

The Role of International Police in Peace Operations

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INTRODUCTION

International civilian police forces have become an essential element in peace operations. The authorized number of United Nations Civilian Police has increased to 8,684 in nine

peacekeeping missions, an increase of nearly 300 percent in the past year.¹ The original force of United Nations Civilian Police is still keeping the peace in Cyprus. The largest U.N. police mission is now in Kosovo with an authorized strength of 4,700 personnel. Other U.N. missions are in Bosnia, Western Sahara, Guatemala, Haiti Central African Republic, Sierra Leone and East Timor.² In addition to U.N. police missions, international police officers from the Organization for Security and Cooperation in Europe and the Western European Union are monitoring local police following peace operations in Croatia and Albania. The United States has become the largest contributor of personnel and resources to international police missions with over 800 police officers serving in Bosnia, Kosovo, Croatia, Haiti and East Timor.³

The performance of police functions and the use of police in peace operations were not invented by the United Nations or a result of the Cold War. During colonial expeditions from the 1600s, European military forces performed police functions in newly occupied areas. During the exploration and settlement of the American West, the U.S. Army was often the only law in the territory. At the end of the Nineteenth Century, the European Powers during their dismemberment of the Ottoman Empire used foreign police forces. Police from various European countries were used during the international intervention on Crete in 1897-1908. A gendarmerie led by Dutch officers was used to police newly 'liberated' Albania in 1913-14. International police forces were created to guard the Suez Canal in 1882 and in Shanghai following World War I. The 1935 League of Nations mission to the Saarland included a police component.⁴

Civilian police were first included in United Nations peace operations in 1960 in the Congo when a Ghanaian unit was attached to the U.N. military force to assist the remnants of the Congolese colonial police to maintain order. When the Ghanaians withdrew after becoming involved in local politics, a 400-man Nigerian police unit provided by the U.N. Technical Assistance Program replaced them. The Nigerians served with distinction, staying in the Congo to protect U.N. personnel and property after U.N. military forces withdrew. The term "United Nations Civilian Police" or "CIVPOL" originated when the U.N. Peacekeeping Force in Cyprus (UNFICYP) was established in 1964. The Secretary General's Special Representative suggested including a military police unit in the peacekeeping force. The U.N. military force commander proposed adding a civilian police unit instead, thus the term "CIVPOL" to differentiate "civilian" from military police.⁵

THE ROLE OF POLICE IN PEACE OPERATIONS

The history of the post Cold War period has witnessed the replacement of wars between states by intra-state conflicts. These wars within states have required military intervention by

¹ Bernard Miyet, Opening Statement to the Special Committee on Peacekeeping Operations. Speech by the U.N. Undersecretary General for Political Affairs, U.N. Headquarters, New York, 11 February 2000, photocopied), 4.

² Halvor Hartz, UNCIVPOL. Speech by the Chief of the U.N. CIVPOL Unit, Conference on the Challenges of Peacekeeping: The Doctrinal Dimension. U.S. Army Peacekeeping Institute, Carlisle, Pennsylvania, 22-26 May 2000).

³ Strengthening Criminal Justice Systems in Support of Peace Operations and Other Complex Contingencies, *Press Fact Sheet*, U.S. Department of State (Washington: 24 February 2000).

⁴ Erwin Schmidl, *Police in Peace Operations*, Vienna: Informationen zur Sicherheitspolitik, 1998, 17-18.

⁵ Schmidl, 25-29.

the international community to end violent ethnic conflicts so humanitarian assistance, refugee return, economic reconstruction, and political reconciliation could occur.⁶ The problem of how to re-establish internal order and develop effective local security forces capable of maintaining a just peace has proven difficult to resolve. Without appropriate training and equipment, international military forces have proven reluctant to perform police duties. The tragic death of 18 U.S. Army Rangers in Mogadishu during a failed attempt to arrest a Somali warlord substantiated military fears of the danger of “mission creep” away from strictly military functions.⁷

The increased use of international police results from their ability to contribute to public security in the short term, while helping to build law enforcement and judicial institutions that are critical for long-term stability. There is an emerging consensus that international police forces offer an effective solution in financial and political terms to the problems of rebuilding post-conflict societies. In a number of peace operations, international civilian police have proven better trained and better able to handle such essential functions as monitoring local police forces, controlling crime, handling demonstrations and civil disorder, escorting refugees and providing election security. CIVPOL missions are much less expensive than military operations. The long-term presence of foreign police is often more acceptable to host governments and citizens than foreign military forces.⁸

Significant differences exist between military and police forces, however, that make it more difficult to organize police missions. There are also differences in organization and ‘culture’ between soldiers and police, which create problems when they try to work together. In democratic countries, military forces are organized and trained to defend the nation against external attack. Military forces are heavily armed and trained to operate in units, to concentrate mass and firepower and to destroy the enemy and his property. Military units live in isolation on military bases. They are self-contained. They have communications, logistic and transport capability. In contrast, police are organized and trained to maintain public order under the rule of law. The use of force by police is severely circumscribed. Police are unarmed in many countries or carry only light weapons. Police operate individually, live in the community, and are trained to “preserve and protect” local citizens and their property. Police do not operate in self-contained units. They rely on the community for communications, logistics and have transport that is inappropriate for peace operations.⁹

When civilian police arrive for service in peace operations, the United Nations or other sponsoring organization must provide them with appropriate clothing, equipment, communications and transport. Civilian police must find and pay for their own lodging in the local community and must assume responsibility for their own security even if they are unarmed. If the international police have executive authority, they must know the laws they

⁶ Michael Lund, *Preventing Violent Conflicts: A Strategy for Preventive Diplomacy* (Washington: United States Institute of Peace Press, 1996), 18-22.

⁷ Mark Bowden, *Blackhawk Down: A story of Modern War* (New York: Atlantic Monthly Press, 1999).

⁸ Bernard Miyet, Remarks for the DPKO Seminar. Speech by the U.N. Undersecretary General for Political Affairs, U.N. Seminar on the Role of Police in Peacekeeping Operations, 20-21 March 1998, photocopied), 3-4.

⁹ Ministry for Foreign Affairs, *Police in the Service of Peace*. Report by the Swedish Committee of Inquiry on Civilian Police in International Activities, 1997, 11.

enforce.¹⁰ Police arrive in national contingents, but are assigned as individuals in UNCIVPOL missions. Often CIVPOL stations are staffed by an international mix of officers from widely varied cultures and traditions and with vastly different views on how to perform police functions. Just imagine the initial conversations between a ‘London Bobbie’, an American highway patrol officer, and a Rwandan gendarme about the proper organization of a police station, conduct of patrol or making an arrest.

In addition to differences within CIVPOL units, there are important differences between police and soldiers that may create problems when they work together. One only has to recall the often told, but perhaps apocryphal story about an incident that occurred during the Los Angeles riots to understand this point. In order to restore public order, mixed teams of Los Angeles police, California National Guard and U.S. Army and Marines were formed to patrol the city. One such mixed unit of police and soldiers was called to investigate shots fired inside a building. The senior police officer turned to his military counterpart and said, “I’m going in! Cover me!” The police officer took a few steps and then froze when the soldiers opened fired with their automatic weapons, laying down a barrage to ‘cover’ his approach to the building. Not only did the words not have common usage, but the officers were trained to react differently. This can lead to misunderstandings and to problems in conducting joint military-police operations.

During peace operations, the tasks assigned to international police forces have varied widely. The primary duty of all missions has been monitoring of local police and internal security forces. This task involves (1) accompanying local police in performing their duties; (2) receiving and investigating public complaints about the police; and, (3) supervising investigations conducted by local police. The primary purpose of monitoring is to insure that the local police act in accordance with internationally acceptable standards of human rights and the rule of law. International police forces have also played an important role in the safe return of refugees and displaced persons. This involves escorting such persons, dispersing roadblocks and preventing harassment. Often it involves insuring that the local police meet their responsibility for preserving public order and protecting the rights of all citizens.¹¹

In addition to monitoring local police, CIVPOL conduct foot and vehicle patrols, act as the “eyes and ears” of the intervention force and cooperate closely with international military personnel to insure security in the area of operations. In some peace missions, international police have been co-located with local police in police stations. In other missions, they have maintained their own stations. As part of their responsibility for public order, international police have helped identify weapons caches and assisted international military forces with the confiscation of illegal weapons. In all cases, they provided citizens a sense of increased confidence and security by their presence.¹²

During many peace operations, intentional police have played an important role by assisting with the conduct of free and fair elections. This has involved helping to guarantee a neutral and secure environment and to guard against intimidation and interference in the electoral process. International police have escorted candidates, supervised election rallies,

¹⁰ Jules Lalancette, A Police Officer’s Perspective on Peacekeeping with Muscle, *Peacekeeping with Muscle: The Use of Force in International Conflict Resolution*, eds. Alex Morrison, Douglas Fraser, and James Kiras. Clementsport: Canadian Peacekeeping Press, 1997, 108-109.

¹¹ United Nations Secretariat, Department of Peacekeeping Operations, *Peacekeeping Training Curriculum: United Nations Civilian Police Course*, 1995, 19-20.

¹² Ibid.

accompanied election monitors, protected polling stations and insured the sanctity of ballot boxes. These tasks are normally performed in support of U.N. election officials and representatives of non-governmental organizations.¹³

While international police have been responsible for monitoring the way local police perform their duties, they normally have not had “executive authority” or full police powers to conduct investigations and to arrest and detain local citizens. Speaking to the U.N. Seminar on “The Role of Police in Peacekeeping” in March 1998, the U.N. Senior Police Advisor explained the United Nations’ traditional view that “security must be maintained by the society’s own police. For this purpose, the assistance of the international community is needed to improve local law enforcement mechanisms.” The role of CIVPOL is to improve the performance of local police forces through positive example, technical assistance, training and other types of support. The goal is to strengthen local police not to replace them.¹⁴

PROBLEMS IN ORGANIZING CIVILIAN POLICE MISSIONS

While the number of international civilian police and their roles in peace operations have expanded, CIVPOL missions have been deeply troubled by problems, ranging from failures in recruiting and training to controversies over roles, weapons and responsibilities. The problems in organizing international police missions begin with recruiting adequate numbers of appropriately trained personnel. Unlike military forces, which are maintained in a state of readiness to respond to emergencies, police are employed in daily operations. Politicians and senior police officials are reluctant to release officers for international service especially in the face of rising crime rates and increased demand from citizens for police services. Police forces find it particularly difficult to part with their best and most experienced officers and those with special skills like narcotics investigators or SWAT team members.¹⁵

Recruitment for UNCIVPOL missions is done by the United Nations on the basis of “universality” At the beginning of a peace operation, the U.N. Secretariat’s Department of Peacekeeping Operations (DPKO) sends letters to the permanent missions of member states in New York requesting they contribute police officers to staff the new mission.¹⁶ At present, the U.N. faces a major crisis because of a significant shortfall in the number of qualified civilian police made available by member states. As of late February 2000, member states had made available only 5,122 police officers to fill the nearly 9,000 positions authorized by the Security Council.¹⁷ There is also no assurance the U.N. will be able to recruit replacements for these police officers when they complete their current tours of duty.

¹³ Ibid.

¹⁴ Om Prakash Rathor, Briefing, Speech by the Senior U.N. Police Advisor, DPKO Seminar on The Role of CIVPOL in Peacekeeping, U.N. Headquarters, New York, 20-21 March 1998, photocopied, 1.

¹⁵ Charles Call and Michael Barnett, Looking for a Few Good Cops: Peacekeeping, Peacebuilding and U.N. Civilian Police. Paper prepared for the International Studies Association’s Annual Meeting, Toronto, Canada, 1997, 16-18.

¹⁶ Duncan Chappell and John Evans, The Role, Preparation and Performance of Civilian Police in United Nations Peacekeeping Operations, Paper prepared for the International Center for Criminal Law Reform and criminal Justice Policy, University of British Columbia, Vancouver, Canada, 1997, 58.

¹⁷ Barbara Crossette, The U.N.’s Unhappy Lot: Perilous Police Duties Multiplying. *The New York Times*, 22 February 2000, A30.

DPKO's method of simply calling for volunteers has also resulted in the recruitment of CIVPOL forces of extremely varied quality and heavily weighted toward participation by non-western countries. In many cases, recruits could not even meet the minimal standards for participation in CIVPOL operations. Recruitment standards were established during the Cambodian operation and included: (1) at least five years police experience; (2) ability to drive a four-wheel drive vehicle; and, (3) the ability to speak the mission language (usually English or French). In Cambodia and in Bosnia, contributing countries so often ignored even these minimal requirements that a series of U.N. conferences were held to study the problem. This effort resulted in the establishment of the CIVPOL Support Unit in Zagreb, Croatia (now in Sarajevo) that tested new arrivals for Bosnian service and provided monitors who qualified with a one-week orientation course.¹⁸

In addition, DPKO began sending Training Assistance Teams to donor countries to pre-screen potential CIVPOL officers before departure. The first such team saved the UN an estimated \$527,360.00 based upon what it would have cost for travel, subsistence, testing and repatriation of police who could not have passed the tests upon arrival in Zagreb. In addition to pre-testing, the U.N. developed 'job descriptions' and began recruiting CIVPOL based on specific skills such as criminal investigation, traffic control, management and administration and police instruction. This effort produced a higher quality of recruits and brought greater stability to the U.N. force.¹⁹

The UN Department of Peacekeeping Operations has encouraged member states to improve the pre-training provided to prospective CIVPOL and has developed a training manual entitled *Selection Standards and Training Guidelines for United Nations Civilian Police*.²⁰ Training for CIVPOL missions is divided into two parts: general peacekeeping training, which is the responsibility of member states, and mission specific training (orientation), which is conducted by the U.N. DPKO has developed curricula for CIVPOL training courses and has included police trainers in courses at the U.N. Training Center in Turin, Italy. With the assistance of Sweden and Norway, U.N. Training Assistant Teams have held seminars abroad for police trainers. Several countries now include foreign police trainers in the CIVPOL training provided for their own officers. Much more effort is needed; however, to insure the police provided for U.N. operations can meet the requirements for increasingly complex and demanding missions.²¹

Recruitment and training of police for service in international police missions presents special problems for the United States. Unlike most countries, the U.S. has no national police force to provide personnel and to handle recruitment and training for CIVPOL missions. Instead, the Department of State has drawn on the country's 18,000 independent state, county and local police departments and a large pool of retired police officers to provide American

¹⁸ Harry Broer and Michael Emery, Civilian Police in U.N. Peacekeeping Operations, *Policing the New World Disorder: Peace Operations and Public Security* Robert Oakley, Michael Dziedzic and Eliot Goldberg, (eds.) Washington: National Defense University Press, 1998, 374-376.

¹⁹ *Ibid.*, 392-294.

²⁰ United Nations Secretariat, Department of Peacekeeping Operations, *Selection Standards and Training Guidelines for United Nations Civilian Police*, 1997.

²¹ Om Prakash Rathor, United Nations Requirements for Civilian Police: Mechanisms to Address Them. Speech by the U.N. Senior Police Advisor, U.N. Seminar on the Role of Police in Peace Operations, U.N. Headquarters, New York, 29-30 July 1999, photocopied, 5-6.

contingents for international service. U.S. training is limited to pre-departure briefings and the quality of American personnel has varied widely.²²

The U.N. Department of Peacekeeping Operations and most nations have traditionally believed that the proper role for CIVPOL is to monitor local police to insure they enforce the rule of law, act impartially and respect human rights. The task of the CIVPOL “monitor” is to “observe and report” infringements to higher levels in the U.N. mission so they can be brought to the attention of local government officials with a request to correct the behavior. This approach was the guiding philosophy of early CIVPOL missions.²³ As we shall see from the following discussion, however, changing circumstances and the growing importance of the police function has produced an evolution in the role civilian police have played in recent peace operations. In Bosnia, U.N. police took responsibility for restructuring and retraining as well as monitoring local police. In Haiti, Kosovo and East Timor, U.N. police are armed and have executive authority. In the later two cases, the existing Yugoslav and Indonesian police had withdrawn under the terms of the peace settlement and the UN police were forced to fill the vacuum until indigenous police forces could be trained and deployed.

Despite the fact that CIVPOL are performing full police duties in two current missions, there is a vigorous debate within the UN over whether CIVPOL should be armed and given executive authority. Historically, the U.N. has argued against arming CIVPOL because: (1) armed police would be more likely to use their weapons against local citizens; (2) traditional police weapons are no match for heavily armed populations; (3) CIVPOL’s role is to create confidence in the rule of law, not in resort to violence; (4) many countries have a tradition of unarmed police; and, (5) the need to carry arms would indicate an unacceptable security risk²⁴. As the United Kingdom, Norway and many other countries have a tradition of unarmed police, arming CIVPOL does create a range of practical problems. National contingents arrive without weapons or with a range of weapons requiring different types of ammunition. There are also no U.N. standards for police weapons, weapons training, certification and accountability. Critics argue that setting such standards and providing weapons and ammunition would be difficult, expensive and prove a major logistics problem.²⁵

The evolution in the role of international civilian police and the problems inherent in staging CIVPOL missions are evident in a review of peace operations in Cambodia, Haiti, Bosnia and Kosovo, the last four peace operations with major police components.

CAMBODIA

International peacemaking for Cambodia resulted in the signing of the Paris Peace Accords on October 23, 1991. The *Comprehensive Political Settlement of the Cambodia Conflict*

²² Richard Fought, American Cops Keeping the Peace in War Ravaged Bosnia, *Police Magazine*, September 1997, 14-21.

²³ Roxane Sismanidis, *Police Functions in Peace Operations*. Report from a Workshop Organized by the United States Institute of Peace, Washington, 1997, 2-3.

²⁴ Espen Barth Eide, Norwegian Experiences with U.N. Civilian Police Operations. Paper for the joint Carnegie Commission on Preventing Deadly Conflict/National Defense University: Canadian International Peacekeeping Training Center Conference on Policing the New World Disorder, Washington, 15-16 September 1997, photocopied, 13-15

²⁵ Peter Fitzgerald, The Role of Police in Peacekeeping Operations. Speech by the former IPTF Commissioner in Bosnia, U.N. Seminar on the “Role of Police in Peacekeeping Operations. 20-21 March, 1998 (photocopied), 5-8.

provided for a total transformation of Cambodia's political system and a transition to democratic elections under United Nations supervision. The UN Security Council expressed its support for the Cambodian settlement in Resolution 745 that created the U.N. Transitional Administration for Cambodia (UNTAC) with a mandate not to exceed eighteen months. UNTAC received highly pervasive powers to restore stability, administer the country, restructure the civil administration, and organize national elections. To support this effort, UNTAC had a peacekeeping force of 16,000 troops, 3,600 civilian police and 12,000 civil and military support personnel. It was the largest operation the UN had ever undertaken and the most complex. The United States played a critical role in achieving the peace agreement, but did not provide troops or police for the UNTAC mission.²⁶

Maintaining internal security was the key to creating a neutral political environment for democratic elections and for the effective implementation of all aspects of UNTAC's mandate. Under the Peace Accords, each faction was responsible for managing local police forces in areas under its control. CIVPOL's role was limited to monitoring the local police to ensure law and order was maintained effectively and impartially. Organizationally, CIVPOL had a Policy and Management Unit in the capital, 21 provincial police units and 200 police stations. CIVPOL's mandate was to monitor and train local police, assist with resettling refugees, investigate cases of human rights abuse and assist with staging the elections. As the mission progressed and security conditions deteriorated, CIVPOL was given executive authority and became involved with the U.N. military in providing local security, including the confiscation of arms caches. Despite the danger to all U.N. personnel, only some CIVPOL were armed during the operation.²⁷

The Peace Accords assumed that all political factions employed police forces. This proved true only in areas controlled by Phnom Penh and CIVPOL concentrated its monitoring efforts in areas controlled by the government. In other areas, there were no police to supervise. CIVPOL began providing police services directly and built a police training school to provide basic police training for some 10,000 local recruits, including those from the Khmer Rouge. As the elections approached, all factions began to engage in politically motivated violence and there was a breakdown in public order. CIVPOL was called upon to investigate complaints of human rights abuse and political intimidation and to conduct security operations. CIVPOL was requested to provide security for UNTAC's Electoral Component and to help safeguard political parties and candidates.²⁸

That UNTAC successfully fulfilled its mandate to supervise Cambodia's transition to democratic elections and the installation of a new government is a tribute to all members of the UNTAC mission, including those in CIVPOL. Many CIVPOL officers performed under extremely adverse circumstances with remarkable determination and courage.²⁹ Despite the heroic efforts of some officers, CIVPOL in Cambodia was plagued with the problems. The U.N. Advance Mission in Cambodia that deployed in November 1991 to plan the UNTAC operation did not include a police element. Planning for the largest U.N. CIVPOL mission in

²⁶ United Nations Secretariat, Department of Public Information, *The Blue Helmets: A Review of United Nations Peacekeeping*, 1996, 453-458.

²⁷ James Shear and Karl Farris, Policing Cambodia: The Public Security Dimensions of U.N. Peace Operations. In: *Policing the New World Disorder: Peace Operations and Public Security* Robert Oakley, Michael Dziedzic and Eliot Goldberg (eds.) Washington: National Defense University Press, 1998, 82-83.

²⁸ Klaas Roos, "Debriefing of Civilian Police Components: U.N. Transitional Authority in Cambodia" *The Role and Functions of Civilian Police In United Nations Peace-Keeping Operations: Debriefing and Lessons* ed. Nassrine Azimi. London: Kluwer Law International, 1996. 123-125.

²⁹ Ibid.

history began only with the appointment of the CIVPOL Commissioner in March 1992. Deployment of CIVPOL contingents was extremely slow. The force did not reach full strength until November 1992, six months before the election. While some national contingents were well trained, highly professional and served with distinction, others were of widely varied quality. Significant numbers of CIVPOL arrived without knowledge of English, French, or Khmer, were unable to drive and had only limited or no police experience. At least 40 CIVPOL were repatriated for unacceptable behavior. Some units engaged in abusing the local population, black marketing, illicit trafficking, and prostitution. CIVPOL's record among UNTAC's components was one of the poorest.³⁰

HAITI

Planning for the U.S.-led intervention in Haiti was influenced by the perceived failure of the U.N. peace operation in Somalia. The U.S. Defense Department (DOD) was determined to prevent the type of "mission creep" that had occurred in Somalia and to have an "exit strategy" in place that would permit an early U.S. withdrawal. DOD made clear that U.S. military forces would not perform police functions and an effective indigenous security force must be created to maintain public order. The goal was to recruit and train a Haitian police force that could provide internal security and permit the departure of U.S. forces. The problem was that Haiti had never had civilian police.³¹

The only security force on the island was the *Forces Armees d'Haiti* (FAd'H) that performed both military and police duties. In a September 1991 coup, the FAd'H had overthrown Haiti's first democratically elected president, Jean Bertrand Aristide, and established a military dictatorship. The FAd'H was an untrained and ill-equipped force of 7,000 men supported by uncounted numbers of thugs called "attaches." Members of the FAd'H were guilty of gross human rights abuse, murder, torture and other criminal activities. Initially, it appeared the FAd'H would resist international intervention.³² The question was how to destroy the FAd'H as a fighting force and still utilize some of its members as an interim security force, while a new civilian police force was being trained.

The answer was the creation of a force of 920 International Police Monitors (IPM) that would supervise an Interim Public Security Force (IPSF) of 3,000 former members of the FAd'H. This interim force would serve for a brief period until it could be replaced by the deployment of a new, U.S.-trained indigenous police force, the Haitian National Police. The IPM came from 26 countries, primarily Europe, the Middle East and Latin America. Under earlier agreements reached with the Haitian regime, the IPM carried sidearms, had arrest powers and could use deadly force in self-defense or to prevent Haitian-on-Haitian violence. After vetting to remove criminals and human rights offenders, IPSF members received a one-week orientation course in democratic policing. They were given new uniforms and were

³⁰ Schear and Farris, 88-90.

³¹ Michael Kozak, State Department Haiti Working Group, interviewed by author, 3 February 2000.

³² Michael Bailey, Robert Maguire, and Neil Pouliot. *Haiti: Military-Police Partnership for Public Security, Policing the New World Disorder: Peace Operations and Public Security*, eds. Robert Oakley, Michael Dziedzic and Eliot Goldberg (Washington: National Defense University Press, 1998), 205-221.

deployed back to areas where they had previously served under the watchful eye of International Police Monitors who deployed with them to provide supervision.³³

Applying lessons learned from previous operations, the IPM Commissioner, former New York Police Department Commissioner Ray Kelly, reported directly to the commanding officer of the Multinational Military Force (MNF) as part of a unified chain of command. IPM national contingents were assigned as units to geographic sectors or specific functional responsibilities. For example, an elite Israeli police unit was given responsibility for the poorest and most dangerous area of Port au Prince. IPM were located in Haitian police stations along with U.S. Military Police. Patrols were conducted by "Four Men in a Jeep". This concept brought together a MNF vehicle with a Military Police driver, an IPM officer, an IPSF officer and an interpreter, so that all police elements with full legal authority were present.³⁴

From the MNF's first day in Haiti, representatives of the US Department of Justice began working with French and Canadian counterparts to establish Haiti's first National Police Academy and to train Haiti's first civilian police force. At its peak, the Haiti police training effort employed over 300 trainers and interpreters with 3,000 cadets in training. When the Haitian government increased the number of HNP required from 3,500 to 5,000, a second campus was opened at Fort Leonard Wood, Missouri. By February 1996, some 5,243 new Haitian police officers had completed training. As new recruits graduated from the Academy, they were placed under the supervision of IPM monitors who acted as "field training officers" for the rookie cops. As new groups of HNP deployed, corresponding groups of the IPSF were demobilized and assigned to job training programs or returned to private life.³⁵

In the view of most observers, Operation Uphold Democracy successfully achieved its objectives, which included removing the Cedras regime, restoring President Aristide to power and handing off to the U.N. in six months. On March 31, 1995, the MNF handed off to the U.N. Mission in Haiti (UNMIH) in a seamless transition. For the police program, the International Police Monitors were replaced by a force of 870 U.N. CIVPOL, which were also armed and had executive authority. Planning for the transition began in October 1994. The CIVPOL advance team participated in the selection of HNP cadets, determined the personnel and material requirements for the follow-on mission, worked out concepts of operation and developed the mission's mandate in cooperation with MNF counterparts. In addition to CIVPOL, two hundred U.S. Military Police remained in Port au Prince reinforced by a 120-man MP company from India and a Company of Guatemalan MP's stationed in the country's second largest city, Cap Haitien.³⁶

In addition to helping to restore public order and perform other security related functions, CIVPOL proved an effective part of the "exit strategy" for the U.N. military force that

³³ Rachel Neild, *Policing Haiti: Preliminary Assessment of the New Civilian Security Force* (Washington: Washing Office on Latin America, 1995), 12-18.

³⁴ Raymond Kelly, American Law Enforcement Perspectives on Policing in Emerging Democracies, *Policing in Emerging Democracies: Workshop Papers and Highlights*, (Report of the National Institute of Justice Workshop on Policing in Emerging Democracies, Washington, 14-15 December 1995), 25-28.

³⁵ Robert Perito, The Experience of ICITAP in Assisting the Institutional Development of Foreign Police Forces. Paper presented at the 35th Annual Program of the Academy of Criminal Justice Systems, Albuquerque, 10-14 March 1998, 4.

³⁶ David Bentley and Robert Oakley. Peace Operations: A Comparison of Somalia and Haiti, *Strategic Forum*, no. 78, June 1998, 1-2.

departed once the peace operation had achieved sustainable security. In all the Security Council authorized four peacekeeping missions in Haiti. The final one, the U.N. Civilian Police Mission in Haiti (MINPONUH), was composed exclusively of 300 police from eleven, primarily French speaking countries (including a 150-man Argentine SWAT team), who remained until February 2000. Its mandate was to contribute to the professionalism of the Haitian National Police, which was fully responsible for maintaining internal security. The long-term presence of international civilian police proved acceptable to both the Haitian government and critical members of the Security Council. Their primary importance was not their aid to the HNP, but the fact that their presence enabled the Special Representative of the Secretary General to remain in Port au Prince and the Security Council to formally monitor events in Haiti.³⁷

BOSNIA

The mandate for the U.N. International Police Task Force (IPTF) in Bosnia is contained in Annex 11 of the Dayton Accords. The IPTF was authorized to monitor, train and reorganize the Bosnian police; assist with the maintenance of public order; and, advise on the reform of courts and prisons. However, the IPTF was unarmed and did not have authority to conduct investigations, make arrests or perform other law enforcement functions.³⁸ The drafters at Dayton assumed the IPTF would assist an established Bosnian police force to maintain public order and to adopt methods of policing based on international standards. As the IPTF was unarmed and had no police powers, it could only function effectively with the consent and cooperation of the local police. Little thought was given at Dayton to the fact that police forces in Bosnia were ethnically based and bitter ethnic conflicts meant there would be no police force to protect ethnic minorities. Also, there was no provision made to insure the IPTF would have the professional personnel and extensive financial and material resources needed to carry out its broad mandate.³⁹

Just before the signing of the Dayton Accord on December 14, 1995, U.N. Security Council Resolution 1026 authorized the dispatch of a U.N. Assessment Mission to determine requirements for the IPTF. The team found that Bosnia's three ethnic-based police forces had expanded greatly during the conflict to a total of 44,750 men, including large numbers of former soldiers with no police experience. The team determined the IPTF would initially number 1721 members using a ratio of one IPTF member for every 30 local police with an additional 229 added to compensate for routine absences.⁴⁰ On December 22, 1995, the UN

³⁷ Julian Harston, MIPONUH: A Case Study of the Civilian Police Element in United Nations Peacekeeping. Paper presented at the 3rd Nordic/U.N. Peacekeeping Senior Management Seminar, Helsinki, Finland, 2 September 1998. photocopied, 1-9.

³⁸ General Framework Agreement for Peace in Bosnia and Herzegovina, Annex 11 (International Police Task Force). Article I

³⁹ Andrew Bair and Michael Dziedzic, Bosnia and the International Police Task Force, *Policing the New World Disorder: Peace Operations and Public Security*, eds. Robert Oakley, Michael Dziedzic and Eliot Goldberg, (Washington: National Defense University press, 1998), 270.

⁴⁰ United Nations Secretariat, The Security Council, *Report of the Secretary General Pursuant to Security Council Resolution 1026 (1995)*, 13 December 1995, 6-7.

Secretariat in New York issued an invitation to member states to contribute police to the force. Eventually 43 countries responded, but IPTF was extremely slow to deploy and did not reach its full complement until August 1996.⁴¹

The IPTF faced its first test in February 1996 when the Bosnian-Serb controlled municipalities surrounding Sarajevo were transferred to control of the Federation to make the city less vulnerable. Over 100,000 ethnic Serbs inhabited these areas. As the deadline approached, hard-line Serb leaders ordered Serb residents to depart and to destroy everything they could not take with them.⁴² As the date for transfer approached, the IPTF was not yet functional. The commissioner did not arrive “in theater” until the end of January. Only 230 IPTF monitors were in county.⁴³ As the forced evacuation of Serb residents from the Sarajevo suburbs went forward, IFOR, the NATO military force which was present, did nothing to stop it. Admiral Leighton Smith, the IFOR commander, considered it part of the civilian implementation process which was outside his mandate. The transfer occurred with extreme violence, buildings were burned, property destroyed and returning residents found little more than a wasteland. Failure to prevent the violence was a defining moment for the IPTF, setting the tone for the initial phase of peace operation.⁴⁴

In addition to its problems with deployment and initial failure to maintain public order, IPTF was troubled by the poor quality of CIVPOL personnel. Although IPTF members only were required to demonstrate a working knowledge of English and the ability to drive a four-wheel-drive vehicle, many failed the test on arrival and were repatriated.⁴⁵ IPTF also faced major logistics problems. Equipment left behind by the UNPROFOR mission was transferred to IFOR, the NATO military force. IPTF was the first CIVPOL mission to operate without a companion U.N. military force, which would have provided logical support, including a medical unit. Instead, IPTF had to rely upon the U.N.’s completely inadequate procurement and supply system, experiencing extreme shortfalls in vehicles, communications, and all types of equipment. IPTF was forced to turn to IFOR for such essentials as medical care, vehicle maintenance, access to food stores and mail delivery. IPTF did not co-locate with local police, but built a separate set new stations, a process that took time and further delayed effective operations.⁴⁶

While IPTF struggled operationally, it succeeded in its mission to downsize and restructure the Bosnian police and to develop and introduce principles of democratic policing. Prior to the Bosnian conflict, the Federal Republic of Yugoslavia police were a well educated, well trained and effective force. Crime rates were extremely low; police relied on intimidation and a network of informants to maintain internal control. Like other countries in the region, the Yugoslavian police were organized on a Soviet model and included elite Ministry of Interior Special Police (MUP) commando and mechanized infantry units. . These units participated in the conflict and were heavily involved in “ethnic cleansing”. During the conflict, three, ethnically-based police forces developed. After the conflict, each ethnic group sought to maximize its security by transferring combatants into police units to avoid

⁴¹ *Blue Helmets*, 562-563.

⁴² Larry Wentz, *Lessons from Bosnia: The IFOR Experience* (Washington: National Defense University Press, 1998), 149.

⁴³ *Blue Helmets*, 563.

⁴⁴ Richard Holbrooke, *To End a War*, (New York: The Modern Library, 1999), 335-338.

⁴⁵ United Nations Secretariat, The Security Council, *Report of the Secretary General Pursuant to Resolution 1035 (1995)*, 29 March 1996, S/1996/210, 3.

⁴⁶ Alice Hills, *International Peace Support Operations and CIVPOL: Should There be a Permanent Global Gendarmerie?* *International Peacekeeping*, Autumn 1998, 35.

demobilization. When the IPTF arrived in Bosnia, the standard police uniform was military fatigues and the standard police weapon was the AK-47.⁴⁷

One of the IPTF's initial tasks was to downsize the Bosnian police by removing non-police personnel. The goal was to create a police force with a police officer to population ratio consistent with European standards.⁴⁸ This effort was complicated by the fact that the Dayton Agreement provided for the division of Bosnia into two separately controlled entities, the Federation of Bosnia-Herzegovina and the Republika Srpska (RS). Within the Federation, internal security was the responsibility of ten canton-level and a Federation-level police force. In the RS, there was one police force under central control. To begin the transition, the IPTF organized "Commissions on Police Restructuring" for both Entities and convened an international conference in the Petersburg suburb of Bonn Germany on April 25, 1996 to discuss restructuring the police in the Federation. Representatives from the RS did not attend.⁴⁹

At this meeting, an agreement was reached with the Federation to downsize the total number of police from 23,000 to 11,500. This would be accomplished through a process of screening applicants against standards established by the IPTF (graduation from a police academy, professional police experience and a good record). Candidates who met these criteria would take a written examination and a physical and psychological test. Any police officer not certified by this process would be dismissed from the force. Any person who was armed, but not a certified police officer would be dealt with by IFOR.⁵⁰ A similar process began in the Republika Srpska in 1998 under an agreement with the IPTF, which provided for the restructuring and downsizing of police force from 12,000 to 8,500 personnel.⁵¹

The Bonn-Petersburg Agreement and its counterpart agreement with the RS required the Bosnian police to abide by democratic principles and meet international police standards. The IPTF quickly discovered, however, there were no agreed democratic principles or international police standards. Even within their own ranks, senior IPTF officials discovered police from democratic nations with widely varied philosophies, approaches and standards for the way police should perform in a democracy. To remedy this situation, the IPTF drafted a set of democratic principles, operational standards and codes of conduct.⁵² They were issued in May 1996 by IPTF Commissioner Peter Fitzgerald, as *The Commissioner's Guidance for Democratic Policing in the Federation of Bosnia-Herzegovina*.⁵³

This was the first attempt by the U.N. to codify democratic principles and establish standards of conduct for indigenous police in peace operations. Merely providing training and equipment is less important than developing the proper attitude among local police toward the community they serve. The same technical skills can be used to repress freedom or to defend it. A commitment to respect human rights and protect democracy was reflected

⁴⁷ Bair and Dziedzic, 264.

⁴⁸ Robert Wasserman, Remarks, (Speech by the Deputy Commissioner, IPTF, Contributors Meeting, Headquarters, United Nations, 26 June 1996 photocopied) 3-4

⁴⁹ Wentz, 153-156.

⁵⁰ Agreement on Restructuring the Police, Federation of Bosnia and Herzegovina, Bonn, Germany, 25 April 1996, photocopied, 1-4.

⁵¹ Framework Agreement on Police Restructuring, Reform and Democratization in the Republika Srpska, Banja Luka, Bosnia, 9 December 1998, photocopied, 1-5.

⁵² Peter Fitzgerald, U. N. Seminar Speech.

⁵³ United Nations Mission in Bosnia-Herzegovina, International Police Task Force, *Commissioner's Guidance for Democratic Policing in the Federation of Bosnia-Herzegovina*, Sarajevo, May 1996. Photocopied

in the training, which the police in Bosnia received from the IPTF as part of transition process. Such a commitment was also important for orientation of the IPTF itself, which was composed of police officers from a broad range of countries with an equally diverse understanding of police functions.⁵⁴

KOSOVO

The lessons learned by the United Nations from the IPTF's experiences in Bosnia were evident in the creation of the United Nations International Police Force (UNIP) in Kosovo. On the day the NATO bombing campaign ended, the U.N. Security Council adopted Resolution 1244, establishing the United Nations Mission in Kosovo (UNMIK) and a NATO-led Kosovo Protection Force (KFOR). The mandate for the new United Nations International Police Force was contained in a single sentence in the resolution: "The main responsibilities of the international civil presence will include maintaining civil law and order, including establishing a local police force, and meanwhile through the deployment of international police personnel to serve in Kosovo."⁵⁵ As was the case in Bosnia, the U.N. received little advance notice it would be tasked with fielding an international police force in Kosovo. Until the end of the fighting, it appeared this responsibility would be given to the Organization for Security and Cooperation in Europe (OSCE), which had provided police observers for the earlier Kosovo Verification Mission. Instead, OSCE was tasked to train a new multi-ethnic Kosovo Police Service (KPS).⁵⁶

Unlike Bosnia, however, there would be no local police to monitor. Under the terms of peace agreement, all Yugoslav police were withdrawn and it was uncertain how long it would take to train the KPS. With no local police available, UNIP had no alternative, but to assume responsibility for maintaining public order and providing basic police services. UNIP officers would be armed and have full executive authority. Benefiting from the lessons learned in Bosnia, UNIP would include constabulary units that would enable it to deal with mob violence. UNIP would be composed of 4,700 officers, including ten "special units" of 115 officers drawn from the gendarmerie of member states. These forces would operate as coherent national units and arrive with their own weapons, transport and communications equipment. UNIP would also include 250 border police, in addition to the main force of civilian police officers.⁵⁷

Despite the U.N.'s efforts to benefit from the lessons learned in Bosnia, UNIP experienced the same problems that plagued earlier CIVPOL missions. In February 2000, eight months into the operation, OSCE Chief of Mission, Ambassador Daan Everts noted publicly that only one third of the UNIP force had arrived and none of the constabulary units had deployed⁵⁸. The first of the gendarme units did not reach Kosovo until April and then were utilized ineffectively. As UNMIK neared its first anniversary, Kosovo continued to

⁵⁴ Bair and Dziedzic, 314.

⁵⁵ United Nations Secretariat, Security Council, *Resolution 1244 (1999)*, 10 June 1999, S/Res/1244 (1999).

⁵⁶ David Pearl, A Tough U.S. Cop with a Daunting Beat: Peace in the Balkans, *Wall Street Journal*, 9 December 1999, A1.

⁵⁷ United Nations Secretariat, Security Council, *Report of the Secretary General on the United Nations Interim Administration in Kosovo*, 12 July 1999, S/1999/779, 12.

⁵⁸ R. Jeffrey Smith, U.N. Says Kosovo Still Too Violent, *Washington Post*, 12 February 2000, A15.

experience a high level of ethnic violence, crime and illicit trafficking across its borders, which a still under strength UNIP was unable to stop.⁵⁹

SUMMARY AND CONCLUSION

International civilian police forces have become an established part of international peace operations. From Cambodia to Kosovo, experience has shown that when properly trained, equipped, and supported international police forces can assist international military forces in maintaining public order. They also can handle such important tasks as monitoring and training local police; assisting refugee resettlement; supervising demobilization; and, providing security for elections. International police can be an important source of information and contacts for the other elements in the peace mission. Police functions require interaction with local citizens and international police officers normally live in the community. Their very presence contributes to the restoration of public confidence and internal stability.⁶⁰

Regardless whether the international and indigenous police are effective, the effort to achieve sustainable security will ultimately fail unless the other two parts of the judicial system — courts and prisons—receive equal attention. International efforts to develop local security forces in the absence of parallel efforts to develop the other parts of the ‘justice triad’ will result in a situation in which police lose faith or become vigilantes⁶¹. In post conflict societies, the entire criminal justice system generally has been decimated and ceased to function. From the beginning of a peace operation, those arrested by the intervention force or local police must be detained under humane conditions and brought before a court for trial. Lawyers, judges, prosecutors and court administrators are required to prevent a situation where offenders achieve impunity from conviction despite the efforts of the police. In Haiti, intensive international assistance for the police began immediately, but it took a year before a weak, faltering judicial assistance program was started. Prisoners were incarcerated in severely crowded prisons that did not meet minimal international health standards and where there were rampant human rights violations. When this situation became public, prisoners were released and almost none of those detained were brought to trial.⁶²

Sustainable security requires more than just the absence of conflict. No society can flourish when people feel threatened or when terrorists and criminals can act with impunity. Effective transitions to democracy occur only when citizens can exercise their political rights and conduct their daily affairs with confidence that their property and lives are protected. There is growing awareness that sustainable security results from establishing justice based on the rule of law. This can only occur if there is a comprehensive criminal justice system composed of effective police, courts and prisons. International civilian police can play a significant role in establishing public order and creating the institutions necessary to insure

⁵⁹ R. Jeffrey Smith, New Crime Wave Targets Serbs: Kosovo Violence Frustrates U.N. as Truce Anniversary Nears, *Washington Post*, 3 June 2000, A12.

⁶⁰ Call and Barnett, 1-3.

⁶¹ William Lewis and Edward Marks, *Civilian Police and Multinational Peacekeeping Workshop Series: A Role for Democratic Policing*, (Washington: Center for Strategic and International Studies, 1999), 18.

⁶² *Post-Conflict Justice: The Role of the International Community*, (Report of the Stanley Foundation Vantage Conference, Queenstown, Maryland, 4-6 April 1997), 11-12.

that society will enjoy both peace and justice after the international intervention force withdraws.⁶³

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⁶³ Berry Blechman, Effective Transition from Peace Operations to Sustainable Peace, (Report prepared for the Office of the Secretary of Defense by DFI International, September 1997), 13.

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