

ELECTIONS AND INTERNATIONAL CIVILIAN POLICING:

History and Practice in Peace Operations

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EXECUTIVE SUMMARY

This paper explores the role that international civilian police (CIVPOL) have played in transitional elections and profiles specific electoral missions in which CIVPOL have performed a supporting role. The paper continues with a summary and analysis of the electoral activities and responsibilities undertaken by CIVPOL in the case studies. The conclusion looks ahead to areas of potential institutional support to enhance the effectiveness of international civilian policing in electoral missions through capacity development, standardized training, and integrated planning and support of CIVPOL in democracy development.

International civilian police (CIVPOL) have played a role in all major post-conflict or transitional elections since the end of the Cold War. There have been three basic models of electoral intervention by the international community: 1) international electoral supervision; 2) technical assistance; and 3) electoral observation. CIVPOL have played roles in all three kinds of interventions.

In 2002, the *Report of the Panel on United Nations Peace Operations* (the “Brahimi Report”) called for “a doctrinal shift in the use of civilian police, other rule of law elements, and human rights experts in complex peace operations to reflect an increased focus on strengthening rule of law institutions and improving respect for human rights...”¹ In other words, the Brahimi Report recommended that CIVPOL components be integrated into the overall democratization process rather than isolated with a limited security mandate.

This “doctrinal shift” in CIVPOL strategy occurred at a time of increasing concern over the effectiveness of existing technical assistance programs supporting democratization in post-conflict or developing countries. This doctrinal shift presents an opportunity to more fully explore the role of CIVPOL as a partner in democracy development. CIVPOL components are uniquely positioned to support the improvement of security conditions as a pre-requisite for democratic development. They have provided a variety of security, logistical and confidence-building activities during electoral processes, and in a sense may be viewed as the institutional link between the military and civilian components of peace operations.

However, until now CIVPOL involvement in elections has been planned largely at the mission level. Standards and best practices for CIVPOL participation in elections have not been consistently applied. The effectiveness of CIVPOL under different electoral intervention models and the impact of executive authority on election security have not been studied.

A new doctrine for CIVPOL participation in elections should address at least three strategic objectives: 1) to standardize electoral tools and training; 2) to recognize the linkages between civilian policing and the improvement of conditions for free and fair elections; and 3) to define a context for CIVPOL in democratic development. By achieving these objectives, international civilian police will be better prepared institutionally to expand their involvement in electoral missions.

Elections and International Civilian Policing: History and Practice in Peace Operations

INTRODUCTION

International civilian police (CIVPOL) have played a role in all major post-conflict or transitional elections since the end of the Cold War. Such elections, which have taken place in countries across Africa, Asia, the Americas and the Balkans, represent a move away from conflict toward reconciliation. They have provided an opportunity for the establishment of new institutions of governance and the re-establishment of security and public services for the citizens of those countries.

The first section of this paper draws on training documents, studies and United Nations (UN) reports to explore the role that international civilian policing has played in transitional elections. In particular the section explores linkages between CIVPOL and the rule of law, human rights and elections.

This analysis is followed by brief case profiles of specific electoral missions in which CIVPOL performed a supporting role. This section reviews the practical questions—who, what, where and how—of some CIVPOL activities. The section is not intended, however, as an exhaustive review of all CIVPOL activities or of every electoral mission involving a CIVPOL component.

The paper continues with a summary and analysis of the electoral activities and responsibilities undertaken by CIVPOL in the case profiles. The conclusion looks ahead to areas of potential institutional support to enhance the effectiveness of international civilian policing through electoral capacity development, standardized electoral training, and integrated planning and support of CIVPOL in democracy development.

BACKGROUND ON ELECTIONS AND PEACE OPERATIONS

The United Nations Transitional Administration Group (UNTAG) in Namibia (1989) was a landmark mission in several respects. To begin, it was the first consolidated military, police and civilian UN operation under the command of a Special Representative of the Secretary-General (SRSG). Under this mission, the CIVPOL component achieved an institutional position on par with other components, whereas in previous missions it had been subsumed under a military operation. As Annika Hansen observes in *From Congo To Kosovo, Civilian Police in Peace Operations*, "The revival of international civilian police operations began in Namibia in 1989..."¹

At the same time, this mission represented the first major UN electoral initiative that provided an intrusive form of technical assistance and a heavy election monitoring presence. While the South African Administrator-General technically directed the election, UNTAG had the mandate to oversee all aspects of the election management and regulatory framework. As described in *The Blue Helmets*, "Though the electoral process was to be conducted by the South African Administrator-General, each and every element was to take place under the active supervision and control of the Special Representative and UNTAG. While the United Nations had previously participated as an observer in many of the final acts of decolonization, its role in Namibia was unique in terms of the degree of the Organization's involvement in the process of political change in the Territory and the central role played by UNTAG in that process."²

Since then, CIVPOL have participated regularly in election-related peacekeeping missions. Of the eight CIVPOL missions currently in operation, five of them³ have had or continue to have CIVPOL involvement in electoral mandates. These five missions involve 8,566 CIVPOL officers, or 98% of the total 8,737 CIVPOL officers deployed in the eight missions.

Responsibilities specific to elections and political processes are described in several CIVPOL training materials. For example, one of the eight "typical main tasks" identified in a CIVPOL training manual is "To provide and guarantee or verify security

and a neutral political environment against intimidation or interference in the electoral process."³ This responsibility is elaborated further in a manual on CIVPOL principles and guidelines, which states that in peacekeeping missions without executive authority, CIVPOL may be requested to perform the following tasks:

- Monitor local election security arrangements;
- Train police in election security arrangements;
- Verify polling station identification;
- Transport politicians; and
- Provide security for international polling staff.

In cases where executive authority is present, for example in East Timor and Kosovo, CIVPOL have been expected to provide a full array of election security services.⁴ However, it must be noted that the deployment of any CIVPOL component is not only a technical exercise, but has political dimensions with or without an election in the mission mandate. During an electoral process, these political sensitivities are enhanced. The guide on CIVPOL principles and guidelines states that, "Regardless of the mandate under which a CIVPOL component operates, it must be recognized that the component's activities will have significant political repercussions."⁵

In 1995, the Center for Human Rights and the UN Department of Peacekeeping Operations (DPKO) issued a handbook entitled, *A Trainer's Guide on Human Rights for CIVPOL Monitors*. This handbook introduces the "SMART Concept," which summarizes the human rights responsibilities common to all CIVPOL mandates. These responsibilities are spelled out in acronym format as follows:

- **S**upporting human rights;
- **M**onitoring the performance of local law enforcement agencies;
- **A**dvising indigenous police;
- **R**eporting on the situation; and

· Training indigenous law enforcement officers.⁶

The SMART Concept expanded CIVPOL's human rights responsibilities. In an electoral context, a human rights portfolio would include responsibility to protect individuals against political violence and intimidation, acts that can damage the conditions underlying the election process. The *Peacekeeping Training Curriculum: United Nations Civilian Police Course* describes six CIVPOL duties, one of which relates directly to election support: "providing candidate security and encouraging a neutral political environment during election campaigns."⁷ The other five duties are protection of refugees and displaced persons; monitoring demobilization; providing liaison services; assisting relief agencies; and assisting the military.

In *Policing the New World Disorder*, Oakley, Dziedzic and Goldberg describe these responsibilities with a greater emphasis on CIVPOL's role in supporting elections, human rights and the rule of law. The CIVPOL duties they identify include "ensuring free and fair elections; supporting programs for the reform of local law-and-order forces or for creation of a new police force; investigating alleged violations of human rights either in the context of their monitoring function or in support of the human right component; and assisting nations in institution building of special law enforcement institutions."⁸

A further reference to the role of policing in democratization came from Presidential Decision Directive 71 (PDD-71), issued in February 2000 by former U.S. President Bill Clinton. This Directive followed two previous ones, PDD-25 "Reforming Multilateral Peace Operations" and PDD-56 "Managing Complex Contingency Operations," which addressed the use of civilian police and judicial institutions in peace operations. PDD-71 called for enhancing the response and policy capabilities of the United States government in civilian policing and supporting such capacity building in international organizations such as the UN, EU and OSCE.

The *Report of the Panel on United Nations Peace Operations* (the "Brahimi Report") recognized both the linkage between elections and other aspects of the rule of law and civil society, and the linkage between CIVPOL and broader security concerns involving police, courts and penal institutions.

The Brahimi Report stated the following with regard to each of these linkages:

..."free and fair" elections should be viewed as part of broader efforts to strengthen governance institutions. Elections will be successfully held only in an environment in which a population recovering from war comes to accept the ballot over the bullet as an appropriate and credible mechanism through which their views on government are represented. Elections need the support of a broader process of democratization and civil society building...

And,

...missions may require civilian police to be tasked to reform, train, and restructure local police forces according to international standards for democratic policing and human rights. The courts, too, into which local police officers must bring alleged criminals and the penal system to which the law commits prisoners also must be politically impartial and free from intimidation and duress.⁹

Based on these conclusions, the Brahimi Report called for "a doctrinal shift in the use of civilian police, other rule of law elements, and human rights experts in complex peace operations to reflect an increased focus on strengthening rule of law institutions and improving respect for human rights in post-conflict environments."¹⁰ In other words, the Brahimi Report recommended that CIVPOL components be integrated into the overall democratization process rather than isolated with a limited security mandate.

This "doctrinal shift" in CIVPOL strategy is occurring at a time of increasing concern over the effectiveness of existing technical assistance programs supporting democratization in post-conflict or developing countries. At a recent conference on post-conflict democracy promotion, the assertion was made that, "The democratic reconstruction model developed and evolved during the 1990s is becoming intellectually ever more satisfactory, logically more cogent, and politically

more unrealistic. Today, the international community has a solid model of democratic reconstruction. However, it has neither the evidence to show it can work nor, except in a few cases, the political will to implement it seriously. There is, as a result, a growing discrepancy between the model that is being propounded and the policies that are actually practiced."¹¹

Thomas Carothers, of the Carnegie Endowment for International Peace, has expressed a similar view. He writes, "Democracy aid often falls short in its methods of implementation. Democracy promoters have failed in many cases to seek a sophisticated understanding of the societies in which they work, resting on the misguided idea that their knowledge of democracy alone is a sufficient guide to foster democracy where they go."¹² The doctrinal shift in the engagement of CIVPOL in broader governance issues, together with the re-examination of the effectiveness of democracy programming in the 1990s, presents an opportunity to explore more fully the role of CIVPOL as a partner organization in democracy development.

Finally, there is also a linkage between elections and CIVPOL in the notion of "democratic policing." According to Hansen, "Democratic policing has two essential features: responsiveness and accountability." Hansen cites David Bayley, who describes a police force as democratic "when it responds to the needs of individual and private groups as well as the needs of the governments ... and (is) accountable to multiple external audiences..."¹³ During elections, CIVPOL safeguard the political process by monitoring and enforcing certain standards of behavior. They also train indigenous police forces, who, by adopting and enforcing these standards, themselves become the protectors of an open and pluralistic political process.

MODELS OF ELECTORAL INTERVENTION

In peace operations, there have been three basic models of electoral intervention by the international community: 1) international electoral supervision; 2) technical electoral assistance; and 3) electoral observation. CIVPOL have played roles in all three kinds of interventions.

Internationally supervised elections and elections with intrusive international technical assistance programs have occurred in post-conflict or conflict environments where local political processes have ceased to function effectively.

In such internationally supervised processes, international organizations such as the UN or the OSCE have been responsible for drafting laws and regulations covering the electoral code, political party registration, party financing, nongovernmental organizations, media and systems of representation. The authority to initiate these actions has been vested in the international organizations through peace agreements or UN Security Council resolutions.

Recent examples of elections held under such conditions include:

1. Namibia-United Nations Transitional Administration Group (UNTAG) 1989;
2. Cambodia-United Nations Transitional Administration in Cambodia (UNTAC) 1993;
3. Bosnia and Herzegovina-Organization for Security and Cooperation in Europe (OSCE) 1996;
4. Eastern Slavonia-United Nations Transitional Administration in Eastern Slavonia (UNTAES-1997);
5. East Timor -United Nations Assistance Mission to East Timor (UNAMET) 1999;
6. East Timor-United Nations Transitional Administration in East Timor (UNTAET) 2000-2002; and
7. Kosovo-United Nations Mission in Kosovo (UNMIK) 2000-2002.

The United Nations also has had the mandate to conduct a status referendum in Western Sahara (United Nations Mission for the Referendum in Western Sahara-

MINURSO, 1991-present). CIVPOL components have participated in all the elections organized under these missions.

In several cases where elections were part of a peace operation, the electoral assistance units of the UN missions served as the *de facto* technical secretariat for the national election management body and, consequently, exercised substantial influence over the conduct of the election. These missions include the following:

1. Angola-United Nations Angola Verification Mission (UNAVEM II) 1992;
2. El Salvador-United Nations Observer Mission in El Salvador (ONUSAL) 1993;
3. Mozambique-United Nations Operation in Mozambique (ONUMOZ) 1993;
4. Haiti-United Nations Mission in Haiti (UNMIH) 1995; and
5. Liberia-United Nations Observer Mission in Liberia (UNOMIL) 1997.

CIVPOL components have participated in all the elections held under these missions.

Experience has shown, however, that CIVPOL cannot be the sole agent for election security but must be part of a robust and coordinated security presence. In all but one of the above twelve missions, UN peacekeeping forces or other military coalitions were also tasked with electoral responsibilities. In many peacekeeping missions, the "Blue Helmets" and CIVPOL have provided electoral security in cooperation with local forces. In Liberia in 1997, the Economic Community of West African Military Observer Group (ECOMOG) provided election security support. In Bosnia and Herzegovina, IFOR/SFOR along with local police and the International Police Task Force (IPTF) have been responsible for election security since 1996. In Kosovo, KFOR, UNMIK Police, and the Kosovo Police Service (KPS) have shared election security responsibilities.

Only in the UN-supervised referendum in East Timor (1999) did a government—in this case the government of Indonesia—have the responsibility for election security,

rather than a multinational force or UN peacekeepers. The Indonesian government allowed the Popular Consultation in East Timor to take place on the nonnegotiable condition that UNAMET's CIVPOL and Military Liaison Officers (MLOs) be unarmed.¹⁵

ROLE OF CIVPOL BY MISSION EXPERIENCE

There are several current and former UN peacekeeping missions that illustrate the role that CIVPOL components have played in electoral processes. This section reviews the most significant of those missions.

United Nations Transition Assistance Group (UNTAG) Namibia

Election Day(s): November 7 - 11, 1989

Mission Snapshot

UNTAG was the first political mission to combine the civilian, military and police forces under the command of the Special Representative of the Secretary General (SRSG). The UNTAG mandate had four components:

1. Monitor the cease-fire;
2. Monitor reduction and removal of South African military;
3. Create conditions for elections; and
4. Assist the South West African Police (SWAPOL) to carry out their tasks.

The civilian component had six divisions, one of which was the Electoral Division. The Electoral Division was created to assist the SRSG in the technical aspects of election organization. Although the election was legally conducted by the South African Administrator-General, UNTAG was involved in each step of the process. In many cases, UNTAG concurrence was required.

CIVPOL and Elections

There were seventy registration centers and 110 mobile registration teams covering 2,200 locations throughout the country. Each registration site was supervised by UNTAG registration officials and CIVPOL officers. The process registered 701,483 voters and 10 parties.

UNTAG had a mission strength of 1,500 CIVPOL officers and 500 additional officers deployed for the elections. On Election Day, 1,023 CIVPOL officers were assigned electoral duties, monitoring and safeguarding the process at 358 polling stations. The voting was described as peaceful.¹⁶

United Nations Observer Mission to South Africa (UNOMSA)

Election Day(s): April 1994

Mission Snapshot

Security Council Resolution 772 mandated the deployment of police observers to South Africa to monitor political violence and the implementation of the National Peace Accord. In 1993, observers from the Organization of African Unity, the Commonwealth, and the European Union augmented the sixty-one observers of the United Nations Observer Mission to South Africa (UNOMSA). As Roxane Sismanidis states, "These observer missions worked with local peace committees established under the National Peace Accord; the peace committees, which were supported by all of South Africa's major political actors, monitored political rallies, funerals, and protest marches to ensure that violence would not break out. The very presence of international observers worked to restrain some political leaders from rallying their supporters to violence."¹⁷

CIVPOL and Elections

The Commonwealth observers (COMSA) went further in engaging the South African police and encouraging them to adopt better crowd-control techniques at political

rallies. These improvements were endorsed by the political parties and the South African Police in the period leading up to the April 1994 elections. In addition, immediately following these elections, the new government asked police experts from the Commonwealth and the EU to remain involved in the police transition process.¹⁸

United Nations Transitional Administration in Cambodia (UNTAC)

Election Day(s): May 27 and 28, 1993

Mission Snapshot

Aside from its military component, the mandate of UNTAC included six civilian divisions—electoral, civil administration, human rights, repatriation, rehabilitation and civilian police—all reporting to the Special Representative of the Secretary General, Yashusi Akashi. The Electoral Component was charged with the full range of election planning and administration tasks. As Oakley, Dziedzic and Goldberg write, "The range of jobs was enormous: drafting an electoral law and presenting it for local consultation; conducting civic education in Cambodia's 179 districts and training locally recruited staff; provisionally registering political parties and party agents; registering voters; and planning and conducting the polling and the vote count."¹⁹

CIVPOL and Elections

The security dimension of this election became an increasing concern as election day approached and the Khmer Rouge's political recalcitrance continued. UNTAC's responses included removing the cantonment of personnel and weapons as an election pre-requisite, preparing to conduct the election without the participation of the Khmer Rouge, and focusing on protecting election staff and voters. The UNTAC Military Component was redeployed for this purpose and coordinated planning with the Electoral Component and CIVPOL. Military Liaison Officers (MLOs) and CIVPOL monitored political rallies to prevent or rapidly contain violence. During the six-week campaign period, an estimated 21,600 rallies were held involving more than 1,000,000 people. These rallies occurred without serious incident.²⁰

United Nations Operation in Mozambique (ONUMOZ)

Election Day(s): October 27 and 28, 1994

Mission Snapshot

The UN Mission to Mozambique (ONUMOZ) had political, military, police, electoral and humanitarian components. The mission was mandated to monitor and verify the ceasefire and withdrawal of foreign forces; provide security for transport corridors and for UN activities in support of the peace process; and oversee elections within one year of the signing of the peace accords. While the National Election Commission technically administered the elections, the Electoral Division of ONUMOZ was mandated to conduct an intrusive observation campaign.

CIVPOL and Elections

The civilian police were mandated by the Secretary-General to support the election process. According to Oakley, Dziedzic and Goldberg:

With the concurrence of the Mozambican parties, United Nations Police observers would assist the electoral observers of ONUMOZ in monitoring the registration process and the electoral campaign. In this context, they would also monitor security at the polling stations, including the security arrangements for the storage, counting and transporting of ballot papers and other election materials.²¹

Throughout the registration, campaigning and voting processes, CIVPOL observers were present and provided security for polling stations and ballot transport. The CIVPOL mandate was to monitor local police, to monitor the proper conduct of the electoral campaign, and to verify respect for the political rights of individuals, groups and political organizations. Some CIVPOL units also provided transportation support.

United Nations Mission in Haiti (UNMIH)

Election Day(s): June 4 and 25, 1995

Mission Snapshot

The interface between international policing and elections in Haiti can be traced back to the constitutional referendum of 1918. In 1915, the Haitian-American Treaty provided for the United States to establish a Haitian gendarmerie. Other similar constabulary force-building programs had also been conducted in Puerto Rico, Cuba, Nicaragua and the Dominican Republic. The Gendarmerie D'Haiti (later the Garde d'Haiti) was administered by the client government in Port-au-Prince, but it was officered and commanded by the United States Marine Corps.²²

After Haitian President Dartiguenave dissolved the "hostile" National Assembly in 1918, he suggested that a plebiscite be held to adopt an American-sponsored constitution. The State Department later concluded that the preferred route of adoption would have been through the National Assembly, but was uncertain of what the outcome would be. Consequently, the extra-legal plebiscite was organized to validate the adoption of the constitution. The Gendarmerie were the *de facto* election supervisors, administering the polls and distributing the ballots. The Gendarmerie also organized campaign rallies in support of the constitution. The constitution was adopted with a vote of 98,225 in favor and 768 against.²³ International supervision of Haitian elections continued until 1930.

Fast-forward 64 years to Security Council Resolution 940 establishing UNMIH, a mission with civilian, military and police components unified under a single command. The resolution first called for International Police Monitors (IPOM) to support the departing Multi-National Force and for a UN CIVPOL unit of 567 officers to be deployed as part of UNMIH.

The foundations of the settlement were based upon the Carter-Jonaissant Agreement, reached to prevent an invasion by the US military. Although the Agreement contained only seven points and was very general in scope, it included

references to both civilian policing and elections. Point two of the agreement stated that "to implement this agreement, the Haitian military and police forces will work in close cooperation with the US Military Mission."²⁴ And point six stated, "The forthcoming legislative elections will be held in a free and democratic manner."²⁵

CIVPOL and Elections

The UNMIH Force developed an integrated security plan for the electoral process. The plan divided the electoral process into three phases, each of which had different security considerations: 1) Registration and Ballot Preparations; 2) Campaign and Ballot Production; and 3) Elections.

Under UNMIH military leadership, a National Joint Election Security Plan was developed that integrated planning by the Provisional Electoral Council (CEP), UN Electoral Assistance Division (UNEAD), CIVPOL, Interim Public Security Force (IPSF), the Mission Civile Internationale en Haiti (MICIVIH), and UNMIH military forces. Specifically, CIVPOL was tasked to "...observe, monitor, and mentor the development of the IPSF. CIVPOL will play a crucial role in providing security throughout the electoral process."²⁶

The Interim Public Security Force (IPSF) was given the front-line duty for providing point protection, and CIVPOL monitored and supported this activity. These policing functions were further supported by an "outside" military force to create a secure environment and by unarmed security guards, the Electoral Security Agents (ASE), to keep order at the polling stations.

Organization for Security and Cooperation in Europe (OSCE) Mission to Bosnia and Herzegovina

Election Date: September 14, 1996

Mission Snapshot

The Dayton Accords called upon the Organization for Security and Cooperation in

Europe (OSCE) to supervise elections within six to nine months from the signing of the agreement. Elections were to be held for the three-person presidency of Bosnia and Herzegovina, the president of Republika Srpska (RS), the national parliament, entity assemblies in the RS and the Bosniak and Croat Federation, and cantonal assemblies. Municipal elections were deferred for a year for a variety of logistical and political reasons.

The Dayton Agreement contained some administratively complicated provisions. For example, in order to reverse the effects of ethnic cleansing, voters were given a variety of enfranchisement options. If displaced or in refugee status, voters were given the option of casting their ballots at their current residence, at their 1991 residence, or at a future intended residence. The 1991 census was used as the basis of determining citizenship and residence.

CIVPOL and Elections

The Dayton Accords mandated the International Police Task Force (IPTF) to work with the parties (Serbs, Bozniaaks and Croats) to implement the following provision: "The Parties confirm their particular responsibility to ensure the existence of social conditions for free and fair elections, including the protection of international personnel in Bosnia and Herzegovina in connection with the elections provided for in Annex 3 to the General Framework Agreement. They require the IPFT to give priority to assisting the Parties in carrying out this responsibility."²⁷

To develop an election security plan, an Election Security Working Group was established, composed of representatives of the OSCE, Office of the High Representative (OHR), IFOR and other institutional actors in security and governance. The Working Group agreed to three major points:

1. Coordinate election security planning;
2. Share information on potential "hot spots" and voter movement; and

3. Coordinate political outreach to local governmental authorities.

Although the Working Group foresaw the need for a strong international presence, it gave the lead in election security to the local police agencies of Bosnia and Herzegovina. Local police chiefs were instructed to draft their respective security plans under the guidance of the IPTF.

The IPTF, OHR and OSCE met with the Interior Ministers of the two Entities and determined a cooperative course of action and response for election day. The two Interior Ministers signed a security pact for election day that included freedom of movement for voters across the Inter-Entity Boundary Line (IEBL).

The plan identified elements of the electoral process that required joint security, including:

1. Security of election material;
2. Protecting key members of the electoral process;
3. Ensuring a peaceful campaign;
4. Protecting ballots; and
5. Security during the announcement of the outcome.

IFOR and the IPFT identified the potential "hot spots" for balloting on election day and identified "recommended voter routes" approved by the Interior Ministers on which voters would be able to travel safely across the IEBL and through both Entities.²⁸

United Nations Mission in Kosovo (UNMIK)

Election Day: October 28, 2000

Mission Snapshot

In 2000, under the authority of Security Council Resolution 1244, elections were organized in Kosovo for the municipal assemblies constituted by the Joint Interim Administration agreement. To conduct these elections, it was necessary to draft an electoral code, establish joint interim electoral structures, identify an electorate, create a framework for participation, and devise a system of representation. Each step had to be guided by principles of inclusiveness, transparency, accountability and reconciliation.

In Kosovo, as in East Timor, the United Nations served as the *de facto* government and was responsible for promulgating the electoral code. As one of the four components of the United Nations Mission in Kosovo (UNMIK), the Organization for Security and Cooperation in Europe (OSCE) was given the prime responsibility for election supervision.

At the conclusion of the 1999 conflict, members and affiliates of the demobilized Kosovo Liberation Army assumed positions of *ad hoc* governance in many municipalities. At the same time UNMIK assumed *de facto* provincial government responsibilities and appointed municipal administrators from the international community. In order to establish elected representation at the local level and initiate a grassroots political process, the decision was made to hold municipal elections in the first election cycle organized under international supervision.

Although transitional in nature, the electoral framework established several precedents that will have to be considered by Kosovars in future elections conducted under their authority. Such precedents include campaign finance and expense disclosure, gender set-aside seats, codes of conduct for political campaigns, sanctions for infractions of campaign rules, equitable access to the media, participation by those displaced by the conflict, outreach programs to special-needs constituents, identity restoration standards, fraud control and language sensitivity.

CIVPOL and Elections

The Kosovo Protection Forces (KFOR), the UNMIK Civilian Police, and the Kosovo Police Service (KPS) provided election security. In order to assure coordinated communication, a Joint Elections Operations Center (JEOC) was created as a separate division within the OSCE's Department of Election Operations. A UNMIK Police Liaison Officer was located in the JEOC and coordinated all UNMIK Police matters directly related to elections.

Under the direction of the Special Representative of the Secretary General, Bernard Kouchner, an ad hoc committee—the Political Violence Committee—was established to assess specific threats to political figures and protective measures to be taken. The Committee was composed of representatives from the relevant international security and civilian organizations.

There were no significant security incidents connected to the registration process. KFOR and the UNMIK Police performed site inspections of registration locations, classified them according to potential security risk, and assigned appropriate levels of protection. Moreover, there were no significant security incidents or injuries on election day. The polling stations were located in the most secure environments possible and were concentrated in Polling Centers to allow for the maximum police coverage by UNMIK and KPS in each Center.

SUMMARY OF CIVPOL EXPERIENCE IN ELECTIONS

The foregoing case studies suggest that CIVPOL components contribute to the success of an electoral process through both conditional and operational activities. Conditional activities are those that support peace, reconciliation and justice, and include CIVPOL's involvement in human rights monitoring and mentoring of rule-of-law institutions. On the other hand, operational activities are specific services provided to election organizers, such as point security, an investigation of electoral crime, or radio communications support for an election observer mission.

CIVPOL components are uniquely positioned to support the improvement of security conditions as a prerequisite for democratic development. CIVPOL can be viewed as the institutional link between the military and civilian components of a peace operation. For example, on the military side, it is inappropriate for the military, whether national or international, to be present at place of voting. Militarization of the balloting process is an undesirable precedent to establish under international supervision. In addition, confidence in the integrity and neutrality of local police is often unsteady in a post-conflict scenario. The limitations of these two security partners place CIVPOL in a position to provide this security-political link.

As Robert Perito writes, "During peace operations, the presence of heavily armed foreign troops and military vehicles in a town or village attempting to recover from the trauma of civil conflict can be disturbing to a local population and difficult to accept by the country's government. In contrast, the presence of international police is generally reassuring to a local population."²⁹

From an operational standpoint, CIVPOL may be called upon during any or all of five intervals in the electoral process: 1) registration; 2) political campaigning; 3) election day; 4) short-term post election; and 5) medium-term post election.

During registration processes, CIVPOL have provided threat ratings; point security or patrols for the protection of registration sites; and escort services for sensitive registration materials. CIVPOL have been involved in tracking criminal document forgery rings, collecting information on threats and "spoilers," and protecting registrants who may be vulnerable to intimidation or harm.

During political campaigns, CIVPOL have been called upon to provide both monitoring and security at political rallies and for political candidates. CIVPOL have served as the enforcers of campaign demonstration rules, and their investigative capacities have been used in cases of campaign finance violations.

On election day, CIVPOL have provided threat ratings and point security at polling stations and at key junctures for the movement of voters. CIVPOL have provided protection for sensitive electoral materials and for ballot counting locations. CIVPOL

also have provided communications, transport and other logistical support for election supervisors and observers.

In the post-election phases, CIVPOL have played a monitoring and protective role to support the peaceful transfer of power and commencement of the new administration or legislature. Such responsibilities have included point security at government buildings, protection for elected officials, and collecting information for ongoing threat assessments.

CONCLUSIONS AND RECOMMENDATIONS

A re-examination of the role that CIVPOL components play in elections is in keeping with the "doctrinal shift" in the use of civilian police that the Brahimi Report recommends. Recommendations for furthering CIVPOL participation in elections may be grouped into three major categories: 1) Enhancing CIVPOL electoral capacity; 2) Standardizing electoral training for CIVPOL officers; and 3) Integrating of CIVPOL into democratization strategies.

Enhancing CIVPOL electoral capacity

Just as the UN Department of Peacekeeping Operations (DPKO) has added program capacity in the field of rule of law, the CIVPOL Unit within DPKO should have elections and democratization capacity. Similar capacity should be present in the headquarters and field missions of the EU, OSCE, Commonwealth, OAU and other bodies that conduct international civilian policing during elections.

The headquarters and field staff of international policing missions should be augmented with civilian experts in the areas of elections and democratization so that officers are not taken away from their core policing responsibilities. As Sismanidis states, "...not only are UN financial resources limited, but member states are taxed in terms of seconding civilian police for UN Missions."³⁰ This area of need is also addressed in a summary recommendation of the Brahimi panel that, "The Secretariat should establish a central Internet/Internet-based roster of pre-selected civilian

candidates available to deploy to peace operations on short notice."³¹

Standardizing electoral training for CIVPOL officers

One of the major recommendations that emerged from a recent "UN Follow-up Workshop on Civilian Police in UN Peacekeeping," was to utilize "UN educational materials and training programs to assist member states to train a sufficient cadre of police personnel who would be available for rapid deployment."³² While this recommendation addresses CIVPOL qualifications and readiness, it does not mention election-specific training, which is not standardized and often insufficient.

A standardized curriculum for CIVPOL involvement in election processes should be developed. Regional associations of election officials could facilitate training programs conducted in-theater. For example, the Association of African Election Authorities could facilitate such a training program at the mission level in Sierra Leone.

In addition, a comprehensive review of CIVPOL participation in elections should be conducted. This stocktaking exercise should be used to assemble a "tool kit" of programs and activities that have proven effective.

Integrating CIVPOL into democratization strategies

A "watch list" of countries where future elections could involve an international civilian police presence includes Angola, Burundi, Democratic Republic of Congo, Western Sahara, Guatemala, Afghanistan, East Timor, Kosovo, Bosnia and Herzegovina (under the EU), and the West Bank/Gaza. The security situations in Guinea, Liberia and Sudan may also lead to peacekeeping operations at the time of future elections.

The Brahimi Report anticipates that "demand for civilian police operations dealing with intra-state conflict is likely to remain high on any list of requirements for helping a war-torn society restore conditions for social, economic, and political stability."³³ One response to this increasing demand is to enhance the effectiveness of existing CIVPOL officers by building their capacity for conditional activities. Such activities—

focusing on human rights, rule of law, and political processes from a police monitoring and enforcement perspective—yield benefits by supporting the post-conflict conditions necessary for stability and democratization.

This approach does not burden the officers with additional tasks. Rather, it integrates CIVPOL activities into the existing environment, positions CIVPOL to make sustainable contributions to peace, and more clearly identifies a substantial role for CIVPOL in democratic development. The Brahimi Report concludes that such an integrated approach has thus far been lacking: "There is currently no integrated planning or support cell in DPKO for those responsible for political analysis, military operations, civilian police (and) electoral assistance...."³⁴

In summary, CIVPOL have provided a variety of security, logistical and confidence-building activities during electoral processes. CIVPOL involvement in elections has been planned largely at the mission level. Standards and best practices for CIVPOL participation in elections have not been applied consistently. The effectiveness of CIVPOL under different electoral intervention models and the impact of executive authority on election security have not been studied.

A new doctrine for CIVPOL participation in elections should address at least three strategic objectives: 1) to standardize electoral tools and training; 2) to recognize the linkages between civilian policing and the improvement of conditions for free and fair elections; and 3) to define a context for CIVPOL in democratic development. By achieving these objectives, international civilian police will be better institutionally prepared to expand their involvement in future electoral missions.

Jeff Fischer

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NOTES

¹ Hansen, Annika S., *From Congo to Kosovo, Civilian Police in Peace Operations*, 2001.

² *The Blue Helmets, A Review of United Nations Peacekeeping*, United Nations Department of Public Information, New York, 1996, page 226.

³ UN Mission in Bosnia and Herzegovina (UNMBIH), UN Mission in Kosovo (UNMIK), UN Transitional Administration in East Timor (UNTAET), UN Mission in Sierra Leone (UNAMSIL), and UN Mission for the Referendum in Western Sahara (MINURSO).

⁴ *Training of United Nations Civilian Police, Background to Peacekeeping*, page 19.

⁵ *United Nations Civilian Police Principles and Guidelines*, UN DPKO, page 56.

⁶ *Ibid.*, UN DPKO, page 111.

⁷ Perito, Robert, *The American Experience with Police in Peace Operations*, Lester B. Pearson Peacekeeping Centre, 2002, page 7.

⁸ *Ibid.*, page 7.

⁹ Oakley, Robert B., Dziedzic, Michael J., and Goldberg, Eliot M., *Policing The New World Disorder, Peace Operations and Public Security*, National Defense University, 1998.

¹⁰ *Report of the Panel on United Nations Peace Operations*, United Nations, 2002.

¹¹ *Ibid.* p. 6.

¹² Ottaway, Marina, *International Actors in Post-Conflict Democracy Promotion*, Memo prepared for the Conference on Democratization After War, Brown University, April 4-5, 2002.

¹³ Carothers, Thomas, *Aiding Democracy Abroad, The Learning Curve*, Carnegie Endowment for International Peace, 1999, page 338.

¹⁴ *Ibid.*, page 77.

¹⁵ Fischer, Jeff, Presentation Paper at USAID Workshop for Consortium for Elections and Political Process Strengthening, April 29, 2002.

¹⁶ *The Blue Helmets, A Review of United Nations Peacekeeping*, United Nations, 1996, pages 203-229.

¹⁷ Sismanidis, Roxane D.V., *Police Functions in Peace Operations, Report from a workshop organized by the United States Institute of Peace*, USIP.

¹⁸ Sismanidis, Roxane D.V., *Police Functions in Peace Operations, Report from a workshop organized by the United States Institute of Peace*, USIP, page 12.

- ¹⁹ Oakley, Robert B., Dziedzic, Michael J., and Goldberg, Eliot M., *Policing the New Work Disorder: Peace Operations and Public Security*, National Defense University, 1998, page 77.
- ²⁰ Ibid, page 97.
- ²¹ Ibid, page 162.
- ²² Schmidt, Hans, *The United States Occupation of Haiti 1915-1934*, Rutgers University Press, 1995, page 86.
- ²³ Ibid, page 99.
- ²⁴ Carter/Jonaissant Agreement, Point 2, 1994.
- ²⁵ Ibid, Point 6.
- ²⁶ UNMIH Operations Plan, March 1995
- ²⁷ *General Framework Agreement (Dayton)*, 1995.
- ²⁸ OSCE Mission to Bosnia and Herzegovina, *Election Security Plan*, 1996.
- ²⁹ Perito, Robert, *The American Experience with Police in Peace Operations*, Lester B. Pearson Peacekeeping Training Centre, 2002, page 3.
- ³⁰ Sismanidis, Roxane D.V., *Police Functions in Peace Operations, Report from a workshop organized by the United States Institute of Peace, USIP*, page 5.
- ³¹ Annex B, Point 11.a, *Report of the Panel on United Nations Peace Operations*, United Nations, 2000.
- ³² Perito, Robert, *The American Experience with Police in Peace Operations*, Lester B. Pearson Peacekeeping Training Centre, 2002, page 95.
- ³³ *Report of the Panel on United Nations Peace Operations*, United Nations, 2002, page 6.
- ³⁴ *Report of the Panel on United Nations Peace Operations*, United Nations, 2002.

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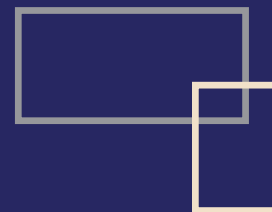
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Mr. Fischer has held three internationally appointed posts in post-conflict transitions. In 1996, he was appointed by the Organization for Security and Cooperation in Europe (OSCE) to serve as Director General of Elections for the first post-conflict elections in Bosnia and Herzegovina. In 1999, Mr. Fischer was appointed by the United Nations (UN) as Chief Electoral Officer for the Popular Consultation for East Timor. And, in 2000, Mr. Fischer received a joint appointment from the UN and OSCE to head the Joint Registration Taskforce in Kosovo and served as the OSCE's Director of Election Operations in Kosovo. In 2001 and 2002, Mr. Fischer has continued to support the Kosovo political process by serving as a Senior Advisor to the OSCE Mission in Kosovo.

Mr. Fischer has also directed IFES technical assistance projects in Haiti (1990-91) and Guyana (1991-92). Mr. Fischer has worked on election assistance, observation, or conference projects in over 40 countries. In 1985, Mr. Fischer was appointed to a four-year term as Commissioner on the Kansas City Election Board, and from 1990 to 1993 he served as a Commissioner for the Missouri Campaign Finance Review Board.

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