration crisis. This endangers the coherence and functioning of the EU.

Spread of terrorism and transnational crime

The refugee crisis is not the only concern; there is also the threat of the spread of terrorism. This threat has grown remarkably in the last couple of years and, at the same time, the nature of this threat has changed considerably. Religious extremism is increasingly the driving force behind terrorist acts, and terrorist organisations have become more transnational. The threat that Jihadist terrorism poses to Europe and its citizens is threefold. Firstly, a growing number of individuals are travelling to unstable countries in the MENA region, and these 'foreign fighters' pose a tangible threat when they return to Europe. Some 25,000 foreign fighters from places all over the world, but mostly Europe, have already travelled to Iraq and Syria to join or fight with terrorist entities which are associated with al-Qaida, including IS. Secondly, those who stay at home but sympathise with these organisations can also potentially constitute a threat in the form of home-grown terrorism. Thirdly, since it is most likely that jihadist groups like IS gain a greater foothold in the MENA region due to state failure, the risk of terrorist attacks planned against Europe will become more acute.

Another, but related, security concern relates to transnational crime in the MENA region and the risk of spill-over to Europe. Due to state weakness, endemic corruption and porous borders, parts of the region have become strongholds for criminal activity such as drug trafficking and human smuggling. The revenues are sometimes used to finance terrorist organisations. Of special concern is Libya, where criminal networks have exploited the deteriorated security situation in the country. Due to the absence of a central government and given its favourable geographical location, it has emerged as a potential transport hub for cocaine and heroin trafficking. In addition, migration and criminal activity are becoming more and more interlinked, with smugglers using migrant boats to get the drugs into Europe. Other countries, such as Tunisia, Egypt and Algeria have all witnessed an increase in the smuggling of arms, drugs and other illicit goods.

¹⁶ *540000 migrants arrived on Greek islands in the first 10 months of 2015*, Frontex, Warsaw, 10 November 2015, <http://frontex.europa.eu/news/540-000-migrants-arrived-on-greek-islands-in-the-first-10-months-of-2015-4uH4FJ>.

The “Wider” MENA area: Further South

This same type of spill-over effects as in the MENA region are produced by porous borders and weak state control further south. Instability and conflicts prevail in the Sahel region, while also the Great Lakes region and the Horn of Africa remain regions of concern. Terrorist and extremist groups, including al-Qaida in the Islamic Maghreb (AQIM), Boko Haram and al-Shabaab, make use of the ‘ungoverned spaces’ to plan and train terrorist activities, and to recruit new members. In the Sahel region, the continuing crisis in Mali puts pressure on the already vulnerable situation. Three years after the start of the crisis in 2012, with the rebellion of Tuaregs in the North, the country has not yet recovered, despite increasing international efforts to stabilise it. Renewed conflict in the North of Mali has led to increased fighting with ethnic undertones. This has resulted in a complex humanitarian emergency situation, with thousands of internally displaced people and refugees, and an acute food and nutrition crisis.

The situation in Mali is not unique. Despite the fact that some progress has been made in terms of socio-economic development and stability, there are several other countries in the region that face deteriorating security situations. In South Sudan for example, armed groups have started fighting again, notwithstanding the recent signing of a peace agreement. Meanwhile, Sudan is struggling with growing political instability that could potentially have violent consequences. The security situation in Nigeria also remains volatile and its ongoing battle with insurgent troops threatens the stability of the country. Albeit there are hopes of greater stability in Somalia, it nevertheless has to deal with ongoing violence and attacks by al-Shabaab. In the Central African Republic, a prolonged crisis has been exacerbated in the last two years with an outbreak of sectarian violence between rival armed groups, which has resulted in many victims and at least a quarter of the population being displaced. Finally, instability and violence continuously threaten the eastern part of the Democratic Republic of Congo.

A changing global environment

It can be concluded from the above that the security environment of Europe is volatile and is likely to remain that way. In the immediate Eastern neighbourhood, there will remain the major challenge of hybrid warfare tactics, which Russia will most likely continue to use in future conflicts. On the Southern flank of Europe, the (wider) MENA region will be characterised by instability and a complex pattern of intra- and interstate conflicts. These zones of instability will certainly produce spill-over effects, such as increasing migration, transnational crime and the spread of terrorism. Peacekeeping missions and particularly the enhancement of the security frameworks in these regions can help to create more stability in these regions and thereby reduce the negative effects on European, and therefore Dutch security. Border management as part of SSR in conflict areas will be more important. Next to the need to assist in conflict areas, border security is of growing importance in the EU, due to the enormous increase in migration flows from the MENA region. This has an impact on the need to deploy more police personnel to guard Europe’s borders and to regulate the flow of migrants on the EU’s territory.

1.2 EU

The European Union carries out police missions in the context of the civilian aspects of crisis management under the Common Security and Defence Policy (CSDP).¹⁷ However, police personnel are also deployed in the context of the EU's internal security activities in operations of the border control agency Frontex. The CSDP is part of the EU's external security portfolio, for which Ministers of Foreign Affairs and Defence in the Foreign Affairs Council have prime responsibility. The Ministers of Justice and Home Affairs bear the prime responsibility for the EU's internal security agendas in the Justice and Home Affairs Council. The sector is nowadays known as the Freedom, Security and Justice (FSJ) area. The CSDP is based on intergovernmental cooperation while the FSJ sector is part of the supranational cooperation within the EU. Obviously, this institutional and juridical split of deploying police personnel of member states under the EU flag creates problems for connecting external and internal security activities.¹⁸ In this EU section both sorts of police deployments will be analysed: civilian CSDP missions in part A and Frontex operations, including the possible formation of a new European Border and Coast Guard, in part B. The growing connection between CSDP and internal security activities will be addressed in the final part of this study, chapter 4.

A. Civilian CSDP missions

When launching the European Security and Defence Policy in 1999 the European Union decided to develop the civilian aspects of crisis management – next to the military aspects. In June 2000 the Feira European Council identified four priority areas: the police, strengthening the rule of law, strengthening civilian administration and civil protection. With regard to the police the EU aimed to be able to carry out any mission, from advisory, assistance and training tasks to substituting local police forces. The first Civilian Headline Goal set a target of developing the capacity to provide 5,000 police officers by 2003, of whom up to 1,000 were to be on high-readiness (able to be deployed within 30 days).¹⁹ Based on the experiences gained in the field, the Civilian Headline Goal 2008²⁰ paid increasing attention to improving training, staffing procedures and mission planning. Two new priorities were added to the four identified at Feira: monitoring missions and support to EU Special Representatives. The document also noted that the EU should be able to contribute to security sector reform and support

17 Originally the European Security and Defence Policy (ESDP). The name change occurred with the entry into force of the Lisbon Treaty in December 2009.

18 For a further explanation and details: Drent, M. et al., *The relationship between external and internal security*, Clingendael Institute, The Hague, June 2014.

19 Quantitative targets for the other areas were set at the Gothenburg European Council in 2001. See: European External Action Service, *op. cit.*

20 *Civilian Headline Goal 2008*, Council of the European Union, Brussels, December 2004.

disarmament, demobilisation and reintegration processes. The Civilian Headline Goal 2010²¹ placed greater emphasis on improving quality, enhancing availability and developing additional instruments for mission planning and conduct, including a civilian lessons learned process. The 2010 Civilian Headline Goal also called for better civilian-military cooperation as well as for synergies with internal security actors such as Europol and Eurojust.

The first EU civilian mission was launched in 2003, the EU Police Mission (EUPM) in Bosnia and Herzegovina, succeeding the International Police Task Force of the United Nations. To date, the EU has conducted 23 civilian missions in total in Europe, Asia, the Middle East and Africa: 11 have been completed; 12 are ongoing. The number of civilian missions is twice the total amount of EU military operations and the majority of civilian CSDP-missions is police-related. Some of the missions have worked closely with other international organisations, like the UN, OSCE or NATO. In appendix B of this study overviews can be found of current and completed EU civilian missions with an indication of their category, personnel strength and duration. Some of the main characteristics of these missions are discussed in the next section.

CSDP missions: characteristics

In terms of duration EU civilian missions show a wide variety and there seems to be no correlation between size and duration. Three of the ongoing missions exceed the 10-year mark, the relatively small missions to Congo (EUSEC RD Congo), EUBAM Moldova and Ukraine and the 4-person mission to the Palestinian territories (EUBAM Rafah). The overview in appendix B shows that there is a tendency towards smaller EU civilian missions. Only one mission exceeds 500 personnel: EULEX Kosovo with a maximum planned strength of 1,900 international staff (currently about 800). Since 2010, all missions launched have a maximum personnel strength of 100 or less. There seems to be more political will to engage in short-term missions with achievable and realistic formulated objectives. However, at the same time, it is realised in Brussels that constructive reform often demands a long-term commitment.

So far, the EU has carried out only one police substitution mission, albeit as part of the wider EULEX Kosovo mission. Other missions have been predominantly of an advisory nature: MMTA missions, focusing on reforming the criminal justice sector, dominate the list of EU civilian missions (see appendix A). Originally, the EU separated police missions from what in EU terms is called 'rule of law missions' – missions that solely focus on justice reform. Only one such RoL- mission has been launched, EU Themis to Georgia. Based on lessons learned from the early civilian CSDP missions – such as EUPM Bosnia – the EU started to bring together the reform of the police, the judiciary and the penitentiary sector in 'integrated rule of law missions', EUJUST LEX Iraq being the first

21 *Civilian Headline Goal 2010*, Council of the European Union, Brussels, November 2007.

mission which carried the label. EULEX Kosovo is another example of an integrated rule of law mission, although its emblem mentions 'rule of law mission'. Although the label of SSR theoretically encompasses both civilian and military aspects, the SSR missions launched so far – like EU SSR Guinea-Bissau – have had a focus on the civilian security sector. The most recent EU civilian mission, EUAM Ukraine, even has the subtitle of 'civilian security sector reform'.

In civilian missions, about 75% of the deployed personnel have a police background. But carrying the name of a 'civilian' mission does not always mean that the personnel composition is totally civilian as well. Leaving aside the participation of gendarmerie-type personnel, there are also military personnel serving in EU civilian missions. EUCAP Nestor focuses on developing the maritime security sector in Somalia – such as a well-functioning coastguard – and has a military (navy) component. Nevertheless, it is considered to be a civilian mission. EUSEC RD Congo is labelled as a civilian CSDP mission, but focuses solely on the reform of the military sector in the Democratic Republic of Congo. So far, only one EU mission – EU Support to the African Union Mission in Darfur (AMIS) – has officially been labelled as a 'hybrid' civilian-military mission. Despite its ambitions to establish a more robust CSDP, the EU still seems to prefer hybrid or civilian missions in crisis management situations. The EU does not only have more options in this regard, political will for these types of missions is also generated more easily, which partly has to do with the fact that civilian missions can draw from the common EU budget.

In recent years the title of 'capacity building' is increasingly being used, both for military operations and civilian missions. In essence, capacity building is a variant of MMTA missions. Training is part of most MMTA missions, but training can take place at various levels (ministries, police departments or agencies, operational level). The EU tends to focus on training the management and administrative levels rather than the operational level. In the future, according to the interviewees, it is expected that the trend in focusing on capacity-building missions will continue.²² This has consequences for the type of police tasks in civilian missions, which will be concentrated on assistance and training.

Twelve years of EU civilian missions has resulted in a wide diversity of activities. Although most of the missions can be categorised as MMTA-type missions, the focus of the activities in the criminal justice sector varies. For example, fighting terrorism is included in the mandate of EUCAP Sahel Niger, but not in any other EU civilian mission. Another non-MMTA type of CSDP mission, that has been added in the Civilian Headline Goal 2008, concerns the monitoring of the implementation of agreements. The EUMM to Georgia is an example of such a mission. Further, there are border security, aviation and

22 Interviews with a number of EU officials, August-September 2015.

maritime security assistance missions to, for example, the Moldovan-Ukrainian border (EUBAM Moldova and Ukraine) and to the Horn of Africa (Eucap Nestor). All of these non-MMTA missions have been tailored to specific needs, showing a rather flexible civilian CSDP instrument.²³

EU civilian missions have been spread over three continents: Europe, Africa and Asia. Based on the analysis of the future security environment and taking into account the growing pressure on the EU to take responsibility for security in its neighbourhood, it is most likely that the geographical focus of EU civilian missions will continue to be the wider MENA area plus the conflict zones within Europe.

EU civilian missions: results and challenges

The literature on EU civilian missions is rather limited compared to the vast volume of books, articles, reports and presentations on military CSDP operations. This applies in particular to the assessment of the results of EU civilian missions. A study, carried out by the Rand Corporation in 2010, concludes that the EU has made “valuable civilian contributions in conflict and post-conflict environments, especially when in Europe’s vicinity. (...) European contributions in mentoring and advising police in post-conflict situations have proven successful in some situations and may prove more successful in the future. European executive policing has also been beneficial, although mentoring and advising are the EU’s preferred mode of operation.”²⁴ The picture becomes more blurred when looking at individual missions. The same RAND study is rather negative on the results of the EUPOL Afghanistan mission, while it points to EULEX Kosovo as a success story.

A 2015 report by the European Court of Auditors describes the results of the EUPOL Afghanistan mission as “mixed”. There were notable successes in reforming the Ministry of the Interior and professionalising the national police, but rather limited results in connecting the national police to justice reform.²⁵ EUPOL Afghanistan has been largely successful in training, but less so in mentoring and advising.²⁶ One of the problems was that the Afghan police have always been quasi-military, falling under the command of the Afghan military. This hampered reform based on Western norms and standards. The high percentage of illiteracy among Afghan police personnel (70%) also had a negative impact.²⁷

23 See the overview of civilian CSDP missions in appendix B.

24 Chivvis, C.S., *EU Civilian Crisis Management*, RAND Corporation, Santa Monica, 2010, pp. 2-3.

25 *The EU police mission in Afghanistan: mixed results*, European Court of Auditors, Luxembourg, July 2015, pp. 22-23.

26 *Ibid.*, p. 33.

27 Gurbanov, I., *The Civilian Crisis Management Policy of the European Union in Afghanistan: Challenges for Police Mission*, Strategic Outlook, Selçuklu, February 2014.

A Swiss analysis refers to the operational outcome of CSDP civilian crisis management in general as “mixed at best”. It argues that this often has to do with the unfavourable local conditions. The EUPOL RD Congo mission, for example, met resistance from the domestic authorities and the local population. A war-torn country like Afghanistan is not the ideal environment for police reform. EUPOL COPPS, the civilian mission in the Palestinian Territories, had to limit itself to the West Bank after Hamas took over control of the Gaza Strip in June 2007. For the same reason EUBAM Rafah had to be suspended. The Swiss study concludes: “In many cases, objectives do not seem to be in line with the challenging situation in the field.”²⁸

Other analysts also consider the mismatch between the concept of the mission and the reality on the ground as a particular problem of EU civilian missions.²⁹ Even in the benign environment of Bosnia and Herzegovina a structural reform of the police has proven challenging. EUPM has been successful in carrying out its mandates, but police reform missions cannot be seen in isolation from the overall political situation. The 1995 Dayton Peace Agreement that led to the split of the country in a Bosnian Serb Entity and in the Federation Entity (of Bosnian Muslims and Bosnian Croats) resulted in the situation where “(..) persistent ethnic/political divisions continue to be one of the stumbling blocks to state building in Bosnia, which in turn also reflects on the pace of the implementation of police reform to date.”³⁰

Another factor which prolongs the international presence in (post-)conflict areas is mission dependency. Local actors tend to lean on support rather than taking over responsibilities and committing to the values and standards they have learned. This may also be related to culture and tradition: “Certain values are simply not conforming to external reform and show limitation even if mandates are subject to flexible implementation. Such arguments tend to dim the relative success of the reform process, rendering it unnecessary and wasteful at times.”³¹

A Swedish report highlights the failure of the Crisis Response Teams (CRTs), which were introduced in the Civilian Headline Goal 2008 based on a Swedish initiative. The CRT pool was supposed to consist of 100 staff from different member states. They should have undergone joint training, have been ready to deploy within five days and be sustainable for as much as three months. The CRT concept failed. Only twice

28 Jacobs, A., *EU Civilian Crisis Management: A Crisis in the Making?*, Center for Security Studies, Zürich, 2011, p. 2.

29 For example: Korski, D. and Gowan, R., *Can the EU rebuild failing states? A review of Europe's civilian capacities*, European Council on Foreign Relations, London, 2009.

30 Padurariu, A., ‘The Implementation of Police Reform in Bosnia and Herzegovina: Analysing UN and EU Efforts’, *Stability: International Journal of Security & Development*, 3(1), January 2014.

31 Van Burik, M., *European Union Police Mission in Afghanistan*, Twente University, Enschede, January 2015.

has an individual (not a team) been deployed under the heading of the CRTs, both in 2008 (to Georgia and to the Palestine Territories). The author concludes that the failure of the concept was due to the Nordic domination in the set-up of CRTs within the EU. It was based on the model of Sweden, Finland and Germany (all three have a specific government agency dealing with all aspects of the recruitment process), which was lacking in other EU member states.³²

Reviewing the results of EU missions is an issue in itself. Several analysts conclude that the EU's own reviews and lessons learned exercises are rather poor. A fundamental problem that limits the capacity for institutional learning is the perception that lessons learned processes are a 'blame and shame exercise'.³³ In addition, the intergovernmental character of CSDP leads to assessments that are "almost always done by 'soft' instruments such as evaluation, benchmarking, best practices and lessons learned."³⁴ Instruments that are not necessarily soft as such, but the consensus-making process in the EU tends to make them soft in the end. According to the European Court of Auditors the reporting on EUPOL Afghanistan meets basic accountability requirements "but remains largely descriptive and without sufficient focus on results achieved and value added."³⁵

Factors related to the (post-)conflict situation itself determine to a large extent the potential for success of EU civilian missions. However, there are also EU-specific factors which hamper these missions. The following main problems have repeatedly occurred:

- *Recruitment of personnel*: in particular for larger missions the EU has been slow in reaching the required personnel levels. EUPOL Afghanistan and EULEX Kosovo never realised the target figures. The next section on the EU's demand for personnel, will elaborate on this matter.
- *Coordination and cooperation with other actors*: despite the institutional progress resulting from the Lisbon Treaty³⁶ – in particular the double-hatted High Representative/Vice-President of the Commission and the establishment of the European External Action Service – there are still serious frictions during the planning process. One problem is the delineation of tasks between the CMPD and the CPCC in the preparation and strategic review of missions; another issue is the lack of smooth coordination between the crisis management elements and other

32 De Haan, K., *Civilian Crisis Management in the European Union – Mind the Gap*, Lund University, Lund, June 2010.

33 *CSDP Missions and Operations – Lessons Learned Processes*, Directorate-General for External Policies of the Union, Brussels, April 2012, p. 103.

34 De Haan, K., *op. cit.*, p. 44.

35 European Court of Auditors, *op. cit.*, p. 8.

36 *Treaty of Lisbon*, EU, Lisbon, December 2007.

structures within the EEAS.³⁷ In the field, EU delegations are gradually transforming into fully-fledged actors, and are as such contributing to the improvement of coordination between Brussels and the field. However, turf battles between EU Special Representatives, Heads of Mission and EU delegations continue to occur. Another coordination problem relates to national activities of member states (such as training and assistance programmes), which are often not coordinated with EU missions. Due to the Turkey-Cyprus issue, formal agreements between NATO and the EU cannot be made, for example with regard to security support from the Alliance.

Internal EU coordination is improving after new mechanisms have been established, such as the Crisis Management Board and the Crisis Platform.³⁸ The CSDP activities have also been incorporated in regional or country strategies, thus becoming part of wider EU efforts to strengthen security and development (such as foreseen in the EU Sahel Strategy³⁹). In addition, as the nexus between internal and external security is increasingly recognised, work is ongoing to improve coordination and cooperation between CSDP and the FSJ actors. Especially cooperation with EU agencies such as Frontex, Europol and Eurojust in CSDP missions is being enhanced. With regard to Europol, which has been functioning quite separately from CSDP actors up to now, the first concrete steps in improving cooperation have been made (see chapter 4). The possibility to establish a cooperation framework between CSDP and Eurojust is also being explored. Currently, cooperation occurs on an ad hoc basis, for example in the EU NAVFOR MED mission, where both parties committed to exchange information, best practices, expertise and experience in the field of illegal immigrant smuggling.⁴⁰ Cooperation with Frontex has also been intensified, influenced by recent events in the Mediterranean Sea, which will be further elaborated in section B of this chapter.

- *Financial resources*: a lack of adequate budget allocation from the CSDP (EU) budget line has jeopardised EU action on the ground on several occasions. The management of the CSDP budget by the Commission, while the EEAS leads in the financial planning of civilian missions, is not an ideal arrangement. To compensate for

37 Pirozzi, N., 'The European Union and Civilian Crisis Management after Lisbon', *European Foreign Affairs Review* 20, 2015, pp. 293 and 303.

38 The Crisis Management Board consists of all relevant EEAS services and operates closely with the European Commission and Council General Secretariat Services with the aim of addressing all horizontal aspects of EEAS crisis response. The Crisis Platform can be activated in response to a specific crisis to facilitate information-sharing and provide political and strategic guidance for action and planning. See: Pirozzi, N., *op. cit.* p. 295.

39 *Strategy for Security and Development in the Sahel*, EAAS, Brussels, March 2011.

40 *Eurojust signs letter of understanding with EUNAVFOR MED*, EU, Brussels, 1 October 2015, <http://www.eurojust.europa.eu/press/PressReleases/Pages/2015/2015-10-01.aspx>.

the scarcity of funds, crisis management actors have increasingly involved the European Commission to make financial resources available under the Instrument for Pre-Accession Assistance under the European Development Fund.⁴¹ In cases like the Sahel it has helped to plan CSDP exit strategies which can incorporate the hand-over of responsibilities to other EU stakeholders such as EU delegations. In addition, EU actions are also financed through the Instrument contributing to Stability and Peace (IcSP) and the African Peace Facility (APF), but financial support under these instruments is subject to various limitations. However, a real integration of crisis management and development cooperation remains a challenge as the sectors are separate, in political and financial terms, both in capitals and in Brussels.⁴²

- *Procurement/logistics*: slow EU procurement procedures have often created delays in acquiring the necessary equipment such as vehicles and computers. Procuring and using secure communications is a particular problem for EU civilian missions. The availability of equipment has improved under a warehouse contract which runs until the end of 2017, the prolongation of which is currently being considered.⁴³ For logistic support a 'mission support platform' (formerly known as a 'shared services centre') is planned to be established in early 2016. The platform would be a flexible mechanism which should speed up deployment and reduce logistical costs, focussing in particular on the start-up phase of civilian missions.⁴⁴
- *Training* remains an area for improvement, not by the lack of training programmes but by bringing the many national and EU-level training activities together in a coherent and standardised overall training package. At the EU level there are the separate training programmes of the European Diplomatic Programme, the European Police College, the European Security and Defence College and the ENTRI-programme under the auspices of the European Commission. The European Commission also funds the European Union Police Services Training (EUPST) which aims to build up police capabilities in the areas of interoperability, harmonisation and the international police network for participation in crisis management operations.⁴⁵

Required capabilities for police deployment

EU civilian missions make use of seconded personnel (experts) from EU member states and third states. They form the majority of the personnel strength of these missions. In particular for larger civilian missions local contractors are hired by the Head of Mission, mostly for supporting functions. The tendency towards smaller EU civilian

41 Previously known as the Instrument for Stability.

42 Pirozzi, N, *op. cit.*, p. 301.

43 See for more details: 'PSC looks at options regarding logistic support and warehouse for civilian CSDP missions', *European Diplomacy and Defence 812*, Agence Europe, Brussels, 13 July 2015.

44 *Ibid.*

45 Currently the Kmar is the lead partner in this consortium (which includes 17 members and 13 countries) and runs the EUPST Programme Office.

missions is reflected in a decreasing number of member states' seconded personnel deployed in EU civilian missions. In early 2010 this number was 1,930 (with an additional 211 from third states); by June 2014 the number had dropped to 1,221 (plus 46 from third states).⁴⁶ As there is a growing demand for specialised civilian assistance in conflict-affected countries on which the EU focuses, a growing demand for civilian capabilities to be deployed in EU operations is expected. Especially in larger missions, for example the missions EUPOL Afghanistan and EULEX Kosovo, the EU has had difficulties in (timely) employing the planned quantities of staff. Once in the theatre, a poor quality of personnel has been experienced in the past and another issue is the rotation of personnel, which can have a negative effect on in-mission effectivity.

As the EU will continue to focus on capacity building missions (although it could be debated whether it also needs capability to carry out substitution missions), there will be a growing demand for police officers who are able to advise, primarily on the higher strategic and organisational level, not so much on the operational level. This includes, for example, providing expertise and advice in specific areas as HR management systems, logistical chains, command and control, etc. The increasing emphasis on training and mentoring in EU missions requires police officers who can combine expertise with strong pedagogical skills. Important competencies are also being capable of self-reflection and flexibility to adapt to mission realities. The fact that police officers are increasingly deployed on an individual basis, rather than in units or teams (which are often of one nationality), requires police officers who are able to work flexibly and independently in an international context. Interviewees assessed that Dutch officers in missions have a less-directive style compared to other nationalities, which is seen as beneficial for the monitoring and training process.⁴⁷ Another factor influencing the future demand for police capabilities is related to the changing security situation on the ground. Especially in Africa, security conditions for EU missions are deteriorating. The increased use of Improvised Explosive Devices (IEDs) and the growing threat of terrorist attacks increase the need for adequately trained police officers and requires a higher level of armament for self-defence in missions.⁴⁸

Examples of 'critical shortfalls' in the availability of police capacities include the lack of French-speaking candidates and the difficulties in finding specialised police officers for EULEX Kosovo. Another critical issue remains the question whether or not a rapidly deployable civilian capacity is needed. Although the ambition to have 1,000 police officers able to deploy within 30 days was already set in the first Civilian Headline Goal, this goal was never met in reality. The European Gendarmerie Force (Eurogendfor) could

46 Pirozzi, N., *op. cit.*, p. 297.

47 Interviews with a number of EU officials, August-September 2015.

48 Zandee, D. et al., *The EU as a security provider in Africa*, Clingendael Institute, The Hague, December 2015, pp. 35-36.

potentially fill this gap, as they are able to deploy at high-readiness and are well suited to intervene in direct (post-)conflict environments.⁴⁹ However, work is still ongoing to determine the precise relationship between the CSDP and Eurogendfor. In 2014, a “General Arrangement between the Eurogendfor and the European External Action Service on the cooperation under the Common Security and Defence Policy” was signed, and further arrangements have been made for the Eurogendfor’s participation in CSDP missions.⁵⁰ Despite these developments, tensions remain concerning the Eurogendfor-CSDP relationship. In the first place, there is the obvious tension between those member states which possess gendarmerie forces (and promote the use thereof) and those who do not. Related to this, there are different views among member states as to whether gendarmerie forces are the most appropriate forces to be deployed in civilian crisis management missions. Some member states prefer ‘pure’ civilian missions and argue that the use of gendarmerie will complicate civilian security tasks.⁵¹

Connection between demand-supply

The mismatch between the demand for specialised civilian capacities and the capacities delivered by member states is of both a quantitative and qualitative nature. Respondents have identified several causes for the demand-supply gap in the EU’s police deployment that concern the donor countries. A major problem with the recruitment of civilian personnel is that normal duties in the countries of origin are prioritised. Deployment in a mission is often perceived to ‘disrupt’ a police career and in most EU countries international deployment is of a voluntary nature.⁵² Military (gendarmerie-type) police are here the exception to the rule. Different national constitutional structures can also hamper recruitment. For example, in federal states like Germany the majority of the police operate at the level of the States (*Länder*), which have little or no interest in international missions. Since UN and OSCE respondents have identified similar pitfalls, they will be further discussed in the conclusion to this chapter.

In 2012, member states agreed to meet the growing demand for civilian capabilities by implementing a multi-annual ‘Civilian Capability Development Plan (CCDP)’, building upon the work conducted under the two Civilian Headline Goals.⁵³ The European Council has reaffirmed its commitment to this CCDP in its May 2015 Conclusions on CSDP.⁵⁴

49 Arcudi, G. and Smit, M.E., ‘The European Gendarmerie Force: a solution in search of problems?’, *European Security* 22(1), 2013, p. 9.

50 *Strengthening Ties between CSDP and FSJ: Road Map implementation- Third annual progress report*, Council of the European Union, doc. 14854/14, Brussels, 29 October 2014.

51 Arcudi, G. and Smit, M.E., *op. cit.*, p. 12.

52 Interviews with a number of EU officials, August-September 2015.

53 *Multi-annual Civilian Capability Development Plan*, Council of the European Union, doc. 12110/12, Brussels, 6 July 2012.

54 *Council Conclusions on CSDP*, Council of the European Union, Brussels, doc. 8971/15, 18 May 2015.

The backbone of this plan is a list of generic civilian CSDP tasks, which aim to contribute to a common picture among member states on what type of tasks can occur in civilian CSDP missions throughout the whole mission cycle. Subsequently, it aims to help identify capability gaps.⁵⁵ In the context of the CCDP the CMPD sent a questionnaire on the availability of national police officers for CSDP missions.⁵⁶ The response to the questionnaire was rather disappointing, as only 17 member states provided information on different levels of detail.⁵⁷ Although this inventory – incomplete as it was – gave a useful snapshot of the possible range of civilian capabilities and identified scope for the further development of expert teams and certain niche capabilities, it turned out to be difficult for member states to give appropriate follow-up.

The EU continuously makes an effort to communicate the capability needs to member states. Improvements can be made in this regard; some of the interviewees highlighted problems in civilian planning capacity at the EU level. While the establishment of the CPCC was an important improvement in civilian planning, it lacks sufficient staff to conduct a mature HR-policy.⁵⁸ An attempt to speed up the force generation process at the Brussels level has been the creation of the ‘Goalkeeper’ web-based information hub, offering, inter alia, a catalogue of standardised job descriptions and a database of relevant training opportunities.⁵⁹

However, the EU is in essence dependent on what member states offer. This is the core of the problem and the solution subsequently lies at the national level. Improvements have been made on the supply side: several member states have created ‘pools’ of deployable police personnel, sometimes including mechanisms for pooling retired police personnel willing to be deployed abroad. In particular for jobs requiring specific skills and knowledge – scarce in terms of availability such as forensic experts or police investigators – this might help to fill critical vacancies. Also the establishment of the European Gendarmerie Force can be seen as a way to structurally improve gendarmerie-type capabilities (see chapter 3). However, the progress made in the supply of civilian capability is constantly outpaced by the increase in demand for high quality staff, with more specialised and complex missions being deployed.

55 *Revised Draft List of Generic Civilian CSDP tasks*, Council of the European Union, doc. 7656/2/15 Rev 2, Brussels, 8 May 2015.

56 *Questionnaire on Integrated Police Units, Formed Police Units, national and multinational police expert teams and other civilian ‘niche’ capabilities*, Council of the European Union, doc. 9973/3/13 Rev 3, Brussels, 17 September 2013.

57 *Report on Member States replies to a questionnaire on Integrated Police Units, Formed Police Units, national and multinational police expert teams and other civilian ‘niche’ capabilities*, Council of the European Union, doc. 13216/14, Brussels, 15 September 2015.

58 Interviews with a number of EU officials, August-September 2015.

59 *Goalkeeper*, EEAS, Brussels, <https://goalkeeper.eeas.europa.eu>.

While the EU depends on what member states make available, the EU has considerable influence in the further selection of personnel for missions. In the Force Generation Process, the CPCC invites member states to put forward qualified candidates via a so-called 'Call for Contribution' (CfC). The CfC usually provides a detailed description of the essential (and recommended) requirements that candidates should meet. The candidates considered to be most suitable are then short-listed by CPCC, and interviewed either in Brussels or at the mission Headquarters. Viewed from the Dutch perspective, as assessed by some of the interviewees, the Netherlands could improve its performance in the selection process. In general candidates are not sufficiently prepared for the competitive and demanding selection process. Moreover, interviews revealed that in Brussels one sometimes has the impression that the Dutch do not have a coherent strategy on where, how and at what level to deploy their civilian personnel.⁶⁰

B. Frontex / European Border and Coast Guard

In reaction to the ongoing migration crisis in December 2015 the European Commission presented a plan for the formation of a new European Border and Coast Guard. This new agency is planned to replace Frontex and will be tasked with the permanent control of the borders of the Schengen Area. According to the plan, the Commission will have final authority on whether to deploy border guards at Schengen's external borders, when national border policing action fails.⁶¹ The main task of Frontex has been to augment and to add value to the border control activities of the member states. Frontex became operational in 2005 and is mandated to assist the member states "in raising and harmonising border management standards with the aim of combating cross-border crime while making legitimate passage across the external border of the EU faster and easier."⁶²

With a permanent staff of 316 personnel in 2015 (272 in 2012) and a budget of € 150 million (€ 94m in 2013, € 19m in 2006), Frontex has been a rapidly growing agency. The larger part (72% in 2015) of the budget is spent on the agency's operational activities, joint operations being the most important and most visible.⁶³ However, these activities, budget and mandates of Frontex have been insufficient for playing an effective border guarding role in the EU's current migration crisis. The European Border and Coast

60 Interviews with a number of EU officials, August-September 2015.

61 *Proposal for a regulation of the European Parliament and of the Council on the European Border and Coast Guard and repealing Regulation (EC) No 2007/2004, Regulation (EC) No 863/2007 and Council Decision 2005/267/EC*, European Commission, Strasbourg, 15 December 2015.

62 *Roles and responsibilities*, Frontex, Warsaw, 2015.

63 *Frontex Programme of Work 2015*, Frontex, Warsaw, December 2014.

Guard is planned to have a budget of € 342 m by 2020 and a permanent staff of 1,000 personnel.⁶⁴

In the current situation, Frontex has to rely completely on member states to release their equipment and personnel (for which the member states are reimbursed from the agency's budget); it does not own any surveillance vessels, aircraft or patrol vehicles. Frontex launches, on a yearly basis, a CfC to member states in July, inviting them to provide assets in the year following. This rather short-term planning and dependency on member states to deliver assets makes the agency vulnerable. While official reports state that 100% of the operational needs have been fulfilled, and enough officers are potentially deployable, there are worrying sounds. In 2015, despite the fact that Frontex has been given a 54% budget increase, and notwithstanding the current migrant and refugee crisis, the agency might need to return some of its extra budget to Brussels as the member states did not provide sufficient resources.⁶⁵

In order to be able to assist member states in situations of immediate need, Frontex has a pool of European Border Guard Teams (EBGT) and a database of available equipment, together forming a rapid response capability. These teams are kept at full readiness in case of a crisis situation at the external border. They are intended to provide short-term assistance. Member states contribute border guards to the pool based on specific expert profiles developed by Frontex. They can be seconded to Frontex for a period of up to six months as Seconded Guest Officers (SGOs).⁶⁶ Instead of these voluntary contributions of staff to Frontex, the December 2015 EU Commission proposal for a European Border and Coast Guard provides for mandatory pooling of human resources: a reserve of 1,500 border guards, provided by member states, should be kept ready for deployment within three days.⁶⁷

Non-EU countries bordering the Mediterranean are already high on the priority list of Frontex' operational and technical cooperation with third countries "especially given the humanitarian aspect of irregular migration by sea."⁶⁸ The plan for the new Agency increases the EU's role in cooperation with third countries by coordinating operational cooperation between Member States and third countries in border management.⁶⁹

64 European Commission, *op. cit.*

65 Mathiason, N., Parsons, V. and Jeory, T. 'Frontex resource limitations put agency in straitjacket', *EU Observer*, Brussels, 15 September 2015.

66 Frontex, *op. cit.*

67 European Commission, *op. cit.*

68 *Third Countries*, Frontex, 2015.

69 European Commission, *op. cit.*

At the time of writing the proposal for the European Border and Coast Guard is still subject to approval by the European Council and the European Parliament.

Frontex operations

There are three domains in which Frontex coordinates its joint operations: at sea, air and land borders. Not surprisingly, given the sharp increase in migrants that try to reach Europe by sea, joint operations at European sea borders form a large part of the joint operations coordinated by Frontex. While the majority of these operations aim to detect migrants at sea, other types of illegal activities are detected as well, such as drug trafficking or smuggling. The number of joint sea operations has increased (1,829 operational days in 2014, compared to 1,689 in 2013), and patrolling activities have been intensified.⁷⁰ In May 2015 the European Commission decided to increase the EU contribution to the joint operations Triton and Poseidon Sea by € 27 million, which was a tripling of budgets.

Frontex' land operations cover border control at the EU's external land borders. In 2014, seven joint operations were carried out at the EU's external land borders, with a total of 1,117 operational days.⁷¹ The operations differ in length, but the intensity of activities has remained approximately the same for a couple of years. Frontex' largest land border operation (Joint Operation Poseidon Land) took place in northern Greece to monitor shifting migratory routes. The last category, joint air-operations, take place at international airports. In 2014, six joint operations were carried out, of which one is a permanent operation.

Before launching an operation, together with the host country, Frontex makes an assessment of the required number of officers with specific expertise and the quantity and type of equipment required. An operational plan is drafted and border guards and equipment are deployed to the field. There is no Frontex command and control: deployed officers ('guest officers') work under the command and control of the authorities of the host country. The plan for the new European Border and Coast Guard still speaks of joint operations, but does permit the new Agency to take the lead in missions in case of urgent need.⁷²

From the start of its operational activities in 2005, Frontex has been criticised, in particular by human rights groups. The agency has often been accused of 'push-back' operations, in which migrant boats are intercepted and escorted back to their ports

70 Frontex, *Frontex General Report 2014*, Warsaw, 28 July 2014.

71 *Ibid.*

72 *European Agenda on Migration: Securing Europe's External Borders*, European Commission, Brussels, 15 December 2015.

of origin.⁷³ Frontex would create a 'Fortress Europe' by actively preventing refugees entering the European Union. In fact, accusing Frontex is misdirected, as the agency is carrying out the mandate defined by the participating member states.

Required capabilities & the connection between demand and supply

Frontex primarily needs officers at the operational level: border guards, screening experts, document experts etc. To respond to the refugee and migrant crisis in Europe, in October 2015 Frontex demanded an additional 775 border guards, especially screeners, debriefers and interpreters, to assist in Italy and Greece in the registration of migrants.⁷⁴ In order to bridge the gap between demand and the supply of equipment, before the launching of the plan for the new border guarding Agency, the Frontex' mandate has been amended, so that now it may acquire or lease technical equipment for its operational activities. The new Agency is proposed to be able to acquire equipment itself and to draw on a pool of technical equipment provided by the Member States.⁷⁵

With regard to the contribution of assets to Frontex, the member states that have large joint operations on their territory, Italy, Greece and Spain, currently provide the majority of what is needed for these operations, but the Netherlands is pulling its weight. As the KMar, and to a lesser extent the Seaport Police, that is part of the NP, perform the border control tasks in the Netherlands, it is this type of Dutch personnel that is needed for Frontex or its follow-up organisation. In 2014 the Netherlands deployed 95 officers, of which the majority came from the KMar.⁷⁶ With that, the Netherlands is in the top five main contributors of personnel. An extra benefit with regard to Dutch deployment at Frontex, is the fact that the KMar and Seaport Police personnel are not only trained as border police, but can also carry out criminal investigation tasks. Apart from its staff deployment, the Netherlands has contributed with coastguard surveillance aircraft, patrol vessels, other equipment and dog teams.

1.3 UN

The UN's role in crisis management

In quantitative terms, the UN is the most prominent organisation in the field of peace operations. In 1948 it was the first to deploy a peace operation, in 1960 it was the first to

73 Drent, M., Homan, K. and Zandee, D., *Civil-Military Capacities for European Security*, The Clingendael Institute, The Hague, December 2013, p. 42.

74 *Frontex asks for 775 border guards*, Frontex, 2 October 2015, <http://frontex.europa.eu/news/frontex-asks-for-775-border-guards-eQvFQA>.

75 European Commission, *op. cit.*

76 *Annual Information on the Commitments of Member States to the European Border Guard Teams and the Technical Equipment Pool – Report 2015*, Frontex, Warsaw, 2015, p. 21 and p. 25.

deploy police personnel and it was the first to embrace the integrated mission concept – also known as the comprehensive approach. The UN has gained a broad range of experiences, and has seen successes – such as in Cambodia, Mozambique, Timor-Leste and Sierra Leone – as well as a number of dramatic failures – of which Rwanda, Somalia and Srebrenica are the prime examples.

Currently, according to SIPRI, the UN deploys 22 out of a total of 62 multilateral peace operations and its 110,228 personnel members deployed in the field represent more than two-thirds of all personnel deployed in multilateral peace operations. These data include both UN peacekeeping operations – deployed by the Department of Peacekeeping Operations (DPKO) and the Special Political Missions (SPMs), managed by the Department of Political Affairs (DPA).⁷⁷ These UN peace operations are mandated with a wide variety of tasks and have to operate in diverse operational environments. SPMs are often directed at coordinating the international community, good offices, and conflict prevention, peacebuilding and sometimes rule of law tasks, while peacekeeping operations generally have large military and police components at their disposal.

UN peace operations are part of a much bigger web of UN programmes, funds and specialised agencies. These are involved in host nations before the deployment of a peace operation, remain during its presence and stay behind long after its closure. UN peace operations aspire to be embedded in the much broader and longer-term approach of the UN Country Team (UNCT).

UN Police deployment

The UN police policy states that UN police (UNPOL) have the broad and ambitious objective “to enhance international peace and security by supporting Member States in conflict, post-conflict and other crisis situations in their quest to realize the ideal of an effective, efficient, representative, responsive and accountable police service of the highest professional standard possible.”⁷⁸ This ambition is reflected in the fact that over the past 20 years police components have become an increasingly prominent part of UN peace operations, both in UN peacekeeping operations as in UN SPMs. Only outnumbered by the military element, UNPOL personnel are the second largest segment in current multidimensional operations, with nearly 15,000 personnel in the

77 This includes the peace operations that fulfil the SIPRI definition of multilateral peace operations, but excludes some SPMs that primarily coordinate or provide *good offices*. When these are also included then the UN has 27 operations in the field. See: Van der Lijn, J. & Smit, T. 'Peace operations and conflict management', 2015 in: *SIPRI Yearbook 2015: Armaments, Disarmament and International Security*, Oxford, Oxford University Press, 2015, pp. 155-232.

78 *United Nations police in peacekeeping operations and special political missions*, UNDPKO/DFS, 1 February 2014, p. 20.

field in 2012.⁷⁹ The role of UNPOL has evolved in these two decades from observation and reporting to mentoring, training, reforming police and other law enforcement forces, and actual law enforcement and executing police tasks in areas where the local police are not yet in a position to do so.

The main current trend related to UN police deployment is the increasing challenges resulting from the unstable environments in which new operations are being deployed. Since 2007 UN peacekeeping operations that have been established are: UNAMID (Darfur, Sudan), MINURCAT (CAR and Chad), MONUSCO (DRC), UNISFA (Abyei, the Sudans), UNMISS (South Sudan), UNSMIS (Syria), MINUSMA (Mali), MINUSCA (CAR). Obviously, any of these missions takes place in difficult operating environments. This has implications for mandates, and especially for the use of force in missions.

The main principle of the use of force by UNPOL is to only use force in self-defence. Although in a number of missions UNPOL is allowed to use force for the purpose of public order management and the protection of civilians under imminent physical threat, there are limits to its robustness. When threats become military in nature, depending on a predetermined disengagement concept that is part of the mission-specific guidelines, UNPOL has to hand over responsibility to the military component.⁸⁰

Mandates and tasks

Over time, police mandates have become increasingly comprehensive and complex, and new instruments have been developed, the biggest step towards more complex mandates being taken in the UN operation UNMIBH in Bosnia Herzegovina in 1997-98.⁸¹ After a drastic increase in complexity and ambitions following UNMIBH, since the mid-2000s the number and kind of tasks assigned to police components have stabilised.

UNPOL missions have roughly three kinds of mandates:

- a) *Traditional police peacekeeping*: Since the deployment of the first police component in UNFICYP, traditional peacekeeping operations have been using unarmed police observers. These have a passive posture and function primarily as a confidence building measure by observing and reporting on police behaviour and human rights compliance.

79 Durch, W.J. and Kerr, M., *Police in UN peacekeeping: improving selection, recruitment and deployment, Providing for peacekeeping 6*, International Peace Institute, New York, 2013, pp. 10-13.

80 UNDPKO/DFS, *op. cit.*, pp. 93-97. The distinction between what constitutes military and non-military threats is described in *Policy on Authority, Command and Control in United Nations Peacekeeping Operations*, Ref. 2008.04, UN DPKO/DFS, 15 February 2008; *Policy (revised) on Formed Police Units in United Nations Peacekeeping Operations*, Ref. 2009.32, UNDPKO/DFS, 1 March 2010.

81 Durch, W.J., *Police in peace operations: evolving roles and requirements, background paper, Challenges Forum Research Seminar*, Oslo, 18 March 2014.

- b) *Transformation*: Under this kind of mandate UNPOL aims to reform the practice of the local police and the broader security sector through training and mentoring. Since 2003, all new UN operations have a transformational role in their mandate and are often required to reform and restructure the police and the broader security sector by means of depoliticisation, vetting officers (filtering out those who have committed human rights violations), recruiting new police officers and reforming police structures among other things by strengthening civilian control. As in many cases crime increases during the post-conflict phase, initial reforms are generally followed by efforts enabling the local police structures to face such challenges more effectively. In missions with such a transformational role UNPOL mentors are often armed and equipped with limited law enforcement tasks.
- c) *Operational support/Interim executive policing and law enforcement*: In two cases where the local police force was not yet established – Kosovo and Timor-Leste – UNPOL was mandated to take over all executive policing and law enforcement tasks. On a more limited scale other operations often support the local police by delivering prevention, detection and investigation of crime, close protection of persons and property, and the maintenance of public order.⁸²

The traditional peacekeeping mandate more and more belongs to the past; only some long-running missions are limited to observing tasks. Generally, the UNPOL approach in multidimensional peace operations is to start with establishing the basic building blocks for public safety. Basic safety is improved where needed by interim executive policing and law enforcement, while extending state authority. This initial phase is followed by monitoring the conduct of, and gathering information on, the existing local police force. Old elements are vetted and certified, and subsequently basic policing procedures are (re)introduced. The next stage is capacity-building, which should already start at the earliest opportunity.⁸³

In addition to these standard mandates, police components can also be asked to contribute to related mandate areas, such as protecting and promoting human rights, stimulating the rule of law, strengthening good governance, transparency and accountability, and the protection of civilians.⁸⁴ In an analysis of the tasks performed in 16 UNPOL missions launched between 1995 and 2013, William Durch observes that the capacity-building of host state police, judicial and corrections is the main focus of UNPOL missions. A wide spectrum of tasks are brought under this umbrella term of capacity building, varying from, for example, general organisation development to

82 UNDPKO/DFS, *op. cit.*, p. 53-57; Durch, W.J. and Kerr, M., *op. cit.*; Hansen, A.S. 'From Congo to Kosovo: Civilian Police in Peace Operations', *The Adelphi Papers*, 41(343), 2001, pp. 15-31.

83 UNDPKO/DFS, *op. cit.*, pp. 63-65.

84 UNDPKO/DFS, *op. cit.*, p. 53.

enhancing border security and building up institutions or programmes countering organised crime and terrorism.⁸⁵

A great deal of the work on police, justice and rule of law reform and capacity building takes place outside UN peace operations, elsewhere in the UN system. The UN Development Programme (UNDP), the UN Office on Drugs and Crime (UNODC), the UN Office of the High Commissioner for Human Rights (UNOHCHR) and UN Women are just a number of UN bodies and entities involved in the broader field of policing, justice, rule of law and corrections. To ensure coherence between the different efforts, DPKO, UNDP and other partners work together in the Global Focal Point for Police, Justice and Correction Areas in the Rule of Law in Post-Conflict and other Crisis Situations (GFP). This initiative is intended to strengthen the UN's ability to 'deliver as one' and to overcome the fragmentation within the UN system by bundling their efforts and resources.⁸⁶

Together, the shift to more complex environments and the trend in tasks have directed the UN towards improving police contributors' abilities to operate more effectively in UN operations through training and guidance, and by bringing the UN's efforts under a single Strategic Guidance Framework (SGF, see below).⁸⁷

Police deployment organisation models

Police components in UN peace operations comprise four different kinds of personnel:

- 1) Individual Police Officers (IPOs): Generally unarmed, individual police officers or law enforcement personnel, with a normal tour of duty of one year. They are often deployed for community policing, information-gathering, capacity-building, training, and monitoring purposes. IPOs require basic competencies, such as knowledge of international criminal justice standards, mission language proficiency, driving skills, weapons proficiency, basic computer literacy and should have five years of professional experience.⁸⁸

85 Durch, W.J., *op. cit.*, pp. 12-13.

86 Ejelöv, L. and Sannerholm, R.Z., *The UN Global Focal Point for Police, Justice and Corrections is at the crossroads*, FB Brief No. 05/2015, Folke Bernadotte Academy, Stockholm, 2015. See also Van de Goor, L. et al., *Independent Progress Review on the UN Global Focal Point for Police, Justice and Corrections*, the Clingendael Institute and Stimson Center, The Hague and Washington D.C., June 2014.

87 *Ibid.*

88 UNDPKO/DFS, *op. cit.*; *Guidelines for United Nations police officers on assignment with peacekeeping operations*, DPKO/PD/2006/00135, UNDPKO/PD, 29 June 2007, p. 63-65; Sebastián, S., *The role of police in UN peace operations: Filling the gap in the protection of civilians from physical violence*, Civilians in conflict policy brief No.3, Stimson Center, September 2015, p. 11.

- 2) Specialized Police Teams (SPTs): Teams of experts in a particular police speciality. These teams consist of some five to seven members. They were first deployed by Norway after the Haiti earthquake in 2010 and are now fully embraced by UN DPKO. This format for police deployment is a way to ensure that the specialised capacities of the team members are effectively used in the mission (something that is not always guaranteed in the case of IPOs with special expertise). Initial SPTs focused on gender and sexual violence, but the concept can also be applied to special weapons and tactics (SWAT) teams, canine units, special or international crime investigation and forensic teams. Although the G77 see the development of the SPT concept primarily as a wealthy country concept, these units do not have to be high-tech.⁸⁹
- 3) Formed Police Units (FPUs): Well-armed self-sustained often paramilitary police units of 120 to 140 personnel and are also known as Multinational Specialized Units (MSUs) in NATO and Integrated Police Units (IPUs) in the EU. These units were first deployed in UNMIK in Kosovo and UNTAET in Timor-Leste. Currently they are usually responsible for operational support and interim executive policing and law enforcement tasks and are capable of more robust police tasks such as crowd control and close protection of UN personnel and property. FPUs have been deployed in a number of current multidimensional operations, and since 2010 have comprised the majority of all police personnel in the field.⁹⁰
- 4) Civilian experts: Either contracted (for short periods) or seconded specialists who are not uniformed personnel. Towards the end of missions, when capacity building becomes more dominant and expertise such as in planning, programme management, IT and donor coordination becomes more important, civilian experts may be hired if these skills cannot be made available by police forces. Although a number of countries particularly in the G77 are not in favour of this development as it is considered too costly, civilian experts would also be beneficial to such missions as in Haiti, Liberia and Sierra Leone.⁹¹

The above four kinds of personnel in UN police components are directed by the Head of Police Component (HOPC), usually a police commissioner in peacekeeping operations and a Senior Police Adviser in SPMs.⁹² Capitals of the police contributing countries (PCCs) have no operational control over the police they deploy, as this lies with the police commissioner.⁹³

89 UNDPKO/DFS, *op. cit.*; and interviews with a number of UN officials and representatives of member states, 7-9 October 2015.

90 UNDPKO/DFS, *op. cit.*; *Formed Police Units in United Nations peacekeeping operations*, UNDPKO/DFS, Policy ref. 2009.32, 1 March 2010.

91 Interviews with a number of UN officials and representatives of member states, 7-9 October 2015.

92 UNDPKO/DFS, *op. cit.*; Durch, W.J. and Kerr, M., *op. cit.*, pp. 10-13.

93 *Enhancing European military and police contributions to UN peacekeeping*, International Peace Institute, Pearson Centre and ZIF Center for International Peace Operations, February 2013, p. 4.

In 2006, responding to the long start-up time for police components of generally 6 to 12 months the UN General Assembly decided to establish the UN Standing Police Capacity (SPC). This Brindisi-based unit consists of mission leadership and specialized expertise such as police restructuring, training, investigations, planning, budget and fund management, and human resources. Since 2010 the SPC has 41 personnel members at its disposal. Although this is still insufficient to establish a police component, as that would require twice the amount, the SPC has contributed to starting a number of new missions.⁹⁴ In spite of its positive contributions when deployed, with a field rate of 33.5 percent instead of the anticipated 65 percent, it is far less utilized than originally expected, and primarily by SPMs and not peacekeeping operations. Some consider the SPC to be an expensive and inflexible capacity. The UN Office of Internal Oversight Services and some interviewees conclude that if the SPC is not better utilised, downsizing should be considered.⁹⁵

The UN reimburses member states for their FPU personnel and contingent-owned equipment from its assessed contributions. The mission allowance for IPOs is much higher and is paid directly to the IPOs. PCCs do not receive reimbursements for IPOs, as their time is expected to be donated by them. Consequently, there are somewhat perverse incentives for PCCs to contribute FPUs, while equally perverse from the UN's perspective, as FPU force generation is cheaper than individual officers. This has contributed to the increase in deployed FPUs over the past few years.⁹⁶ There is currently not yet a *modus operandi* regarding the deployment of SPTs. Recently, in March 2015, when Eurogendfor wanted to continue to deploy in the context of MINUSCA in CAR, the arrangement to deploy personnel as IPOs and the team's materiel as contingent-owned equipment was looked into, but eventually no agreeable solution was found in time.⁹⁷

The financing of many police-related programmes, such as the ones that focus on the judiciary sector and SSR, is not covered by the assessed contributions for a peacekeeping operation, but relies on voluntary contributions from member states. The Global Focal Point for Police, Justice and Corrections, described above, can play a role in overcoming the fragmentation of budget lines within the UN system.

94 Durch, W.J. and Kerr, M., *op. cit.*, pp.10-13; Peter Langille, H., *Improving United Nations Capacity for Rapid Deployment, Providing for peacekeeping* 8, International Peace Institute, New York, 2014, pp. 9-10.

95 *Evaluation Report: Programme evaluation of the Standing Police Capacity of the Police Division, DPKO*, Assignment No.: IED-14-002, UN Office of Internal Oversight Services, 12 June 2015; interviews with a number of UN officials and representatives of member states, 7-9 October 2015.

96 *UN General Assembly Resolution 68/281*, UN, 5 August 2014; Durch, W.J., *United Nations Police Evolution, Present Capacity and Future Tasks*, GRIPS Policy Research Center Discussion Paper: 10-03., Tokyo, 10 March 2010.

97 Interviews with a number of UN officials and representatives of member states, 7-9 October 2015.

Recruitment and selection

Although planning, recruitment and training have greatly improved over the past one and a half decades, the UN's capacity of currently 103 personnel at HQ working on police-related matters is still limited.⁹⁸ In 2012 with nearly 15,000 personnel in the field, the field-HQ ratio was less than 0.8 percent.⁹⁹ Between the assessment of the need for police deployment in a mission and the actual deployment lies a time-consuming process. Since 2012 the selection process has been streamlined to the extent that individual officers may arrive in a mission area within six months after the posting of the vacancy. The Police Division reserves the right to disapprove of the deployment of the nationally selected police officers.¹⁰⁰ The SPC may assist in the establishment of the police component and, if needed, to provide leadership.¹⁰¹

In 2013 in response to the continuing gaps, DPKO launched a Stand-by FPU Capacity initiative. This initiative is aimed at speeding up the deployment of FPUs. It requires PCCs to have FPUs available for rapid deployment, while in return bilateral donors supported by the UN strengthen these units. It is hoped that this initiative will broaden the current pool of PCCs providing FPUs.¹⁰²

Training and strategic guidance

Each PCC is responsible for the pre-deployment training of the IPOs and the pre-deployment training and equipment of the FPUs and SPTs they deploy. The UN only provides some additional in-mission training. As a consequence, the UN faces challenges to guarantee the level of training of its contingents as well as the uniformity of the standards and training enjoyed. Many countries have their own peacekeeping training centres. The UN has increasingly been able to give guidance to PCCs, setting operational standards for training courses and certifying the quality of courses. However, in spite of the call for PCCs to align their training courses with the materials and guidelines provided by the UN Secretariat, they are not required to adopt the UN standards. The aim of the UN is to use its Integrated Training Service (ITS) to build an 'effective global training network' that draws on experienced personnel, bilateral and multilateral programmes, and networks of regional training centres.¹⁰³ The HIPPO report

98 Sebastián, S., *op. cit.*, pp. 11-12.

99 Durch, W.J. and Kerr, M., *op. cit.*, pp. 10-13.

100 Peter Langille, H., *op. cit.*, pp. 7-9; *Assessment of individual police officers for service in United Nations police in peacekeeping operations and special political missions*, Ref. 2011.18, UNDPKO/DFS, 1 February 2012; *Standard Operating Procedure: Assessment of operational capability of formed police units for service in United Nations peacekeeping operations*, Ref. 2012.11, UNDPKO/DFS, 1 September 2012.

101 Peter Langille, H., *op. cit.*, pp. 13-14.

102 Peter Langille, H., *op. cit.*, pp. 7-9.

103 Cutillo, A., *Deploying the Best: Enhancing Training for United Nations Peacekeepers, Providing for peacekeeping 5*, International Peace Institute, New York, 2013, pp. 5-10.

supports the idea of the ITS establishing a small certification and partnerships capacity and stipulates that gender issues and human rights should be integrated into all relevant training modules, including those for senior managers, and should be incorporated into the certification system.¹⁰⁴

In order to produce common standards and guarantee the necessary skills required for police peacekeepers, the Police Division in DPKO is currently developing a Strategic Guidance Framework (SGF) that is meant to guide police personnel in their operations, but also to form the basis of training in the future. The aim of this endeavour is to ensure that all police personnel in police operations, not only in UN operations but also those of the AU, the EU and the OSCE, follow and are trained in the same general doctrine and consequently operate more cohesively, consistently and effectively. This should also address one of the bigger challenges faced by policing and SSR in missions, that every country follows its own guidance and consequently police forces and the broader security sector in host nations receive incongruent training, and inconsistent and sometimes even incompatible capacity-building (the training of the Afghan security sector is but one of such examples).¹⁰⁵

The development of the SGF is currently lagging behind schedule. The first stage: the police policy has been developed. The second phase: guidelines for capacity-building and development, operations, command, and administration are in the process of being finalised. The third level of the concrete manuals still requires much attention. Parts can be filled with existing international policing manuals and in the coming two years the Police Division will develop manuals on 18 priority areas. The SGF as a whole is however never finished, as new manuals will have to be written when new tasks are taken on and old policies, guidelines and manuals need to be updated to the experiences and lessons from the field.¹⁰⁶ The HIPPO report emphasizes the need for the UN to complete the strategic guidance framework, acknowledging that it is aware of the fact that a new approach may lead to new requirements and the need to review the organisational structure, human resources and capacity of the Police Division of the Secretariat as a next step.¹⁰⁷

Lessons learned from past and current police deployment in missions

Since the first deployment of police personnel in UN peace operations in the 1960s, many lessons have been noted. Yet, as the recent review of the High Level Independent Panel on Peace Operations (HIPPO) indicates, it proves to be difficult to apply all the

104 *Report of the Independent High-level Panel on Peace Operations*, UN Document A/70/95-S/2015/446, UN, New York, 17 June 2015.

105 Interviews with a number of UN officials and representatives of member states, 7-9 October 2015.

106 Interviews with a number of UN officials and representatives of member states, 7-9 October 2015.

107 UN Document A/70/95-S/2015/446, UN, 17 June 2015.

lessons and to make all the necessary changes. In the following text, a number of the main challenges and lessons learned mentioned in the literature, the 17 June 2015 HIPPO Report and in interviews that have been held for this study at the UN Secretariat and with representatives of missions are elaborated upon.

Unstable operating environments

As was the case with EU civilian crisis management missions, the most prominent challenge of UN policing relates to the operational context. As Bill Durch states “reforming, restructuring and rebuilding police services is hard enough in stable environments in which the police – and the judicial and political systems – more or less see the need for restructuring and reform and therefore support it. Contemporary complex operations almost never enjoy the luxury of such a stable operating environment.”¹⁰⁸ Consequently, especially where worsened security or political conditions undermine or impede implementation, peace operations are faced with increasingly difficult, if not unachievable tasks. The ability to adapt to changing situations should therefore be increased by the stronger engagement of contingent commanders, by increased engagement of the permanent missions by the Secretariat¹⁰⁹ and by strengthening the trilateral talks between the Secretariat, the PCCs and the Security Council.¹¹⁰ Also, training for challenging situations should be enhanced, including police and military interoperability training, and joint exercises for formed police units and military contingents.¹¹¹

Complexity of the tasks and mandates, template mandates and the need for national-owned priorities

A further general challenge that keeps coming back in various analyses of the police in UN peace operations relates to the complexity and the ambition of mandates. According to the HIPPO, realism about what can be achieved with the support of a peace operation, and within its lifespan, is required, but will also put pressure on those supporting police reform and development.¹¹² Earlier in this section, the extensive number and wide variety of police tasks that are considered key in relation to UN missions have been discussed. Mandates have become lengthier and more specific, and at times less realistic, manageable and achievable.¹¹³ Part of the problem, according to the HIPPO, is the so-called “Christmas tree mandate” dilemma, where template language for many tasks routinely appears in mission mandates. These mandates frustrate efforts at

108 Durch, W.J., *op. cit.*, p. 3.

109 UN Document A/70/95-S/2015/446, UN, 17 June 2015.

110 Interviews with a number of UN officials and representatives of member states, 7-9 October 2015.

111 UN Document A/70/95-S/2015/446, UN, 17 June 2015.

112 *Ibid.*

113 Durch, W.J., *op. cit.*

prioritisation and sequencing during implementation.¹¹⁴ Concepts, new or old, need to be based on the local context, and not as Bayley and Perito state: "...in mission after mission...training programs have been put in place like canned food that is assumed to be universally nourishing. In complex environments, however, one size doesn't fit all".¹¹⁵

According to the HIPPO, the comparative advantage of UN peace operations and others and realistic prospects of success should weigh heavier when prioritising proposals for mission functions. The local context and conditions such as corruption and pressures from political interests by powerful groups, which can undermine assistance attempts, are often ignored or underestimated.¹¹⁶ Missions such as INTERFET and the UN's Transitional Administration for East Timor (UNTAET) suggest that an inadequate understanding of the context led to early withdrawal and a relapse into conflict, and the need for the UN to return with a new mission (UNMIT). The international community miscalculated the cohesion of Timorese police and security forces.¹¹⁷ In order to increase understanding of the local context the UN should further invest in analysis, planning, monitoring and evaluation. The host Government's choice of police systems and approaches should be respected and reforms must be designed with regard to realistic scenarios for (fiscal) revenue generation.¹¹⁸

Enthusiastic reformers may not understand that some of their own efforts may work against processes of reconciliation and trust. International assistance programmes can generate tensions within and among communities. When it comes to support to State institutions, local people often have deep misgivings about the prospect of their expansion, particularly if the State is perceived as tainted by corruption or exclusionary politics. Supporting programmes and public institutions that have legitimacy in the eyes of communities is critical for sustaining peace.¹¹⁹

A too technical approach

Member states generally expect impacts in a short period. Also, interviewees mentioned that the leadership in DPKO does not give policing sufficient attention. It is often seen as a technical issue, while in fact it is very political and therefore requires attention from the top, particularly at the start of operations when there is still momentum in host nations.¹²⁰ A too technical approach and the need to make success 'visible' can, for lack

114 UN Document A/70/95-S/2015/446, UN, 17 June 2015.

115 Bayley, D.H. and Perito, R.M., *The Police in War: Fighting Insurgency, Terrorism, and Violent Crime*, Lynne Rienner, Boulder, Colorado, 2010.

116 UN Document A/70/95-S/2015/446, UN, 17 June 2015.

117 Durch, W.J., *op. cit.*

118 UN Document A/70/95-S/2015/446, UN, 17 June 2015.

119 *Ibid.*

120 Interviews with a number of UN officials and representatives of member states, 7-9 October 2015.

of better suggestions, lead to the presentation of impact in quantitative terms. Reducing time for basic training, and crunching out numbers of police personnel trained could then easily become the main target.

Respondents interviewed stressed the importance of political skills among personnel operating on police issues. Although technical skills remain important, the need to change culture, expectations and the ethos of policing with elites and institutions, requires a different mind-set and approach. It also requires staff to understand and acknowledge what is possible in a given context.¹²¹

The challenge is bigger than the police

The HIPPO finds that in order for police reform to become effective, the focus has to be on the whole criminal justice chain. Police reform requires the development of the key police institutions as well as that of relevant ministries. Also the political leadership has to be involved as they will have to provide political support and direction to reform. In more practical terms, managerial oversight and budget and legal frameworks need to be developed.¹²² According to Durch this means that having a police component in UN peace operations is crucial, but not sufficient. Civilian expertise is needed to compensate for a lack of familiarity with enhancing or creating public security in a mission's area of operation. It is only very recently that UN DPKO has begun paying for the needed staff specialists in a number of missions – even though requests along these lines date back to UNMIBH.¹²³

The UN peace operations are only one of the many organisations operating in the field of reforming the criminal justice chain. Within DPKO's Office of Rule of Law and Security Institutions (OROLSI) the Police Division, the SSR Unit, the DDR Section and the Criminal Law and Judicial Advisory Service (CLJAS) have their own focuses in the broader 'chain of justice'. Outside DPKO, organisations such as UNDP, UNOHCHR, UNODC and non-UN actors such as Interpol, private security companies and consultants are also involved. The HIPPO report warns that United Nations and other international support to conflict-affected countries remains short term, largely uncoordinated and piecemeal, linked to multiple funding frameworks.¹²⁴

Coordinating mechanisms such as the Global Focal Point on Police Justice and Corrections only represent a number of the above-mentioned agencies and Units, but not all and therefore should be expanded.¹²⁵ Partnerships with other actors should be

121 Interviews with a number of UN officials and representatives of member states, 7-9 October 2015.

122 UN Document A/70/95-S/2015/446, UN, 17 June 2015.

123 Durch, W.J., *op. cit.*, p. 8.

124 UN Document A/70/95-S/2015/446, UN, 17 June 2015.

125 Interviews with a number of UN officials and representatives of member states, 7-9 October 2015.

established or strengthened and the coordination role of the host nation enhanced. As discussed above, many processes of restructuring policing and the security sector require programmes that are not funded under peace operations. If cooperation with other organisations that have access to programmatic funding does not work, ways for peace operations to have access to such funding should be considered.¹²⁶

Required capabilities for police deployment

This section starts with discussing some pitfalls regarding police deployment in UN missions as a way of introducing the capabilities the UN does or should require in the future. There is a fair degree of criticism of the United Nations with regard to the way in which its missions fail to perform against reasonable expectations in the field. Measures to enhance performance in the field have been inadequate. Yet, according to the HIPPO, the performance of military and police personnel is a collective responsibility of Member States and the Secretariat. Those who commit personnel should do so with a clear understanding of what is expected.¹²⁷

According to Durch, the key to better performance in mission contexts is improving the quality of deployed police personnel. Given the UN's heavy emphasis on respect for human rights, on not tolerating corruption and on fighting impunity, it is at least a challenge for the UN to improve in these domains in view of the fact that many (and increasingly more) of the deployed staff come from countries that are considered 'partly free' or 'not free' according to the Freedom House standards.¹²⁸

The deployment of police personnel to UN peace operations builds on that for the military in terms of recruitment, deployment and reimbursement (see above). Analysts argue that this system seems to be under pressure as there is greater demand for more seasoned units with mission-appropriate backgrounds in terms of language and proper training.¹²⁹ According to analysts and a number of interviewees, the UN has been relying too much on paramilitary-style police units, which may send the wrong signal to host governments and populations. Although the style and approach differ per PCC, a common feature of FPU is that these operate in contingents of 120-140 personnel. In relation to the newer concepts of SSR and the need to link up with the 'chain of justice approach' within the wider Rule of Law context, missions will need to be planned and manned with staff that have a good understanding of the capacities necessary for these wider approaches. This requires the UN to move away from quantity to quality. FPUs have been used to fill the gaps in the maintenance of law and order and, as such, have displaced local capacities, but are less suitable for capacity building.

126 *Ibid.*

127 UN Document A/70/95-S/2015/446, UN, 17 June 2015.

128 Durch, W.J., *op. cit.*, p. 10.

129 Interviews with a number of UN officials and representatives of member states, 7-9 October 2015.

Therefore, several interviewees responded by suggesting that the UN would benefit from moving more in the direction of high quality capacity builders and away from the big numbers of law and order providers.¹³⁰

The current recruitment model is based on big numbers, hoping that the required staff and competencies can be found within those big numbers. Apart from this being an ineffective way of recruiting staff, the downside is that if and when a Member State sends an IPO, the person can be given different tasks within the mission, not necessarily the tasks the IPO is most experienced in. This has negative effects in terms of the willingness of IPOs to be deployed, as well as on the willingness of MS to deploy experts. Selection procedures need to better identify candidates with the requisite skills and expertise. The Police Commissioner should be more aware of these challenges and deal with them accordingly, taking into consideration the option of recruiting civilian experts for specific tasks, offering a firmer grip on selecting candidates and the option of longer deployment periods, and of making use of specialised teams.¹³¹ In-mission use of competence-based interviews should also be considered for Member States' deployed police.

In order to improve the performance of staff, the mission leadership must, according to the HIPPO, set clear expectations and, when required, the head of mission must work with Headquarters to raise performance issues with the permanent missions of troop- and police-contributing countries. Consistent underperformers must be warned officially and repatriated if they fail to improve. A commitment to dealing with performance issues should be reflected in the individual performance records of all managers and commanders in the field and at Headquarters.¹³²

To improve practice on the level of contingents, the HIPPO suggests that the UN also has to address the use of caveats and national controls. "It is essential that the Secretariat weigh the specific caveats when a contingent is offered against the value of its deployment, and it must be willing to decline an offer if the caveats will impede performance. In the field, any further caveats beyond those national constraints accepted at the outset cannot be condoned."¹³³

The UN would benefit from more clarity as regards available capacity in donor countries. For the moment it is not clear to the UN how many police personnel are out there that could be deployed in terms of availability. Also stronger partnership arrangements between potential contributors and donor countries are needed, as well as agreements

130 Interviews with a number of UN officials and representatives of member states, 7-9 October 2015.

131 UN Document A/70/95-S/2015/446, UN, 17 June 2015.

132 *Ibid.*

133 *Ibid.*

to mobilise the available “public order” capacities of formed police units. There is a need for improvements in pre-deployment preparation and oversight in mission operational readiness to ensure that formed police units meet all statement of unit requirements and training required for their tasks and in compliance with the necessary policy standards.¹³⁴

The HIPPO and interviewees further stress that in order to increase the effectiveness and impact of capacity support, police-contributing countries should be encouraged to extend rotation cycles to 12 months and maybe even longer for certain other positions.¹³⁵

Given the list of challenges related to working in post-conflict settings, it is clear that apart from realism about what can be achieved with the support of a peace operation and within its lifespan, more is needed. Interviewees indicated that the UN expects the number of UN police personnel to increase again to some 15,000 in the coming years with potentially new missions in e.g. Syria, Yemen, Libya and Zimbabwe. An increase of roughly 10 percent, compared to the current 13.500 deployed police personnel. Below, some of the key requirements for those aiming to support police reform and development are listed. Some of them follow from or resume the pitfalls discussed earlier in this section, others are new. After this list of key capabilities which the UN needs from any donor country, a specification is made of (military) police capacities which the UN wants the Netherlands to contribute.

- *More quality, more political:* There is a need to move away from quantity towards more quality police contributions with more attention for not just the technical but also the political aspects of policing and police reform.
- *More capacity building:* Capacity building competencies such as training and advising skills need to be better assessed in recruitment procedures and/or developed in training programmes.
- *More Francophone capacity:* Given the fact that more missions are likely to take place in francophone Africa, more francophone capacity will be required with more tailored and specific skillsets.
- *More civilian expertise:* As part of the need to move from quantity to quality and more effectiveness, including specific civilian capacities and longer-term specialised expertise in the staffing of missions mandated to assist police development is recommended. CivCap¹³⁶ already provided new opportunities. There is more flexibility, but there is a challenge with the rosters of staff and experts. There is a need for more joint rosters.

134 Interviews with a number of UN officials and representatives of member states, 7-9 October 2015.

135 UN Document A/70/95-S/2015/446, UN, 17 June 2015; Interviews with a number of UN officials and representatives of member states, 7-9 October 2015.

136 CIVCAP is a UN initiative aimed at pooling civilian expertise in order to deliver stronger support to institution-building in countries afflicted by conflict.

- *Ability to transfer knowledge:* Both the HIPPO and interviewees argue that having specialised knowledge does not imply that one has training skills, or that the knowledge will be accepted given the specific circumstances.¹³⁷ Part of the solution can be found in establishing joint rosters with UN agencies in order to better enable agency staff to be drawn into missions.¹³⁸
- *Take local culture seriously:* In recruiting police experts for capacity building or mentoring functions, it is necessary to take local culture seriously. Sometimes age is important (older persons are more respected), and it may be seen as a no-go policy to pair lower-ranked international officers with more senior-ranked host-state police officers.¹³⁹
- *Monitoring and evaluation expertise:* One of the HIPPO recommendations is to improve the effectiveness of the implementation of capacity building police development efforts by consistent monitoring and evaluation. The actual human resources needed for enhancing monitoring and evaluation processes will follow from the way the Secretariat will follow up on this recommendation.
- *Organised crime expertise:* The challenge of transnational organised crime is rising. Expertise in this area is often weak, but should be acquired by both Missions and in terms of support to national police capacity.
- *Formed police units (FPUs):* Notwithstanding the need for other capacity and criticism of the use of FPUs by analysts, interviewees mentioned that the United Nations does not have adequate FPU capacity due to the limited ability of countries to contribute such units in a timely manner. Yet, it is important that issues of behaviour and performance are addressed, as they can affect and destroy progress in other areas. Quality over speed and quantity applies here. FPU capacity is needed to execute operations in the area of public order management, to provide security support to host national law enforcement agencies, to protect civilians, UN personnel and facilities and to undertake security tasks in mission transitions.

Potential added value from countries like the Netherlands

UN officials and representatives of member states interviewed for this study suggested that for countries like the Netherlands, the following could be considered as forms of contribution (process and policy, financial or personnel) for improving the effectiveness of policing in peace operations:

137 Interviews with a number of UN officials and representatives of member states, 7-9 October 2015; UN Document A/70/95-S/2015/446, UN, 17 June 2015.

138 Interviews with a number of UN officials and representatives of member states, 7-9 October 2015.

139 Caparini, M., *Capacity-building and Development of Host State Police: the Role of International Police*, Challenges Forum, Oslo, 2014, pp. 16 and 19.

Process and policy

- At the New York level, policing in Permanent Missions to the UN is often covered by the deputy Milad. This is also the case for the Netherlands. Notwithstanding the good work, it would be preferable to have a dedicated police adviser. The interviews indicated that there are different dynamics in the various police advisory groups (such as the Strategic Police Advisory Group (SPAG) and the Group of Friends for the UN Police) with an increasing number of police advisers.
- The Netherlands could also consider posting personnel at HQ level in New York as this gives the opportunity to influence police policy at a more strategic level.

Financial

- If the Netherlands is not willing to provide police personnel itself, it could consider twinning with another PCC to train their personnel and provide them with equipment and logistics.
- It could also support policing in peace operations by providing Quick Impact Projects such as policing kits to host nations. Also other forms of bilateral policing support would be useful.
- Another more concrete option for the Netherlands would be to invest in the SGF, e.g. through financing meetings with Police Commissioners on how to use the SGF. A related option would be to invest in implementing the SGF by providing funding or training. Another SGF-related option would be to support the finalisation of the SGF and help in developing it, e.g. the SOPs/manuals.

Personnel

In terms of contributing to UN or international policing, the Netherlands could consider following the Swedish example of dedicating a larger percentage of its police capacity to international policing. Sweden, for example, has pledged 1%.

In terms of more concrete and direct options, it could be considered to support the UN in addressing its difficulties in defining the needs for a mission. The Netherlands could help to focus on strategic police planning and analysis for and within missions. Other areas that were mentioned were: border management, airport management, immigration, narcotics, organised crime, training, crowd control, criminal investigations. The Netherlands could also focus on institution-building tasks, planning, strategy, developing budgets, and working with programme managers. Dutch involvement could and perhaps should go further than simple training, and also include how to set up/structure a police academy in a host nation. Lastly, the Dutch experience with reforming its police organisation is also welcomed in peace operations. The Dutch experience with intelligence in ASIFU would also be welcomed in the field of policing if it were to be expanded to information analysis and criminal intelligence in the field of international crime.

Overall, the interviewees differentiated between the contribution of IPOs, SPTs, FPU, and civilian experts.

a) IPO

- One way to secure the focused deployment of staff in a mission involves contacting the Police Commissioner in a mission and to link a Dutch contribution to providing the right staff for the vacancies that are most urgent in that specific mission. In other words, not only to work through New York.
- If the objective for the Netherlands is to step up its contribution in terms of high-ranking officers, and even to provide a Police Commissioner, it was recommended to start with increasing the Dutch footprint in UN policing. It was mentioned, however, that realistically the Netherlands has to accept that this takes some time. Investing in international careers for police starting with 100 constables may lead to 10 inspectors and, in the end, perhaps to one police commissioner.
- In terms of the deployability of IPOs, the Netherlands should consider improving language skills, providing more senior staff (leadership) and women for missions, as well as to consider twinning (with other deploying countries) as an approach.
- In particular, senior civilian police personnel would be welcomed by the UN as these are considered useful in capacity building. Political sensitivity and experience in (international) advisory roles are important assets, alongside the actual policing competencies.
- The UN will not be able to fulfil all of its own requirements and regulations in terms of force protection, medevac, etc. Many of the current missions are hardship missions and the UN is not in the position to make exceptions for the Netherlands. If the UN is not able to meet its own standards for other countries, it cannot be expected to meet them only for the Netherlands. The Netherlands will either have to accept that some standards will not be met or it will not be able to contribute to a number of missions.

b) SPTs

- The Specialized Police Teams concept could be adopted by the Netherlands as a way of addressing the issues related to sending IPOs. The Netherlands could create such teams on the basis of Dutch priorities/interests, and, depending on mission needs and mandates, to start sending teams on e.g. financial crime, organised crime, criminal intelligence, community-oriented policing, border management, etc. If the mission allows it, the Netherlands could consider to link programmatic money from the Dutch embassy to the team. But such approaches need to fit within the requirements as identified by the Police Commissioner and the host nation, they should be anchored in the mission, they should not prevent mainstreaming important topics in the whole mission and should not simply be the national plan of one single PCC.
- In terms of timing, now would be a good moment to start with the SPT approach, given the HIPPO and the SG report. If and when SPTs are considered, it could be an option to try to cluster such teams with those of other countries in a regional approach, and as such create a larger EU footprint. Such SPTs focusing on international organized crime in West Africa were used as an example on

several occasions by interviewees. Another option as regards SPTs is to think of multinational teams and to combine various skills, including language, in one team.

- As Francophone African missions are expected to be more frequent in the future, it could be considered to cooperate more with Belgium, for example in SPTs.

c) *FPU*s

- The UN is also in need of standby arrangements for rapid deployment in the context of the Eurogendfor of which the Netherlands is a member. Such a bridging operation would be deployed for 1 to 2 years. However, this still requires new MOUs and SOPs with the UN.

d) *Civilian Experts*

- The Netherlands could also consider assisting missions with seconded personnel and civilian expertise focusing on the broader justice chain, ranging from judiciary to corrections, and to Rule of Law components of missions.

1.4 OSCE

Although the current confrontation between Russia and the West challenges some of the key founding norms of the organisation as formulated in the Helsinki Final Act¹⁴⁰ in 1975, this new Eastern European crisis has reinvigorated the relevance of the Organisation for Security and Co-operation in Europe (OSCE) as an actor in crisis prevention and conflict settlement. After more than a decade of decreasing budgets and activities¹⁴¹, in 2014 the OSCE has moved to centre stage in Ukraine, being the only acceptable international actor for the parties engaged in the conflict. The OSCE's Special Monitoring Mission (SMM) to Ukraine, and more importantly the new reality of conflict between Russia and the West that the Ukrainian crisis is a reflection of, has led the OSCE to reconsider its security agenda, its instruments and the position of the organisation amidst other international organisations and coalitions. Also, it has led to the first deployment of police staff by the Netherlands to a OSCE field activity in years.

In 1999 the OSCE recognised the importance of police missions, as the UN had done previously, in the European Security Charter¹⁴² that was signed in Istanbul by 54 Heads of State. Among the objectives of the Charter were improving and developing the OSCE's

140 *Helsinki Final Act*, OSCE, Helsinki, August 1975.

141 Step by step the OSCE unified budget decreased from 211.6 million Euro in 2002 to 142.3 million Euro in 2014. The planned budget for 2015, agreed upon by the Permanent Council on December 30 2014, totalled 141.1 million Euro. *Annual Report 2000*, OSCE, Vienna, 24 November 2000; *Annual Report 2014*, OSCE, Vienna, 3 July 2015; *Permanent Council Decision No. 1185*, OSCE, Vienna, December 2014.

142 *Charter for European Security*, OSCE, Vienna, November 1999.

instruments, decision-making capacity and ability to take action in critical security situations. In his most recent annual report on police-related activities, Secretary General Zannier qualifies these activities as a 'key element in addressing threats to security and stability in the OSCE region and an integral part of the Organization's efforts in conflict prevention, crisis management and post-conflict rehabilitation.'¹⁴³

The OSCE currently employs about 2,000 internationally and locally recruited personnel in its field operations in South-Eastern Europe, Eastern Europe, the South Caucasus and Central Asia. These field operations, discussed in more detail below, are established at the invitation of the host countries, after which their mandates are agreed upon by consensus by the participating States. The OSCE field operations deploy police staff in dedicated police missions, in police or law enforcement components that form part of more comprehensive operations, but also in functions that are not directly related to police tasks or police organisations, where a police background is considered beneficial. An example of the latter is the SMM to Ukraine, where about one third of the deployed staff have a police or military background.

Not only the field operations are involved in the OSCE's police-related activities. Activities are sometimes organised by the SPMU and CPC as well and, to a lesser extent, by executive structures such as the Institutions of the OSCE High Commissioner on National Minorities (HCNM) and the Office for Democratic Institutions and Human Rights (ODIHR), as well as several thematic units within the OSCE's Secretariat. For example, in 2014 the Office of the Co-ordinator of Economic and Environmental Activities (OCEEA) assisted in carrying out national risk assessments on money laundering and counter-terrorism in Croatia, Montenegro and FYROM. The Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings implemented projects and training courses for law enforcement agencies in several countries and as part of the FRONTEX and EUPST training programmes.¹⁴⁴

OSCE's police-related activities

Since the first police deployments by the OSCE in Croatia (1998) and Kosovo (from 1999), there have been discussions on which police tasks the OSCE would have to undertake. The Istanbul Charter recommended examining the option of carrying out law enforcement measures, as had been the case in UNMIK. However, to date, the Organisation for Security and Co-operation in Europe (OSCE)¹⁴⁵ differs from the other international organisations discussed in this report in that it does not perform executive police tasks. A stable majority of participating states prefer a concentration

143 *Annual Report of the Secretary General on Police-Related Activities in 2014*, OSCE, Vienna, July 2015, p. 11.

144 *Ibid.*, p. 47-49.

145 Comprising 57 participating states, including the 'wider' Europe, all Post-Soviet States, the USA and Canada. For a full overview, visit <http://www.osce.org/states>.

on tasks such as training, development and monitoring of local police units. Even then, some Eastern European Participating States have been sceptical about police mandates to monitor human rights and are hesitant in supporting conflict prevention measures of OSCE police forces in intra-state conflicts, while explicitly being in favour of combating international terrorism and drug trafficking.¹⁴⁶

In 2012 the Permanent Council (PC) of the OSCE formulated a Strategic Framework for the OSCE's Police-Related Activities in order to define priority areas. This Strategic Framework focusses on: 'needs assessment, capacity-building, institution-building, training and evaluation,' through which the OSCE aims to 'assist the law enforcement agencies of participating States in addressing threats posed by criminal activity, while upholding the rule of law and ensuring respect for human rights and fundamental freedoms.'¹⁴⁷

Apart from these 'lines of action', the Strategic Framework sets six thematic priorities:

- general police development and reform, and efforts to combat the threats posed by:
- organised crime in general
- terrorism
- illicit drugs and chemical precursors
- trafficking in human beings
- cybercrime¹⁴⁸

As said, not all police deployment by the OSCE is organised under the flag of its police-related activities. The SMM in Ukraine currently deploys a substantial number of police officers, but is not labelled as being police-related. Created under huge pressure, the SMM operates with an expanding mandate, including tasks like the monitoring of cease-fires and the withdrawal of weapons.

OSCE police deployment in field operations: mandates and tasks

The first time that the OSCE deployed police staff, in 1998 in Croatia, started with a modest contribution of police officers acting as legal advisors. However, later that year the OSCE announced that it would replace 180 UN police officers in Eastern Slavonia with 120 OSCE police personnel, tasked with monitoring and training the Croatian police, the Police Monitoring Group (PMG). This relatively successful mission was followed

146 Stodiek, T., 'OSCE International Police Missions', in: *OSCE Yearbook 2001*, OSCE and Institute for Peace Research and Security Policy at the University of Hamburg, Baden-Baden, Nomos Verlagsgesellschaft, 2001, p. 340.

147 *Permanent Council Decision No. 1049: OSCE Strategic Framework for Police Related Activities*, OSCE, Vienna, July 2012.

148 *Ibid.*

a year later by the OSCE Police Training Mission in Kosovo. Within the framework of the United Nations Interim Administration Mission in Kosovo (UNMIK), the OSCE was tasked to create and train an entire criminal justice and police system.¹⁴⁹ At its peak in 2002 the OSCE deployed no less than 267 police officers in this OSCE Mission in Kosovo (OMiK).¹⁵⁰ Since Croatia and Kosovo, the first extensive, but much smaller OSCE police mission has been the recently launched, and still running, Community Security Initiative (CSI) in Kirghizstan, deploying 28 international police officers, launched as an answer to violent ethnic clashes and human rights violations by security services in 2010. The CSI project entails community policing, placed both in North and South Kirghizstan. Its mandate includes:

- the provision of advice and support to territorial units of the Ministry of Interior on their co-operation with local communities, including through the development of a police-public partnership
- the provision of advice and support to local civil authorities and representatives of the local population on issues related to their security concerns and needs, thus contributing to the reduction of interethnic tension and facilitating confidence-building between the police and local communities
- a mediation service to facilitate, enhance, and encourage dialogue and co-operation between the police and the civil population and between ethnic communities¹⁵¹

Since the CSI mandate and performance has been evaluated positively at the OSCE Secretariat, it may well be the standing model for future OSCE community policing and confidence-building projects.¹⁵²

After the ambitious and extensive Law Enforcement Departments in operations in the Balkans in the 1990s, and apart from the CSI, the OSCE more typically deploys small numbers of police staff as part of less extensive field operations¹⁵³. Under the umbrella term of field operations, the OSCE speaks of, inter alia, missions, presences, centres and project co-ordinators. These designations correspond with different mandates and, according to the OSCE Network of Think Tanks and Academic Institutions, 'reflect the varying attitudes of host states towards the OSCE and its norms.'¹⁵⁴ The CSI, for example, although deploying 28 international police officers, for political reasons does not have the status of a field operation, but of a 'project' falling under the OSCE 'Centre' in Bishkek.

149 T. Stodiek, *op. cit.*, p. 332–333.

150 *Report by the OSCE Secretary General on Police-Related Activities of the OSCE Executive Structures up to the End of 2009*, OSCE, Vienna, 2009, p. 128.

151 *Concept for Community Security Initiative PC Del/1081/10*, OSCE, Vienna, November 2010.

152 Interviews with respondents from SPMU and CPC at the OSCE Secretariat, June 2015.

153 See Appendix E.

154 *The Future of OSCE Field Operations*, OSCE Network, Vienna, 2014, p. 11.

Although having individual mandates, most of the operations deploying police personnel have in common that they run for a longer period. A presence of more than ten years is not incidental. All of the operations are located either in South-Eastern Europe (6) or in successor states of the former Soviet Union (10). The missions in South-Eastern Europe – OMiK being currently the largest, amounting to a total of 133 international staff members in 2014– have sharply decreased in scale (staff, budget, mandate) since their establishment in the 1990s. The law enforcement departments or officers that form part of most operations mainly focus on assisting and advising on matters of police reform, or performing activities related to specific security issues, such as trafficking in human beings and domestic violence.¹⁵⁵

Since the OSCE lacks an official legal status and is dependent on decision-making based on consensus, the basis for operations is insecure. The Southern Caucasian activities of the organisation show some worst-case scenarios. In Georgia, the OSCE Mission, started in 1992, was ended after the Georgian-Russian war, when no consensus could be found on extending the Mission's mandate.¹⁵⁶ The Memorandum of Understanding that formed the basis of a second OSCE activity in the Southern Caucasus, the 'Project Co-ordinator in Baku', was suddenly terminated by the government of Azerbaijan in June 2015.

Results and challenges of the OSCE's field operations

The new political reality urges the OSCE to revise its existing decision-making structures and to evaluate its instruments. The same political reality, however, also provides constraints for any serious reform of the organisation, where decisions are taken by consensus among all participating states and where the overall agenda is coordinated by a yearly rotating Chairmanship. In order to address these challenges, the OSCE's 2015 Troika – consisting of the 2015 Serbian chairmanship and the preceding Swiss and future German chairmanships – tasked the diplomat Wolfgang Ischinger to form the advisory Panel of Eminent Persons on European Security as a Common Project. The Panel is mandated to provide advice on the OSCE's role, tasks and instruments in reconsolidating European security. In June 2015 it produced an Interim Report with lessons learned from the OSCE deployment in Ukraine.¹⁵⁷ By the end of 2015 a Final Report will be published on what Ischinger's mandate formulates as 'the broader issues of security in Europe and the OSCE area at large'.¹⁵⁸ Under the German chairmanship in 2016, this report is expected to fuel the redefinition of the OSCE's role as a security provider in Europe.

155 *Annual Report of the Secretary General on Police-Related Activities in 2014*, OSCE, Vienna, 2015, p. 60.

156 *OSCE Mission to Georgia (Closed)*, OSCE, Vienna, October 2015.

157 *Lessons Learned for the OSCE from its Engagement in Ukraine: Interim Report and Recommendations of the Panel of Eminent Persons on European Security as a Common Project*, OSCE's Panel of Eminent Persons on European Security as a Common Project, 17 June 2015.

158 *Mandate of the Panel of Eminent Persons on European Security as a Common Panel*, The OSCE 2015 Troika Switzerland, Serbia, Germany, Vienna, 12 January 2015.

In its Interim Report with lessons learned from Ukraine, the Panel of Eminent Persons points out that the direct link between the top political level and the operational activities of the SMM has contributed to its effectiveness not only in creating an adequate mandate. The SMM has also resulted in knowledge, capacity, and the ability to deal with – in this case – a disputed separatist regime. Assets that can potentially contribute to finding ways of de-escalation and reconciliation on the political level.¹⁵⁹

A major pitfall identified by the Panel is the fact that the OSCE lacks a clear international legal status and this results, particularly during crisis situations, in challenges for the personnel it deploys. During the first weeks of the Mission to Ukraine, the OSCE's Special Monitors had no official status, immunities or security guarantees. Moreover, the Mission could not open bank accounts or obtain customs clearance for equipment. After 12 weeks of deployment, in which eight staff members were abducted by armed groups, the OSCE and the Ukrainian government signed a Memorandum of Understanding providing an operational framework for the OSCE's activities.¹⁶⁰

Other important impediments emerged from the fact that the SMM includes the involvement of a substantial amount of Russian monitors.¹⁶¹ Both sides of the conflict have criticised it for being an instrument used for hostile purposes by 'the other'. Also, continuous problems occurred with the hampered accessibility of crucial areas for the OSCE monitors. The involvement of the conflict parties in the operation is at the same time the reason that in conflict-torn Ukraine, the OSCE has more room to manoeuvre than other IOs.

The pressing issues confronting the OSCE with the Ukraine conflict and its root causes directed Ischinger's Panel to formulate the following recommendations to be taken into consideration for future field deployment by the OSCE:

- 1) Regard conflict prevention as a key task and empower the Secretary General accordingly.
- 2) Develop the Troika system and strengthen the position of the Secretary General.
- 3) Acquire a legal personality.
- 4) Strengthen capacity in the Secretariat/Conflict Prevention Centre, both directly and through international partnerships.¹⁶²

159 OSCE's Panel of Eminent Persons on European Security as a Common Project, *op. cit.*

160 *Ibid.*

161 The SMM included 36 monitors from the Russian Federation among a total of 634 monitors, according to *Status Report as of 18 November 2015*, OSCE, 19 November 2015, <http://www.osce.org/ukraine-smm/201171>.

162 OSCE's Panel of Eminent Persons on European Security as a Common Project, *op. cit.*

As the Panel observes, the number of staff in the Conflict Prevention Centre (CPC) in Vienna, responsible for operational planning and preparation, has proven to be too small for organising complex operations such as the SMM. The Panel emphasizes the value of military skills in the OSCE Operations and Headquarters and recommends to drop the exclusion of the possibility of recruiting serving military personnel, discussed later on in this section.¹⁶³ The capacity gap for operational planning and preparation has also been identified in a discussion paper on the ‘future of OSCE field operations’, published in 2015 by the OSCE Network of Think Tanks and Academic Institutions.¹⁶⁴

In an assessment of the Organisation’s field activities, the OSCE Network highlights that, in the case of Ukraine, the OSCE has shown itself to be able to:

- quickly create new negotiation formats
- adapt to a rapidly evolving crisis situation by designing an innovative mandate (SMM), and to
- activate all OSCE institutions to concert their efforts.¹⁶⁵

The OSCE Network of Think Tanks argues that, other than in Ukraine, the conflict situation in Kyrgyzstan in 2010 was of a domestic nature, and was perceived to be ‘difficult to influence from the perspective of major Western States’.¹⁶⁶ In relation to the Kyrgyz conflict, far-reaching steps or mandates could not find the needed consensus among the OSCE Member States, but in the words of the Network paper, at the working level the OSCE proved to be able to ‘employ useful, if limited, steps, based on the room to manoeuvre of its institutions.’¹⁶⁷

Apart from the multi-institutional character of the OSCE’s field operations, the OSCE approach towards security is rather comprehensive: efforts are directed towards ‘enforcing the letter of the law, but also to economic issues such as tackling corruption and money laundering, and to ensuring respect for human rights and fundamental freedoms.’¹⁶⁸ The OSCE’s extended and mostly long-term field presence in South-Eastern Europe, Eastern Europe, the South Caucasus (currently to a lesser extent) and Central Asia can be considered an asset in itself. The OSCE activities in these regions rely on good networks of relevant governmental and non-governmental stakeholders.

163 OSCE’s Panel of Eminent Persons on European Security as a Common Project, *op. cit.*, 2015, p. 13.

164 OSCE Network, *op. cit.*

165 OSCE Network, *op. cit.*, p. 14-15.

166 OSCE Network, *op. cit.*, p. 14.

167 *Ibid.*

168 Stodiek, T., 2012. ‘The OSCE Strategic Framework for Police-Related Activities,’ in: *OSCE Yearbook 2013*, OSCE and Institute for Peace Research and Security Policy at the University of Hamburg, Baden-Baden, Nomos Verlagsgesellschaft, p. 19.

Resuming, the most recent OSCE crisis involvements show that, on the one hand, top political involvement in urgent situations can lead to new span-widths of mandates and to a rejuvenation of the OSCE as a centre-stage player in European conflicts. On the other hand, the OSCE, with its extended network of field presences, has shown itself to be able to adapt to conflict situations on a working level, even without international consensus. The OSCE Network of Think Tanks recommends that the latter is an asset which should be further strengthened by giving the OSCE institutions more freedom of action in crisis situations¹⁶⁹. However, more operational flexibility is needed: both the Panel and the Network of Think Tanks advise strengthening the OSCE's leadership structure and expanding the Organisation's planning and operation capacity.

Reforms of the OSCE's decision-making structures and a strengthening of the role of the Secretary General could be on the table of a OSCE summit. The last OSCE summit took place in Kazakhstan in 2010, resulting in little more than a reaffirmation of the participating states' adherence to the OSCE principles. Perhaps, under the German leadership, a new summit can be held in the second half of 2016. However, under the current political circumstances, a loosening of the consensus mechanism controlling the OSCE's field mandates seems far away.

Results and challenges of police-related activities

In 2009 the OSCE's Strategic Police Matters Unit (SPMU) – serving as the Secretariat's main focal point in co-ordinating police-related activities – prepared a report taking stock of (the results of) the OSCE's police-related activities, concluding that:

- “The various OSCE executive structures have achieved significant success in:
- improving operational and tactical policing capacities, and enhancing key policing skills, including respect for human rights and fundamental freedoms;
 - strengthening capacities in community policing and anti-drug, anti-corruption and anti-terrorist activities;
 - providing advice or arranging for the provision of expert advice on requirements for effective policing (needs assessments) and how to meet them;
 - increasing and promoting co-operation among participating States in countering new security challenges; and
 - facilitating the exchange of information among and between participating States regarding lessons learned in police-related activities.”¹⁷⁰

169 OSCE Network, *op. cit.*, p. 14-15.

170 *Report by the OSCE Secretary General on Police-Related Activities of the OSCE Executive Structures up to the End of 2009*, OSCE, Vienna, 2 September 2009, p. 68.

Regarding its police-related activities, the main challenge the OSCE faces is its shortage of financial and human resources. A considerable share of police-related vacancies, both in field activities and at the OSCE Secretariat, remain unfulfilled. It is acknowledged that 'governments have great difficulties in freeing police officers from their regular duties and making them available to international organisations'.¹⁷¹ Also, the financial reward for OSCE field staff is relatively poor, compared to remuneration packages offered by the EU or UN. Several OSCE and other publications have warned that increasing amounts of tasks and mandates have not been met by increasing financial resources.¹⁷² On top of the problems with recruiting the required numbers of staff for the planned activities, both SPMU and CPC note the difficulties in recruiting seconded staff with sufficient competence, see the next section.

On a more fundamental level are obstacles that the OSCE encounters in its missions in efforts to change police culture and the public's perception of the police. In an effectiveness analysis the OSCE briefly touches upon the difficulties in changing police culture at the top level and even more at the mid-level of police management and the 'public's deeply rooted negative images of the police'.¹⁷³ Other, more operational difficulties mentioned in the 2009 evaluation of police-related activities are:

- The hampering of programme implementation by the OSCE's annual Unified Budget cycle. Long-term endeavours are subject to the annual approval of the budget, sometimes creating obstacles to programme planning and implementation.¹⁷⁴
- Varying levels of training of police officers from EU and non-EU countries.¹⁷⁵
- Working with different concepts of community policing by various international experts hired by the OSCE.¹⁷⁶
- The absence of strategic guidance documents, available to ensure consistency and coherence in needs assessments and programme planning activities. Most of the field operations have not developed clear benchmarks for measuring success or exit strategies, that are needed to avoid a premature closing or an unnecessary extension of projects or programmes.¹⁷⁷

Required capabilities for police deployment

In 2014, apart from the Special Monitoring Mission and the Observer Mission to Ukraine, in all OSCE field operations locally hired staff outnumbered the internationals.

171 Stodiek, T., *op. cit.*, 2001, pp. 338-339.

172 Compare: Stodiek, T., *op. cit.*, 2012, p. 185 and OSCE, *op. cit.*, 2009, p. 77.

173 *Id.*, p. 54.

174 *Id.*, p. 56.

175 *Id.*, p. 341.

176 *Ibid.*

177 *Id.*, p. 74.

Most operations had a ratio of international seconded staff and locally hired personnel of about 1:3. Locally hired staff function mostly in support roles, but in its field activities the OSCE also creates functions for national professionals. Therefore, internationals deployed in OSCE activities have access to an extended local network of professionals.

Interviews held at the SPMU and CPC department of the OSCE Secretariat have made clear that at this moment in time the shortages in financial and human resources are the main challenges which the OSCE faces in relation to its police-related activities.¹⁷⁸ In human resources this is a problem of both a quantitative and qualitative nature. Since the early stage of missions in the Balkans, the required police competencies and profiles have changed from a general police profile to more specialised staff. It has been particularly difficult to find suitable staff at the mid and senior managerial levels who can add strategic planning competencies to the OSCE's field work. Also, there are difficulties in finding specialists with specific police-related expertise, most importantly in the field of transnational organised crime. This latter category of staff is not only lacking in field missions. There have been police-related vacancies at the Secretariat that have remained unfulfilled for a long time, such as a trafficking in human beings specialist position at the SPMU.

Generic police officers that can be deployed on the operational level are still needed, but finding enough 'practitioners' for field work is currently less of a problem. The mission in Kosovo, for example, has enough capacity when it comes to experts in community policing. But it is difficult to fill the expert vacancies requiring experience in countering organised crime. For high-risk settings, like the current SMM in Ukraine, staff with police or military background that have experience in working in conflict zones are of great value, but have also proven to be difficult to recruit.

The gender balance in OSCE field operations has been notoriously unequal, while the OSCE has experienced that having female officers in leading roles in projects like the CSI to Kyrgyzstan is extremely useful. Apart from a good gender balance, in composing teams for field operations, a mixture of nationalities has demonstrated to be an asset. An ethnically diverse composition of teams contributes to its acceptance by the local authorities and the public. The competency of having intercultural skills is, as a matter of course, an asset in this respect. Language skills are not always the most important, since, in a mission like the CSI, interpreters are available.

In deploying experts for the OSCE's police-related activities, or in activities like monitoring, where a police background is considered an asset, the OSCE has not experienced much difference in deploying either civil police or gendarmerie-staff. As respondents at the CPC state 'the job profile is the same, and the uniform and tasks

178 Interviews with a number of officials at the OSCE Secretariat, Vienna, 8 July 2015.

are the same'. However, when it comes to the practical possibilities for the OSCE to deploy staff from the Dutch Royal Marechaussee, there might be an obstacle in the fact that the OSCE excludes the possibility of employing police or military officers who are on active service elsewhere. In several interviews, respondents at the OSCE Department of Human Resources have stated that military or police staff should be temporarily put on administrative leave by their employer in order to work for the OSCE.¹⁷⁹ This is expressed in Regulation 2.01 for OSCE staff:

'By signing the letter of appointment or terms of assignment, OSCE officials shall agree to discharge their functions and regulate their conduct with the interests of the OSCE only in mind and neither to seek nor accept instructions from any Government or from any authority external to the OSCE.'¹⁸⁰

The Netherlands Police sends staff on special leave for the duration of a mission deployment. The KMar does not allow for this option. Therefore, if both KMar staff and the OSCE strictly apply their own regulations, Kmar deployment in an OSCE mission would not be possible. However, OSCE regulations might change in this regard, as the Panel of Eminent Persons recently recommended to abandon the exclusion of employing serving military personnel.¹⁸¹

Although the need for seconded personnel is high and the supply is short, in particular at mid and senior levels, there is hardly any direct contact between the Secretariat in Vienna and the potential providers of seconded officers. There seems to be no active lobbying by the OSCE towards permanent representatives of OSCE member states at embassies. In case of the SMM, direct contact between the Chief of Mission and Dutch officials in Kiev was the stage for assessing the mission's needs, after which the Dutch input was tailored accordingly.

1.5 NATO

After the fall of the Berlin Wall NATO added crisis management operations, indicated as 'non-Article 5 Crisis Response Operations',¹⁸² to its tasks.¹⁸³ This led to a large number of NATO operations in the Balkans, the Mediterranean and the MENA area – with the International Security Assistance Force (ISAF) in Afghanistan as the largest

179 Interviews with a number of officials at the OSCE Secretariat, Vienna, 8 July 2015 and The Hague, 16 September 2015.

180 *OSCE Staff Regulations and Staff Rules*, OSCE, Vienna, 2014, p. 5.

181 OSCE's Panel of Eminent Persons on European Security as a Common Project, *op. cit.*, 2015, p. 13.

182 *AJP 3.4, Allied Joint Doctrine Publication for Non-article 5 Crisis Response Operations*, NATO, Brussels, 2014.

183 *Washington Summit*, NATO, Washington, 1999.

Allied operation ever mounted (approx. 130,000 troops at its peak). The Alliance has formulated its core tasks, principles and values, and its strategic objectives in the evolving security environment in its Strategic Concept 2010 and its keystone doctrine document AJP 1.0(D).¹⁸⁴ This document defines NATO's core tasks as: collective defence, cooperative security, and crisis management. Despite the Alliance's so-called 'return to collective defence' in response to the security challenges posed by Russia after the annexation of the Crimea and the war in Eastern Ukraine, all three core tasks continue to form the basis of NATO's activities. With regard to crisis management, the following is NATO's position:

"Crisis management – NATO has a unique and robust set of political and military capabilities to address the full spectrum of crises – before, during and after conflicts. NATO will actively employ an appropriate mix of those political and military tools to help manage developing crises that have the potential to affect Alliance security, before they escalate into conflicts; to stop ongoing conflicts where they affect Alliance security; and to help consolidate stability in post-conflict situations where that contributes to Euro-Atlantic security."¹⁸⁵

NATO operations and police deployment

In principle NATO does not undertake police missions, or even military missions with a specific dedicated 'police' line of operation. As will be explained below, this is due to its political-military profile and the lack of consensus among its members on how broad 'security force assistance' should be interpreted. Nevertheless, the Alliance has *in practice* employed several missions that contained activities that lie in the larger conceptual field of SSR. Out of these missions, the KFOR, NTM-I, ISAF and Resolute Support missions actually executed police duties and/or trained local police forces.¹⁸⁶ In Bosnia (IFOR and SFOR) and Kosovo (KFOR) the 'security gap' between the regular police and the NATO military forces was filled by the deployment of gendarmerie-carabinieri forces, in particular for crowd and riot control. In Iraq and in Afghanistan NATO is or has been running training programmes for security forces, including the local police.

At the strategic political-military level it has been difficult to find common ground between the different views of NATO's member states on policing in missions. Some see 'the military' as a total set of assets to be employed including Military Police and gendarmerie forces. However, most nations do not have gendarmerie-type forces, and may very well find it difficult to place such forces within the overall capability

184 *Strategic concept 2010 – 'Active Engagement, Modern Defence'*, NATO, Brussels, 2010; *AJP 1.0(D) Allied Joint Doctrine*, NATO, Brussels, 2010, 0206 / 0207d.

185 *Strategic concept 2010 – 'Active Engagement, Modern Defence'*, NATO, Brussels, 2010, pp. 7-8.

186 See Appendix E for an overview of NATO missions employing police capabilities from 2000 onwards.

spectrum. And then there are those members who uphold the opinion – in some cases openly, in some cases less so – that NATO is a political-military alliance, and therefore it should not become involved in other (civilian) tasks and roles including policing tasks.

On the whole, though, the NATO members thoroughly understand that a NATO mission will have to be, more than ever, part of a wider comprehensive response from the international community and cannot be considered in isolation.¹⁸⁷ After all, the complexity of the operational environment is ever growing and requires effective coordination and cooperation among national governmental departments and agencies, NGOs, IOs and the private sector throughout all the phases of crises.

The primary division in possible NATO missions is the difference between Article 5 operations and non-article 5 Crisis Response Operations.¹⁸⁸ The first type is based on Article 5 of the Washington Treaty, that covers the collective self-defence principle for NATO and its members.¹⁸⁹ The second type encompasses all other operations. Notwithstanding the very different foundation for both types, as a common NATO distinguishes four so-called campaign themes for its missions: Combat, Security, Peace Support, and Peacetime Military Engagement.¹⁹⁰ The choice for a campaign theme is a political-strategic one, and forms a delineation for the military efforts in a crisis. However, the activities performed within that delineation depend on, and vary with, the dynamics of the conflict, that will present a mosaic of encountered levels of intensity, friction, progress and violence.¹⁹¹ The operational plan for a campaign will use a defined end-state as the desired ‘end’ or goal for the mission. Such an ‘end’ is projected to be achieved along several lines of operation or ‘ways’, each working through estimated decisive points. In a crisis response operation, one of these lines of operations may well be (support to) Security Sector Reform (SSR).

In theory, the active role of NATO in SSR operations is limited to Security Forces Assistance (SFA): assistance to military forces and the institutions that have a direct link

187 *AJP 1.0 (D) Allied Joint Doctrine*, NATO, Brussels, 2010, paras 0106-0112; *AJP 3.0 (B) Allied Joint Doctrine for the Conduct of Operations*, NATO, Brussels, 2011, paras 0103-0105; *AJP 3.2 Allied Joint Doctrine for Land Operations*, NATO, Brussels, 2013, paras 0101-0109; *AJP 3.4.9 Allied Joint Doctrine for Civil Military Cooperation*, NATO, Brussels, 2013, Chapter 6, para 3.

188 *AJP 1.0 (D) Allied Joint Doctrine*, NATO, Brussels, 2010, paras 0205 and 0207c, 0207d; *AJP 3.4 Allied Joint Doctrine for Non-article 5 Crisis Response Operations*, NATO, Brussels, 2014, paras 0101, 0104, 0202.

189 *The North Atlantic Treaty*, NATO, Washington D.C., 4 April 1949.

190 *AJP 1.0 (D) Allied Joint Doctrine*, NATO, Brussels, 2010, paras 0242-0248; *AJP 3.0 Allied Joint Doctrine for the Conduct of Operations*, NATO, Brussels, 2011, paras 0109-0124; *AJP 3.2 Joint Doctrine for Land Operations*, para 0110-0111, NATO, Brussels, 2013, paras 0110-0111; *NLD Doctrine Publication for Operations in the Land Domain*, Land Warfare Centre RNLA, Amersfoort, 2014, Chapter 2 and chapter 7 section 2.

191 *NLD Doctrine Publication for Operations in the Land Domain*, Land Warfare Centre RNLA, Amersfoort, 2014, Chapter 2, para 2109.

to the military. Reforming the law enforcement and judiciary sector would be addressed by the civilian governmental and non-governmental organisations, and Disarmament, Demobilisation, and Reintegration (DDR) would be a combined effort between attending civilian and military organisations. In reality, however, not all of the needed civilian organisations are always present in crisis areas. Either because the security situation does not allow for their presence, or because the crisis developed so quickly or abruptly that they have not managed to project their assets into the area. In such cases, NATO can direct its military force to take on the (most urgent) tasks of those civilian capabilities. This will always be deemed a temporary solution, and NATO will strive to hand over non-military responsibilities to the proper organisations as soon as possible.¹⁹²

Policing and police development

Policing and police development are clear examples of non-military task areas that would possibly need immediate attention in case the local police force in a crisis area does not perform its tasks and there are no civil organisations present to react to that situation. In such cases the NATO force present could step in to (co-)perform executive police duties. Obviously a military force is less suitable for regular police duties, even if the situation as described would occur in a less permissive mission environment. NATO acknowledges this and is currently seeking to address this security gap by developing new doctrine, directing NATO efforts in such circumstances.¹⁹³

NATO uses the term Stability Policing, which translates as (community) policing in crisis areas, including less-permissive operational environments. The two main employment options within the concept of Stability Policing are: supporting the local police in a crisis area with their executive police duties, and replacing the local police in a crisis area in their executive police duties. The intended type of force to perform Stability Policing are the MP and/or Gendarmerie forces of the member states with a tendency to favour specifically the Gendarmerie forces, since their tasks in their home nations are similar or comparable to those within Stability Policing. Added to that, Gendarmerie forces have the military status and are military trained, the total making them highly equipped for employment in more violent or unruly crisis areas.

NATO has a concept for the development of security forces, called *unified Security Forces Assistance* (uSFA).¹⁹⁴ As said, this concept is explicitly meant for SFA to military

192 *AJP 3.4 Allied Joint Publication for Non-article 5 Crisis Response Operations*, NATO, Brussels, 2014, paras 0209, 0212 and 0304; *NLD Doctrine Publication for Operations in the Land Domain*, Land Warfare Centre RNLA, Amersfoort, 2014, paras 7818, 7821 and 7822.

193 The Allied Joint Doctrine Publication 'Stability Policing' has been developed with Italy as lead-nation for the writing team. It is currently under ratification at NATO, and is expected to be officially issued soon. Also, a NATO Centre of Excellence for Stability Policing is being established.

194 uSFA encompasses the subfields Generate, Organise, Train, Enable, Advise, and Monitor.

forces and institutions that have a direct link to the military. At the direction of NATO's International Military Staff (IMS),¹⁹⁵ a draft version of the concept allowing for 'blue' SFA, meaning MMT&A assistance to police forces and institutions, was redrafted to narrow down to 'green' SFA. Even though the draft concept was strongly based on the actual ongoing ISAF mission that included SFA to the whole of the Afghan National Security Forces and Afghan Security Institutions,¹⁹⁶, there was no political consensus to include 'blue' SFA as a standard possibility in the concept. The final draft of the concept did however include an escape clause, and was ratified. The clause amounts to a version of the earlier mentioned fact that NATO does allow for the possibility that not all of the needed civilian organisations will be present in the area, and therefore on a case by case basis will decide on other than military tasks.¹⁹⁷

If there are no civilian organisations (governmental or non-governmental) present in the crisis area, the most probable reason for this is that the situation in the operational environment is too dangerous. If those circumstances are not likely to change significantly over the medium term (SFA not being an effort of immediate necessity), NATO could decide to start police development activities. After all, the longer the international community waits in (re)invigorating the proper police, the longer it will be expected to fill in for such national security forces in the crisis area. The most suitable capability NATO has to perform 'blue' SFA under such circumstances are – as with executive policing – the Gendarmerie forces of its member states. These combine the proper policing background with the necessary military one for the security situation.

Development demand for police capabilities

As touched upon at the beginning of this NATO section, in response to the security challenges posed by Russia after the annexation of Crimea and the war in Eastern Ukraine, NATO is currently rebalancing its focal areas. After approximately 1990 'non-article 5 missions' became the dominating reality for NATO, employing maritime, air, ground, and joint missions, resulting in a steady erosion of attention for Article 5-related issues. With the new manifestations of Russia in the international security environment, it has become clear that the original backbone of the Alliance, the Article 5 'an attack upon one will be considered as an attack upon all' concept, has regained importance. This may be interpreted to lead to a diminishing of the readiness and willingness to perform non-article 5 operations, missions that create a possible demand for police capabilities.

195 The IMS supports NATO's Military Committee in implementing decisions of the North Atlantic Council that have military consequences.

196 'Functionally Based SFA', in: *ISAF concept and handbook*, Commander ISAF's Advisory & Assistance Team, Kabul, 2014.

197 Co-Author of this study LCol Rob Hendriks was directly involved in the development of the uSFA concept in 2013, and developed ISAF's Functionally Based SFA in 2013/14 as *Sr. Subject Matter Expert SFA & Chief ANSF/ASI development* in Commander ISAF's Advisory & Assistance Team (CAAT).

However, in parallel with the developments on the eastern flanks, the southern members are dealing with the effects of prolonged and complex crises in the Middle East, North and sub-Saharan Africa, and Southwest Asia. Since instability in the international security environment is expected to be a remaining factor, non-article 5 operations may be expected to remain an important focus for NATO. Not above (deterrence and defence) Article 5 scenarios, but next to those, both being of the utmost importance for the long-term interests and goals of NATO. Several decades of non-article 5 crisis response operations have taught NATO that such crises cannot be solved by solely addressing the effects that create (perceived) direct or even indirect threats to NATO members. In order to achieve durable and sustainable stability in such crises, root causes must be determined and addressed in close cooperation with local stakeholders and international partners in a Joint Interagency Multinational Public (JIMP) setting. More often than not, this approach will necessarily include some form of Security Sector Reform, quite possibly also involving activities in the field of the 'police'.

Required police capabilities for missions

For NATO, both Stability Policing and (temporary) blue SFA should preferably be performed by Gendarmerie-type forces, a relatively scarce commodity within the overall set of capabilities. Taking into account the security situation surrounding the European part of NATO territory and the (forthcoming) fact that NATO will continue its (involvement in) non-article 5 crisis response operations and cooperative security activities, it is highly feasible that NATO in the near and middle future will continue to approach the Netherlands with specific requests for the deployment of its Royal Marechaussee capabilities.

The actual capabilities that NATO requires depend on the international cross-border security situation in the first place. As has been argued in the first part of this chapter, the European security environment is changing and will continue to do so. Current inter and intrastate conflicts prove to be persistent, resulting in regional instability and evolving spill-over effects to NATO territory, thus creating a growing need for:

- Supporting or substituting security forces in crisis areas. Helping or replacing (depending on their role and/or disposition) local security forces to better handle the crisis may very well be necessary to break the momentum of the crisis and from there to work towards solutions;
- Security Force Assistance in crisis areas. Part of the solution will obviously be to invest effort in creating local security forces that are effective and efficient. The former version after all was either part of the problem, or incapable of solving it;
- Border security operations in the widest sense. In parallel with the two points above, and taking into account the security situation as mapped at the beginning of this chapter, border security is of immediate importance. This can encompass outer and inner borders of the Alliance, borders within a crisis area, and possibly even transfer zones between those areas.

NATO has moved to capability thinking instead of unit thinking, meaning that along the 'End – Ways – Means' approach, the Alliance arrives at the needed contributions from the member states. After establishing to what End a mission will be employed or a specific operation will be conducted, the Ways to achieve that goal can be developed. Once the Ways have been developed, the Means needed to conduct that approach can be determined. Instead of using organic units, that by default will be less optimally suited for the specifically developed Ways to achieve the mission's End, NATO hopes to receive tailor-made assets that exactly fit the tasks at hand. Naturally, somewhere in the Force Generation process for a mission, capability still must be quantified for more detailed planning purposes across the board.

So how does one approach the issue of the required police capabilities? As indicated before, NATO distinguishes between 5 police capabilities that MP/Gendarmerie Forces should harbour:

- Policing the military force;
- Detention of prisoners of war;
- Mobility support;
- Guarding and securing of essential personnel and infrastructure;
- Stability policing.

The regular Military Police certainly harbour the first four capabilities, whereas Gendarmerie Forces harbour them all. Given the fact that the latter form a scarce commodity (due to their regular essential national security tasks), NATO tends to lean towards a functional division, employing MP for the traditional capabilities 1-4, but reserving Gendarmerie Forces for capabilities 4 and 5. Interviews with senior experts at high NATO echelon learn that this functional division has not yet been implemented, but seems to be the way ahead.¹⁹⁸ In case of the Netherlands Gendarmerie Force, as will be discussed in section 3.1, bidding for Stability Policing and Guarding & Securing on the one hand enables the KMar to employ its specific strengths while on the other hand helping NATO in a relative niche that is rather difficult to fill. The same goes for 'blue' SFA, should that come into view for a specific mission.

NATO is not involved in the procedures to select staff. As seen above, NATO formulates the needs it has for a specific mission along the Ends –Ways – Means approach. Means in this case can also be read as 'a headquarters staff to be filled'. Mostly NATO will use a framework nation or unit (like the HQ of 1 German Netherlands Corps) for such headquarters, filling the larger part of the organisation table. This body can then be augmented with individuals or small staff elements from other countries, thus filling the staff. For all functions in the staff job descriptions will be drafted. Troop-contributing nations bid for functions on the basis of such job descriptions.

198 Interviews with a number of officials at NATO HQ, August-September 2015.

When NATO is contemplating whether to deploy forces for a mission, this is obviously no surprise for the member states since they are all involved in that process in the North Atlantic Council and the permanent representations. What usually happens is that countries will be sounded out as to their willingness to actually participate in the mission and even in what order of shape and size. Although politically completely logical, this sounding out can also hamper proper reasoning along the Ends – Ways – Means approach, since at this point nations can hardly know what will be the exact ‘tailor-made’ need. The purpose is largely political, seeing who is serious enough to embark on the mission and who will provide ‘political support’ but no Means. At least it gives NATO a feeling for the ball park figure of probable troops and materiel. All of this is mostly done through the standing political line between capitals and NATO HQ through the national ambassadors (assisted by the permanent military representations) at the NATO HQ.

Once the decision is taken to launch a mission, the force generation process starts in earnest. The standing military line will now be used more strongly. From Strategic Headquarters Allied Powers Europe (SHAPE) in Mons, Belgium,¹⁹⁹ NATO’s Supreme Allied Commander Europe (SACEUR)²⁰⁰ leads the command of missions, issuing strategic military direction to his sub-ordinate commanders. SHAPE HQ leads the process of force generation and communicates through the National Military Representatives in the HQ, who in turn communicate with their respective Ministries of Defence. SHAPE is the highest level where subject-matter expertise on (military) policing is present, the Provost Marshall at SHAPE, a position that is currently held by the Netherlands, is also the special staff officer ‘police’ for SACEUR.

1.6 Sub-conclusion

This chapter outlined the future demand for police capabilities from the EU, UN, OSCE and NATO, given the international security situation. The EU, UN and the OSCE have an increasing demand for police deployment. NATO, although policing is not one of its core tasks, is prepared to provide police capabilities in situations when no other actors are present in a crisis area. The number of UN peacekeeping operations that have police components has increased and so has the size of these police components. The EU tends to deploy police staff in smaller numbers and in smaller sized operations than was the case in the 1990s, but, just as is the case with the UN and OSCE, there is

199 Supreme Headquarters Allied Powers Europe – the HQ of Allied Command Operations (ACO), which is the strategic level military command of NATO responsible for the planning and execution of all NATO military operations.

200 Supreme Allied Commander Europe – The commander of ACO. SACEUR is responsible to the Military Committee, which is the highest military authority in NATO under the overall political authority of the North Atlantic Council and the Nuclear Planning Group.

a serious gap between the demand and supply of police capabilities. This is true for capabilities needed for the EU's CSDP missions, but for EU's border management agency Frontex, human resources shortages have become increasingly serious. In the case of EU, UN and OSCE, there is not only a human resources mismatch in numbers, but also concerning competencies, expertise and the quality of available police capabilities.

The increasing demand for policing capabilities reflects a changing European security environment, with ongoing instability and conflicts on both the southern and eastern flanks of Europe. Many capacity building and SSR efforts by the international community focus on these regions and further south in Africa. On top of that, the current European migration crisis has created an urgent need for expertise in guarding borders and public order management in South and South Eastern Europe. Policing and police reform have gained weight in EU and UN crisis management operations and in these organisations' efforts in enhancing the rule of law in conflict regions. The increasing complexity of police mandates in missions and the multi-dimensional approach to security sector reform and other forms of crisis management ask for the deployment of high quality experts and senior staff. Operational capacity for the maintenance of law and order is less suitable for capacity-building missions and is also less scarce, with the exception of policing units that can rapidly be deployed by the UN, EU and NATO.

When it comes to more specific capabilities that are needed, in the case of the UN there has been a shift to operating in more volatile operating conditions, implicating the need for adequately trained staff. Next to technical competencies, pedagogical and cultural adaptation skills, and political and conflict sensitivity are of importance for staff to be deployed. There has been a scarcity of French speaking capacity to be deployed in EU and UN missions in Francophone Africa and the desire to deploy more female police staff is expressed in relation to both the UN and OSCE. Border control and organised crime expertise have, among other fields of expertise, been mentioned as both being very relevant and scarce. NATO tends to favour its gendarmerie-type police forces above its regular Military Police, both for its executive policing activities and for the (exceptional) cases of NATO performing 'blue' SFA. The OSCE currently does not permit the deployment of military staff that are on active service, and therefore focuses more on civil police as a source of supply.

The different IOs identify similar causes for the mismatch between demand and supply for police capabilities. Recruitment problems are inherent in the police having to fulfil normal duties within national borders. Especially federal or decentralised police structures in donor countries, where decisions to deliver police capacity are made at regional levels, can hamper recruitment. Also a secondment to an international mission is not (yet) part of a national career path for (higher-ranked) police officers, and is sometimes even considered to be a disruption to one's career. This is different for gendarmerie personnel. In many cases deployment in missions is based on voluntary decisions. Military (gendarmerie-type) police is again the exception to the rule here.

Another issue is the rotation of personnel, which can have a negative effect on in-mission effectiveness. For the optimal effectiveness of mentoring and reforming activities in EU, UN or OSCE operations, rotation cycles of police deployment should be at least 12 months.

Several ways of bridging the gap between demand and supply have been suggested. More direct contacts between mission leadership and Dutch management of police staff deployment can help in identifying the most urgent needs and also in promoting what the Netherlands can offer. Also, the representation of Netherlands Police or KMar at the IOs' headquarters or secretariats, be it as part of a Permanent Representation or as police advisors within the IOs' administrations, can be effective in shortening communication lines and getting a better grip on (the results of and the possibilities for) police deployment.

2 Dutch toolkit for police missions

The large majority of Dutch policing tasks are divided over the 'civilian' Netherlands Police (NP), on the one hand, and the gendarmerie force with military status, the Royal Marechaussee (KMar) on the other.²⁰¹ Both organisations have general policing responsibilities, but the scope of their tasks is different. The Netherlands Police, currently employing about 60,000 personnel, are responsible for the primary policing tasks: crime prevention, the investigation of crime, the maintenance of legal and public order and assistance to citizens in need of help. The KMar, employing about 6,000 personnel, are responsible for specific policing tasks that are described in the Police Law 2012, concentrated on three clusters of activities: Border policing, Guarding & Securing, and International and Military Policing.

Both organisations are tasked to deploy staff in international police missions. Other than for the NP, for the organisation of the KMar this is one of the force's three spearheads. After summarising the two organisations' tasks and responsibilities, this chapter outlines their policy objectives in contributing to police missions and the capabilities that both organisations can deliver. In conclusion, these capabilities are linked to the results of the demand assessment (chapter 2) and a basic set of criteria is proposed that can be taken into consideration when assessing the relative competence of the KMar and NP for deployment in individual police missions.

2.1 Royal Marechaussee (KMar)

Officially introduced in the Netherlands in 1814 as the 'Corps de Marechaussee', a mounted police corps with a military structure, currently the KMar are one of four operational commands of the Armed Forces. The force employs just over 6,000 personnel, with the vast majority being military staff. The management and control responsibility for KMar, as is the case for the other operational commands, falls on the Ministry of Defence. However, management and control *of* are divided from authority *over* the KMar; proper authority for the employment of the KMar may rest – depending

201 Apart from the NP and KMar, to a lesser extent special investigation services such as the *Rijksrecherche* (policing the public sector) and social and fiscal investigation services perform police tasks.

Although it is not unthinkable that staff members of these services play a role in international missions, these organisations operate in such specific niches that they remain out of this chapter's scope.

on the specific national task – with the Ministry of Security & Justice, the Ministry of the Interior & Kingdom Relations, or the Ministry of Defence. The authority for the employment of KMar personnel and assets for crisis management operations (outside the Kingdom of the Netherlands) falls on the Ministry of Defence,²⁰² the responsibility for the actual execution of missions lies with the Commander of the Armed Forces.

In the past five years there have been many developments that have a direct effect on the role and tasks of the KMar.²⁰³ Next to the international security situation as described earlier in this study, there are also several national evolutions in the fields of security & terrorism, international security, and immigration. The KMar are involved with and active in the fields of the National Counter-terrorism Strategy, the National Cyber Security Strategy²⁰⁴, border-crossing forms of crime and immigration policy including the Identity Management and Immigration programme. Many of these national policies and programmes are strongly entwined with bilateral and/or multilateral partner countries and organisations. Parallel with these developments, all resulting in an intensification of tasks for the KMar, there have been several successive budget cuts for the Armed Forces also affecting the KMar, leading to large pressure on the organisation.

In order to balance these two diverging (sets of) developments, the KMar have sought to restructure their activities, implementing focus, broadening and/or deepening cooperation with security partners within and outside of the Ministry of Defence, and in general strengthening professionalism. These measures aim to result in a highly efficient employment of the available capabilities, while ensuring effectiveness in the performance of all tasks.

Role and tasks

The leading principle in focussing their efforts is the KMar's responsibility to contribute to 'the security of the State'. From that focal point, three spearheading task clusters have been defined and further implemented: Border policing tasks, Guarding & Securing tasks, and International and Military Policing tasks.²⁰⁵

For border policing tasks the KMar work from a nodal orientation, countering illegal immigration, border-crossing criminality, and border-crossing terrorism. Primarily concentrating on physical land, water, and air borders, the KMar adopt highly efficient methods for national execution, in order to be able to employ capabilities at the outer

202 *Inzet NLD politie en KMar bij internationale civiele politie-operaties*, Netherlands Ministers of Foreign Affairs, Interior and Kingdom Relations, and Defence, The Hague, 27 October 2000.

203 Oostdijk, G. and van Vark, A., 'Koninklijke Marechaussee: Uniek in veiligheid', *Militaire Spectator*, 183(11), 2014, pp. 501-504.

204 Both Strategies are discussed in chapter 4 of this study.

205 *Ontwikkelagenda KMar*, Koninklijke Marechaussee, The Hague, 2014, pp. 6-7.

borders of the Schengen zone or even Europe in close cooperation with international partners. Next to this physical context, the KMar are also involved in countering illegal cross-border financial streams, and as prime specialists in preventing/countering Identity and Document Fraud. In policing the national borders, the KMar are responsible for all outer borders, except for the Port of Rotterdam, which is assigned to the NP.

Guarding and Securing tasks encompass the activities that contribute to the unhampered functioning of vital objects and functionaries of the State. The KMar are responsible for the security of members of the Royal Household and the palaces, politicians, ministries, diplomats, and embassies. The organisation protects civil aviation against terrorism, and escorts high-value transports of the central bank. In fulfilling these tasks, the KMar strive to cooperate with national and international public and private partners, looking for complementarity in a necessary integral approach to Guarding & Securing. Key themes in the concept used are: information for proactive action, net-centric cooperation and multi-level steering, flexibility and scalability of performance, employment of state of the art techniques, customer focus, and the professionalism & purpose of personnel. Guarding and Security is a responsibility which the KMar share with the NP, the risk level of operations being an important criterion for assigning tasks to either the KMar (higher risk) or NP (lower risk) on a case to case basis.

International policing tasks are considered to be the KMar's contribution to the execution of the national Foreign and Security Policies. Being part of the Armed Forces of the Netherlands, these tasks are part of the very core of the responsibilities for the organisation. The KMar are able to perform international policing tasks as a stand-alone entity, in cooperation with (one or more of) the other Operational Commands or with other partners, such as the Police, the Military Police, or other Gendarmerie Forces. The aim is to contribute to the further development of a sustainable rule of law and stability in third countries.

Military Policing tasks are part of the legally prescribed roles for the KMar. These tasks vis-à-vis the Armed Forces are executed in order to safeguard the high standard of integrity which is necessary for the Armed Forces. In performing these tasks, the KMar contribute to the employability of this instrument of power of the national government, thus having specific added value for the security of the State.

Policy objectives for deployment in an international context

'The sustainment and furthering of the international rule of law' is one of the three main tasks for the Armed Forces, as prescribed by Article 97 of the Constitution of the Netherlands. Being one of four operational commands of the Armed Forces, the KMar are co-responsible for the execution of any activities serving this task. In addition to

that, the International Security Strategy²⁰⁶ (ISS) of the Netherlands describes three strategic interests, the second of these being an 'effective international legal order'. The policy letter re-estimating the ISS²⁰⁷ as a result of international developments on both the Eastern and Southern flanks of NATO and EU territory, again emphasised the importance of a properly functioning international rule of law.²⁰⁸

For the KMar the rendered main constitutional task, and the organisation's contribution to the safeguarding of the mentioned strategic interest, is translated into:

"The employment in civil and military crisis management operations outside of the borders of the Kingdom of the Netherlands in order to support the sustainment and furthering of the international rule of law."²⁰⁹

From the defined 3 spearheads the third, 'International and Military Police tasks'²¹⁰ (specifically the 'International Tasks' part), comprise the possible expeditionary use of KMar units, elements and individuals. The actual contribution of the KMar will principally be one of three types: Employment as policing capability, employment as Military Policing capability for the deployed (national) forces, and employment as generic military capability.

Experiences from earlier deployment in missions

As shown in appendix E, since the beginning of this millennium the KMar have gained ample experience in multilateral missions, having employed police capabilities in about 30 operations. In a third of these operations, the KMar's involvement is at the time of writing still ongoing. Looking at the number of operations, KMar involvement has been quite equally distributed over the EU (11 operations), UN (10) and NATO (7). The contingents of staff deployed by KMar to the UN have been considerably larger. Presently, the largest deployments of KMar staff are in Mali and South Sudan, where in the recent past KMar have relatively heavily participated in missions to Afghanistan, Iraq, Kosovo and Bosnia and Hercegovina.²¹¹ Next to this, KMar officers have been deployed

206 *International Security Strategy – A Secure Netherlands in a Secure World*, Government of the Netherlands, The Hague, June 2013, p. 1.

207 Chapter 4 of this report discusses the ISS and the policy letter referred to here in more detail.

208 *Beleidsbrief Internationale Veiligheid – Turbulente Tijden in een Instabiele Omgeving*, Netherlands Ministry of Foreign Affairs, November 2014, p. 6.

209 Van Egeraat, L., *Expeditionair optreden van de Koninklijke Marechaussee*, Koninklijke Marechaussee, Operations Directorate – Cluster Defence and International Cooperation, August 2015, paragraph 1.5.

210 *Ontwikkelagenda KMar*, Koninklijke Marechaussee, The Hague, 2014, p. 7.

211 See Appendix F.

to Frontex: in 2014 the Netherlands deployed a total of 95 officers to this organisation, of which the majority came from the KMar.²¹²

From earlier mission deployments to multilateral missions KMar respondents who played key roles in a number of missions interviewed for this study learned that the organisation has a high degree of operational readiness.²¹³ KMar personnel have a basic training level that partly overlaps with basic military training on the individual level. This individual military preparation, although not comparable to a full military training on group, platoon, company or battalion level, contributes to the employability of KMar personnel in more volatile operational environments. This level of operational readiness facilitates rapid deployability in case of need.

Although the majority of the organisation are tied to a large number of essential national tasks, the KMar can indeed rapidly deploy individuals and/or elements, as has been demonstrated, for instance, in the immediate wake of the MH17 disaster. Also, the Netherlands' Royal Marechaussee have a 60-person detachment stand-by unit for deployment in the framework of the European Gendarmerie Force (Eurogendfor), a force that can deploy up to 800 police officers within 30 days.²¹⁴

In addition to the operational readiness, personnel to be deployed needs to achieve mission readiness status. For each mission a specific mission readiness plan ought to be designed and executed. Several interviewees pointed to the lesson learned from the first KMar deployment to Kunduz. KMar personnel were employed as basic instructors to Afghan Police officers in training. All too soon it appeared that the ability to instruct an audience of trainees was at a much lower level than estimated. Below the rank of Sergeant Major of the KMar,²¹⁵ only those who served as instructors at the KMar education & training centre, or at a joint Defence educational facility, had specific expertise in instruction. The identification of this shortfall led to an adaptation in the mission preparation, rapidly including a block on instruction, in order to better prepare personnel for their actual in-theatre task. This adaptation is commendable, although it would have been unnecessary had a proper analysis of the actual in-theatre tasks been performed up front, resulting in a Mission Essential Task List (METL). This METL will enable the identification of the shortfalls between the operational readiness and the necessary specific mission readiness,

212 *Annual Information on the Commitments of Member States to the European Border Guard Teams and the Technical Equipment Pool Report 2015*, Frontex, Warsaw, 2015, p. 21 and 25.

213 Interviews with a number of KMar respondents, August–September 2015.

214 See the section on the European Gendarmerie Force later on in this chapter.

215 In order to achieve that rank, a non-commissioned officer needs to have fulfilled at least one instructor's function.

The KMar's international orientation may be considered another asset contributing to the organisation's aptness for international deployments. KMar personnel are used to working in international environments: for training & education, for specific events, obviously for international posts, and even for many of the national posts there is an international setting. Seeking employment in international environments is strongly encouraged, even throughout the ranks. Respondents indicated that they had indeed benefited from this international orientation in their respective missions, roles, and tasks.²¹⁶

Higher-level KMar officers (Major and above) are well suited for providing high level advice and assistance and for individual mentoring and consulting set-ups, since they are used to exactly that role as staff members within the KMar and/or within the Joint Defence Staff environment. For such key positions, longer mission timeframes are necessary in order to reach optimal operational results. For Defence, a normal mission timeframe is 4-6 months for units, 6 months for individuals up to and including Lieutenant Colonels, and for Colonel and higher a year is the basis. The KMar already work with the rule of exception that 10% of deployed officers (below the rank of Colonel) may be sent abroad for a period longer than 6 months, provided that the individual in question does not object to this. However, that exception rule gives rather little function security in the context as described by the interviewees.²¹⁷

Next to this need for longer timeframes, according to this study's KMar respondents, operational results can be optimised by ensuring better profile matching between a mission's needs and the organisation's strengths.²¹⁸ Since these subjects correspond with challenges encountered by the NP, they are discussed more elaborately in section 3.3.

Deliverable capabilities

Internationally, there are 5 recognized categories of capabilities²¹⁹ which a military police force and/or a gendarmerie force should possess:

1. Policing the military force;
2. Detention of prisoners of war;
3. Mobility support;
4. Guarding and securing essential personnel and infrastructure;
5. Stability policing

216 Interviews with a number of KMar respondents, August-September 2015.

217 *Ibid.*

218 *Ibid.*

219 Also see the NATO section in chapter 2.

With regard to these capabilities, the Commander of the Royal Marechaussee, supported by his management advisory team 'de Marechaussee Raad', has indicated a mission employment direction, entailing that:

- the KMar will obviously²²⁰ always be available for capability 1 for Dutch mission elements, but
- capabilities 1 to 3 do not have mission priority, so international requests for those will be considered on a case by case basis, and
- from these 5, the KMar will focus on international mission deployment requests for capabilities 4 and 5.²²¹

The policing of military forces is a capability the KMar apply as part of their regular functioning and is therefore well developed. Also it corresponds to the KMar's third spearhead. However, since all regular military police forces can theoretically deliver this capability, it is not where the KMar can contribute most added value on the international level. Employment should therefore be limited to the MP duties to the national Armed Forces of the Netherlands – as prescribed by Article 4 of the Police Law. The detention of prisoners and mobility support are both not included in KMar's spearheading task clusters, although the KMar strive to maintain essential knowledge on these capabilities, thus safeguarding some organisational expertise.

Guarding and securing essential personnel and infrastructure is an internationally sought after capability that matches the spearhead task cluster 2 of the KMar, see earlier in this section for the KMar's different activities in this area. The KMar's extensive expertise in border policing, also described under 'role and tasks', can be applied for both the national borders as well as for the outer Schengen, EU or European borders, and, as seen in chapter 2, is subject to increasing demand. Furthermore, the KMar can contribute to public order, having a crowd and riot control capability that is tailored for more unruly and volatile circumstances.

The fifth capability, stability policing as defined by NATO²²², is comparable to the community policing concepts of the EU and UN, as far as it comes down to two possible main tasks:

- Supporting the local police in a crisis area with their police tasks;
- Replacing the local police in a crisis area, by executing their police tasks.

220 Since this is directed by Article 4.1.b of the Netherlands' Police Law 2012.

221 Interviews with a number of KMar respondents, August–September 2015; Koninklijke Marechaussee, *op. cit.*, 2014, pp. 6-7.

222 The newly developed 'Allied Joint Publication – Stability Policing' is currently under ratification, to be implemented in the NATO doctrinal structure as soon as the NATO members have ratified it.

Community policing is not a day-to-day KMar task on the national level, apart from activities in the Caribbean part of the Netherlands, and employing 'community policing' officers in military barracks. However, the ability to work under volatile circumstances, combined with the KMar's day-to-day employment in specific fields of expertise as described above, make it in many cases a suitable deliverer of this capability. For stability policing deployment in NATO operations, the KMar's ability to work under military command makes the KMar an excellent fit. For community policing tasks in EU or UN frameworks, the advantage of having basic military training and an international orientation should be weighed against the specific competencies needed to be deployed. Depending on the mission circumstances and policing mandate, this internationally demanded capability can be a good fit with the KMar's spearhead task cluster 3 'International and Military Policing tasks', especially when competencies that are based in spearheads 1 and 2 are needed. In quantitative terms, the KMar have a yearly capacity to deploy 153 officers in missions. Sixty persons are available for quick deployment as part of the European Gendarmerie Force (Eurogendfor), see the next section. Next to this, if needed, a platoon for crowd and riot control, a close protection unit and a criminal investigation unit can be deployed as a whole.

European Gendarmerie Force

One of the modes of KMar deployment in missions is through contributions to the European Gendarmerie Force (Eurogendfor). Founded in 2006 by five European nations,²²³ the Eurogendfor is a European intervention force, aiming to enhance international crisis management capabilities in all phases of conflict. It is conceived as being fully operational, pre-organised, robust and rapidly deployable: up to 800 police officers can be deployed within 30 days. Currently the Eurogendfor consists of seven police forces with a military status, all from EU member states.²²⁴

The High Level Interdepartmental Committee (CIMIN) is the primary decision-making body for the Eurogendfor and is composed of representatives of the appropriate Ministries of each member state. The Eurogendfor's permanent operational HQ in Vicenza, Italy, deals with the operational planning of its crisis management operations.²²⁵

223 The Netherlands, being one of the five founders, hosted the signing conference in Noordwijk.

224 Respectively: *Gendarmerie Nationale* (France), *Armadei Carabinieri* (Italy), *Koninklijke Marechaussee* (the Netherlands), *Guarda Nacional Republicana* (Portugal), *Guardia Civil* (Spain), *Jandarmeria Româna* (Romania, since 2008) and *andarmeria Wojskowa* (Poland, since 2013). Lithuania is a partner county, and Turkey has an observer status.

225 The Netherlands actively participates in the Eurogendfor permanent HQ, holding three non-key functions (in the branches of Operations, Intelligence, and Communication- & Information Systems) and one key function (currently the Deputy Commander of the Eurogendfor).

As a result of many exercises and several deployments²²⁶, the Eurogendfor and especially its permanent operational HQ have gathered extensive expertise on the training for, and the planning, preparation, and execution of police missions. The Eurogendfor can act autonomously and deploy its own headquarters or can be made available for missions led by international organisations such as the EU, UN, NATO or OSCE. It can act under both civilian authority and within a military chain of command, and is able to perform two core functions in a non-permissive environment in crisis management operations: the substitution of local police or MMTA tasks.

The KMar have a 60-person detachment stand-by unit for Eurogendfor deployment. This unit may be employed for crowd riot control duties, as a territorial police unit or as a mobile police unit; in both of those last options it can perform basic police duties and/or for instance border police tasks. Further contribution to a Eurogendfor mission is possible, and will be determined according to the standard process, relying on the standard mission capacities of the Commander of the Armed Forces.

One of the main reasons for the Netherlands to join the Eurogendfor was the recognition of the need to address the so-called security gap. The security gap arises in a less permissive environment when the military are deployed but are unable to perform police tasks, either because of the intensity of the prioritised military tasks, or because of lacking suitable forces. At the same time, an international civilian police force is less suitable to perform police tasks due to the destabilised environment. The ability to rapidly deploy alongside the military, and to perform both substituting and strengthening police tasks in a fragile security environment, makes the Eurogendfor well suited to act as a bridging force in this security gap. Furthermore, as the KMar is a relatively small police organisation, joining the Eurogendfor offers the Netherlands the opportunity to deploy its military police expertise in an effective and (cost-)efficient way. Moreover, incorporation in an extensive specialised network enables the sharing of best practices, which will in turn enhance KMar performance in (non- Eurogendfor) missions and in carrying out their national tasks.

However, some challenges remain in the Eurogendfor's operational effectiveness. Decisions on deployment are made unanimously by the member states and therefore depend on the political will of their respective capitals. Fostering political will can be an arduous process as the Eurogendfor is a relatively unknown instrument. This is even more problematic when the Eurogendfor is deployed as part of an international organisation such as the EU or NATO. In that case, all IO member states are involved in the decision-making process, but not all member states are familiar with the

226 MINUSTAH – UN; ISAF – NATO; EUFOR ALTHEA – EU; Currently Eurogendfor has 100 gendarmes employed in the Central African Republic's capital Bangui to carry out police duties as replacements of the local police authorities.

Eurogendfor. And, finally, Eurogendfor deployment in operations being run by other IOs can be hampered by mismatching administrative procedures or financial terms.

2.2 Netherlands Police (NP)

In 2013 25 regional police forces and 1 national force merged into the Netherlands Police (NP). The reorganisation and centralisation of the tasks of the NP are at the time of writing still ongoing. The Minister of Security and Justice is accountable for the whole of the police organisation, but he shares authority over police work with the Public Prosecution's Office and with local authorities. Since 2013, the NP have been headed by a national police commissioner, who is responsible for ten regional police units, a national unit and a central support unit. A repositioning of the still independent Police Academy, bringing the Academy's manpower and resources under the umbrella of the NP, is expected to be implemented within the next four years.

The NP's national duties include basically all primary police tasks: crime prevention, the investigation of crime, the maintenance of legal and public order and assistance to citizens in need of help. Border policing is limited to the Port of Rotterdam, all other outer and airport borders are tasked to the KMar. The primary police tasks comprise of a large range of duties and activities, varying from patrolling the streets and directing traffic, to conducting basic or complicated criminal investigations. Both the regional units of the NP and its National Crime Squad conduct criminal investigations concerning transnational issues like the smuggling of illicit drugs, human trafficking, war crimes committed abroad, high-tech cybercrime and ideologically motivated crime forms, such as terrorism. In countering organised crime, but also in other areas, the NP actively promote – and often direct – a multi-agency programmatic approach to security issues, engaging other public actors, the public and with private partners.

With the establishment of a national police force, international police activities have become more harmonised. The international agenda of the NP is structured in strategic country programmes that are based on analyses of the intensity of 'criminal relations' between the Netherlands and other countries. The centralisation also offers an improved organisational fundament for the recruitment of staff for deployment in missions, and for a better alignment of mission deployment with other operational activities.

Policy objectives for deployment in an international context

Dutch civil police contributions to international peacekeeping missions find their legal basis in Article 90 of the Constitution of the Netherlands, formulating the general provision that '*The Government shall promote the development of the international legal order*'. In a first policy agreement between the Dutch government and the chiefs of the regional police forces in 2001, police contributions to peacekeeping missions were maximised at 40 police officers per year. This included the capacity needed for selecting

and training these officers.²²⁷ An important difference with the KMar is that deployment of NP officers to international missions is on a voluntary basis.

In 2008 the Dutch Minister of Internal Affairs, then responsible for the police, was aware of the increasing demand for police deployment coming from the UN, OSCE and EU and sent Parliament a proposal to extend the maximum of officers to be deployed to a 100 officers per year. Also, the Minister stipulated that the civil police could from then on perform executive police tasks and be deployed in more challenging settings. The Minister formulated her reasoning as follows:

“In the current situation the Dutch Police in peacekeeping missions carry out non-executive tasks that are for the most part of an observing and advising nature. In order to be more flexible and to effectively contribute to the above mentioned policy goals and in order to optimally link the deployment of police officers to the operational interests of the police, I am planning to broaden deployment possibilities by permitting the performance of executive tasks. Also, I want to deploy police staff in higher-risk areas. The planned participation of the Dutch Police in the EUPOL mission in Afghanistan is a good example of this.”²²⁸

In her letter, the Minister formulated as policy goals for international deployment:

- Promoting the international rule of law,
- Enforcing regional stability,
- Contributing to national security,
- Promoting intensive international police cooperation and the
- Development of an international police network.

The first two policy goals correspond with the ISS and so does the Minister's ambition to maximise the effectiveness of mission deployment. Next to these objectives, however, the quote shows that this policy vision adds the desire to align police deployment in missions with other security policy instruments. This objective materialises in the perceived function of the international deployment of the police in peacekeeping missions as a way of contributing to national security, promoting intensive international police cooperation and developing an international police network.²²⁹ These internal

227 According to Article 4 of Covenant EA2001/99556, a MOU between the Dutch Government, the chiefs of 25 police forces, and the National Selection and Training Institute of the Police, regulating the deployment of the civil police in peacekeeping missions.

228 *Inzet Nederlandse politie en Koninklijke Marechaussee bij internationale civiele politie-operaties*, Netherlands Minister of Internal Affairs and Kingdom Relations, Document 27476 nr 14, The Hague, 5 November 2008.

229 *Ibid.*

security goals have been confirmed by respondents interviewed for this study from both the Ministry of Security and Justice and the NP.²³⁰ The Ministry of S&J, that took over accountability for the NP from the Ministry of Internal Affairs in 2010, takes part in the Steering Group Missions and Operations (SMO), the highest advisory organ that prepares governmental decisions on police deployment in missions. Hence, these internal security criteria are factors of relevance when the Netherlands decides to contribute police capabilities to missions.²³¹

Closely related to these policy goals is the ambition of the NP to fulfil high-level functions in missions, as a way of maximising positive effects on national security and on their own organisation. The ambition to deploy a substantial number of police staff, that can at least justify the overhead costs of recruitment, selection and training, can also be seen as a method of enhancing both internal and external effectiveness. Some interviewees stated that, from an efficiency point of view, the maximum number of 100 trained and prepared personnel on reserve and 100 in a mission at any moment in time should be considered the proper minimum numbers to strive for.²³²

The NP acknowledges the reverse capacity-building effect of sending police staff abroad in international missions. This means that NP staff, having worked abroad under sometimes difficult circumstances in an international working environment, return with new knowledge, competencies and experience that can be utilised internally, in the police organisation. Mission deployment has been adopted as one of the options of gaining work experience on an international strategic level and forms part of the NP's international management development programme.

Experiences from earlier deployment in missions

Since the beginning of this millennium, Dutch regional and national civil police forces have increasingly deployed staff in international operations. The 2011 police mission to Kunduz, Afghanistan, has in the Netherlands to some extent delineated the public image of police missions. In fact the 'Kunduz mission' refers to the Dutch Integrated Police Mission (IPM) that was a 2011 intensification of a Dutch police contribution to the EU's EUPOL mission in Afghanistan that had already started in 2007. As shown in an overview of civil police deployments starting or ongoing since 2000 (appendix G), there have been 17 missions to which the Dutch civil police have contributed with mostly a small number

230 Interviews with a number of respondents at the Ministry of Security and Justice and the Police, July-October 2015.

231 See chapter 4 of this report for a more detailed picture of the policy agendas that play a role on the (inter)departmental level.

232 Interviews with a number of respondents at the Ministry of Security and Justice and the Police, July-October 2015.

of officers: the largest deployment of Dutch civil police officers was indeed to EUPOL, with at its maximum 50 staff. Other contributions consisted of a maximum of 10 police officers.

In recent years, the number of Dutch police officers deployed per year fluctuates between 30 and 40, meaning that the goal of 100 is not reached. At the time of writing, the NP contribute to seven missions, four of which are under the UN flag, two EU and recently a cohort has left to be deployed in the OSCE's Special Monitoring Mission in Ukraine. In all cases, NP staff have been tasked with training, monitoring and advice activities. However, in Sudan and Mali, once in theatre, police staff have also been employed in an executive role.

Since the NP has to rely on voluntary applicants for mission deployments, it has been rather difficult to form a diverse pool of police officers that matches both the IO's demand and the NP's own ambition to fulfil high-level functions. Already in 2008, in the policy letter on mission deployment, the ambition was to form a more diverse pool of police officers for deployment – diverse with regard to the function level, specialisation and gender.²³³ If compared to the KMar, on the one hand human resources management is hampered by the voluntary basis of mission deployments. On the other side, since not all of the organisation's staff are meant to be deployed, selection criteria can be better aligned with the actual (policy) needs. In 2011 the International Management Development Programme was launched as a special training curriculum aimed at preparing high-ranking police officers and high potentials for international police functions.

Another flaw of the NP regarding mission deployment are difficulties that deployed police officers encounter after their return. In a 2014 study focusing on internationally deployed police officers' need for (psychological) support after return, Van der Ark signals that ¾ of all deployed police officers encounter problems. One of these problems is finding suitable re-employment. For their functional reintegration in the NP, police officers are to a large extent dependent on their former management. Sometimes, as Van der Ark has shown, this even serves as a push factor for volunteering for new mission deployments. Van der Ark has recommended that more attention should be paid to the mental resilience of deployed staff and their families.²³⁴

To a certain degree these shortcomings are addressed by the ongoing integration of the former 25 police forces that, to some extent, all knew their own practice in recruitment procedures and re-employment. However, the long and complicated process of personnel reorganisation of the NP has led to a locked and inflexible HR situation,

233 Netherlands Minister of Internal Affairs, *op. cit.*

234 *Uitzendingen beter regelen*, Politievakblad Blauw, Amsterdam, 27 January 2014.

making it even more difficult to find suitable re-employment after return from a mission. Also, a 2015 policy review of the reorganisation of the NP has increased the power of mayors to allocate budget and staff. This might negatively affect the efforts to harmonise the NP's policy in recruiting a diverse pool of staff for police missions.

Deliverable capabilities

Given their national tasks, the NP as an organisation harbours a broad set of capabilities and expertise. As said, when it comes to mission deployment, the NP aims at strategic management levels and alignment with national strategic programmes. The International Management Development Programme and a central pool of internationally experienced management experts, provides the eligible staff members for the first objective. Operational or intelligence specialists with expertise in assessing or countering transnational organised crime, terrorism, war crimes and cybercrime could be of value for the latter. Since the deployment to missions is based on voluntary applicants, the NP relies on active campaigning measures in the search for individuals with the right sets of competencies. Prior to admission to the pool of possible candidates, the regular management will have agreed to release staff members from their normal duties.

An assessment of the organisation's special niche expertise can help in determining what competencies can be of added value to international organisations.

Earlier mappings of competencies in relation to mission deployment and interviews with police experts and policy makers at the Ministry of Security and Justice have resulted in the following list of relatively well-developed competencies in the NP:

- Institution building
- Integral chain approach to crime investigation, including civil, private and other partners
- and community policing,
- Gender, with a special focus on the development of female police officers
- (The development of) Practice-based training focused on intelligence-led policing and community policing
- (Mission) Management
- Forensic technical support (crime scene investigation techniques and forensic work in relation to criminal investigations)
- Operational skills, such as the preparation of house searches
- Special niche expertise in multi-agency approaches to organised crime, high-tech cybercrime, money laundering and trafficking in human beings.²³⁵

235 Interviews with a number of respondents at the Ministry of Security and Justice and the NP, July-October 2015.

From earlier deployments, NP respondents have learned that the NP are strong providers of training, especially where the focus lies on training mid and high-level management. Also train-the-trainer constructions and developing training modules are considered to be assets that have proven their value.²³⁶

2.3 Lessons learned from earlier KMar and NP deployment

Interviews held for this study with respondents from the NP, the KMar and the Ministries of Defence and Security and Justice²³⁷ provided some lessons learned that are relevant to both the KMar and the NP:

Mission timeframes

NP respondents who have been involved in missions or in mission support generally back the recommendation touched upon in chapter 2, that for many functions, especially regarding capacity building and SSR, longer deployment timeframes would be advisable for optimal results. Several respondents have stated that for optimal results in SSR missions, deployment periods of 18 months should be standard. Current government policy stipulates that for the NP the standard duration of mission deployment is six months and this can be extended by another six months. In 2010 these provisions were amended so that from then onwards 'under special circumstances' other arrangements could be made in relation to the deployment period.²³⁸ In practice, especially regarding deployment on strategic management level in missions, the extension to one year has already become the standard.

For the KMar, as discussed above, mission timeframes are based on the policy of Defence and generally do not exceed 6 months for mid-level ranks. As an exception to this rule, 10% of deployed KMar officers (below the rank of Colonel) may on a voluntary base be sent abroad for a period longer than that. Several interviewees indicated that for key positions it is of the utmost importance, firstly, to operate with longer than normal mission timeframes and, secondly, to ensure that when rotated, the next functionary will also be KMar. Such an approach would provide continuity of the efforts put into consulting or comparable tasks.

236 Ibid.

237 Interviews with a number of respondents at the Ministry of Security and Justice, KMar and the NP, July-October 2015.

238 *Besluit beschikbaarstelling politieambtenaren ten behoeve van vredesmissies*, Netherlands Minister of Justice, The Hague, 2002.

Profile matching

In a study dating from 2002²³⁹, there is mention of the then sometimes occurring frustration among KMar personnel regarding the deployment policy. The core issue of discontent then was personnel being appointed for a mission, instead of using volunteers. Nowadays, personnel are still being appointed for a mission (only avoidable temporarily and for strong – personal – reasons), and obviously not everyone will be content with such an appointment, however interviews with KMar staff have made clear that it is commonly perceived and accepted as an elementary part of the larger job. What remains, however, is a sense of a lack of proper selection; the feeling is that KMar could do better at profile-matching between a post to be filled and an individual to be sent.

On the individual level, KMar respondents expressed a need for better profile-matching: a competency-based list should direct the selection of personnel. In the current situation, the time that has passed since a person's last mission deployment and his or her total number of deployments weigh in too heavily in selecting staff for a mission. Also, rank is not always a proper indicator of specific expertise, although under-ranking should be avoided. From a cultural perspective the KMar cannot send relatively low ranking officers to mentor or advise the high(est) levels of officials in the Host Nation.

On the organisational level, respondents of both KMar and the NP recommended choosing missions that are in need of the specific strengths that their organisations can offer. An example of what could have been a better organisational profile match is border security. It was considered to be a specific skill of the KMar, and it was identified that the Afghan Border Police needed training. However, the Netherlands did not opt for having that specific part of the overall security forces' training as their responsibility.

In order to optimise the results of the mission as a whole, it is recommended to increase attention for matching the actual, mission-specific demand for police capabilities with the deployment 'package' offered by the Netherlands. An assessment of the relative competence of KMar and the NP in relation to the specific case to case demand, should weigh more heavily than it has done in some cases.

Improve alignment with national security objectives

In order to enhance both the mission's results and the 'return of investment' for the Netherlands, Dutch authorities, next to improving the profile matching between the IO's demand and supply from the KMar or NP from case to case, the Netherlands can consider to specialise in certain niches on the mid-term. Instead of stressing the broad variety of tasks that can be performed in missions, more specialisation offers

239 Kop, N. and Euwema, M.C., 'Nederlandse politie agenten op vredesmissie: Lessons Learned van de KMar,' *Tijdschrift voor de Politie* 64(9), Amsterdam, 2002, pp. 25–30.

the opportunity to adopt certain themes or regions. In choosing these niches, risks and threats to national security that are perceived from the Dutch perspective can be weighed in. More specialisation offers the additional advantage of more clear objectives of the Dutch government regarding police deployment abroad and a sharper profile of both KMar and the NP as supplier of assets. Also, the quality of the police capabilities to be deployed can be enhanced in a more focused manner and specialisation can increase complementarity between KMar and the NP by more strongly defining their respective roles. Other ways to optimise alignment with national security objectives are discussed in chapter 4.

The whole government approach

In order to enhance the effectiveness of contributions to missions the Dutch 'civil package' for a certain mission could be more integrated. This can be realised, for example, by an increased share of joint training and preparatory meetings and by the collective setting of goals. A more integrated Dutch (civil) contingent could prevent turf battles, or competency conflicts between the KMar and the NP from negatively affecting the performance of the Netherlands as a whole, once in the theatre.

2.4 Sub-conclusion

With both KMar and NP as donor organisations for police deployment, the Netherlands has a broad and well-developed toolkit that in many ways meets, or can adapt to the demand of the four IOs assessed in Chapter 2. Both KMar and NP put effort into maximising their potential deployability in missions by stressing the variety of tasks that can be performed. More specialisation in niches is worth taking in consideration, as a sharpened profile of both organisations and more clarified objectives of the Dutch government regarding police deployment abroad can increase success in selection procedures. The selection of niches, or adopting certain themes or regions, could be based on risks and threats to national security that are perceived from the Dutch perspective. More selection offers the opportunity to enhance the quality of the police capabilities to be deployed and it can increase complementarity by more strongly defining the respective roles of KMar and the NP. On the other hand, there are advantages to having a flexible recruitment system in place in order to match the actual demand by IOs in a timely manner.

As long as the respective roles of KMar and NP in international police deployment are not defined more sharply, the organisations' relative competency has to be determined on a case to case basis once contributing to a certain mission is on the table. A generic set of criteria that distributes tasks between KMar and NP in all thinkable mission scenarios does not logically follow from the deliverable capabilities of both organisations. Mission needs are variable and the differences in approach, culture and expertise can be subtle and need a case-to-case assessment. Some basic guidelines,

however, can be drawn from both organisations' general features that have been described above and from interviews held with mission experts from both organisations.

Both organisations bring a basic level of policing ability, enhanced by very specific skill sets. In SSR/MMT&A tasks, when a fundamental and generic reform of police is needed, both the KMar and the police are in position to be deployed. When more in-depth expertise in certain policing fields is needed, as might be the case in further stages of police reforms, a decision on deploying the police or KMar should depend on the particular kind of expertise needed. It seems beyond dispute that border management specialists can be found at the KMar and community policing is more natural to the civil police. But even then, depending on the mission's circumstances, a KMar officer can be just as effective in transferring the basics of community policing as a police officer.

Next to the needed policing competencies, the risk level in theatre should be taken into account when assessing the relative competency of KMar and NP staff to be deployed in particular missions. In unstable areas, KMar-staff are in this respect the better option, although this argument should be considered in concert with others. Falling under the Ministry of Defence, KMar staff are tied to more strict time limits in mission deployment than the police. For the Police the standard duration of deployments abroad is one year, which can be extended under special circumstances. As the chapters on the NATO and OSCE show, some institutional obstacles exist to deploying civil police under military command in NATO missions and also to deploying Dutch military staff in OSCE field operations. However, if needed, existing restrictions can most probably be overcome.

3 Police missions as a national security instrument

The Netherlands have made a legal commitment to promote the development of the international legal order in Article 90 of its Constitution. As outlined above in the chapters on the mission deployment policy of KMar and the NP, this self-imposed duty is elaborated in the International Security Strategy (ISS); the dominant policy framework guiding government decisions to deploy NP or KMar-staff in international operations. In this strategy, 'an effective international legal order' is one of three leading strategic interests of the Netherlands, the other two being 'defence of our own and our allies' territory' and 'economic security'.²⁴⁰ In the ISS and its 2014 update, these strategic interests have been translated into several more tangible policy implications.

As shown in the NP section (3.2) of this report, next to the ISS a second set of policy ambitions with regard to police deployment in missions exists. The desire to better align mission deployment with other police activities and to contribute to national security have been mentioned from the side of the Ministry of Internal Affairs (the departments of this Ministry responsible for the Police merged in 2010 with the Ministry of Justice in the Ministry for Security and Justice).²⁴¹ What should be understood by 'contributing to national security'? Is it useful to distinguish national from international security policy goals? This suggests a contradiction that is for the most part false. The ambition to promote the international rule of law that forms part of the international security agenda in many cases also impacts the national security situation. Perhaps assisting a country in the Sahel region in building up democratic government structures will not have a direct impact on problems already dealt with by the Dutch police forces on their national territory, but it can contribute indirectly to preventing the Netherlands from future security threats.

As a logical consequence of their main responsibilities, the NP, the department of Security and Justice, mayors and public prosecutors under whose authority the NP operate, tend to focus on security problems that are taking place in real time and on national territory. Although estimates of future security developments are included

240 *International Security Strategy – A Secure Netherlands in a Secure World*, Government of the Netherlands, The Hague, June 2013.

241 *Inzet Nederlandse politie en Koninklijke Marechaussee bij internationale civiele politie-operaties*, Document 27476 nr 14, Netherlands Minister of Internal Affairs and Kingdom Relations, The Hague, 5 November 2008.

in strategic policy agendas, when choosing priorities, threats and crime problems with a high actual impact dominate. Therefore, when thinking about national security objectives, the NP or the Ministry of Security and Justice tend to have another set of security issues in mind than Foreign Affairs or Defence policy makers.

Given that there is a strong interrelationship between the internal and external security situation, there should be benefits in creating or reinforcing a nexus between the programmes and the instruments used to intervene. This chapter seeks to assess what can realistically be expected of police deployment in international operations as an instrument used for the various nationally prioritised security policy goals. This focus at internal security objectives does not reflect the opinion that these objectives should dominate in deciding if and where to contribute policing capabilities to multilateral operations. As shown in chapter 2.1, the reasons for contributing can be manifold.

Since at the EU level, under pressure from the migration crisis, military and civilian actors are increasingly trying to operate in a coordinated fashion for border security, this chapter starts by discussing this development so as to lay a foundation for discussing other ways to link internal and external security objectives by way of police deployment in multilateral operations. The chapter continues with listing security issues with international links that impact the Netherlands and that can theoretically be served by police deployment in EU, UN, OSCE or NATO operations. It concludes with an exploration of the practical possibilities of using police deployment in missions for addressing these security issues.

3.1 The EU's nexus CSDP-border security

Due to the vast increase in boat migration across the Mediterranean the EU's border security has received attention from the highest political level in the Union. In April 2015 a European Council meeting was specifically dedicated to this issue, leading to the Council decision to launch a new military CSDP operation. Two months later, the European Union Naval Force Mediterranean (EUNAVFOR Med) operation was launched, tasked with undertaking systematic efforts to identify, capture and dispose of vessels and enabling assets used or suspected of being used by migrant smugglers or traffickers to be seized. The operation cooperates closely with Frontex, the Justice and Home Affairs agency that manages the EU's external border cooperation.

Thus, practice has surpassed theory. While the linkage between external and internal security has been underlined since the European Security Strategy was launched in 2003, in reality the connection between CSDP activities that form part of the EU's external security portfolio and those of the EU's internal security actors has remained weak. The juridical and institutional separation but also different agendas – known as the dilemma between 'gate-keeping' and 'state building' – are main factors for

explaining the lack of an integrated approach. EUNAVFOR-Med, which has been renamed Operation Sophia with the start of the second phase on 7 October 2015, has moved CSDP to the EU's borders. The (military) external security instrument is now directly and visibly deployed in the context of strengthening the EU's internal security. Conceptually both worlds are also coming together; take, for example, the EU Concept on CSDP support to Integrated Border Management, that aims to promote the EU's concept of Integrated Border Management (IBM) abroad, which is currently being done in Libya, Rafah, Moldova and Ukraine.

From the summer of 2015 onwards, apart from the boat migration on the Mediterranean, Europe observed an enormous increase in migration from the (wider) MENA region. By the end of October 2015, the total number of irregular migrants detected in 2015 by Frontex is approximately 1.2 million. What tended to be a problem primarily for Southern European countries has now become an issue in all EU member states and serious problems have arisen in the Balkans, with migrants looking for a way to enter the EU.

One of the measures taken by the European Council in October 2015 is to reinforce Frontex and to enhance its mandate in order to develop a European Border and Coast Guard System. The importance of EU border security is likely to increase even further in the future, taking into account the future security risks and challenges in Europe's neighbourhood. As military assets (and personnel) will be required to beef up the instruments required to deal with border security on a much larger scale than in the past, the old distinction between external CSDP crisis management missions and internal Frontex security operations will become outdated under the pressure of practical needs.

The European migration crisis might well change the different policy agendas and help to solve the problem of contradictory policy goals of the EU's internal and external security actors. It might lead to more coherence between internal and external policy agendas on the national level as well. The call for upstream activities in order to stop the influx of irregular migrants in the Dutch political debate seems to indicate this. Police deployment in the EU's external and internal security missions, which so far have been quite different, might in the near future increasingly become of a hybrid character in this respect, serving internal and external interests at the same time.

In fact civilian CSDP missions already contributed to internal security long before EUNAVFOR-Med was launched. By strengthening the rule of law and contributing to security sector reform and the capacity building of criminal justice structures in countries in the Balkans, the Middle East and Africa, CSDP civilian missions have helped to counter the risk potential of spill-over effects of instability and conflicts to Europe. They are linked by the same overall objective of "protecting the EU's 'safe' internal space from an 'unsafe' external environment." Since the area of security issues with (a potential) impact on the Netherlands that can theoretically be served by police

deployment in missions is broader than the issue of migration, the next section seeks to take stock of the most prominent issues, based on national security policy documents.

3.2 Dutch policy goals and security issues

Deciding to deploy police officers to specific missions is up to the Dutch national government. Such decisions are prepared in the interdepartmental Steering Group Missions and Operations.²⁴² It is at these weekly Steering Group meetings, that are presided over by rotation between the MFA and Defence, that the different security policy interests that can potentially be served by police deployment abroad come together. Permanent members of the Steering Group are high-level officials from the Ministries of Foreign Affairs, Defence, Foreign Trade and Development Cooperation, General Affairs (the Prime Minister's department) and Security and Justice. In this section the security policy priorities that determine the agenda(s) for these different stakeholders are discussed: the International Security Strategy, the National Security Strategy, the National Cyber Security Strategy and the Security Agenda.

ISS

Unlike in the case of military contributions to conflicts abroad,²⁴³ there has not been a dedicated policy framework formulated for police deployment in international operations. However, as mentioned earlier, all direct stakeholders agree that the International Security Strategy (ISS) offers the dominant policy goals and motivations for deployment decisions. The leading strategic interests that the ISS formulates, being defence of our own and our allies' territory, an effective international legal order and economic security, are translated into six policy implications:

- The EU should become an even stronger actor in the area of security
- Involvement in unstable regions near Europe
- Prevention
- Disarmament and arms control
- Integrated approach
- Cooperation with the private sector²⁴⁴

With regard to mission deployment, the most important notions related to these policy approaches are: The leading role of the EU in the area of security: 'With its

242 Stuurgroep Missies en Operaties, abbreviated as SMO.

243 *Kamerbrief over de werking van het Toetsingskader*, Netherlands Minister of Foreign Affairs, The Hague, July 2012.

244 *International Security Strategy – A Secure Netherlands in a Secure World*, Government of the Netherlands, The Hague, June 2013.

special representatives, its missions and operations, and its development cooperation programmes in the field of security, police services and criminal justice, the EU makes an important contribution to stability and security in other countries. (...) The Netherlands intends to contribute by supporting missions and by pressing for greater coherence in the activities of the different EU institutions.'

Although in formulating the main strategic interests, the interest of national security – apart from territorial and economic security – remains implicit in the ISS, the focus on unstable regions near Europe is justified as follows: 'Events on the edge of the European Union have a direct impact on our own security and prosperity. The Netherlands has decided to step up its involvement in the Arab region in the knowledge that a number of countries there are in a crucial transitional phase will determine the stability of Europe's external borders over the next few decades. Contributing to democratisation and, therefore, stabilisation in the neighbouring region to the south will enable us to contain the risk of illegal migration and reduce the threat of terrorism.'

Under 'prevention' a whole variety of activities and security issues are bundled, ranging from the prevention of organised crime, issues of cyber insecurity and (nuclear) terrorism, to preventing environmental change and conflict prevention. Prevention activities in these areas lean on an extensive set of measures, initiatives and instruments, mission deployment being only one of them. But if the ISS is the dominant policy framework for deciding on mission deployment, potential contributions of (police deployment in) missions to preventing these forms of insecurity will probably be considered as an asset.

Somewhat more in detail, the 'prevention of organised crime' is translated into objectives such as safeguarding the integrity of governments, an adequate international anti-money laundering regime and solid border control. Spill-over effects from drugs and weapons trafficking and illegal migration coming from the Caribbean region are to be prevented by active involvement in this region. The priority of disarmament and arms control focuses mainly on banning weapons of mass destruction and on nuclear disarmament through active participation in the relevant international structures and platforms. Since the integrated approach and cooperation with the private sector are in fact instrumental to the actual policy goals, they will not be further discussed here.

Policy Paper on International Security²⁴⁵

Reacting to increasing instability on both the Eastern and Southern borders of the European Union and in the Levant, the ISS was re-estimated by a policy paper in 2014, that in fact reconfirms all of the six policy lines articulated in the ISS. The focus on

245 *Beleidsbrief Internationale Veiligheid – Turbulente Tijden in een Instabiele Omgeving*, Netherlands Minister of Foreign Affairs, The Hague, 2014.

unstable regions in the EU's immediate neighbourhood and the key role of the EU as a security actor are stressed as having gained importance. New in this policy paper is an emphasis on long-term investments and commitments in relation to crises that are foreseen to endure. A good balance should be found between 'fast security', i.e. tackling the acute symptoms of crises, and 'slow security', as in developing multiannual, strategic approaches to address the underlying causes of instability. Also, the paper highlights the importance of the OSCE as a security and political actor contributing to a solution of the Ukraine Crisis.

Other than in the ISS, the 2014 paper expresses the need to focus on organised crime in relation to mission deployment: "When undertaking UN and EU missions – and deciding on how the Netherlands is going to contribute to them – account should be taken of the impact of emerging transnational organised crime, whether aimed directly or indirectly at the Netherlands or Western Europe. Strengthening local and regional rule of law structures should therefore be explicitly included in the missions' mandates."²⁴⁶

In the policy paper, the interconnectedness of internal and external security is acknowledged. It calls for good coordination 'between the various government bodies concerned with national and international security'. Therefore, the policy letter is 'tied in' with the national security strategy, the national counterterrorism strategy and the national cyber security strategy.²⁴⁷ However, this paper does not 'translate' the linkages between these strategies into coordinated priorities, neither does it stipulate how to implement these in an integrated manner. Also, the National Priorities for the Netherlands Police are formulated in the Security Agenda, discussed below, that is not 'tied in' with the ISS and its follow-up police paper. Since there are no policy documents that provide for these gaps, the interpretation and implementation of security priorities continues to be a stove-piped exercise.

National security strategy

The National Security Strategy dates from 2007. It focuses on the protection of society and population on Dutch territory; the strategy also speaks of the 'vital interests of the state' against internal and external threats. The strategy defines national security as being jeopardised when vital interests of the state and/or society are threatened to an extent that might lead to social disruption.²⁴⁸ Five vital interests are discerned: territorial safety, economic security, ecological safety, physical safety and social and political safety. In 2007 the NSS identified the following threats that are of potential relevance in decision making regarding Dutch contributions to missions:

²⁴⁶ *Ibid.*

²⁴⁷ *Id.*, p. 2.

²⁴⁸ *International Security Strategy – A Secure Netherlands in a Secure World*, Government of the Netherlands, The Hague, June 2013, p. 9.

1. Violations of international peace and security
2. Proliferation of chemical, biological, radiological and nuclear weapons
3. Terrorism
4. International organised crime
5. Digital insecurity
6. Economic insecurity

Since 2007, as part of the methodology of the National Security Strategy, each year a small number of scenarios have been elaborated. These scenarios add up to the National Risk Assessment. They have formed the basis for the measures taken by the government in order to adequately react to, counter or identify threats. A new, overarching assessment of national security threats, the first one since 2007, is planned to be published in 2016. The NSS is currently not designed in such a way that it can easily be plugged into the decision-making framework for (police) mission deployment abroad, since it lacks a recent overall analysis of threats to Dutch vital interests. Since the National Security Strategy and the underlying National Risk Assessments have already been taken into account by the International Security Strategy, no additional policy goals for mission deployment derive from these documents.

National counterterrorism strategy²⁴⁹

The National counterterrorism strategy 2011-2015 was sent to Parliament in 2011 by the Minister of Security & Justice. Since 2007 counterterrorism interventions by the Dutch government have been centrally coordinated by the National Terrorism and Security Coordinator who acts under the authority of the department of S&J. This strategy promotes a comprehensive approach. Its overall objective is 'to reduce the risk and the fear of terrorist attacks and to limit the possible damage following any attack' (p. 7).

The prime terrorist threat identified in this document is jihadism (p. 110). The strategy to counter this and other terrorist threats, such as non-religious extremist groups and non-jihadi international terrorist groups, is organised in 4 clusters:

- International jihadism
- Migration and travel movements
- Technology and innovation
- Continued development of the surveillance and protection systems.

Measures that can be linked to Dutch contributions to international missions can be found in the first cluster. The strategy stresses that the 'terrorist threat is first and foremost international in nature and (partly as a result) largely unpredictable and changeable' (7). Direct reference to Dutch counterterrorism activities abroad is the

²⁴⁹ *National counterterrorism strategy 2011-2015*, Netherlands Minister of Security and Justice, The Hague, 2011.

recognition that transnational jihadist networks' ability to act is fuelled by developments in conflict areas abroad. This leads to the Dutch aim to contribute 'internationally to preventing and neutralising any further escalation in the jihadist conflict areas. It is essential to have an insight into the developments in these regions and the resulting risks. The cohesion between foreign policy, the armed forces, intelligence and national counterterrorism policy aimed at the respective regions will be further encouraged, both at policy level and locally where possible' (111). Although it is conceivable that mission deployment can also contribute to the strategic cluster of 'migration and travel movements', the focus here is on preventing Dutch migration policy being misused for terrorist aims, preventing travel movements to and from training camps and terrorist conflict areas and at improving border surveillance. Although cooperation with international partners is mentioned, the Strategy does not directly make a link with foreign policy here (111).

National cyber security strategy²⁵⁰

The second national cyber security strategy, issued in 2013, is more focused than the first version on international capacity building. Also, cyber security is a domain where civil-military cooperation is considered of vital importance, as a reflection of the increasingly hybrid civil/military background of the sources of cyber threats. Digital capacities of Defence are active in preventing and countering cyber-attacks on Dutch civil infrastructures. The international agenda regarding cyber security focuses on harmonising legislation and on international cooperation on platforms such as Europol's European Cybercrime Centre. There is no reference to the possibility of police deployment in international missions for the purpose of cyber security. Therefore, this National Cyber Security Strategy will not be further discussed here. In case of a future demand for the contribution of police expertise in this field to international missions, however, as shown in chapter 3, the Netherlands can offer a relatively high level of expertise in this niche of policing.

Security Agenda 2015-2018²⁵¹

While it is the International Security Strategy that serves as the main policy framework in relation to the deployment of Dutch military or police forces in international missions, in deploying staff of the NP there is also the ambition to coordinate this with police activities on national territory. The national priorities for the NP are negotiated in a four-year cycle by the mayors of ten Dutch security regions, the president of the Public Prosecutor's Office and the Minister of Security and Justice.

250 *Nationale Cybersecurity Strategie 2 – Van bewust naar bekwaam*, Nationaal Coördinator Terrorisme en Veiligheid, The Hague, 2013.

251 *Veiligheidsagenda 2015-2018*, Netherlands Ministry of Security and Justice, The Hague, 16 September 2014.

In setting priorities for the NP, the Security Agenda is complementary to local and regional Security Agendas that deal with local and regional issues. National policy objectives for the NP are formulated in the Security Agenda when there is added value in a nationally coordinated strategy or interventions. In the Security Agenda 2015-2018 this has been the case for forms of crime with an undermining impact on society, horizontal fraud (fraud between citizens), child pornography and high-impact crimes, such as armed robberies. So-called 'undermining crime' is not strictly defined, but includes activities on drug markets or in the (sexual) exploitation of human beings that are profitable to the extent that they result in a certain economic power for the offenders. In many government documents 'undermining' is used as a synonym to organised crime. Activities to counter undermining crime are based on a multi-agency, comprehensive approach, that can include inter alia health care agencies, fiscal and administrative authorities.

The Security Agenda 2015-2018 tasks the department of Security and Justice to reinforce international efforts in countering undermining crime and cybercrime and to harmonise the activities of the NP and their national partners with other departments. This harmonisation of activities can be based on strategy documents that elaborate in detail the chosen approach to undermining and other forms of crime and strategic country programmes that combine and coordinate international police activities with a list of prioritised countries and regions.

After the centralisation of the Dutch Police had started, in 2013 strategic country programmes (SCPs) were drafted for seventeen countries that were selected based on the intensity of their criminal ties with the Netherlands. The need for cooperation and/or long-term partnerships with countries like the USA and China formed a second ground for inclusion in the list of SCPs. Since 2013 the NP and the Ministry of S&J have formulated SCPs for the following countries: Belgium, Germany, France, the United Kingdom, Italy, Spain, Poland, Romania, Bulgaria, Turkey, Morocco, Australia, China, Colombia, Suriname, and the USA.²⁵² Russia was added at a later stage. Although the system of strategic country programmes is currently subject to evaluation and will perhaps be altered in the near future, the policy objectives that led to their installation are still in place: focusing the dedication of resources to a select set of countries; a comprehensive approach to the different forms of crime and criminal cooperation related to these countries, in order to maximise the security effect for the Netherlands and be a reliable partner in international police cooperation.²⁵³

252 Princen, S.B.M. et al, *Evaluatiekader doelrealisatie strategische landenprogramma's voor internationale Politiesamenwerking*, Utrecht, 2014.

253 *Id.*, p. 5.

Migration policy agenda

Where above some international security issues that can lead to spill-over effects in Europe or the Netherlands have been discussed, migration is a spill-over effect in itself. Chapter 2 showed an increasing demand for border control expertise to be deployed in CSDP and Frontex operations. The Ministry of Security and Justice is responsible for the border protection tasks of KMar and also for their deployment in Frontex operations. National migration policy is to a large extent interlinked with European policymaking. In May 2015 the European Commission published the European Agenda on Migration that was positively received by the Dutch government.²⁵⁴ This Agenda partly deals with the immediate action that is necessary in order to prevent humanitarian tragedies. One of the measures proposed is adding border management components to CSDP missions in countries like Niger and Mali. Another measure potentially involving the KMar or NP is the deployment of the European Asylum Support Office, Frontex and Europol to hotspots for migration to assist frontline member states in swiftly identifying, registering and fingerprinting incoming migrants. In order to 'manage migration better' the Agenda inter alia elaborates measures aimed at reducing the incentives for irregular migration and border management measures focused on saving lives and securing external borders.²⁵⁵

On the national level, four priorities in the area of migration and development that were first outlined in a policy paper sent to Parliament in November 2014 by the Directorate General of the Ministry of Security and Justice dealing with immigration issues, were reconfirmed by the relevant Ministers in November 2015:²⁵⁶

1. Enhance migration management;
2. Co-operation with governments and host communities in relation to the facilities for refugees;
3. Involving diaspora in the development of its country of origin;
4. Promoting volunteer return and sustainable reintegration.

The KMar has been referred to as a provider of expertise in setting up effective migration management systems, and in countering people smuggling and human trafficking.²⁵⁷

254 *Appreciatie van de Europese Migratieagenda*, Netherlands State Secretary of Security and Justice, Netherlands Ministers of Foreign Affairs, and for Foreign Trade and Development Cooperation, The Hague, 2015.

255 *Communication from the Commission to European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions*, European Commission, Brussels, 13 May 2015.

256 *Kamerbrief ACVZ-rapport strategische landenbenadering en de voortgangsrapportage migratie en ontwikkeling*, Netherlands State Secretary of Security and Justice, Netherlands Ministers of Foreign Affairs, and Foreign Trade and Development Cooperation, The Hague, 5 November 2015.

257 *Kamerbrief over Beleid inzake migratie en ontwikkeling*, Netherlands Minister for Foreign Trade and Development Cooperation, The Hague, 28 November 2014.

In conclusion, the variety of strategies and policy agendas discussed here shows that the Netherlands lacks an integrated (international) security agenda. Although the stakeholders agree on the dominance of the ISS, in reality several other agendas exist and play a role. The section on the European Union shows that stove-piped trajectories of internal and external security policy making are not an exclusively feature of Dutch policymaking, although in the EU in 2015 important steps forward have been taken. As the European migration crisis is seen as both an internal and an external security issue, the instruments to tackle it have increasingly converged. In the Netherlands, security agendas diverge: the NP, National Prosecutions office and Ministry of Security and Justice concentrate on the most pressing security issues that take place *in the actual situation* within national borders, while the Ministries of Foreign Affairs and Defence focus on conflicts or crises abroad and their (future) effect in the Netherlands.

Though not harmonised to a full degree, an overlap does exist between the agendas. The different security policy lines find each other in themes like the prevention of cyber insecurity, organised crime and terrorism. Also, there seems to be a consensus in the focus on unstable regions in the EU's neighbouring areas in the South, the East (the updated policy letter also mentions IS) and the relatively unstable areas within Europe (although strategic country programmes also prioritise regions in the Americas). Cyber security and foreign terrorist fighters have been selected as topics (niches) which have been prioritised for the prevention of future conflicts with a direct effect on Dutch security interests. Also, these are considered to be fields where the Netherlands is able to strongly operate/contribute internationally. A shared aim is to optimise Dutch (police) contributions to missions and, through mission contribution and by means of other influencing channels, the working and effectiveness of missions themselves. Derived from the different policy documents, a set of transnational threats that can potentially be served by the deployment of the KMar or NP abroad should at least include:

- Terrorism, especially jihadism and foreign terrorist fighters
- Transnational organised crime
- Cyber insecurity
- Economic insecurity
- Irregular Migration, including people smuggling and trafficking in human beings

The next section takes stock of the possible ways to serve these Dutch security interests by deploying police in missions abroad.

3.3 Contribution of police deployment abroad to Dutch security policy goals

This section aims to map ways to counter national security threats (that can have international causes or other links) by deploying police officers, that is Police or KMar-staff in operations of the EU, UN, NATO and OSCE. The section does not provide full evaluations of past mission deployments in the light of internal security effects, nor does it result in an exhaustive listing of possible future gains. It should be seen as a starting point for further discussion and study. As stressed before, the justification for contributing to international missions abroad can be manifold. The fact that this section focuses at internal security objectives is no reflection of any opinion that these objectives should dominate.

As shown above, security is a broad term. The National Security Strategy defines national security as being jeopardised when one of the five vital interests of the State, being territorial safety, economic security, ecologic safety, physical safety or social and political safety is threatened to an extent that might lead to social disruption.²⁵⁸ This section focuses on the security issues potentially dealt with by the NP or KMar. These issues include organised crime forms like trafficking in illicit drugs and weapons, money laundering, terrorism, cybercrime (cyber insecurity), high impact crimes, fraud and mobile banditry, migration and migration-related issues such as trafficking in human beings, labour exploitation and people smuggling, but also social unrest and public disorder.

In order to assess the internal security outcomes of mission deployment, it seems useful to discern direct from indirect effects. Direct effects can be witnessed where mission activities affect issues that play a role in the Dutch internal security situation at, or shortly after the time of intervention. For example: the mission impedes the activities of a human trafficking network in the country of deployment and thereby also of its activities in the Netherlands. Mission activities that have an indirect effect prevent the occurrence of future security problems in the Netherlands. E.g.: by helping to establish the rule of law in a country, it becomes less permissive for transnational organised crime. And hence there is less possibility of the spill-over of criminal activities to the Netherlands. Apart from having a direct or indirect effect, deployment to missions can have a positive effect on policing skills and other personal competencies. Also, it may contribute to a good network of international relations for the NP or KMar. These human resources and network effects are assets that the Australian police refer to as 'reverse capacity building'.

258 Government of the Netherlands, *op. cit.*, p. 9.

In the so-called Article 100 letters²⁵⁹, that motivate individual deployments of Dutch military, KMar or the NP, examples can be found of national security motivations for mission deployment. The deployment of a large contingent of foremost military, but also KMar and NP staff to the UN MINUSMA Mission to Mali has been justified starting with the articulation of Dutch interests. This accent on internal security benefits of the Dutch contribution to MINUSMA, and the fact that at the time of writing it is the largest deployment of Dutch troops, make it an interesting case to start this section with. In the box text, the deployment of Dutch troops and police to MINUSMA serves to illustrate internal/external security motivations, aims and results.

Minusma

'Contributing to this UN-mission serves several Dutch interests. The Netherlands benefits from international security, stability and a well-functioning rule of law. In the recently published International Security Strategy (ISS), the government has declared that it will focus on instable regions near Europe in realising these strategic goals. The Sahel region in Africa is such a region. (...) It is of importance to tackle problems in their source countries and not to wait until they spill over to Europe and the Netherlands.'²⁶⁰

The Article 100 letter that formulates the justification of the Dutch contribution to MINUSMA continues by describing (North) Mali as being a terrorism hub, a crossroads of smuggling routes for drugs and weapons and by pointing out that human trafficking and illegal migration routes run across Mali. It clearly suggests that Dutch engagement in MINUSMA seeks to prevent potential spill-over effects and tries to counter Dutch or European security issues upstream. In the second and third instance the letter points at the need for solidarity with Malinese citizens and protecting Dutch economic interests follows this articulation of Dutch interests.

In a mid-term review of the deployment to MINUSMA, the Dutch government does not translate Dutch security interests into concrete benchmarks. The review describes the situation in Mali as deteriorating and it praises the Dutch military contribution for introducing a high-standard intelligence service to a UN mission. With regard to police deployment the evaluation mentions that Dutch IPOs are active in monitoring and advising activities and projects have been set up in order to generate attention to organised crime in relation to Mali's security situation.

259 Article 100 refers to the Dutch Constitution, where it provides the legal basis and democratic procedures for government decisions to enforce and promote the international rule of law.

260 *Vergaderjaar 2013–2014, 29 521, nr. 213*, Netherlands House of Representatives, The Hague, 2014.

261 *Vergaderjaar 2014–2015, 29 521, nr. 292*, Netherlands House of Representatives, The Hague, 2015.

Interviewees have pointed out that in their opinion MINUSMA contributes to European, and thereby Dutch, security interests in an indirect way, by aiming at stability in Mali. It is not particularly the police activities of MINUSMA that make the difference in this respect, but the activities of the mission as a whole. Although the NP and KMar staff are deployed in intelligence functions, and Mali is a logistically relevant country for organised crime and migration-related issues that in the end (might) affect the Netherlands, direct effects on Dutch security are not a reality here. The intelligence on organised crime and terrorism is gathered for the purpose of the mission's own security and as a means of capacity building in Mali. Since the mission does not have an executive mandate, an operational follow-up of intelligence is dependent on the authorities of Mali and on the initiatives of the French anti-terrorist operation Barkhane.²⁶² Although it would be going too far for this study to assess the effects of these eventual operational interventions on the security situation in the Netherlands, it is certainly not unthinkable that there are such effects. However, the establishment of these go beyond managerial control of the Dutch security authorities. In relation to organised crime and terrorism, no intelligence is shared between the mission and the Netherlands.

In discussions on the Dutch contribution to MINUSMA, the Dutch liberal party MP Han ter Broeke repeatedly called for the inclusion of anti-people smuggling activities in MINUSMA's mandate.²⁶³ At the initiative of the Dutch government, human trafficking was referred to in the preamble to the UN resolution on extending MINUSMA's mandate. However, no operational activities countering human smuggling or trafficking have been included in this mandate. Dutch support for activities countering organised crime and people smuggling in the region in more direct ways is channelled through the EU CSDP missions in Mali and Niger.²⁶⁴ As referred to above, one of the measures in the May 2015 European Migration Agenda was adding border management components to CSDP missions.

262 Operation Barkhane started in February 2014 as an anti-terror initiative of a coalition of France and the Sahel-5: Burkina-Faso, Mali, Mauritania, Niger and Chad. In Mali, Barkhane is a follow-up to the French operation Serval, launched in 2013. See: <http://www.defense.gouv.fr/operations/sahel/dossier-de-presentation-de-l-operation-barkhane/operation-barkhane>.

263 Ten Broeke, H., *AO verlenging Nederlandse bijdrage aan Minusma*, The Hague, <http://www.hantenbroeke.nl/index.php/tweede-kamer/debatten54/2895-ao-verlenging-nederlandse-bijdrage-aan-minusma>.

264 *Kamerbrief Verlenging Nederlandse bijdrage aan MINUSMA, DVB/CV-089/15*, Netherlands Ministers of Foreign Affairs, of Defence, of Security and Justice, and for Foreign Trade and Development Cooperation, The Hague, 19 June 2015.

The EUCAP Sahel mission to Mali was explicitly mentioned in this context.²⁶⁵ At the EU Defence Ministers' meeting on 17 November 2015 the Netherlands Minister of Defence, Jeanine Hennis-Plasschaert, has asked the High Representative for Foreign and Security Policy to explore the potential for incorporating the task of mapping migration flows in the mandates of existing and new CSDP operations. A proposal which the HR has accepted.²⁶⁶

In interviews held with mission experts, policy makers, managers and NP and KMar staff with mission experience, some potential and realised effects from mission deployment on national security have been identified. Although, in general, most respondents warned that expectations are often unrealistic. The first challenge of peacekeeping operations or other missions is being effective at all. As seen in chapter 2, this is not always the case. If an impact on national security in the donor countries of police staff should occur, it is mostly of an indirect nature: if a mission succeeds to a certain degree in stabilising a conflict, or in building up governmental structures, potential spill-over effects caused by the conflict or by inadequate governmental control over security may be reduced.

Below, possible opportunities to optimise the impact of the deployment in police missions on national security are identified, distinguishing several phases of (deployment in) a mission. The proactive phase and the debriefing phase refer to the organisation of mission deployment in the Netherlands. The design phase and operational phase refer to the mission as such.

Proactive phase

Assuming that there is a possible impact on the (future) national security situation, a first opportunity to realise this lies in the proactive phase of selecting missions to contribute to. Based on a solid insight into the ongoing and planned police activities of IOs, missions with aims and mandates that fit national security objectives can be proactively selected. In general, from the internal security perspective, the EU and OSCE, both focusing on European security, offer good potential fits. The EU explicitly aims to harmonise its internal and external security agenda and, in doing so, it develops channels for information exchange between CDSP and agencies such as Europol and Frontex. It also tries to involve its internal security agencies in developing mandates for CSDP missions, see in the box text below. The OSCE offers the advantage of an extensive stable law enforcement network on (both sides of) the Eastern and South-

265 European Commission, *Communication from the Commission to European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions*, Brussels, 13 May 2015.

266 *Verslag Raad Buitenlandse Zaken met ministers van Defensie op 17 november jl.*, Netherlands Minister of Defence, The Hague, 4 December 2015 (translation by the Clingendael Institute).

Eastern EU borders. Looking at the OSCE field activities, countering organised crime and human trafficking have been a steady focus.

At the Ministry of Security and Justice EU missions are perceived to be more effective, and have shorter communication channels. The ISS makes this preference explicit and justifies it by stressing the primary role of the EU as a security provider in Europe and in its vicinity. However, the list of Strategic Country Programmes of the Netherlands Police that has been referred to, and the locations where the NP and KMar have liaison officers installed²⁶⁷, show that the need for international cooperation from an internal (police) security perspective goes far beyond the immediate vicinity of Europe. People smuggling and drug trafficking routes run as far as South America (cocaine, human trafficking), China (people smuggling, precursors for synthetic drugs), South Africa (a hot spot for several drug trafficking routes) and the Middle and Far East (source countries for heroin, human trafficking). For security and budgetary reasons, these international networks do not cover all countries where the NP and KMar have interests. Participating in a mission, should there be one in a relevant region, can be used as a vehicle to build up networks in countries or in administrations that are not covered by direct bilateral police networks.

In proactively selecting missions that fit national security aims, a good knowledge of the demand for police deployment and the geopolitical situation is mandatory, next to a well-analysed international programme of security interests for both the NP and KMar.

Design phase

In the early stage of mission organisation, when mandates are being designed and key roles appointed, national security goals can be taken into account in the political process of initiating and approving missions. Also, in this phase, occupying high strategic functions from the start increases national influence on the mission's activities and mandate. The precondition of having an insight into the IOs' demand for police and in the relevant national security interests that are to be served, already mentioned in relation to the proactive phase, is just as relevant in order to be effective in the design phase.

Steps are being taken to increase the role of Europol in designing mandates for CSDP-missions. Since a MOU has been signed between Europol and EEAS in December 2014, there are few formal obstacles standing in the way of using Europol's intelligence position when formulating the objectives for CSDP activities in crisis situations that affect the EU's internal security. Europol's involvement in the EU's SSR activities in Ukraine may serve as an example. See the box text below.

²⁶⁷ *Kindermishandeling*, Netherlands Minister of Security and Justice, Document 30 015, The Hague, 9 October 2013.

Operational phase

After having selected or co-created a mission that corresponds with national security objectives, operating in such a mission is the moment to harvest results, in terms of direct or indirect effects, or of contributing intelligence to or increasing knowledge of national security actors. Sometimes the result of a mission is a one on one fit to the desired security intervention from a national perspective. An example of this are the efforts of KMar airport security experts in Kosovo that led to bringing the main airport up to international security standards. A result that perfectly matches the NCTV counterterrorism strategy that calls for an intensified monitoring of migration flows.

In some cases the possible impact on national security is evidently larger than a national initiative could have had. The phenomenon of piracy may serve as a showcase example, since it is a phenomenon that takes place far from Dutch national territory, but it clearly affects the safety of Dutch shipping and Dutch economic interests.

Interviewees state that by aiming at deploying officers at a high strategic management level increases the ability to influence the operations or even mandates. Besides this, in order to be optimally and recognisably effective, it is advisable to deploy three or four persons as a group. The UN's deployment concept of Specialised Police Teams offers a possibility for securing grip on the tasks performed. A good integration of the Dutch (civil) contingent that functions in a mission can also help to increase the national influence on and therefore the national outcomes of a mission. Clear instructions to the officers that are to be deployed prior to their departure and solid communication about the specific reasons and objectives for each particular deployment from the side of the Dutch sending organisation can be brought to a higher level. Also, contact during the mission and a solid and mandatory reporting schedule for the deployed staff, related to these objectives, can be a considerable improvement in this respect.

An important side-effect of mission deployment in the operational phase can in theory be the exchange of operational or strategic information that is of relevance to Dutch security or policing agencies. In most cases, dependent on the mission's mandate, intelligence is only for the mission's own security purposes and it is explicitly forbidden to share it with parties outside the mission or IO's administration. Sometimes, the sharing of strategic information and unclassified intelligence with donor countries is permitted. To a growing extent, CSDP missions can offer a framework that allows for sharing intelligence with internal security actors. In 2011 the European Commission, its member states and the EEAS adopted the strategic Road Map "Strengthening Ties between CSDP and FSJ",²⁶⁸ which included a number of suggestions to improve cooperation between Europol and CSDP police missions. In Europol's External Strategy

268 *Strengthening Ties between CSDP and FSJ: Road Map implementation – Third annual progress report*, Council of the European Union, Brussels, 2011.

2010–2014,²⁶⁹ possible solutions allowing for the direct sharing of information between Europol and CSDP police missions have been examined, see the box text.

Cooperation between Europol/EEAS

In 2014 a new administrative arrangement between the EEAS and Europol entered into force, providing a framework for interinstitutional cooperation. Cooperation and information exchange has already been possible since 2005, based on an agreement signed in 2005 by Javier Solana and Europol. This took place before the establishment of the EEAS, hence additional arrangements were necessary.

The potential added value of closer cooperation between EEAS and Europol is threefold:

- the ability to exchange information and to influence mandates in the planning phase.
- the possibility to enrich missions with Europol's threat assessments that are of relevance.
- the possibility to enrich Europol's intelligence position with strategic or even operational information from CSDP missions.

However, practice is running behind the possibilities. Europol has not yet been fully recognised as being a relevant partner for CIVCOM and EEAS and cooperation forms and possible gains have as yet not been fully and mutually explored. The actual exchange of information has to date been limited to countering terrorism and the EULEX mission.

The first steps have been taken with Europol having played an advisory role in the design of the EU's SSR mission to Ukraine (EUAM). Europol is explicitly mentioned in the Decision establishing the EU's military CSDP operation EUNAVFOR Med²⁷⁰; however, it was not involved in the planning of the mission. EUNAVFOR Med, launched in 2015 in order to 'disrupt the business model of human smuggling and trafficking networks', would logically be directly linked to Europol's Joint Operational Team (JOT) Mare, supporting 'Member States affected by facilitated illegal migration in the Mediterranean'. The details of the bilateral cooperation between the operation and Europol are at the time of writing still being discussed.

The reference to Europol EUNAVFOR Med is a positive development, since in 2008 when launching the anti-piracy mission Atalanta, Europol had neither been consulted in the design phase, nor was it mentioned in the initial mandate. This is an omission, since Europol had an intelligence unit in place on piracy, that could have both fed the mission and benefited from it. Instead, Interpol was mentioned

269 *External Strategy 2010–2014*, Europol, The Hague, May 2010.

270 *European Union Naval Force – Mediterranean Operation Sophia*, EEAS, Brussels, October 2015, p. 1.

as a recipient of criminal intelligence. In this way an opportunity to link various EU tools was lost.

Another interesting case of cooperation is the EULEX mission to Kosovo, that since 2011 is being facilitated by Europol in running criminal investigations. As there is no framework for any direct exchange of operational information/ personal data between the mission and Europol, this was decided to be facilitated by volunteering Member States. In practice only Sweden applied for a function in the mission that explicitly enabled both operating for the benefits of the mission and providing strategic and operational intelligence gained from EULEX activities to his own police force. This has resulted in the Swedish police having additional insight into Albanian and Kosovar organised crime. Information that is being channelled back by Sweden to Europol.

As result of the Roadmap, similar interaction initiatives are taken between CSDP missions and Frontex and Eurojust. Also, Europol and NATO are taking the first steps in exploring possibilities to cooperate.

Debriefing phase

A return of investment from mission deployment cannot only be found in serving national security policy goals. In an article on the 'influence of peacekeeping missions on the police organisation' the researcher Henk Sollie introduces the term of 'dividend' in relation to sending police officers abroad. This dividend refers to positive human resource effects from having been deployed in a mission. Policing and personal competencies gained abroad flow back to the donor organisations. Next to these human resource effects, theoretically, a return of investment from mission deployment can materialise in building up a useful network abroad (future intelligence or information exchange or operational cooperation) and in gained insight into security problems.

According to Sollie, the NP – Sollie does not focus on the KMar in this article – fails to benefit from this mission dividend. Sollie warns that the organisation of the NP shows a lack of functional debriefing after a return from a mission, leading to inadequate use of experience, country information and useful contacts gained from mission deployments by the organisation of the NP.²⁷¹ This lack of a structured functional debriefing has been confirmed by interviewees who have recently taken part in missions on behalf of the NP. However, new efforts have been made by the NP to find relevant re-employment for police officers after their return, for example by employing them in policing asylum seekers' and refugees' facilities.

271 Sollie, H., 'Agenten met een vredesmissie. Ervaringen van Nederlandse politiefunctiearissen', *Justitiële Verkenningen (WODC)*, 36(4), 2010, p. 54-66.

Pitfalls

On the down side, some important pitfalls have to be highlighted: National agendas can harm the relationship with host countries and other stakeholders in missions and even the realisation of a mission. The case of the EUCAP Sahel Libya has shown a negative result in launching a mission with a strong internal security signature. The hosting state in question refused further collaboration as it felt that its own security interests were not being sufficiently prioritised. Also, too detailed national wish lists that are to be included in missions' mandates or designs can be counterproductive in the actual theatre. The Dutch efforts to train police officers in Afghanistan within the framework of EUPOL may serve as an example. A final point of consideration is that there might be other roads to Rome that are more direct and effective: bilateral initiatives, installing liaison officers or Joint Investigation Teams will in some cases be the best way to go forward.

3.4 Sub-conclusion

In this section ways to counter national security threats by deploying NP or KMar staff in operations of the EU, UN, NATO and OSCE, have been mapped. Reference has been made to the fact that national security threats that form the workload of both the KMar and NP in many cases have international links. Based on interviews and literature, examples have been presented of what in reality can be done, what has been done (and with what result) and what more could be done.

In countering phenomena such as drug trafficking, weapons smuggling, money laundering, terrorism and cybercrime the chance of sorting direct operational effects by the deployment of the NP and KMar in missions should not be overestimated. Probably in most cases, when a particular kind of intelligence is needed for national security reasons or when certain security interventions have to be carried out, bilateral police cooperation, intelligence sharing via the existing multilateral channels, or multilateral police cooperation in dedicated Joint Investigation Teams is probably the more effective route to be taken. Migration and migration-related issues such as trafficking in human beings, labour exploitation and people smuggling, are different to the extent that the EU has recently launched missions that have particularly focussed on these issues, with an approach that has its roots in the recognition of the nexus between internal and external security and that brings together internal and external security instruments. Participation in these missions therefore explicitly aims at direct effects on national security. Indirect effects of mission deployment, where future spill-over effects from crises or conflicts are to be countered, can be found when efforts in creating stability in countries in, for example, Europe's neighbouring regions succeed.

Several ways to optimise the impact of the deployment in police missions on national security have been mentioned. This section discussed these means and opportunities, distinguishing several phases of (deployment in) a mission. All these phases bring their

own opportunities to increase internal security effects. The best occasions for increasing harmony between the goals of missions to contribute to and the national security effects are to be found in the proactive phase where missions can be selected that might be interesting from a national security perspective. Also in the early phases of preparing missions, active Dutch involvement can increase the influence on mandate and mission design and enhance the chances of acquiring leading positions in these missions. The operational phase is the moment when security and reverse capacity-building effects should be realised. Improvements can be made in briefing and debriefing between the sending authorities and deployed staff. It is worthwhile to assess the growing practice of information exchange between the EU's CSDP and the EU's internal security agencies, in order to learn what possibilities this offers for direct operational effects from police deployment in missions. After their return, the deployed NP and KMar staff can enrich their organisations with valuable experience, gained personal competencies and an enhanced international network and, possibly, with valuable knowledge about the security situation in the region of deployment.

To make full use of the opportunities to influence the organisation of missions and the Dutch role in these missions, close ties with the key organisational structures of missions and police deployment at the IOs' headquarters are essential. In order to fully benefit from the reverse capacity-building effect, personal and functional debriefing procedures for the sending organisations should be of a high professional standard.

Conclusion

In this study we observed the IOs' demand for police deployment is increasing and is outpacing supply. The EU, UN and OSCE struggle with both quantitative and qualitative personnel shortages when it comes to police deployment in missions. NATO, although policing is not one of its core tasks, is prepared to provide police capabilities in situations when no other actors are present in a crisis area. The increasing complexity of police mandates in missions, the multi-dimensional approach to security sector reform and other forms of crisis management and the shift of attention from observation and monitoring missions to mentoring, training, reforming the police, or the whole security sector, and capacity building require high-quality experts and senior leaders and for longer deployment timeframes. In the case of the UN and EU, a shift to more volatile operating conditions has increased training needs for staff in order to cope with physical hardship and violence. The EU's Frontex operations have witnessed an increasing human resources gap and the EU Commission's initiative to create a European Border and Coast Guard might in the near future lead to a mandatory pooling of much larger numbers of border police than seen before.

The current security situation in the world provides the Netherlands with many good reasons to contribute to international crisis management missions. Serving national security interests is just one of them. In exploring to what extent police deployment in multilateral missions can address security issues which the KMar and the NP deal with on national territory, in this study direct security effects have been distinguished from indirect effects, also taking into account that police deployment abroad can have a reverse capacity-building effect on the sending organisation. The chances of establishing direct operational effects, meaning that police deployment abroad directly and positively contributes to ongoing national security efforts, should not be overestimated. For most operational purposes other forms of international police cooperation are more direct and effective. Contributing capabilities to EU operations related to migration being the exception to this rule, since the objectives of these missions are strongly related to the national police workload in border security and other security and humanitarian activities deriving from the influx of migrants. Apart from the EU's migration operations, police deployment in multilateral operations abroad is more likely to have an indirect effect on security issues dealt with nationally, meaning that future spill-over effects from crises abroad can be prevented or reduced.

A proactive preselection of missions that might be interesting from a national security perspective and including national security interests as criteria that carry weight in deciding on deployment seems to be the most important opportunity to enhance impact on national security issues and efforts. If serving national security issues is decided

to be an objective of police deployment in a multilateral mission, there are several other ways to optimise this impact: In the first place efforts could be put in influencing mandate and mission design and acquiring leading positions before missions are launched. Secondly, potential operational effects can be realised making use of the increasing possibilities to exchange operational and strategic information between EU's CSDP missions and Europol, Frontex and Eurojust. A central interdepartmental coordination of the civil deployment to missions could be a further step in integrating and better organising and focusing the total Dutch 'deployment package' for missions. More direct contacts between mission leadership and/or headquarters and Dutch executive organisations and responsible Ministries can help in identifying the IOs needs, in bringing forward Dutch objectives and in promoting Dutch capabilities.

With both KMar and NP as donor organisations, the Netherlands has a broad and well-developed policing toolkit that in many ways meets, or can adapt to, the demand of the four IOs assessed in this report and to the national and European (security) policy goals. When it comes to the relative competency of the KMar and the NP, defining criteria for the deployment of either of the organisations cannot be based on both organisations' partly overlapping capabilities alone. Mission-specific demands are variable, especially as long as the Netherlands decide to maintain its current broad pallet of police capabilities it can offer for deployment. In order to optimise both the quality of the Dutch supply to missions and harmonisation with national policy goals and the relative competency procedure, the relevant national stakeholders could consider focusing on certain niches of deployment. A clearer task-specification for international deployment of KMar and NP capabilities can then be based on the chosen selection of niches.

The central objective of this study has been to assess how the Netherlands can optimally adapt the police tools it can make available for deployment in crisis situations abroad to the expected future demand from international organisations, and, secondly, to its own (security) policy goals. Since the Netherlands lacks an integrated security policy that harmonises the agendas and efforts of the different security actors, these policy goals have to be abstracted from various policy documents and security strategies. In the main, the central question can be answered with the following recommendations:

- In order to meet the IOs increasing demand, increasing the contribution of NP and/or KMar staff to their operations should be taken into consideration.
- Specialisation in niches that fit both the IOs' demand and national security objectives should be taken into consideration as both a way of enhancing the quality of deployed staff or teams, a way of optimising the results of police deployment from a national (security) policy perspective and of sharpening the Dutch profile as a supplier of policing capabilities.
- In order to match the IOs demand, more high-level senior staff should be selected and senior positions in missions should be aimed at. This also creates a context that is optimal for addressing Dutch national (security) policy goals.

- Investing in staff who are able to work in challenging environments and in rapidly deployable contribution formats is recommendable.
- Organising more direct communication lines with the mission organisations can help in identifying the IOs' or missions' needs and in linking those needs to Dutch policy aims and policing capabilities.

Given the international demand for police capabilities, in determining the scale of Dutch police contribution to multilateral missions and in choosing niches a range of factors are of importance and can be weighed in at the national (or European) level. First, there is the question of values: how do goals such as the promotion of the international rule of law and humanitarian aid relate to more realpolitische objectives of national or European (economic) security and to commitments to alliances? Another political question lies in choosing the sort of instruments to deploy in crisis management: do the Netherlands and the EU want to profile themselves as civil or as military powers? Or as both? Then there is the question of effectivity that has been addressed in this study: to what extent is upstream deployment of blue forces effective in achieving national or European policy goals, if related to possible other instruments and to deployment of these blue forces on national territory? And, in specific cases: how effective is deployment of these blue forces under the flag of one of the IOs if compared to bilateral or smaller multilateral options? And finally, there is the organisational question of what fits the Dutch toolkit. What capabilities are available and will be available in the future? Based on the outcome of these questions, niches can be defined in terms of themes, countries, regions, IO's and policing of police reform instruments.

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Appendix A

Overviews of completed and ongoing EU civilian missions with police staff

Explanatory notes:

Category of tasks:

- M Monitoring the implementation of an agreement.
- S Substitution (interim administration with executive powers)
- O Operations/ Operational support to host state police (e.g. executive policing, riot control, maritime or border security assistance, anti-trafficking operations, protection of civilians)
- T/R Training/Reforming (advising, mentoring, SSR, etc.)

Tasks:

Police

- MMTA mentoring, monitoring, training and assistance
- S substitution (also known as 'Executive')

Rule of Law

- RoL rule of law

Other

- MloA monitoring implementation of agreement
- SOM support to other mission
- ASA aviation security assistance²⁷²
- BSA border security assistance
- MSA maritime security assistance

²⁷² In these overviews the MMTA label has been solely used for EU missions that focus on reform of the criminal justice sector, although in essence the aviation security, border security and maritime security missions can also be considered as MMTA.

Personnel: maximum strength (planned or realised), unless otherwise indicated. Locally hired personnel is not included, unless otherwise indicated.

Police Staff: Maximum number of personnel (planned or realized) deployed in police functions.

NB: In police missions police reform is the central task. In rule of law missions reforming the judiciary (prosecution, courts, etc.) is the central task. Other missions form a mixed bag. In most of these other civilian missions police personnel participates.

Completed EU civilian missions with police staff, running from 2000 onwards

Mission name (Country)	Category of tasks	Tasks	Personnel	Police staff	Duration
EUPM (Bosnia and Herzegovina)	T/R, O	MMTA	556	498	2003-2012
EUPOL Proxima (fYROM)	T/R, Oth ¹	MMTA	200	Not specified	2003-2005
EUJUST Themis (Georgia)	T/R	RoL	?	?	2004-2005
EUPAT (fYROM) ²	T/R	MMTA	30	30	2005-2006
Aceh Monitoring Mission (Indonesia)	M	MloA	80	Not specified	2005-2006
EU Support to AMIS (Sudan) ³	T/R, O	SOM	50	30	2005-2007
EUJUST LEX-Iraq	T/R	MMTA	53	6 ⁴	2005-2013
EUPOL Kinshasa (DRC)	T/R, O	MMTA	30	Not specified	2005-2007
EUPOL RD Congo (DRC)	T/R	MMTA	30	17 ⁵	2007-2014
EU SSR Guinea-Bissau	T/R	MMTA	8	Not specified	2008-2010
EUAVSEC-South Sudan	T/R, O, Oth	ASA ⁶	34	2 ⁷	2012-2014

Source: Data collected from the European External Action Service's website, unless otherwise indicated.

- 1 The creation of a border police force.
- 2 EU Police Advisory Team, a follow-on mission to EUPOL PROXIMA.
- 3 The African Union Mission in Darfur, Sudan.
- 4 Based on SIPRI data available for the years 2012 and 2013.
- 5 Based on SIPRI data available for the years 2012, 2013 and 2014.
- 6 The mission helped to establish an aviation security organization at the Ministry of Transport and to strengthen aviation security at Juba International Airport.
- 7 Based on SIPRI data available for the years 2012, 2013 and 2014.

Ongoing EU civilian missions with police staff, running from 2000 onwards

Mission name (Country)	Category of tasks	Tasks	Personnel	Police staff	Duration
EUSEC RD Congo (DRC)	T/R	MMTA	40	Not specified	2005-present
EUBAM Moldova and Ukraine	T/R, Oth	BSA ¹	100	Not specified	2005-present
EUBAM Rafah (Palestinian Territories) ²	M, Oth	BSA ³	4	2 ⁴	2005-present
EUPOL COPPS (Palestinian Territories)	T/R	MMTA	71	27 ⁵	2006-present
EUPOL Afghanistan	T/R	MMTA	200 ⁶	205 ⁷	2007-present
EUMM Georgia	M	MloA	200	213 ⁸	2008-present
EULEX Kosovo	T/R, S/O	MMTA/S ⁹	1.900 ¹⁰	777 ¹¹	2008-present
EUCAP Nestor (Djibouti)	T/R, O, Oth	MSA ¹²	100	21 ¹³	2012-present
EUCAP Sahel Niger	T/R	MMTA	56	12 ¹⁴	2012-present
EUBAM Libya ¹⁵	T/R, Oth ¹⁶	BSA	44 ¹⁷	17 ¹⁸	2013-present
EUCAP Sahel Mali	T/R	MMTA	80	18 ¹⁹	2015-present
EUAM Ukraine	T/R	MMTA	101	11 ²⁰	2014-present

Source: Data collected from the European External Action Service's website, unless otherwise indicated.

- 1 The mission helps to improve cross-border cooperation between the border guard, customs agencies and other law enforcement bodies of Ukraine and Moldova.
- 2 Mission suspended since the Hamas take-over of the Gaza strip in June 2007.
- 3 The mission provided border security assistance at the Rafah border crossing point.
- 4 Based on SIPRI data available for the years 2012, 2013 and 2014.
- 5 Based on SIPRI data available for the years 2012, 2013 and 2014.
- 6 The original aim was 200, which was later changed to 400 including locally hired personnel. The latter number was never reached though. The number 189 (consisting of international personnel only) applies to early 2015.
- 7 Based on SIPRI data available for the years 2012, 2013 and 2014.
- 8 Based on SIPRI data available for the years 2012, 2013 and 2014.
- 9 EULEX Kosovo's executive tasks include criminal investigations in specific areas of competence, such as war crimes, organised crime and high-level corruption, as well as property and privatisation cases.
- 10 Original maximum planned strength; current strength is 800.
- 11 Based on SIPRI data available for the years 2012, 2013 and 2014.
- 12 The mission provides maritime security assistance in the Horn of Africa and Western Indian Ocean.
- 13 Based on SIPRI data available for the years 2012, 2013 and 2014.
- 14 Based on SIPRI data available for the years 2012, 2013 and 2014.
- 15 Since August 2014 withdrawn to Tunisia: personnel strength indicates current strength.
- 16 The mission helps to develop a national Integrated Border Management strategy, focusing on Libya's land, maritime and air border security.
- 17 Based on SIPRI data available for the years 2013 and 2014.
- 18 Based on SIPRI data available for the years 2013 and 2014.
- 19 Based on SIPRI data available for 2014.
- 20 Based on SIPRI data available for 2014.

Appendix B

Overviews of completed and ongoing UN peace operations with police staff

Explanatory notes:

Tasks:

- M Monitoring the implementation of an agreement. This task, when mandated to a certain mission, was/is not necessarily performed by UN police within the mission. The other task categories apply specifically to the police personnel in a mission.
- S Substitution (interim administration with executive powers)
- O Operations/ Operational support to host state police (e.g. executive policing, riot control, maritime or border security assistance, anti-trafficking operations, protection of civilians)
- T/R Training/Reforming (advising, mentoring, SSR, etc.)

Personnel: Maximum realised international staff (based on 31 December data for the years 2000-2014).

Police staff: Maximum number of police among international staff (based on monthly data for the years 2000-2015).

Completed UN peace operations with police staff, running from 2000 onwards

Mission name (Country)	Tasks	Personnel	Police staff	Duration
<i>Peacekeeping operations:</i>				
UNOMIG (Georgia)	M	259	20	1993-2009
UNMOT (Tajikistan)	M	72	3	1994-2000
UNMIBH (Bosnia and Herzegovina)	O, T/R	1813	1897	1995-2002
MIPONUH (Haiti)	T/R	263	241	1997-2000
MINURCA (CAR)	O	886	25	1998-2000
UNAMSIL (Sierra Leone)	O, T/R, M	17711	142	1999-2005
UNTAET (East Timor)	S, O, T/R	10174	1527	1999-2002
MONUC (DRC)	O, T/R, M	21514	1229	1999-2010
UNMEE (Ethiopia and Eritrea)	M	4249	19 ¹	2000-2008
UNMISSET (East Timor)	S, O, T/R	5022	1108	2002-2005
ONUB (Burundi)	O, T/R, M	5755	106	2004-2006
UNMIS (Sudan)	O, T/R, M	11317	715	2005-2011
UNMIT (East Timor)	S	1918	1641	2006-2012
MINURCAT (CAR and Chad)	O, T/R	3206	266	2007-2010
<i>Special Political Missions:</i>				
BONUCA (CAR)		35 ²	3 ³	2000-2009
UNIOSIL (Sierra Leone)	T/R	111	28	2005-2008
UNOTIL (East Timor)	T/R	230	57	2005-2006
BINUB (Burundi)	T/R	142	12	2006-2010
UNMIN (Nepal)	T/R, M	374	6	2007-2011
UNIPSIL (Sierra Leone)	T/R	43	7	2008-2014
BINUCA (CAR)	T/R	56	2	2010-2014
BNUB (Burundi)		45 ⁴	1	2011-2014

Sources: *Peacekeeping Statistics*, UNDPKO, <http://www.un.org/en/peacekeeping/resources/statistics/>; *United Nations Department of Political Affairs*, UNDPA, <http://www.un.org/undpa/>; *Multilateral Peace Operations Database*, SIPRI, <http://www.sipri.org/databases/pko>.

- 1 UNMEE only deployed UN Police between January and April 2001.
- 2 As of 31 December 2009.
- 3 BONUCA only deployed UN Police between February and August 2000.
- 4 As of 31 August 2014.

Ongoing UN peace operations with police staff, running from 2000 onwards

Mission name (Country)	Tasks	Personnel	Police staff	Duration
<i>Peacekeeping operations:</i>				
UNFICYP (Cyprus)	M	1313	70	1964–present
MINURSO (Western Sahara)	M	544	113	1991–present
UNMIK (Kosovo)	S, O, T/R	5734	4731	1999–present
UNMIL (Liberia)	O, T/R	16664	1588	2003–present
UNOCI (Ivory Coast)	O, T/R	11451	1611	2004–present
MINUSTAH (Haiti)	O, T/R	12179	3637	2004–present
UNAMID ¹ (Darfur)	O, T/R, M	24114	5511	2007–present
MONUSCO (DRC)	O, T/R	22186	1224	2010–present
UNISFA (Abyei)	O, T/R	4208	29	2011–present
UNMISS (South Sudan)	O, T/R, M	12251	1170	2011–present
MINUSMA (Mali)	O, T/R, M	10017	1178	2013–present
MINUSCA (CAR)	O, T/R	8941	1569	2014–present
<i>Special political missions:</i>				
UNAMA (Afghanistan)	T/R	436	8	2002–present
UNAMI (Iraq)	T/R	752	5	2003–present
UNIOGBIS (Guinea Bissau)	T/R	66 ²	16	2010–present
UNSMIL (Libya)	T/R	163	11	2011–present
UNSOM (Somalia)	T/R	82	14	2013–present

Sources: *Peacekeeping Statistics*, UNDPKO, <http://www.un.org/en/peacekeeping/resources/statistics/>; *United Nations Department of Political Affairs*, UNDPA, <http://www.un.org/undpa/>; *Multilateral Peace Operations Database*, SIPRI, <http://www.sipri.org/databases/pko>.

1 The African Union/United Nations Hybrid Operation in Darfur, Sudan.

2 As of 31 March 2015.

Since 2000, 26 peacekeeping operations and 13 special political missions have been deployed that included police staff. Of the ongoing peacekeeping operations 12 out of 16 have police personnel deployed and in the ongoing special political missions, this is 5 out of 11. The size of police components in UN peace operations varies widely, ranging from a handful in most SPMs and some peacekeeping operations to several thousand in the peacekeeping missions in Darfur, Haiti and Kosovo. Unlike in EU operations, the size of police components in UN peacekeeping operations has increased as they average, at a maximum, a police strength of 1869 in ongoing missions (see Appendix C). Regarding SPMs, the maximum number of police personnel deployed in all SPMs with police personnel active in or after 2000 is 11 for the ongoing SPMs. The currently ongoing operations deploying police have on average run for 12.4 years.²⁷³ Currently, the largest police contributing countries to the UN are from the Middle East, Africa

273 See Appendix C for overviews of completed and ongoing UN Peacekeeping and Special Political Missions deploying police.

and Southern Africa. With Jordan as the largest PCC providing 1546 police personnel, followed by Senegal with 1382, Bangladesh with 1223, India with 1027 and Nepal with 996.

Appendix C

Overview of completed and ongoing OSCE Field operations with police staff

Explanatory notes:

Tasks:

- M Monitoring the implementation of an agreement. This task, when mandated to a certain mission, was/is not necessarily performed by UN police within the mission. The other task categories apply specifically to the police personnel in a mission.
- S Substitution (interim administration with executive powers)
- O Operations/ Operational support to host state police (e.g. executive policing, riot control, maritime or border security assistance, anti-trafficking operations, protection of civilians)
- T/R Training/Reforming (advising, mentoring, SSR, etc.)

Personnel: Maximum realised international staff involved with OSCE Mission

Police staff: Number of international staff undertaking police-related activities

Ongoing and completed OSCE field operations with police staff, running from 2000 onwards

Mission name (Country)	Tasks	Personnel ¹	Police staff ²	Duration
Mission to Georgia (Georgia)	T/R	111	8	1992-2008
Spillover Mission to Skopje (Macedonia)	T/R	309	111	1992-2010
Mission to Moldova (Moldova)	T/R	14	1 ³	1993-present
Mission to Bosnia and Herzegovina (Bosnia and Herzegovina)	T/R	128	Data not available	1995-present
Presence in Albania (Albania)	T/R, M	45	3	1997- present
Centre in Astana/Almaty (Kazakhstan)	T/R	7	1 ⁴	1998-2014
Centre in Bishkek (Kyrgyzstan)	T/R	51	28	1998-present
Mission to Croatia (Croatia)	T/R	175	120	1998 -2006
OMiK (Kosovo)	T/R, Oth ⁵	649	267	1999-present
Project Co-ordinator in Ukraine (Ukraine)	T/R	4	3 ⁶	1999-present
Centre in Ashgabat (Turkmenistan)	T/R	6	2 ⁷	1999-present
Office in Baku (Azerbaijan)	T/R	16	5 ⁸	2000-2013
Office in Yerevan (Armenia)	T/R	9	1 ⁹	2000-present
Mission to the Federal Republic of Yugoslavia (Serbia and Montenegro)	T/R, M	63	38	2001-2006
Office in Minsk (Belarus)	T/R	5	1	2003-2010
Mission to Serbia (Serbia)	T/R	44	25	2006-present
Mission to Montenegro (Montenegro)	T/R, M	15	6	2006-present
Project Co-ordinator in Uzbekistan (Uzbekistan)	T/R	3	Data not available	2006-present
Office in Tajikistan (Tajikistan)	T/R	35	7 ¹⁰	2008-present
Mission to Skopje (Macedonia)	T/R	50	42	2011-present
Project Co-ordinator in Baku (Azerbaijan)	T/R	5	Data not available	2014-present
Programme Office in Astana (Kazakhstan)	T/R	Data not available	Data not available	2015
Special Monitoring Mission to Ukraine (Ukraine)	M/O	587 ¹¹	Data not available	2014-present
Observer Mission at the Russian Checkpoints Gukovo and Donetsk	M	17	Data not available	2014-present

Source: OSCE

Notes:

Since not all police deployment by OSCE is visible in the organisation's available statistics, the numbers of police staff only represent staff working in police related activities – meaning activities that are focused on police development and reform or on countering transnational threats and organised crime.

The OSCE does not deploy police of military officers that are in active service. Therefore, military or police staff should be temporarily put on administrative leave by their employer. It is not uncommon for the OSCE to deploy pensioned police or military officers, that are, in the Netherlands, hired from a pool of experts, administered by the MFA.

1 Based on the Annual Reports on OSCE Activities 2000 until 2014.

2 Based on Appendices 3 and 6 of OSCE Report on Police-Related Activities up to the end of 2009 and OSCE Annual Reports on Police-Related Activities 2010, 2011, 2012, 2013 and 2014.

3 Data for the years after 2009 not available.

- 4 Data for the years after 2009 not available.
- 5 The creation of an entire criminal justice system and police agency in Kosovo.
- 6 Data for 2014 not available.
- 7 Data for 2014 not available.
- 8 Data for 2013 not available.
- 9 Data for the years after 2009 not available.
- 10 Data for the years 2012, 2013 and 2014 not available.
- 11 Most recent number of staff available, as mentioned in *Status Report as of 26 August 2015*, OSCE, Kyiv, 27 August 2015.

Appendix D

Overview of completed and ongoing NATO missions employing police capabilities

Explanatory notes:

Tasks:

- M Monitoring the implementation of an agreement. This task, when mandated to a certain mission, was/is not necessarily performed by UN police within the mission. The other task categories apply specifically to the police personnel in a mission.
- S Substitution (interim administration with executive powers)
- O Operations/ Operational support to host state police (e.g. executive policing, riot control, maritime or border security assistance, anti-trafficking operations, protection of civilians)
- T/R Training/Reforming (advising, mentoring, SSR, etc.)
- SSR: Security Sector Reform
- DDR: Disarmament, demobilisation, reintegration
- RoL: Development Law Enforcement sector
- SFA: Security Forces Assistance

Personnel: Maximum realised international staff

Police staff: Maximum number of police among international staff

Ongoing and completed NATO Missions employing police capabilities, running from 2000 onwards

Mission (Country)	Tasks (relevant for this report)	Personnel	Police staff ¹	Duration
IFOR (BiH)	SSR: Support to DDR and support to RoL	60,000		12/1995 – 12/1996
SFOR (BiH)	SSR: Support to DDR and support to RoL	32,000 ²		12/1996 – 12/2004
KFOR (Kosovo)	SSR: DDR, SFA, and support to RoL ³ S, O, T/R, M	5,000 ⁴		6/1999 – present
Essential Harvest (FYROM)	SSR: Support to DDR	4,800 ⁵		8/2001 – 10/2001
Allied Harmony (FYROM)	SSR: SFA ⁶	450		12/2002 – 4/2003
ISAF (Afghanistan)	SSR: SFA ⁷ , RoL (S), O, T/R	130,000 ⁸ 87,000		8/2003 ⁹ – 12/2014
NTM-I (Iraq)	SSR: SFA ¹⁰ T/R	Appr. 200	Appr. 60 ¹¹	8/2004 – 12/2011
Resolute Support (Afghanistan)	SSR: SFA ¹² , RoL O, T/R	13,500		1/2015 – present

Sources: websites of NATO HQ, NATO ACO, NATO ACT, specific missions, and other open sources.

- 1 NATO does not specifically ask for certain personnel for its missions and does not register data on the specific filling of posts in missions as far as the background nature of the personnel is concerned. Therefore, it is not possible to specify how many police or gendarmerie staff NATO has deployed in its missions.
- 2 At the start (1997); at the end, when handed over to the EU in December 2004, the total strength was approx. 7,000.
- 3 From 1999 – 2008 KFOR's main effort was sustaining a safe and secure environment, already being involved in SFA. From 2008 onwards KFOR has conducted SFA to the Kosovo Security Force (a paramilitary force responsible for security tasks that are not appropriate for regular police). KFOR assists in the RoL programs and in DPRE relocation, and has tasks with regard to security & public order, security of ethnic minorities, protection of patrimonial sites, and border security.
- 4 KFOR had 50,000 troops at its height, slimming down to 14,000 in 2008. Currently approximately 5,000.
- 5 The force was planned to be 3,500 troops, but countries offered higher contributions than estimated up front.
- 6 Subtask area: Advise.
- 7 ISAF transformed over the years from 'security provider' to security provider & SFA performer, conducting SFA along the US concept of OTERA (organise, train, equip, [re-]build, advice & assist) for the subtask areas. As of 6/2013 the balance of effort was reversed, ISAF became firstly SFA performer, but remained to be a back-up security provider. Of OTERA, the T and A&A have been continued until 12/2014, but from the 2nd quarter of 2014 with the focus narrowing to selected strategic functions (Functionally Based SFA).
- 8 At its height after the 2009 personnel surge in order to break Taliban insurgency momentum. In 2013 this was back to approximately 87,000 troops, with a planned and phased further redeployment of troops starting in 2014 towards the end date of ISAF.
- 9 ISAF was under NATO command from 6/2003, but the international mission started in 12/2001
- 10 Subtask areas Train, Mentor, and Advise, and some Enable (training-, instruction-, and education-materiel). NTM-I was in essence a train-the-trainers mission.
- 11 These were provided by Italy, delivered from their gendarmerie Force, the '*Carabinieri*'. Their specific task within NTM-I was the training of the Iraqi Police – as opposed to the other contingents that for the largest part dealt with training of the Iraqi Armed Forces.
- 12 Subtask areas Train, Advise, and Assist. The Resolute Support Mission builds on ISAF's last phase.

Appendix E

Overview of deployment of KMar-personnel in policing roles in EU, UN, NATO and OSCE operations, running from 2000 onwards

Explanatory notes:

Not included in the overview is deployment to Frontex operations. In 2014 the Netherlands deployed 95 officers to Frontex, of which the majority came from the KMar.²⁷⁴

Tasks:

- M Monitoring the implementation of an agreement. This task, when mandated to a certain mission, was/is not necessarily performed by UN police within the mission. The other task categories apply specifically to the police personnel in a mission.
- S Substitution (interim administration with executive powers)
- O Operations/ Operational support to host state police (e.g. executive policing, riot control, maritime or border security assistance, anti-trafficking operations, protection of civilians)
- T/R Training/Reforming (advising, mentoring, SSR, etc.)

²⁷⁴ Annual Information on the Commitments of Member States to the European Border Guard Teams and the Technical Equipment Pool- Report 2015, p. 21 and 25.

Start deployment	Final year deployment	Acronym Mission	Country	IO	Tasks Police	Max number of police staff deployed
1996	2003	UNIPTF	Former Yugoslavia	UN	T/R, O	55
1997	2001	MAPE	Albania	EU	T/R	9
1998	2001	UNFICYP	Cyprus	UN	T/R, O	3
1999	2000	KFOR	Kosovo	UN	O	20
2001	2004	Spillover Monitor Mission	Macedonia	OSCE	M	1
2003	2005	EUPOL Proxima	Macedonia	EU	T/R, O, Oth ¹	6
2003	2004	UNMIL	Liberia	UN	O, Oth ²	Not available
2002	2014	ISAF	Afghanistan	NATO	?	Not available
2003	2012	EUPM	Bosnia and Herzegovina	EU	T/R, O	22
2003	2005	SFIR	Iraq	UN	T/R	41
2004	2004	NTIM	Iraq	NATO	T/R	10
2004	present	EUFOR ALTHEA	Bosnia and Herzegovina	EU	T/R, O	16
2005	2006	EUPOL KINS-HASA	DR Congo	EU	T/R	2
2006	2011	UNMIS	Sudan	UN	T/R	14
2008	present	EULEX	Kosovo	EU	T/R, O	20
2008	present	KFOR NSE	Kosovo	NATO	O	2
2008	2009	SSR	Burundi	UN	T/R	2
2008	2009	EUMM	Georgia	EU	M	2
2010	2012	UNODC CPP	Kenya	UN	T/R	1
2011	2013	NTMA	Afghanistan	NATO	T/R	10
2011	2013	PTG	Afghanistan	NATO	T/R, O	45
2011	2013	EUAVSEC	South Sudan	EU	T/R	2
2012	Present	UNMISS	South Sudan	UN	T/R	14
2013	2014	EUCAP	Seychelles	EU	T/R	1
2013	present	MFO	Egypt	MFO	O	2
2013	present	PATRIOTS	Turkey	NATO	O	5
2014	present	MINUSMA	Mali	UN	T/R, O	28
2014	present	Resolute Support	Afghanistan	NATO	T/R	8
2014	present	EUNAVFOR	Somalia	EU	O	1
2015	present	EUCAP Sahel Mali	Mali	EU	T/R	Not available

Source: KMar

1 Creation of border police.

2 Creation of security services.

Appendix F

Overview of deployment of Police personnel in policing roles in EU, UN, NATO and OSCE operations, running from 2000 onwards

Explanatory notes:

Tasks:

- M Monitoring the implementation of an agreement. This task, when mandated to a certain mission, was/is not necessarily performed by UN police within the mission. The other task categories apply specifically to the police personnel in a mission.
- S Substitution (interim administration with executive powers)
- O Operations/ Operational support to host state police (e.g. executive policing, riot control, maritime or border security assistance, anti-trafficking operations, protection of civilians)
- T/R Training/Reforming (advising, mentoring, SSR, etc.)

Start deployment	Final year deployment	Acronym Mission	Country	IO	Tasks Police	Max number of police staff deployed
2001	2002	ECPA	Albanië	EU	T/R	2
2002	2003	KPSS	Kosovo	OVSE	T/R	4
2003	Unknown	UNFICYP	Cyprus	VN	M, T/R	7
2003	Unknown	EUPM	Bosnië- Herzegovina	EU	T/R	6
2003	2006		Servië- Montenegro	OVSE	T/R	7
2004	2005	Eupol Proxima	Macedonië	EU	T/R	7
2005	2005	UNIIC	Libanon	UN		6
2007	Date	UNMISS	South-Sudan	VN	O, T/R	5
2007	Date	EULEX Kosovo	Kosovo	EU	T/R	10
2008	Unknown		Servië	OVSE	T/R	1
2009	Date	EUPOL	Afghanistan	EU	T/R	50
Unknown	Date	EUMM	Georgië	EU	M	4
Unknown	Date	EUAM	Oekraïne	EU	T/R	5
Unknown	Date	EU- CAP-NESTOR	Somalië	EU	T/R	2
2014	Date	MINUSMA	Mali	VN	T/R	10
2015	Date	SMMU	Oekraïne	OVSE	M	10
Unknown	Unknown	ISAF	Afghanistan (Masar a Sharif)	NAVO	Liaison role	1

Source: Netherlands Police.

Abbreviations

ACO	Allied Command Operations
ASIFU	All Sources Information Fusion Unit
BiH	Bosnia and Herzegovina
CfC	Call for Contribution
CivCap	Civilian Capacities
CivCom	Committee for Civilian Aspects of Crisis Management
CPC	Conflict Prevention Centre
CPCC	Civilian Planning and Conduct Capability
CRT	Crisis Response Team
CSDP	Common Security and Defence Policy
DDR	Disarmament, Demobilisation, and Reintegration
DRC	Democratic Republic of Congo
EEAS	European External Action Service
EU	European Union
FPU	Formed Police Unit
FSJ	Freedom, Security and Justice
FYROM	former Yugoslav Republic of Macedonia
HIPPO	High Level Independent Panel on Peace Operations
HR	Human Resources
IBM	Integrated Border Management
Interpol	International Criminal Police Organization
IO	International Organisation
IPO	Individual Police Officer
IPU	Integrated Police Unit
ITS	Integrated Training Service
IS	Islamic State
ISS	International Security Strategy
KMar	Royal Netherlands Marechaussee
MENA	Middle East and North-Africa
MMT&A	Mentoring, monitoring, training and assistance
MIoA	Monitoring implementation of agreement
MOU	Memorandum of Understanding
MP	Military Police
NATO	North Atlantic Treaty Organisation
NGO	Non-governmental organisation
NP	Netherlands Police
NSS	National Security Strategy
ODIHR	Office for Democratic Institutions and Human Rights

OSCE	Organisation for Security and Cooperation in Europe
PC	Permanent Council
PCC	Police contributing country
PD	Police Division
RoL	Rule of Law
S&J	Ministry of Security and Justice
SACEUR	Supreme Allied Commander Europe
SCP	Strategic country program
SGF	Strategic Guidance Framework
SFA	Security Forces Assistance
SHAPE	Strategic Headquarters Allied Powers Europe
SIPRI	Stockholm International Peace Research Institute
SOP	Standard Operating Procedure
SPC	Standing Police Capacity
SPM	Special Political Mission
SPMU	Strategic Police Matters Unit
SPT	Specialised Police Team
SSR	Security Sector Reform
SMM	Special Monitoring Mission
SMO	Steering Group Missions and Operations
UN	United Nations
UNDP	UN Development Programme
UN DPKO	UN Department of Peacekeeping Operations
UNODC	UN Office on Drugs and Crime
UNOHCHR	UN Office of the High Commissioner for Human Rights
UNPOL	UN Police
uSFA	unified Security Forces Assistance