

A REPORT OF THE CSIS
AFRICA PROGRAM

Building Police Institutions in Fragile States

CASE STUDIES FROM AFRICA



January 2013

Author

Richard Downie



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Cover photo: Police trainers instruct the Sierra Leone police on how to conduct themselves during the country's elections. Credit: Eric Beinhart.

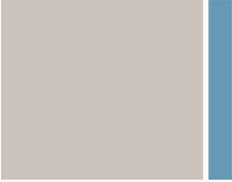
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CONTENTS

Acknowledgments	iv
Overview	1
Introducing the Case Studies	3
Liberia	4
Sierra Leone	9
South Sudan	14
Conclusions and Policy Recommendations	19
About the Author	25



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BUILDING POLICE INSTITUTIONS IN FRAGILE STATES: CASE STUDIES FROM AFRICA

By Richard Downie

Overview

The police are one of the most critical institutions of the state. This is particularly true in nations emerging from conflict, which are characterized by insecurity and high levels of crime. Without security, governments cannot begin rebuilding their economies and improving the lives of their citizens. As a result, they will continue to struggle for legitimacy, and a return to conflict will remain an ever-present risk. A nation's military has an important role to play in dealing with external threats and establishing basic security in the immediate aftermath of conflict, but the police are the institution best suited for dealing with internal security and addressing the safety needs of the public. For citizens, a police officer is the symbolic representation of state authority. Their view of the state and their acceptance of its authority are partially shaped by their interactions with the police.

Unfortunately, many Africans have entirely negative perceptions of the police. In many countries, the police are ineffective, unprofessional, corrupt, even predatory. Their primary interest is in protecting the government in power rather than serving the public. They are often sources of insecurity rather than providers of security—people to avoid, not to seek out, in the event of trouble. For other African citizens, particularly those living outside urban areas, the police are conspicuous by their absence. Many, perhaps the majority, of Africans rely on non-state security providers such as neighborhood watch groups and chieftom police to keep them safe.

In short, the police are one of the most dysfunctional, underperforming institutions in sub-Saharan Africa. The consequences of this failure are severe. Insecurity affects the ability of people to go about their daily lives, farm their fields, run their businesses, and make investments. It acts as a drag on economic development, delaying recovery in post-conflict states. Police corruption and unprofessionalism erode people's faith in the criminal justice system, tempting some to take matters into their own hands. In the long term, it can also erode citizens' confidence in the state as a whole. In addition, a country that cannot deal with its internal security challenges or control its borders can quickly become a base for criminal networks, terrorists, and other groups that not only prey on individuals but may ultimately pose a threat to national or even regional security. The use of West African countries by Latin American drug cartels as a transshipment point for cocaine has undermined state institutions, corrupted politics, and led to a growth in domestic production and consumption of narcotics that threatens an entire generation of young people across the region. The police have been powerless to stem the trade and have sometimes colluded in it.

The United States has a strong national interest in helping African nations reform their police services. There are clear security interests at stake. If allowed to continue unchecked, internal dysfunction in Africa can easily spill across borders and ultimately end up on the U.S. doorstep. The drug cartels that use West Africa as a base of operations reinvest their profits in U.S. markets. The terrorists who take up residence in Somalia, Mali, and northern Nigeria can quickly expand their mainly national agendas to target U.S. nationals. The pirates who disrupt shipping off the Gulf of Guinea and the coast of Somalia interrupt international trade and have the capacity to drive up oil prices. The presence of professional police in African states is not a silver bullet for dealing with these complex threats but they are a critical part of the strategy.

There are reasons why the United States should care about policing in Africa that go beyond narrow security interests. U.S. foreign policy objectives to generate economic growth and development and to strengthen trading partnerships in Africa are undermined if partner countries cannot provide a safe environment for their citizens. Efforts to advance democracy and strengthen institutions will not succeed if state security forces operate outside the law or are not exposed to public scrutiny. The stability of key allies in the region—Nigeria, Kenya, South Africa—is weakened by unprofessional policing of crises like the Boko Haram terrorist attacks in northern Nigeria, post-election violence in Kenya, and miners' strikes in Marikana. U.S. efforts to help rebuild fragile states like Liberia, South Sudan, and the Democratic Republic of Congo are put at risk if measures are not taken to improve the performance of their police.

The United States has been involved in broad initiatives to address the policing deficit in Africa. In Liberia, its efforts have included working through the UN Mission in Liberia (UNMIL) to train and equip new police recruits; advising and mentoring senior police officials; and building links between police and prosecutors. In South Sudan, the United States has helped build prisons, police stations, and training facilities; set up a highway patrol unit; and worked with youth offenders. In Sierra Leone, it liaised with the public and police to raise mutual understanding and establish rules of conduct during the 2012 elections.

The people engaged in this effort represent many different agencies of the U.S. government, including the Department of State, USAID, and the Department of Justice. Many of them work for private companies, implementing contracts on the government's behalf. The vast majority are dedicated and professional. Their efforts have resulted in successes. But too often, the overall approach has been piecemeal, haphazard, and ill coordinated; and the long-term sustainability of the enterprise is open to question. As previous work by CSIS has shown, this patchy record is a reflection of the relatively small amount of money being spent, the lack of a guiding strategy, and the fact that reforming the police is a difficult endeavor, particularly in fragile states.¹ It requires a specific set of skills, a lot of patience, and the support of the host country.

The aim of this report is to look at what the United States has been doing to help reform or transform the police in three African states: Liberia, Sierra Leone, and South Sudan. It will conclude with some recommendations of what could be done better, or differently, based on an assumption that the federal budget for overseas policing will remain small. The findings are based on meetings with policymakers and other experts in Washington, D.C., and interviews with program implementers, government officials, police, and civil society representatives in all three countries.

1. See Richard Downie and Jennifer G. Cooke, *A More Strategic U.S. Approach to Police Reform in Africa* (Washington, D.C.: CSIS, April 2011), http://csis.org/files/publication/110414_Downie_PolicyReformAfrica_Web.pdf.

The main recommendations include:

- Making programming more sustainable: Policymakers must put more thought into the long-term consequences of their engagement. They should, for example, consider the potentially destabilizing impact of cutting off support to armed police units, and question whether approaches that favor individuals over institutions are likely to bring about lasting reform.
- Integrating short-term operational and long-term developmental objectives: The United States has a range of motivations for helping foreign police. Some are focused on achieving the near-term goal of enhancing police capacity to deal with security threats that impact the United States. Others view police support as a longer-term effort linked to fostering democratic growth and institutional development. Strategies must be developed to help link these goals and integrate the efforts of the people pursuing them, so that they become mutually reinforcing.
- Tackling the big structural challenges blocking police reform—political interference and lack of political will: Lasting reform cannot take place without the buy-in of the host country’s leadership, both in the government and in the police itself. The United States should be prepared to end funding to countries that do not show a genuine desire to reform; otherwise it risks wasting its money.

Introducing the Case Studies

The three countries selected for this study are not typical African countries. All three have endured recent devastating civil wars and are still in the early stages of rebuilding. In the cases of Liberia and Sierra Leone, abuses by the security services were among the factors that led to war in the first place. Given these conditions, the difficulties of reforming the police are substantially higher than in other countries, and expectations of what can be achieved must be adjusted downwards. Liberia and Sierra Leone can be called post-conflict states, having made good progress in restoring the basic functions of the state while continuing to confront underlying instability and the challenges of reforming their security sectors. South Sudan is only at the beginning of recovery. Its security institutions are at an embryonic stage of development and are ill equipped to deal with the serious internal and external security challenges the new country continues to face.

The reason to choose such atypical subjects is that, in the case of South Sudan and Liberia, these are the two African countries that account for most of the U.S. money spent on police assistance in Africa. The main government agency working on police reform, the State Department’s Bureau of International Narcotics and Law Enforcement Affairs (INL), had a budget of \$9 million for its work on law enforcement in South Sudan in 2011. Liberia’s INL budget was \$8.8 million in 2011.² While not a large amount of money in absolute terms, it is significant within the context of budget spending on Africa. U.S. engagement with the police in both countries has formed part of an ambitious international effort, coordinated by the UN, aimed at transforming the security sector. Security institutions, including the police, have been or are being dramatically reshaped or rebuilt from scratch. Sierra Leone was chosen as a case study for comparison. While it is also a post-conflict state, it has not been a traditional focus country for the United States. Other actors, notably the UN and the United Kingdom, have taken the lead on Security Sector Reform (SSR).

2. Information provided by INL, December 12, 2012.

U.S. engagement has been more recent, centering on a specific initiative rather than involving a more holistic effort. A single USAID-funded police expert worked with the Sierra Leone Police (SLP) and civil society groups on strategies to reduce the risk of violence during the November 2012 presidential, parliamentary, and local elections. The budget was modest—\$550,000—and the project fairly short, 16 months.³ The case of Sierra Leone therefore provides an opportunity to examine a different approach toward police reform—one that is smaller, more strategic, and whose impact is perhaps easier to measure.

Liberia

Efforts to reform the Liberia National Police (LNP) began slowly after the end of the country's civil war in 2003, initially taking a back seat to a U.S.-led attempt to rebuild the Armed Forces of Liberia (AFL) from scratch. The UN Mission in Liberia (UNMIL) took the lead in policing matters. Its peacekeepers established basic security on the ground while its trainers began the arduous task of rehabilitating a police service that was feared and distrusted by the public, rebuilding police stations destroyed during the war, and disbanding and consolidating Liberia's numerous security institutions, many of which had overlapping and unclear mandates. One of the early controversies of the rebuilding effort was over vetting. All former police were required to reapply for their jobs, which angered experienced officers. At the same time, civil society organizations complained that the vetting was not as thorough as that used for the AFL, allowing human rights abusers to find their way back into the police.

The main contribution of the United States, apart from providing police advisers to senior LNP officers through the UNMIL mission, has been to establish an armed unit within the LNP. The Emergency Response Unit (ERU) is a Special Weapons and Tactics (SWAT)-type force, designed to deal with serious outbreaks of civil disorder, violent crime, and armed groups. The United States established the ERU training curriculum, selected recruits from serving LNP officers,



Liberia's Emergency Response Unit in training. Photo by Tom Callahan, vice president, government affairs, PAE.

3. Interview in Freetown with senior law enforcement adviser from Department of Justice's International Criminal Investigative Training Assistance Program (ICITAP), March 30, 2012.

and conducted training through private contractors. The United States also supported expanding another unit, the Police Support Unit (PSU), which has a crowd-control mandate. These units have taken on the main burden of policing in Liberia because the regular LNP continues to lack mobility and basic resources.

Liberia's police have made significant progress since 2003. The LNP's approximately 4,300 officers have dealt with Liberia's postwar security challenges—which included a contentious election in 2011, insecurity on the border with Côte d'Ivoire, and the fallout from the conviction of former President Charles Taylor for war crimes in 2012—albeit with significant support from UNMIL. As an institution, the LNP is slowly shedding its prewar reputation for abuses and corruption. The ERU in particular is viewed as a fairly professional, well-run unit. A cadre of honest career police officers who joined the LNP after 2003 has attained a level of seniority where they can wield a positive influence on junior members. Ethnicity is no longer a divisive force within the police. Women now comprise 17 percent of the workforce, thanks in large part to a U.S.-led effort to raise female literacy rates to a level that improves their chances of passing the police recruitment exams.⁴ A robust internal affairs mechanism has been established for investigating allegations of misconduct against officers.

Despite the signs of progress, however, serious challenges remain, and the LNP has a long way to go before Liberians can be confident in its ability to provide effective, professional policing services. Paltry resources continue to be a major barrier to effectiveness. The small police budget of \$11.6 million means that the LNP is not large enough to face Liberia's security challenges on its own.⁵ Police experts agree that the LNP needs between 3,000 and 4,000 extra officers in order to provide adequate coverage of the country, which despite its relative smallness is hard to penetrate because of poor road links. UNMIL has tried to address this problem by proposing the construction of five Regional Justice and Security hubs, dotted around the country, which aim to make security and legal services more accessible for hard-to-reach populations. But delays in getting the first hub, in Bong County, fully staffed “generated valid questions about its validity,” according to the most recent assessment of the UN peacebuilding commission for Liberia.⁶

The lack of resources has implications for equipment as well as personnel. Police stations are in poor condition, including the headquarters of the LNP in Monrovia, which went an entire year without power from late 2007⁷ and formerly resembled a cave, according to the current head of the UNMIL police mission.⁸ Many LNP officers lack the most basic equipment needed in order to perform their jobs, including pens and paper. Vehicles are in short supply, making it difficult for police to investigate cases or respond to emergencies. In one of Liberia's 15 counties, River Cess, the police have only two vehicles; neither of them was in working order during a visit to Liberia in March 2012.⁹ The small police budget means that resources are concentrated on service delivery. This makes sense from a strategic point of view, but it also means that efforts to develop the “back office” functions of the LNP, such as procurement, payroll, and administration, have

4. Interview in Monrovia with UNMIL deputy commissioner of police John Nielsen, March 26, 2012.

5. Figures provided by Colonel Robert Kett, chief of joint mission analysis center, UNMIL.

6. Briefing by the chair of the Liberia Configuration of the Peacebuilding Commission to the UN Security Council, September 11, 2012.

7. Although the situation has improved, LNP headquarters was experiencing a power outage during the author's visit in March 2012.

8. Interview with John Nielsen.

9. Interview in Monrovia with Colonel Robert Kett, chief of joint mission analysis center UNMIL, March 26, 2012.

been comparatively neglected. This strains the police organization and ends up costing money in the long run. Weak systems and poor record keeping open the door to inefficiencies and corruption. They also place a burden on the most capable officers, who find themselves swamped by paperwork and lack the necessary administrative support that would free them up to perform more important tasks.

The shortage of basic resources has several pernicious effects. It undermines morale in the LNP, whose officers find it hard to perform their jobs. This may be one of the reasons that roughly 10 percent of the workforce is absent at any one time, some of them for months.¹⁰ Lack of resources also means low salaries, which in the absence of robust professional standards encourages corruption by officers who struggle to make ends meet. This in turn undermines public faith in the police. For many citizens, interactions with the LNP commonly involve either getting shaken down for a bribe at a police checkpoint or requesting assistance from an officer only to be asked for money to pay for fuel for the police car, or paper to record a statement. Cynicism can quickly set in, and it becomes hard to shake the belief among many citizens that the LNP are hopelessly inept and corrupt. This attitude can have damaging consequences, leading some to consider alternative ways of resolving their disputes, such as taking the law into their own hands. It also accounts for the adversarial relationship between civil society and the police. The public has little empathy for the challenges faced by the LNP and is quick to blame it for the broader failure of the criminal justice system to prosecute and convict offenders. Sometimes, ignorance is to blame. The concept of bail is ill understood, for example, which leads victims who see a perpetrator back on the streets to assume that he or she has been released without charge.

This lack of understanding extends to the government as well, which has not made the police a top priority, preferring to accumulate political capital by providing health-care services and education and leaving security to the UN and international donors. Only 4.9 percent of the national budget is spent on the entire security sector. As a result, a budget gap is emerging over the medium term, which will have to be addressed, particularly as UNMIL begins to draw down its operations.

In terms of what it expects from the police, the government appears to value loyalty toward the state over service to the people. The president has the authority to appoint the country's six or seven most senior police officials, including the inspector general of the LNP, and is resisting recommendations from civil society groups to give up that power. Cecil Griffiths, a former police officer with the LNP and director of the Center for Criminal Justice Research and Education in Monrovia, says these appointees are chosen for their loyalty as much as their expertise: "This is one of the few countries where executives are appointed as police chiefs," he points out. "Also some of our executives are partisans, members of the ruling party. An Inspector-General should have a police background because the police have their own culture."¹¹ The presence of non-professional police at the most senior level has a corrosive impact on those below. This impact is exacerbated by the hierarchical, top-down structure of the LNP. Discussions with middle-ranking officers reveal growing frustration at interference from their superiors, including being told to release certain suspects because of their political connections. One officer explained how he arrested a motorist for repeated traffic violations only to be told by his supervisor to release him, or forget about

10. Off-the-record interview with senior police adviser in the UNMIL mission, Monrovia, March 28, 2012.

11. Meeting with Cecil B. Griffiths, Monrovia, March 29, 2012.

a promotion.¹² Police officers are commonly diverted from official duties in order to perform errands for senior politicians, such as driving their children to school or guarding their homes.¹³

Given the apparent politicization of the LNP, police oversight becomes even more important. Within the legislative branch, three committees have oversight of the security sector, yet they are underfunded, lack sufficient knowledge of the issues, and do not have the political will to question the executive. A notorious former warlord, Prince Yormie Johnson, who oversaw the torture and murder of President Samuel Doe in 1990, chairs the senate committee. As Aaron Weah, a Liberian civil society activist succinctly puts it: “If Johnson presides over the national security committee of our country that is trying to reform the very security architecture he destroyed—that is a joke.”¹⁴

Within the LNP itself, an internal affairs system has been set up to investigate allegations of misconduct. Known as the Professional Standards Division (PSD), it is well led and committed to exposing wrongdoing within the LNP, despite being under-resourced. Its head, Deputy Police Commissioner Prince Mulbah, said it had received and dealt with 613 complaints from the public since its formation.¹⁵ The PSD has been applauded by UNMIL for its sensitive handling of the most controversial incident during the 2011 presidential election campaign, when police officers opened fire on a crowd of demonstrators from the opposition party, the Congress for Democratic Change (CDC), on November 7, killing one person and injuring several others. Recommendations from an internal PSD investigation fed into a broader independent commission established in the wake of the shootings to find out what had happened. It recommended that four LNP officers and a member of the president’s protection unit, the Special Security Service, be referred to the Ministry of Justice for possible prosecution.¹⁶ In addition, the LNP inspector general, Marc Amblard, was fired over the incident, which exposed an alarming lack of communication between senior police leaders and their officers at the scene.

Despite the progress made by the PSD, the absence of an external oversight mechanism to handle complaints against the police and other security services makes it difficult to win over public trust. Establishing a permanent, independent, civilian-led board containing representatives from the media, lawyers, and human rights experts, would be a useful way of demonstrating to a wary public that the police are open to scrutiny and are committed to dealing with allegations of misconduct in an open and transparent manner. A pledge to establish such a body, made by President Ellen Johnson Sirleaf during a visit to UN headquarters in September 2012, is an important step forward.¹⁷

Looking ahead, the question of the UNMIL drawdown casts a shadow of uncertainty over Liberia’s security sector, raising serious questions about whether the LNP will be ready to assume

12. Off-the-record discussion with LNP officer, Monrovia, April 5, 2012.

13. Off-the-record discussion with police adviser to UNMIL, Monrovia, March 28, 2012.

14. Clair MacDougall, “Traumatized Liberians see little justice in trial,” *Washington Times*, April 16, 2012, <http://www.washingtontimes.com/news/2012/apr/16/traumatized-liberians-see-little-justice-in-trial/?page=all>.

15. Author interview in Monrovia, March 27, 2012.

16. Winston Parley, “Gov’t to Release Final Report on Nov. 7 Riot,” *New Dawn*, July 6, 2012, http://thenewdawnliberia.com/index.php?option=com_content&view=article&id=6300:-govt-to-release-final-report-on-nov-7-riot&catid=25:politics&Itemid=59.

17. “Liberian President Sirleaf Pledges to Consolidate Peace and Reconciliation through Greater Access to Justice,” *DiploNews*, September 24, 2012, http://www.emansion.gov.lr/2press.php?news_id=2330&related=7&pg=sp.

sole responsibility for policing. The UN itself is aware that although the LNP has made progress, it has a long way to go. Following a technical assessment in March 2012, the UN Secretary General Ban Ki-moon recommended that the overall UNMIL troop deployment be more than halved to 3,750 troops by 2015, but that the police component should be maintained at its current level of 498 police advisers and that the number of formed police units should be boosted from seven to ten.¹⁸ But UN support cannot be maintained forever, and many Liberian police officers argue that the LNP will never learn to stand on its own two feet if UNMIL “has its back” every time it encounters a problem.

Another looming question is that of sustainability. Once UNMIL departs, will the LNP be able to fill the security gap? If not—and there is general agreement that it needs to double in size in order to meet Liberia’s internal security needs—how will the Liberian government fund the necessary expansion of the LNP? A public expenditure review conducted for the World Bank and UNMIL identifies a financing gap of \$86 million between 2012 and 2019 and calls on the government to increase the portion of the national budget it allocates to the security sector from 5 to 6 percent, and for donor governments to contribute more as well.¹⁹

The role of the United States in this process has yet to be defined. But the expectation from the UN, other donors, and the Liberians themselves is that it will continue to be significant. Having made a serious investment in standing up the ERU and working with other armed units of the LNP, the United States faces the challenge of coming up with a sustainable plan for maintaining them, because the cost of neglect could be high: Liberia’s history shows that state security units can easily lapse into armed militia groups without ongoing training, monitoring, and support. Handing guns to people in a post-conflict setting is not something to take lightly.

An additional challenge for the United States is to ensure that the ERU and PSU’s reputation as islands of relative competence within the LNP mean they are not called upon to perform jobs they were not designed to do. Deploying ERU officers to routine crime incidents or forcing them to perform guard duties at the homes of government ministers are not good uses of their training; neither are they a good use of U.S. taxpayers’ money. As one police trainer puts it, “You need to use them for the purpose they were intended for. If you don’t, it’s like hitching race horses to a plow. It won’t work. Race horses want to run. And when they finally do get some action, they’ll tend to overreact.”²⁰ This appears to be what happened during the November 2011 election violence, and in several other public order incidents, when members of armed units lost their heads and opened fire. These episodes also underline the importance of continual training for armed units of the police, or building “muscle-memory” as one U.S. official puts it. Many members of the police suffer from stress-related illnesses linked to experiences they suffered during the war, which adds an additional risk that they might overreact when threatened.

All of these issues underline the need for a strategic rethink of the future of the LNP and its various components, their roles and responsibilities and their relationship with the numerous other institutions in Liberia’s security sector. This review will have to include the UN, the main

18. UN Security Council, “Special Report of the Secretary-General on the United Nations Mission in Liberia,” April 16, 2012, p. 16, http://www.un.org/ga/search/view_doc.asp?symbol=S/2012/230.

19. Geopolicity, “Public Expenditure and Needs Assessment Review of the Security Sector in Liberia: Establishing a Sustainable Security Sector in View of the UNMIL Transition, Final Report,” p. iv, January 31, 2012.

20. Off-the-record discussion with police adviser to UNMIL, March 28, 2012.

bilateral donors, and the government of Liberia. One of its main outputs should be a financial plan for the LNP that takes account of the UNMIL transition and bridges the gap between Liberia's security needs and its budgetary realities. The government is mandated to pass a new Police Act in the coming year; the discussions around this act will provide a perfect opportunity to host the kind of broad dialogue needed.

Sierra Leone

In the years following the end of its civil war in early 2002, Sierra Leone undertook a systematic effort to transform its security sector. It was assisted by what was at the time the largest UN peacekeeping operation in the world. It also benefited from having the support of a lead donor, the United Kingdom. The UK took a particular interest in rebuilding the Sierra Leone Police (SLP), spending £25 million (approximately \$40 million) on the effort between 1999 and 2005.²¹ It adopted a hands-on approach, appointing a retired British detective, Keith Biddle, to head the SLP through its rebuilding effort. After 2005, the United Kingdom broadened its approach beyond the police to the justice sector as a whole, eventually launching its Improved Access to Security and Justice Programme in 2010. Since then, external funding to the SLP has waned, accompanied by a tail-off in the quality of policing.

Despite the downward trajectory, many of the fundamentals of good policing remain in place. On the whole, senior SLP officers display strong leadership skills, having benefited from extended periods of training abroad. Wrongdoing is less a part of the fabric of the SLP than it was in its pre-war iteration. There is a culture of accountability, thanks to an internal affairs function, the Complaints, Discipline, and Internal Investigation Department (CDIID). Since its formation, the CDIID has investigated hundreds of officers, firing 300 for misconduct.²² Efforts have been made to deliver a police service that meets the security priorities of the public at the community level, through an approach called Local Needs Policing. The SLP has tried to address the problem of sexual and gender-based violence by setting up specialist Family Support Units (FSUs) around the country, usually co-located with police stations, which investigate allegations of rape and other abuse.²³

The United States has not traditionally involved itself in Sierra Leone's security sector. However, the situation changed in 2011 when USAID funded a senior law enforcement adviser—seconded from the Department of Justice's overseas development arm, the International Criminal Investigative Training Assistance Program (ICITAP)—to work with the SLP on election security in the run-up to the November 2012 polls. The adviser's main role was to liaise between the SLP and civil society to improve understanding of their respective roles and responsibilities during the election. While the previous elections in 2002 and 2007 were largely peaceful, an undercurrent of political unrest ran through the campaigns, which was aggravated by displays of partisanship among some SLP officers. The centerpiece of the project was a series of short training courses for police officers on how to conduct themselves during the election. The emphasis was on imparting simple lessons

21. Peter A. Albrecht, *Transforming Internal Security in Sierra Leone: Sierra Leone Police and Broader Justice Sector Reform*, DIIS Report 2010:07 (Copenhagen: Danish Institute for International Studies, July 2010), p. 12, http://www.diis.dk/graphics/publications/reports2010/rp2010-07_transforming_sierra_leone_web.pdf.

22. Figures provided by Ibrahim Tommy, executive director, Center for Accountability and Rule of Law, Sierra Leone.

23. At the beginning of 2011, there were 43 functioning FSUs, according to Adrian Horn et al., *Sierra Leone Police—Review of Capabilities*, March 2011, p. 42.

to officers, such as the need to refrain from wearing colors associated with either of the two main political parties. The senior law enforcement adviser helped design the course curriculum and trained 10 Sierra Leonean police instructors to teach it to 700 other colleagues. These so-called micro-trainings were then rolled out at morning parades at police stations across the country. The USAID/ICITAP project differed sharply from the traditional “train and equip” model that characterizes a lot of U.S. support to police abroad. Instead, it sought to take a more developmental approach, using Sierra Leone’s elections as an opportunity to foster links between the police and the public—in particular young people, who have often been used by politicians to intimidate their rivals and cause disorder during elections. Some of the initiatives have been fairly innovative. They included enlisting local rappers to produce a CD about the importance of peaceful elections and organizing concerts for young people based around the theme of non-violence.²⁴

To some extent, the challenges facing the SLP were exposed by the policing operation mounted ahead of the November 2012 elections, the first that Sierra Leone organized without significant international support since the end of its civil war. The months leading up to the vote underlined two of the biggest obstacles: lack of resources and political interference. The SLP and its senior leaders struggled to fend off persistent accusations that they favored the incumbent, President Ernest Bai Koroma, and his All People’s Congress (APC). Civil society organizations and supporters of the opposition Sierra Leone People’s Party (SLPP) allege that the SLP is drawn predominantly from ethnic groups in the north of the country, which favor the APC. Although the substance of these claims is open to question, accusations of bias are hard to refute when the system for choosing the country’s top police officials is so politicized. The Police Council, which approves all SLP appointments above the rank of assistant superintendent, is headed by the vice president and chaired by the minister of internal affairs, both APC stalwarts.

In this politically charged environment, police actions are rarely seen as impartial. In September 2011, APC supporters attacked a rally held in the southern city of Bo for the SLPP presidential candidate, Julius Maada Bio. Bio suffered a head injury when he was struck by a rock. SLPP supporters rioted and the police responded with live ammunition, killing one person and shooting nine others.²⁵ It later emerged that the police received intelligence warning that APC supporters were intending to attack the rally, but took no preventive action. This incident left the SLP walking a tightrope for the remainder of the election, which some SLPP-linked troublemakers sought to exploit by trying to provoke the police into overreacting at public gatherings.

In terms of resources, a shortage of vehicles and communication equipment hampered operational planning for the election, meaning it was not possible to deploy adequate resources and personnel to potential flashpoints. One officer with the Operational Support Division (OSD), the mobile armed response unit of the SLP, complained that “Police get the blame when there’s violence. But we need logistics for operations, and we don’t have them. So that makes it difficult for us to police riots and other public disturbances.”²⁶

24. U.S. Embassy Freetown, “DOJ/ICITAP and USAID Support Non-Violent Elections Through Peace Concert,” press release, October 3, 2012, <http://photos.state.gov/libraries/sierraleone/452467/Press%20Releases-2012/3%20Oct%202012%20-%20USAID%20Peace%20Concert%20on%20Saturday.pdf>.

25. “Final Report of the Investigating Panel on the September 9 Incidents in Bo,” *Sierra Herald*, September 30, 2011, <http://www.sierraherald.com/kelvin-lewis-report-bo-incident.htm>.

26. Author interview in Freetown, April 2, 2012.

This inability to properly control outbreaks of public disorder was highlighted by another troubling incident involving excessive use of force, this time in the northern town of Bumbuna in April 2012. The police responded to a call to deal with a demonstration by employees of an iron ore mining company, African Minerals Limited (AML). The OSD opened fire on the crowd, killing one person and wounding at least nine others. A public inquiry found that the police did not follow their rules of engagement and questioned the close relationship between the SLP and AML, concluding that “Police response to communities in situations of conflict with private companies appears to have taken a pattern of arbitrary arrests and detention, looting, vandalism, beating and the unlawful use of live ammunition.”²⁷

In terms of its day-to-day operations, the SLP’s ability to mount investigations is clearly hampered by a lack of equipment and resources. The head of the SLP’s cybercrime unit, Assistant Superintendent Tommy Zizer, explained that sophisticated fraud, mostly involving cellphones, is a growing problem in Sierra Leone. But the capacity of the police to keep up with the criminals is



Assistant Superintendent Tommy Zizer, outside Freetown Law Court Building. Photo by Richard Downie.

limited: “We only have one computer for our whole department,” he said. “We have the internet but the server goes down often.”²⁸ He explained that he had reached a dead end in a recent fraud investigation because the suspect was based in Kenema, in the east of the country, and no fuel was available to make the journey by car. In addition, Sierra Leone has no forensics laboratory, no national fingerprint database, and only one pathologist. The equipment available to the police is often broken or poorly maintained. A senior officer at the UN Integrated Peacebuilding Office in Sierra Leone (UNIPSIL) said most police station parking lots resembled “scrap metal dealerships.”²⁹

The reduction of donor support to the SLP is having a clear impact on police morale and performance. A review of the SLP conducted for the UK Department for International Development

27. “HRCSL Public Inquiry Report on Bumbuna Events,” *Patriotic Vanguard*, October 29, 2012, <http://www.thepatrioticvanguard.com/spip.php?article6737>.

28. Author interview in Freetown, April 2, 2012.

29. Author interview in Freetown, April 3, 2012.

(DFID) in 2011 found that the budget allocation for each officer was “28 percent of what it was in 2002, taking account of inflation, poor exchange rates and increases in staff.”³⁰ A tone of despondency can be detected in conversations with SLP officers, who complain about pay and conditions and express their sense of impotence that the absence of basic tools like working vehicles, radios, and even pens and paper is hampering their ability to do their jobs. An atmosphere of lethargy was in evidence during an April 2012 visit to the central police station in Freetown, one of the capital’s largest. The operations room contained two wooden desks, two car tires, two dozing officers, and nothing else. A sergeant at the front desk explained that officers were tired because they worked 12-hour shifts and there was nothing to do. “We don’t even have paper to take statements,” she said. “We have to go to the stationery shop and buy it ourselves.”³¹ The SLP review carried out for DFID describes a “café culture” in most police stations, with little apparent activity going on.³²

Rank-and-file SLP officers face a daily struggle to support themselves and their families. One junior OSD officer explained that he was paid 250,000 leones per month (approximately \$58), while a sack of rice cost 180,000 leones.³³ He had a wife and three children and was the only wage



Central police station, Freetown. Photo by Richard Downie.

earner in the household. Members of the public accuse the police of taking bribes and begging in order to make ends meet. The number of unofficial police checkpoints increases sharply at the end of each month, as payday approaches. The SLP has officially sanctioned other ways of sustaining its operations, renting out OSD officers to guard banks, foreign embassies, and other private facilities in return for payment.

30. Horn et al., *Sierra Leone Police—Review of Capabilities*, p. 6.

31. Author visit to Freetown Central Police station, April 2, 2012.

32. Horn et al., *Sierra Leone Police—Review of Capabilities*, p. 16.

33. Author interview in Freetown, April 2, 2012.

The government of Sierra Leone's (GoSL) response to these challenges betrays a lack of foresight, which could have worrying consequences in the future. In the run-up to the elections, its priority was on meeting the perceived security threat rather than coming up with sustainable funding solutions for the SLP. It announced its intention to boost the size of the SLP from approximately 10,000 to 12,000, without stating how it would pay for the new officers. The expansion included a big increase in OSD personnel, which now number more than 3,500. In addition, a political storm erupted after it emerged that a consignment of weapons and ammunition worth \$4.5 million had been ordered for the OSD. The government said the weapons, which included machine guns and grenade launchers, were necessary to protect the public and foreign visitors from terrorism. Many observers questioned the merit of spending so much money on heavy weapons at a time of funding cuts and in the middle of a contentious election campaign.³⁴ The incident also underscored concerns that the OSD is becoming militarized. Certainly its uniform resembles combat fatigues rather than the dress code of a police officer. Like its counterpart in Liberia, the ERU, the OSD is viewed as a favored unit in danger of becoming too powerful unless carefully monitored. It is also vulnerable to political manipulation.

Overall, it is hard to avoid concurring with the conclusion provided by the DFID-led review of 2011 that “the SLP is in a state of decline, with little prospect of improved financial support from the GoSL.”³⁵ It did, however, overcome a major potential hazard by policing the November elections in a generally professional and even-handed manner. Polling day progressed smoothly and no significant outbreaks of violence occurred. The United States contributed to this success by sensitizing the police and the public about their respective responsibilities in the run-up to the election, primarily through its micro-training course and the circulation of simple posters showing photographs of acceptable and unacceptable conduct. An evaluation conducted of the USAID/ICITAP program suggests that the training may have had a positive impact on police conduct.³⁶ Observers reported that officers stationed outside polling centers were attentive in helping the elderly and infirm, dispersing people who had already voted, and avoiding displays of political partisanship. All of these points were emphasized in modules of the micro-training course.

Going forward, the challenge for the United States will be to ensure that its investment in the SLP is sustainable and that officers retain the training they received. The United States is already exploring ways of adapting the micro-training concept, using some of the same instructors it used during the election to teach a course on how to use the SLP's newly developed sex crimes laboratory. Much will depend on the willingness of U.S. interlocutors within the SLP to champion the project and follow it through. Another challenge for the United States will be to integrate its fairly low-cost, modest efforts with those of other donors. The small UN peacebuilding operation, UNIPSIL, is the main body that coordinates activities in support of police reform in Sierra Leone but it struggles to get the bilateral donors to join forces in any meaningful way or prevent them from pursuing pet projects. Relations between UNIPSIL and the U.S. police adviser were frosty at times, with both sides working at cross-purposes.

34. Following the outcry, the weapons were given to the army to use for its contribution to the African Union Mission in Somalia.

35. Horn et al., *Sierra Leone Police—Review of Capabilities*, p. 64.

36. The Virginia-based research company, Social Impact, and a Sierra Leone-based think tank, the Centre for Economic and Social Policy Analysis (CESPA), conducted the evaluation for USAID.

South Sudan

Policing by the state is a new concept in South Sudan and its civilian security institutions are still in an embryonic stage of development. What is now called the South Sudan National Police Service (SSNPS) was only formed in 2005, following the signing of the Comprehensive Peace Agreement, which ended Sudan's civil war and paved the way for the independence of South Sudan in July 2011.³⁷ Its personnel were drawn from three main sources: Southern members of the government of Sudan police force; demobilized soldiers from South Sudan's former rebel movement and present-day national army, the Sudan People's Liberation Army (SPLA); and members of former Khartoum-backed militia groups that had been integrated into the SPLA as part of a peace agreement. Forming the SSNPS in this way may have been a pragmatic way of finding jobs for potential troublemakers and other malcontents but it was not a good strategy for developing a professional police service.

The SSNPS was largely neglected in its earliest years while international donors focused their engagement on other parts of the security sector, notably the SPLA. This approach began to change in the run-up to the January 2011 referendum on southern independence, as concerns mounted that the police would be unable to provide basic security during the voting. An assessment of the 30,000-strong SSNPS cited by the Small Arms Survey concluded that only 16,000 at best were "useful and deployable."³⁸ Efforts were made to improve training, weed out the most incompetent officers, and recruit new police who had basic literacy skills and did not come from a military background. The SSNPS was increased to its current level of approximately 52,000.³⁹ The effort was successful in preventing serious violence during the referendum but there has been little sign of improvement in the overall standard of policing. Progress was further undermined by the revelation, in late 2010, that serious human rights abuses had occurred at the country's main police training academy near Juba, which prompted the United States to withdraw support for the facility. Like other African police institutions, the SSNPS is undervalued by the government of the Republic of South Sudan (GRSS), which seems to view it as a dumping ground for undesirables. SPLA officers are paid three to four times more than SSNPS officers of equivalent rank, although the government has announced a review of salaries.⁴⁰

The inability of the SSNPS to provide basic security to the population of South Sudan has been exposed since independence. Chronic instability continues to plague large parts of the country, notably Jonglei state and areas close to the border with Sudan. In Jonglei, close to 1,000 people were killed and tens of thousands displaced in 2012 in inter-ethnic clashes. The SSNPS lacks the capacity to respond to these serious outbreaks of violence, which have at times involved thousands of heavily armed people. When it has been called upon to do so, the SSNPS Auxiliary Force—consisting of armed units that appear to answer only to the 10 state governors—has been accused of committing serious human rights abuses against civilians.⁴¹ As a result, the main security provider

37. The SSNPS was known as the South Sudan Police Service (SSPS) until 2012.

38. John A. Snowden, *Work in Progress: Security Force Development in South Sudan through February 2012* (Geneva: Small Arms Survey, June 2012), p. 27, <http://www.smallarmssurveysudan.org/fileadmin/docs/working-papers/HSBA-WP-27-Security-Force-Development-in-South-Sudan.pdf>.

39. Numbers provided by Fred Yiga, commissioner of UN Police Mission, UNMISS.

40. Snowden, *Work in Progress*, p. 28.

41. See, for example, Amnesty International, *South Sudan: Lethal Disarmament* (London: Amnesty International, October 2012), http://www.humansecuritygateway.com/documents/AI_SouthSudan_Lethal-Disarmament.pdf.

in South Sudan remains the SPLA, which as a military force is ill-suited to dealing with internal policing matters. Civilians are understandably skeptical of the state's ability to protect them and reluctant to surrender their arms or end their reliance upon non-state security providers, such as militia groups.

The United States has engaged with the SSNPS as part of a broader SSR effort in South Sudan since 2005. Despite the overwhelming scale of the challenge, relatively few resources have been assigned to the task. As a result, programs have tended to be small, targeted initiatives. The State Department's INL Bureau coordinates the activities. They include providing trainers to the police contingent of the UN Mission in South Sudan (UNMISS); training and equipping a highway patrol unit to police the newly covered road from Juba to the Ugandan border; establishing "information-led policing" pilot projects in three state capitals to encourage the police to take a more proactive approach to dealing with crime; and organizing police-community dialogues aimed at building trust and improving understanding between the SSNPS and the public. In addition, plans are being developed to establish a livestock-protection unit, a paramilitary force to deal with the serious problem of cattle rustling, a major source of violence in states. INL is also working in other areas of the criminal justice system, including corrections, where some progress has been made.

The obstacles facing the development of professional policing in South Sudan are immense, and even the best-case scenario will require decades before the SSNPS is able to deal with the country's myriad security challenges. Perhaps the most important problem is the militarization of the police. Former soldiers tend not to make good police officers. They do not know how to deal with the public, they are trained to follow orders rather than think on their feet, and they are quick to resort to force. Unfortunately, the SSNPS staff consists largely of former SPLA soldiers who spent their formative years fighting in the bush. The military culture rubs off on new recruits as well, who tend to be selected based on their physical fitness rather than any relevant criteria. A strong emphasis remains in the training academy on military tactics and marching in formation. Stern discipline in the main Rajaf academy has on occasion crossed the line into physical and sexual abuse against recruits. The situation got so bad that an unofficial moratorium was placed on recruiting female cadets because they could not be adequately protected from being raped at the academy.⁴² The atmosphere of brutality leaves newly graduated officers ill equipped to deal with the public. South Sudan's newspapers catalogue almost daily allegations of police misconduct, violence, and arbitrary arrest. Senior officers who frequently interact with the donor community may be comfortable with the lexicon of community policing but for rank-and-file officers, the concept holds little meaning. The public continues to view the police as predatory, ill disciplined, and unaccountable. The military-style fatigues worn by the SSNPS only serve to reinforce the perception that their officers are not to be approached.⁴³

Another problem closely linked to the militarization of the SSNPS is the continued intrusion of the SPLA into the affairs of the police. The inability of the SSNPS to take charge of internal security means that the SPLA continues to perform the role. This creates tensions between the two institutions that have occasionally led to violence. For example, during the civilian disarmament campaign in Jonglei in spring 2012, the SPLA first disarmed the local SSNPS officers.⁴⁴ The GRSS

42. Off-the-record discussion with INL official.

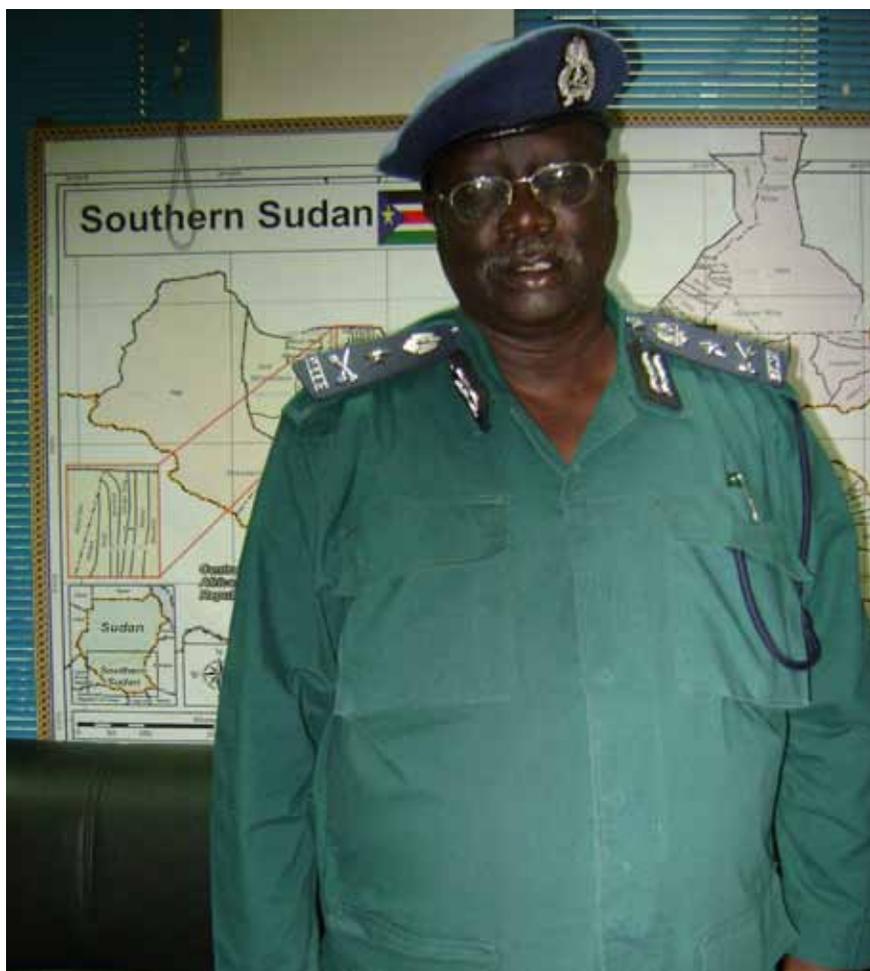
43. Off-the-record discussions with representatives of three civil society groups, Juba, August 8, 2012.

44. Small Arms Survey Human Security Baseline Assessment, "My Neighbor, My Enemy: Inter-tribal violence in Jonglei," *Sudan Issue Brief*, October 2012, p. 8, http://www.smallarmssurveysudan.org/fileadmin/docs/issue-briefs/HSBA-IB21-Inter-tribal_violence_in_Jonglei.pdf.

has added to the confusion by failing to properly clarify the roles and responsibilities of its security institutions.

Another challenge facing the police in South Sudan is that nationwide tensions over ethnicity are replicated in the SSNPS, which is sharply divided along ethnic lines. Well-founded allegations persist that rogue elements within the SSNPS are running ethnic militia, including in the capital, Juba, which is beset by insecurity linked to the security services. In addition, the SSNPS leadership is overwhelmingly made up of Dinka, the country's largest ethnic group. Other large groups, such as the Nuer, complain of marginalization. According to the Small Arms Survey, 70 percent of the upper echelons of the SSNPS, including 9 of the 10 state police commissioners, were Dinka at the end of 2011.⁴⁵ The perception of Dinka dominance, which is to some extent borne out by reality, undermines attempts to develop the SSNPS as a truly national institution that represents all of its citizens regardless of region or ethnicity.

Another issue facing the SSNPS is the lack of adequate leadership, both inside the organization and outside, at the government level. The absence of fully functioning systems and institutions within the police service means that the onus falls on individuals to champion reform and enact positive change. Unfortunately, apart from a few notable exceptions such as the deputy inspector general of the SSNPS, Lieutenant General Gordon Micah Lur Luala, few people are willing or able



General Gordon Micah Lur Luala, deputy inspector general of the South Sudan National Police Service. Photo by Richard Downie.

45. Snowden, *Work in Progress*, p. 28.

to take on the task. Well-intentioned officers struggle to operate within an organization that is dysfunctional, under-resourced, and overseen by a government that does not appear to understand the proper role of the police. Their superiors constantly undermine them by impeding investigations or claiming their successes as their own. The elder generation is a particular problem; large numbers of SSNPS officers have been given senior positions due to their wartime efforts rather than any ability to do their current jobs. They act as an obstacle to progress, demoralizing younger and more capable officers who find their paths to promotion blocked.

Successes often attract unwanted attention from spoilers. A U.S.-funded project that set up and trained a police Highway Patrol Unit had an immediate impact in reducing car accidents and reckless driving on the Juba-Nimule road. A total of 375 motorists were cautioned for driving offences in the space of just three weeks in May 2012.⁴⁶ However, a certain high-ranking police official known more for running criminal operations rather than doing his job, soon heard about the work, and appointed his men to the unit. Almost immediately, equipment including police motorcycles went missing or was damaged. This lack of leadership can have a disastrous impact on police morale and discipline. It is not unusual to arrive at a police station to find officers drunk on duty.⁴⁷ Petty corruption is commonplace, with officers often demanding money to open cases.

The lack of discipline is aggravated by serious command-and-control shortcomings within the SSNPS and unclear relationships between police at the federal, state, and local level. The GRSS has made federal-state tensions worse through its patronage system, whereby governors are simply given money to train their own police, which become essentially unaccountable militia. Some of the worst tensions are evident in Juba, where rivalries between the national police and their state counterparts in the Central Equatoria force have erupted in violence. Politicians have exploited the tensions by deploying police units to act as their enforcers and generate revenue. A renegade unit of SSNPS known as the Blackshirts has been blamed for a spike in violent robberies in Juba. The recently appointed commissioner of Central Equatoria police received a mandate to consolidate the confusing array of police units in the capital, whose uniforms may be distinct but whose responsibilities are much less clear. Some progress has been made but Juba remains a city where the police themselves are a major source of insecurity.

It almost goes without saying that a lack of resources—both physical and human—is a major hindrance to the development of an effective police service in South Sudan. The SSNPS has no headquarters, forcing the senior leadership to take up temporary residence in the Ministry of Internal Affairs. Police stations lack the most basic equipment, while accommodation for officers and their families is woefully inadequate. The headquarters of Central Equatoria Police, which is responsible for policing a wide area including South Sudan's capital, has just two police cars at its disposal. The director general of the Criminal Intelligence Department (CID) explained that he maintained the vehicles himself and paid for repairs out of his own pocket.⁴⁸ The police budget does not cover uniforms, stationery, or fuel. In terms of human capital, most SSNPS officers are unable to perform their jobs. Many officers struggle to read and write. During the author's visit to Juba in August, the CID was celebrating the arrest of an armed gang responsible for a series of violent burglaries in which several residents had been murdered. But the investigation was hampered by the failure of detectives to take legible statements from victims and a key informant. The skills

46. Figures provided by INL.

47. Several officers were clearly intoxicated during an unannounced 8:00 a.m. visit to the headquarters of Central Equatoria Police in Juba.

48. Author interview in Juba, August 10, 2012.

deficit in the SSNPS is particularly stark at the mid-level of management, something that donors are addressing by constructing a specialist-training academy for intermediate officers.

U.S. officials working on police reform face an almost-overwhelming set of challenges and are equipped with a limited budget to address them. Their entirely pragmatic response has been to scale down expectations of what can be achieved in the short term, focusing their efforts on addressing specific needs with micro-level programs. These include setting up the Highway Patrol Unit and forming a remand board to deal with a backlog of juveniles in pretrial detention in Juba. These programs are often based around the participation of dynamic host-country individuals who “get” the reform agenda. The thinking is that small programs have a better chance of success and are more likely to produce measurable impacts that can be shown to a U.S. Congress hungry for performance metrics. This approach appears justified. Data gathered by INL shows that both the Highway Patrol Unit and youth justice board have had a positive impact—the number of arrests for dangerous driving on the Juba-Nimule road went up, and the backlog of youth remand cases in Juba was cleared. What is less evident, however, is whether the success of these small projects can somehow permeate outwards, having a positive demonstration effect on the broader criminal justice architecture. Another concern with basing a reform agenda around individuals is sustainability. It might deliver “quick wins” but these gains will be fragile and easily reversed unless they can be linked to a longer-term approach that harnesses the growth of strong institutions. The example of the Highway Patrol Unit, which quickly became less effective after it attracted the attention of a corrupt senior officer, illustrates the dangers of relying on individuals to deliver meaningful reform.

Another lesson that U.S. officials are drawing from their interaction with the police in South Sudan is the need to engage more at the state and local level. Donors in general are becoming increasingly exasperated by the inability and, to some extent, the unwillingness of the GRSS to start improving the lives of their citizens. Corruption is rife and mounting evidence points to a lack of political will at the national level. As a result, the United States is diversifying its approach, and is beginning to engage with willing partners at the state and local level, where the need for effective policing is enormous. Some positive stories are emerging. In Bor, the capital of Jonglei state, officials say they are surprised by the sensitive way the police handled a potentially dangerous confrontation between the local authorities and a group of squatters. INL officials are cautiously optimistic about the first pilot for its Livestock Patrol Unit, also in Jonglei. They say the new police commissioner of Central Equatoria has started to come to grips with some of the serious command-and-control issues in and around Juba. And they are effusive in their praise of the efforts of individual leaders within South Sudan’s corrections service to make the country’s prisons more humane. The big strategic challenge is how to nurture these individuals so that their hard work is not undermined by the spoilers or lost within the overall dysfunction of the criminal justice system.

One of the best ways to ensure that individual good performers are supported within the SSNPS is to prompt others to follow their example by encouraging a culture of police professionalism. Training is fundamental to the process, which is evident in the fact that South Sudanese tend to have more trust in SSNPS officers who came out of the pre-independence, Khartoum-trained police force. These officers benefited from more rigorous, well-rounded training and as a consequence have a better idea of what it actually means to be a police officer. Donors are aware of the importance of getting the training right, but U.S. engagement in pre-service training remains on hold because of the failure of the GRSS to adequately investigate the abuse scandal at the national academy in Rajaf. Serious concerns persist that the academy is failing to produce police of suf-

ficient quality. Part of the problem is the long-time lag—often several months long—between graduation and deployment, which means that newly minted police officers forget what they have learned before they have the chance to apply it. Getting the academy right is only part of the solution. After all, the skills required to be a good police officer are mainly learned on the job. Follow-up training and continued mentorship programs for new officers are critical. Here, the donor community has a patchy record. While the emphasis on human rights training is welcome, other courses are not sufficiently attuned to realities on the ground. One CID officer, looking at the list of upcoming courses offered by the UN Development Fund, pointed with amusement to a workshop on DNA profiling, arguing that a course on how to write a statement might be a better use of his officers' time.⁴⁹ Training of state and local police is another gap. Effective training also means enlisting good trainers. However, UNMISS, in common with other UN missions, has struggled to attract police trainers of sufficient quality and breadth of expertise. This is a gap the United States is well placed to fill, provided the right incentives are put in place to attract domestic law-enforcement officers to international police missions.

Conclusions and Policy Recommendations

The three case studies of Liberia, Sierra Leone, and South Sudan illustrate the enormous challenges of building effective, professional police services in fragile states. The United States is assisting but its resources are limited and Congress has not made reform of the civilian security sector a foreign policy priority. In spite of the challenges, U.S. officials can point to some achievements. In Liberia, where the military is not yet ready to deploy, the U.S.-trained ERU has become a fairly effective unit for dealing with serious outbreaks of domestic insecurity. The involvement of USAID and ICITAP in helping the SLP maintain order during the elections in Sierra Leone demonstrates that a big budget is not a prerequisite to making a positive impact. The micro-training model it used is promising and could be applied elsewhere. In South Sudan, the challenges of building a functional security sector are overwhelming but pockets of good performance can be found, thanks to U.S. efforts with a range of actors, including highway patrol officers, corrections staff, and youth justice officials.

These achievements—some large, some more modest—are a testament to the hard work and dedication of U.S. police trainers, law enforcement officials, and development experts. The big challenge will be to ensure that their efforts become a foundation for future success. For that to happen, policymakers must resolve three big questions.

The first issue that must be confronted is the sustainability of programming. Security Sector Reform and Transformation is a complex, wide-ranging, and open-ended task. Contributions toward the overall effort must be similarly long term in outlook. If commitments end abruptly, the consequences can be disastrous. To use the example of Liberia, the country's security sector is currently at a crossroads. The UN, the United States, and other donors have invested a small fortune in helping remodel its security architecture, with some good results. But UNMIL is beginning a transition that will eventually lead to its departure, and the government of Liberia has not yet shown an ability to assume the cost of taking on sole ownership of its police and other security institutions. This has worrying implications for a U.S.-trained unit like the ERU that, if not adequately maintained, trained, and monitored, risks becoming an armed militia. The United States

49. Author interview in Juba, August 10, 2012.

must therefore decide whether its commitment to the ERU is open-ended. If not, it has a moral responsibility to work with other donors and the government of Liberia to make sure its financial future is secure. Tackling the issue of sustainability in the security sector is the key to ensuring the future stability of Liberia. One of the most important activities that the United States can engage in is to work with Liberia's government, its Ministry of Finance, and other international partners to build a security strategy that is sustainable in the medium to long term. In terms of the police, this means matching the size of the LNP to the types of security threats it is likely to meet and the available budget. If there is a gap, as seems likely, Liberia and its international partners will have to begin negotiations to find ways of filling it. The challenge of "right-sizing" and "right-financing" the security sector is at the heart of the sustainability question. It means that U.S. engagement on police development cannot merely concern itself with training and equipping officers; it must work with host-country governments on planning and financing the security sector. It may even extend to working with governments on ways to expand their resource base, for example, by establishing effective tax systems that enable them to pay adequate salaries to their police and other public officials.

The next big challenge for U.S. policymakers working on police reform is to juggle short-term operational needs with long-term development goals. Both are important. The United States gets involved in police reform overseas based on its strategic and security priorities around the world. These might include improving the capacity of a country's law enforcement agencies to prevent the flow of narcotics and disrupt the operations of terrorists who might harm the United States. The onus is on delivering quick, easy-to-measure results that members of Congress can show to a public increasingly skeptical of spending on foreign operations. The method for pursuing these short-term objectives heavily relies on training and equipping foreign police and other security personnel. Success is often measured in the number of police graduating from the academy or the number of new police cars, guns, and other equipment delivered. But for the host country, there is a natural tension between short-term attempts to improve the capacity of their security forces and longer-term efforts to build sustainable security institutions. Putting large numbers of new police on the streets will not improve security in the long term if the host government is unwilling or unable to pay them, if there is no ongoing training program, if there is no system in place to hold them accountable for their conduct, and if there is no one to fix their new computers and vehicles when they break down. These issues are core considerations for the U.S. development professionals involved in longer-term engagement with the security sector. Their efforts are usually focused on building functioning institutions that deliver justice and security to citizens in the host country, rather than U.S. citizens per se. The people involved in this work are usually not the same people engaged in "train and equip" programs, and their agenda is somewhat different. U.S. policymakers must acknowledge the tension between these two groups and try to find ways of getting them to work together more effectively, or at a minimum, to ensure their efforts do not undermine each other. This means improving communication mechanisms and giving real meaning to the State Department's "whole of government" approach to doing business.

A final big question for the United States is how to confront one of the biggest obstacles to building professional police services overseas: political interference from the host government. Politicization of the police is a serious threat to security in all three case study countries. In Liberia, the ability of the government to appoint LNP senior executives causes many police to wonder whether genuine reform is possible. In Sierra Leone, question marks over SLP neutrality undermined public trust in the police during the election. In South Sudan, the government has actively

obstructed efforts to build a professional police, gifted senior SSNPS positions to former SPLA officers, and used policing as a tool of patronage by giving money to state governors to set up their own, largely unaccountable, police forces. In all three countries, the end result, according to one of Sierra Leone's leading civil society activists, is that "Police do not understand their public responsibility. They see their first loyalty to the president rather than the people."⁵⁰

The United States must confront the reality that police reform will eventually stall in the absence of political will from the host country. Ultimately, the United States will have to make tough political decisions about whether it is worth spending money on police development in countries like South Sudan, where the government shows little inclination to let the police do their job. In the meantime, U.S. policymakers need to come up with new strategies to protect security institutions from becoming politicized. This might include programs to establish robust oversight for the security sector, such as strengthening the ability of legislatures, the media, and civil society to hold their governments and security institutions to account. Security-sector governance needs to be discussed—in particular, the authority of politicians to appoint senior police officials or make decisions on policing issues. One must be realistic, however, about the chances of persuading governments to willingly give up politically useful powers over the security sector.

As it thinks about the best way to engage African countries on police development, the United States should incorporate the following principles and priorities:

- *Build domestic and international constituencies of support for police reform:* The police are a critical component of the security sector. This is particularly the case in Liberia, Sierra Leone, and South Sudan, three countries whose most potent security threats are internal rather than external, and therefore best dealt with by police rather than militaries. As they seek to rebuild following devastating conflicts, the political leadership of all three countries acknowledges that establishing security is a prerequisite to lasting stability and prosperity. Yet the police do not appear to be a top priority. They are under-resourced, subject to political interference, and held in low regard by governments and their citizens. In none of these nations is a career in the police a sought-after job prospect for the country's brightest and best. Africa's leaders need to be persuaded that investing in their police is an investment in the future stability of their country. This is a message the United States government should forcefully and consistently convey in its public and private diplomacy with African governments. This will require a shift in emphasis. U.S. support for SSR has traditionally favored assistance to foreign militaries over police. The approach should be rebalanced in favor of the police, to reflect the critical role they have to play in promoting peace and security in Africa.
- *Develop realistic plans and do not expect overnight success:* This is not a message of defeatism, rather a reminder that the task of police reform is arduous and cannot be completed within the duration of the average U.S. budget cycle. Patience is required. This is particularly the case in fragile states such as Liberia, Sierra Leone, and South Sudan, where success is more likely measured by small, incremental achievements rather than the implementation of a grand solution for the whole security sector. The lessons of the failures of SSR in Iraq and Afghanistan and the reality of tight budgets in Africa suggest that micro-level rather than macro-level state-building initiatives might be the best way to proceed. The reality is that developing professional, accountable police in insecure, poor, ill-governed places like South Sudan will take a genera-

50. Author interview in Freetown with Ibrahim Tommy, executive director, Center for Accountability and Rule of Law, April 2, 2012.

tion or more. Perhaps the best that can be hoped for the SSNPS is that it establishes a physical presence across the country, that it is not too egregiously corrupt, and that the public begins to trust it enough to consider approaching its officers for help. These may seem like small steps but they would be big achievements within the context of South Sudan.

- *Pick winners:* Countries that lack the minimum condition for police reform—political will—are probably not worth engaging with at all. U.S. foreign policy objectives may dictate otherwise; but one should be realistic about what can be achieved in these circumstances. It is important, therefore, that the United States works with police not only in tough, post-conflict states, but also in places where the operating environment is more conducive to reform. If U.S. policy-makers are to continue engaging with police overseas, they will need to have some success stories to draw upon. This partly explains the thinking behind the State Department’s West Africa Cooperative Security Initiative, which works with several countries to tackle the shared threat of narcotics trafficking, including more forward-leaning ones like Ghana, whose police are responsive to engagement and committed to reform.
- *Consider the U.S. “value-added” contribution:* The United States is one of several Western donors and international institutions engaged in police reform around the world. It should think more strategically about what it does better than its peers, and seek to do more of it, rather than engage in tasks that can be left to others. Discussions with donors about the types of support they feel the U.S. is particularly capable of offering yielded a variety of suggestions. They include: training and standing up armed rapid response units such as Liberia’s ERU; working with civil society to establish police-oversight bodies; offering advanced training and mentoring of senior police officials; providing technical support to police “back office” staff such as payroll managers, financial administrators, budget analysts, and procurement experts; and helping police services improve their fleet management and vehicle maintenance.
- *Cooperate more with other donors:* SSR is a big, unwieldy area and no single donor is sufficiently engaged or wealthy enough to bankroll an entire country’s security reform. As a result, donors must coordinate themselves and not rely on the host country to do it for them. Host-country governments will invariably say “yes” to any assistance, even if it duplicates something another donor has already offered. While examples of good donor coordination can be found in all three case study countries, the default position, according to the head of the UN police section in Sierra Leone, is that “Everyone wants to coordinate but no one wants to be coordinated.”⁵¹ Donors should resist the temptation to go it alone by pursuing pet projects that deviate from an overall strategy agreed with, and led by, the host country. Often, donors do not willfully avoid coordination; instead they are constrained by time and bureaucracy. Structures should be set up to make the task easier. Pooled funding mechanisms, such as the basket fund established for Sierra Leone’s elections and the justice and security fund in Liberia, are good ways of ensuring that donors are pulling in the same direction. SSR working groups, where interested donors discuss priorities and common objectives, have also performed a useful role, notably in Liberia. The United States should aggressively seek out opportunities to collaborate. It should also engage with donors on a regional basis. That so many of Africa’s security challenges are transnational means it is important that U.S. initiatives with police in one country are coordinated with efforts by other donors in neighboring countries.

51. Interview with Chief Superintendent Janice McClean, head of the police section at the UN Integrated Peacebuilding Office in Sierra Leone (UNIPSIL), Freetown, April 3, 2012.

- *Move beyond train and equip:* Most professionals working on SSR agree that approaches to police reform that rely exclusively on the “train and equip” model are doomed to fail. Yet this approach still characterizes a lot of U.S. engagement with overseas police. Experts point out that training is a tactic, not a strategy, and can be effective only if it is integrated with a much broader effort centered on developing institutions and bringing about a change in culture among the police. Even host countries appreciate the ineffectiveness of the existing approach, which too often focuses on handing over expensive gadgets and teaching police officers a dozen different ways to disarm a suspect but has less to say about equipment maintenance and the proper role of a police officer in a democratic society. A U.S. police trainer in Liberia said that the most consistent message he received from his Liberian counterparts was “Stop giving us stuff.” There remains a tendency to push hi-tech solutions when simpler ones will do. “The LNP doesn’t need a photon microscope when they can’t collect, organize, and analyze evidence or keep documents properly,” he added. When asked what piece of equipment every LNP officer most needed, another police trainer said “a pen.”⁵² Mass transfers of equipment—whether police cars or computers—are the quickest ways to waste money unless they are accompanied by training on how to use and maintain them. Even then, there are better, and less costly, ways of promoting police development.
- *Get the right people for the job:* The challenge of building professional police institutions overseas requires a broad set of skills, which few possess. It demands a combination of policing expertise, country knowledge, diplomatic skills, and a background in development issues. Finding the right people is difficult, and the decentralized structure of the police system in the United States makes the task even harder. The U.S. government has to seek the agreement of individual police departments in order to borrow their officers for international assignments. Not surprisingly, only a few have sufficient capacity to give up staff for an extended period and even fewer are willing to do so. As a result, most of the U.S. personnel on international policing missions are not serving police officers. While the judgment of one senior UN official about the caliber of U.S. personnel on UN police missions—that “U.S. police advisors have a terrible reputation”—is probably overstated, it is true that the quality varies widely.⁵³ Most are capable and perform their tasks with dedication and professionalism; but a few “go through the motions” and fail to provide the necessary level of support to foreign counterparts. If the United States is serious about engaging in police development overseas, it needs to find creative ways of attracting its best officers to get involved. In particular, it needs to do more to entice police officers from diaspora communities to take part in missions to their countries of origin. This has been done with some success in the Caribbean, where Haitian-American officers from the New York Police Department were deployed to assist Haitian police in the wake of the 2010 earthquake.⁵⁴ But there have been no similar initiatives in Africa so far.
- *Try to address the root causes of insecurity:* U.S. efforts to enhance the ability of police in Africa must be linked with initiatives to improve the security environments that make their jobs so challenging in the first place. Youth engagement must be a critical element of that strategy. Young people played a major role in Liberia and Sierra Leone’s civil wars and former child soldiers are a volatile and neglected group in both countries, with few skills and employment prospects. They have a particularly confrontational relationship with the police, who tend

52. Off-the-record discussion with police advisers to UNMIL, Monrovia, March 28, 2012.

53. Off-the-record conversation with UN official.

54. Mara Schiavocampo, “Haitian-American Police Return Home to Protect and Serve,” *The Griot*, January 9, 2011, <http://thegriot.com/2011/01/09/haitian-american-police-return-home-to-protect-and-serve/>.

to view them as a threat. Across Africa, demographic trends have created a so-called youth bulge, which some analysts have warned could lead to an increased chance of conflict unless governments do more to meet young people's aspirations. These are big social issues that go far beyond U.S. engagement in African police development. But U.S. policymakers need to be cognizant of them and look for opportunities to tie their programs to the broader development agenda in Africa.

- *Broaden the engagement:* Governments have an in-built disposition toward dealing with other governments. But police reform cannot be successful, particularly in Africa, unless the United States interacts with a broader set of actors, both at the local government and non-state level. Effective policing is a community-oriented activity, which means that purely top-down approaches are unlikely to have much impact on the ground. Security threats are highly localized in most African countries; so too are the solutions. Therefore, U.S. policymakers should try to understand local conflict dynamics and shape their strategies accordingly. In the majority of African countries where the national police are either deeply mistrusted or entirely absent from most communities, the United States should investigate the feasibility of linking up state policing activities with those of non-state security providers, which may include traders' associations, private security firms, and community watch groups. Collaboration will not always be advisable but U.S. program makers should be alert and open to the possibilities.



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