

## Chapter 11

# Between Conflict and Cooperation: International Police Reform Efforts in South Eastern Europe

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### **Introduction**

Multiple international actors pursue internal security sector reform (SSR) initiatives in South Eastern Europe. In effect, a confusing number of judicial, penal and police reform projects have been active in the Western Balkans at any given time during the last decade. Focussing on the international community's regional police reform activities, this chapter outlines the scope and focus of these different projects and traces emerging patterns of cooperation between international actors in South Eastern Europe.

Even at first glance, we can see that ongoing police reform projects in the region are taking place in a crowded field. Nearly every single large international or regional organisation has civilian SSR missions and projects on the ground in the Western Balkans. These include the United Nations (UN), the Organisation for Security and Co-operation in Europe (OSCE), the Council of Europe (CoE), the Stability Pact and the European Union (EU), which are all involved in reforming police institutions and in building up police capacity. In addition, there are numerous bilateral assistance arrangements taking place in parallel. One example is the US International Criminal Investigative Training Assistance Program (ICITAP), which assists Balkan states in creating modern and democratic police institutions.

With so many different national and international actors with sometimes rather similar mandates, operating in close proximity, coordination is essential if assistance efforts are not to be duplicated. Particularly in view of the new complexity of civilian and military peacebuilding and post-conflict reconstruction efforts,<sup>2</sup> the need to coordinate activities across departmental and organisational divides is a

matter of urgency. Failure to do so will have an adverse effect on the prospects for creating stable, democratic and sustainable security institutions in South Eastern Europe.

This chapter introduces four ideal-types of interactions between intergovernmental organisations (IGOs): *cooperation*, *coordination*, *non-interaction* and *competition*.

**Table 11.1 Typology of Organisational Interaction**

<b>Cooperation</b>	Joint strategies and programmes
<b>Coordination</b>	Negative (non-intrusion) and positive (problem-solving)
<b>Non-Interaction</b>	Parallel programmes, high potential for occupational overlap
<b>Competition</b>	Infringements, 'turf wars' over competences

The first, *cooperation*, refers to the strongest and most substantive form of inter-organisational interaction and concerns activities and policy programmes implemented jointly by two or more entities. Cooperation typically includes the joint drafting of political strategies and the integration of the responsibility for both planning and operations into a single joint chain of command. For such types of concerted actions, stable inter-organisational cooperation arrangements are therefore needed. Mostly, a joint hierarchy or a dual political superstructure has control of the cooperative policy or operation. The establishment of common headquarters in the field points to close cooperation, although 'lead agency' concepts can also involve strong forms of cooperative arrangements between different actors.

*Coordination*, in contrast to the joint implementation of policies in cooperative endeavours, refers to measures undertaken with a view to separating the work of actors, while keeping everyone in the loop about ongoing projects to avoid duplication. 'Positive coordination' involves the active search for common solutions to problems. It builds on trust among the actors and, in contrast to negative coordination, actors may agree to accept short-term disadvantages in view of possible longer-term positive outcomes. Indicators for positive coordination are, for instance, the establishment of inter- or intra-departmental taskforces with a problem-solving mandate that

does not exclusively focus on the protection of vested rights. In contrast to 'negative' forms of coordination, this variant tends to be very rare.<sup>3</sup> In negative coordination, actors coordinate their work in order to make sure that others do not violate their individual competences and interests. This form of cooperation aims to protect the interests of all actors involved. Examples of indicators for negative coordination are policies of information exchange, e.g., the exchange of strategic information with the intent of establishing joint assessments or the exchange of work plans and details of 'who does what' within each organisation.

In the sphere of SSR, negative forms of policy coordination are very prominent and focus on dividing the competences of actors into different *functions, territories or phases*. In the first instance, security assistance programmes are compartmentalised by an agreement on which actor fulfils what aspect of a comprehensive task. The second approach is to establish fixed regional or local competences for different actors. The third divides security assistance into several consecutive phases of engagement by different actors.

In contrast to these active efforts to engage with other organisations in the first two types of interaction, the third type – *non-interaction* – refers to a failure to coordinate work across departmental or organisational divisions, often resulting from a disinterest in doing so. Non-interaction refers to cases where several actors pursue similar security assistance policies in a region or state in parallel without institutionalising information exchange or cooperation with each other. *Competition*, the fourth type, is often driven by unclear divisions of competence between agencies or, alternatively, of the intrusion by one agency into another's domain. Such occupational overlaps between different agencies, and accompanying conflicts over resources and competences, can lead to competitive and antagonistic behaviour among the organisations involved.

Drawing on this typology, this chapter assesses the current patterns of organisational interaction in the area of police reform in South Eastern Europe. It discusses whether and to what extent organisations have started to coordinate their work and assesses how well these new forms of coordination and cooperation work in practice. The chapter first summarises existing international involvement and IGO competences for police reform in the Balkans. Second, it compares the nature of formal cooperation agreements between different international organisations on the ground. Third, the chapter offers a preliminary assessment of how well these coordination endeavours have worked in practice and comments on the implementation of EU, UN and OSCE projects and missions in the cases of Bosnia and Macedonia. In the last section, it draws some initial conclusions

on the patterns of interaction between international actors in the region and formulates recommendations on how to improve cooperation on the ground.

### **International Police Reform Efforts in South Eastern Europe**

Who is involved in police reform activities in South Eastern Europe and what types of assistance policies do these actors implement? The following overview addresses the competences and activities of the UN, EU, OSCE, CoE and Stability Pact (see Table 11.2). It compares their individual programmatic focus and policy tools as well as the scope of their involvement in the region.

#### *Organisation for Security and Co-operation in Europe*

For some years now, the OSCE has focused part of its activity in the region on addressing the challenges to stability and security posed by organised crime and weak criminal justice systems. The Istanbul European Charter for Security (1999), the Maastricht Strategy to Address Threats to Security and Stability in the Twenty-First Century (2003) and the decisions taken at the Ljubljana Ministerial Council (2005) are examples of the OSCE's proactive approach towards internal security challenges.<sup>4</sup> In the Balkans, the OSCE has played a consistent role in police reform and other civilian security sector assistance activities. In 2007, the OSCE has seven field missions on the ground in South Eastern Europe alone.

In Albania, the OSCE presence has concentrated on anti-trafficking and anti-corruption activities, and has provided police training assistance. The mission to Bosnia has focused on monitoring criminal law reforms and war crimes cases, and additionally provided technical and legal support in the fight against human trafficking. The mission to Croatia fulfilled its mandate in the area of police reform in 2006. Aimed at supporting the establishment of an accountable and democratic police service, the mission's police affairs unit gradually moved from monitoring tasks to advising the Croatian ministry of the interior. The OSCE's Kosovo mission continues its specialised police training and rule of law monitoring activities. The missions to Serbia and Montenegro similarly had a police reform component that specialised in providing assistance in the fight against organised crime and enhancing the border management capacities of both entities. Lastly, the OSCE's Spillover Mission to Skopje initially conducted basic training for

**Table 11.2 Who does what**

	<b>Programme Focus</b>	<b>Instruments</b>	<b>Geographical Scope</b>
OSCE	-police training in the fight against organised crime, trafficking, corruption -border management training -community policing	-long-term field missions with advisory roles -institution- and capacity-building -institution monitoring	-South-Eastern Europe (currently seven field missions in the region)
EU	-democratic policing -fight against organised crime, corruption, trafficking, money laundering -improving the security of citizens	-short- to medium-term ESDP missions, mostly capacity-building -longer-term EC projects and missions, mostly institution building	-ESDP police missions in Bosnia, Macedonia and Kosovo (planned) -EC projects in Serbia, Kosovo, Montenegro, FYROM, Croatia, Bosnia and Albania
UN	-community policing -human rights and rule of law training -executive police functions (maintaining law and order, countering crime)	-executive police missions -technical assistance and capacity- building	-Kosovo (UNMIK, UNDP) -Bosnia (UNMIBH) -Albania (UNDP)
Council of Europe	-consolidation of democratic stability -strengthening of police capacities for dealing with serious crime, trafficking	-technical assistance -training, seminars and study visits	-regional police reform programme for SEE (CARPO) -Moldova (anti-corruption) -Serbia (economic crime)
Stability Pact	-promotion of regional cooperation in fighting organised crime -anti-corruption projects	-different training activities	-regional in scope

border police officers. Today, it also provides training to police officers in the area of organised crime.

### *European Union*

The EU is heavily involved in police reform activities both through its European Security and Defence Policy (ESDP) and through the Commission's long-term assistance and accession policies in the region. As for the first, the EU has deployed several ESDP police missions to

Macedonia and Bosnia in recent years and will in the near future send a large police mission to Kosovo. As the latest addition to the IGO scene in the Balkans, these missions provide short-term assistance in the fields of police training and capacity building. The EU Police Mission to Bosnia (EUPM), for example, seeks to create sustainable policing structures under Bosnian ownership through training, mentoring and monitoring activities. Its recently refocused mandate supports police reform specifically in the field of organised crime. Similarly, the already completed ESDP police missions to Macedonia – Proxima and EUPAT – were mandated to consolidate law and order and to support the fight against organised crime by advising and training the Macedonian police.

Yet, despite the substantial public attention paid to these ESDP missions, the EU exerts its greatest leverage over the Western Balkans through its long-term association and accession strategies. The EU's Stabilisation and Association Agreements (SAAs) form the overarching political framework for its relations with most states in the region and are supposed to lead to their EU membership. And since progress in the areas of police restructuring, establishing the rule of law and fighting organised crime are preconditions for the eventual accession of South Eastern European states to the European Union, the Stabilisation and Association Process is possibly the most powerful policy tool the EU currently has at its disposal. In terms of funding, EU regional and national assistance have until now been supported by the Community Assistance for Reconstruction, Development and Stabilisation (CARDS) programme. As of 2007, the Instrument for Pre-Accession (IPA) replaces CARDS. Further, the majority of European Community assistance projects – i.e., in Serbia (including Kosovo), Montenegro and Macedonia – are managed by the European Agency for Reconstruction (EAR), an independent EU agency that will gradually phase out its activities in 2008.

In the EU's current regional assistance programmes, support to police reform and the rule of law plays a key role. For instance, the EAR has invested in police capacity in several states through the provision of new hardware as well as a series of specialised training courses in the judicial and law enforcement fields.<sup>5</sup> EU instruments also include the establishment of member states-led twinning projects aimed at police reform in Macedonia and Serbia. Overall, the European Community supports the fight against organised crime and the creation of police services that operate in accordance with recognised international standards through the implementation of reform, reorganisation and retraining projects across South Eastern Europe.<sup>6</sup>

*United Nations*

The United Nations family has extensive capabilities and experience in the area of police reform. UNDP and UNDPKO deploy civilian police missions and pursue police reform projects worldwide. In the Western Balkans, UN civilian police missions have been active in several states. Already completed civilian police missions include the UN mission to Croatia in 1998 that monitored police performance in the Danube region. A larger police mission, the UN Mission in Bosnia and Herzegovina (UNMIBH, 1995-2002) and its International Police Task Force (IPTF), was authorised to monitor, inspect, train and advise local law enforcement forces. UNSC Resolution 1088 expanded the IPTF's mandate, allowing it to investigate police misconduct and charging UNMIBH with assisting in the setting up of effective police institutions. In addition, UNDP has emerged as a strong player in the field of civilian SSR. The agency has, for instance, been involved in implementing a comprehensive approach to Albanian community-based policing since 2004.

In police reform and policing support in Kosovo, UN involvement is particularly strong. Effectively, Kosovo has been under UN administration since 1999, with the UN Mission in Kosovo (UNMIK) in charge of law enforcement functions. UNMIK, through Security Council Resolution 1244, is mandated to maintain civil law and order through the establishment of local police forces and the deployment of international police personnel to Kosovo. UN civilian police carry out normal police duties and have executive law enforcement authority until the newly established Kosovo Police Force (KPS) can take over full law and order functions. UNDP, in close cooperation and dialogue with UNMIK, supports capacity building within the KPS and provides immediate administrative support and technical assistance.

*Council of Europe*

The CoE's assistance programmes in the region fall under its general mandate of consolidating democratic stability in Europe by backing political, legislative and constitutional reform. Its Programme against Corruption and Organisation Crime in South-Eastern Europe (PACO) and Lara Project target the South Eastern European region and offer technical and legal assistance to police and justice bodies involved in the fight against organised crime, corruption, human trafficking and money laundering. A joint regional project with the European Commission, the CARDS Regional Police Project

(CARPO, 2004-2007), aims to strengthen police capacities for dealing with serious crime in South Eastern Europe.<sup>7</sup> This project uses training, seminars, mentoring and visits to foster regional cooperation in criminal matters, develop a regional strategy on serious crime and enhance local actors' competence in handling human trafficking and smuggling.

### *Stability Pact*

The Stability Pact for South Eastern Europe (SEESP) – established in 1999 as a framework agreement on international cooperation in the region – aims to create stability and growth. Its aims are complementary to the EU's SAP and accession processes, but it is neither a new international organisation nor does it have any independent financial resources or implementing structures. One of its working tables – Table III on 'Security Issues' – is concerned with internal security issues and aims to establish a stable security environment in the region, inter alia through the promotion of regional cooperation in the fight against organised crime and corruption.<sup>8</sup> Three projects are particularly relevant in this context. First, there is the 'Police Forum' initiative, which provides regional police training modules for senior police officers. Second, the Anti-Corruption Initiative (SPAI) provides support to the development and implementation of national anti-corruption plans; it aims to strengthen specialised anti-corruption services and engages in the building of regional anti-corruption networks. Third, the Stability Pact Initiative against Organised Crime (SPOC) facilitates dialogue among regional and international stakeholders in the law enforcement field and is involved in advocating policy and developing strategies for the struggle against organised crime in the SEE region. In February 2008, the Stability Pact will be transformed into an organisational body, the Regional Cooperation Council (RCC). Aimed at fostering regional cooperation, the RCC will serve as a common framework for the involvement of international donors in SEE after the South Eastern Europe Cooperation Process phases out its activities in 2007.

### **Formal Coordination and Cooperation Agreements**

As we have seen, several international organisations pursue parallel police reform projects in South Eastern Europe. The following section outlines the adoption of formal coordination and cooperation agreements between the different actors on the ground and assesses the substance of these

arrangements. I will use the typology developed in the introduction to classify these formal agreements.

### *Cooperation*

Formal arrangements to cooperate exist above all as a series of bilateral agreements concluded, for example, between the UN and the EU, between the OSCE and the Council of Europe, between the OSCE and the UN, and between the EU and the Council of Europe.

EU-UN interactions in civilian police reform missions build on the Declaration on EU-UN Co-operation in Crisis Management (2003). In order to implement this declaration, the two organisations established a consultative committee – the Steering Committee – and developed a system of regular EU-UN staff meetings. EU-UN crisis management cooperation mainly concerns agreements about cooperation in peacekeeping operations and addresses the question of whether the EU is able to supply the UN with additional troops and integrated civilian force packages for its missions.<sup>9</sup> Operational cooperation in the policing field in the Balkans was initiated in early 2003 with the handover of the UN's IPTF police reform mission in Bosnia to the European Union's first ever police mission (EUPM). As of January 2003, both the UN Department of Peacekeeping Operations (DPKO) and the Council's general secretariat had established task forces for liaison purposes.<sup>10</sup> In the case of Bosnian police reform, EU-UN cooperation primarily took place through inter-institutional interaction in the planning phase and in the first six months of the EU police mission, during which EU and UN planning teams were co-located in Sarajevo and served under a double-hatted IPTF commissioner/head of the EUPM planning team.<sup>11</sup> Direct cooperation of the EUPM with the UN liquidation team ended in June 2003, although the Security Council invited the EU to keep it regularly informed on the activities of the EUPM.<sup>12</sup> In June 2007, a second 'Declaration on Cooperation' emphasised the increasing scope of EU-UN cooperation, particularly in the Balkans, Africa and Middle East, and called for its intensification.

In the Balkans, the UN has also cooperated closely with the OSCE. In particular, the OSCE mission deployed to Kosovo in 1999 represented a new step in bilateral relations between the two organisations. For the first time, an OSCE mission became an integral part of an operation led by the United Nations.<sup>13</sup> The Kosovo OSCE mission forms a distinct component of the UN Interim Administration Mission (UNMIK) and is mandated to carry out institution- and democracy-building tasks and to foster the rule of law. The

two organisations have a division of labour in the area of police reform that gives UNMIK police the task of providing temporary law enforcement and assisting with police administration, while the OSCE trains police officers on international human rights and community-based policing standards.

Further instances of cooperation are joint programmes established by the European Commission and the Council of Europe. Since 1993, shared general aims have led the CoE and the EU to establish a tight network of relations, including the implementation of joint EU/CoE programmes. The Joint Declaration on Cooperation and Partnership (April 2001) between the CoE and the European Commission pointed to a more systematic approach to joint programming and priority setting. As a result, the Commission's Directorate General for External Relations and the CoE's Directorate of Strategic Planning began to come together to set and match priorities for the conduct of joint programmes. In South Eastern Europe, joint programmes have been established in Albania, Moldova, Serbia, BiH and Macedonia. Aimed at facilitating and supporting legal and institutional reform, programmes are in most cases co-financed by both organisations. Cooperation in the area of Justice and Home Affairs is particularly advanced; a recent example in the field of police reform is the CARDS Regional Police Project (CARPO), a Council of Europe/European Commission regional project aimed at assisting the fight against serious crime in South Eastern Europe. Launched in March 2004, CARPO is mandated to provide the participating states with tools and comprehensive training for dealing with trafficking, smuggling, illegal migration and economic and organised crime. It will be completed in summer 2007.

### *Coordination*

In contrast to inter-organisational *cooperation* in joint programmes and missions, the *coordination* of different organisations' mandates in the field is a less ambitious endeavour. Coordination mostly entails exchanging information between organisations and dividing up the work of organisations on the ground into separate tasks, phases or territories.

The linkages between the OSCE and other actors working in the same field are typical for formal interagency coordination arrangements. As one example, interactions between the OSCE and the EU have increased in importance in recent years. Since the launch of the EU's first crisis management mission, OSCE and EU activities in the fields of judicial and police reform have converged and to some extent overlap. Unlike the close EU-CoE cooperation in joint missions, OSCE and EU interactions have re-

mained limited to classical forms of interagency coordination. The formal framework stresses the relevance of a series of consultations between the political leaderships of both organisations, as well as ongoing staff-level talks on issues of common interest.<sup>14</sup> In the field, heads of OSCE field missions regularly liaise with the heads of EU delegations or the EU special representative. Fact-finding missions by either organisation often include representatives from both organisations. Formally, EU-OSCE relations are built on the notion of a 'complementary relationship', rather than close cooperation. Yet, this goal has proven to be elusive on the ground, since actual interactions in the field have been characterised as competitive. For instance, the activities of the EU police mission in Bosnia have led to 'a feeling of competition rather than cooperation' between the two organisations.<sup>15</sup>

As a second example of formal coordination agreements, OSCE-CoE relations are based on the 'Common Catalogue of Cooperation Modalities', signed in 2000 between the respective secretaries-general, and on the subsequent 'Declaration on Cooperation' of April 2005. The formal structure of interactions is outlined in the 'Common Catalogue' as a series of high-level and work-level institutional contacts, including annual meetings and visits of the secretaries-general and the chairmanships to sessions of the governing bodies of the two organisations. The 2005 declaration stressed the need for both organisations to work more closely together in identifying effective coordinated responses to the threats and challenges of the twenty-first century 'on the basis of complementarity, transparency and democratic accountability, while respecting the autonomy, different membership and distinctive tasks of each organisation'.<sup>16</sup> Clearly a case of coordination between the functionally separated work of different agencies, OSCE-CoE interaction is based on their common interest in promoting democracy and stability through complementary activities using different working methods. Recently, interaction in the field has moved towards closer cooperation. In particular, the 2005 Co-operation Agreement on Local Government Assistance in South Eastern Europe<sup>17</sup> committed both organisations to developing joint actions in support of democracy and good governance. The joint actions are implemented through enhanced consultation procedures in the early planning stages of relevant programmes and through yearly inter-organisational meetings. These evaluate joint actions and consider opportunities for synergies and potential future joint operations. Today, many OSCE field missions have established close contacts with the CoE, for instance in Albania, Bosnia, Croatia, Skopje and Kosovo. Over the past years, OSCE-CoE interactions have thus clearly moved away from the mere

exchange of information and cross-representation at specific events towards the planning and implementation of joint activities.

In the past decade, and particularly within the last five years, formal and mostly bilateral arrangements between international organisations have mushroomed. The previous section gave examples of the trend towards establishing coordination and cooperation agreements between international organisations active in civilian SSR. Yet, although we find a dense web of formal bilateral relations between several organisations at the political level, the question is what impact this development has had on the relationship of actors in the field. A closer look at the actual substance of formal coordination arrangements reveals that they are mostly focused on enhancing interaction at headquarters level and remain limited to annual meetings and staff visits. In contrast to some of the stronger cooperation agreements, the former arrangements can be characterised as mainly symbolic politics unlikely to have much impact on day-to-day interactions in the field. However, to assess whether the new formal coordination and cooperation arrangements have been able to supersede 'non-interactive' and 'competitive' types of inter-organisational relations, we need to take a look at organisational activities on the ground. Have the outlined declarations of intent been able to deliver on the goal of better coordination in practice, or do we find a gap between formal agreements to cooperate and coordinate and activities in the field?

### **Assessing International Coordination in the Field**

In their approach to the Western Balkans region, international organisations have in the past routinely called for more effective donor coordination. An EU 'Action Oriented Paper' on improving cooperation on internal security issues with Western Balkan states argued that EU delegations and member states 'should strengthen donor coordination relating to institution and capacity building in the Western Balkans'.<sup>18</sup> The following section sketches donor coordination efforts in Bosnia and Macedonia and discusses the main trends and patterns of cooperation, coordination, non-interaction and competition among the various donors active on the ground.<sup>19</sup>

#### *Bosnia and Herzegovina*

In Bosnia, due to the sheer number of actors on the ground, the coordination of donor activities is a particularly salient problem. The overall

organisational framework for policy coordination among all international actors in Bosnia is the steering board of the Peace Implementation Council (PIC) in charge of overseeing the implementation of the Dayton Peace Accords. Following on from the first Common Security Policy Working Group (CSPWG) established in 1999 by the high representative, SFOR and the OSCE Mission in Bosnia,<sup>20</sup> the PIC comprises 55 countries and agencies. Its steering board provides political guidance to the office of the high representative in Bosnia. The main coordination structure for day-to-day activities in the field is the Board of Principals, whose membership includes inter alia NATO, OSCE, EUPM, UNDP, EUFOR, the Office of the High Representative, the UN High Commissioner for Refugees and the European Commission. Yet, despite the existence of high level coordination fora, practitioners often assess organisational interactions on the ground as being weak or even outright competitive. How does this gap between political coordination fora and work-level relations play out in the field of police reform in Bosnia?

As an integral part of the Dayton Peace Accords, the reform of the police forces in Bosnia is a priority for the international community, not the least because it is a prerequisite for Bosnia entering stabilisation and association negotiations with the European Union. The reform of the Bosnian police force pursues three aims: the centralisation of competences at the state level, consolidating the thirteen original fragmented services; the cessation of political interference in policing; and the designation of police districts to follow policing requirements rather than political entity divisions.<sup>21</sup> Of the many international actors in Bosnia, the United Nations and the European Union are the leading actors in police reform activities.<sup>22</sup> The OSCE, as the third largest organisation on the ground, pursues a defence reform agenda aimed at developing a state-level defence architecture and at establishing better democratic control of the Bosnian armed forces.

In the area of police reform, the UN Mission in Bosnia and Herzegovina (UNMIBH, 1995-2002) started out with the implementation of reform goals to meet the Dayton Accords by creating the IPTF. The IPTF downsized the bloated wartime Bosnian police forces and was mandated to assist in the creation of multi-ethnic, professional and effective police forces.<sup>23</sup> Through monitoring and inspection of law enforcement activities as well as training and advice to law enforcement personnel and governmental authorities, IPTF sought to raise the professional skills of the police force and ensure that police officers met international standards of professional and personal integrity. In 2003, the EU took over these police reform tasks from the UN. Deployed as its first ever ESDP crisis management mission,

the objective of the EU Police Mission in Bosnia (EUPM) is to establish a sustainable and accountable police structure in Bosnia that follows a 'European model' of policing.

EUPM-UNMIBH cooperation in the transition period was the first real test case of EU-UN cooperation in the field. In order to ensure a 'smooth transition' between operations, the former IPTF commissioner became the first EUPM commissioner. Also, a relatively high number of IPTF staff (approximately 120) were retained in central positions and transferred to EUPM command. In the transition period, the EU deployed an 'EU Planning Team' to BiH (August-December 2002), while the United Nations kept a liaison team on the ground in 2003 to assist EUPM during its first six months of deployment. Overall, the cooperation experience has been widely hailed as a positive example of inter-organisational cooperation and most observers agree that the handover from the UN to the EU has been 'seamless'<sup>24</sup> and 'successful'<sup>25</sup>. Inter-institutional cooperation during the planning phase and the collocation of the EUPM Planning Team within the UNMIBH headquarters were among the measures credited with the smooth transition from one organisation to the next.

Nevertheless, an EU 'lessons learned'-paper dealing with the initial planning stages of EUPM raised two challenges to successful cooperation: on the one hand, the double-hatting of the IPTF commissioner and the head of the future EUPM created too high a workload for the IPTF commander, preventing him 'from consistent engagement with the EUPM PT [Planning Team] and its work'.<sup>26</sup> On the other hand, the overlap of the missions as well as the high number of retained personnel left the strong impression that the EU follow-on mission was not an independent entity, but completely dependent on UN strategies for police reform.<sup>27</sup> Hence, while coordination in the six-month handover phase seems to have been relatively efficient, the question is whether the continuation of the original UN mission mandate and infrastructure under a new structure was the best policy option.

A further, and at least initially less positive, example of inter-organisational relations in Bosnia is the interaction between different EU actors active in the field. At the most general level, the Office of the High Representative/EU Special Representative (EUSR) is tasked with ensuring a coordinated and coherent EU approach to building self-sustaining peace and stability in Bosnia. In practice, this coordinating function depends very much on the role each EUSR chooses to play. The EUSR is not always successful in preventing turf wars among different EU bodies and missions. The most public and prominent conflicts have traditionally taken place between the European Council's second-pillar ESDP missions and the European

Commission's first-pillar association and development policies. In this context, police reform is a clear case of a less than optimally coordinated EU strategy. As one observer has noted, the EU did not have a unified political strategy for assistance in BiH in 2005, because the OHR/EUSR, the EC Delegation and EUPM all 'had varying degrees of involvement, influence and interests'.<sup>28</sup> Neither did the EU pursue a comprehensive counter-crime strategy until 2006, although most of its agencies on the ground have a mandate to assist in the fight against organised crime in Bosnia. Yet the case of coordinating the fight against crime has had an unexpected twist, since relations between the deployed EU police (EUPM II) and military (EUFOR Althea) missions were found to be worse than between the Council and the Commission, while cooperation between EUPM and the EC delegation apparently worked quite well.<sup>29</sup>

In the light of these examples, inter-organisational interactions in Bosnia can be said to be characterised by both competitive dynamics as well as attempts to coordinate activities in the field. While high-level multilateral fora – such as the Peace Implementation Council and its Board of Principals – have remained limited to information exchange and some negative coordination functions, the relationship between the EU and the UN can be classified as a cooperative one. In the transition period between IPTF and EUPM operations, the co-location of staff as well the double-hatting of the commissioner pointed towards substantive cooperation beyond negative coordination and information exchange. Yet beyond this instance, relations among international actors on the ground can mostly be described in terms of non-interaction, conflict and competition. An early assessment of international assistance to Bosnia found fault with the lack of a common strategy for reconstruction and argued that a 'segmented, almost a-strategic approach'<sup>30</sup> characterised early implementation endeavours despite the considerable resources that international implementers possessed. The UK's Department for International Development (DFID) later assessed international cooperation in the Western Balkans in a similar manner: 'Despite the relatively large amounts of international assistance flowing into the region, coordination between donors tends to be weak'.<sup>31</sup> Overall, international donors in Bosnia have found it difficult to coordinate their work, not least because of their different and often incompatible mandates, operating procedures, timelines and funding sources.

*Macedonia*

Police reform in the former Yugoslav Republic of Macedonia poses coordination problems that are similar to the Bosnian case. The international community's activities follow the Ohrid Framework Agreement, signed in 2001 by the Republic of Macedonia and Albanian representatives with the objective of securing a sustainable peace in Macedonia. In the field of police reform, the framework agreement invites the OSCE, the European Union and the United States to increase training activities and assistance programmes for the police. As a result, a variety of police reform programmes have been implemented in Macedonia in recent years.

For instance the EU's activities in Macedonia encompass both long-term institution building projects and short-term police reform missions. The latter ESDP police missions – EUPOL Proxima<sup>32</sup> and the smaller follow-up EU police advisory team EUPAT – were deployed between 2003 and 2006 with the mandate to assist the Macedonian police forces in their reform efforts. Proxima monitored, mentored and advised the Macedonian police, but had no executive mandate of its own. The European Commission's longer-term projects, on the other hand, pursue the goal of bringing Macedonia closer to EU membership. As a member of the Stabilisation and Association Process (SAP), Macedonia has received European Community (EC) police reform assistance since 2002. Through its EC Justice and Home Affairs Project (ECJHAT), the EC Police Reform Project (PRP) and a series of bilateral twinning arrangements with EU Member States, the European Commission has continuously advised Macedonia on issues of police strategy development, integrated border management and the fight against crime.<sup>33</sup> These activities have been funded through the EU's CARDS programme while implementation has been managed by the EAR.

As a result of the two distinct approaches to police reform within the European Union, coordination agreements in the field have not only been relevant for the interactions between different organisations, but, similar to the case of Bosnia, also for intra-EU relations. Informal coordination meetings of all involved EU agencies – the EU presidency, the Commission delegation, the EAR, Proxima, the EU monitoring mission, the ECJHAT coordinator – have taken place weekly. Yet, these EU inter-institutional relations have been marred by infighting and competition.<sup>34</sup>

Cooperation among the international organisations active in Macedonia has proved to be equally difficult. Particularly in the case of EU-OSCE relations, tensions have been presumably unavoidable since both actors have pursued very similar aims. In April 2003, a Police Experts Group

was created in Skopje to facilitate operational coordination among the different actors involved in police reform.<sup>35</sup> Despite the establishment of this new forum, inter-organisational tensions have persisted. One example of this is provided by the relationship between the OSCE Spillover Mission to Skopje – on the ground since 1992 – with other actors in the field. This mission, originally established to avoid conflict spillover from the former Socialist Federal Republic of Yugoslavia, has long-standing capacities in police reform. Its police development unit has assisted the government in developing and implementing a national police reform strategy and trained the Macedonian police forces. With the mandate of EU Proxima following similar aims, the OSCE mission felt that it had been marginalised by the EU's ESDP mission.<sup>36</sup> In addition, the European Commission's police reform projects also clashed with those of the OSCE mission established earlier. An EU implementation report dealing with the coordination of EU and OSCE law enforcement activities outlined that despite a memorandum of understanding signed by both parties and notwithstanding the deployment of EU liaison personnel to the OSCE mission, cooperation had at times been less than optimal. It found that 'the inherent difficulties in co-ordinating policy-inputs from different international actors has on occasion weakened the effectiveness of efforts to make progress in the reforms'.<sup>37</sup> In this case, political coordination agreements did not trickle down to the level of in-country organisational relations. Although it is difficult to extrapolate general lessons from this example, the case of EU-OSCE relations points to the difficulties that can arise when tasks are not clearly divided among the multiple actors on the ground.

## **Conclusions**

International organisations active in internal security reform projects in South Eastern Europe have come to accept the need for enhanced donor coordination in the field. As a result, a series of coordination and cooperation agreements between different international organisations have been adopted in recent years. These have increased the prospects for interagency interaction in the field of police reform. Some bilateral cooperation agreements – for instance, the OSCE/CoE, OSCE/UN and CoE/EC agreements – have even led to the planning and implementation of joint and co-financed missions. Nevertheless, the trend towards establishing high-level political agreements on coordination has not always led to increased coordination on the ground. In some cases, organisational

coordination in the field has lagged behind high-level political emphasis on donor coordination. EU-OSCE relations, for example, have been described as competitive.<sup>38</sup> Due to the relative novelty of some coordination arrangements, it is too soon to tell whether formal commitments to strengthen donor coordination will eventually be implemented in the field.

Drawing on the experience of donor coordination in the Balkans, there are four challenges to effective coordination and cooperation arrangements. As the first and most general challenge, different organisations may entertain a variety of understandings of what their SSR activities set out to achieve. Often, a single overarching SSR strategy for assistance to the recipient state is lacking. As a result, different security sector reform assistance projects risk duplication, conflict and inefficiency in their work. The challenge of devising comprehensive political strategies for complex reconstruction and reform efforts has been assessed by the recent Joint Utstein Study on Peacebuilding. The study came to the conclusion that 55 per cent of assessed peacebuilding projects conducted by the UK, Norway, the Netherlands and Germany 'do not show any link to a broader strategy for the country in which they are implemented'.<sup>39</sup> The brief overview of international activities in South Eastern Europe given in this chapter points to the existence of similar strategic deficits in the police reform area.

The second challenge concerns the inadequate separation of tasks between international actors. If different police missions or projects are too close in their purposes, they risk duplicating efforts. Internal security reform efforts can overlap with regard to their geographical scope, specific functional tasks or their timing. Some examples of coordination arrangements in South Eastern Europe point to imperfect forms of negative coordination that have made occupational overlaps and competition between organisations likely challenges. The third challenge to coordination and cooperation derives from international actors' different standard operational procedures and routines that result in different ways of implementing reform projects. Lastly, actors may be willing to coordinate their work but simply do not have the infrastructure in place or the resources needed to build up cooperation mechanisms capable of ensuring the adoption of effective agreements in the field.

Strategies designed to address the challenges of donor coordination should above all focus on reducing the complexity of inter-organisational interaction in the field. At the most general level, donors need to devise a single overarching national strategy to drive the work of all agencies in a particular country. As concerns operational coordination, complexity can be reduced by augmenting the number of joint activities, as the example of the

co-financed EU/CoE-programmes has showed. If project alignment through cooperation agreements proves to be impossible, 'negative coordination' solutions should be devised.

In order to achieve mutual agreement on 'who does what, where and how', actors need first of all to share information about completed and existing donor operations on the ground.<sup>40</sup> Then, arrangements for optimising a division of labour between intergovernmental actors and appropriate techniques for inter-agency coordination must follow. In conclusion, although donor coordination in South Eastern Europe has moved towards the formalisation of inter-organisational agreements, there remain serious obstacles to effective cooperation in their operational activity.

## Notes

- 1 The author gratefully acknowledges financial support from the Volkswagen Foundation's European Foreign and Security Policy Studies Programme.
- 2 See for instance Cedric de Coning, 'Coherence and Integration in the Planning, Implementation and Evaluation of Complex Peacebuilding Operations', *Conflict Trends*, no. 1 (2004).
- 3 Fritz W. Scharpf, 'Games Real Actors Could Play. Positive and Negative Coordination in Embedded Negotiations', *Journal of Theoretical Politics* 6, no. 1 (1994): 38-9; see also Ted A. van Baarda, 'A Legal Perspective of Cooperation between Military and Humanitarian Organizations in Peace Support Operations', *International Peacekeeping* 8, no. 1 (2001).
- 4 OSCE, *Annual Report 2006* (Vienna: OSCE, 23 April 2007).
- 5 European Agency for Reconstruction, *Annual Report to the European Parliament and the Council. January to December 2005* (Thessaloniki: EAR, 12 June 2006).
- 6 Further examples can be found in: European Council, 'Action Oriented Paper on Improving Cooperation, on Organized Crime, Corruption, Illegal Immigration and Counter-Terrorism, between the EU, Western Balkans and relevant ENP Countries', Doc. No. 9272/06 (12 May 2006); European Council, 'Report on the State of Implementation by Member States and EU Bodies of Action Oriented Paper on Improving Cooperation on Organised Crime, Corruption, Illegal Immigration and Counter-terrorism, between the EU, the Western Balkans and relevant ENP countries', Doc. No. 15013/1/06 (21 November 2006).
- 7 See <http://www.coe.int/carpo>.
- 8 See Stability Pact for South Eastern Europe, *Annual Report 2006* (Brussels: 2007).
- 9 See Peter Viggo Jakobsen, 'The Emerging EU Civilian Crisis Management Capacity – A 'real added value' for the UN?', Background paper for The Copenhagen Seminar on Civilian Crisis Management (Copenhagen: Danish Ministry of Foreign Affairs, 2004); Thierry Tardy, 'EU-UN Cooperation in Peacekeeping: A Promising Relationship in a Constrained Environment', in *The European Union and the United Nations – Partners in*

- Effective Multilateralism*, ed. Martin Ortega, Chaillot Paper No. 78 (Paris: European Union Institute for Security Studies, 2005).
- 10 Alexandra Novosseloff, *EU-UN Partnership in Crisis Management: Developments and Prospects* (New York: International Peace Academy, 2004).
  - 11 Tardy, 'EU-UN Cooperation in Peacekeeping', 55.
  - 12 See UNSC, 'Letter dated 17 July 2003 from the Secretary-General to the President of the Security Council', UN Doc. S/2003/732, 21 July 2003.
  - 13 OSCE, *OSCE Handbook*, Third Edition (Vienna: July 2002).
  - 14 See OSCE Secretariat, 'External Co-operation – the European Union', OSCE, available at <http://www.osce.org/ec/13066.html>.
  - 15 Fraser Cameron, *The EU and International Organisations: Partners in Crisis Management*, EPC Issue Paper No. 41 (Brussels: European Policy Centre, 2005).
  - 16 OSCE Permanent Council, Decision No. 670 on Co-operation between the Organization for Security and Co-operation in Europe and the Council of Europe, PC.DEC/670 (28 April 2005).
  - 17 Co-operation Agreement on Local Government Assistance in South Eastern Europe between the Organization for Security and Co-operation in Europe and the Council of Europe, signed in Strasbourg, 17 November 2005.
  - 18 Council of the European Union, 'Action Oriented Paper', 11.
  - 19 The case selection followed pragmatic considerations: Bosnia and Macedonia are good examples for the analysis of IGO cooperation, since both states have a long track record of international involvement in their SSR processes.
  - 20 Heinz Vetschera and Matthieu Damian, 'Security Sector Reform in Bosnia and Herzegovina: The Role of the International Community', *International Peacekeeping* 13, no. 1 (2006): 35.
  - 21 International Crisis Group, *Bosnia's Stalled Police Reform: No Progress, No EU*, Europe Report No. 164 (Brussels: International Crisis Group, 2005), 5.
  - 22 See Gemma Collantes Celador, 'Police Reform: Peacebuilding through "Democratic Policing"?' *International Peacekeeping* 12, no. 3 (2005) and International Crisis Group, *Bosnia's Stalled Peace Reform*, for assessments of their work.
  - 23 See UNDPKO, 'Bosnia and Herzegovina – UNMIBH – Background', UNDPKO, accessed 4 September 2007, available at <http://www.un.org/Depts/dpko/missions/unmibh/background.html>.
  - 24 Tardy, 'EU-UN Cooperation in Peacekeeping', 55.
  - 25 European Council, 'Lessons from the Planning of the EU Police Mission in Bosnia and Herzegovina (EUPM), Autumn 2001 – December 2002: Joint Paper of the Council General Secretariat and the European Commission', Doc. No. 1206/03 (Brussels: 29 April 2003), 20.
  - 26 European Council, 'Planning the EU Police Mission', 21.
  - 27 See Jakobsen, 'EU Civilian Crisis Management', 11 for a similar assessment.
  - 28 Susan E. Penksa, *Policing Bosnia and Herzegovina 2003-05. Issues of Mandates and Management in ESDP Missions*, CEPS Working Document No. 255 (Brussels: CEPS, December 2006), 18.
  - 29 *Ibid.*, 19.
  - 30 Elizabeth M. Cousens, 'From Missed Opportunities to Overcompensation: Implementing the Dayton Agreement on Bosnia' in *Ending Civil Wars, Volume II: Evaluating Implementation of Peace*, eds. Stephen Stedman et. al., 531 (Boulder: Lynne Rienner Publish-

- ers, 2002); See also Bruce D. Jones, *The Challenges of Strategic Coordination: Containing Opposition and Sustaining Implementation of Peace Agreements in Civil Wars*, IPA Policy Paper Series on Peace Implementation (New York: International Peace Academy, 2001).
- 31 Department for International Development, *Regional Assistance Plan for the Western Balkans 2004/05 to 2008/09* (London: DFID, 24 August 2004), 7.
  - 32 See Council of the European Union, 'Council Joint Action 2003/681/CFSP of 29 September 2003 on the European Union Police Mission in the Former Yugoslav Republic of Macedonia (EUPOL "Proxima")', *Official Journal of the European Union*, L 249 (Brussels: 1 October 2003).
  - 33 European Agency for Reconstruction, *EU support to the Police and Border Management sectors in the former Yugoslav Republic of Macedonia: Projects managed by the European Agency for Reconstruction*, Fact Sheet (Thessaloniki: March 2007).
  - 34 For a discussion of intra-EU coordination difficulties, see Isabelle Ioannides, 'Police Mission in Macedonia', in *Evaluating the EU's Crisis Missions in the Balkans*, eds. Michael Emerson and Eva Gross, 97f (Brussels: Centre for European Policy Studies, 2007).
  - 35 OSCE, *Annual Report on OSCE Activities 2003. Security and Co-operation for Europe* (Vienna: 1 October 2004), 173.
  - 36 Ioannides, 'Police Mission in Macedonia', 108.
  - 37 European Commission, *Rapid Reaction Mechanism End of Programme Report Former Yugoslav Republic of Macedonia* (Brussels: November 2003), 11.
  - 38 While it would have been interesting to assess more examples of IGO coordination in the field, the limited scope of this chapter did not allow for a more extended analysis.
  - 39 Dan Smith, *Towards a Strategic Framework for Peacebuilding: Getting Their Act Together*, 2004 Overview Report of the Joint Utstein Study of Peacebuilding (Oslo: Royal Norwegian Ministry of Foreign Affairs, 2004), 10.
  - 40 One example of such a stocktaking exercise of donor activities is the donor mapping project of the Donor Coordination Forum in Bosnia. See <http://www.donormapping.ba>.