

# United Nations Police Reform Support in Post-conflict States: @PKO Now! No.103

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The police in Japan maintain public security and protect safety of citizen. The Police Act enacted in 1947<sup>1</sup> states, “The police are mandated to protect the lives, bodies and property of individuals, prevent crime, suppress and investigate, arrest suspect, control traffic and maintain public safety and order.”<sup>2</sup> While practice and operation can vary among countries, many people probably believe it is universal that the police defend the lives of citizen, maintain public order and arrest criminals. However, in many post-conflict states where United Nations peace operations are deployed, national security apparatus including the police are often politicized even since the pre-civil war period, and some police officers commit human rights violations, constituting a significant threat to citizens. To address such issues, the UN has been working on police reform under the framework of security sector reform (SSR). This column examines some of the UN efforts and initiatives on police reform.

## Why is Police Reform Needed?

Due to longstanding conflicts, the police in post-conflict states lack basic capability, equipment and discipline and are often misused by some government officials, and corruption has become part of an organizational culture.<sup>3</sup> Because of police officers' oppressive investigations that do not respect the rights of citizen, slow response to incidents and excessive use of force, people's impression toward the police is characterized as “fear” and “distrust” in some states.<sup>4</sup> Some police officers conduct abusive acts against ethnic minorities and certain religious or ideological groups. According to the UN Development

Programme (UNDP), frustration and anger toward the police have been one of the motivations for young people in Africa to join extremist groups.<sup>5</sup> If those issues remain unaddressed, it would have a devastating impact on establishing a long-term peace and stability.<sup>6</sup>

In contrast, if the police protect citizens from crimes, respect human rights and defend socially vulnerable populations, it would be the foundation for reconstruction and stability of post-conflict societies. The police who faithfully commit themselves to maintaining public safety can give citizens a sign of society being transformed in a good and right way, which is crucial for promoting socioeconomic activities.<sup>7</sup> Once the police regain popular support and are recognized as a legitimate entity, citizens would become cooperative in investigation through, for instance, providing eyewitness information, and that will contribute to increasing police investigation capabilities.<sup>8</sup> Thus, police reform is vital for post-conflict reconstruction and peacebuilding.

### **Police Reform Support in the Framework of SSR**

In contemporary UN peace operations, police reform has been conducted under the framework of SSR. The UN Secretary-General report in 2008 defines SSR as “a process of assessment, review and implementation as well as monitoring and evaluation led by national authorities that has as its goal the enhancement of effective and accountable security for the State and its peoples without discrimination and with full respect for human rights and the rule of law.”<sup>9</sup> The aim of police reform, according to the Democratic Control of Armed Forces (DCAF) – Geneva Centre for Security Sector Governance, an international organization that has published important proposals on SSR, is “to transform the values, culture, policies and practices of police organizations so that police can perform their duties with respect for democratic values, human rights and the rule of law.”<sup>10</sup> DCAF also regards accountability, transparency, the rule of law, participation, responsiveness, effectiveness and efficiency as the principles of functioning security institutions.

Some of the reform activities tackle the issues of organizational command and structure, recruitment policies, training subjects, discipline, promotion, benefit and welfare, internal

control, investigation and disciplinary procedures and strategies for community engagement, among others. Moreover, reforms outside the police, such as review of the legal framework, reforms of relevant ministries in charge of policing and public safety and establishment or enhancement of an independent oversight body, are important for effective policing.<sup>11</sup> Those activities aim to transform the formerly politicized and dysfunctional police into an entity that provides citizens with public service to ensure their safety through investigating crimes and maintaining public safety, which all police officers are inherently supposed to do.

### **Police Reform Support by the UN**

In many post-conflict states, the UN, mainly through the UN Police (UNPOL), has assisted police reform through such various ways as financial support to purchase investigation equipment and refurbish police facilities and provision of technical advice in restructuring police organization.<sup>12</sup> Besides UNPOL, UNDP, for instance, specializes in capacity building, human rights education and procurement of policing equipment. The UN Office on Drugs and Crime (UNODC) supports in reviewing legal framework for policing activities, improving conditions in prisons and detention facilities and protecting the rights of detainees and prisoners, all of which are important activities to strengthen the rule of law system.

Most of the UN peace operations since 2003 have been mandated to support capacity building of local police. While the way police reform is done varies depending on the context, many practitioners longed for the establishment of a UN standard on police reform. In 2015, responding to the call of the UN Secretary-General, the Department of Peacekeeping Operations (DPKO) and the Department of Field Support (DFS) jointly formulated "Police Capacity-Building and Development Guideline." The guideline summarizes the principles and important matters to consider when working on police reform. It can be referenced not only by UNPOL, but also by other UN agencies, regional organizations and whoever intends to engage in post-conflict police reform.<sup>13</sup>

Some of the topics in the guideline include the importance of understanding existing challenges and planning based on that identified problems, screening of applicants for police and potential selection criteria, roles and responsibilities of actors who play major roles in

police reform, importance of community-oriented and intelligence-led policing, examples of training subjects, establishment of oversight body, and review of benefit, welfare and promotion system.

The guideline stresses consistently that police reform must be led by local governments. Police reform involves various external actors like the UN, donors and regional organizations. Nevertheless, by using the metaphor that “put the local police in the driver’s seat,” the guideline stresses the importance of initiative and leadership by local governments, and external actors should only play such supplementary roles as financial and technical assistance. Police reform will not be successful without a government’s strong will to transform. If dependence on external actors continues for a long period, police institutional development would be difficult, and public confidence with the police will not be generated, keeping the country vulnerable to potential security threats.

### **Global Focal Point for Police, Justice and Corrections Areas in the Rule of Law in Post-Conflict and other Crisis Situations**

Several UN agencies have been working on police reform, but their activities are not necessarily well coordinated in the field, and there was a clear need to integrate the political and development dimensions of the reform-related activities. In 2012, to integrate UN work in the area of rule of law, the Secretary-General established the Global Focal Point (GFP) for Police, Justice and Corrections Areas in the Rule of Law in Post-Conflict and other Crisis Situations, which has been led jointly by the Department of Peace Operations (DPO) and UNDP.<sup>14</sup> There are also partner agencies for GFP such as UNODC, UN Office of High Commissioner for Refugee (UNHCR), UN Office of High Commissioner for Human Rights (OHCHR) and UN Women.

The establishment of GFP has enabled DPO and UNDP to jointly conduct such various activities as resource mobilization, planning, assessment, implementation, response to requests and inquiries from the field and monitoring and evaluation on police reform projects. More importantly, as DPO, UNDP and partner agencies share their expertise, the concept of “Deliver as One UN” was put into practice. The creation of the channel between DPO and

UNDP at the headquarters has thus contributed to more effective and efficient coordination, consultation and information sharing. Likewise, in the field, GFP has been effective in maintaining consistency of assistance and avoiding redundancy across projects. GFP continues to be expected to play an important role in inter-agency coordination on police reform activities.

## **Conclusion**

Police reform is a “nationally-led” and “externally-supported” political process of transforming the police in post-conflict states into an entity that protects citizens and maintains public order. Because it is not possible to regain popular confidence overnight, police reform support requires a long-term engagement. Stabilization of society through police reform will also be prerequisite for recovering from conflict and accelerating peacebuilding and development. Nevertheless, as police reform is just one part of SSR, coordination with justice reform and penal reform is also crucial to consolidate the rule of law systems of post-conflict states.

## End Notes

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<sup>1</sup> Revised in 1954 Police Act, June 8, 1954, Act No.162, Chapter 1, Article 2, Item 1.

<sup>2</sup> e-Gov The Police Act ([https://elaws.e-gov.go.jp/search/elawsSearch/elaws\\_search/lsg0500/detail?lawId=329AC0000000162](https://elaws.e-gov.go.jp/search/elawsSearch/elaws_search/lsg0500/detail?lawId=329AC0000000162))

<sup>3</sup> Caparini, Marina. 2018. "UN Police and Conflict Prevention." SIPRI, 5.

<sup>4</sup> Osland, Kari M. 2019. "UN Policing: The Security-Trust Challenge." In *United Nations Peace Operations in a Changing Global Order*, ed. Cedric de Coning and Mateja Peter, 191-209. Palgrave Macmillan.

<sup>5</sup> UNDP. 2017. "Journey to Extremism in Africa." New York: UNDP Regional Bureau for Africa.

<sup>6</sup> Call, Charles T. and Stanley, William. 2001. "Protecting the People: Public Security Choices After Civil Wars." *Global Governance* 7 (2): 151-172, 152.

<sup>7</sup> United Nations. 2016. "External Review of the Functions, Structure and Capacity of the UN Police Division." New York: UN.

<sup>8</sup> Goldsmith, Andrew. 2005. "Police Reform and the Problem of Trust." *Theoretical Criminology* 9(4): 443-468, 444.

<sup>9</sup> United Nations. 2008. "Report of the Secretary-General: Securing peace and development: the role of the United Nations in supporting security sector reform" (A/62/659-S/2008/39). New York: UN General Assembly.

<sup>10</sup> Democratic Control of Armed Forces Geneva Centre for Security Sector Governance. 2019. "Police Reform: Applying the Principles of Good Security Sector Governance to Policing." SSR Backgrounder Series. Geneva: DCAF.

<sup>11</sup> OECD DAC Handbook on Security Sector Reform: Supporting Security and Justice, published in 2007 by Organization for Economic Cooperation and Development (OECD), discusses activities conducted under police reform, list of questions to grasp current situation, importance of coordination with justice sector and disarmament, demobilization and reintegration (DDR), and practitioners and researchers who engage in police reform refer to this handbook.

<sup>12</sup> UN Police. 2019. What our UN Police Officers Do (<https://police.un.org/en/what-our-un-police-officers-do>). Accessed 3 Oct 2019.

<sup>13</sup> United Nations. 2015. "Police Capacity-Building and Development." New York: Department of Peacekeeping Operations and Department of Field Support.

<sup>14</sup> United Nations. 2019. UN Coordination of Rule of Law Activities (<https://www.un.org/ruleoflaw/what-is-the-rule-of-law-archived/coordination-of-rule-of-law->

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activities/). Accessed 4 Oct 2019.