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WEU police forces –
reply to the annual report of the Council

REPORT

submitted on behalf of the Defence Committee
by Mr Giannattasio, Rapporteur

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¹ Adopted unanimously by the Committee

² *Members of the Committee.* Mr De Decker (Chairman). MM Schloten, Marten (Alternate. *Feldmann*) (Vice-Chairmen); MM Alloncle, Baumel, *Beaufays*, Mrs Beer, Mrs Calleja, MM Cionu, *Davis*, *Dees*, Díaz de Mera, *Giannattasio*, Horn, Dhaille, Lemoine, Mrs Lentz-Cornette, MM Magginas, Mardones Sevilla, McNamara (Alternate: *Townend*), Medeiros Ferreira, Micheloyiannis, Mitterrand, Mota Amaral, Lord *Newall*, MM Pereira Coelho, Polenta, Robles Fraga, Lord Russell-Johnston (Alternate: *Colvin*), Mr Selva, Ms Shipley, Mrs Soutendijk van Appeldoorn, MM Speroni, Valk (Alternate: *Blaauw*), Valkeniers (Alternate. *Ghesquière*), Verivakis, Zierer.

N.B. *The names of those taking part in the vote are printed in italics*

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General conclusions

Draft Recommendation

on WEU police forces – reply to the annual report of the Council

The Assembly,

- (i) Recalling the activities of the WEU police and customs operation on the Danube from June 1993 to October 1996 to monitor the embargo against the Republics of Serbia and Montenegro,
- (ii) Recalling the mission of the WEU Police Element in Mostar from July 1994 to October 1996;
- (iii) Considering the activities of the Multinational Advisory Police Element (MAPE) whose mandate began in July 1997 and welcoming its recent extension to April 1999,
- (iv) Emphasising that the missions on the Danube and in Mostar were successful, while in Albania the current mission of MAPE, which is increasing in number and gaining strength, has already had a significant impact on its area of activity, although a great deal remains to be done as regards providing advice, basic training, specialised training, and equipment and logistic support;
- (v) Considering that police officers from all countries participating in future WEU police missions should have similar status and should be paid according to the same standards,
- (vi) Welcoming the fact that in the framework of the MAPE mission in Albania, very satisfying cooperation has been established between WEU – coordinating the MAPE mission – and the European Commission – funding a PHARE equipment programme for the Albanian police forces;
- (vii) Considering that the abovementioned activities have enabled WEU to gain considerable experience in the organisation and deployment of police missions;
- (viii) Aware that in specific crisis situations there is apparently an increasing need for specialised police missions which do not entirely correspond to the Petersberg missions as formulated in 1992,
- (ix) Noting that there may also be a requirement in peacekeeping operations for specialised police units with specific capabilities in the areas of riot control and the maintenance of public order, these being tasks which are not usually entrusted to armed forces,
- (x) Aware that there is a requirement in the new mandate SFOR will have after June 1998 for an armed special police element, but that the detailed arrangements for this element have not yet been defined owing to reticence on the part of a number of European countries,
- (xi) Considering in particular that many WEU countries have specialised police forces or similar forces equipped and trained for the abovementioned tasks;
- (xii) Considering the readiness of some WEU associate partners, such as Slovenia, to participate in forthcoming police operations,
- (xiii) Aware that the WEU Planning Cell has the services of a police officer for the planning of police operations,
- (xiv) Considering that in view of these new requirements, WEU should adapt its structures and procedures so that it can respond quickly and adequately to requests for specialised police missions,

RECOMMENDS THAT THE COUNCIL

1. Ask each member country to identify police officers with experience in international police operations who could participate in any reconnaissance or advance party for future police missions, if need be, in order to ensure vitally important continuity;

2. Establish a Policy Sub-Group for WEU police missions which should meet at least once a year and which could be activated in the event of emergency in order to set the agenda for preparing any specific police mission,
3. Establish structures for close coordination with the European Union and other organisations such as the OSCE and the United Nations in order to facilitate the rapid deployment of specialised police forces in crisis situations if required,
4. Ask the countries participating in WEU to commit specialised police units answerable to WEU, similar to the existing FAWEU, which could constitute the core of a rapid action police force

Explanatory Memorandum

(submitted by Mr Giannattasio, Rapporteur)

Introduction

1 Over the past few years the dispatch of police forces has been an active part of WEU's policy initiatives. Around the same time that WEU and NATO naval forces were monitoring compliance in the Adriatic with UN Security Council resolutions against former Yugoslavia, WEU embarked on its first police mission on the Danube, undertaken in June 1993 in order to provide assistance to the riparian states – Bulgaria, Hungary and Romania – in implementing the arms embargo and economic sanctions against the Republics of Serbia and Montenegro. WEU decided to send 250 police and customs officers from eight member countries and 11 fast patrol boats to help local officers ensure that shipping inside three control areas on the Danube complied with UNSC resolutions. Measures taken included halting and diverting ships to inspect and verify their cargoes and destinations. The operation ended in October 1996, following termination of UN embargoes against the Federal Republic of Yugoslavia. In total, some 6748 inspections were made and 422 infringements reported, with violations of the embargoes unfortunately having occurred during the operation.

2. During the Danube mission WEU mounted a further police operation, this time in Bosnia and Herzegovina. This began in July 1994 with a request from the European Union for assistance to the EU Administration in the divided city of Mostar, which was torn apart between Croats and Muslims. In addition to providing assistance to the EU Administrator on aspects of public order, the WEU Police Element, comprising some 182 officers from all categories of member states, sought to contribute to the setting-up of a single, unified police force in Mostar. To achieve that goal, joint patrols were carried out which included both Croat and Muslim officers, but progress was slow on account of persistent distrust between the two parties and a lack of political will to cooperate. The WEU Police Element contributed to the smooth running of the municipal elections in June and by October 1996, towards the end of the mission, it had succeeded in setting up a joint police force of 209 officers. Authority was subsequently transferred from

WEU to the UN International Police Task Force, which was to oversee the police activities and the establishment of a secure environment for the municipal elections in Bosnia, which eventually took place in September 1997.

3 WEU's third police mission was carried out six months later in Albania, where the collapse of pyramid finance schemes at the beginning of 1997 threw the country into complete chaos. The Albanian Government appealed for international military intervention to restore order. Within WEU, however, no consensus could be reached for the deployment of a WEU military force and instead it was decided to send a Multinational Advisory Police Element (MAPE) to assist the Albanian police force, which had fallen into a state of complete disarray. WEU sent 42 police officers to provide training and advice to the Albanian officers on such issues as public order, human rights and border policing. In the period from May to December 1997 WEU provided training for some 300 Albanian officers, and further courses have started since then.

Part I – Danube enforcement operation

I. Romania's request for assistance

4. WEU's first police mission took place during the war in former Yugoslavia, on the Danube river. This operation started in June 1993, about the same time that WEU and NATO were conducting embargo enforcement operations in the Adriatic¹. UN Security Council Resolutions 757 and 787 (1992) instituted economic embargoes against the Federal Yugoslav Republic of Serbia and Montenegro, consisting of a ban on the import and export of goods and all transport activities in respect of those countries. A ban was also imposed on the transit through Serbia and Montenegro of various products such as crude oil and oil products, coal, energy equipment and steel and other metals. The ripar-

¹ For more information on the Adriatic operation, see Assembly Document 1396 *An operational organisation for WEU: naval cooperation – Part One Adriatic operations*, Rapporteurs Mr Marten and Sir Keith Speed, 9 November 1993.

ian governments were authorised to take the necessary measures to ensure that shipping on the Danube complied with all resolutions, but it became clear that the UN embargo was being flouted both at border crossings and by river traffic on the Danube. The OSCE, the EU and the United States decided to set up Sanctions Assistance Missions (SAMs) in the neighbouring countries to cooperate on technical matters. The main problems encountered were the use of documents containing false information about the cargo and destination of goods, refusal to submit to inspections and the use of flags of other countries, especially on the Danube. In addition, a lack of resources prevented the inspection of all cargoes

5. Romania, at that time a member of the WEU Forum of Consultation with central European states, made a direct request to WEU for help in monitoring its border with Serbia. The Council initially refrained from taking action because "as such requests would be of a civilian nature, they would not concern WEU as such. They could be better handled in other frameworks such as the EC or the CSCE". The Assembly's Standing Committee urged the Council to help Romania police the border with Serbia and to establish similar links with other neighbouring countries in the region. In October 1992 Sir Dudley Smith visited Romania at the invitation of the Romanian authorities and saw that Romania lacked many of the technical skills necessary to fully implement the embargo and that the embargo was being applied at considerable cost to the country. In particular, Romania was having serious difficulties in policing the border with Serbia and requested help to establish arrangements with other neighbouring countries. The WEU Permanent Council agreed in principle on 16 March to send police forces and equipment to Hungary, Romania and Bulgaria and the final offer was made at the ministerial meeting in Luxembourg on 5 April 1993 where WEU ministers offered their concrete support to the riparian states in the form of the organisation of a police and customs operation on the Danube. The WEU mission would provide assistance to the competent authorities (national customs service) of the riparian states with inspection and monitoring of the river traffic upstream and downstream of the FRY. This would involve joint teams of police and customs officers from WEU countries and

the riparian states, operating from fast patrol boats to carry out inspections in addition to those of the riparian states. In essence an operation was envisaged to carry out checks and surveillance of the traffic on the Danube in much the same way as the WEU naval operation in the Adriatic was conducted.

II. The mission

6. In April 1993 WEU sent a fact-finding mission to various sites along the Danube to assess their suitability for use as WEU bases. WEU was to be deployed at strategic ports, the so-called Control Areas, which included Calafat in Romania, Mohacs in Hungary and Ruse in Bulgaria, where the WEU officers would halt ships in order to verify their cargoes and destinations. A coordination and support centre was set up in Calafat, linked to WEU Headquarters. After the signature between WEU and the riparian governments of the Memorandum of Understanding defining the tasks to be performed and their implementation, deployment started on 18 June 1993. In total, some 250 police and customs officers were being sent from seven member states², together with some 11 fast patrol boats. This mission was to become the first concrete example of cooperation between WEU and its associate partners.

7. During the mission some 6 748 inspections were made, with the discovery of 422 embargo infringements, although it should be borne in mind that these were only supposed embargo infringements, since it was not possible to have sight of the outcome of the prosecutions initiated on the basis of WEU reports. Unfortunately, many violations occurred during the mission, but the exact data have not been revealed by the Council. One difficulty was the fact that enforcement of the embargo operation was carried out in different ways in the various host nations. In Calafat, in March 1995, a Bulgarian-registered vessel, the "Han Kubrat", with 5 000 tons of non-declared fuel on board, was allowed to break the embargo while in Mohacs in June 1995, a Ukrainian-registered vessel, the "Zadonsk", carrying 44.5 tons of non-declared

² France, Germany, Italy, Luxembourg, the Netherlands, Spain and the United Kingdom

fuel, was stormed by Hungarian Special Forces, who arrested the entire crew.

8. Although the inspections on the Danube reduced trade with Serbia, new trading routes emerged, principally through FYROM and Albania. The United States and Europe virtually gave up trying to enforce the sanctions in FYROM because the country was suffering on account of its own economic embargo imposed by Greece. In Albania, the leadership was too reluctant to interfere with the trade because it made a great deal of profit from it

9. With the entry into force of the Dayton Peace Agreement and the deployment of IFOR in Bosnia and Herzegovina, the WEU operation on the Danube was suspended on 24 September 1996, following the decision by the UN to suspend sanctions against the Federal Republic of Yugoslavia, with the proviso that they would be reimposed if the FRY did not sign the Peace Agreement concluded in Dayton. At this point in the operation no checks were carried out. The political task of the operation was modified to ensure rapid reactivation of the mission should the embargo be reimposed. On 1 October 1996, UN Security Resolution 1074 lifted economic sanctions against the FRY and, the day after, the WEU Council terminated the Danube operation, at the same time as the mission on the Adriatic came to an end

III. Evaluation

10. Although the mission contributed to bringing embargo infringements to light, several obstacles obstructed the efficiency of the entire operation. The control areas should have been as close as possible to the sensitive territories but the Calafat control area was in fact 150 km away from the Serbian border, which meant that the river bed adjoining Bulgaria was not controlled by WEU. The Ruse location control area and the Galati checkpoint were even less suitable and their only value was for collecting statistical information. Control area Mohacs located close to the Serbian border was the only real strategic point

11. Since one of the aims of the mission was, as requested by the Danube Commission (Geneva) to prevent obstructions to river navigation, the time available for carrying out controls was reduced to the minimum, which meant that

there were no controls in difficult climatic conditions or during the night. This also served to minimise the risks to WEU officers but it is reasonable to assume the operations would have shown more substantial and effective results if the time devoted to controls had been greater

12. At WEU Headquarters, contacts with other international organisations involved on the Danube were limited. The EU and OSCE were jointly responsible for the SAMs Communication Centre (SAMCOMM) in Brussels but there were no official links with WEU Headquarters. It might have been useful for WEU HQ to have deployed a liaison officer to SAMCOMM since such an arrangement would have led to a more structured division of labour between the EU/OSCE river teams and the WEU mission

13. A more general point was the fact that during the Danube mission not enough use was made of liaison officers and points of contact to ensure coherence between the different aspects of the mission. When the mission started, a key WEU document on Operational Development had still to be approved. After its approval, points of contact were designated in subsequent missions to provide continuity in the two-way contact process between commanders and WEU HQ.

Part II – Police forces in Mostar – the UPFM (Unified Police Force Mostar)

I. Background to WEU's decision on Mostar

14. Management of the conflict in Bosnia and Herzegovina for which both Europe and the United States were badly prepared has been a major concern from its beginning for all the countries involved. Among the multitude of problems was the attempt by secessionist Croat forces to enforce their claim to an independent "Herceg-Bosna" with Mostar, one of the most ethnically-mixed cities of Bosnia and Herzegovina, as its capital. Mostar was severely damaged by the Serbs in 1992 and was divided in two in 1993 by civil strife between the Croats on the western and the Bosnians on the eastern side of the city. After the resignation of the Bosnian-Croat leader, Mate Boban, who was strongly in favour of a separatist Croat republic, a ceasefire was eventually signed between the Bosnian Government and Croat forces early in 1994 which

was subsequently monitored by UNPROFOR. The United States put forward a plan for a confederation of Muslim and Croat regions of Bosnia Herzegovina, which after lengthy negotiations resulted in the Washington Agreements of 16 March 1994, signed by Presidents Tudjman of Croatia and Izetbegovic of Bosnia and Herzegovina. These envisaged a confederation divided into Swiss-style cantons in which power would be shared by the two constituent ethnic groups. The responsibilities of the Federation would include defence, internal affairs, justice, finance and refugees and displaced persons. The government of the Republic as a whole would remain responsible for areas such as foreign policy, trade, customs and the civilian coordination of the activities of the armed forces. New federal institutions gradually emerged which were to function in parallel with the existing ones, until the full implementation of the federal constitution. A new government, drawn jointly from the Republic of Bosnia and Herzegovina and the new Muslim-Croat Federation and led by Haris Silajdzic, took office in late June 1995. The new government of the Federation could not however start to function until a comprehensive peace deal for Bosnia and Herzegovina had been concluded.

15 Under the Washington Agreements the divided multi-ethnic city of Mostar was scheduled to be reunified under the supervision of an EU administration. The establishment of an administration in Mostar was regarded as a test of the viability of the Muslim-Croat Federation and in July 1994 the European Union assumed responsibility for the administration of Mostar under the leadership of Hans Koschnik. Shortly afterwards the EU asked WEU to contribute to the mission by sending a police element to assist the EU Administrator and help establish a police force in Mostar. Although some progress was made initially with the signing of an agreement establishing a demilitarised zone around Mostar and a promise to remove all barricades in the city, local Croat leaders remained sceptical of the EU mission and anxious to consolidate their position in the Croat-controlled zone. In March 1995 a Muslim-Croat military alliance was signed and a package of measures was adopted to hasten progress in establishing federal institutions, including a federal police force. In spite of these efforts, mutual distrust between the two parties persisted.

16 The Dayton Peace Agreement, which formally put an end to the armed conflict in Bosnia and Herzegovina, divided the country into two Entities, with 49% of the territory going to the Serbs and 51% to the Muslim-Croat Federation. These two Entities were to be linked by a federal structure, providing for a central government with a democratically elected collective presidency and a parliament based in Sarajevo. At the same time, Presidents Tudjman and Izetbegovic signed an agreement designed to reinforce the Muslim-Croat Federation agreement, the most ambitious aspect of which was the unification of Mostar as the capital of the Federation. Mostar was to become a unified city with six municipalities each run by a different administrative structure. However, severe tension arose between Croats and Muslims in Mostar in early 1996, when the EU Administrator proposed the formation of a central Muslim-Croat district. This was not provided for in the Dayton Peace Agreement and was strongly opposed by the Croats, who wanted the city to exist as six separate municipalities, united only in a functional and legal sense. An agreement was reached at the Rome mini summit on 17-18 February 1996 where a new formula was adopted for the reunification of Mostar, with an ethnically mixed police force and full freedom of movement within the city.

17 Elections in Mostar were scheduled to take place in May 1996 but were postponed until late June, after Muslim political parties in eastern Mostar refused to register in protest against electoral rules which, they argued, penalised non-Croats displaced from Mostar by the war. Hard-line Bosnian-Croat separatists again proclaimed the formation of a new government of "Herceg-Bosna", an institution which they had agreed to dissolve in March. After protracted and difficult negotiations, elections to Mostar city council were held on 30 June, resulting in the victory of the multi-ethnic Citizen's List for a United Mostar (LGJM), a coalition grouped around the main Muslim party, which won most of the votes cast by refugees living elsewhere. It was apparent that voting had taken place according to ethnic preferences. The main Croat party, the Croatian Democratic Union, won most of the votes cast in the city itself, leading the Croats, backed by President Tudjman, to refuse to recognise the election results. After mediation by the EU and warnings from the US President, Croatian

nationalist representatives were finally persuaded to take part in the Mostar government in August, when it was agreed that an ethnic Croat would hold the office of mayor and a Muslim would be deputy mayor

18 The EU Administrator's mandate ran out in July 1996, when the remaining tasks were taken on by the High Representative (Carl Bildt). The WEU Police Element was maintained to protect the EU Special Envoy, who was appointed at that time, until October 1996 when the United Nations International Police Task Force (IPTF) took over from it. Finally, on 14 August in Geneva, Mr Tudjman and Mr Izetbegovic signed an agreement on the transfer of powers to the Federation of Bosnia and Herzegovina from the institutions of the Republic of Bosnia and Herzegovina and the self-proclaimed republic of "Herceg-Bosna", which then officially ceased to exist. All-Bosnia elections were then held for a three-member collective presidency comprising a Muslim, Croat and Serb representative. Mr Izetbegovic would serve as Chairman of the collective presidency for a two-year term. The Presidency – consisting of Mr Izetbegovic, Serb representative Mr Krajisnik and Croat representative Mr Zubak – held its first informal meeting in Sarajevo on 5 October.

II. WEU Working Group on Mostar

19. At the EU General Affairs Council on 4 October 1993, when the administration of Mostar was discussed, Ministers agreed to ask WEU to consider the support it could provide by organising a police force and improving certain vital supply functions, in particular in the field of medical assistance. The Permanent Council decided to set up a special working group to examine the personnel and financial requirements for sending a WEU police unit to Mostar. The task of such a unit would be to advise the EU Administrator in Mostar, recruit and train local forces and participate in police activities. From the outset the Council made it known that WEU itself was not in a position to determine the extent of the responsibilities of the EU Administrator, which implied that any contribution from WEU was dependent on the EU's negotiations. Some basic principles were established about WEU's possible contribution. The operation was to be under the authority of the EU Administrator and the contribution would only be in those fields not

covered by the military side of the agreement. In addition, no structure would be set up in Mostar as long as no agreement had been implemented anywhere else, because the security of such an operation would be at stake³. In fact, no progress on the deployment of this planned police operation was made until March 1994

20. Following the Washington agreements of 18 March 1994, which established the Croat and Bosnian communities in Bosnia and Herzegovina, WEU was again approached for a possible contribution to the EU Administration, as envisaged in the agreements. WEU had developed two options for a possible contribution, ranging from merely supervising a specific agreement among the parties on policing in Mostar, to the possibility of its actually establishing a police force in Mostar, carrying out duties on the ground. The EU requested WEU to focus on the second possibility, comprising the supervision of the local police forces and their future organisation as a single unified force. The Council made it clear that WEU's work was still contingent on the negotiations on Mostar between the EU troika and the parties on the spot⁴

21. In April 1994, WEU sent two top-level police experts and two members of the Planning Cell to Mostar, in the framework of an EU preparatory mission, to examine the conditions under which WEU might contribute police forces and to promote confidence-building measures between the local forces. Under the auspices of the preparatory mission and with WEU participation, the local police chiefs held their first joint meeting in over a year

III. The mandate of the WEU Police Element

22. On 5 July 1994 a Memorandum of Understanding was signed in Geneva between the EU, WEU and the Republic of Bosnia and Herzegovina, and came into effect on 23 July. The initial mandate of the WEU Police Element is set out in Articles 12 and 13 of the Memorandum of Understanding

³ Assembly Document 1402, Communication from the Chairman-in-Office of the Council, 23 November 1993.

⁴ Assembly Document 1422, Presidency report on Mostar.

23 Article 12 states that.

“A single police force, unified at all levels, will be established under the authority of the EU Administrator. The composition of the police shall reflect, at all levels, that of the population in the EU administration area. It will comprise an element of international participation, which will be provided by the Western European Union (WEU) as part of the EU Administration.”

Article 13 on the WEU Police Element reads as follows:

“1. The WEU Police Element will provide the EU Administrator with information and advice on all aspects of the public order situation in Mostar, including confidence-building measures, movement of refugees, handling of suspected war criminals.

It will advise on establishing selection procedures, carrying out the selection and organising training taking maximum account, *inter alia*, of present qualified personnel and appropriate existing facilities.

The WEU Police Element will be entitled to organise, administer, direct and supervise some police functions, such as criminal investigation, protection of VIPs, public relations at the level of central police headquarters. It will supervise and monitor other police functions, such as carrying out the judgements of courts, guarding and transfer of civilians in custody, guarding of sensitive areas, routine patrols, traffic control, disarming of civilians (in the course of regular police work), control of persons and goods, protection of civilian property at the level of local police stations.

The WEU police officers will initially participate at the level of central police headquarters at appropriate rank, while participation at the level of local police stations will take place subject to the Administrator's assessment.

2. The WEU Police Element will be directed by a commissioner who reports directly to the EU Administrator and receives his instructions from him.

3. In order to ensure the smooth integration of its activities into the overall administrative framework, the WEU Police Element will liaise with authorities in Mostar as well with organisations operating in and around Mostar.

4. WEU police officers will carry regular police equipment. This may include individual weapons for self-defence purposes. Such weapons will be registered in accordance with the international practice in similar missions. All WEU personnel will be distinguishable as members of the WEU mission by suitable, visible identification.

5. The police commissioner will periodically evaluate the public order situation and recommend adjustments, especially with regard to a selective change in the size and involvement of the international/WEU Police Element.”

24. UNPROFOR monitored the process of demilitarisation and the collection of heavy weapons through the establishment of collection points and created a secure environment for the EU Administration to operate in Mostar. The WEU Police Element had no executive powers and therefore could not, for instance, directly interfere or arrest suspects. Its role was confined to advising the Administrator on all aspects of public order as well as organising, administering and supervising some police functions in Mostar. An additional task was the monitoring of aspects of life in post-war Mostar, including the manning of the checkpoints on the borders of the Demilitarised (Blue) Zone.

IV. Organisation of the WEU Police Element

25. For operational reasons, the WEU Police Element consisted of different sections. The *Operations Department (Ops)* was the section carrying out such overall tasks as operational monitoring, security, manning checkpoints, providing escorts to VIPs etc. It was the largest department and provided a pool of manpower for special events, such as the elections. Incorporated in it was the *Special Investigations Branch (SIB)*, reinstated after its unsuccessful removal from Ops. SIB was specifically tasked with investigating organised and violent crime and con-

sisted of two elements Crime Watch and Paris Wheel Crime Watch searched for perpetrators and monitored the treatment of those in custody, checking the reasons for and the duration of detention Paris Wheel concentrated on investigation into organised vehicle theft, a major local problem In addition, a drugs intervention team was being established as the mandate closed, on the initiative of the east and west Mostar police

26 A need was identified some months into the mission for a managerial thinktank and a senior team to coordinate policy among other department heads. The Policy Planning Department was set up in the spring of 1995 to formulate, develop and review all WEU policy with regard to systems, structures, procedures and goals. It was a small office, with one senior and two middle-ranking officers, and a team of two local assistants. The Policy Planning Department was responsible for the scaling down of the WEU mission in Mostar and this demanded intensive liaison with the EU Administration, WEU in Brussels and the IPTF The department emerged as a key player in negotiations conducted by the WEU Police Element in Mostar, working closely with the Police Commissioner, who was the principal point of contact for the WEU Presidency and Planning Cell

V. Implementation of the mandate

27. In the summer of 1994 it was decided to conduct the police operation in three phases The first phase, *implementation*, would consist of the establishment of a joint operational centre, combined patrolling, supervision and monitoring functions at police stations, identification and establishment of a recruitment plan ensuring selection and training of local police officers This phase was supposed to be completed in July 1995

28 The second phase, the *operational* process, would consist of the establishment of a joint headquarters, the implementation of joint patrols, rendering all police stations fully operational, identification of additional policing requirements and the intensification of the unification process, leading, as far as possible, to a completely unified police force This was expected to be in place by March 1996

29 The third phase, the *transitional and withdrawal phase*, would complete the unifica-

tion process, and the execution of the withdrawal of the WEU Police Element. After transfer of authority to the new UPFM, WEU would maintain a consultative and advisory role in Mostar The transition was supposed to be completed by the end of July 1996

30. An early communications gap was filled by the appointment of a police officer to the WEU Planning Cell Prior to that date there was evidence of a lack of understanding of police matters at WEU headquarters In Mostar, the EU Administration and the WEU Police Element tried to follow the same timescale and framework but this proved to be quite impossible Real authority over the local police was never in the hands of the Administrator, mainly because local commanders still saw their reporting lines as being to their own political masters. It was not until February 1996 that the Administrator wrote a letter to the Federation Interior Minister stating that he would assume command over the police in the Blue Zone on 1 March

VI. The Unified Police Force in Mostar (UPFM)

31 The Mostar operation resulted from the first EU request to WEU to act on its behalf as envisaged in Article J 4 2 of the Treaty of Maastricht (currently Article J 7 of the Treaty of Amsterdam). In the Lisbon Declaration, the WEU Council of Ministers "noted with satisfaction that measures to develop a close working relationship between WEU and EU, foreseen in the Treaty on European Union, were now being given practical effect The Council particularly welcomed the close cooperation between the EU and WEU Presidencies regarding the EU administration in Mostar, including the WEU police deployment, the first occasion when WEU, in carrying out an operation, was implementing a decision of the Union. In this context, they also welcomed the fact that, for the first time, the WEU and EU Presidencies had carried out a joint *démarche* which contributed to the successful agreement on the first phase of the unified police force Mostar (UPFM)".

32 On 23 July 1994, the WEU mission started with Colonel Meijvogel as the head of the WEU Police Element He was also to become the WEU Police Commissioner in Mostar until July 1995 Although a complement of 182 personnel

had been planned for, by June 1995 the mission was still at a strength of 151 personnel, from 9 member countries, employing 66 local staff. It took almost twelve months to reach the target number of 182 personnel, after the Council's decision to allow observers to participate as well. The fact that the police force was not up to strength until well into the mission meant that many of the scheduled and mandated tasks could not be completed in the first year of the mission. Of the WEU member states only Belgium sent no contingents. The average composition of the WEU Police Element was as follows⁵.

Germany	65	Sweden	10
Netherlands	20	United Kingdom	8
France	20	Austria	7
Italy	20	Greece	7
Spain	10	Finland	3
Portugal	10	Luxembourg	2

33. The officers were supported by an 80-strong team of interpreters and 30 further local staff, with an attempt made always to maintain a balance in the employment of east and west Mostarians. At the end of March 1995, progress was under way with the signing by all three parties of an agreement on the implementation of phase 1 of the unification process. At this point, after a presence of some eight months in the city, WEU was finally in a position to set about fulfilling its tasks. The next step was to commence joint patrolling of the Bulevar, the former confrontation line in the Croat-Bosnian conflict. Joint patrolling was a utopian goal at this stage, so a half-way house was sought in combined or "mirrored" patrolling. This meant that east Mostar police would patrol the east side of the Bulevar with WEU officers, whilst their west Mostar counterparts patrolled the west side, also with WEU officers. It was clear that small incremental steps were required to coax the two communities towards unification. Combined patrols finally started in June 1995.

34. In July 1995 Colonel Meijvogel completed his mission in Mostar and handed over the job of Commissioner to Colonel Pieter Lambrechtse, also of the Royal Dutch Marechaussee. In July there were continuous shelling attacks on Mostar from the Bosnian Serb Army and the situation deteriorated throughout August. At the end of

August, east Mostar and WEU police officers were surrounded at gunpoint by west Mostar officers on the Bulevar, right outside WEU Headquarters. This resulted in east Mostar police withdrawing from patrolling the Bulevar – WEU's hard work was being undermined by local tensions.

35. In mid-September a significant breakthrough was achieved by WEU police with the signing of phase 2 of the UPFM process by all parties. This provided specifically for joint patrols and recruitment and training of local police forces. It was agreed that this phase would be fully implemented by 1 March 1996. However, early in February the security situation in Mostar collapsed with the announcement by the EU Administrator of a neutral seventh zone, under exclusive EU authority, incorporating a substantial part of west Mostar's residential district. Almost immediately after the press conference, a group of residents surrounded the Administrator's car for two hours. The crowd then stormed down the Bulevar, smashing up WEU vehicles and cars. The WEU Police Element was unable to prevent this incident. Eventually, the Bosnian-Croat special police intervened but the following day all the west Mostar police were withdrawn from WEU-UPFM functions by their Commander and communications with WEU and the Administrator ceased.

36. During the weeks that followed, the initiatives of the WEU Commissioner bore fruit with the arrival of some 100 Croatian officers in Megugorje, ready to begin work monitoring the west Mostar police and to assist the unification process. On 20 February, 100 Bosnian police also arrived from other areas of the Federation and the two forces united, under the command of the WEU Police Commissioner, in policing the city. In the last week of February matters improved with the implementation of freedom of movement. All checkpoints in Mostar were removed and barriers and barricades taken down.

37. By the end of March, some 55 west Mostar officers and 64 from east Mostar had signed UPFM contracts. On 29 March 1996 east Mostar residents denied access to two burial sites in Croat territory staged a demonstration. The next day the group again tried to reach the sites and WEU stepped in to keep order and solve the

⁵ End of Mission Report, WEU

problem. Eventually, a structured, escorted visit took place.

38 By 19 April the Joint Headquarters was completed and the WEU Police Element moved in the next day. However, the days that followed brought another ominous sign, as a handful of east Mostar officers took their places, but the west Mostar staff did not turn up. At the same time, the EU Administration made progress with the opening of the Carinsky Bridge, the only bridge providing a direct link between the communities of east and west Mostar. With the departure of Mr Koschnick in April 1996, Mr Ricardo Pérez Casado of Spain was appointed. The date of elections to the municipal council was set for 31 May, but as May dawned, the election was postponed to the end of June.

39 Throughout the spring and early summer period, the WEU Police Personnel Department continued recruiting local officers for the UPFM. At the beginning of June, 100 officers from the east and 70 from the west had signed their contracts. The future of the WEU mission seemed straightforward. The enormous challenge of maintaining public security on election day would be followed shortly afterwards by the 23 July end-of-mission date. The WEU Planning Cell started to draw up plans for withdrawal and also, under the Police Commissioner's instructions, initiated liaison with the UN International Police Task Force.

40 Elections were scheduled for 30 June 1996 and the WEU police was responsible for public security planning for election day, for security for polling stations and for buses coming in from far afield. WEU liaised with a number of other bodies such as IFOR, the IPTF and the local police to ensure that the day went off smoothly. The operation went extremely well on the day and WEU received many congratulations on its role in Mostar's first elections since the armed conflict had started. When the EU's mandate for Mostar expired on 23 July 1996, the President of the WEU Assembly urged the Council to extend it because the tasks had not yet been completed. Administrative authority was however transferred to a Croat mayor and his Muslim deputy. A WEU Police Element was retained as part of the Joint Action, under the auspices of the newly-formed Office of the EU Special Envoy in Mostar. This force remained in Mostar until mid-

October, when the WEU Council decided to transfer authority over the police to the Minister of the Interior on 15 October 1996.

VII. Achievements and difficulties

41. Throughout the duration of the mission a total of 500 officers served with the WEU Police Element in Mostar. The UPFM succeeded in setting up a joint police force of 209 officers, 132 from the Bosnian-controlled eastern part of Mostar and 77 from the Croat-controlled western part of the city. The UPFM also contributed to the smooth running of the municipal elections in Mostar on 30 June 1996, the first elections to be held in Bosnia and Herzegovina since the signing of the Dayton Peace Agreement in December 1995. However, the Police Element was not able to protect the EU Administrator when he was attacked on 7 February 1996 by a group of demonstrators protesting against his decision on the division of the municipal cantons.

42. Early in the mission there were serious problems of mismatches of skills and responsibilities. All specialised or senior posts were filled by officers sent by national governments for career development purposes rather than on account of their special skills. Initial training plans proved unworkable owing to local police officers constantly being sent on tour of duty to the front lines and incessant personnel changes. Furthermore, the lack of progress in carrying out the mandate made any investment in training uninviting. At the end of the mission, when the UPFM came into effect, it was too late to start any worthwhile training schedules. It was decided in summer 1996 to redeploy officers designated to training to other, more productive, posts.

43. The fact that the Police Element did not have coercive powers at times frustrated both the officers and the local population. According to Commissioner Lambrechtse, circumstances in Mostar were far from ideal. The local chiefs were the puppets of their political masters, which made some negotiations meaningless, as they were reluctant to make certain compromises. This was particularly the case on the Croat side. A fundamental problem was that local negotiations with counterpart officers were dependent on the approval of political superiors. Because the Federation police was decentralised to the cantons, local authorities had a keen interest in re-

taining control over police forces. Additionally, there was a lack of organisation at national level so that when key political actors did try to be helpful, they were completely frustrated by their own lack of control and the absence of communication. This failure of organisation also mirrored the legal vacuum which the civil war had created. There was a lawless society, where even specific rules of conduct for the local police were lacking. Another important factor in the negotiations was that Blue Zone boundaries were not congruent with police area boundaries. Local commanders were understandably reluctant to formulate policies for the Blue Zone, which differed from the rest of their area of command. It also meant that the UPFM, when it came into existence, became a third force with the remaining two structures still intact.

44 Authority over the local police commanders was envisaged in the mandate, but the political situation rendered this impossible. As a consequence, an important element of the mandate was not implemented while there was considerable delay in the implementation of the other elements. Additionally, inability to reach full strength in time also inhibited the process. The mandate of the UPFM was significantly weakened by the lack of sanctions. As a consequence, WEU police suffered somewhat from limited powers of enforcement, breaches of agreement and other provocations often went unpunished, even if the perpetrator's identity was known. A future mandate should have the backing of some form of sanctions.

45 The immediate legacy of the WEU police force is that there is now an organisational structure for the new local police force, supported by modern infrastructure, with a Joint Headquarters (JHQ), joint control facilities and modern computer systems. The UPFM was effectively a blueprint for the Federation police which was to be used by the IPTF, when it took over responsibility in October 1996.

VIII. The International Police Task Force (IPTF)

46 After the signing of the Dayton Peace Agreement, the UN Security Council decided to establish an International Police Task Force and a Civilian Office for a period of one year starting from the transfer of authority from UNPROFOR

to IFOR⁶. The main tasks of this force, as set out in Annex 11 to the Dayton Peace Agreement, were to monitor police activities and the functioning of the judicial system, to promote the creation of a secure and stable environment for elections in Bosnia and to oversee the re-establishment of the Bosnian police force. The IPTF and the Civilian Office were subsequently brought together under the title "UN Mission in Bosnia and Herzegovina (UNMIBH)". Since the UN police officers were completely unarmed, they relied heavily on the support and cooperation of IFOR and later SFOR.

47 The IPTF established 64 stations throughout the 10 cantons of the Federation, including a regional headquarters in the Neretva canton, which includes Mostar. In the first year of the mission, the IPTF focused solely on freedom of movement in the Federation and a checkpoint policy at the Inter Entity Boundary Line, between the Federation and Republika Srpska. In addition, the number of police officers was reduced to accepted international standards and officers were selected for preliminary training. It was not until December 1997, when the IPTF had reached a strength of approximately 2 000 monitors, that the latter could start to focus on the performance of the newly inaugurated police services, and offer training courses for officers and the inspection of weapons at police stations. An important element of the UN police restructuring policy was the deployment of minority officers to areas to which refugees and displaced persons of that minority were expected to return. In addition, Serb officers were to be gradually introduced into the cantons, where hardly any were represented. The IPTF also started police operations in Brcko and Republika Srpska but progress in these areas was very slow.

48 In December 1997, the first Federation Police Academy was inaugurated near Sarajevo and the IPTF is to prepare a curriculum in line with the norms of democratic policing. Recently, freedom of movement has greatly improved through the introduction of a common car registration plate in February 1998, so that a car owner's origin is no longer apparent on his registration plates.

⁶ UN Security Council Resolution 1035, 21 December 1995.

49 The IPTF's mandate has been extended until 21 June 1998⁷, and over this period the main focus will be directed towards the return of refugees, a priority task for the international community. In the Federation there remain only two out of 10 cantons where the police force has not yet been inaugurated. In cooperation with the Civilian Office, the IPTF had been pursuing a comprehensive policy whereby reform of the police, prisons and judicial system is being carried out in integrated fashion. The most difficult task, however, has remained the restructuring and training of the police forces, owing mainly to disputes between the partners.

IX. The IPTF in Mostar

50 When the IPTF took over WEU's responsibility in October 1996, it took steps to disband a number of Bosnian-Croat para-police forces. The Special Police Force in Mostar was disbanded, along with groups of armed civilian security guards. However, in February 1997, serious violence erupted in Mostar between Muslims and Croats. The Croats opened fire on a group of some 200 Muslims attempting to travel from the mainly Croat-controlled area of the city to a graveyard in a Muslim-controlled sector. At least one Muslim was killed and some 30 others were injured. Following the shootings, Croats reportedly evicted a number of Muslim families from the Croat-dominated west side of the city. This incident resulted in the collapse of the unified Muslim-Croat police force in the city, with each side retreating behind its respective ethnic bastions. The IPTF managed to broker an agreement between them to reinstate a joint police force.

51 The reorganisation and training of the police remains a difficult task for the IPTF, especially in Mostar. In his report to the UN Security Council, Secretary-General Kofi Annan shows his awareness of these problems when he states that, "The continued existence of unofficial separate, ethnically-based chains of command in these cantons has impeded cooperation between Croat and Bosnia police officers in joint investigations of ethnically motivated crimes, such as house burnings in areas of minority return. In addition, some municipalities in these cantons,

which are dominated by one ethnic group, have reverted to a pattern of police patrols by the dominant group only. Both these developments demonstrate the continuing need for close monitoring of the local police"⁸

X. Conclusions

52 The Dayton Peace Agreement brought peace to Bosnia and Herzegovina but much remains to be done before the region returns to normal life, without hostilities. The task of restructuring the police forces is a complex and time-consuming one and requires a great deal of manpower to achieve it. More action will be needed, to build a police force which will operate according to democratic principles and human rights, especially now that the return of refugees and displaced persons is a prominent issue for the international community. In Recommendation 619, the WEU Assembly drew the Council's attention to the need to establish a WEU police force to help and in the long run possibly replace the IPTF. Among other things, the recommendation stated

"Noting that the re-establishment of the rule of law in Bosnia and Herzegovina with the help of the IPTF is essential if the Dayton peace agreement is to have lasting effect:

Convinced that the IPTF could implement its mandate even more effectively with the assistance of a substantial, additional unit of well-trained, well-equipped and experienced police officers from WEU countries, drawing on the experience of earlier operations – in particular the task force in Mostar, the Danube embargo operation and the continuing work of the Multinational Advisory Police Element (MAPE) in Albania,

Noting that such a unit from WEU countries should be able to continue its task under WEU command if, for financial or other reasons, the United Nations decided not to prolong the mandate of the IPTF;"

This requirement still holds good today, since a good deal of work remains to be done and IPTF manpower may not be sufficient to fulfil the comprehensive tasks lying ahead. By establishing

⁷ UN Security Council Resolution 1144, 19 December 1997

⁸ S/1998/227, 12 March 1998

this much-needed police force, WEU could enhance its visibility and make an extremely useful contribution to European crisis management

53. The Assembly also made clear in Recommendation 620 that "WEU is first and foremost a politico-military organisation and that its crisis-management activities can under no circumstances be confined to police activities" Nevertheless, a year after the police operation in Mostar, WEU was in fact carrying out another police operation

Part III – Albania

I. Background to WEU's police operation in Albania

54 After years of being governed by an autocratic regime and isolated from the world, Albania, one of the poorest countries in Europe, adopted a democratic constitution in 1991 Its very poor economy did not adapt easily and it became increasingly enmeshed in black market activities, especially after sanctions were imposed on the Federal Republic of Yugoslavia (Serbia and Montenegro). Pyramid finance schemes burgeoned in this depressed economic climate, promising large returns on investments Peace in Bosnia, and hence the ending of sanctions, severely affected the pyramid schemes, which had accumulated large amounts of artificial gains The government was unequal to addressing the country's basic economic problems – a situation which led to political instability among the population and the opposition parties In early March, Parliament declared a state of emergency and security forces were allowed to open fire on crowds at random President Berisha imposed a curfew and stated that any armed person would be shot on sight if unable to show genuine identity papers

55 The parliamentary elections of March 1992 had provided the Democratic Party with a clear majority In May 1996, general elections were held which again brought victory to President Berisha's Democratic Party, but under extremely dubious circumstances The opposition called for further elections but President Berisha hung on and barred all opposition parties from public life Political and social instability reached its height in early 1997 with the collapse of the pyramid finance schemes Already, at the end of 1996, the World Bank and the IMF had warned

the Albanian Government of the huge risks involved in pyramid schemes, but the Government initially refrained from taking any specific action Finally, on 23 January 1997, under strong pressure from international fund providers, the Albanian Parliament decided to outlaw the schemes When the schemes collapsed many Albanians, who had invested a total estimated amount of US\$1 billion, were left with substantial losses When it became clear to Albanians that there was little chance that they would be fully compensated for their losses, widespread rioting and armed clashes broke out, especially in the southern part of Albania, which the police were unable to contain Criminal gangs seized the opportunity to take control of a vast amount of weaponry stolen from police stations (and armaments depots) At the end of March a third of Albania was in the hands of self-defence committees and a mass exodus was taking place to Italy and Greece The Government was unable to restore law and order or contain civil strife, in which an estimated 1 500 to 2 000 people were killed After mediation by the OSCE and the European Union, the Albanian President agreed that a new Government composed of representatives of all the main political parties should be sworn in and a new Prime Minister, Baskim Fino, belonging to the socialist opposition party, was appointed.

56 Prime Minister Fino immediately appealed for foreign military intervention to restore order and argued for the deployment of a NATO peacekeeping force However, there was little enthusiasm for military intervention among the member states The European Union could not agree on a military mission either, because of resistance on the part of some member states, in particular the United Kingdom, and eventually agreed to dispatch a military and police "advisory force" to help the new government restore order Two WEU Planning Cell officers participated in a fact-finding mission which visited Albania in mid- and late March⁹.

57. Eventually, the OSCE decided to act by allowing a "coalition of the willing", under the leadership of Italy, to be sent to Albania Before deployment could begin, UN Security Council approval was sought, at the instigation of certain

⁹ *Le Monde*, 18 March 1996.

countries, and was given on 28 March¹⁰ The Council concluded that the situation in Albania was a threat to peace and security in the region, allowing Chapter VII of the Charter to be invoked The operation's mandate, however, was limited to facilitate the safe and prompt delivery of humanitarian assistance, and to help create a secure environment for the missions of international organisations in Albania, including those providing humanitarian assistance In addition, the UN force in Macedonia (UNPREDEP) was maintained despite initial withdrawal plans, to prevent the crisis spreading UNPREDEP's mandate was extended for a further six months to October 1997, after which the force would gradually be withdrawn¹¹ In mid-April, the Italian-led Operation Alba began with a force of 2 000 men Its final strength was 7 000 men with ten European countries participating in the mission¹²

58 The Austrian Chancellor, Franz Vranitzky, who had led several OSCE missions to Albania, managed to broker a contract between government parties to hold general elections to the People's Assembly on 29 June 1997. The elections, monitored by Operation Alba and 500 OSCE observers, resulted in the defeat of Berisha's ruling Democratic Party (PDS) at the hands of the Socialist Party of Albania (PSS) Fatos Nano (PSS) became the Prime Minister of the new government, and PSS Secretary-General Rexhep Medjani was elected to be the new Albanian President Since then the situation has remained unstable with Mr Berisha boycotting the Assembly and organising numerous demonstrations against Mr Nano's government. Although Operation Alba was supposed to be withdrawn in June, the force remained in Albania until August 1997, at the instigation of Chancellor Vranitzky, who in fact wanted the force to be placed under EU command after June, an idea not taken up by the EU Operation Alba has been criticised for the limited nature of its mandate, under which troops could do nothing to disarm the gangs and stop the violence in the country, but it has had the great merit of saving the country from a further slide into anarchy and of creat-

ing stability for the holding of elections which Council of Europe observers called "adequate and acceptable at this stage" In November 1997 the Albanian Minister of the Interior, Neritan Ceka, indicated that of the one million weapons stolen, only 10% had been handed in¹³

II. WEU action – a fact-finding mission

59 The WEU Assembly's Standing Committee, meeting in Athens on 3 March 1997, unanimously adopted Recommendation 609 requesting the WEU Council to "Monitor very closely the development of the situation in Albania in order to be prepared to act if requested to do so, [and] ask the WEU Planning Cell to draw up contingency plans for possible operations in Albania covering the whole range of Petersberg operations from humanitarian and rescue tasks to peacekeeping tasks and peacemaking, including control over the restitution of arms and munitions" On 14 March the WEU Council, convened at the request of the French Presidency, expressed its concern at the violent unrest but refrained from proposing any concrete action, despite the fact that the crisis in Albania lay well within the capabilities specified for Petersberg tasks. This prompted WEU's Secretary-General, José Cutileiro, to describe the Albanian crisis as "a missed chance" for the Organisation

60 The decision not to intervene also led to controversy at the headquarters of Eurofor, the European Rapid Deployment Force designed for use for European missions Although Eurofor was not to become operational until October 1997, officers felt it might have been more effective in dealing with a multinational mission than national military staff¹⁴

61 As a result of the fact-finding mission to Albania in March in which two WEU Planning Cell officers participated, the Politico-Military Group (PMG) was tasked on 10 April with a study of the experience acquired by WEU during the police operation in Mostar to see how a multinational advisory element in Albania could be set up quickly. In mid-April the WEU Council adopted a proposal from the French Presidency to send another fact-finding mission to Albania to study the practical arrangements for a police ad-

¹⁰ UN Security Council Resolution 1101, 28 March 1997

¹¹ UN Security Council Resolution 1105, 9 April 1997

¹² Austria, Belgium, Denmark, Spain, Greece, Italy, Portugal, Romania, Slovenia and Turkey

¹³ *Agence France Presse*, 2 November 1997

¹⁴ *Defense News*, 7-13 April, 1997 "WEU spurns Albania but promises future humanitarian tasks"

visory element to help the Albanian authorities reconstitute police forces. This fact-finding mission, comprising representatives from WEU, the OSCE and the Council of Europe, visited Tirana from 23-25 April. During the negotiations with the Albanian authorities, special emphasis was put on advice on the reorganisation and restructuring of Albanian police forces. During Albania's transition from communist to democratic state, the police forces had fallen into a state of severe disarray, and newly-recruited officers received only limited training. Furthermore, on account of their low wages, many officers were prone to corruption or had left the force during the crisis, which made restructuring of the police force a high priority for the Albanian Government.

III. Preparations for the deployment of the Multinational Advisory Police Element (MAPE)

62 After the return of the fact-finding mission, the WEU Permanent Council decided on 2 May 1997 to set up a Multinational Advisory Police Element (MAPE) to provide assistance to the Albanian police. MAPE would give the Albanian police authorities the necessary information and advice on appropriate aspects of policing and restoring order. In addition, it would train instructors in the fields of organisation, public order, monitoring of borders, logistics and communications. Because of the precarious security situation in Albania, MAPE would not take part in specific police operations.

63 In order to prepare MAPE's deployment, an advance party was dispatched to Albania, headed by the French Colonel, Gilles Janvier, as Head of the Party. The tasks of the Advance Party included the establishment of liaisons with the Albanian police and the relevant authorities, contacts with other missions in Albania, the preparation of a Memorandum of Understanding with the Albanian Government and assessment of the overall requirements for MAPE's main element. Discussions on MAPE had in the meantime been enlarged to 28 countries, which enabled the associate partners to be involved as well.

64 On the basis of the conclusions of the Advance Party, the WEU Planning Cell prepared the deployment of the main element. It was decided that MAPE would be deployed for a period

of three months, from 12 May to 12 August 1997, in Tirana, Durrës and other safe areas in Albania. MAPE consisted of its Head, the Deputy and four senior advisors, allocated to the branches responsible for organisation, public order, border policing and logistics. In addition, each senior advisor had a small team of police officers at his disposal for carrying out a specific task.

65 The Rules of Engagement which had been used in Mostar served as a model for the operation in Albania. MAPE members were allowed to carry pistols for use in self-defence. A Memorandum of Understanding with the Albanian authorities, among other things laying down the procedures for claims and for the settlement of disputes between MAPE and the Albanian authorities, was to be the basis for MAPE's deployment. After a rather lengthy negotiation process, the MoU was signed on 24 June 1997.

IV. MAPE's short-term programme

66 The short-term programme did not start until July, due to the late signature of the Memorandum of Understanding. The programme started with a total of 24 personnel from 14 member countries, including, for the first time, all categories of WEU participants. So far, 20 countries have decided to send personnel¹⁵. MAPE is the first operation directed by the WEU Council with the support of the Planning Cell. Together with the logistical arrangements, the main aspects of the short-term programme were advice and training.

67 *Advice* MAPE provided the Albanian police with advice relating to the general elections which were to take place immediately after MAPE's deployment. This resulted in a general code of conduct for the Albanian police during the elections, for which MAPE did not provide operational support on the ground. MAPE also advised the Albanian authorities on the restructuring of the police force and the reorganisation of the Ministry of the Interior.

68 *Training* MAPE made use of a "train the trainers" approach, in which it prepared instructors to train their own police officers, thus creat-

¹⁵ Nine full members (except Belgium) and Norway, Turkey, Denmark, Finland, Sweden, Bulgaria, Estonia, Latvia, Poland, Romania and Slovenia.

ing a multiplier effect. Courses were run on patrol organisation, checkpoint and community policing and public order. The programmes focused on the police code of conduct, human rights and human dignity, all areas in which the Albanian police had a very bad record. An additional training programme was established for the Tirana Police Directorate, in which training was given on road security and patrols, intervention operations and the collection of weapons. Another priority was the Police Academy in Tirana, for which MAPE developed a training syllabus and sent two trainers to retrain the academy instructors.

V. Extension of the mandate

69 An extension of MAPE's mandate seemed necessary because of the delays encountered in starting the short-term programme. The Planning Cell came to the conclusion that training should at least continue until October 1997 and that, simultaneously, a timetable should be drawn up for a long-term programme. On 18 July the WEU Council decided to prolong MAPE's mandate for an additional two months from 12 August to 12 October 1997 and appointed French Colonel Frederic Denis as Head of the Mission.

70 During that period, the Albanian Prime Minister, Fatos Nano, visited WEU Headquarters and expressed his gratitude for MAPE's assistance to the Albanian police. He stressed the determination of the Albanian Government to carry out restructuring and modernisation of its police forces and requested continued WEU assistance to the Albanian police. MAPE's excellent cooperation with the Albanian authorities was deeply appreciated.

71 During the initial phase, MAPE managed to train some 100 Albanian police officers belonging to the Rapid Reaction Forces and Commissariats in Tirana, with basic training in border policing just starting in Rinas. Although the 2-3 week courses were much appreciated by the participants, there seemed to be some factors limiting the impact of the "train the trainers" approach. These included the short time available, the lack of basic skills among the Albanian officers, the small numbers of trainers being trained and instability within the management of the Albanian police. A shift in the approach towards

training activities was necessary in order to boost MAPE's effectiveness in the near future.

VI. The long-term programme

72. The concept for the long-term programme had been developed by the Planning Cell and the WEU Presidency and was to be implemented in accordance with three criteria. The first was a step-by-step approach, according to which activities were to be built up gradually over time. The second was the principle of sustainability, implying a gradual transfer of responsibility to the Albanians themselves. The third criteria was cooperation with other states and organisations in Albania. After examining this concept, the WEU Council decided to extend MAPE's mandate for a further 6 months from 12 October 1997 to 12 April 1998, with the possibility of further extensions afterwards. This extension, and the adoption of the long-term programme, was accompanied by an increase in personnel from 25 to no more than roughly 60, with the option of an increase to 90 at a later date. The programme was divided into five parts: advice, basic training, specialised training, evaluation and equipment and logistic support.

73 *Advice* In MAPE II strong emphasis is being put on the provision of advice to the Albanian authorities, but this will only be possible if there is a clear conception on the part of the Albanian police of the priorities and goals of the restructuring phase. MAPE would therefore contribute to the development of an overall police concept in close cooperation with the Ministry of the Interior, which has allowed several delegations to set up advisory offices in the Ministry. At present, Greece, Italy, the United States and MAPE have offices in the Ministry, with MAPE having a coordinating role in order to centralise advice to the Albanian authorities.

74 *Basic training* Because of the lack of basic policing skills among the Albanian officers, the "train the trainers" approach seemed to have no more than a limited impact in the short term. Therefore, it was decided that a basic training programme was to be conducted to teach the Albanian police the basic skills, in parallel with the "train the trainers" activities. The courses would be conducted in cycles of three months and would focus on issues such as human rights – in which experts from the Council of Europe were

involved as well – professional ethics and human dignity and law enforcement in conjunction with a police code of conduct. Albanian participants were selected according to a screening process conducted by the Albanian authorities and MAPE. Eventually, five courses with approximately 30 students on each were drawn up and were designed to run in parallel, which would enable some 300 police to be trained by 12 April 1998, the end of MAPE's mandate. The first training centre opened in Tirana in November 1997 and a second, in Durres, is expected to become available in June 1998, with funding from the European Commission.

75 *Specialised training.* Apart from basic training, specialised training might be necessary in the fields of border policing and scene-of-crime investigation, depending on the results of the basic training courses. This also includes a "train the trainers" programme to enable the Albanian police to gradually take over responsibility. In the field of specialised training, close co-ordination with other organisations and missions will be necessary, since MAPE will not be in a position to offer a full range of specialised courses.

76 *Evaluation.* During MAPE I, monitoring of the results of the training courses was not part of MAPE's activities, but the need to evaluate the performance of the local police was necessary in order to assess the impact of MAPE's activities. It was recommended that after the first three-month training cycle, six evaluation teams would be dispatched around the country to see whether the training received was being put into practice.

77 *Equipment and logistic support.* The EU played a vital role in the field of logistics. The European Commission had developed a PHARE programme through which a total of 4.8 million ecu were allocated to the reform of the Albanian police. In the initial phase this comprised repairs to 18 police stations destroyed in the riots and the financing of the first police training centre in Tirana. MAPE had its own equipment allocation, but it worked closely with the European Commission to develop a coherent and comprehensive equipment programme. All EU funding had to be of direct benefit to the Albanians, so all PHARE equipment used for the training programme or other activities will be handed over to the Alba-

nians at the end of the mission. WEU equipment will either be passed on to them or will be used for future WEU operations.

VII. Conclusions

78 At the time of writing, 61 WEU officers are deployed in Albania and this number will need to be increased over the coming months. To date, MAPE has managed to train some 300 officers, with additional courses for 30 officers having started in November 1997. A total of some 600 to 700 Albanian officers are being trained at the moment. A number of evaluation teams have been dispatched around Albania to evaluate the progress achieved during the first phase of MAPE's mission. In addition to the training centres in Tirana and in Durres, the latter of which will be available by June, there are plans to open two more training centres in the north and south of Albania, also to be funded by the EU.

79 MAPE may be considered unique in the sense that for the first time all categories of WEU members were able to participate in the mission. 20 countries in fact took advantage of that opportunity. In addition, MAPE was the first operation truly run by the WEU Council in Brussels, with the support of the Planning Cell, and in close co-ordination with the European Union.

80 On 8 April 1998 the Council decided to extend MAPE's mandate for a further twelve months, until 12 April 1999, with a mid-term review in October 1998. The priority during this period will be transfer of responsibility to the Albanians themselves, thus implying total integration of internationally accepted standards into the Albanian police doctrine. The stages of MAPE's involvement will be linked to the progress made by the Albanians themselves (the so-called conditionality principle) and MAPE's own strength is to be built up in parallel with those stages, to a maximum of 107 personnel. MAPE's deployment has been extended beyond Tirana to include Durres, where additional basic training and "train the trainers" courses will be provided. Therefore, MAPE will develop staged targets for activities to be completed, provide a basis for the decision on the handover of tasks to the Albanians and define standards to be achieved by them. To attain that goal MAPE will also focus on management training and specialised training, to

complement other national and institutional programmes. In the framework of the PHARE programme WEU will continue to cooperate closely with the EU and joint meetings of WEU and EU working groups dealing with Albania will be held whenever appropriate.

81. Italy has proposed a number of conditions for the extension of MAPE's mandate. MAPE's command, held by a French officer, should become collegial and Italians should hold more posts of responsibility in MAPE's organisation. Additionally, Italy wants to expand MAPE's mandate initially only for a period of two months¹⁶. Owing to its geographic location, Italy has set up numerous bilateral programmes in Albania, but seems more inclined to go it alone rather than operate within MAPE.

82. MAPE still depends on other contributing missions to carry out all the tasks in Albania, especially as far as the specialised training courses are concerned. The United Kingdom and Italy are providing courses in border policing and the United States has set up its own mission in Albania, the International Criminal Investigative Training Assistance Programme (ICITAP). Five officers have been dispatched to Tirana and are focusing on the development of a long-term curriculum and training programme, in cooperation with MAPE. The US intends to set up training courses on controlling civilian uprisings, something MAPE was not able to offer, and will donate US\$ 2.5 million during the coming year. The ultimate goal is to bring all national initiatives under MAPE's umbrella, and for the latter to have a coordinating role.

83. A great deal remains to be done for MAPE and the national missions as the situation in Albania continues to be unstable. A number of gangs still operate within the country, killing innocent people, and the badly-paid police are reputedly too frightened and demoralised to go after the criminals. In February 1998, an armed gang took control of the northern town of Shkoder, Berisha's powerbase, after which the local police force, numbering 600 officers, fled the city and the rapid action force of the Albanian army had to be brought in, in order to regain control. Over the past six months some 50 policemen have been killed in skirmishes with

criminals, resulting in a law being passed authorising the police to open fire on criminal gangs without warning. President Medjani has called 1998 the Year of the Constitution, when the OSCE, the Council of Europe and the European Parliament are to participate in the drafting of a new constitution for Albania, much needed in order to provide a basis for the restoration of public order and the reform of the army and the police.

84. With the help of the international community a number of pyramid finance schemes have started compensating Albanians who have suffered financial loss, but the overall economic situation in Albania is still poor. Inflation is very high and taxes have just been raised from 12 to 20%. Apart from the economic crisis, the political stalemate between Mr Nano's government and the opposition under Mr Berisha continues, with the latter sometimes revolting against the government from his various power bases around the country. Clearly, Albania can only succeed in re-establishing law and order with the help of the international community. For this reason Albania's Deputy Defence Minister has argued for a UN monitoring force to be deployed as in neighbouring FYROM, where some 750 soldiers are stationed along the border with the Federal Republic of Yugoslavia and Albania as a preventive measure to defuse tensions in the region¹⁷.

85. NATO has offered Albania an individual Partnership for Peace programme, formally established in September 1997. This consists of three elements: help with restructuring Albania's armed forces, storage and handling of ammunition and development of a national security and defence concept. The Albanian Government has made various requests for deployment of a NATO force to guard the border with Kosovo. Prime Minister Nano is afraid that if President Milosevic pursues a policy of ethnic cleansing of Albanians in Kosovo, refugees will flee towards Albania and FYROM, where they may not be able to integrate with the other Albanian groups, thus triggering another war in the Balkans. In addition, the Albanian army, consisting of 15 000 wholly under-equipped troops, would not be able to resist the Serb army¹⁸. NATO was not

¹⁶ *Agence France Presse*, 8 April 1998

¹⁷ *International Herald Tribune*, 12 March, 1998, "NATO to send more aid to Albania but no troops".

¹⁸ *Le Monde*, 7 April 1998

however prepared to send troops, judging this premature, but instead decided to send specialist advisers to assist the Albanians guard their border with the Federal Republic of Yugoslavia, where only 200 Albanian guards are deployed, and to advise on the handling of refugees from Kosovo¹⁹. Mr Nano did succeed in his request for an extension of the UNPREDEP mandate in FYROM, which the Security Council decided to extend till the end of August 1998

86. WEU too was not prepared to send forces to Albania, but WEU's role in Albania, albeit more marginal, is not yet over. At the moment France, Italy and Germany are the biggest contributors to MAPE, each with 15 officers deployed, but MAPE will need more assistance and manpower to carry out its tasks in Albania and would deeply appreciate more bilateral initiatives and increased participation from WEU member states

General conclusions

87. The various police operations discussed in the present report have helped WEU to gain experience in this field. Each of these operations was of an entirely different type, as required by the specific circumstances. What they had in common was that well-trained and experienced police forces from WEU countries put their own know-how at the disposal of local police forces which lacked the specific knowledge or background to cope with a crisis situation


88. In a European security environment which in certain regions has not yet stabilised, there will no doubt be more demands for operations by special police forces in the foreseeable future

The decision to include special police forces in the follow-on SFOR demonstrates that such forces can provide the missing link between military forces and local police in situations where the local police are unable to protect the population and ensure a sufficient level of security. Maintenance of public order, riot control and the fight against terrorism are tasks which demand a great deal of specific training and knowledge and these are not usually undertaken by military forces or basic police forces.

89. Little was known about this new requirement for a "third force" when the Petersberg Declaration of 1992 was adopted. A doctrine for international police operations still needs to be established and such operations may have to be incorporated formally in the inventory of possible WEU operations, even though it has been suggested that WEU is a defence organisation which is not supposed to mount police operations. If WEU decides to deploy special police forces for an operation, tasks will have to be adapted to circumstances.

90. WEU countries have the experience, knowledge and police forces which are appropriate for a "third force". As an organisation, WEU has gained experience in special police operations in difficult circumstances and this should be the basis for the development of a "third force" doctrine. The WEU Council should also seriously recommend the WEU nations to designate special police units which can be placed at the disposal of WEU, similar to the system developed for FAWEU, in order to facilitate the rapid deployment of such special forces if required in crisis situations

¹⁹ *Financial Times*, 29 March 1998.

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