

## The Public Security Gap in Modern Peacekeeping Missions

### and its Implications for Military-Police Interfaces

Although recent conflicts such as those in Afghanistan and Iraq indicate that high intensity warfare will remain a potential role for modern armies for the foreseeable future, peacekeeping or peace enforcement missions appear likely to remain the most common type of deployment. However, even in Iraq it has become clear that winning the high intensity combat phase of an operation is not enough. The real challenge is addressing the stabilization phase and “winning” the subsequent peace. There is a growing realisation within the International Community (IC) that the sort of peacekeeping missions we find ourselves contributing towards -whether peacekeeping, peace enforcement or post-conflict stabilization- require a multifunctional approach within which the military, police or any other contribution is but one part. This axiom implies the need to achieve a convergence of various functional capabilities - political, economic development, humanitarian, military and law and order towards a desired end-state.

BY THE LIEUTENANT-COLONEL (GB) ROLLINS, BRITISH LIAISON OFFICER, CENTER FOR FORCE EMPLOYMENT DOCTRINE (CDEF)

There is nothing original here. The issue is at the core of the UN's Brahimi Report, is recognised implicitly in NATO's Strategic Concept and has been confirmed in the five major Lessons Learned that have come out of the NATO experience in the Balkans, namely the need to :

- Assign responsibilities early and clearly.
- Ensure tight linkage between mission, mandate and capabilities.
- Harmonise civil and military planning and co-ordinate civil and military action.

- Close the “enforcement gap” between civil police advisors and military forces.
- Focus on “end-state” rather than “end-date”.

However, even in making these observations, there may be misplaced assumptions about the IC's ability to draw up mandates and generate capabilities that, given adequate co-operation, planning and co-ordination, will meet needs on the ground. In particular, can the IC cover all requirements from a sufficiently early stage in a crisis ? This conundrum applies particularly

to the area of public security and the interface between military and police forces.

#### THE REQUIREMENT

The very fabric of any society is underpinned by an effective system of law and order. This requires, firstly, addressing the whole spectrum of law and order at the same time. For a regime of public security to work, there must be :

- A more general level of security within which a public security regime can be applied.

- A legal system that is applicable to the society in question.
- The ability to investigate, arrest, prosecute and sanction criminals. This must be based upon a recognised legal process and independent police forces and judiciary who work to accepted norms and who are perceived to do so.

More than this, however, the above needs to be put in place from the early stages of a crisis before an unmanageable public security vacuum arises, one in which the wrong elements might flourish and undermine progress towards a stable society. But do such standing capabilities exist and, if not, how can the situation be addressed until they are in place ?

There is considerable empirical evidence that there is likely to continue to be a policing capability gap in the early stages of an IC response to a complex political emergency. This is in spite of initiatives by the OSCE, EU and UN to address such issues as the setting up of standby capabilities, improving mobilization procedures and legal frameworks. The gap must be addressed as what happens in this

area in the early days is one of several key issues critical to the longer-term stability of the area. There is also, evidence, however, that the use of military forces can, potentially, contribute towards a wider solution. Within the Balkans and in East Timor, for example, forces have done much to support the policing function and uphold public security.

## IMPLICATIONS FOR MILITARY FORCES

The issue, however, goes beyond premeditated consideration of using military forces in such a way. The fact is that military forces continue to be drawn into a direct public security role, often without proper mandates or appropriate rules of engagement. This happens because the requirement has not been properly addressed by the IC beforehand and there is no other way of filling an immediate vacuum. This leaves military forces facing questions as to where responsibilities for a more general level of security end and those for public security/law and order begin. What if a public security regime is not in place and unlikely to be for some time ? How far does that military force go in protecting civil society from crime ? What is its

mandate to do so ? If it has one, what is the legal basis ? Are the soldiers concerned trained and equipped for such a role ? There have been many examples - the early days in Kosovo is one - in which military forces have found themselves in such a position, effectively acting as a proxy police force without the proper mandate.

It is important at this stage to draw the distinct, though often subtle, difference between being ultimately responsible for the maintenance of law and order and playing a supporting role. Military forces should, ideally, not be ultimately responsible for law and order regimes. However there are a wide range of activities they can conduct in support of small, under-resourced police forces and legal authorities. Such activities include :

- The sharing of intelligence - as far as security considerations allow.
- Security/monitoring of borders to deter, for example weapon smuggling and trafficking of people.
- Direct support to policing action - for example provision of additional security at the scene of an arrest, focused patrol programmes, search operations or riot control.

- The provision of more specific capabilities to support law and order authorities more directly, perhaps the best NATO example being Multi-national Specialised Units (MSUs), a capability deployed under military auspices but comprising resources based upon the "third force" capabilities (Gendarmeries/Carabinieri/Guarda Civil) that exist within some contributing nations.

There is potentially much more that can be done in providing such support to



CCH J.J. CHATARD/SIRPA Terre

a police or equivalent authority lead without taking over the policing/legal function itself. However the extent to which this is possible will be dependent upon factors that include :

- Mandates.
- Rules of Engagement and associated legal considerations.
- Training levels.
- Equipment and force structure.

There is another set of reasons that can limit the use of military forces in such a role, namely domestic political sensitivity within donor countries perhaps governed by the domestic constitutional position of an army. This might point to the selective use of forces appropriate to such a role.

If military forces are to be used in support of a police or legal authority - one that may be very small in physical

terms on first deployment- a number of other prerequisites need to be met. These include :

- Identifying the gap to be filled.
- Understanding fully the limitations of using the military in a public security role.
- Joint planning prior to deployment that anticipates changes in mission requirements over time and which include plans for transition of responsibilities.
- Military force generation and design.
- Training covering a wide range of activities.
- The drawing up of realistic mandates.
- Structures for co-operation on the ground, such as joint operations centres.

None of this is easy to address and less easy to follow through. Even in the Balkans today where the public security position is much improved and both international police forces as well as ones established locally are working well, a stable public security regime is not yet embedded. In particular, organised crime on a huge scale continues to pose a major challenge to the creation of effective law and order. To combat it requires a level of capability within the mandated organisations and the local forces they are supporting and a level of inter-organisational/inter-governmental co-operation that is proving difficult to realise.

## CONCLUSION

There continue to be potential gaps in the IC's ability to establish effective public security regimes in peacekeeping operations. This stems from the absence of readily deployable capabilities that can be tailored to a given situation. The problem is further enhanced by the need to address the spectrum of public security issues in an holistic, integrated manner. This can only be done under the lead of the proper, mandated civil authority. Often, in the absence of such an approach, military forces have found themselves drawn into public security roles without proper mandate and/or preparation. Both these problems can be addressed together by recognising that military forces can contribute much towards effective and lasting public security without going beyond playing a supporting role. Nonetheless, for such an approach to work there is a considerable range of issues that needs to be first addressed. These issues include examinations of :

- Potential requirements in the above field and the IC's ability to meet them from civil/police sources.
- The extent of potential military support.
- The follow-on implications for military forces of involvement in such a role.
- The potential command and control arrangements for integrating military capabilities with civil led law and order regimes.
- The legal and policy implications of the above.