



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

# **Annual Report of the Secretary General on Police-Related Activities in 2003**

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

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**ANNUAL REPORT OF THE SECRETARY GENERAL  
ON POLICE-RELATED ACTIVITIES**

**IN 2003**

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

## **1 INTRODUCTION**

1.1 This is the second report submitted in accordance with the mandate referred to above, and the first to cover a whole calendar year of OSCE police-related assistance activities.

1.2 The report provides information about police capacity- and institution-building undertaken by the field missions and their respective host-State governments. The report describes the development of new or existing activities, and work particularly by the Strategic Police Matters Unit, to strengthen law enforcement activities within a region or on behalf of all the Organization's participating States. Attention is drawn to the role of the Senior Police Adviser and to resource and other matters at the conclusion of the report. The ODIHR Annual Report on Police-Related Activities is attached to this report as an appendix.

1.3 The concerns which, during 2003, most dominated the OSCE policing agenda for post-conflict States and States in transition, e.g. terrorism, transnational crime, the negative effect of corruption on sustainable economic growth and brutal violations of human rights, led chiefly to calls for improvements in law enforcement investigative techniques, and a shift from a force to a service culture.

1.4 The need to increase the technical performance of police forces and make them vastly more responsive to the communities they police has prompted bilateral donations of sophisticated elements of training and pieces of equipment. Because the basic systems and operating practices that enable such contributions to be effective are frequently missing, their value is minimal, or they may even be counter-productive. The scale of criminal enterprise across the globe and the increasing threat to States hitherto able to commit expertise abroad, which more and more are having to use resources to defend their own territories, is also a factor in the *ad-hoc* choice and delivery of selective training and equipment.

1.5 Policing in many of the participating States, within which corruption, terrorist conspiracies, major crime and human rights abuses persist is woefully under-resourced. The ingenuity and technical capabilities of career criminals far surpass the commitment or the resources of the police forces trying to stop them. The OSCE field missions' experience is that law enforcement bodies therefore require long-term, systematic and coordinated assistance programmes to be in place so that the maximum value is derived from bilateral sources as well as multilateral international organizations. Fluctuations in the past year's achievements have also shown that these programmes require to be supported by robust and unremitting political resolve if the progress so far achieved is not to be squandered.

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## 2. FIELD MISSIONS INCORPORATING POLICE-RELATED ACTIVITIES

### SOUTH EAST EUROPE

#### **The OSCE Mission to Croatia**

2.1 Throughout 2003, the Police Affairs Unit comprised six international staff members, under the supervision of an international Head of Unit based in Zagreb and reporting directly to the Head of Mission. Three international staff members operate in the field. Each international member of staff is assisted by a national civil staff member. In October, David Hancock (USA) was succeeded as the Head of the Unit by Dan Peterson (Sweden).

2.2 The Police Affairs Unit does not have its own budget, but draws funding from the Rule of Law programme budget.

2.3 During 2003, the Croatian Police Directorate concentrated on steadily improving its performance in the areas of training needs, community policing and international and regional co-operation. The Police Affairs Unit provided advice and practical assistance in all these fields and, wherever possible, co-ordinated external assistance to support them.

#### *Human resources development*

2.4 The Ministry of the Interior Working Group for Development, which is jointly chaired by the OSCE and the Ministry, assumed responsibility for the development of a human resource management strategy aimed at the devolution of centralized authority and responsibility and alignment of promotion and advancement according to merit. In addition, the OSCE has been concerned with the current under representation of women and national minorities within the Croatian Police. However, it should be noted that the numbers of these groups have increased in the last police recruitment within the Police Academy.

#### *Community policing*

2.5 The Ministry of the Interior is committed to introducing community policing with particular relevance to its application in war affected areas. The OSCE Police Affairs Unit is specifically assisting with initiatives to build trust and confidence between ethnic communities and the police that will also promote reconciliation between rival communities. The OSCE police advisers have helped introduce a service culture within the ranks of the uniformed police, provided advice on the techniques of community self-help crime prevention and given training to 'contact officers' subsequently deployed to five community policing pilot areas in Croatia. At the end of 2003, the Police Affairs Unit trained Croatian police trainers in preparation for the training of a further 700 to 800 contact officers in 2004/2005.

2.6 The Mission organized a visit to Portugal by a Croatian Police Chief and a media representative to study 'safe school' and 'safe elderly' schemes, and also to observe the relationship between the media and the police in a Member State of the European Union.

#### *Border policing*

2.7 The Mission provided the OSCE Regional Border Police Assessment Mission and the Croatian Border Police with expert advice on regional and international co-operation, in line with commitments made by the Croatian Government at the Ohrid Regional Conference on Border Security and Management in April 2003.

#### *Witness protection*

2.8 Following the adoption by the Croatian parliament in 2003 of the Law on Witness Protection, the Mission provided expert advice and assistance to the Ministry of the Interior on the measures necessary to establish a witness protection unit.

#### *International Donors' Group*

2.9 The OSCE chairs the International Donors' Group on Police Assistance, which comprises representatives of the EC Delegation to Croatia; the embassies of Germany, France, the United Kingdom and the United States of America; the US International Criminal Investigative Training Assistance Program (ICITAP); and the World Bank. The Group meets regularly in Zagreb. The Mission has strengthened its co-operation with the EC Delegation and regularly exchanges information and reports on police issues.

#### *Review of future role and tasks*

2.10 Towards the end of 2003, the new Head of the Police Affairs Unit initiated a review of the Unit's objectives, taking into account the Mission's mandate and the Unit's limited capacity. This review became especially pertinent following a change of government and the subsequent change of the Director General and large parts of the senior management of the Police.

2.11 The Head of the Police Affairs Unit has proposed a three-step action strategy.

2.12 The first step included a review of the Unit's functions (see report on the Police Affairs Unit Workshop, 19-21 November 2003), which resulted, *inter alia*, in the defining of the Mission's overall objective in the field of police affairs as:

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

2.13 The second step includes the elaboration of a 'road map' that will outline in detail the process for creating a modern police service in Croatia, in line with European best practice. The Mission has initiated discussions with the Ministry of the Interior and the EC Delegation to Croatia, which have both responded positively to this initiative. It is envisaged that the road map will be elaborated in May 2004.

2.14 The third step will concentrate on implementation of the road map. Ownership for this will rest with the Croatian Police. Within the framework of the road map, the Mission will concentrate its resources on those strategic areas where it can be considered to have a comparative advantage. The Police Affairs Unit will focus on the following priority areas:

*Police reforms, including:*

- Developing of a 'road map' for creating a modern police service in Croatia, in line with European standards (in co-ordination with the EC Delegation to Croatia);
- Developing of a modern and effective human resource management system within the Croatian Police;
- Increasing the number of women and members of national minorities on the staff of the Croatian Police; and
- Reviewing the structure of the Border Police.

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

International donor co-ordination (the Mission will continue to chair the International Donors' Group on Police Assistance);

- Joint projects/activities with neighbouring OSCE missions and the European Union Police Mission (EUPM) in Bosnia and Herzegovina (The Mission has already made contacts with other missions in the region with a view to assessing whether it is feasible to organize cross-border projects);
- Other specific projects/activities aimed at bringing the working methods of the Croatian Police in to line with European standards (e.g. witness protection).

*Community policing, including:*

- Training and preparation of 'contact officers' (as outlined in the Croatian Community Policing Programme);
- Development of crime prevention and community partnerships (as outlined in the Croatian Community Policing Programme);
- Investigation of domestic violence (following the new Law of 2003 on Protection Against Domestic Violence);
- Promotion of reconciliation between different communities.

2.15 The Police Affairs Unit co-ordinates its work with the OSCE Strategic Police Matters Unit in Vienna, pursuing initiatives aimed at regional development and the harmonization of police matters and working practices. The Unit will continue to develop co-operation with other OSCE missions in the region, the EUPM in Bosnia and Herzegovina and relevant EC institutions.

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## **The OSCE Mission in Kosovo**

### **The Department of Police Education and Development (DPED)**

2.16 The principal task imposed by successive OMIK mandates is to train 6,533 Kosovo police officers. This task is currently expected to be completed by the last quarter of 2005. At the end of December 2003, a total of 6,260 students had graduated from the Basic Training Course, which through wastage and for other reasons has delivered 5,545 operational officers to the field.

#### *Twenty-week basic course*

2.17 The DPED worked systematically in 2003 to improve the quality of its services and the capacity of its national staff. A six-month project, involving national and international staff, has produced a heavily revised syllabus for the basic training course, which is to be implemented in January 2004. The new course extends the period of training from 12 to 20 weeks and places greater emphasis on practical applications and evaluation of students' skills and competencies. DPED staff have revised all police training programmes in line with the new Provisional Criminal Procedure Code of Kosovo and the Provisional Criminal Code of Kosovo. The new Codes, due to be implemented in April 2004, will give the police added powers to investigate crime and obtain and adduce in court evidence that was not previously admissible.

#### *Training on the new Penal Codes of Kosovo*

2.18 To ensure that all 5,500 operational officers fully understand the provisions of the new Codes, DPED has worked on creating a cascade programme of training to be delivered entirely by KPS field training officers. Based on a 'distance-learning workbook' and a briefing video, the venture will mark a major step in the full transition of field training to KPS officers.

#### *Initiatives on organized crime and community policing*

2.19 During the second half of the year, DPED, in co-operation with the US Department of Justice, launched initiatives to tackle organized crime and promote community policing in Kosovo. In December 2003, a conference was held at the Kosovo Police Service School, attended by individuals from the private and public sectors, to plan a 'bottom-up' approach to dealing with the visible manifestations of organized crime. The conference produced pragmatic recommendations and options for multi-agency co-operation and generated a new sense of public responsibility for shared problem-solving with the police.

2.20 Earlier in the year, a community pilot project created community action teams in four multi-ethnic towns in Kosovo and began promoting joint police and community activities. This project has proved effective in generating the active participation of the four communities with local police in a range of community safety initiatives and has produced deepening partnerships between the police and opinion-shapers, bringing about a measurable improvement in the local quality of life.



### *Progress in transition*

2.21 The DPED (and its successor entity within the Provisional Institutions of Self-Government in Kosovo) is committed to a full transfer of the responsibility for training. The Police Training Division has, in almost every area of basic training, transferred the task of instruction and delivery of training to KPS officers and OSCE national staff. The Educational Support Division has organized and implemented a comprehensive training programme for its Curriculum and Evaluation Team of OSCE national staff, thereby greatly improving their capacity and responsibility for programme development and maintenance. However, as the year closes, DPED has had to review its transition plans due to a growing loss of skilled national staff.

### **The Educational Support Division (ESD):**

2.22 At the close of 2003, the Educational Support Division (ESD) had been continuing to build upon the organizational structure developed over the past four years and had achieved all of the following key objectives:

- To consolidate and improve the quality of its existing services, namely: curriculum design and development, testing, evaluation of courses, and instructor development;
- To develop a range of new products, in response to policing requirements in the areas of training needs analysis, accreditation, evaluation of trainers, distance learning, legal advice, and conference services;
- To design and implement a comprehensive ESD national staff training programme to permit the above objectives to be achieved within the target period.

### Achievements of ESD during 2003

#### *Restructuring*

2.23 In 2003, the Division completed the task of reorganizing its staffing and structure, in order to enhance the capacity and involvement of the national staff in management. The Division now consists of three sections: Training Materials (formerly Curriculum Development and Resources), Training Standards (an amalgamation of Instructor Development, Student Testing and Course Evaluation) and a new Legal Training Section. The latter is entirely comprised of national staff, whereas the Materials and Standards Sections retain internationals only as senior managers and advisers.

#### *Staff development*

2.24 The effort to enhance and improve the technical skills of ESD has had mixed results. Donor funds were secured to recruit a professional consultant to train the curriculum team in curriculum-writing skills between August and December 2003. The training programme proved very effective and has resulted in increased productivity and capability among the relevant national staff.

2.25 A project proposal to train members of the instructor development team at Bramshill (CENTREX), in the United Kingdom, failed to be implemented due to lack of donor support. Likewise, attempts to secure support for training in training needs assessments, evaluation and testing, have had to be postponed until 2004.

*Development of training programmes*

2.26 The year has been busy, with critical developments in several programmes. Probably the most important single achievement has been the successful revision and expansion of the basic training course. In a significant move towards competency-based training, ESD collaborated with the Police Training Division in developing a 20-week basic course. The increased time available has made possible greater use of practical exercises and student evaluation.

2.27 Following the publication of the Provisional Criminal Procedure Code of Kosovo and the Provisional Criminal (Offence) Code of Kosovo in July, work began on revising the legal components of all the basic, advanced and specialized programmes. In addition, ESD has embarked on plans to train all 5,500 operational KPS officers in the legal provisions of both Codes before their implementation in April 2004. A 100-page distance-learning "Guide to the Procedure Code" and an associated DVD/Video have been developed, and these will form the basic materials for a cascade-training programme involving the KPS instructor team and approximately 80 KPS field training officers. A short test paper will be used to partially evaluate the success of the programme. This important venture will be the first occasion on which KPS trainers, supported by OMiK staff, will take full responsibility for a large-scale training programme.

2.28 As a first step in moving the supervision and management courses toward a competency-based system, ESD has developed a detailed job standard for KPS officers at the ranks of sergeant and lieutenant. This work, based on an extensive survey of operational KPS officers, has gleaned a number of important training needs assessment findings. This will help to ensure that the advanced training programmes in 2004 provide officers with the skills and competencies to do their jobs effectively.

2.29 A project proposal to secure a training programme in strategic management for senior KPS officers has thus far failed to find donor support. However, toward the close of the year and in a linked initiative, ESD may benefit from an EC CARDS-funded regional training programme that includes a senior management programme.

*Focus for 2004*

2.30 ESD will press ahead with the three main pillars of its mission:

- Enhancing the capabilities of national staff;
- Further developing its capacity to provide technical support services, particularly in training needs assessment and evaluation; and

- Further developing the range and quality of training programmes in support of the organizational development of the KPS, particularly through the use of distance-learning materials in co-operation with the KPS field training officers.

## **The Police Training Division**

### ***The Basic Training Section – 'Laying the foundations'***

2.31 At the close of 2003, the Basic Training Section saw the successful graduation of the 27<sup>th</sup> batch of KPS officers from the Kosovo Police Service School. As in previous batches, the latest group of recruits fairly represents a broad cross-section of Kosovo communities and religious groups.

2.32 The General Policing Unit (GPU), the main component of the Basic Training Section, has the function of teaching 36 academic and/or practical courses that are required by each student in order to obtain a position as a police officer. This comprehensive academic training package is designed to provide a well-rounded education and places emphasis in each lesson on human rights and the principles of democratic policing.

2.33 During 2003, the staffing arrangements for the General Policing Section staff underwent dramatic changes. Over the course of the year, the number of international instructors was reduced from 18 to 9. Meanwhile, the number of national KPS instructors grew from 13 to 26.

2.34 In the second half of the year, the international instructors worked in co-operation with ESD to develop new course materials and revise existing materials. Their contribution to the development of the 20-week Basic Course and the revisions required under the two new penal codes of Kosovo was of particular value. For their part, the national instructors have rapidly established a good reputation for their professionalism and commitment.

### ***The Operational Policing Skills Section – 'Developing fitness and safety'***

2.35 The Operational Police Skills Section (OPSS) consists of two training units: The Physical Training Unit and the Defensive Tactics Unit. The Physical Training Unit (PT) is responsible for providing instruction and remedial training in basic physical fitness. The Defensive Tactics Unit (DT) prepares students to meet the challenges of working in a public-safety environment. Classes conducted by the Defensive Tactics Unit include self-defence, crowd control, handcuffing skills, officer safety, development of tactical skills (officer survival) and use of force. In the post-conflict environment of Kosovo, the Defensive Tactics Unit is also responsible for providing training in landmine awareness.

#### *Successes in 2003*

2.36 The work of transferring responsibility is almost complete. The international staffing of OPSS was reduced over the year and, at the close of 2003, only a single officer

remained, as Chief of the Section. The officer also acts as a coach and mentor to the national team leaders.

2.37 National team leaders were appointed to the Physical Training and Defensive Tactics Units and the process of coaching them and developing their skills as managers is progressing well. These officers are now responsible for the day-to-day running of their respective units, while at the same time undergoing training as first-line managers at the KPS School. The work of developing a sustainable team of national staff is well advanced. OPSS has been enlarged by the addition of five more national instructors, and their training in preparation for the new 20-week basic course (commencing in January 2004) is progressing well.

2.38 All national KPS staff from OPSS have been trained in additional skill areas (e.g. mine awareness, and first aid, etc). This will facilitate the expansion of the basic course and the resultant increase in the number of students attending the School at any one time. Moreover, this measure will allow a more efficient utilization of OPSS staff and provide cover for periods of sickness and annual leave.

2.39 In addition to its primary mandate, OPS has provided training materials and services to other customer groups. These include defensive tactics taught to the Customs Service Mobile Support Section and the use of pepper spray to the KPSSD (Security Division). In the course of the year, all the defensive tactics lessons were reviewed and updated in line with the feedback received from the KPS. The same data were utilized in the development of the expanded lessons in the 20-week basic course.

### ***The Student Support Unit – 'Meeting the needs of all KPSS students'***

#### *Achievements during 2003*

2.40 The Student Support Unit (SSU) provided a range of important support services to 2,157 students who graduated in 2003. The Unit has played an active part in reducing areas of misunderstanding and poor communication among the student population. This effort has proved particularly important in helping students deal with the problems in a multi-ethnic and post-conflict society.

2.41 The Unit took an active part in the 'Performance Review Board', which meets to consider how to handle students who are failing to meet the standards set for KPS officers. This Board offers students the opportunity to review past performance and to determine the best solution for continued training.

#### *Looking ahead to 2004*

2.42 During the coming year, the SSU will expand the range and variety of extra-curricular activities available to students whilst continuing to perform its vital role as student advocate and counsellor,

***The Firearms Section – 'Developing firearms skills'***

2.43 At the close of 2003, the Firearms Section consisted of eight international firearms instructors, nine KPS officers and 15 OSCE national staff trained as certified firearms instructors. The Section is responsible for both basic firearms training and qualification standards.

*Achievements during 2003*

2.44 The Section has adopted a multidimensional approach to firearms training, using a combination of lectures, repetitive manipulation, range training, firearms simulation training (FATS) and situational/decision-making training. DPED have filmed 50 scenarios in local settings and languages to augment the FATS training. Additionally, firearms training videos are shown to students travelling to/from the shooting range. The three-week firearms instructor course, implemented in 2002, has provided additional instructors with basic training techniques, as well as refreshing the skills of existing instructors. This course is mandatory for all new personnel working in the Firearms Section.

2.45 The Section has achieved significant progress in building the capacity of KPS staff. During 2003, the KPS and OSCE national/international staff worked together to provide professional lesson instruction. The new modern techniques implemented in 2003 brought about a significant increase in overall class averages, in both written and practical weapons qualifications.

*Looking ahead to 2004*

2.46 The overall objective in 2004 is to build on the successful implementation of modern training techniques as well as increasing the number of KPS instructors. During January 2004, all remaining international staff, as well as KPS and OSCE national staff, will be trained as emergency first responders to ensure that adequate first aid can be administered in the event of a firearms incident. Additional range selection and development is needed to bridge the gap from our present capacity (near maximum) and level of training to more advanced techniques.

***The Traffic Police Section – 'Enhancing police driving skills'***

2.47 The Traffic Police Section consists of two units, namely, the Driving Unit and the Traffic Management and Accident Investigations Unit. The Driving Unit has three OSCE internationals, five national driving instructors, five KPS driving instructors, and four KPS accident investigation instructors. The Accident Investigations Unit is now totally staffed by local KPS instructors. The Traffic Police Section is also complemented by 21 UNMIK civilian police international driving instructors.

2.48 Since its inception, the Kosovo Police Service School has expanded its training of each student in a one-week basic driving course and a one-week theory course.

### *Accomplishments in 2003*

2.49 During the past year, the Traffic Police Section received its certification as a driving school. Four local staff have been accredited as driving licenses examiners and are authorized to conduct all UNMIK driver's license testing of KPS officers.

2.50 Four KPS instructors are assigned to the Traffic Accident Management and Investigation Course. The Traffic Police Section trained and certified 20 KPS officers in a 'train-the-trainer programme' for the breath analyzer and laser device, thereby allowing them to return to their regions as instructors in the use of these devices.

### *Looking Ahead to 2004*

2.51 Given that over half of all operational KPS officers do not have a driver's licence, the Traffic Police Section will continue to conduct the learner driver course until all KPS officers have obtained one.

### ***The Specialized Training Section – 'Developing a full range of policing skills'***

2.52 Specialized training is a key component in the overall development of a professional police organization. The Specialized Training Section consists of eight international police officers, four national instructors and eight language assistants. As the KPS has developed into a functional police service, the diversity of its tasks and responsibilities has increased accordingly, and needs for further training have been identified. Based on an analysis of these training needs, the Section was developed to deliver training programmes to ensure that the officers receive the necessary knowledge and skills to carry out the range of tasks facing the organization. Specialized training programmes cover operational skills as well as academic and theoretical issues.

2.53 In order to meet these needs the Specialized Training Section prepares the curriculum, the lesson plans and handouts for the specific courses. The Section runs the following training programmes:

- Basic criminal investigation course and advanced criminal investigation course;
- Border and boundary course, and in-service border and boundary course;
- Drugs investigation course;
- Domestic violence course;
- Rifle course;
- Customs criminal investigation course.

2.54 In addition to these courses, the Section also co-ordinated a number of donor-funded (bilateral) courses. These included, *inter alia*, courses on investigation of organized crime, drug enforcement, forensics, close protection, and civil disorder and fingerprint techniques. A three-day recertification programme for in-service police officers was also co-ordinated by the Section.

*Looking ahead to 2004*

2.55 In 2004, the activities of the STS will increase significantly and in step with the programme for transferring functions and responsibilities to KPS officers under UNMIK Pillar I.

***The Supervision and Management Section – 'Providing leadership skills'***

2.56 The Supervision and Management Training Section consists of seven international staff instructors, all with management training experience, two national instructors, and seven national staff members working as administrative assistants and language assistants. The Section's function is to provide supervision and management training to KPS officers who have been selected as or promoted to be the future leaders of the KPS. The Section also provides support and training to other authorities, such as the UNMIK Fire and Rescue, Customs, and Correction Services.

*Achievements during 2003*

2.57 The Section conducted four eight-week mid-level management courses. In addition, 14 three-week first line supervision courses were held. In the last three course terms, six classes were trained, (i.e., two parallel courses were run during each term). In the total quantity management course, local KPSS staff team leaders received training in supervision matters.

2.58 The Special Executive Management Programme 2003/2004 comprises 48 lesson hours. Thirteen high ranking officers have participated in this programme: four majors, eight lieutenant-colonels and one colonel, who had not attended the supervision or management training courses. The initial introduction to the course was given to the participants in July 2003. Seven of the participants in the programme, as a first group, received training between the end of August and the middle of September 2003. The other six participants will receive the same training during the first quarter of 2004. Both groups together will complete the programme in two workshops at the end of March 2004.

Officers in training	2003	Total in supervision and management	2000-2003
Mid-management	62	Albanian	89%
Supervision	224	Serbian	8%
TQM	18	Other minority	2.5%
CC	7	Female	10.9%
<i>Year 2003</i>	<i>311</i>	<i>Total</i>	<i>100.0%</i>
		<i>2000-2003 total</i>	<i>717</i>

2.59 A previously developed textbook on supervision and management issues is provided to course participants for the purpose of supporting the training in the first-line supervision course and the mid-level management course. This textbook has been further utilized in the assessment of new candidates applying for the relevant ranks.

*Looking ahead to 2004*

2.60 In anticipation of increased numbers of promotions, the Supervision and Management Training Section has planned to run 15 first-line supervision courses and four mid-level management courses in 2004.

2.61 Six colonels, lieutenant-colonels and majors are expected to participate in the Special Executive Management Programme 2003/2004. All 13 participants in this programme are expected to attend the concluding sessions of the programme at the end of March 2004.

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

### **Introduction**

2.62 The Law Enforcement Department (LED) is the Mission's largest department. Its principal purpose is to support the reform of policing within the Ministries of the Interior of Serbia and Montenegro. Three years after the fall of the Milosevic regime, the police services in both Serbia and Montenegro are seeking to make up for over a decade of international isolation and diminished professional status. The shared goal of the OSCE and both Ministries of the Interior is to put them on course to match the performance standards of their contemporaries elsewhere in Europe. A significant interruption was caused by the indictment by the International Criminal Tribunal for the Former Yugoslavia of the Head of the Public Security Sector.

2.63 The OSCE has been designated by the Ministry of the Interior as the co-ordinator of international donor contributions related to policing assistance.

2.64 The Department has 11 international mission members and 18 national staff in Belgrade and comprises sections for strategic development, organized crime and border policing, accountability and internal control, community policing, education and development, and programme support. The Department has three international mission members and three national staff members at the Advanced Police Training Centre in Zemun, and eight international mission members and nine national staff members at the Police Training Centres in Danilovgrad and Bujanovac.

2.65 The Mission's Office in Podgorica has a Police Adviser assigned to provide advice to the Head of Office on police-related matters, to liaise with the Montenegrin Ministry of the Interior and to assist the LED in implementing programmes in Montenegro. The Police Adviser's secondment ended in February. His successor resigned after only one month and a replacement was not found until September.

2.66 The Department is under the leadership of a seconded senior police officer who is posted for a minimum of one year. In September 2003, Tor Tanke Holm (Norway) was succeeded as Head of the Department by Roger Berg (Norway).

2.67 The Department delivers assistance programmes, which are financed by allocations from the unified budget or by voluntary contributions. The approved policing budget for 2003 was €2,473,500.

2.68 At the beginning of the year, the previous Head of Department began implementing the findings of his earlier review of the structure and functions of the LED, assigning staffing responsibilities to the following six priority areas for assistance.

1. Organized crime;
2. Accountability and internal control;
3. Police education and development;
4. Community policing;

5. Crime scene management and forensics;
6. Border policing.

2.69 With the co-operation of the Ministry of the Interior working groups responsible for the priority areas, a long-term strategy was put in place to support the long-term sustainability of each reform by generating active local participation and ownership.

### **Organized crime**

2.70 The assassination of Prime Minister Djindjic provided compelling grounds for intensifying the strengthening of the capacity of the Serbian police and judiciary to tackle organized crime. The fight against organized crime is by far the most important priority area for the two national authorities and the international community. Organized crime continues to destabilize political, social and economic development in Serbia and Montenegro.

#### Major events/activities in 2003

- Implementation of a large-scale IT development project in the Serbian Organized Crime Directorate;
- Establishment of a high-level expert group in the Ministry of the Interior of Serbia and the development of a national strategy for the fight against organized crime;
- Provision of a series of courses on investigation of kidnapping/extortion and special assistance in anti-terrorism;
- Assessment of the Serbian Ministry of the Interior's capacity to investigate war crimes.

### **Accountability and internal control**

2.71 With the assistance of the OSCE, an Inspector General's office was established in the latter half of the year to ensure that complaints against the police are properly investigated and that corruption is tackled as part of the fight against organized crime. Parliamentary and external oversight of the police is also being introduced to increase the level of transparency and public accountability.

#### Major events/activities in 2003

##### *Internal affairs:*

- The Ministry accepted the OSCE strategy for development of police accountability institutions (June 2003) and established an Office of the Inspector General;
- Assessment visits by members of the Inspector General's Office to see how similar institutions function in neighbouring countries;
- Assessment of procedures and practices within the Office of the Inspector General;
- Assessment of the technical needs of the Office of the Inspector General;
- Planning of a two-week practitioners' course on internal affairs, organized at the Bramshill Training Centre in the UK;
- Provision of basic IT and technical equipment.

#### *Parliamentary and external oversight:*

- Assessment of parliamentary committee structure and procedures, followed by a workshop at which cross-party agreement was reached on changes in procedures and parliamentary practice;
- Development of an action plan for the establishment of parliamentary committees, and a security and defence committee;
- Organized a study visit for a cross-party group of parliamentarians to London to meet with home affairs and intelligence committees, Metropolitan Police professional standards directorates, members of a police authority, the UK Police Complaints Authority and the Northern Ireland Police Board;
- A conference on police accountability for internal affairs officers, parliamentary members and the Ombudsman's office from Serbia and Montenegro.

#### **Police education and development**

2.72 Police education is the determining factor for defining the future culture of the police service. Introducing new recruits to policing principles during basic training, using curricula in line with human rights standards and accepted guidelines on the use of force, during basic training can cement attitudes and behaviour at a critical juncture. At present the OSCE Mission has three training sites, two in Serbia (the OSCE Advanced Police Training Centre in Belgrade and in Bujanovac in South Serbia) and at Danilovgrad in Montenegro.

#### *Major events/activities in 2003*

- Training of 620 officers in south Serbia in the police development course;
- Training of 1,680 patrol and border police officers in Montenegro as part of the police development course;
- Training of 55 officers from both Serbia and Montenegro in the extensive six-week trainer development course;
- Training of 30 senior Serbian officers in the supervision and management course;
- Facilitation of a project aimed at refurbishing the dormitory accommodation at the Police College in Belgrade.

#### **Community policing**

2.73 The introduction of community policing promises to bring about a significant change in the police culture of Serbia in the long term. Achievement of a goal of shared responsibility for community security is being furthered by a close working relationship between the municipal authorities, representatives of civil society and the police service.

#### *Major events/activities in 2003*

- A comprehensive public and police perception survey by which the department formed the basis of the Ministry's community policing plans;
- Co-ordination of all the international organizations involved in implementation of community policing in ten pilot sites through the Interagency Co-ordination Meetings, so as to assist the Ministry of the Interior in developing a national strategy on community policing based on the findings and experiences of the pilot sites;

- The commencement of community policing initiatives in the three municipalities in south Serbia of Presevo, Bujanovac and Medvedja.

### **South Serbia**

2.74 At present, there are over 40 portable container units staffed by Multi-Ethnic Police Element (MEPE) personnel in south Serbia. Each unit has a strength of six to eight officers, of whom two are required to guard the container, and two to patrol on foot, whilst one operates the radio and one rests. A four-day round-the-clock shift is operated (with a day and a half off after each four-day period). The work performed is similar to that of officers stationed in the main police stations, but the opportunity to develop skills is severely hampered. The OSCE proposal is that these units should become permanent police stations, making it possible for more normal working hours to be assigned to officers.

2.75 The results achieved thus far are encouraging, but the momentum built up over the last two years must be sustained if old prejudices are to be relegated to the past.

#### Major events/activities in 2003

- The Department has reassigned three police trainers to south Serbia to improve in-service training and community policing in south Serbia;
- The Department developed and negotiated the acceptance of the 'Road Map for south Serbia' aimed at the provision of further training for multi-ethnic officers, the development of municipal security committees and the consolidation of MEPE units in south Serbia.

### **Crime scene management and forensics**

2.76 The post of crime scene adviser remains unfilled. Consequently, no progress has taken place in this priority area. The post will continue to be advertised until a qualified candidate can be appointed.

### **Border policing**

2.77 The planned demilitarization of the borders of both Serbia and Montenegro has highlighted the need for the development of new border police services. At the same time, the Ministry is upgrading identity cards to make forgery harder and the examination of identity cards and passports easier.

#### Major events/activities in 2003

- The provision of IT training for Serbian and Montenegrin border police officers;
- Co-operation with the British Immigration Service in the provision of training for border police officers in Serbia and Montenegro on profiling, interviewing techniques, identification of false documentation and action to combat smuggling and trafficking;
- Regular co-ordination meetings with international border experts;
- An assessment of border controls at the sea-port of Bar;

- A first meeting between the Albanian and Montenegrin border police authorities;
- The development of Ministry of the Interior strategies in both Serbia and Montenegro for dealing with anti-trafficking issues and border security, and the development of a customs law;
- Development of an anti-trafficking unit in the Serbian Ministry of the Interior;
- Training and development of a capacity for criminal intelligence analysis within the Border Police service.

### **Assistance with strategic planning and management**

2.78 Given the extensive nature of the proposed reform undertakings, a structure and systems need to be created for systematically implementing change and for enabling senior police managers to acquire strategic management and planning skills.

#### Major events/activities in 2003

- Provision of training and assistance to both the Serbian and Montenegrin Ministries of the Interior in the development of strategic planning and management;
- Review of the draft Law on Police Services.

### **Co-ordination of international donor contributions**

2.79 At the time of the establishment of the OSCE Mission in 2001, a comprehensive study of the police forces of Serbia and Montenegro was undertaken, and the report's recommendations were grouped into six thematic areas. During the period of the study, a series of meetings took place with representatives of those embassies and international organizations having a particular interest in policing. Subsequently, the Ministry of the Interior of Serbia agreed that the OSCE would be appointed co-ordinator for international police assistance contributions. Since then, the LED has held regular co-ordination meetings with embassies and international organizations at six-week intervals.

2.80 New developments in the reform process are made accessible to the public as well as the wider international community through the publication of a newsletter, four issues of which have so far been produced.

### **Monitoring of the police reform process**

2.81 In early September 2003, the Law Enforcement Department completed a review of the progress of police reform in Serbia since publication of the influential *Policing Study in the Federal Republic of Yugoslavia* in July 2001. The report of the review, entitled *Police Reform in Serbia; Towards the Creation of a Modern and Accountable Police Service*, listed 93 recommendations, which it is hoped will form the basis of the Ministry's reform priorities for the next two years.

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

2.82 The Police Development Unit (PDU) comprises the following five sections: Management; the Police Academy; Community Development; Educational Support; and Police Reform. The Unit has an establishment of 70 international staff posts (not all of which are filled) located at Headquarters in Skopje, the Police Academy at Idrizovo, and the Kumanovo and Tetovo field stations. The distribution of staff is as follows:

<b>International staff</b>			
	Filled	Vacant	Total
Management	6	5	11
Police Academy	18	6	24
Educational support	3	0	3
Community development (HQ)	11	0	11
Community development-Kumanovo community police trainers	8	2	10
Community development-Tetovo community police Trainers	7	3	10
Police reform	1	0	1
<b>Total</b>	<b>54</b>	<b>16</b>	<b>70</b>

2.83 In 2003, the budget of the PDU was €5,220,800. The 2004 budget will be reduced by 24%.

2.84 In July 2003, the Unit undertook a joint evaluation with an EU fact-finding mission in preparation for the establishment of an EU Policing Mission. The mission was led by EU Deputy Director General of Political and Military Affairs, Pieter Feith, and consisted of 16 experts, including members of the Council of Europe Secretariat, and officials and police experts of the EU Commission.

2.85 The EU Police Mission 'Proxima' was launched on 15 December 2003. Its Mission statement is:

*"In line with the objectives of the Ohrid Framework Agreement, in strong partnership with the relevant authorities, and within a broader rule of law perspective [the Mission] shall, in full coordination and complementarity with Community institution building as well as OSCE and bilateral programmes, support, including through monitoring and mentoring, as appropriate:*

- *The consolidation of law and order, including the fight against organized crime, focusing on the sensitive areas,*

- *The practical implementation of the comprehensive reform of the Ministry of the Interior, including the police,*
- *The operational transition towards, and the creation of a border police as a part of, the wider EU effort to promote integrated border management,*
- *The local police in building confidence within the population,*
- *Enhanced cooperation with neighbouring States in the field of policing".*

2.86 The OSCE PDU has retained the complementary police-related activities outlined below, on which its activities were based during 2003.

### **Training**

2.87 Working closely with the Ministry of the Interior, the PDU has trained a new generation of police officers. Cadets were recruited in an effort to ensure that the police service reflects the composition and distribution of the country's population. The training has been developed by a Curriculum Development Unit focusing on democratic principles, the rule of law, and European policing and international human rights standards.

2.88 In 2003, the PDU, in co-operation with the Ministry of the Interior, organized two basic training programmes, in accordance with the requirements of Annex C of the Ohrid Framework Agreement, to train and deploy 1,000 non-majority police officers by July 2003. A total of 630 students were trained, of whom 103 were ethnic Macedonians, 435 ethnic Albanians, and 92 were from other ethnic minority groups. This brought the total number of new cadets trained by the Ministry of the Interior and the OSCE Mission to 1,156 (not counting 20 reservists).

2.89 The nine-month Basic Training Programme is comprised of classroom training and field training, two distinct but integrated components. New police cadets spend three months at the Police Academy, where they are trained in aspects of modern policing. Graduates of the Police Academy must complete a six-month structured field training programme focusing on the practical application of the course work, and further development of community policing skills. During this probationary period, newly graduated cadets are paired one-to-one with a senior national field training officer, who functions as a mentor and is tasked with the continuing education and evaluation of the new cadet's overall performance. Once cadets have completed the nine-month basic programme they are eligible to apply to sit the State examination, which if they pass qualifies them to receive executive authority. The application must also be supported by their station commander.

### *Reservist training*

2.90 In September 2003, at the request of the Ministry of the Interior, OSCE-PDU designed a special (one month) curriculum to train 20 police reservists. The curriculum included 29 basic training lessons (such as policing in a multi-ethnic society, human rights, use of force, and community policing), four defensive tactics lessons, and fire arms training. Professional training programmes, requested and approved by the Ministry of the Interior, are an integral part of the PDU's exit strategy.

The total number of police officers trained by the PDU during 2003 can be broken down as follows:

Basic course	630
Basic reservist course	20
Language course	181
Refresher course	1,460
Field training	116
Human rights	2,953
Road safety	14
Computer training	97
Arrest and detention	182
Drug identification	1,493

### **Border co-operation**

2.91 The Police Development Unit, the Ministry of the Interior and the OSCE Action-against-Terrorism Unit (ATU) at the OSCE Secretariat, conducted a three-day regional co-operation workshop on travel documents from 2 to 4 April in Ohrid. It brought together 24 senior government experts from nine OSCE participating States in South Eastern Europe (Albania, Bosnia and Herzegovina, Bulgaria, Croatia, Hungary, Romania, Serbia and Montenegro, Slovenia, and the host country), as well as three international experts from the Netherlands and the United States Embassy in Vienna. The workshop was successful in terms of its broad and active participation, and of its positive findings. Government experts presented in-country evaluations of their own priority issues related to travel documentation and emphasized the need for increased cross-border co-operation at the regional level in areas such as training, information and intelligence sharing, and joint operations - including joint patrolling. They also noted the need for improved information flow at the national level. The participants expressed their willingness to explore possibilities for developing more bilateral and/or multilateral agreements on co-operation related to travel documents.

2.92 The PDU participated in a seminar on border co-operation held in Albania on 6 and 7 May, organized by the Police Project Albania-Denmark (DANIDA) in co-operation with the Albanian Ministry of Public Order and the OSCE Presence. The seminar was attended by seven officials from the Albanian side and eight from the former Yugoslav



Republic of Macedonia (three from the Ministry of Defence and five from the Ministry of the Interior, including the Deputy Under-Secretary for Uniformed Police), and there was also participation from the Danish National Police, the OSCE Presence in Albania and the OSCE-PDU.

### **Police reform**

2.93 The PDU worked in close co-operation with the Council of Europe (CoE) and the Ministry of the Interior on a Code of Ethics to be endorsed by the Minister of the Interior in January 2004. The Code will officially enter into force after it is published in the Official Gazette. The PDU is preparing to write a training strategy at the request of the Ministry of the Interior, to be implemented, when the Code is adopted.

### **Community policing**

2.94 In 2003, the PDU held workshops and seminars for both Ministry of the Interior personnel and citizens on joint problem-solving methods for the communities and municipalities in which they live and work. By the end of the year, 1,254 Ministry of the Interior officers and civilians had participated, with continued training planned during 2004.

2.95 The workshops and seminars are complemented by community advisory group (CAG) fora, in which volunteers from many sectors of society meet to informally discuss issues of mutual concern with police representatives. So far, 54 CAGs have been set up inside and outside the former crisis regions, covering more than 200 villages.

2.96 In November 2003, the PDU commenced training for 32 middle-ranking police officers of mixed ethnicity and gender, who will become community relations coordinators (CRCs). Their work will be based on trust and openness and will concentrate particularly on developing relations through community groups and with the local media, municipality officials and NGOs. After a one-week exchange programme with the Dutch police, the newly trained CRCs will join police officers on street patrols to observe how an established community-based policing programme operates. In addition to this practical experience, the CRCs will participate in workshops on the principles and theory of community-based policing, organized by the Ministry of the Interior of a host country.

2.97 During the year, the PDU was invited to monitor the progress towards equitable representation within the Ministry of the Interior Special Police Unit and was invited to be represented on two commissions set up by the Ministry of the Interior to inquire into alleged police abuse. In both instances, PDU staff were allowed unrestricted access to information.

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## **The OSCE Presence in Albania**

2.98 The OSCE Presence does not have a Police Unit. Instead, its Department for Security Co-operation comprises a Border Management Unit and an Anti-Trafficking Unit. However, the Department does have professional competence in Police matters and enjoys extensive contacts and exchange of information with the Albanian Police Authorities and international actors in the police and security sector.

2.99 The Border Management Unit was established in June 2002 with the aim of strengthening the joint border co-operation process between UNMiK/KFOR and the Albanian Police.

2.100 The Anti-Trafficking Unit was set up to broaden the focus from almost exclusively safeguarding the rights of victims to improving the capacity of law enforcement bodies to investigate this crime.

### **Police Related Activities of the Border Management Unit**

2.101 During 2003 the Presence's Border Management Unit was actively assisting the Albanian Ministry of Public Order and the Police in implementing its integrated Border Management Strategy and promoting the concept of police regional cross border co-operation which it developed in the autumn of 2002. The region has long been identified as one of the major trafficking routes to EU States and the problem needs to be tackled regionally. The process of cross-border police co-operation brings together police commanders from the Albanian and UNMiK Police at appropriate levels of command and operational responsibility to address issues and matters of mutual concern at regularly convened meetings. These meetings, called Joint Co-operation Meetings (JCM), are arranged through the OSCE Presence Border Management Unit at a high level and through field station Kukes at the local and prefecture level. The JCMs provide the means by which contact points are established and information is shared and between police forces.

2.102 The Ohrid Conference in May 2003 defined the way forward for regional co-operation on border- and security-related issues. The OSCE was tasked with providing support and assistance for the extension of the co-operation process to other segments of the Albanian border. During 2003, the Border Management Unit, in co-operation with the OSCE Police Missions in FYROM and Montenegro, initiated a series of high-level meetings between the Albanian Border Police and their security counterparts in these OSCE Mission areas. The objective of these mutual co-operation activities was to promote the Ohrid Agreement between the neighbouring States, with particular emphasis on police cross-border co-operation between UNMiK and the Albanian Police. The process has been expanded to include Working Groups on Anti-Trafficking and Organized Crime. The result had been confidence-building between the two sides as well as the introduction of transparency measures. This in turn has led to closer co-operation and harmonization of border procedures and regulations, co-operation on action to combat trafficking, organized crime and intelligence-gathering, especially in the area of

anti-terrorism. New border crossing points have brought increased economic benefits to isolated border communities.

### **Police Related Activities of the Anti-Trafficking Unit**

2.103 The Anti-Trafficking Unit, consisting of two staff members, one international and one national, has developed close contacts with the Anti-Trafficking Department of the Albanian Ministry of Public Order. One of the major aims of the Unit's activities has been to build up the capacities of the Police Anti-Trafficking Units.

2.104 In conjunction with the OSCE field stations, the Anti-Trafficking Unit has continued implementation of a project: 'Pre-screening of Detained Irregular Foreigners in Albania', based on a Memorandum of Understanding signed by the Albanian government, UNHCR, IOM, the International Catholic Migration Commission (ICMC) and the OSCE Presence in Albania, in February 2001. The procedure aims to avoid refoulement (expulsion or return) of asylum seekers once they have been intercepted by the police inside Albania (or are in police custody following interception in international waters by Italy), and to grant access to a referral system for those trafficking victims who express their intention to return to their countries of origin. The field stations and the Anti-Trafficking Unit worked together to facilitate the flow of information from the police commissariats to the Pre-screening Focal Point (UNHCR/OFR). Discussion is now underway amongst the actors to expand the reach of this mechanism to the borders with a view to creating a unified, country-wide system for eventual national adoption.

2.105 Through the implementation of the first phase of the Victims Assistance Team Project, the Unit assisted the Anti-Trafficking Police Units with the identification of Albanian victims of trafficking expelled to Albania by the authorities of third countries. The Unit, in collaboration with the field stations, gathered detailed information regarding the outcome of Police Operation MIRAGE II, conducted in September in Albania and other South East European countries and co-ordinated by the SECI Centre (Southeast European Co-operative Initiative, Regional Centre for Combating Trans-border Crime) in Bucharest.

2.106 The Unit with the OSCE field station in Vlora maintains continuous contact with Albanian and third-country partners in the Vlora Anti-Trafficking Centre to evaluate the impact of law enforcement activities that may have international implications.

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

#### THE CAUCASUS

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

#### Armenia

3.1 In Armenia, a visit of the Senior Police Adviser laid the foundation for co-operation in the area of police assistance and led to a comprehensive needs assessment carried out between July and December by SPMU police affairs officers and one contracted expert from the Netherlands. Based on their findings and recommendations, an OSCE police assistance programme jointly formulated with the Ministry of the Interior is in the final stages of preparation and is aimed at commencement in the second quarter of 2004. Implementation is contingent upon the participating States pledging voluntary extra-budgetary contributions.

3.2 A police assistance programme for Armenia will initially focus on the following three areas:

- The creation of a modern police emergency-response system in Yerevan, to provide the public with the means of calling the police in emergencies and to enable the police to decide how it will respond to them. To identify the most appropriate and cost-efficient solution, a study tour was organized to Russia, Germany and Sweden, led by the First Deputy Chief of the Armenian Police;
- Implementation of a community policing model in one of the districts of Yerevan. A community survey has been independently conducted by Transparency International to identify the current level of community satisfaction with police services and the existing levels of trust. A working group comprising members of the Armenian police, NGOs, members from the community itself, and a seconded international expert will review the results early next year. Following study tours to EU countries where implementation of community policing models is well established, selected best practices will be absorbed into the new local community policing concept.
- Provision of support to the training centre for new police recruits, mostly through investment in modern teaching aids, computer equipment, Internet access and study visits by the instructors to leading police training establishments in several countries.

## **Azerbaijan**

3.3 In Azerbaijan, a comprehensive needs assessment was conducted between June and November by SPMU Police Affairs Officers and seconded international police experts from Bulgaria, Turkey and the UK. An OSCE police assistance programme, jointly formulated with staff from within the Ministry of the Interior is in the final stages of its formulation and is also expected to be implemented starting in the second quarter of 2004, provided that it too receives support through extra-budgetary contributions from OSCE participating States.

3.4 A police assistance programme for Azerbaijan will focus on the following three areas of policing:

- A comprehensive restructuring of the training of police recruits. This will include changes to the content and methods of delivery, renovation of the training centre, provision of modern teaching aids and computers, and study tours by instructors to police training facilities in Russia and Turkey;
- Implementation of a community policing model in one of the regional operational police centres, where a broad array of measures will be taken to improve the relationship and interaction between the police and the local population;
- Enhancement of the drug investigation capacity through analytical support, including to ascertain true levels of drug consumption in the country, drugs transits and the probability of stockpiling of heroin and other opium derivatives. The existing criminal information management system will be upgraded. A sustainable capacity for the collection, storage and retrieval of drug-related operational information will be created through multi-level training of uniformed police, operational officers and investigators. Some basic equipment will also be provided to improve the effectiveness of drug investigations. (The elements of this project have been formulated in close collaboration with the UN Office for Drugs and Crime.)

## **Georgia**

3.5 The political overthrow of the Government at the end of the year alerted the SPMU to the possible need to provide the OSCE Head of Mission in Tbilisi, with a concept of operations and timetable for a comprehensive Ministry of the Interior reform plan. This is in the course of preparation.

3.6 Contact with the SPMU by UN, OSCE and Georgian officials, regarding the police-related matters outlined below, began in September 2003.

### *Abkhazia*

3.7 The UN Mission in Georgia (UNOMIG), which has a responsibility for assisting a political settlement, requested the SPMU to advise on joint police training for Georgian-Abkhaz law enforcement personnel. Assessments and arrangements were made to provide such training in the OSCE Police Service School in Kosovo and during September 2003, SPMU and KPS School representatives visited Georgia and UNOMIG and prepared a joint police training proposal. The Secretary General and the Senior Police

Adviser discussed this matter with UN officials in New York and a tentative agreement by all three sides emerged briefly, but subsequent to the recent political developments in Georgia, it appears to have been withdrawn by the Abkhazian side. Further developments are awaited.

#### *South Ossetia*

3.8 The OSCE Mission to Georgia requested a consultation with the Senior Police Adviser and assistance from the SPMU to organize a similar programme of joint police training and confidence-building for the police of South Ossetia and Georgia. The SPMU Police Affairs Officer (Training) made a series of assessment visits and by mid-October 2003 had proposed a formula for possible co-operation to the parties concerned. The South Ossetian side declined to discuss the proposed SPMU formula until the meeting of the Joint Control Commission that was scheduled to take place in December 2003. Because of the recent dramatic political developments in Georgia, this meeting has been postponed and the proposals remain in suspense.

## CENTRAL ASIA

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

#### **Kazakhstan**

3.9 At the invitation of the Minister of the Interior, the SPMU is undertaking a thematic technical assessment of criminal intelligence analysis and is assisting the Centre in Almaty to implement a pilot project on crime intelligence. Transition to intelligence-led policing is a declared strategic priority of the Kazakh police, and an operational information analysis unit, which is intended to operate State-wide, has been set up. This is the first such unit in any CIS police force. The progressive attitude of the Kazakh police represents a significant step towards the introduction of modern policing methods and a first opportunity to establish collaboration on broader capacity-building measures. The assessment was commenced in September 2003 and project implementation started within several weeks of completion of the assessment. Study tours and coaching in the formulation of the organizational, technical and operational concepts of the newly created operational information analysis unit, as well as information management technology, have so far been conducted in Spain and Russia. Follow-up study tours will take place in the UK and Spain early in 2004.

3.10 By June of 2004, a pilot operational information management system should be in place between the Ministry of the Interior of Kazakhstan and the Astana Police Department.

## **Kyrgyzstan**

3.11 The OSCE police assistance programme formulated on the basis of assessments by teams of policing experts from France, Spain, Russia, the USA, the UK, Norway and Germany, became operational on 7 August 2003. The programme comprises eight projects, is costed at €3.6 million and will be completed in February 2005. Financial pledges from four countries are still outstanding and there remains a shortfall of more than 50% of the total budget estimate.

3.12 Programme implementation is under the direction of a female member of the French National Police reporting to the Head of Centre and her national counterpart - a colonel of the Kyrgyz Militia - assisted by police experts from Russia and Sweden and five local staff. Other international police officers provide specific project input of varying durations. The staff is based in a small suite of offices in Bishkek or at the Police Academy.

3.13 Oversight of the programme is provided by a Programme Executive Steering Committee chaired by the Head of Centre. Members include the Minister of the Interior, the First Deputy Minister, the Head of Defence and Security Matters within the Presidential Administration, the Head of the Police Academy, ambassadors of the donor States and representatives of NGOs. The Committee first met on 25 November 2003 and will next meet on 25 March 2004.

3.14 The programme's eight project aims are:

1. Improving the quality of police investigations;
2. Improving police capacity for drug interdiction (will precede UNODC intervention);
3. Setting up a modern and efficient police emergency call-response centre;
4. Establishing a national criminal information analysis system;
5. Providing a radio-communication system for police crime investigators;
6. Improving the police's capacity to prevent, resolve or manage public conflict and disorder;
7. Introducing of community policing methods at a pilot site;
8. Expanding the curriculum of the National Police Academy.

3.15 Primary activities so far include the setting up and equipping of eight mobile drug-sniffing dog units; the provision of sophisticated drug- and contraband-detection equipment for two purpose-built stationary checkpoints on roads through Kyrgyzstan that provide a link between Afghanistan and the countries of the Commonwealth of Independent States; a step-by-step development of local-needs policing with local community consultation in the Pervomaisky police district of Bishkek; the formulation of new curricula for the Academy with input from the HCNM, and the provision of computers, vehicles and teaching materials; and the arrangement of study tours for police trainers to Germany, Russia, Poland and Lithuania to examine community policing, civilian oversight of police and prevention of juvenile delinquency.

3.16 Elements of project 6 listed above included the provision of equipment and training to deal with serious public disorder and led to publicly expressed misgivings by representatives of some civil-society groups. To allay future concerns, it was agreed between the Netherlands Chairmanship-in-Office and the President of Kyrgyzstan that representatives of local NGOs would be admitted as members of the Police Programme Executive Steering Committee and the State Commission on Police Reform. Subsequently, the Senior Police Adviser proposed to the Programme Executive Steering Committee that the business case justifying two items of public order equipment be reviewed and that meanwhile the supply of the items concerned be suspended.

3.17 The first half of 2004 will see an increase in the rate of programme implementation, with more than 120 activities to be implemented by mid-year as planned outputs come on stream. A mid-term evaluation of the programme will assess the process of implementation as well as the progress achieved.

3.18 The SPMU Programme Co-ordinator is concluding negotiations for the signing of a financing agreement between the EC and the OSCE, under which €1 million will be contributed to police development in Kyrgyzstan. These funds will be used to start the implementation of four projects within the programme, but a share will also go to fund comprehensive assessments of reform of the police culture and organization, crime investigation, human resources management, traffic policing, the use of firearms, and the development of an IS and IT strategy. The output of the work will be used to inform the Minister of the Interior about the measures required to fundamentally reform his organization and its culture and will also be linked to the work of the State Commission as it formulates a vision, values and aims for policing over the next five to ten years. The membership of this Commission, to which the Senior Police Adviser has been appointed as adviser, is currently under review by the Presidential Administration. The ODIHR and other international organizations will be drawn in. (The Senior Police Adviser and the Head of Centre are collaborating on a concept of operations and programme of activities to advise the Commission and the Minister of the Interior. The work will also contribute to the possible formulation of a Phase 2 programme of police-related assistance matters).

## **Tajikistan**

3.19 The 2002 border police assessment was held in abeyance, owing to the EC's announcement of its Border Management for Central Asia (BOMCA) programme.

3.20 Attention was switched to undertaking an assessment of policing, but the re-allocation of mission funds and a backlog of SPMU commitments has so far precluded moving forward on this undertaking.

## **Uzbekistan**

3.21 Towards the end of November 2003, SPMU staff were invited to pay a preliminary assessment visit to Uzbekistan. Meetings with the Uzbek police authorities resulted in three areas being recommended for future assistance. These are:

- Introduction of and training in modern internationally accepted investigation



techniques and related criminal procedures and legislation;

- Strengthening of the Police Academy in Tashkent through the development of a Chair of Human Rights Studies;
- Strengthening of the training for non-commissioned officers in the Uzbek Police.

3.22 A draft memorandum of understanding between the Republic of Uzbekistan and the OSCE is under consideration by the Uzbek authorities, with a provisional starting date for a comprehensive assessment in the spring of 2004. This would enable the process of formulating a programme of police assistance to be completed by summer 2004.

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## 4. THE STRATEGIC POLICE MATTERS UNIT

### Role

4.1 The role of the Unit is:

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

### Staffing

4.2 The SPMU is staffed by four police affairs officers, to each of whom is assigned an individual portfolio of responsibilities, and a programme co-ordinator. One police affairs officer acts *de facto* as the deputy head of the Unit. The Senior Police Adviser is the Director of the Unit and is assisted by an executive officer and a secretary. The posts of information management officer and administrative assistant have been established, but are not yet permanently filled.

4.3 A contracted post of Police Affairs Officer (Anti-Trafficking), the incumbent of which is responsible for developing a law enforcement investigators' response to trafficking in human beings, particularly women and children, was applied for in the budget proposal for 2004. This post was removed by the Advisory Committee on Management and Finance, but was later reinstated as a seconded post. A decision to impose an Organization-wide moratorium on post upgrades has prevented the extra work of the *de facto* deputy head of the SPMU from being acknowledged. If this were done, it would enable the Head of the Unit to pay greater attention to his role as Senior Police Adviser.

4.4 The Police Affairs Officers responsible for General (Uniformed) Policing and Border Policing matters will rotate out of the Unit in April and May respectively. Successors of a high calibre are required to quickly pick up, their predecessors' portfolios, responsibilities and network of contacts.

### Funding

4.5 The total annual budget for the SPMU was €74,800, of which post table costs amounted to €409,500. These amounts were reduced by the mid-term review to €27,900 and €33,000, respectively, as a result of the delayed recruitment for additional posts. A travel costs allocation of €10,600 was spent by mid-November, and as a direct consequence police affairs officers cancelled several pre-arranged visits.

4.6 Both the Chairmanship and the Secretary General have required the Senior Police Adviser and SPMU staff to participate in meetings and conferences and to undertake assessments at short notice for which there is no budgetary provision. In the absence of a budget line for policing needs assessments, more than €5,000 was used to fund the travel and related costs of the SPMU's contribution to the proposed Technical Co-operation Programme Task Force for Chechnya. A further €5,000 was spent to defray travel and accommodation costs incurred by the Police Affairs Officer (Borders) in carrying out the

seven-State post-Ohrid Regional Border Assessment Review. The absence of a budget line for a programme co-ordinator until April also meant that money from the travel budget was used at the rate of €6,000 per month to engage a programme co-ordinator on a short-service agreement.

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

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

#### Mode of Operation

4.9 During 2003, the six-stage systematic process of delivering a police-assistance programme established the architecture for long-term collaboration with participating States, and its comprehensive mode of management is finding favour with potential external funding sources. The process comprises:

1. *A critical policing-needs assessment stage.* The outline is formulated as a result of meetings between the Minister of the Interior and the Senior Police Adviser. If possible, assessors are drawn from States with an analogous experience and possessing a cultural relevance. Where possible, they are accompanied partially or entirely by police officers from the host State in order to create from the outset the notion of local participation in problem-solving and ownership for solutions.
2. *An information-gathering stage.* Information is sought from the staff of embassies, other international organizations and local NGOs already active in, or planning to provide police-related assistance.
3. *The programme-formulation stage.* The projects, which comprise the programme, are agreed by the Minister of the Interior and aligned to the activities of other agencies.
4. *The programme implementation stage.* This is preceded by a formal presentation to each participating State delegation for the purpose of obtaining extra-budgetary contributions. On receipt of pledges for a minimum of 51% of the total financial estimate, a memorandum is signed by the OSCE head of mission and a high-ranking member of the country's government. Experience has shown that it is advisable to appoint at least a full-time police programme manager to be responsible to the head of mission for the efficient implementation of the programme. He or she is assisted by the SPMU staff, particularly the programme co-ordinator, and the Senior Police Adviser directly advises the head of centre or mission.

5. *The Programme-evaluation stage.* About half way through the period of implementation, independent experts need to be commissioned to evaluate the progress achieved and the processes followed. The report of their findings and recommendations is submitted through the head of centre/mission to the Secretary General and should be accompanied by a written response from the Senior Police Adviser. Both reports should be placed before the Permanent Council for its information and further action, if required.
6. *The conclusion or transition stage.* The ultimate aim is for the process of development to become self-sustaining. The process of detachment should be accordingly progressive and well managed. However, the components of the programme may be transferred to within a regional initiative, sponsored for instance by the EC, or may in individual form receive one or more further year(s) of support from a single country on the basis of an existing special relationship.

4.10 The process has anticipated the European Commission's wish for similar practices of accountability whilst contracting national and international organizations concerned with justice and home affairs matters in south-eastern European countries.

#### **Action to combat trafficking of human beings, particularly women and children.**

4.11 Both the Senior Police Adviser and the Police Affairs Officer (Crime) are members of the Stability Pact Task Force Expert Co-ordination Team on Human Trafficking and the OSCE Informal Working Group on Gender Equality and Anti-Trafficking. The Police Affairs Officer is also a member of the INTERPOL Steering Committee on Human Trafficking.

4.12 In addition to other crime-detection and -prevention matters, the Police Affairs Officer (Crime) has been assigned the portfolio of human trafficking issues, pending agreement by the permanent Council to establish a post of Police Affairs Officer (Anti-Trafficking) in 2004. He began a search to locate all existing reports, studies and training materials related to human trafficking and those located have become a reference base for field mission police-assistance officers.

4.13 In March 2003, the Police Affairs Officer (Crime) and the ODIHR Anti-Trafficking Adviser visited Moldova to assist the local OSCE anti-trafficking officer in establishing a witness protection unit in the Moldovan Police. They have remained in touch to arrange training and assist with the physical setting up of the Unit.

4.14 In April 2003, the Police Affairs Officer (Crime) made a presentation to the meeting of the Interpol Steering Group in Lyon, France, as a result of which further operational contacts and sources of information were established.

4.15 As part of an assessment of the Azeri Police, the Police Affairs Officer (Crime) examined the capacity existing in Baku to investigate human trafficking, for which the Deputy Head of Office is seeking international assistance.

4.16 During attendance at the International Chiefs of Police Regional Conference in Riga, Latvia, the Police Affairs Officer (Crime) established contacts with the Latvian police and witness protection programmes operating in the three Baltic States. A Lithuanian police expert later participated as a speaker at the OSCE Police Experts' Meeting held in September.

4.17 As a direct outcome of the Police Experts' Meeting on Human Trafficking, the Police Affairs Officer (Crime) travelled to Serbia in October to advise on the setting up of a unit on action to combat human trafficking for which a grant of €70,000 had been made by the Norwegian government. His intervention made it unnecessary to appoint an external consultant thereby achieving a saving of €30,000.

### **First OSCE Meeting of Police Experts**

4.18 Acting in accordance with Decision No. 9 of the Bucharest Ministerial Council Meeting of 4 December 2001, a first OSCE Meeting of Police Experts was held in Vienna on 18 and 19 September 2003. Among the discussion leaders were experts from civilian organizations dealing with human rights and victims' welfare, all of whom daily confront a range of obstacles to detecting and prosecuting offenders.

4.19 The presence of some heads of delegations and/or their representatives afforded an opportunity for information about the complexity and range of law enforcement problems to be better understood by government officials in participating States and related to international conventions and declarations. The chief purpose of the Meeting was to enable practitioners to widen their own understanding of the subject and to share with counterparts. Problems and strategies for dealing with it. Participants from the law enforcement sector signalled a need for upgrading of skills, information sharing, fresh legislation and greater practical political support. By the end of the meeting, its focus had shifted very strongly towards this latter issue.

4.20 The content and format of the Meeting was considered by many participants to satisfy a long-standing need to bring practitioners together to discuss police-related technical matters. As a consequence, there is an expectation that the OSCE will take responsibility for development of activities in the sphere of practitioner-related needs. These include enhancement of investigative skills, establishment of information networks and greater acknowledgement of the role of law enforcement in preventing, as well as detecting, offences by making the cost to offenders higher than the rewards.

4.21 The subject of trafficking in human beings, particularly women and children, was at the top of the Netherlands Chairmanship's list of priorities during 2003. The OSCE, members of the Stability Pact Expert Task Force on Trafficking and the UNDP have progressively developed a broad range of strategies and documents for guidance on the handling of victims and the training of police. Learning to think as offenders think and searching for effective means of securing evidence with which to prosecute offenders, other than by means of reliance on victim testimony, is a crucial component of tackling the trafficking of women and children. It has received insufficient attention.

4.22 Although the requirement of the Bucharest Ministerial Meeting in 2001 was for a meeting attended only by police experts, the importance of drawing on knowledge, much of it critical, in the possession of intergovernmental organizations and NGOs was deemed a justification for inviting respected non-police experts to be discussion leaders. Insistence on a broad participation by NGO representatives and efforts to ensure their presence caused the meeting to be delayed until the autumn.

4.23 Many delegations understood the importance of arranging for police officers to attend, but some did not. Thus, not every participating State was represented by a serving police officer with direct expertise in combating trafficking. Subsequently, a number of police officers from these States asked that their particulars be added to a post-meeting list of contacts.

4.24 Some members of the NGO community who had been invited to participate as discussion leaders were not able to fund their attendance. The attendance of these was subsequently funded by a generous contribution from the United States delegation.

4.25 The Meeting resulted *inter alia* in:

- The creation of a police investigators contact directory for anti-trafficking practitioners;
- Assistance for planning a new *Serbian Police Anti-Trafficking Unit* in Belgrade;
- The initiation of a major criminal investigation in both the UK and Latvia in relation to a complaint received concerning an Internet-based child pornography ring;
- An invitation to the OSCE to join Interpol's *Steering Group on Human Trafficking*;
- The formulation of a series of follow-on police practitioner workshops, which will focus on investigating sexual crimes, beginning in July 2004.

## **Border policing**

### *Post-Ohrid – Regional Border Initiative*

4.26 The SPMU has provided continuous input into the development of the post-Ohrid process for encouraging border policing and border management in the Western Balkan area for which the Conflict Prevention Centre has responsibility. The Police Affairs Officer (Borders) contributed to the preparatory phase, attended the Conference in May and has been tasked with technically achieving the commitment of the OSCE to establish a Joint Regional Border Management Training course. Accordingly, he helped to design a questionnaire on border issues circulated to the seven South Eastern European countries, analyzed the responses, conducted a comprehensive seven-week field assessment throughout the region and drafted a programme proposal on the basis of the outcomes of the assessment. The programme proposal is currently in the process of being submitted to the Permanent Council. The outline of the programme was presented at the first Ohrid Review Meeting in Belgrade in November and the assessment report circulated to the South Eastern European countries and the partner organizations (NATO, EU and Stability Pact).

4.27 The responsibility for border policing affairs in the countries of the Caucasus and Central Asia lies with their respective Ministries of the Interior, and operational effectiveness is linked to the functions of territorial policing and regional policing. For these reasons, the SPMU will take the lead on the subject of border policing irrespective of any existing or future political plans to address the wider political issues of transnational, sub-regional and regional agreements.

### **Co-operation with international organizations.**

#### *The European Commission: BOMCA*

4.28 In early 2003, a border police assistance programme for Tajikistan was formulated, based on the output of the assessment carried out at the end of 2002 by the Police Affairs Officer (Borders), assisted by three seconded international experts from Germany, Hungary and Italy.

4.29 During this process, it was learned that the EC intended to proceed with development of its Border Management for Central Asia (BOMCA) programme intended to promote the EU Integrated Border Management Concept. It was apparent that, as a result of this announcement, funding for the OSCE/SPMU border programme was unlikely to be found in the amount required and the SPMU assessment was offered to the BOMCA supervisor with a proposal that the OSCE implement some complementary activities. One of the proposals was that the OSCE assist the Tajik Committee for the Protection of the State Border Service (CPSB) in designing and adopting a long-term vision for reforming its current border protection system by developing a national strategy and reviewing or/and amending its existing legislation. The two main sub-projects proposed were to establish a working group to consider the process for reform of the national legislation on border policing, and to conduct the analysis and the review of the training curriculum for Border Guards.

4.30 The first phase of the OSCE programme was to be funded from an amount of €150,000 allocated to the Centre in Dushanbe under annex 11 from the 2003 unified budget. An absence of any clear response from the EC and an unwillingness to begin a programme without the extra-budgetary funding required to implement its major components caused the OSCE to delay its activities. This situation has prevailed to date.

#### *The European Commission: Programme for Community Assistance for Reconstruction, Democratization and Stabilization (CARDS)*

4.31 On 21 February 2003, a joint OSCE SPMU and EC CARDS meeting of policy officers on policing was organized in Vienna attended by EC Policy Officers for Eastern Europe and the Central Asian Republics. The EC stressed its commitment to long-term planning and commended the SPMU on its six-stage mode of operation, the application

of which in Central Asia might be monitored by the Commission for use in its own planning.

4.32 The EC provided information about its plans for setting up a consortium to train Central Asian border guards which would comprise the EC, Austria and France, with support from Finland, the UK and Spain, and expressed interest in co-operation with the SPMU. The SPMU offered its completed critical assessment on the border guards in Tajikistan.

4.33 In collaboration with the Conflict Prevention Centre, the SPMU attends the regular meetings of the Central Asian Border Service Initiative Group (CABSI), established in the framework of the TACIS-BOMCA programme. Two meetings took place in Austria in May and October 2003, and two meetings are planned for 2004. Currently, the OSCE is an observer of this process. The possibility of joining the consortium of member states and international organizations involved in the formulation and implementation of the BOMCA remains open.

4.34 On 8 July 2003, the EU Commission launched a restricted call for consortia in four regional project areas in South Eastern Europe (policing, penitentiary, judiciary and migration/asylum), worth a total of €13 million. The OSCE was nominated by the EC as a potential candidate for consortium partnerships. The Conflict Prevention Centre was tasked with acting as a focal point for the ODIHR and the South Eastern European Missions and with compiling feedback from fund managers in the context of the CARDS programme.

4.35 The SPMU was tasked by the Secretary General with laying the groundwork for participation in the policing category entitled '*The development of reliable and functioning community policing systems, and enhancing of combating main criminal activities and police co-operation*' and with co-ordinating the contributions of the South Eastern European missions and units within the Secretariat. The total funding announced for this category was €4 million.

4.36 At an early stage, the OSCE was asked to become a member of a consortium led by the Austrian Ministry of the Interior. The representatives of the Austrian-led consortium welcomed the relevance and 'fit' of OSCE preferences in their matrix of proposals. After the first submission to the EC in September 2003, the Austrian-led consortium and a Council of Europe-led consortium were each asked to submit detailed bids. The SPMU, with the co-operation of the police elements of the South Eastern European missions, prepared a proposal for a regional senior management training course, amounting to €63,000.

4.37 In late November, the proposal of the Austrian-led Consortium was rejected in favour of the bid by the Council of Europe.

4.38 It should be noted that the financial costs to the OSCE of participating in the tendering process is estimated at around €10,000 in terms of bills for travel and



accommodation, and at least that amount again in staff time. The EC may be expected to open for tender more contracts and eventually to do so for Central Asia. By that time, it is hoped that the OSCE will have positioned itself to be a principal bidder/main contractor. By that time, too, the OSCE will also require a contingency or marketing strategy to be in place in order to manage its response.

#### European Union: The Police Unit of the Council Secretariat

4.39 The SPMU has frequent exchanges of information with the Police Unit of the EU Council Secretariat. Representatives of the SPMU have visited Brussels and the Head of the EU Police Unit has met with the Senior Police Adviser in Vienna. The EU Police Mission (EUPM) in the former Yugoslav Republic of Macedonia was a recurring subject of consultation.

#### UN Office on Drugs and Control (UNODC)

4.40 At the joint request of the Secretary General and the Executive Director of the UNODC, the headquarters staffs of both organizations held a joint 'stock-taking' session on 24 March 2003. The meeting preceded a complementary 'brainstorming' meeting between the two agencies on 16 July.

4.41 Both meetings were usefully informed regarding law-enforcement matters as a result of regular headquarters-level co-ordination meetings between the Supply Reduction and Law Enforcement Section in UNODC and the SPMU. Where the availability of funding and time scales for implementation varied between the organizations, each co-ordinated its operations with its partner in order to support the effectiveness of both. This is especially the case in the transition to intelligence-led policing, where the UNODC is providing stand-alone computer systems for drug intelligence analysis in four Central Asian countries, while the OSCE will, in due course, provide a criminal intelligence collection and analysis system using the equipment in place.

4.42 The SPMU will look for ways of linking development of its reference base to the proposed UNODC Central Asian Regional Information and Co-ordination Centre (CARICC).

#### **Unscheduled assessment missions**

##### Chechnya

4.43 In a letter dated 28 April 2003, the Head of the CiO Task Force outlined proposals for an OSCE technical co-operation programme in Chechnya. The SPMU was tasked with proposing activities that would lead police officers to subordinate political and individual prejudices to the ethics and behaviour of a professional police officer committed to impartially upholding the law. The Police Affairs Officer (Training) twice visited colleagues in the Ministry of the Interior in Moscow and, with their guidance, formulated proposals for training and equipment. It was a condition of the Netherlands Chairmanship that all the Secretariat's proposals be considered by the Russian Federation as a package.

4.44 In November, it became clear that there was no possibility of achieving concrete results before the end of the year. It was therefore decided by the Chairmanship that, without excluding the possibility of re-launching discussion about a long-term technical co-operation programme at a later stage in 2004, no further action would be taken.

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## **5 THE SENIOR POLICE ADVISER**

5.1 The role of the Senior Police Adviser (SPA) is an amalgam of the operative clauses in the declarations of the Istanbul Summit (1999), the Bucharest Ministerial Conference (2001) and the Bishkek Conference (2001). In summary, the main responsibilities are to:

- Create a vision, strategy and processes for delivering police-related assistance to OSCE participating States;
- Provide advice and guidance on police-related matters to the Secretary General, CiO, the delegations and their capitals and to the heads of the field missions;
- Found a Strategic Police Matters Unit, develop it, and direct its annual work;
- Promote the capabilities of the OSCE to design and implement effective police capacity- and institution-building, thereby encouraging professional and personal links between the OSCE and other security, law-enforcement and human rights organizations;
- Represent the OSCE at high-level international conferences, meetings and negotiations concerned with international law enforcement matters;
- Convene, preferably annually, meetings of police experts to examine contemporary topics of importance.

5.2 In order to achieve progress on these objectives, functions must be identified and assigned to the staff of the SPMU, for which the Senior Police Adviser is *de facto* the Head of Unit. The Senior Police Adviser therefore has two roles. First, to give advice to, or on behalf of, the Secretary General on police-related matters, and second, to give direction on the internal as well as the external activities of the Police Unit.

5.3 In connection with his advisory role, the Senior Police Adviser has visited the OSCE field operations in Armenia, Azerbaijan, Croatia, former Yugoslav Republic of Macedonia, Kyrgyzstan and Serbia and Montenegro. He has explained current issues to heads of delegations or their staffs on a regular basis and has explained the OSCE's capabilities to the representatives of an OSCE Asian Partner for Co-operation State. He has made presentations to high-level meetings of international counterparts and has contributed to the formulation of transitional codes of conduct for interim administrations in post-conflict States. He has paid calls on the foreign ministries in Canada, France, the UK and the USA to draw attention to the relevance of the OSCE's police assistance strategy to their foreign policies and as a result obtained financial and expert resources for the police assistance programme for Kyrgyzstan, as a result. He meets the Minister of the Interior of Kyrgyzstan at regular intervals and acts as adviser to the Kyrgyz State Commission on Police Reform.

5.4 Briefing or consulting delegations, missions and capitals about present and future OSCE police-related activities is considered by the Senior Police Adviser to be amongst his most important responsibilities. However, the judgement in last year's Annual Report that the demand for police assistance would increase as the work of the Unit and its mode of operation gained approval, has been borne out. States in transition want tangible results in areas which they identify, as much as in those that have been identified to them.

Furthermore, ministry officials and high-ranking police officers want credible interlocutors with whom they can deal on a frequent and regular basis. These relationships and the activities that arise from them are intended to fall on the shoulders of the staff of the SPMU, leaving the Senior Police Adviser free to discuss the political case for long-term police development with ministers of the interior and the OSCE delegations.

5.5 The additional demands placed on the Senior Police Adviser by the need to respond to invitations or inquiries from a growing list of correspondents, many motivated by a theoretical rather than a practical interest in policing matters, or to attend conferences, meetings, working groups, or seminars, or to contribute written opinions and explanatory text to any of these, are claiming more and more of his time. Because delivering concrete results in the field rates highest amongst the functions of the police affairs officers, the Senior Police Adviser is increasingly handling administrative, clerical and drafting obligations. (The redrafting and formatting of this report was done almost entirely by him). By his own admission, the administrative demands of his role as Director of the SPMU are substantially hampering him in carrying out his role as Senior Police Adviser.

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## 6 CONCLUSIONS AND RECOMMENDATIONS

### *Planning and Co-ordination*

6.1 This report began by drawing attention to the very low level of resources which most of the police forces in field operation areas possess, and the overriding need for donor States to co-ordinate their contributions as part of a long-term plan of achievable outcomes. Whilst this applies to the management of bilateral donations, the development of police-related activities within the very large international organizations (CoE, EC, EU, UN) also makes it a requirement at the inter-organizational level. To be really effective and avoid competition for resources, each large international organization needs to decide on its core aims and activities. A clear distinction needs to be drawn between the police-related assistance activities of the very large international organizations seeking to operate within the same geographical area.

6.2 It would seem to be time to consider whether a mechanism of processes and procedures might be established which would guide the external and internal co-operative arrangements of any international organization, including its constituent States, intending to deliver police-related assistance.

6.3 Co-ordination is also a valuable means of identifying the missing elements - the *lacunae* in the meeting of assistance requirements - and of finding other organizations, e.g. NGOs, that are capable of filling them. This is a means of reducing the sense of grievance felt by credible intergovernmental organizations and NGOs which feel themselves unjustly excluded from participation in the human dimension reform of law enforcement bodies. The process also provides clear reasons for excluding those individuals and groups whose principal aim is self-advancement and opportunism.

6.4 Because progress towards goals should be measurable, donor States should be satisfied that realistic performance indicators are identified and that they refer to outcomes and not outputs. The propensity for police assistance activities to become the justification for holding meetings for which, all too frequently, no clear objective exists, provides an example of the failure to distinguish between the two. Because this is a matter requiring a professional's critical eye, and because better performance in investigating crime requires better investigative techniques, seasoned and highly qualified policing internationals should be given the authority, as well as the responsibility, to deliver on them.

6.5 Dissatisfaction at the absence of measurable gain is prompting the outsourcing of work in respect of international police-assistance requirements. As a means of fulfilling a requirement for an item of discreet and specialized assistance, e.g. investigating the crime of kidnap, this may be amongst the most productive courses of action, but it is questionable whether it delivers value for money in the case of more general and substantial requirements. Delivering large-scale improvements, e.g. in respect of local needs/community policing, requires changes in culture and practices within a law-enforcement body which may be beyond the capacity of a single donor State to deliver, but which could be achieved, as a component of a comprehensive, multilateral

undertaking. The government departments commissioning police-related assistance might also consider the comparative advantage of outsourcing contracts to companies which deduct administrative charges against making voluntary contributions to the OSCE, which makes no such charge.

### *Staffing*

6.6 The ability to assist law-enforcement agencies to prevent or detect crime and to gain public support for their work by making them more responsive to the local needs of their communities rests in large part on the credibility of the international police experts sent to work alongside them. The vast majority of such experts are seconded by participating States and recruited through the Rapid Expert Assistance and Co-operation Teams (REACT) procedures. Vacancies are advertised in vacancy notices and contain details of the qualifications and experience required of candidates under both general and mission-specific criteria. These requirements are largely ignored by the authorities nominating the candidates.

6.7 In 2002, in response to the 256 police posts advertised, 73% of the applications received from participating States did not meet the criteria of the published vacancy notice. In 2003, in response to 151 police vacancies advertised, 75% of the nominations received did not meet the requirements of the vacancy notice. This figure is far higher than the average failure rate of 41% in both 2002 and 2003 for the other 11 fields of expertise within the REACT matrix. In both years, posts had to be re-advertised with consequent impairment of operational effectiveness and frequently with no discernible level of improvement in the standard of applications received.

6.8 Mission imperatives oblige some heads of mission to accept individuals who are below the level required. The employment of unqualified, uncommitted and in some cases inept staff impairs the morale and performance of their professional colleagues, detracts from the credibility of the mission to achieve difficult objectives and undermines the commitment of the States that do contribute high-calibre secondees.

6.9 The disproportionately low number of female police secondees weakens the opportunity to convince host-State ministries that female officers should play an equal role to male officers in all aspects of operational policing. All the obstacles and objections to female recruitment have been raised elsewhere and successfully overcome. The experience of foreign police forces is that female officers are indispensable, and female senior officers are frequently of a higher standard than their male counterparts.

6.10 The requirement for qualified policing<sup>1</sup> personnel to help their colleagues rebuild or reform law enforcement in post-conflict States and States in transition will exist for the foreseeable future. The trend during the past year is upwards and the internal security situations within areas of the OSCE region indicate that this will continue. There is no argument any more about the importance of establishing law and order as a prerequisite for all else, and concern for maintaining a pool of appropriately skilled policing advisers should be factored into the budgets of donor State police forces. States should therefore

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<sup>1</sup> The term policing is used to denote that not all experts require to be sworn personnel

put in place systems for recruiting, selecting, providing pre-mission training to, and developing the careers of police officers whose skills and qualities match the police assistance profiles. States should also consider providing additional training to individual officers of high international commitment and potential, for example, language training. The reserve of experts should also include recently retired police officers whose availability may make it easier to deploy them at short notice. Unless many States substantially improve their systems for nominating credible secondees, more support must be given to the use of contracted experts.

6.11 The more technical the form of assistance required, e.g. regarding forensic laboratory analysis of firearms or body fluids, the less likely it is that a technical expert will be found who speaks and understands English – a fundamental requirement of OSCE participation – and who also speaks the host State's language. Hence, interpretation and translation of technical terminology into English becomes an essential (and frequently expensive) additional requirement for the expert's engagement and is not easy to provide. This situation is being encountered in areas of investigative capacity-building in the Central Asian States, where Russian-speaking technical experts able to communicate in the most precise detail with their CIS counterparts cannot be employed owing to their inability to speak English. The upshot is that such technical assistance is not being provided to the detriment of the development associated with it, or experts are being encouraged to exaggerate their ability to speak English, or a host State is requested to procure such assistance through a bilateral agreement, with consequent delays or obstacles to funding.

6.12 It is therefore proposed that, for elements of discreet technical assistance that are narrowly defined and are of very short duration, and where contact will be between specialists speaking a common language, the English-language requirement be waived and consequently removed from the list of requirements governing the engagement of such experts. The Permanent Council might consider commissioning a study of the feasibility of such a proposal, in order that it may debate whether one should be adopted.

6.13 An undertaking by States to develop their staff procurement systems places a correlative obligation on the OSCE Secretariat to provide information about foreseeable police staffing requirements.

#### *Funding*

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

6.15 Police assistance programmes for the countries of the Caucasus and Central Asia require to be funded through extra-budgetary donations. The programmes are formulated on the basis of a policing needs assessment undertaken by staff of the SPMU augmented by policing experts recruited from participating States with a professional and cultural similarity to the host State. The SPMU does not have funds to support these assessments, other than these that may be drawn from its travel budget, and must rely on field mission funds or on extra-budgetary voluntary contributions.

6.16 The principal source of activity from which lessons relevant to funding inconsistencies may be drawn is the police assistance programme for Kyrgyzstan. After presentation to members of the Permanent Council for consideration of the intention to raise the level of policing professionalism in the country, Norway provided funding for the policing needs assessment and generously donated a sum of money to support implementation of the assessment's recommendations. Implementation of the programme began in August with contributions from Norway and the UK, and with further contributions from Germany and Sweden later in the year. Although other countries pledged contributions at the donors' conference in May, their contributions remain outstanding at the end of 2003, and more than 50% of the total budget remains to be funded. The SPMU Programme Co-ordinator is currently concluding negotiations for an EC financing agreement for approximately €850,000. (A further €127,000 is being provided to fund a comprehensive assessment of the police sector).

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

6.18 These two matters, staffing and funding deficiencies, affect every aspect of policing related assistance within the OSCE. Their cumulative effect is to place a substantial constraint on the achievements of which the Organization is capable, and to disappoint the hopes of committed and courageous people who serve it or look to it for help.

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



**ODIHR Annual Report on Police-Related Activities**

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

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## ***INTRODUCTION***

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

In this regard, the ODIHR primarily focuses its activities on enhancing respect for human rights in the field of police training and enhancing the capabilities of police services, providing new and modern policing skills and promoting respect for human rights and fundamental freedoms through its activities in general. The ODIHR provides technical assistance and human rights training on police-related issues to interior ministries, border police services, prison guard structures and civil society groups.

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

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

The OSCE Strategic Police Matters Unit (SPMU) and the ODIHR hold regular co-ordination meetings and exchange information on a regular basis. To facilitate this the ODIHR has established its own focal point for police-related activities. The SPMU took an active role in the Human Dimension Implementation Meeting (HDIM) in October and made a significant contribution to the Supplementary Human Dimension Meeting (SHDM) on the prevention of torture.

The ODIHR Anti-Trafficking Unit has co-operated with the SPMU on various occasions e.g., by conducting a joint needs assessment trip to Moldova related to witness protection. Furthermore, the SPMU closely consulted with the ODIHR Anti-Trafficking Unit in preparation for the First Annual OSCE Meeting of Police Experts on Improving the Effectiveness of Law Enforcement in Preventing and Combating Trafficking in Persons, Especially Women and Children, held in Vienna on 18 and 19 September 2003.

## ***ASSISTANCE PROJECTS***

### ***Human rights training for pre-trial detention centre staff in Kazakhstan***

Throughout 2003, the ODIHR provided follow-up training courses on national and international human rights standards to senior police officials working in pre-trial detention centres in Kazakhstan. This project is a continuation of a series of seminars organized by the ODIHR in 2002, aimed at introducing pre-trial detention officers to basic concepts of human rights and international standards, and relates to broader activities aimed at supporting penitentiary reform. As a direct result of the seminars, agreement was reached to produce a resource manual including all relevant national legal provisions regulating pre-trial detention and comparing them to international standards.

In 2003, the courses followed an interactive format and were based on a manual elaborated by the management of pre-trial detention department of the Ministry of the Interior, as agreed in 2002. The seminars were held in co-operation with the OSCE Office in Almaty. Experts from Prison Reform International (PRI) and the Kazakhstan International Bureau for Human Rights and Rule of Law also took part in the training. The manual used during the seminar was distributed to all pre-trial detention staff and was recognized as an effective training tool by officials of the Ministry of the Interior. Case studies relating directly to the work of police officials, as well as relevant international and national standards were used as the main learning tools.

### ***Training in the South Caucasus for law enforcement personnel on violence against women***

As part of an on-going project to raise awareness of violence against women and women's rights, the ODIHR conducted a series of training activities for law enforcement personnel in Azerbaijan, Armenia and Georgia.

In Azerbaijan, the programme's activities focused on setting up working groups in the Ministry of the Interior, the Prosecutor General's Office, and other structures. These working groups aim at building capacity to develop recommendations for a plan of action. This plan of action aims to define strategy and mechanisms for law-enforcement personnel to take on an active role in preventing and combating domestic violence. One of the main objectives of the programme is to facilitate co-operation between law-enforcement agencies, the ODIHR and NGOs.

In Armenia and Georgia the first workshops were conducted on the role of the police in combating domestic violence. The aim of these workshops is to provide information relating to the incidence of domestic violence and to highlight its prevalence around the globe. The organizers sought to draw the participants' attention to the criminality of domestic violence and to dissuade them from the perception that it is a matter that belongs strictly within the private sphere. The three-day workshops afforded an opportunity for high-ranking police officers from Armenia and Georgia to become

acquainted with international best practices on combating domestic violence and to exchange experience and information with members of the Austrian Federal Police and Ministry of the Interior.

### **Assistance to border service reform in Azerbaijan**

Since the break-up of the Soviet Union, the role of border guards has changed dramatically. While during the Soviet period the main task of border guards was to restrain population movements *outward* and to act as a first line of military defence, now they are required to focus on assessing whom to let in. However, these new realities have not always been accompanied by an adequate institutional reform of the border services. In terms of staffing and training, in many of the countries of Eastern Europe, the Caucasus and Central Asia, the State border is still guarded by the so-called border troops or a military border service composed of untrained draftees and non-commissioned officers. The staff's training is held either in military schools or in special border guards' schools.

The goal of the ODIHR programmes was to introduce the border services of the countries of the South Caucasus and Central Asia to 'best practices' of border management, which ensure at the same time border security and the treatment of individuals in accordance with human rights standards. In this regard, the experience and expertise of the border services of the countries of Central Europe, which became both professional and demilitarized in the recent past, are particularly applicable. Therefore, the ODIHR based its programmes on the experience and expertise of the Polish Border Service. Main activities focused on the development of bilateral co-operation and exchange of information between Polish border officials and their colleagues in the South Caucasus and Central Asia through training visits, roundtable discussions, high-level bilateral contacts, expertise on development of training curricula for domestic training centres and personnel training.

To support the ongoing institutional reform of the border service in Azerbaijan, in the framework of the ODIHR programme, 15 mid-ranking border service officers from Azerbaijan completed a year-long training programme at the Polish Border Guard Academy in Ketrzyn. This training improved their professional skills, familiarized them with relevant international human rights standards, and prepared them to train new recruits in their home country. The programme also helped to challenge the view of border services as a military structure. In addition, the programme gave insights into the management of border services by some countries of the region, showing that efficient border management is not possible without professionalization of the border service, including reform of recruitment procedures, and the development of an ongoing personnel training capacity.

## **Reform of the Propiska system in Belarus, Ukraine, the Kyrgyz Republic and Armenia**

The *propiska* system was originally developed to stem the flow of rural residents into cities and to track the whereabouts of residents, ostensibly for law-enforcement purposes. It restricted every resident to one legal place of residence. The issuance of passports and *propiska* stamps remains a responsibility of uniformed Ministry of the Interior officers. Difficulties in obtaining this vital document have traditionally made bribery and fake marriages commonplace. In addition, the *propiska* system can be used in a discriminatory way, preventing members of certain social and ethnic groups from moving to certain locations. The *propiska* system contravenes the right to freedom of movement and choice of place of residence enshrined in the OSCE commitments.

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

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

#### **Legislationline**

Amongst the 13 human rights issues addressed by *Legislationline*<sup>2</sup>, ‘police matters’ has also been identified as a topic of focus. In line with the methodology of *Legislationline*, information is being collected on international standards, as well as domestic legislation regulating the activities, competencies and powers of the police in the 55 OSCE participating States. This information is made accessible through the website to legislators, the legal profession and a wider, interested audience. The experts produce summaries describing the legal *status quo* for each of the 12 chosen States as regards, amongst others, community policing, the rights of police personnel, collection and use of personal data, search, detention, arrest, use of force, protection of witnesses and the procedure for lodging complaints against police misconduct. *Legislationline* will also include a description of the prevailing international standards and enforceable instruments.

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<sup>2</sup> [www.legislationline.org](http://www.legislationline.org)

### **Regional Anti-Trafficking Law Enforcement Conference in Moscow**

On 24 and 25 November 2003, the Ministry of the Interior of the Russian Federation jointly with ABA/CEELI and IOM organized a Regional Anti-Trafficking Law Enforcement Conference in Moscow on operational working-level issues for law enforcement officers and prosecutors. The participants were from Armenia, Azerbaijan, Belarus, Georgia, Moldova, the Russian Federation and Ukraine. The ODIHR anti-trafficking expert also gave a presentation on the concept of national referral mechanisms.

### ***THE ODIHR ANTI-TRAFFICKING FUND***

**The ODIHR's Anti-Trafficking Fund has supported the following police-related activities:**

#### **Provision of adequate screening for victims of trafficking in Albania**

Pending the development of a permanent institutional structure within the Albanian police service this project, implemented by the OSCE's Presence in Albania in co-ordination with the Albanian National Police (ANP) and IOM, aimed to improve the capacity of the ANP in dealing with victims of trafficking and to ensure that all victims of trafficking are identified and properly informed about options available to them and their rights as citizens.

#### **Study tour on victim assistance for representatives from Armenian Government (including law enforcement) and non-governmental organizations**

The study tour, implemented by the OSCE Office in Yerevan in co-ordination with the Office of the OSCE Project Co-ordinator in Ukraine and La Strada Ukraine, as well as Armenian government and non-governmental representatives aimed to introduce Armenian NGOs concerned with action to combat trafficking and relevant government agencies to international and regional best practices in victim assistance. It also focused on the improvement of NGO/Government co-operation in developing and establishing comprehensive victim assistance, as well as in contributing to the creation of a national referral mechanism.

#### **Anti-trafficking training modules for Police in Moldova**

The Anti-Trafficking Awareness Training Module for Police, developed by the International Centre for Migration Policy Development and the Stability Pact Task Force, was adapted to the Moldovan situation and implemented by the OSCE Mission to Moldova in co-operation with La Strada Moldova, the Ministry of the Interior and the Police Academy of Moldova. The Module was adopted by the Moldovan authorities and

was run as a pilot activity in three seminars targeting a total of 77 participants, from academy recruits to police inspectors.