

UNCOPS – Background Note for Session 1

PEACEKEEPING CHALLENGES AND THE ROLE OF THE UN POLICE

United Nations peacekeeping today stands at a crossroads. Mandates do not always reflect the available resources, requirements and capacities. The mandated tasks for United Nations Police continue to expand, while asymmetrical threats create new and often devastating consequences for peacekeepers. Bringing operational coherence to a diverse police service comprised of 11,000 officers from more than 80 countries and policing cultures presents its own significant challenges. The recently launched Action for Peacekeeping (A4P) initiative is a framework for making peacekeeping more effective and accountable. As the Secretary-General highlighted, A4P is “aimed at mobilizing all partners and stakeholders to support the great enterprise of United Nations peacekeeping”. For the United Nations Police, this may mean adopting a nimbler, more dynamic posture that enables tailored support for the specific host-state context, phase of the mission, and realities on the ground.

A BROADER ROLE IN RESPONSE TO MORE CHALLENGING ENVIRONMENTS

In the earlier days of United Nations police peacekeeping, the United Nations Police were mostly tasked to monitor ceasefire agreements. The first executive mandates in the 1990s paved the way for a more robust response, whereby the United Nations Police were called on to assume host-state functions, such as policing, powers of arrest and detention, investigations and public order. Today’s United Nations Police perform various mandated tasks throughout the life cycle of a peace operation, from providing basic security and protecting civilians in the immediate aftermath of conflict, to developing sustainable host-state capacity to address serious and organized crime.

The operating environment also has grown far more complex. Conflicts between states and armed groups or between warring rebel factions have grown, while closer links between terrorist organizations and organized criminal gangs involved in the illicit trafficking of drugs, people and weapons have raised the level of asymmetrical threat facing police peacekeepers. Those tasked to keep the peace find themselves increasingly as the targets. The United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA) is one of the most dangerous current peacekeeping operations due largely to the proliferation of armed groups with extremist elements and non-state actors.

MAINSTREAMING PEACEKEEPING INTELLIGENCE INTO UN POLICING

The increased use of peacekeeping intelligence¹ will lie at the core of a United Nations Police built for the future. It will help to better plan, prioritize and allocate resources, and will inform the deployment or redeployment of personnel as a part of overall crime-reduction strategies. This will ultimately improve the safety and efficiency of Member States’ police contributions to United Nations. It will also assist the United Nations in building the capacities of host states to address their own crime challenges, thereby enhancing regional and global security. The United Nations Police are already promoting the enhancement of criminal intelligence structures and capacities in field missions to respond to serious and organized crime and the interlinkages with violent extremism, corruption and other transnational threats.

¹ Defined as the non-clandestine acquisition and processing of information by a mission within a directed mission intelligence cycle to meet requirements for decision-making and to inform operations related to the safe and effective implementation of the United Nations Security Council mandate.

While the United Nations Police maintain a civilian profile to retain the moral authority and public trust needed for effective policing, interoperability and strong functional relationships between police and military peacekeepers are critical to the success of peacekeeping operations. Greater sharing of peacekeeping intelligence assets and coordinated planning between the police and military, particularly during handovers of responsibilities, must be the standard approach going forward.

LEVERAGING SPECIALIZED SKILLS AND TECHNICAL CAPACITIES

The changing landscape also requires more specialized expertise at Headquarters, particularly within the Standing Police Capacity, and from Member States. The United Nations Police have developed a concept for Specialized Police Teams with a project-oriented approach to capacity-building in response to requests from missions for assistance in addressing specific capacity and capability gaps in host states' police services. These teams can be deployed as a package and with the necessary expertise and equipment, which gives them the added advantage of quick start-up and cohesive assistance.

As the nature of these capacity gaps in host states evolves, so too will the needs for different skillsets. One key to addressing organized crime is the ability to “follow the money” for example. However, expertise in financial crime, as well as areas such as forensics and cybercrime, is often at a premium even in the most advanced policing services. The future will likely bring increasing demand for these skills in peacekeeping activities related to capacity-building. To respond effectively, it will be critical to seize on the comparative advantages of partners inside and outside the United Nations System, including the United Nations Development Programme, United Nations Office on Drugs and Crime and the Office of Counter-Terrorism, in addition to the African Union, European Union, INTERPOL and the Organization for Security and Co-operation in Europe.

Better skilled personnel is only part of the solution to addressing increased asymmetrical threats. The better integration of modern technology, in compliance with international and national criminal justice and human rights laws, norms and standards, will also be needed. Crime analysis and case management software, cybercrime and financial crime investigative tools, advanced forensics and communications tools will all become more critical for United Nations Police peacekeepers in the years to come.

BUILDING A UNITED NATIONS POLICE FOR THE FUTURE

The challenges facing the United Nations Police are many, but United Nations peacekeeping remains the most cost-effective and efficient path to sustainable peace and security. This is a common concern and a shared responsibility for the global community, and we are therefore encouraging Member States to support our efforts by:

- ❶ Advocating for the adequate resourcing of United Nations policing in their home police institutions and in United Nations bodies
- ❶ Helping to shape mandates that reflect the actual needs on the ground, including specific language on the inclusion of contemporary crime threats and the use of peacekeeping intelligence
- ❶ Recognizing the critical need for qualified female officers, particularly in leadership positions
- ❶ Providing more officers who speak French, the working language in many host states

UNCOPS – Background Note for Session 2

THE ROLE OF UNITED NATIONS POLICE IN CONFLICT PREVENTION AND SUSTAINING PEACE

PREVENTION: AN INVESTMENT IN PEACE

An ounce of prevention is worth a pound of cure. United Nations Secretary-General António Guterres' vision for the Organization can be summed up in this simple but potent saying. The Secretary-General sees the United Nations as an instrument for a surge in diplomacy for peace and is promoting a broader vision of prevention which is intrinsically linked to the concept of '*sustaining peace*.' '*Sustaining peace*' has been defined by the General Assembly and the Security Council as "*activities aimed at preventing the outbreak, escalation, continuation and recurrence of conflict*."

The prevention and sustaining peace agenda applies to all Member States, even countries at peace. It is an ongoing exercise, not a one-time intervention or "a crisis management tool to address the destructive dynamics of conflict after they have occurred."¹ The United Nations is encouraging all Member States to build and strengthen inclusive societies and effective and accountable institutions to effectively deal with and transform conflict in a peaceful manner.

POLICING: AN INDISPENSABLE PEACE INGREDIENT

When it comes to sustaining peace, police is often a make-or-break institution. A police service that is representative, responsive and accountable to the community it serves is crucial for peacefully managing and transforming conflict and dealing with societal grievances. On the other hand, an abusive and corrupt police organization which acts with impunity and violates human rights is often the very reason why a peace operation deploys.

Representative, responsive and accountable policing is therefore a public good and an indispensable peace ingredient. States and their citizens share a responsibility to nurture these institutions. The United Nations Police's doctrine - the Strategic Guidance Framework for International Police Peacekeeping (SGF) - recognizes this and puts the host State and their populations in the lead. It encourages them to develop a broad multi-party and cross-societal consensus on the police they need and to articulate their priorities for assistance by the United Nations, regional and bilateral partners. The SGF seeks to reflect the needs and contributions of all segments of society, including women and youth, in the police reform agenda.

UNPOL PREVENTION WORK

Member States have recognized the United Nations' pivotal role in building and sustaining peace by supporting host-State police and other law enforcement services. The United Nations Police effectively contribute to the Organization's prevention and sustaining peace efforts.

United Nations Police components train, mentor and advise host State police officers. They also work with the host State police to introduce effective and independent internal oversight mechanisms to deal with misconduct and underperformance. They empower parliamentarians, women, youth, civil society organizations and other stakeholders to give them a voice in police reform effort and to strengthen their capacities for holding

¹ "Sustaining Peace: What Does It Mean in Practice?" International Peace Institute, April 2017

police accountable for its performance and behavior. They help the host State determine what police service they can afford and how to organize recruitment, procurement and fleet management to achieve efficiency and effectiveness gains. Not least, United Nations Police components assist the host State authorities in putting together a strong legislative and normative base for the activities of the host-State police, based on international human rights and criminal justice standards.

By protecting civilians and supporting host-State police operations, such as public order management or disruption of transnational organized crime networks, United Nations Police create an enabling environment for these United Nations policing activities. Ultimately, they enable the Host State police and communities to build and strengthen their capacities for resilience and for managing and transforming conflict.

FUTURE ROLES

The Secretary-General is demanding a change in mindset, moving from a reactive mode to a preventive approach and from short-term and output-based interventions to longer-term, sustainable and collective outcomes. Indeed, international police assistance is most effective before a conflict erupts. Investments in strengthening the institutions that work well and in solving emerging problems are modest compared to the deployment of a full-fledged police component on a multi-year basis.

United Nations Police is ready to play an active role in realizing the Secretary-General's 'sustaining peace' vision. Working through the Global Focal Point arrangement, United Nations Police capacities can be used to support the Secretary-General's envoys who are negotiating peace agreements with a view to including police-related aspects into them. United Nations Police are already deploying to support United Nations Country Teams on police-related activities in non-mission settings. United Nations Police can make a meaningful contribution to horizon scanning and early warning by analyzing the state of the police and other law enforcement institutions and making recommendations on how to take prompt action to address emerging problems. United Nations Police have embraced partnerships with the African Union and European Union to achieve interoperability and cohesion in doctrine and training so that all international actors deliver consistent advice and assistance to the host State.

SEEKING SUPPORT

Member State support is vital to help make policing a central element of the sustaining peace agenda. Given the increasing scope and sophisticated nature of United Nations Police's mandated tasks, the United Nations is looking for Member States support in the following areas:

- ① Contributing to sustaining peace by strengthening their own police and other law enforcement agencies with a view to enhancing their representativeness, responsiveness and accountability;
- ① Ensuring that all peace processes include policing as an integral element, including in an eventual peace agreement;
- ① Making the situation of policing a standing item in any conflict analysis and prevention response;
- ① Holding Special Representatives and Envoys accountable for their work in fostering multi-party and cross-societal consensus around police reform objectives;
- ① Recognizing United Nations Police's unique comparative advantage of working directly with communities, including women, youth and civil society, on public safety;
- ① Seconding highly qualified police officers – particularly female officers at the command level – with United Nations Police-requested specialized skills, trained on the basis of the Strategic Guidance Framework;
- ① Operationalizing the Police Division's expanding range of its backstopping tasks around the world.

UNCOPS – Background Note for Session 3

UNITED NATIONS POLICING: PERFORMANCE AND ACCOUNTABILITY

Improving both the performance and accountability of United Nations policing is a shared goal of the Secretariat, Member States and the individuals who serve as United Nations Police. Equally, responsibility for performance and accountability is shared by the Secretariat, the legislative bodies, police contributing countries, individual officers and members of formed police units.

In its resolution on United Nations policing of 6 November 2017, the Security Council underscored the critical importance of improving accountability, transparency, efficiency and effectiveness in the performance of United Nations peacekeeping operations and special political missions. It called on the Secretariat to continue defining clear standards for personnel, equipment, operations, performance and assistance to host nation police forces for the effective performance of United Nations Police in missions, as well as for preparing Police-Contributing Countries for deployment.¹

Most recently, the “Santos Cruz” report identified enhanced accountability as one of four areas in which the United Nations and Member States must take action.

The Secretary-General’s report on United Nations policing (S/2016/952) set out a reform plan for United Nations Police with 14 points, including, specifically, that all United Nations Police must perform their duties in line with their mandate and directives on the use of force and that incidents of non-performance or underperformance should be immediately reported to Headquarters to ensure timely follow-up and accountability. This underscored both the responsibility of officers to perform and that of Heads of Police Components to exercise command responsibility.

The policing report further stressed that United Nations Police must comply with, and operate on the basis of the doctrinal foundation of the Strategic Guidance Framework for International Police Peacekeeping (SGF), not only through targeted recruitment based on identified field needs, but also through a solid accountability framework for the implementation of mandates as well as continuous monitoring of performance and its improvement through data collection and analysis.²

The General Assembly defined accountability in its resolution 64/259 as “the obligation of the Secretariat and its staff members to be answerable for all decisions made and actions taken by them, and to be responsible for honouring their commitments, without qualification or exception.” Further, the General Assembly enumerated core elements of accountability, including “achieving objectives and high-quality results in a timely and cost-effective manner, in fully implementing and delivering on all mandates to the Secretariat approved by the United Nations intergovernmental bodies and other subsidiary organs established by them in compliance with all resolutions, regulations, rules and ethical standards; truthful, objective, accurate and timely reporting on performance results; responsible stewardship of funds and resources; all aspects of performance, including a clearly defined system of rewards and sanctions; and with due recognition to the important role of the oversight bodies and in full compliance with accepted recommendations.”

¹ S/RES/2382 (2017), OP2

² Recommendation 7 of S/2016/952, paragraph 57

United Nations Police performance has various facets, including:

- ① Whether the tasks they undertake are in line with the relevant mandate;
- ① Whether those tasks are effective in achieving mandate implementation (are they the right tasks to reach the desired end state?);
- ① Whether United Nations Police implement their tasks in compliance with the SGF, the Human Rights Due Diligence Policy, and other relevant policy and guidance; and
- ① Performance, underperformance, and non-performance as relates to protection of civilians.

The Secretariat, the Member States, staff members and experts on mission all have obligations where performance accountability is concerned.

- ① The Secretariat has a duty to report accurately to the Member States, though the legislative bodies, and to clearly set out what it expects from Police Contributing Countries on the ground regarding posture, mindset, training and proper equipment. This is essential for effective, targeted recruitment.
- ① Once a Member State decides to deploy a contingent to a dangerous environment, there is a duty to make sure that the contingent meets the proper standards - which includes capacity, capability and mindset.
- ① Staff members and experts on mission have an individual responsibility to undertake their duties to the best of their abilities, in line with the mandate, relevant directives on use of force and applicable United Nations guidance materials.

By the end of 2018, the Secretary-General will report to the Security Council on improving, inter alia, accountability of United Nations policing, including on ongoing initiatives to improve the measurement or assessment of performance. Thus, UNCOPS presents an excellent opportunity for meaningful engagement on how performance accountability can be improved. This is of course in addition to the responsibility borne by Police Contributing Countries for holding their personnel accountable, including through prosecution, where appropriate, for any criminal acts, including sexual exploitation and abuse, in accordance with due process and consistent with Security Council resolution 2272 (2016) and the Organization's zero-tolerance policy.³

³ Recommendation 4 of S/2016/952, paragraph 54