

SGBV Capacity-building in Peace Operations: Specialized Police Teams

Marina Caparini and Kari M. Osland

This Policy Brief examines the Norwegian-led specialized police team (SPT) deployed to MINUSTAH, focusing on building Haitian police capacity to investigate sexual and gender-based violence (SGBV).¹ As the SPT represents a relatively new mechanism for deploying police experts to UN peace operations, the experience can offer insights for other police-contributing countries that may be considering deploying such teams, as well as for those seeking to improve international support to the reform or development of host-state police organizations, and more broadly to improve access to justice and the rule of law.

Recommendations for police-contributing countries deploying a specialized police team:

- Conduct a comprehensive pre-mission assessment including consultations with the senior mission leadership and with UN Headquarters in New York, to ensure support at senior levels for the team's work.
- From the beginning, engage with host-state police leaders and other local stakeholders, to identify and define a project that responds to local needs and enjoys local ownership.
- Provide the SPT with independent project funding to empower the team to plan and implement specific projects.
- Appoint an administrative focal point within the SPT to help navigate the team through the necessary UN bureaucratic procedures: this individual need not be a police officer, but should be a person with professional experience in finance, procurement and administration.
- Encourage SPT members to engage actively with other relevant mission components, UN programmes and agencies dealing with justice, human rights, rule of law, gender and development, with a view to breaking down institutional compartmentalization by building confidence, exchanging information, and collaborating in support of police and rule of law reform.

The roles of UN police

Today's peace operations are deployed to environments where, as a result of sustained internal armed conflict and instability, basic state institutions are not working. For instance, it is not uncommon that the police, courts, prisons and armed forces are ineffective, dysfunctional, linked to corruption networks and perpetrate human rights abuses. This in turn means that the institutions of state security and justice often lack legitimacy among the public, who fear or distrust them.

UN Police (UNPOL) are deployed as part of multidimensional peacekeeping missions that aim to stabilize the environment and facilitate the development of sustainable peace and development. With the move towards multidimensional missions has come a transformation in the roles played by UN police – from primarily monitoring and advising, to supporting the reform and restructuring of host-state police institutions.² Facilitating the reform and consolidation of core state institutions is a primary function of UN activities in support of state authority; of critical importance are the institutions responsible for public security and upholding the rule of law. An essential aspect of institutional reform in a state emerging from or still embroiled in conflict is the development of an effective, accountable and inclusive police institution responsive to the needs of the communities it is set to serve.

Recently developed UN policy on the police component refers to three categories of UN police: formed police units (FPUs), individual police officers (IPOs), and specialized police teams (SPTs).³ FPUs are cohesive, mobile police units with special weapons and equipment that endow them with the capacity to act in a robust manner. This capacity enables them to provide public order management as their primary role,⁴ but also to pro-

1 This brief is based on the longer study by Marina Caparini and Kari M. Osland, 'MINUSTAH's Specialized Police Team to Combat Sexual Violence in Haiti', NUPI Working Paper 867 (2016). Both papers are part of the Learning from Experience – International Policing project, funded by the Norwegian Ministry of Foreign Affairs. The authors are grateful to those interviewed: members of the SPT, local police and international UN staff in Haiti, representatives from the UN Police Division and international police advisors in New York, from the Norwegian MFA and from the Norwegian Delegation to the UN.

2 For more on this, see Kari M. Osland, 2014: *Much Ado About Nothing? The impact of international assistance to police reform in Afghanistan, Bosnia and Herzegovina, Kosovo, Serbia and South Sudan. A Comparative Case Study and Developing a Model for Evaluating Democratic Policing*. Oslo: Akademia publishing.

3 UN DPKO/DFS, 'United Nations Police in Peacekeeping Operations and Special Political Missions: Policy', 1 February 2014, para 22. Henceforth 'UN Police Policy'

4 UN Police Policy, para 66.

tect UN personnel and facilities, and provide support to higher-risk UN operations that require a formed response.⁵ FPU are needed in unstable contexts where there is risk of violence.

In contrast, IPOs are police or law enforcement personnel who are individually contracted or seconded to serve with the UN by member-state governments at the request of the Secretary-General.⁶ IPOs may provide operational support to host-state police in conducting investigations, special operations, ensuring public safety, and protection of civilians. In missions that have partial or full executive policing mandates, UN police are tasked with direct law enforcement. In more stable environments, IPOs support capacity-building and development of host-state police through monitoring, mentoring and training.⁷

A specialized police team (SPT) is a group of experts in a particular field of police work, assigned to serve with the UN by an individual country or a group of member-states at the request of the Secretary-General.⁸ Members of the SPT may be IPOs and/or government-provided personnel (GPP)⁹, deployed initially for a period of up to 12 months, with possible extension (normally up to a total of 24 consecutive months).¹⁰ An SPT is deployed as a group, to implement a defined task or project collectively. The SPT has emerged as a deployment mechanism for UN police relatively recently, and reflects the move towards providing more specialized and targeted international police assistance to support capacity-building, in areas such as budgeting and procurement, administration, change management, legal affairs, and resource mobilization.¹¹

The SPT model appeals to police-contributing countries (PCCs), for two key reasons. First, a coordinated team can be expected to have more impact on developing the host-state police than the diffuse efforts of numerous IPOs working more or less independently. The SPT model makes it easier to benchmark the impacts and success of personnel and resources contributed by a PCC to UN peacekeeping, and thus easier for the governments of PCCs to justify the expense to their publics. Second, the SPT model can better ensure that proper use is made of the highly skilled officers deployed to UN peacekeeping missions, in line with their capabilities and areas of expertise. While the UN has made progress in improving its recruitment systems, there remain problems in matching skills to gaps in missions, and highly skilled police are still frequently tasked with responsibilities requiring only rudimentary policing knowledge. Poor matching of police skills to mission needs produces frustration on the part of mission police experts, and raises doubts in PCC capitals as to the efficacy of deploying personnel whose skills are needed in their own domestic context.¹²

The SGBV specialized police team in MINUSTAH

Established in 2010, the Norwegian-led SGBV team sought to build the capacity of the Haitian National Police (HNP) to investigate crimes involving sexual violence. Displaced women and girls, and those living in the shantytowns of the capital city, Port-au-Prince, were especially vulnerable to crimes of sexual violence following Haiti's devastating 2010 earthquake. Victims of domestic and sexual violence severely under-report these crimes, because of feelings of shame, community stigmatization, fear of reprisals by the perpetrator, or economic dependence on the perpetrator. Further, victims tend to lack trust in the Haitian justice and police sectors: it is widely held that police and judges fail to act when presented with complaints of sexual violence; that they tend to blame the victims, especially the poor, for provoking such crimes; and that they are corrupt, demanding or willing to accept bribes.¹³ These factors have resulted in high dismissal rates for the few cases of sexual violence that have been processed through the justice system, and a preponderance of out-of-court settlements between accused and victims, *de facto* perpetuating impunity for most perpetrators of SGBV in Haiti.¹⁴

Norway had originally intended to deploy a team of experts to address and assist the Haitian 'chain of justice' – police, judiciary, penal institutions – in dealing with SGBV crimes.¹⁵ However this was deemed overly ambitious, and a scaled-down proposal emerged that focused on strengthening police capacities in Haiti to prevent, investigate and prosecute sexual and gender-based violence. This slimmed-down proposal came about following a pre-mission assessment trip to Haiti by representatives from the Norwegian Police Division and discussions with Haitian and MINUSTAH officials. After approval by the DPKO's Police Division, five Norwegian police personnel were selected, provided with pre-deployment training, and dispatched to MINUSTAH. On arrival in Haiti, however, the team members were received by the mission as though they were IPOs, and not a cohesive team. It soon became clear that the mission was not prepared for the team: there were no offices, equipment or vehicles assigned to them, which delayed the onset of the team's work. Once these had finally been secured, the team spent several months conducting a comprehensive assessment of the Haitian criminal justice sector, to provide essential background to their project proposal. Unbeknownst to the Norwegian SPT, their research replicated information already held by other sections of MINUSTAH – which shows the lack of communication between police and civilian components within MINUSTAH.

2

5 UN DPKO/DFS, 'Formed Police Units in United Nations Peacekeeping Operations: Policy (Revised)', 1 March 2010, paras 8, 12.

6 UN Police Policy, p. 26.

7 DPKO and DFS, 'Guidelines on Police Operations in United Nations Peacekeeping Operations and Special Political Missions', Ref 2015.15, 01 January 2016, paras 8-9. Henceforth 'UN Guidelines on Police Operations'.

8 UN Police Policy, p. 27.

9 Government-provided personnel are defined as 'Civil servants with a particular expertise nominated by their government and, if selected, temporarily released for service with United Nations field missions for a fixed period to provide advisory, capacity-building and/or mentoring support to national counterparts in specialized areas.' DPKO and DFS, 'Draft Guidelines on Police Administration in United Nations Peacekeeping Operations and Special Political Missions', 2016, p. 34 (henceforth: 'UN Draft Guidelines on Police Administration').

10 UN Draft Guidelines on Police Administration, para 59.

11 UN Police Policy, para 38.

12 Confidential interviews with police advisers of several PCCs, New York, 7 March and 5 April 2015.

13 ANAPFEH et al., 'Fighting for our lives – violence and discrimination against women and LGBT persons in Haiti', Submission to the Human Rights Committee, Response to the Second Periodic Report on the Republic of Haiti, October 2014, p. 11, <https://www.madre.org/sites/default/files/PDFs/Haiti%20ICCP%20Report%20EN%202014%20final.pdf>

14 Helen Spraos, 'Strengthening state and civil society action to overcome violence against women in Haiti: A baseline study', UNIFEM, 2008, p. 20, http://www.endvawnow.org/uploads/browser/files/security_baseline_study_haiti_spraos_unifem2008.pdf See also Athena Kolbe and Robert Muggah, 'Haiti's silenced victims', *New York Times*, 8 December 2012 for an account, documented by two Western researchers, of the sexual assault of a Haitian colleague and her efforts (finally abandoned) to get the crime registered and pursued through the justice system.

15 Norway has previously adopted a 'chain of justice' focus in its bilateral rule of law assistance through the 'Styrkebrønnen' mechanism. See Marina Caparini, Kari Marie Kjellstad and Trine Nikolaisen, 'A stocktaking of Norwegian engagement in security sector reform', NUPI Report 11 (2011), pp. 41–42. <http://hdl.handle.net/11250/195357>

Formulation of the team's project proposal involved consultations with HNP leaders and local police chiefs, to ensure that the resulting assistance would respond to locally identified needs. The project plan aimed, first, to assist with the professionalization of the HNP, by training officers in basic investigation of SGBV crimes, as well as training of trainers, so that the HNP would be equipped to build its own capacity. The course was aimed at all levels of the HNP, and was held throughout Haiti. Over the four years of the first project, 35 HNP police trainers were trained, and in turn 1191 Haitian police (9% of the entire HNP) received training in SGBV investigation. Moreover, the SGBV course was incorporated into the basic training programme at the police school; from 2014, all police recruits must complete a one-week SGBV module, within a training programme that runs for seven to nine months.

The second aspect of the project, where the SPT similarly consulted local police chiefs, focused on strengthening the HNP's operational capacities for infrastructure development. Specifically, this entailed building and/or equipping one or two offices per regional department, to serve as police reception facilities where SGBV victims could be interviewed with greater privacy. In all, 15 such offices were created or refurbished under the project, in addition to an office for the HNP's gender coordinator, and a classroom at the police school.

Critical to the success of the project was the provision of an independent budget by the Norwegian Ministry of Foreign Affairs, initially USD 475,000, rising to 1.2 million by the end of the project in December 2015. Normally, very limited funding is available for programming across UN missions. As noted by the High-Level Panel on Peacekeeping Operations (HIPPO), 'modest amounts of programmatic support could help develop capacity and yield better results in mandate implementation.'¹⁶ In the case of the SPT, independent funding was the fundamental factor that enabled the team to implement their project successfully.

A further success factor was the development of a partnership with Canada and the addition of French-speaking Canadian police officers to the team. This partnership added essential local language skills through police officers who had relevant experience in SGBV investigation, and whose policing culture is similar to that of the Norwegian members of the team.

Due to the success of the first project on SGBV, a second project was developed, focused on training investigators at specialist level of the Haiti's *Direction Centrale de la Police Judiciaire* (DCPJ). This level is responsible for the development of strategic plans, standard operating procedures (SOPs), and investigation of serious cases where regular divisions lack the necessary expertise. This second project on SGBV has supported the creation of a centralized SGBV office in the DCPJ, the *Unité de lutte contre les crimes sexuelles* (ULCS) – the Unit to Combat Sexual Violence. The ULCS is staffed by four investigators who were trained under the first project. The second project has provided the ULCS with an office, equipment and a vehicle. It will also build an SGBV reception office in Haiti's West department, which corresponds generally to the Port-au-

Prince area; such an office had not been established by the mission's Gender Unit, as originally planned. Further, together with ULCS, the SPT is supporting the development of a strategic plan for the HNP, aimed at improving police response to SGBV cases, developing a curriculum and SOPs for police investigation of SGBV, and conducting specialized courses for HNP investigators, including one on interviewing children, based on international standards.

Challenges encountered by the SPT

Administrative procedures: disbursement of project funds

Numerous criticisms of dysfunctional and under-performing UN structures have emerged in the context of the leadership race for the position of Secretary-General and recent comprehensive reviews of UN activities. These criticisms identify UN administrative procedures as excessively complex, bureaucratic, over-administered but under-managed, governed by a risk-averse organizational culture that constrains field missions to comply with rigid procedures at the expense of effectively fulfilling their mandated tasks.¹⁷ The experience of the SPT in MINUSTAH offers a concrete example of precisely such dysfunctionality.

From the beginning, the primary problem encountered by the team has concerned administrative support – namely the complications and resultant delays in getting its dedicated project funds transferred through existing UN procedures. As the SPT moved from research and planning to project implementation, its budget funds were transferred into a dedicated trust fund, to be disbursed according to established procedure. This procedure required authorization from MINUSTAH's Project Review Committee, which proved to be extremely slow and bureaucratic. The paperwork necessary to get the funds released required almost the full-time efforts of one member of the team. Disbursement delays of three to four months were common, resulting in long-delayed payments and disgruntled suppliers, the cancellation of one training, and the near-derailing of other planned events and activities. Mission and UN HQ personnel proved unable or unwilling to deviate from established procedures to devise solutions to the delays until the blockages had escalated into high-level crises.

Seen from the perspective of the mission's administration, SPT personnel did not fully comprehend the bureaucratic procedures required for procurement or disbursement of funds. The SPT was working under tight deadlines, and the administration was not always able to meet these specific needs. Further, the new central administrative online platform 'Umoja' (Swahili for 'unity'), introduced to replace the UN's multiple, fragmented information technology and administrative systems, entailed additional obstacles and unfamiliar procedures.¹⁸

Proposed solutions for SPTs faced with such administrative problems have included holding team briefings on finance, procurement and administrative procedures. An SOP or guidance document prepared for the SPT in key areas, such as

16 Uniting Our Strengths for Peace: Politics, Partnerships and People. Report of the High-Level Independent Panel on United Nations Peace Operations, 16 June 2015, para 147. Henceforth *HIPPO Report*. http://www.un.org/sg/pdf/HIPPO_Report_1_June_2015.pdf

17 David Banbury, 'I love the U.N., but it is failing', *New York Times*, 18 March 2016; Franz Baumann, 'UN bureaucracy? No thanks', *Pass Blue: Covering the UN* (online), 14 May 2016; Jean-Marie Guéhenno, Lecture at the International Peace Institute, 14 July 2015; *HIPPO Report*, para 289; Mark Malloch-Brown, 'The UN is an under-funded bureaucratic labyrinth – and a force for good in the world', *Telegraph* (London), 26 June 2015.

18 Colum Lynch, 'At the United Nations, Umoja translates as bureaucratic chaos', *Foreign Policy* (online), 6 May 2016.

procurement and financial disbursements, could also help to familiarize team members with UN administrative policies and procedures.

Sustainability: personnel retention

The SPT has sought to ensure the sustainability of its capacity-building efforts in SGBV investigation by focusing on institutionalization – supporting the ULCS, the development of SOPs, and the incorporation of SGBV modules into police basic training and specialist training. However, capacity-building in SGBV investigation is especially difficult in view of the complexity of investigating these crimes, which are often deeply traumatic for victims. Furthermore, SGBV investigation does not carry the same high status that is accorded to investigation of other serious offences such as homicide, narcotics or organized crime. For these reasons, SGBV investigation is an area where personnel retention is a problem. The SPT has sought to raise the status of SGBV investigation within the HNP by providing necessary office space, equipment and vehicles. Through its efforts to involve senior HNP managers in SGBV training, it has also worked to encourage change in organizational attitudes towards the officers who specialize in this area, so that they enjoy higher rank, salary and status.

Coordinated efforts and a holistic approach

The SPT is effective largely because it functions as a cohesive, closely coordinated unit with a clear division of labour among its members, all working towards the common goal of building local police capacity to investigate SGBV crimes. Yet, while police are an obviously important part of the criminal justice process, also other actors play a critical role in the Haitian ‘chain of justice’. Improving responses by police, judicial officials, public health workers, and civil society actors will require coordinated efforts from the various components in MINUSTAH and the UN country team. More fundamentally, due in part to serious and continuing problems with the prosecutor’s office (which is supposed to take over SGBV cases from the police but often fails to pursue SGBV cases), that wider chain of justice has been seen as dysfunctional to the point of being broken.¹⁹ Ensuring access to

¹⁹ Meena Jagannath, ‘Barriers to women’s access to justice in Haiti’, *CUNY Law Review*, Vol. 15, No. 27 (2011). http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2533519

justice in Haiti will require greater political will to reform the country’s judicial system.

Lessons learned

A Specialized Police Team need not be purely national in composition: it may involve police from two or more countries, to good advantage. The MINUSTAH SPT has shown the potential for such partnerships in peacekeeping through the blending of Canadian police officers with Norwegian police. However, SPT leaders have emphasized that, for a blended team to be effective, the partnering countries should have similar policing cultures.

The SPT has provided greater continuity in capacity-building assistance to the Haitian National Police than have individual police officers (IPOs) engaged in similar tasks. Its project cycle of three to five years extends beyond the deployment period of one or two years for IPOs, even when they have their terms prolonged. The more coordinated collective approach of the SPT extends over a longer period, offering potentially greater impact when compared to IPOs.

Members of the SPT in Haiti noted the strong sense of team solidarity and accountability as regards accomplishing project objectives. Careful selection of team members is essential, due to the intensity of working closely together over a longer period and the relative isolation of the team and mission environment.

As shown by the experience of the Norwegian-led SPT to combat gender and sexual based violence in Haiti, the introduction of SPTs expands the capacity of the UN police component to respond to the needs of host-state police and rule-of-law institutions. The SPT may serve as a partial corrective to some of the problems commonly encountered by IPOs, like inappropriate assignments and roles on their arrival in a UN field mission, and under-utilization of their individual skills and expertise. SPTs offer opportunities to improve capacity-building and assistance to host-state police by providing a more cohesive model and concentrated delivery of assistance. However, we have also found that SPTs encounter certain conditions within the UN system that have continued to undermine the effectiveness of the United Nations Police.

4



**Norwegian Institute
of International
Affairs**

Established in 1959, the Norwegian Institute of International Affairs [NUPI] is a leading independent research institute on international politics and areas of relevance to Norwegian foreign policy. Formally under the Ministry of Education and Research, NUPI nevertheless operates as an independent, non-political instance in all its professional activities. Research undertaken at NUPI ranges from short-term applied research to more long-term basic research.

About the Authors

Marina Caparini, PhD, is an independent consultant specializing in security and justice development.
E-mail: marina.caparini@gmail.com

Kari M. Osland, PhD, is a senior research fellow at NUPI, heading the Peace and Conflict Research Group.
E-mail: ko@nupi.no

NUPI

Norwegian Institute of International Affairs
C.J. Hambros plass 2D
PO Box 8159 Dep. NO-0033 Oslo, Norway
www.nupi.no | info@nupi.no