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Peace support operations Information and guidance for UK police personnel

First Edition

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Acknowledgements

We would like to thank our colleagues from the police service, academia, other government departments, non-governmental organisations, the international organisations, and UK and other police practitioners in the field, for their invaluable and expert contributions to this project. -

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Written and produced by the FCO
Designed by P Denley
Project managed by FCO Services Publishing
Printed in the UK by Windsor Print Production Limited

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FOREWORD

Our changing world demands swift and innovative responses: nowhere is this more apparent than in the UK's work to prevent and resolve conflict.

We are committed to creating the conditions that allow peace and security to develop overseas, and which are our best defence against international terrorism and global crime networks at home.

A vital part of that effort is the UK police officers who participate in peace support operations around the world. Some 150 are currently making a real difference in places as diverse as Basra and Bosnia.

Drawing on valuable personal experience and expertise, men and women from police forces across the UK are positively influencing countries struggling to build sustainable security and stability.

This document has been developed to provide those officers, and their successors, with a clear framework for their work, by outlining, among other things, how the UK should conduct its international policing and wider rule of law activities in such operations, and by setting out internationally accepted principles of democratic policing.

It provides a general overview of strategic policy issues affecting peace support operations. The importance of understanding the strategic level is, we believe, critical, since 'high-level' objectives directly relate to the operational and tactical activities of international police personnel whilst on mission.

Building on the excellent reputation UK officers have earned overseas, the document aims to ensure a continuing high standard of competence and integrity, and to make the UK response to operations more consistent by providing accessible information and practical guidance.

As a first attempt to harness the experience gained and lessons learned from UK involvement in international policing operations over the past several years, we commend this document to all officers serving or about to depart on mission overseas, and urge them to help update it by providing feedback based on their own unique experiences.

Margaret Beckett, Secretary of State for Foreign and Commonwealth Affairs

John Reid, Secretary of State for the Home Department

On behalf of the Association of Chief Police Officers, I welcome this guidance, which has been endorsed by the Home and Foreign Secretaries. A changing world demands a responsive police service and we have long recognised the strong link between domestic and international policies. Peace support operations, including conflict prevention initiatives, benefit not only the inhabitants of the relevant countries but also people in the UK. The guidelines seek to codify and build on the experience of previous missions and volunteers from British civil police forces. Professional policing has a real role to play in supporting the Government's efforts to create a stable global community where the human rights of all are respected.

Paul Kernaghan, International Affairs Portfolio Holder, Association of Chief Police Officers

GLOSSARY

AU	African Union
B&H	Bosnia and Herzegovina
CONOPS	Concept of operations
CPA	Coalition Provisional Authority
DDR	Disarmament, demobilisation and reintegration
EU	European Union
EUPM	European Union Policing Mission
EUPOL	European Union Police
EUPOLCOPPS	European Union Police Co-ordination Office for Palestinian Police Support
EUSEC	EU Advisory and Assistance Mission for Security Reform
EU Support to AMIS	European Union Supporting Action to the African Union Mission in Sudan
FCO	Foreign and Commonwealth Office
FYROM	Former Yugoslav Republic of Macedonia
G8	France, Germany, Italy, Japan, Russia, UK, Canada
HNP	Haiti National Police
HoM	Head of Mission
IDPs	Internally Displaced People
KFOR	Kosovo Force
NATO	North Atlantic Treaty Organisation
NCC	National contingent commander
NGO	Non-governmental organisation
OAS	Organisation of American States
OSCE	Organisation for Security and Co-operation in Europe
PCC	Police contributing country
PSC	Private security company
PSO	Peace support operation
SOFA	Status of forces agreement
SOMA	Status of mission agreement
SOP	Standard operating procedures
SFOR	Stabilisation force
SPLA	Sudan People's Liberation Army
SSR	Security sector reform
UK	United Kingdom
UN	United Nations
UNAMIS	United Nations Advance Mission in Sudan
UNDPKO	United Nations Department of Peacekeeping Operations
UNPOL	United Nations Civilian Police
UNIPTF	United National International Police Task Force
UNMIBH	United Nations Mission in Bosnia and Herzegovina
UNMICAH	United Nations International Civilian Support Mission in Haiti
UNMIH	United Nations Mission in Haiti
UNMIK	United Nations Mission in Kosovo
UNMIPONUH	United Nations Civilian Police Mission in Haiti
UNMIS	United Nations Mission in Sudan
UNMISET	United Nations Mission of Support in East Timor
UNMUNUSTAH	United Nations Stabilisation Mission in Haiti
UNSC	United Nations Security Council
UNSMIH	United Nations Support Mission to Haiti
UNTAET	United Nations Transitional Administration in East Timor
UNTMIH	United Nations Transitional Mission in Haiti

ABOUT THIS DOCUMENT

This document provides information about international policing operations in peace support operations (PSOs) from a UK perspective. The document can be read from cover to cover, or you can refer to specific sections or chapters as needed. The sections have been colour-coded to help you navigate.

This document is issued to all UK police personnel[1] during their pre-deployment training. It provides essential background information, puts PSOs in context and includes practical guidance on some specific aspects of policing (see the 'In practice' boxes). It also includes case studies illustrating parts of the text and key international policing principles. We would like to invite all officers taking part in PSOs to submit their own case studies and learnings, so that future editions of the guidelines can be updated to reflect current practice.

Because this is a practical document, references to sources and footnotes have been kept to a minimum. You will find core documents and instruments for practitioners and additional useful documents and research material, including an extensive bibliography supporting this document, at www.ukinternationalpolicing.com ('the IP website'). The document does not cover issues related to personnel, morale, welfare health, safety and security or living conditions.[2]

It is very important to note that the document is not comprehensive. It cannot hope to cover every scenario or situation UK police personnel will encounter while taking part in a PSO. Also, while the document aims to ensure that a high standard of competence and integrity is maintained, as the representatives of UK policing, it is no substitute for your own good judgement, professionalism experience, commitment and discretion.

Disclaimer

The views expressed in case studies or statements are those of individual contributors, not of the Foreign and Commonwealth Office.

CHAPTER 1: WHAT IS A PEACE SUPPORT OPERATION?

'In an increasingly globalised world, none of the critical issues we are dealing with can be resolved within a solely national framework. All of them require co-operation, partnership and burden-sharing among governments, the United Nations, regional organisations, the private sector and civil society.'

Kofi A. Annan, former Secretary General of the UN[3]

Key Points

- Peace support operations (PSOs) aim to resolve conflict and promote peace and stability. Establishing or restoring the rule of law is a critical part of the process, and international policing therefore has an important part to play.
- One of the key aims of a PSO is to regenerate or build an indigenous police force that acts in accordance with human rights norms.
- The success of a PSO depends on those involved working together towards a common aim. This means adopting a collaborative, integrated and comprehensive approach.

Background

1.1 PSO is a term used by the UK to describe an organised international intervention in a country affected by conflict. Most, but not all, PSOs have a strong military component. A PSO's main purpose is usually to establish and/or ensure stability during the period following a peace agreement, so that reconstruction and development can take place.

International co-operation

1.2 Most states share a common interest in promoting international peace and stability. However, a number of powerful destabilising forces – including unresolved conflicts, demographic change, ethnic tensions and the activities of groups operating outside internationally accepted norms – can contribute to mass population movements, terrorism and the spread of regional and global criminal networks. These issues affect the international community as a whole and therefore require a comprehensive international response.

'Security from violence is fundamental to people's livelihood and to sustainable economic, social and political development. Where violence breaks out, within or between countries, development is arrested. Security matters to the poor and other vulnerable groups, especially women and children, and has emerged as a vital concern for development, reducing poverty and achieving the Millennium Development Goals. Faced with widespread violent conflict, threats to human security and the acute reconstruction needs of many countries, [the international community] now realise that "the cost of neglect" – letting countries drift into deep difficulties or become failed states – is far too high for people, nations and international security.'

OECD DAC Guidance on Security System Reform and Governance (2004)

UK policy

1.3 Preventing and managing conflict through a strong international framework is one of the UK's foreign policy priorities. Conflict causes suffering for millions of ordinary people around the world, hampers or even reverses development and has a direct impact on the UK by creating conditions which allow terrorism and organised crime to flourish. The UK therefore works with the international community to stabilise crisis countries and tackle those problems at source. One of the ways we do this is by taking part in PSOs.

How PSOs work

1.4 PSOs usually involve bringing together resources from a number of states to carry out a range of peacebuilding tasks, which can be political, military and/or developmental in nature. The context and broader tasks of the PSO will shape the way international police personnel involved in it ('the police component') work and what they do. Everyone deployed to a PSO should understand why it has been set up and what objectives it is working to achieve.

What are the components of a PSO?

PSOs will often consist of several components, including a military component which may or may not be armed, and various civilian components encompassing a broad range of disciplines including:

- rule of law;
- human rights;
- civil affairs;
- electoral assistance;
- gender;
- disarmament, demobilisation and reintegration (DDR);
- humanitarian co-ordination;
- protection of civilians
- recovery, return and reintegration;
- mine action; and
- mission support.

Formed police units and armed police missions

Some recent PSOs have deployed formed police units (FPUs) to undertake crowd control and policing functions where local police are unprepared, unwilling or overwhelmed. FPUs have supported executive missions; for example, the multinational specialised units (MSUs) deployed in Bosnia and the special police units (SPUs) deployed in Kosovo both included international personnel from countries with full-time public order unit (also known as paramilitary or gendarmerie) models of policing. They can also support capacity-building efforts by assisting the indigenous police to develop their own capacity to manage civil unrest, thus reinforcing the distinction between police and military roles. In some, predominantly UN, missions, FPUs can account for half or more of the policing component.

Some PSOs will require the police component to be armed either for operational purposes and/or personal protection. The mandate will make this clear and specific rules of engagement will be provided. Currently, UK police personnel are only allowed to carry weapons in Iraq, and then only for personal protection. In Kosovo, Ministry of Defence Police (MDP) carry firearms in accordance with their own firearms policy.

The mandate

1.5 A PSO's mandate describes its objectives and tasks. It may be set out in a single decision or in a combination of documents and instruments, including peace agreements, ceasefire agreements, the authorising decision of an international or regional organisation (such as the UN or EU) and UN Secretary-General's reports. The political support of the host nation at the strategic level will help ensure the mission has a robust mandate (with 'teeth' where necessary) and that senior diplomats and military commanders can intervene as appropriate.

1.6 A clear, credible and achievable mandate is a prerequisite for mission success. It should provide vision and political direction, and explain how the various components of the PSO work together. Mandates should be based on an analysis of all available information and make use of lessons learned. They are likely to focus on meeting the security and development needs of the affected population.

Planning

1.7 Deploying a PSO requires detailed planning. Although all PSOs are different, most deployments are preceded by some or all of the following stages:

- consultations/negotiations/peace agreements;
- authorisation, including agreeing a mandate;
- technical assessment or fact-finding missions to the conflict area;
- appointing senior officials to head the mission;

- strategic and operational planning; and
- setting up a force.

1.8 The UK may take part in strategic-level discussions leading up to the decision to deploy a PSO and the establishment of a mandate. If the UK intends to make a substantial contribution, planning takes place across relevant Government departments.[4] The UK usually participates directly in PSOs as part of a multinational response. Note that this guidance focuses on the operational level; that is, on the activities of the police component in the field.

Objectives

1.9 PSOs may have a range of different objectives:

- **Conflict prevention**: using diplomatic, civil and, where necessary, military means to monitor and identify the causes of conflict and prevent the occurrence, escalation or resumption of hostilities.
- **Peace enforcement**: maintaining a ceasefire or peace agreement where the level of consent and compliance is uncertain and the threat of disruption high. A military intervention must be capable of applying credible coercive force. It must also apply the terms of any peace agreement impartially.
- **Peacemaking**: securing a ceasefire or peaceful settlement once a conflict has started. Such PSOs primarily involve diplomatic action supported, when necessary, by direct or indirect use of military assets.
- **Peacekeeping**: operating in an environment where the level of consent from the host nation and compliance is high and the threat of disruption is low, following a peace agreement or ceasefire. Peacekeepers will normally only use force in self-defence.
- **Peacebuilding**: employing diplomatic, civil and, where necessary, military means, to address the underlying causes of conflict and the longer-term needs of the population. Peacebuilding requires a commitment to a long-term process and may run concurrently with other types of PSO.

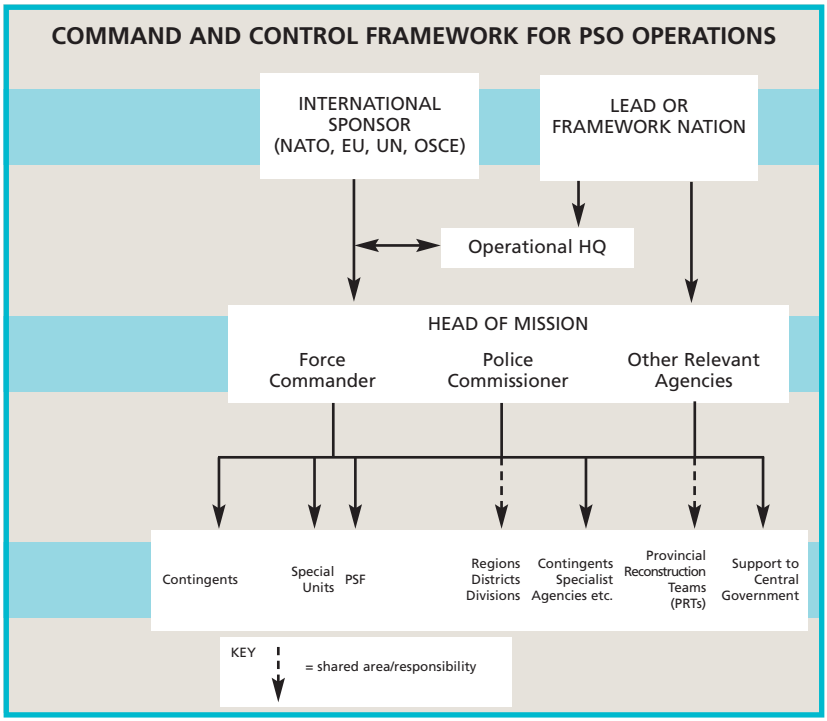
1.10 Peacekeeping missions generally work to maintain a secure environment, while peacebuilding missions work to make that environment self-sustaining by creating viable and accountable security and justice institutions. Both types of operation may need a police component: a group of police personnel whose role is to enhance, rebuild or in some cases carry out policing tasks (see page 12 for a list of possible PSO components).

Command and control

1.11 In some PSOs, for example EUPOL COPPS or EU Supporting Action to AMIS, the police commissioner[5] is also the head of mission (HoM). In others, there is a HoM to whom the police commissioner and the heads of the other PSO

components are accountable. The HoM is responsible for establishing how the various components of the mission will work together. The police commissioner is responsible for ensuring that the national and other contingents of the police component work together closely and cohesively. There is usually a single chain of command under the police commissioner to whom all international police personnel are accountable. For UK police, the national contingent commander (NCC) is responsible for maintaining discipline and professional standards in the area of operation. Figure 1 illustrates a comprehensive command and control framework for PSO operations.

Figure 1: A comprehensive command and control framework for PSO operations



Activities

1.12 PSOs include strategic, operational and tactical activities.[6] Although activity generally starts at the strategic level, all three levels are likely to operate simultaneously once work begins on the ground.

- **Strategic level activities** involve co-ordinating and directing national or multinational resources to achieve the political objectives of international

organisations, coalitions or individual countries. The authorising decision and mandate are passed and the end state and strategic objectives defined. In the UK, strategic level activities will be focused on decision-making in Whitehall.

- **Operational level activities**[7] link strategy to tactics. A range of actors, including the HoM, the military commander and the police commissioner will plan operations to achieve the strategic objectives.
- **Tactical level activities** include all operational activities. These activities may involve military units, police components[8] and specific projects by member states, international organisations and non-governmental organisations (NGOs).

1.13 PSOs are not static. Activities in all these categories will often run concurrently rather than sequentially. They could include:

- monitoring a ceasefire agreement;
- monitoring an arms embargo;
- protecting civilians;
- protecting UN personnel and institutions;
- providing support for humanitarian assistance;
- assisting with DDR;
- reforming the security sector (SSR);
- ensuring law and order;
- promoting and monitoring human rights and the rule of law;
- assisting with the organisation of elections;
- assisting with the reform and rebuilding of state administration (including the police service); and
- conducting public information campaigns.

A co-ordinated approach

1.14 PSOs are often complex operations, cutting across sectors, disciplines and organisations, and calling for contributions from both international and host nation stakeholders. The success of a PSO depends on those involved adopting a collaborative, integrated and co-ordinated approach and working together towards a shared long-term vision.

1.15 It is particularly important that the PSO engages with the donor community from the start of the planning process. The donor community is likely to include various governments and non-governmental organisations (NGOs) as well as the UN and other international bodies such as the World Bank. Co-ordinating donor activity within all the components of the PSO will help ensure a consistent approach.

1.16 PSO activities may be co-ordinated in several ways:

- One organisation (such as the UN) takes the lead, with contributions and support from relevant organisations working in the region, for example the African Union (AU) or the EU.
- Key organisations on the ground co-ordinate efforts at HoM level. For example, in the Democratic Republic of Congo (DRC), the UN leads an integrated civilian and military mission, MONUC. EU Police (EUPOL) and the EU Advisory and Assistance Mission for Security Reform (EUSEC) are working closely with the UN to provide policing support during the country's period of transition.
- A variety of organisations work together. This is often described as a 'coalition of the willing' and was the approach taken in Kosovo (see case study below). States may also engage bilaterally with the host nation or the PSO itself, as is the case in south Sudan.

Case study 1: A multi-organisational UN framework in Kosovo

Resolution 1244 (1999) established the UN Interim Administration Mission in Kosovo (UNMIK). While the UN provided the overall framework and identity of the PSO, the UN, the OSCE, the EU and NATO led on different components, or 'pillars', between 2001-2005 as follows:

- Pillar I – police and justice (UNMIK)
- Pillar II – civil administration (UNMIK)
- Pillar III – institution building (OSCE)
- Pillar IV – economic reform (EU)
- KFOR – the military component (NATO).

UNMIK will retain legal responsibility for administering the territory of Kosovo until its final status is concluded. Using the commitment and expertise of the EU and OSCE, UNMIK has rebuilt Kosovo's institutions from a very low base. Its work has been guided by notes of understanding, agreed between the various international institutions, which set out policy parameters in line with UN Security Council Resolution 1244. UNMIK's relationship with the NATO force in Kosovo (KFOR) is also based on agreed understandings. Exchanging political and military advisers helps the bodies ensure that they are working towards the same goals. Since the end of 2003, following the adoption of the UN-endorsed 'standards' implementation process, UNMIK has progressively transferred ownership and responsibility for day-to-day governance to local institutions known as the 'provisional institutions of self-government'.

Legality

1.17 Any international intervention in another country will require legal authority which, in the case of a PSO, usually takes the form of either authorisation by the UN Security Council (UNSC) or the consent of the host government. The UNSC has primary responsibility for maintaining international peace and security. It determines whether there is a threat to international peace and security and may authorise enforcement action.

1.18 The UN Charter[9] provides the legal basis for the international community to take action in conflict situations. It is therefore the primary source of authority for PSOs undertaken by the UN. Regional organisations such as the EU or AU may also authorise PSOs, provided they have either a mandate from the UNSC or the consent of the host state.

1.19 The consent of the host nation will make a significant difference to the success of a PSO. Consent may be expressed in a peace agreement or in a letter of invitation to an international organisation or government from the authorities of the host nation. PSOs should also aim to build support among the host nation's local communities by meeting their needs in an effective, open and respectful manner based on an understanding of their culture and history. PSOs may also need to address legacy issues arising, for example, from the relationship between the country's own police service and the people it serves.

The legal framework of the PSO

1.20 While the legal framework of each PSO is different, most draw on the following legislation:

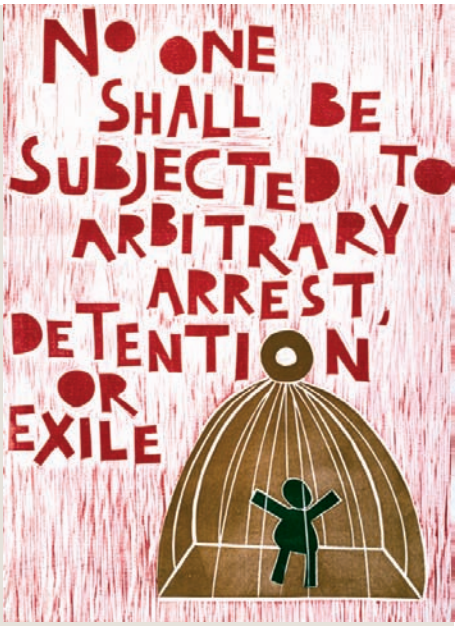
- the UN Charter;
- UN human rights law;
- humanitarian law, international criminal law and refugee law;
- relevant regional human rights instruments (eg the American Convention on Human Rights, the European Convention on Human Rights and the African Charter on Human and Peoples' Rights);
- peace agreements such as the Dayton Agreement for Bosnia or the Ohrid Agreement for FYROM;
- the PSO's authorising decision and mandate (including the status of forces agreement (SOFA)/status of mission agreement (SOMA) or equivalent and the relevant codes of conduct and discipline); and
- the national law of the host nation.

The legal framework for the indigenous police service

1.21 The legal framework of the PSO should complement and conform with the framework within which the host nation's police force operates. The reform process must be conducted in line with the legal framework and standards that apply to the indigenous police service. Although the legal framework will vary from country to country, most systems will be either common law or civil law, or a mixture of the two. The relationship between the police and the prosecution and judiciary is different in each system.

In practice: working within the national legal framework
The police component in a PSO needs to be familiar with, and have access to, national legislation, including relevant substantive and procedural criminal laws. Knowing where to acccess further information and advice on the law is crucial. All missions will have legal or justice advisers whose role is to know the law and legal system of the host nation, other potential sources include the local legal community, judges, independent lawyers and practitioners.

1.22 Many states will also have non-state justice systems, including security services (for example chieftain police in Sierra Leone and tribal police in the Solomon Islands), courts and detention centres, which operate in parallel to the state justice system. Indeed, non-state justice[10] forms part of the legal systems of many Western democracies, in the form of private arbitration services, extra-judicial conflict resolution bodies, mediation, ombudsman offices and human rights and truth commissions. These help reduce the caseload of the courts and provide access to justice for a larger number of people.



UN Charter

1.23 However, some non-state systems can be less benign and may result in violations of fundamental human rights; they may also

be the only system in existence or at least the only system trusted by local communities. In such situations, reform programmes require careful consultation with host nation stakeholders and an in-depth understanding of the non-state justice system, how it came into being, how it relates to the state system, how it is perceived by the public and its capacity to provide justice in the long term. Generally, the aim of the reform programme will be to ensure that the state can regulate and oversee the delivery of security and justice by non-state institutions and participants.[11]

In practice: understanding alternative justice systems
If an alternative system of justice is in place, the police component should work with other members of the rule of law response group and national partners to look at how the system works and whether it can complement the formal justice system. The response group should also work with local communities to raise awareness and acceptance of universal standards of justice and build trust in the formal legal system and its values.

The rule of law

'Whereas it is essential, if man is not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression, that human rights should be protected by the rule of law.'

Third preambular paragraph of the Universal Declaration of Human Rights, 1948

1.24 The concept of the rule of law is closely linked to human rights, good governance and democracy. The UN Secretary-General defines the rule of law in the following way:

'The rule of law… refers to a principle of governance in which all persons, institutions and entities, public and private, including the state itself, are accountable to laws that are publicly promulgated, equally enforced and independently adjudicated, and which are consistent with international human rights norms and standards. It requires as well measures to ensure adherence to the principles of supremacy of law, equality before the law, accountability to the law, fairness in the application of the law, separation of powers, participation in decision making, legal certainty, avoidance of arbitrariness and procedural and legal transparency.'

UNSC Report of the Secretary-General,
The Rule of Law and Transitional Justice in Conflict and Post-conflict Societies,
August 3, 2004, para.6

The role of international policing

1.25 Creating effective institutions and systems that uphold the rule of law and enable the peaceful resolution of disputes is essential in any society. States affected by conflict are often characterised by legal systems that fail to protect human rights or to punish the perpetrators of human rights violations. Discrimination, corruption and abuse of power by law enforcement officials can fuel and exacerbate conflicts and make it harder to achieve reconciliation.

1.26 International policing has a prominent role to play in the transition from conflict to lasting peace, security and sustainable development. The police are the gatekeepers of the criminal justice system for many people in developing countries, and often the justice or security institution that most impacts on their everyday lives. Building an indigenous police service that acts in accordance with international human rights and democratic policing norms and the rule of law is therefore a key objective of most PSOs.

Criminal justice reform

1.27 To be effective, though, police reform must go hand in hand with the reform of the judiciary and prisons. The successful reform of the indigenous police service is therefore not an end in itself, and police reformers must maintain a broad perspective.

> ***'One of the key lessons learnt in Iraq has been the need to see police development and reform as part of a wider process. This goes beyond the provision of security, to the much wider support for "Rule of Law". Policing cannot be seen in isolation but as part of a wider process, involving amongst others, prisons, the legal profession, the judiciary and the court system. In a democracy, policing is often a "gateway" for an individual – both perpetrator and victim. It is the beginning and not the end of a journey. The effectiveness and support for policing relies on community support for the whole process. In Iraq this was noticeable with regards to abuses of human rights by the police. Whilst the police service has a responsibility to ensure compliance, through good training and supervision, and where breached, investigate and report on such abuses, the "guardians" of human rights should be the courts. They have the power not only to investigate crimes but to protect the rights of detained persons. The legal profession also has a key role and ultimately prisons where detained and convicted individuals are housed.'***
>
> Deputy Chief Constable Colin Smith (ret'd),
> UK Senior Police Adviser in Iraq from February 2005–April 2006

1.28 Other institutions – such as independent complaints mechanisms (eg complaints commissions and ombudsmen) and informal justice systems – should also be subject to strict oversight and held accountable for their actions.

Security sector reform

1.29 In some PSOs, reform of the indigenous police service is seen as part of a broader security sector reform (SSR) strategy either instead of, or as well as, being part of a rule of law strategy. SSR is important in post-conflict environments, fragile states and developing countries because it helps to deliver security and justice more legitimately, democratically and effectively. SSR helps states:

- develop a clear institutional framework for the provision of security and justice that integrates security, justice and development policy and includes all relevant interests;
- strengthen the governance of security and justice institutions, ensuring that these are accountable to civil authorities; and
- build professional security and justice institutions, capable of upholding the rule of law and providing timely access to justice.

1.30 SSR seeks to improve countries' ability to meet their own security and justice needs in a manner which is consistent with democratic norms and sound principles of governance, transparency and the rule of law. It therefore involves transforming the way local line (or central) ministries and military, intelligence, security, civil service and justice institutions work, bringing them into line with internationally acceptable standards. SSR also supports efforts to address the issues that underlie the conflict by encouraging good governance, protecting and promoting human rights, ensuring equitable development and security, and creating effective, efficient, affordable, accountable, accessible and appropriate institutions.

CHAPTER 2: PLANNING FOR INTERNATIONAL POLICING OPERATIONS

'The Panel recommends a doctrinal shift in the use of civilian police, other rule of law elements and human rights experts in complex peace operations to reflect an increased focus on strengthening rule of law institutions and improving respect for human rights in post conflict environments.'

Report of the panel on United Nations peace operations, 2000

Key Points

Effective planning:

- involves all relevant components of the peace support operation (PSO) at an early stage;
- continues throughout the life of the mission;
- engages fully with host nation stakeholders;
- prioritises the protection of human rights;
- sets realistic aims and objectives; and
- identifies robust measures of effectiveness and success.

An overview of the planning process

2.1 Within each PSO component, planning takes place at strategic, operational and tactical levels, often simultaneously. During the strategic planning stage, authorising decisions are taken, mandates issued and leaders and commanders appointed.

2.2 At the operational planning stage, a comprehensive plan is put together which sets out how the PSO will meet its strategic aims and objectives and provides a framework for co-operation between the PSO components. Tactical level planning identifies the specific activities needed in order to achieve the operational objectives and provides detail on how these are to be carried out, including the movement of personnel and provision of specific equipment or resources.

2.3 Developing a 'concept of operations' (CONOPS) is widely accepted as the first step to developing an operational plan for police components.

The CONOPS is usually based on the findings of a technical and/or fact-finding

mission to the area of operation. It considers the status of the development of policing in the host nation; the framework within which the police operate; the ability of the host nation to maintain law and order; and the environment in which the PSO will operate. The result is a detailed document which provides information about the number of personnel to be deployed, command structure, strategy, tasks, long and short-term objectives and exit strategy. The process of developing a CONOPS is usually iterative and will vary from mission to mission.

In practice: understanding the planning process
Although most of the planning will take place before the police component is deployed to a PSO, it is still helpful to have an understanding of the process. The CONOPS will be informed by a wide range of issues and political concerns; knowing something about these promotes understanding of the wider context in which the police component will be working.

Key elements of operational planning

Setting aims and objectives

2.4 The operational plan should clearly define the aims and objectives of the police component. These should be realistic and achievable. The plan should also explain how they support the wider development of the rule of the law and the overall strategic objectives of the operation.

What are the aims of the police component?

The aims and objectives of the police component are likely to include establishing an indigenous police service that is:

- self-sufficient;
- able to maintain law and order in accordance with rule of law principles, international human rights and democratic policing norms; and
- willing and able to work with other rule of law institutions and bodies.

Working with external stakeholders[12]

2.5 Police service reform is a cultural as well as a political process. The host nation's civil society, police and political authorities should, where possible, be engaged in the planning process. This will help ensure that they feel a sense of ownership towards the proposed reforms and share a vision of how the reformed indigenous police service will look. It will also help to make the reforms themselves more sustainable and build local capacity to contribute to them. In some cases, PSOs may need to overcome considerable local resistance in order to achieve this.

Integrated working

2.6 The police and military components are natural partners on PSO security issues. The military's responsibilities will generally include overall security, while the police component will be responsible for law and order. However, these lines will often be blurred, for example where the military carries out tasks such as arresting war criminals or responds to civil violence and disorder. Generally, the military will be responsible for ensuring stability and security during the early stages of a PSO. As the police reform process takes effect, that responsibility should be transferred to the police.

2.7 Police and military components therefore need to work closely together during the planning process, sharing intelligence and setting up mutually co-operative command structures. However, planners should bear in mind that involving the military in police training or mentoring could result in host nation communities seeing the police as a security force rather than a democratic service. Wherever possible, police personnel should undertake policing roles, with support from military colleagues as necessary.

> ***'Soldiers are soldiers and police are police; neither should believe themselves to be expert in the field of the other. Respect, co-operation and understanding should be fostered – ideally starting before arrival in a mission area.'***
>
> Detective Sergeant Joe Napolitano
> Police Service of Northern Ireland
> former Regional Commander for the Mitrovica Region, UNMIK, Kosovo, June 2006

Analysis

2.8 Operational plans for the policing component should be based on a thorough analysis of the host nation's police service. This means looking at:

- how the indigenous police service works, its structure and organisation, practices and conditions;
- how the police and intelligence services work together; and
- past and current criminal patterns and networks.

2.9 Because police services often reflect the problems and dynamics of the society they serve, this initial analysis should also look at local traditions, politics, religion, ethnicity, gender and attitudes to the police, and at how the police view their own relationship with local communities.

2.10 Planning should also take into account risks to the success of the mission. These could include political and economic factors, and the presence of groups and individuals who seek to perpetuate insecurity and undermine efforts to reform the police (see case study 2).[13]

Command and control

2.11 Command and control arrangements will usually be outlined in the authorising decision, but they should also be set out in more detail in the operational plan (see figure 1, chapter 1). Operational plans should give the commissioner the authority to redeploy personnel on the ground and be sufficiently flexible to allow command and control arrangements to be adapted in line with changing circumstances as the mission progresses (see case study 2).

Case study 2: Expanding the UN mandate in Bosnia

The UN International Police Task Force (UNIPTF) formed part of the huge international effort to implement the Dayton Peace Accords when the conflict in Bosnia and Herzogovina ended in 1995. It soon became clear that the reform of the Bosnian police force was being obstructed by vested interests and lack of political will. In response, the UNIPTF was given an expanded mandate including an innovative 'non-compliance' and 'de-certification' tool which gave the force some powers over the Bosnian police.

For example, the IPTF could issue non-compliance reports when local police officials failed to comply with reasonable requests for information and access, or obstructed its work. If several non-compliance reports were filed against the same officer, the IPTF could de-certify the officer. While the tool did not vest any executive authority in the IPTF, it nevertheless gave it more power to influence the policies, procedures and operations of the local police. The IPTF decertified nearly 500 police who were unwilling to comply with democratic policing standards.

Continuous planning and contingency

2.12 The dynamic nature of PSOs means the operational plan must be kept under review throughout the life of the mission. It also means that the plan should be flexible enough to anticipate sudden and unexpected events. Advance assessments of possible worst-case scenarios should be carried out and contingency plans drawn up.

Measuring effectiveness and success

2.13 Measures of effectiveness and success should be directly linked to the mission's strategic aims and objectives. Measures should be defined for each stage of the mission. They should also relate progress in police reform to progress in other rule of law institutions. Finally, measures should be realistic and achievable.

In practice: writing progress reports

Progress reports are formal documents, and should follow a standard format. They should include information about both what has and has not worked, and the reasons why. They should also combine hard facts – like the number of police recruits passing through a training academy or the number of arrests – with less tangible measures of success, for example:

- the extent to which the host nation police force and local communities are taking ownership of the reform process;
- levels of compliance with human rights and democratic policing norms;
- the depoliticisation of the police service;
- the extent to which local communities feel safe and secure going about their daily lives; and
- public perceptions of the police and crime patterns.

In practice: measuring long-term effectiveness

Often, progress occurs in small increments over a long period of time. The effectiveness of international police operations in the medium to longer-term can be assessed by looking at:

- **cultural change** – removing 'undesirables', recruiting new personnel and changing the attitudes of those in the reformed police service;
- **institutional change** – decentralisation, the introduction of accountability mechanisms and increased efficiency at management level;
- levels of **integration** with other rule of law institutions;
- **accountability and compliance** with minimum international human rights standards;
- the perceptions and experiences of **local communities** – do people feel safer? do they have improved access to justice? how do they view the police and the justice sector? who actually ensures their security, state or non-state bodies?; and
- the **capacity** of the police to deliver security, law and order and justice over the long term – this will depend on community perceptions, economic sustainability and political support.

Planning for transition

2.14 Post-conflict, countries will generally go through three main transitional stages:

- **pacification**, where public security is provided by the military;
- **stabilisation**, where security is provided by the police component either alone or working with the indigenous police; and
- **institutionalisation**, where security is provided by the reformed indigenous police service.

2.15 Transition periods present particular challenges for PSOs. The parties to the original conflict may seek to exploit uncertainties (for example over roles and responsibilities) or security gaps (for example between the end of the hostilities and the deployment of the police component) for their own ends. Engaging host nation stakeholders in the planning process (see above) and deploying an appropriately resourced police component as early as possible are both effective ways of bridging security gaps.

2.16 The third stage, institutionalisation, highlights the need to link police reform planning to the wider political and donor context. The host nation must be able to maintain the reform programme after international donor funding and support is reduced or ends altogether.[14] The following case study illustrates the importance of this, and highlights some key lessons.

Case study 3: Sustaining the reform process in Afghanistan

At the 2001 Bonn Conference on Afghan Governance, members of the G8 agreed to take responsibility for the reform of specific security sectors while the Afghan Government worked to re-establish its authority and legitimacy. Germany took responsibility for police reform, Italy for justice, Japan for disarmament, demobilisation and reintegration (DDR), the UK for counter-narcotics and the US for defence and the military.

Although underpinned by sound logic, in practice the plan has been hampered by the lack of an overarching security and justice sector reform strategy. As a result, inputs have often been ad hoc and/or inappropriate to the country's specific needs. A lack of co-ordination has undermined the effectiveness of investments such as the provision of training for the police: newly-trained policemen are returning to work in an organisation where corruption and impunity remain rife. The lack of an overarching strategy has also led to knee-jerk responses to changes in the security situation: for example, police numbers have been increased, but insufficient attention has been paid to the quality of the policing carried out by the new recruits.

CHAPTER 3: INTERNATIONAL POLICING ACTIVITIES

'The police are the public and the public are the police; the police being only members of the public who are paid to give full-time attention to duties which are incumbent on every citizen in the interests of community welfare and existence.'

Sir Robert Peel, 1829
Founder of the Metropolitan Police

Key Points

- Achieving the sustainable reform of the indigenous police is the long-term objective of all police component activities.
- To be sustainable and effective, new administrative and managerial systems must reflect the needs of the indigenous police.
- The police component must work to overcome opposition and secure widespread support for the process of police reform.

Policing in PSOs: an overview

3.1 Policing in PSOs has evolved significantly over the past 10-15 years. The police component has moved from passive observation to taking a much more active role, providing concrete advice and assistance in support of the rebuilding or reform process. Generally, policing activities now fall into one of two broad categories.

3.2 Executive (operational) missions involve international police personnel carrying out functions that would normally be carried out by the indigenous police. Executive mandates give the police component 'normal' police powers, including powers of arrest, detention and investigation. Executive policing missions are only undertaken in difficult security environments and where the indigenous police service has either failed or is non-existent. The objective is to maintain law and order while the indigenous police service is rebuilt or developed, then to hand functions over to the reformed service as soon as possible.

3.3 Other missions focus mainly on building the capacity of the indigenous police service and bringing their skills and conduct up to international standards while the police service continues to perform law enforcement functions. This

may involve administrative and management reform, focusing on issues such as recruitment (including screening of candidates), promotion, pay and conditions, as well as training, mentoring and advising. The objective is to ensure that the local police have the skills and supporting structures they need to undertake democratic policing and uphold human rights principles.

The police reform process

3.4 Police reform underpins most of the tasks undertaken by international police personnel in PSOs. While the quick restoration of an indigenous police service is important to re-establish security and rule of law in a post-conflict situation, sustainable police reform takes time. It is about more than putting as many police personnel as possible through basic training; it requires cultural change, and this calls for the long-term transfer of knowledge, skills and experience. Care must be taken not to create a culture of dependency.

3.5 A police force must reflect the communities it serves. That may take a generation to achieve. The development of the capacity to analyse information and develop proactive policing strategies is fundamental to moving towards a system of intelligence-led policing that combats crime and increases safety and security.

Management and leadership

3.6 Identifying people with leadership and managerial qualities and giving them the training they need to take the reform process forward is one of the keys to sustainable reform. Strong leadership from chief officers and senior managers will help overcome resistance to change, so PSOs need to persuade experienced personnel that reform, and policing in accordance with international human rights and democratic standards, is in their best interests. Ensuring that the relevant senior personnel will remain in post for long enough to take the reform process forward should also be a priority: many change programmes are hampered by frequent changes in key personnel responsible for implementation, both within the indigenous police service and within PSOs.

3.7 New managerial systems must be responsive to the needs of the indigenous police and reflect the political culture of the host nation. They should address issues such as the provision of adequate pay and conditions, recruitment and promotion on merit, and robust internal disciplinary procedures.

Management level personnel need focused training so that they can support the reforms and carry them forward after international community support ends.

3.8 All police reform is 'political' in the sense that it affects the position and interests of different groups of people inside and outside the indigenous police service. Indigenous police, authorities and factions may see reform as unwelcome interference and therefore seek to undermine it. The police component will therefore need strong working relationships with the relevant authorities in the host nation. The following case study provides an example of the importance of institutional support for police reform.

Case study 4: Police reform in Serbia

Post-Milosevic, the Serbian police service fell far short of the ideals of a modern and democratic police service. The pervading culture underlined its use as a political tool of the former regime. Its equipment, training and management practices were outdated and unrepresentative. Its structure was militarised and politicised and its operational authority concentrated among senior management.

An in-depth assessment by the Serbian Ministry of the Interior and the Organisation for Security and Co-operation in Europe (OSCE) led to the establishment of 'Six Priority Areas of Police Reform'. This expanded the scope of security sector reform (SSR) to include not only the training of the Multi-Ethnic Policing Element (MEPE), but also the police education system, financial/budgetary reform, strategic management, community policing, police accountability, organised crime (including criminal intelligence analysis) and border policing. As well as broadening the reform process, the assessment increased the level of international engagement in that process.

Registration and vetting[15] procedures

3.9 In post-conflict situations, it is often necessary to identify who is actually a police officer – or who is acting as one – before vetting can take place. In south Sudan, for example, soldiers from the Sudan People's Liberation Army (SPLA), ex-government police and others are all performing the role of police officer. There are no records. In such a case, individuals should be registered, have their background and experience assessed, and be issued with ID cards.

3.10 Establishing vetting procedures is an essential element of institutional reform. It involves introducing strict recruitment criteria, stringent initial vetting of recruits and initial and ongoing auditing of existing police personnel. The vetting process must be carried out fairly and in accordance with international standards and monitored carefully. Information should be securely stored in a database.

3.11 Robust vetting procedures will root out individuals who are incompetent or illegally appointed, and ensure that the police service is not infiltrated by opportunists seeking to subvert law enforcement institutions or by anyone with a criminal record or a record of human rights abuses. Vetting also guards against corruption. Investment in corrupt personnel is a waste of resources and undermines reform efforts and the credibility of the indigenous police service. Vetting can also help to ensure that the make-up of the police service reflects the diversity of the communities it serves.

Main activities

3.12 International police missions involve a combination of activities, including:

- training;
- advising;
- mentoring;
- monitoring;
- inspecting;
- developing plans;
- co-ordinating donor funding;
- reform; and
- restructuring.

3.13 Objectives within each area of activity will vary from mission to mission. PSO mandates and operational plans provide the detail. In some cases, local police may be used to support some activities. The descriptions below draw on definitions from the United Nations Police Handbook (2005).

Training

3.14 Training is essential to create an indigenous police service that is effective, sustainable, professional and credible, and that operates in accordance with international norms. Training also builds confidence. However, training by itself is not enough. It must have a clear strategic purpose that is supported by the relevant host nation stakeholders and consistent with other police reform activities. Good training programmes are based on a flexible curriculum that is tailored to the local situation: for example, case studies used to train police cadets in Haiti were based on actual cases that UN human rights monitors had investigated in the country.

In practice: meeting basic skills needs
A significant potential challenge is the lack of basic literacy and numeracy skills among indigenous police personnel. Proper testing of literacy and numeracy skills should be employed at the start of any police reform work in order to identify suitable candidates for police training. Without these skills, officers are unlikely to benefit fully from more specialised police training (for example, scene of crime investigations or forensics) and resources may be wasted.

Advising

3.15 This activity includes observation, advice, supervision and reporting on selected, usually senior, members of the indigenous police service. This can also include advice on national policing policies. It is not an end in itself, but a means of detecting problems, identifying ways of addressing them and assessing the effectiveness of existing measures for redress. Issues that could be addressed in this way include the effectiveness of the local police command structure; its ability to conduct internal investigations; and its relations with judicial authorities. The ultimate aim is to enhance capacity so that the indigenous police force can deal with all policing issues. The police component may also work towards influencing local police to be more responsive to the community they serve and protect.

Mentoring

3.16 The primary goals of mentoring are to enhance capabilities, change attitudes, increase professionalism and foster pride. The four main local target groups for police mentoring are new recruits, existing active police personnel, middle and senior managers and police trainers.

3.17 Mentoring and advising are usually conducted by senior personnel on a one-to-one basis with their host nation counterparts, or in small teams. Both activities must always be carried out in accordance with international human rights and democratic policing standards and as directed within the mission.[16] The police component remains outside the chain of command of the indigenous police and therefore does not have command responsibility for the actions of indigenous police personnel.

In practice: co-location

Co-location – where members of the international police component mentor local counterparts in situ, often in police stations – can increase co-operation and improve the effectiveness of the mentoring process. Working with the indigenous police and with local communities on a daily basis builds trust and ensures good communication. This in turn improves the transfer of skills and knowledge and promotes democratic policing practices. It also helps the police component better understand the host institution's strengths and weaknesses.

The potential benefits are clear; but experience shows that a police component co-located for long periods of time in isolated locations can lose their objectivity and impartiality. Co-location must therefore be carefully managed to guard against this.

Monitoring

3.18 Monitoring aims to ensure compliance with the principles of democratic policing. It involves observing the behaviour of local police as they carry out their duties and reporting any issues of concern to the appropriate authority. In some cases, monitoring is the primary task of a mission: for example, in the UN Transitional Assistance Group in Namibia (UNTAG), the UN police component's role was to ensure that the South West Africa Police fulfilled their duty of maintaining law and order in an efficient, professional and non-partisan manner.

3.19 Monitoring is not just a case of noting problems and violations. Rather, it is an active process that aims to identify weaknesses and ways of addressing them. It is a vital tool in reform and capacity-building, and a useful way of assessing progress. It can be a sensitive area. The following case study illustrates the importance of transparency in the monitoring process.

Case study 5: Monitoring and the UNMIS experience in Sudan

For police personnel supporting the UN in Sudan, the concept of 'monitoring' was problemmatic in two ways. Firstly, from the use of English as the language of the Comprehensive Peace Agreement (CPA), in which the UN was called on to 'monitor and verify the Agreement'. In English 'monitoring' is a non-threatening term. When translated into Arabic, the same term takes on a more sinister and unfriendly tone, and carries implications of supervision, control and even spying.

Secondly, by not having a specific reference in the CPA to monitoring the police, it has been argued that this created a weak basis for the UN police component's reforming and restructuring of the indigenous police in Sudan.

Inspecting

3.20 Inspecting is an active evaluation process. Inspection might, for example, set out to determine whether a specific police operation (such as a unit, station or facility) complies with a pre-determined set of standards in terms of personnel, equipment, training, doctrine, procedures and job performance. The authority to inspect enables the police component to focus on specific abuses – such as corruption or the mistreatment of detainees – and to access police files and detention facilities.

Other activities

Elections

3.21 In post-conflict environments, elections are often associated with voter intimidation and public order incidents. The police component may provide support directly, perhaps working in partnership with the military, or indirectly by advising and supporting the indigenous police service. The police component can help to protect basic human rights, such as freedom of expression and association, and the right to peaceful demonstrations.

Case study 6: Elections in the Democratic Republic of Congo

In preparation for the Democratic Republic of Congo's (DRC) national legislative and presidential elections in July 2006, the UN Mission in the DRC (MONUC) trained several thousand national police personnel, and certified over a thousand police instructors. Around 17.9 million people turned out for the first vote – some 71 per cent of registered voters. Three days of violence followed the first-round results, indicating the tensions underlying the political process. Despite this, the country did not slide into greater instability following the tense conclusion of the second round of presidential elections in October 2006. Policing made a major contribution to this outcome, with the police working in partnership with UN peacekeepers and the military operation EUFOR RD Congo set up to support MONUC, .

Disarmament, demobilisation and reintegration

3.22 The aim of the disarmament, demobilisation and reintegration (DDR) process is to reintegrate ex-combatants into society. This may include the demilitarisation of the police. One of the police component's key responsibilities is to ensure that the process does not lead to the transfer of 'undesirables' into the police service.

Sanctions

3.23 Sanctions may be applied to supplies; diplomatic, economic and other trading privileges; and freedom of movement. They can be applied to a specific party, or to all parties within a defined area. The police component may be involved in overseeing the activities of the indigenous police in support of a sanctions regime.

Clearing mines and unexploded ordnance

3.24 Members of the police component should also be aware of the following PSO activities: mine removal; mine surveys and mapping; constructing mine databases; training de-miners; and developing and implementing mine awareness campaigns. The police component may be asked to support mine action services by reporting on incidents (eg where people are injured by mines) or following up investigations.

Humanitarian assistance

3.25 Humanitarian assistance activities include delivering food, medicine, and other forms of relief. In PSOs, the police component may be asked to report on incidents related to the delivery and distribution of aid and to monitor the indigenous police service as they ensure the security of the delivery and distribution process.

Protecting internally displaced people

3.26 Protecting refugee camps, ensuring the free movement of internally displaced people (IDPs), enabling the return of property and evicting illegal occupants will often be important parts of the remit of the indigenous police force. The police component may therefore be involved in training, mentoring, advising and monitoring the indigenous police as they carry out these activities.

Crimes of international concern

3.27 Some PSOs have helped to establish mechanisms for addressing war crimes, genocide, crimes against humanity and human rights violations. However, the police component will not be responsible for investigating alleged crimes of international concern unless explicitly authorised to do so.

In practice: investigating international crimes
The police component may be involved in supporting the indigenous police service in investigating and prosecuting international crimes. In this case, the police component will be expected to offer advice on topics such as exhumations and search and seizure operations. Appropriate training should be available within the PSO.

Key factors that determine policing success

Building support

3.28 As already discussed, police reform involves the redistribution of power and is therefore an intensely political process. It is likely that there will be opposition. Some stakeholders, fearing that a successful PSO will threaten their authority or power, will challenge its legitimacy. While there may be consent at the strategic level, local dynamics may affect support for the mission at a tactical level: where hostilities persist between local groups, there is a risk that PSO activities are perceived as favouring the interests of one group over another. Building support should therefore be a priority from the outset; and the political situation and progress of reforms should be monitored throughout the life of the mission.

3.29 Effective international police operations are grounded in a thorough knowledge of the communities in which they operate. Individual officers will need a good understanding of local communities, personalities, customs and habits. The interests and concerns of the local population must be sought and reflected in all the activities of the police component; and all activities should be carried out with sensitivity and respect. This is also true of the police component's dealings with the indigenous police service. See chapter 4 for more detail about how the police component can work effectively with the local community.

In practice: building confidence on the ground
The following measures can help strengthen relationships and reduce tensions:

- setting up a liaison and communication network to consult regularly with local communities;
- keeping the military and military hardware in the background while ensuring high visibility of civil law enforcement and the police component;
- ensuring full transparency about police component activities;
- producing and disseminating regular reports; and
- running joint patrols with the indigenous police service in disputed areas.

3.30 Support also needs to be reassessed constantly. Local people's attitudes to the legitimacy of the mandate and the authority of the mission, their willingness to comply and their expectations will all be influenced by the PSO's activities and approach as the mission progresses.

In practice: the media and public information
Public information and outreach are often core elements of a PSO mission. Both strands of activity can be used to promote and build support for police reform. The police component should therefore be aware of the broad PSO media strategy, current 'messages' and issues, and the rules and regulations that apply in the particular body where they work regarding relations with the media and public information. The national contingent commander (NCC) or police commissioner can give guidance on contacts with the media or non-governmental organisations (NGOs).

More generally, the Foreign and Commonwealth Office (FCO) imposes specific restrictions on UK police personnel. These include: duties of confidentiality and loyalty to the Crown; the requirement that care be exercised in the use of information acquired in the course of official duties and to protect information held in confidence; and a prohibition on providing information or giving interviews to the media without prior clearance from the FCO. Members of the UK police contingent will be required to sign up to these restrictions before leaving the UK.

Command and control

3.31 Police personnel deployed to PSOs will often come from different countries and therefore have different policing backgrounds. They may use different tactics and work to different standards. In some missions, police may be spread across wide geographical areas with difficult communication lines. In addition, police personnel will have varying understandings of policing practice and often employ differing approaches. One area where this is often particularly apparent is community policing. All these issues can create challenges when it comes to working together, so clearly defined command and control arrangements are essential. In developing an indigenous police service, it is also important that the concepts introduced are consistent, and do not vary according to the nationality of the police personnel working in that specific location. Robust command and control arrangements will also facilitate co-operation and co-ordination between the police and the military.

In practice: understanding the command and control structure
Command and control arrangements can be complex in multinational PSOs. For example, reporting chains may be based both on the type of function performed and geographical location, meaning that some individuals may find themselves reporting to two managers. In addition, the most senior officer from a nation will act as the contingent commander for all police personnel from that nation and has a reporting line back to both the FCO and the home police organisation. The hierarchical chain of command is often reinforced to ensure that management authority is maintained and as such must be respected. It is essential that you have a clear understanding of the structures in your mission, so you should familiarise yourself with the relevant parts of the operational plan.

Co-ordination

3.32 The different components of the PSO will be engaged in a wide range of discrete but interconnected activities. It is therefore vital that the police component is aware of the activities and objectives of other PSO components and, where appropriate, that it establishes good working relationships with them.

3.33 The nature of a PSO means that law and order and security challenges are likely to be closely intertwined. The conflict and its aftermath may be as much about criminal activity and profit-making as about inter-ethnic grievance, politics or terrorism. The police and military components therefore need to work closely together, with strong military action backing up the police component and legitimate indigenous police actions where necessary. However, there must be a clear demarcation between the military and the police component on law and order issues.

3.34 The close relationship between rule of law institutions will require the police component and the military to work closely with advisers on international, local and human rights law, criminal justice issues including prisons, the judiciary, court services, the legal profession and access to justice in the host nation.

Effective communication

3.35 All activities carried out by a PSO and all the incidents it is involved in will have political ramifications. Reporting and decision-making may therefore be more centralised than in standard police operations. The police component must have robust communication systems that can facilitate the rapid transmission of information to everyone involved, from those working in the field all the way up to mission headquarters. Once in-country operations begin, regular reports should also be produced and disseminated based on the ongoing reassessment of plans and measures of success.

In practice: writing reports
Each mission will determine its own reporting chain and formats. Reliable, relevant reporting is essential to assess mission progress and identify problems. If involved in writing reports, it should be remembered that they may well be read outside the police component, particularly where the issues being reported on have implications for the PSO mission as a whole.

Working with other actors

Non-governmental organisations[17]

3.36 Non-governmental organisations (NGOs) make a significant contribution to the work of most PSOs, often taking responsibility for a wide variety of field operations. Advocacy is an important aspect of their activities, and often draws the attention of the international community to humanitarian crises. In particular, human rights NGOs have a dual role in encouraging rule of law reform and condemning abuse in the area of operation, both by the national authorities and by PSOs. The police component must, wherever possible, cultivate a constructive dialogue with relevant and credible NGOs, while respecting their independence.

Case study 7: Working with NGOs in Sudan

UNMIS police personnel at Yei in southern Sudan facilitated the release of five prisoners, some of whom were serving lengthy sentences without knowing what the charges were against them. In all five cases, the charges had been poorly investigated and the proceedings had not followed due process of the law. The police took up the matter with the prison authorities and local NGO, the South Sudan Law Society. In total, 11 cases were investigated, leading to the freeing of five prisoners.

Private security companies

3.37 There is an increasing move towards private security companies (PSCs) operating in PSOs. They may be contracted by governments to provide force protection and can be involved in SSR, including police and military reform. Nonetheless, the legal framework under which these companies operate is often unclear and their activities can give rise to legitimate domestic and international concern. Members of the UK Police Contingent should immediately inform the FCO, through the NCC, if they have any concerns about the activities of any UK registered or UK-based PSC.

CHAPTER 4: INTERNATIONAL POLICING PRINCIPLES

'Security matters to the poor and other vulnerable groups, especially women and children, because bad policing, weak justice and penal systems and corrupt militaries means that they suffer disproportionately from crime, insecurity and fear. They are consequently less likely to be able to access government services, invest in improving their own futures and escape from poverty.'

From the policy statement signed by development ministers and agency heads in support of the 2004 DAC Guidelines on Security System Reform and Governance

Key Points

- International policing is a means to an end: establishing stability and peace in the host nation.
- Democratic policing must be representative, responsive and accountable.
- Respect for human rights is at the core of policing.
- Working with the local community can help local people understand and accept improvements in law and order.

A comprehensive approach to the rule of law

4.1 International policing is not an end in itself; it is a means to an end. Its ultimate goal is to achieve stability and sustainable peace in the host nation by establishing the rule of law and creating a police service that conforms to international norms of democratic policing and human rights.

4.2 The police service is one of several institutions in the rule of law sector; it does not function in a vacuum. A lack of collaboration between the indigenous police service, judiciary and prisons will undermine the rule of law and hamper the system's ability to deal with crime, corruption and violence. Opportunists may seek to take advantage of these weaknesses, for political and financial gain.

4.3 The police component must therefore ensure that a cross-sector approach is built into the reform of the indigenous police. It is not enough that the indigenous police force is well trained and acts in accordance with international norms and the rule of law; it must also collaborate with prisons,

judiciary, the legal profession, prosecutors and the court service. The following case study highlights the problems that can arise from a lack of cohesion in this area.

Case study 8: A comprehensive approach to the rule of law in Southern Iraq

A significant obstacle to a functioning justice system in Southern Iraq was the lack of trust, communication, co-operation and co-ordination between the different elements of the rule of law system, including the police, prosecutors, judiciary and prisons. This resulted in, amongst other things, detainees being left in pre-trial and police detention for unacceptable lengths of time and not being produced at court for trial.

To address this, the international military, police, prisons and justice components worked to encourage the region's chiefs of police, prison governors, senior prosecutors and senior judiciary to hold weekly meetings in the main court house. These were chaired by the senior judge and by senior representatives of the police, prisons and prosecution, along with international police and military personnel.

These co-ordination meetings meant that problems could be raised with all the relevant parties; and that those parties could give public undertakings as to how they planned to resolve them. Levels of 'buy-in' varied across the region; but, where there was a reasonable level of engagement, the meetings had a significant positive impact and encouraged local officials to take ownership of the reform process.

Accountability

4.4 Strong internal and external mechanisms for overseeing, auditing and imposing discipline and thereby ensuring police accountability should be set up at an early stage of the police reform process. These mechanisms must be independent, have investigative powers and give local communities access to complaints procedures. This will build trust and ensure transparency.

4.5 Corruption and nepotism can be significant obstacles to reform. Establishing the mechanisms described above, strengthening internal police investigative capacity and establishing a police ombudsman can make an important difference. If corruption is present in the police it will also occur in other rule of law sector institutions, including the judiciary.

4.6 While government officials will oversee the police and develop overall security policies, the police must be responsible for their own operational plans and activities. In many countries, political interference in police matters – for

example, by directing police operations or changing the senior management team after each election – is a significant problem. Such interference undermines the independence of the police service and hampers the establishment of merit-based systems of promotion and appointment. One way of addressing this problem is to support the establishment of an independent Police Service Commission, responsible for overseeing recruitment, promotion, discipline and other personnel issues.

4.7 Reform efforts should seek to ensure that the indigenous police service is held accountable in the following ways:

- internally, through its own professional standards and disciplinary mechanisms;
- by the judicial system and the law;
- by the public through independent complaints bodies, ombudsmen, human rights organisations, community representative and liaison groups;
- by the Government; and
- by the media, which has a legitimate function in a democratic society to commend and criticise the police.

Human Rights

4.8 Respect for human rights and the capacity to prevent and redress human rights violations must be embedded within law enforcement institutions as part of the reform process. All international police personnel should be

familiar with the international human rights standards within the UN framework[18] and, where appropriate, with one of the three regional human rights instruments for Europe, Africa and the Americas.[19] The relevant regional instrument may call for a higher standard of human rights protection or provide more detail than universal instruments. The host nation will be legally bound by the instrument if it has ratified it.

In practice: responding to human rights violations

Specific guidance as to how to respond to human rights violations will be provided by the PSO as appropriate. The following points are intended to provide general guidance:

- Report the violation according to the procedures established by the mission.
- Bring the alleged violation to the attention of the indigenous police personnel concerned at the time of the incident and, if necessary, to their commanding officers.
- Advise the indigenous police to take remedial action in the form of a full, independent investigation followed by disciplinary action and/or criminal prosecution.
- If the indigenous police do not take appropriate remedial action, the violation should be referred upwards.

4.9 In some post-conflict situations, the applicable national human rights law may be absent, unclear or inappropriate. This was the case in Cambodia, East Timor, Bosnia and Kosovo. In Kosovo, lack of clarity at mission level about which law should apply led to numerous operational problems, including international police personnel applying the law of their own country. This undermined the effectiveness of the international police and the PSO mission. Legislative reform takes time, so the head of mission (HoM) should provide guidance in the interim. As a general principle, in such situations, the police component should follow international standards.

Vulnerable and victimised groups

4.10 The indigenous police service must be responsive and sensitive to the needs of vulnerable and victimised groups, such as children, minorities, prisoners and displaced persons, who are often the most seriously affected by conflict and the collapse of the rule of law. A culture of impunity and a lack of opportunities to redress past and present abuses will threaten prospects for a sustainable peace. The indigenous police have an important role to play in lessening the impact of conflict on vulnerable groups, by supporting an impartial and depoliticised justice process; ensuring that the indigenous police understand the sensitivities of specific groups will form part of the role of the police component.

4.11 In recognition of children's special needs in armed conflict and post-conflict environments, the UN often appoints child protection advisers in PSOs in which it is involved. Organisations and individuals that can provide specialist advice and guidance on working with vulnerable groups should be identified early on in the deployment, and priority given to establishing strong working relationships.

Women

4.12 Women are often the victims of violence during and after conflicts and often play only a marginal role in the peace process. The international community recognises the importance of responding to women's needs and ensuring that they are engaged with and involved in the conflict management process, and in October 2000 the UN Security Council (UNSC) adopted resolution 1325 on Women, Peace and Security. The resolution underlined the essential role of women in the prevention of conflict and as full participants in post-conflict peacebuilding and reconstruction efforts.

4.13 Attempts to counteract the marginalisation of women in PSOs has led to the mainstreaming of a gender perspective into core PSO activities, with the aim of raising the status and encouraging the participation of women in all aspects and at all levels of reconstruction in post-conflict societies. The UN encourages field missions to involve women from the host nation at every level and to engage more women in PSOs, including at senior level. Wherever possible the police component should consult women about the reform of the indigenous police and international police activities.

Case study 9: Tackling gender-based violence in Sudan

The police component of the UN Mission to Sudan (UNMIS) is working with donors to provide specialist training in the investigation of gender-based violence. The component is also using funds from the UN's Quick Impact Project to build gender units; dedicated areas within police stations where women and children can report violence against them in a safe, secure environment.

4.14 Police forces in many countries are predominantly male organisations and, while gender-based violence is a significant problem in many societies, it is rarely a police priority. In some cases the police are the perpetrators of violence against women, or are at least complicit in it. Insensitivity to or disrespect for women's rights can lead some indigenous police forces to refuse to protect women's rights in areas such as inheritance, property, divorce proceedings and custody disputes.

4.15 In many cases, then, indigenous police forces will need training in gender issues and women's rights. High-ranking officials must be held accountable for providing policing that is responsive to women's security needs.

They also need to be aware that women working within the indigenous police force may well be subject to the same insensitivities, violence or disrespect leading to the perpetuation of an unrepresentative police force. Women's needs within the police force therefore also need to be tackled.

Case study 10: Police officer Alison Cooke on working with the EUPM in Bosnia

'I was seconded to the EU Policing Mission (EUPM) in Bosnia in May 2006. Only 20 per cent of Bosnia's police personnel are women, and their engagement in operational tasks is limited. I therefore volunteered to carry out some research in order to identify the issues that were preventing women from achieving their potential within the police service.

'With the help of an interpreter, I interviewed 100 female and several senior male police personnel. I found that there were few women in specialist roles and ranks; that there were no uniforms for women officers (they were being issued with male uniforms); that they lacked networking opportunities; and that there was widespread concerns about job losses due to police reforms.

'The Minister and Director of Police listened to my findings and demonstrated a willingness to change things for the better. I suggested we hold a conference for Bosnian female police personnel where they could discuss the issues they face and establish an agenda for the future. More than 120 officers attended the event, which also attracted a great deal of media attention.

'I am now working with the conference organisers to take women's issues forward and advise on best practice. One aim of the conference was to establish a women's association for the police women of Bosnia. It's still in its infancy, but we are making progress.'

Local ownership

4.16 Experience shows that successful reform overwhelmingly depends on the attitude and motivation of the local population, including the police. International police efforts must therefore enable indigenous police personnel to play a meaningful part, giving them a sense of ownership of the mission and its outcomes. Significant reform requires buy-in from police personnel at all levels.

4.17 There is also often a need to raise awareness among the general public of their individual rights in respect of the police and the justice system, and to ensure that people have realistic expectations of local law enforcement structures. Informing the public of their rights and the processes and institutions they can use to enforce them generates support for the reform process from the ground up and increases local ownership of, and pressure for, reform.

4.18 In many countries, the police have a negative public image and policing is seen as a second-class profession. The public may also view the police as a threat rather than a source of protection. This can have a serious impact on police morale and effectiveness. Initiatives to help improve financing of the police, training and accommodation, and public education campaigns can help increase self-esteem and pride in the profession. If the public do not understand the reform programme and the thinking behind changes in police culture and approach, then the effectiveness of the programme may be undermined.

Case study 11: Awareness-raising in Sudan

Awareness-raising and education campaigns help not only the public but also partner organisations to better understand the role of the police component. Police taking part in UNMIS take part in radio programmes, including those broadcast on the UNMIS station Miraya, make regular visits to schools and hold meetings with members of the local community, particularly in camps for internally displaced people (IDPs). Each sector within the police component has a dedicated public information officer whose role is to promote good relations with the local police and the people of Sudan.

Community-oriented policing

'The experience of UK policing working in other countries and contributing to the introduction of a democratic model of policing (community policing) has shown it often requires a fundamental transformation of moving the police "from a force to be feared to a service to be valued."'

Graham Mathias
Metropolitan Police Service (ret'd), June 2006

4.19 Police components within PSOs often adopt a community-oriented approach. This involves the police working in partnership with the community to tackle crime and disorder. By helping local people understand the reform process, community-oriented policing can increase support and help build public confidence in the police. To ensure that the approach is sustained beyond the life of the mission, the indigenous police force may need help to develop new administrative and operational structures and to embed the principles of community-oriented policing within their own culture and ways of working.

4.20 There is a risk that community-oriented policing will be interpreted as meaning that the community is being left to police itself, leading to vigilantism. It is important to agree and publicise a clear definition of community-oriented policing that emphasises the importance of the police and local communities working together to prevent crime, increase community safety and ensure respect for human rights. Care must be taken to understand the circumstances of the host nation, its needs, expectations and perceptions before deciding how best to communicate and develop the concept. Positive results in terms of both security and justice should also be communicated.

'Community policing is a concept little understood in many police cultures and is frequently mistaken to refer to a special squad or department of police which will deal with the community. This is a common misconception even amongst mission members, including some who are senior and experienced, and indeed many international police come from countries with a very different style and tradition of policing. In the Sudan context, a true "community policing" programme will require a fundamental shift in attitudes by police, government and the communities themselves as well as changes to the law. These things are unlikely to happen quickly.'

Glenn Gilbertson, former Police Commissioner, UNMIS,
ret'd Metropolitan Police Service officer
June 2006

The principles of democratic policing

Representative policing ensures that:

- police personnel sufficiently represent the community they serve;
- minority groups and women are adequately represented through fair and non-discriminatory recruitment policies in police services; and
- the human rights of all people are protected, promoted and respected.

Responsive policing ensures that:

- police are responsive to public needs and expectations, especially in preventing and detecting crime and maintaining public order;
- policing objectives are attained both lawfully and humanely;
- police understand the needs and expectations of the public they serve; and
- police actions are responsive to public opinion and wishes.

Accountable policing is achieved in three ways:

- legally: police are accountable to the law, as are all individuals and institutions in states;
- politically: police are accountable to the public through the democratic and political institutions of government as well as through police and citizen liaison groups; and
- economically: police are accountable for the way they use resources allocated to them.

OHCHR Professional Training Series No. 5: Human Rights and Law Enforcement: A Manual of Human Rights Training for the Police, 1997

Separating the police and the military

4.21 Demilitarisation of militias and law enforcement agencies is usually an important part of a PSO. Police reform therefore often involves separating the civilian police from the military, while nurturing an appropriate level of co-operation and cohesion between them. This can cause significant tension between the two institutions and requires careful management. For this reason, the police component must develop a co-operative and collaborative relationship with the military at the same time as taking every opportunity to stress the civilian nature of policing.

CHAPTER 5: ACCOUNTABILITY, DISCIPLINE AND PROFESSIONAL STANDARDS

Key Points

Members of the police component of a Peace Support Operation must:

- Demonstrate the highest professional standards and ethical conduct and discipline.
- Be accountable for crimes and misconduct committed while serving on a PSO mission.
- Familiarise themselves with the relevant national and international legislation.

Leading by example

5.1 The police component is likely to be deployed into a situation where human rights have been violated, impunity is the norm and the host nation police service is implicated. The police component therefore cannot take for granted that it will be universally perceived as being impartial; so demonstrating impartiality and objectivity at all times is therefore crucial.

5.2 The police component should lead by example. The conduct and professionalism of its personnel will help to inspire an ethos of public service and respect for human rights. All international police personnel on PSOs are responsible for upholding the legitimacy and moral authority of the mission.

5.3 Cases of abusive and illegal conduct by PSO personnel in a number of missions deployed by the international community highlight the importance of accountability, discipline and codes of conduct. Accountability implies that individuals are taking responsibility for their own actions and for reporting concerns and complaints. It is fundamental to the legitimacy and credibility of the mission.

In practice: maintaining professionalism and integrity

Members of the police component must not believe that, because they are in a country where the rule of law is weak, they can behave with impunity and in a way that they would not at home. Rather, they must act according to the highest standards of professionalism and integrity at all times. They must also report any misconduct by other individuals, including international personnel. There is no room for equivocation of any kind when wrongdoing by a police officer is witnessed, or when there is any credible evidence of it. Experience and knowledge of ethical police practices should enable individuals to differentiate between an error of judgment or mistake; and neglect and abuse of authority or even a criminal act. Failure to report the matter would be an evasion of duty.

Standards of behaviour

5.4 The Foreign and Commonwealth Office (FCO) requires all personnel to conduct themselves in a manner consistent with their position as a representative of Her Majesty's Government and not to act in any way that may bring discredit on either the mission or the Government. The FCO demands the highest standards of professional conduct, responsibility and accountability. Personnel who breach these standards will be held to account in accordance with the appropriate code of conduct and/or criminal law. The Police (Conduct) Regulations 2004 set out the general professional standards required by the FCO.

5.5 The presence of a PSO can have a negative impact on vulnerable and victimised groups. In some rare cases, international personnel have been involved in prostitution, drug abuse, or in trafficking of women and children. Accountability and punishment for PSO personnel who exploit these vulnerable groups is a priority, and the UN has therefore set out minimum standards of behaviour.[20] The FCO International Secondments Team has developed standard operating procedures (SOPs) contained in the IST Manual of Procedures & Guidance, which incorporate UN principles on these issues, and which apply to all UK police personnel.

Codes of conduct

5.6 UK police personnel on PSOs will usually be subject to several codes of conduct. These include:

- the mission's own code of conduct and discipline (the EU and UN have their own codes applicable to their mission personnel); and
- the relevant UK national parent force's code of conduct, professional standards and discipline.[21]

For personnel contracted from private security companies, the company's own code of conduct and discipline will apply.

Legal status: immunities and privileges

5.7 The legal status of and any diplomatic immunities and privileges granted to international police personnel within the area of operation are usually negotiated between the PSO mission and the host nation authorities. The negotiations will establish the basis for legal relations between the mission and the host nation and cover jurisdictional matters, including those concerning international police personnel. Usually, the mission will be granted jurisdictional primacy over criminal acts committed by mission personnel. This does not mean that they are immune from criminal prosecution: rather, it means that the host nation allows the mission to decide how they will be dealt with. Usually the mission will agree with those states which are providing personnel that their own nationals will be returned home for criminal prosecution, where appropriate. However, the head of mission (HoM) may waive privileges and immunities and surrender jurisdiction so that the individual can be prosecuted by the host nation's criminal justice system.

5.8 Where the area of operation has an effective, legitimate government, the agreement will usually be contained in a status of forces agreement (SOFA) or status of mission agreement (SOMA). Where there is no effective government, a memorandum of understanding may be signed with the relevant indigenous parties. When no local accord can be agreed, the 1946 Convention on the Privileges and Immunities of the UN may in some cases confer immunity on mission personnel. The agreement may be in a separate document or contained within the mandate document.

Concluding comments

This document has been produced primarily for the benefit of UK police personnel serving in, or about to deploy to, a peace support operation (PSO) overseas. We hope it will also be of interest to international, regional and non-governmental organisations (NGOs) and other countries engaged in such operations, and that it will inform thinking on how international police personnel working in PSOs can contribute to the restoration of peace and the re-building of the rule of law.

This document is based on wide consultation and a wealth of interview and documentation-based research. Extracts from specific case studies have been used throughout the text to illuminate a number of key international policing principles and explore ways in which those principles could be applied more effectively in the future.

The UK is committed not only to capturing the knowledge that supports this document, but also to continuing the knowledge-gathering process with the aim of further enhancing approaches to international policing missions in the future. To this end, you are encouraged to visit the UK's international policing website at www.ukinternationalpolicing.com and to add your own comments and 'lessons learned'.

Notes

1 For the purposes of this document, the term 'UK police personnel' includes serving officers from police forces in England, Wales and Scotland, the Police Service of Northern Ireland, the Ministry of Defence Police, police staff and retired officers directly contracted by the FCO. It also includes those privately sub-contracted from private security companies by the FCO and deployed with the UK contingent on PSOs.

2 See the IP website, the Home Office's Overseas Deployment Manual for Police Officers at http://police.homeoffice.gov.uk/news-and-publications/publication/training-and-career-development/overseas_deployment_may04.pdf?view=Binary and the IST Manual of Procedures & Guidance.

3 Secretary-General of the United Nations, Report on the Work of the Organisation, A/56/1, September 6, 2001, para.11.

4 Contingency planning for the UK international police contingent will be led by the Assessment and Planning Group (APG). The APG provides an expert and timely planning and needs assessment capability for the Government prior to deploying police personnel on international missions; ensures that the planning and assessment for police personnel deployments to international missions takes account of wider justice and security sector issues; and avoids gaps in planning through co-ordination with military and civilian planners. It does this by contributing to advanced and timely assessment, evaluation and planning for the integrated policing components of proposed or anticipated PSOs and security sector reform missions.

5 In UN, EU and OSCE operations the most senior police adviser in the area of operation is usually called the police commissioner. The highest ranking UK police officer will generally be appointed the UK contingent commander by the FCO. However, if the police commissioner is from the UK, another UK officer will take on the contingent commander role.

6 In command terms, these levels reflect the gold, silver and bronze command structure used by UK police forces.

7 Some UK police forces use a different definition of 'tactical' and 'operational'. Because international police components are usually deployed in a military context, this document uses the military definition.

8 The police component of a PSO is usually made up of groups of police personnel from supporting states, referred to in this document as 'national police contingents'.

9 A copy of the UN Charter is available on the IP website.

10 See DfiD's briefing paper, Non-state Justice and Security Systems, May 2004.

11 See OECD-DAC paper on the delivery of justice in fragile states.

12 Work is currently in progress across Government departments to establish a more integrated approach to PSO planning.

13 See OECD-DAC Implementation Framework for Security Sector Reform for a more complete list of key participants typically found in the state, non-state and private police sector at www.oecd.org/dac/conflict/ssr

14 See DfID's Appendix to the World Bank report on the public sector in Afghanistan.

15 Vetting is a very important dimension. For more information, see the UN Office of the High Commissioner for Human Rights Rule of Law Tools for Post-conflict States, Vetting: An Operational Framework, 2006, available on the IP website.

16 A list of the relevant human rights international legal instruments is available on the IP website.

17 NGOs are entities independent of governments and set up by individuals or groups of individuals. Examples include Oxfam, Save the Children, World Vision, the International Commission of Jurists, Human Rights Watch and the Catholic Relief Services.

18 The relevant human rights instruments can be found on the IP website.

19 These regional human rights instruments can be found on the IP website.

20 See the UN SRSG's bulletin on special measures for protection from sexual exploitation and sexual abuse (ST/SGB/2003/13) at http://www.un.org/staff/panelofcounsel/pocimages/sgb0313.pdf. Further information is available on the OHCHR website at www.ohchr.org/english. Look under'International law', 'Issues' and 'Training and educational material'. Further guidance on UN-endorsed standards of policing is available in the UN Civilian Police Handbook (December 2000), the UN General Guidelines for Peacekeeping Operations (October 1995) and the Handbook on UN Multidimensional Peacekeeping Operations (December 2003). The OHCHR Rule of Law Tools for Post Conflict States: Mapping the Justice Sector publication (available on the

OHCHR website at www.ohchr.org/english/) provides useful information on working with law enforcement officials and investigating allegations of police mistreatment of detainees.

21 These include the Code of Ethics for the Police Service of Northern Ireland; the applicable Police (Scotland) Regulations and the Home Office/ACPO Code of Professional Standard (which also applies to Ministry of Defence Police) and any code applicable to the home force with which the officer serves.