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## Projecting Stability: A Deployable NATO Police Command

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**ABSTRACT:** This article proposes a method for developing a NATO deployable police command capable of responding to international crisis situations within 5 days and providing a stability police force of 1,000 officers to support local forces in 30 days.

The North Atlantic Treaty Organization (NATO) recognizes national security depends on regional stability.<sup>1</sup> As the Alliance analyzes deteriorating security conditions around the world, it appears less likely to engage in overt peer-to-peer warfare but rather to respond to gray-zone actions used by revisionist powers to change the international order without provoking conventional war.<sup>2</sup> Mechanisms to identify and to counter these efforts to harm or interfere in civil security, communications, civility, or elections do not currently exist. But well-trained police forces and internal security organizations, not military forces, may offer the best response.<sup>3</sup> Many police organizations are incapable of providing the necessary protections against gray-zone activities. Nonetheless, NATO may be able to conduct crisis management better by establishing a deployable police command.<sup>4</sup>

The United Nations recognizes police officers are equal to, if not more important than, military forces in establishing security: “Good soldiers . . . cannot fully perform police duties among local populations.”<sup>5</sup> This philosophy is reflected in the three separate but equal components of the integrated United Nations (UN) mission: the military, the police, and the civilians.<sup>6</sup> Military commanders today are rarely responsible for implementing the police portions of the UN Security Council Resolution; hence, policing must be delegated to another organization. As the UN security mission matures, the organization has removed structural impediments to operational effectiveness, built upon the

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1 Ruben Díaz-Plaja, “Projecting Stability: An Agenda for Action,” NATO, March 13, 2018.

2 Nathan P. Freier et al., *Outplayed: Regaining Strategic Initiative in the Gray Zone* (Carlisle, PA: Strategic Studies Institute, 2016); and Stanley Hoffman, “Clash of Globalizations,” *Foreign Affairs* 81, no. 4 (July/August 2002): 104–15.

3 Hal Brands, *Making the Unipolar Moment: U.S. Foreign Policy and the Rise of the Post-Cold War Order* (Ithaca, NY: Cornell University Press, 2016).

4 Díaz-Plaja, “Projecting Stability.”

5 *Hearing Before the Commission on Security and Cooperation in Europe*, 107th Cong. 42 (2001) (General Wesley Clark quoted in testimony of Robert M. Perito, Senior Fellow, Jennings Randolph Program for International Peace, USIP).

6 International Forum for the Challenges for Peace Operations (Challenges Forum), *Considerations for Mission Leadership in United Nations Peacekeeping Missions* (Stockholm, Sweden: Challenges Forum, 2010).

successes made by the military component, and filled power vacuums before they could be exploited by malevolent actors.<sup>7</sup>

But NATO has not changed its structure or its practices to accommodate the increasingly important role of stability policing. While stability police are recognized as necessary, they remain under the authority of NATO. This article argues that NATO should develop a deployable police command with police and justice personnel who have been specially trained in stabilizing gray-zone conflicts.

## Background

International interventions over the last two decades have decreasingly focused on confronting conventional threats from traditional armies and have increasingly responded to decentralized, nonstate actors applying unconventional, asymmetrical, and irregular tactics. Army stability tasks frequently “coordinate with other instruments of national power” in such circumstances “to maintain or reestablish a safe and secure environment and provide essential government services, emergency infrastructure reconstruction, and humanitarian relief.”<sup>8</sup>

Traditional military forces, which are ill-suited for this shift to postwar stability operations and operations other than war, have struggled to operate within the “fog and friction” created when multiple participants coordinate conventional and asymmetric capabilities. When combined, megatrends—such as shifting socioeconomic conditions, accelerated urbanization, rising geographic mobility, increased connectedness—and rising criminal activities—such as weapons and drug trades, human trafficking, murder, and politically motivated violence—will further erode the capability of states to secure and govern themselves.<sup>9</sup>

International responses to the conflicts in Afghanistan and Iraq illustrate how stability operations suffer when a variety of approaches are incongruously applied. Thus, the effectiveness of police response to violence, crime, and disorder determines whether the people will support a new government, and predetermines the success, failure, or sustainability of an operation.<sup>10</sup> Notably, disagreements and a lack of coordination generate incoherent and ineffective stabilization

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7 Michael Dziedzic, ed., *Criminalized Power Structures: The Overlooked Enemies of Peace* (New York: Roman & Littlefield, 2016).

8 Headquarters, US Department of the Army (HQDA), *Stability*, Army Doctrine Publication 3-07 (Washington, DC: HQDA, 2012), 1.

9 World Economic Forum (WEF), *The Global Risks Report 2018*, 13th ed. (Geneva: WEF, 2018), 62.

10 Ian Johnstone, “Dilemmas of Robust Peace Operations,” in *Annual Review of Global Peace Operations, 2006* (Boulder, CO: Lynne Rienner, 2006); David H. Bayley and Robert M. Perito, *The Police in War: Fighting Insurgency, Terrorism, and Violent Crime* (Boulder, CO: Lynne Rienner, 2010).

actions, disconnect program efforts, duplicate training resources, and inappropriately prepare police for operations.<sup>11</sup>

For successful stability policing operations, a lead agency must be established to coordinate training and to provide the police assets required to quell crimes and manage public order.<sup>12</sup> As demonstrated in Afghanistan and Iraq, stability policing operations should not be treated as secondary priorities for military interventions. Instead, they must be regarded as equal, if not more important, requirements for long-term stabilization.<sup>13</sup> America's emphasis on the military as the main security actor, as well as the subsequent neglect of police forces, is, in hindsight, a major shortcoming of these early interventions.<sup>14</sup>

To make the situation worse, local police forces in both Iraq and Afghanistan were inadvertently militarized when they were trained as counterinsurgency assets.<sup>15</sup> In the aftermath of a crisis, the local police must investigate crime, manage public order, use intelligence-led policing to reestablish the rule of law, counter terrorism, and combat organized crime. Yet police cannot be the main instrument for fighting insurgency. As experts such as Joshua Bachner explain, "Military and police serve very different functions and ideally should not serve the role of the other."<sup>16</sup>

Policymakers recognize these problems. But despite continuing improvements, the existing system still has several drawbacks. As the US Special Inspector General for Afghanistan Reconstruction observed, "Developing and training a national police force is best accomplished by law enforcement professionals in order to achieve a police capability focused on community policing and criminal justice."<sup>17</sup> Likewise, a senior UN official, stated before the intervention in Kosovo in 2000, police forces must improve the rule of law and break the cycle of impunity of those who have committed acts of violence.<sup>18</sup> This is especially true in forced regime changes. The ability of the police to manage crime, violence, and disorder will determine whether or not the population will support the new government and the new regime.<sup>19</sup> Stability policing

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11 James Wither and Thilo Schroeter, *Police Primacy: The Challenges of Developing Host Nation Police Capacity on Stability Operations*, Occasional Paper 22 (Garmisch-Partenkirchen, Germany: George C. Marshall Center for European Security Studies, 2012), 1–5; and John F. Sopko, *Reconstructing the Afghan National Defense and Security Forces: Lessons from the U.S. Experience in Afghanistan*, SIGAR-17-62-LL (Arlington, VA: Special Inspector General for Afghanistan Reconstruction, 2017), 120–31.

12 Dennis E. Keller, *U.S. Military Forces and Police Assistance in Stability Operations: The Least-Worst Option To Fill the US Capacity Gap* (Carlisle, PA: Strategic Studies Institute, 2010); and Wither and Schroeter, *Police Primacy*, 4.

13 Sopko, *Reconstructing the Afghan National Defense*, 120–22.

14 Felix Heiduk, "Rethinking 'Policebuilding,'" *Cooperation and Conflict* 50, no. 1 (2015): 69–86.

15 Sopko, *Reconstructing the Afghan National Defense*, 123–25.

16 Joshua Bachner, *The Flip Side of the COIN: The US Role in Stability Operations* (thesis, Princeton University, Woodrow Wilson School of Public and International Affairs, 2013), 76.

17 Sopko, *Reconstructing the Afghan National Defense*, 177.

18 "In Remarks on Behalf of Secretary-General, His Kosovo Special Representative, Bernard Kouchner, Condemns Murder of Defenceless Farmers," SG/SM/7077, United Nations, July 26, 1999.

19 Heiduk, "Rethinking 'Policebuilding,'" 73; Bachner, *Flip Side*, 84; and Wither and Schroeter, *Police Primacy*, 4.

therefore becomes a legitimization of the intervention, especially from the perspective of the population.

The police force in the stability operation will also have to bridge the gap between military and local police forces to assume duties not clearly set in either camp—an area known as the security gap. Such gaps may arise outside of traditional postconflict stability operations when law and order break down and public order must be immediately reestablished to save lives. A tsunami, for example, could reduce the number of available security forces, or massive protests may exceed the state's security capabilities. Thus, the state may ask outsiders to intervene.

### Stability Policing

Most opinions on this topic indicate the best asset to fulfill the security gap is a *Carabinieri*-like constabulary force that can prevent power vacuums and anarchy.<sup>20</sup> Only such robust policing organizations with military status capable of performing specialized missions in disciplined groups can overcome the three distinct public security challenges plaguing stability operations: the deployment gap, the enforcement gap, and the institutional sustainability gap.<sup>21</sup> Temporal deployment gaps, which can have profound negative consequences on missions, result from a lag time between the arrival of the military contingent and the fielding of operational contingents. Enforcement gaps refer to discrepancies between the availability of lethal force in a combat unit and the minimal level of force available to an individual police officer. Institutional sustainability involves the government's incapacity to establish and sustain the rule of law.<sup>22</sup>

Some parties can readily see a role for military police forces (MPs) in future stability operations.<sup>23</sup> But critics contend such forces are ill-suited to perform stability policing operations for several reasons. First, MPs must perform other important duties during military operations, which leaves an inadequate number of units and personnel available to fulfill both functions. Second, servicemembers charged with stability policing generally lack expertise and experience in peacetime civilian law enforcement capacities, such as community-based policing.<sup>24</sup>

Specifically, military police forces can only be successful at determining the local community's threats to NATO or coalition forces.<sup>25</sup> Military police officers conducting stability operations experience a radical change of ethics, values, mentality, and procedures as they develop the flexibility and heuristics to handle complex social problems

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20 Bachner, *Flip Side*, 85.

21 Dziedzic, *Criminalized Power Structures*.

22 Bachner, *Flip Side*, 85; and Michael J. Dziedzic, *The Public Security Challenges and International Stability Police Units* (Washington, DC: US Institute for Peace, n.d.).

23 Ronja Kempin and Christian Kreuder-Sonnen, "Gendarmerieeinheiten" in *Internationalen Stabilisierungsmissionen: eine Option für Deutschland?*, SWP-Study 2010/S 06 (Berlin: Stiftung Wissenschaft und Politik, March 2010).

24 Keller, *U.S. Military Forces*, xiii–ix, 25.

25 Keller, *U.S. Military Forces*, 25.

they would otherwise have limited exposure to. Likewise, interactions with the population during stability operations generally intersect with law enforcement problems, which generate biases that MPs rarely have the opportunity to resolve in a conflict environment. Thus, military operations to quell insurgencies and enforce stability often provoke controversy among local populations.

Finally, though military police may understand the nuances between the use of force and the rules of engagement better than other soldiers, their nature and their training remain focused on combat. A police force serves and protects; a military is trained to conquer and defend using maximal force. Conversely, a population’s opinions of the military are often tainted by a concept of tyrannical force that makes comprehending military police officers as partners of the people difficult.<sup>26</sup>

Regardless of the pitfalls, the United Nations has discovered there are not enough military police officers available to meet the growing demand for stability police units.<sup>27</sup> Using military police in conjunction with stability police may therefore be necessary, ideally only for a short period of time and a limited number of tasks. The blending of the two forces can, for a short duration, alleviate personnel shortages while mitigating some of the concerns inherent in an all-military force. It should be noted, however, that the UN does not accept military police in the police component of UN operations unless they are police forces with military status.<sup>28</sup>

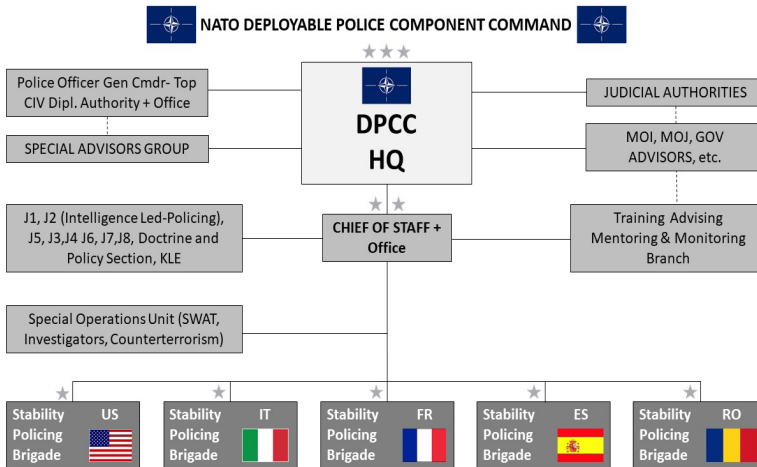


Figure 1. Organizational chart for NATO Deployable Police Command

26 Bachner, *Flip Side*, 70–84.

27 Department of Peacekeeping Operations (DPO), *Standard Operation Procedure (Revised): Assessment of Operational Capability of Formed Police Units for Service in United Nations Peacekeeping Operations and Special Political Missions*, Ref. 2017.9 (New York: United Nations, 2017).

28 DPO, *Standard Operation Procedure*, 6.

## A Deployable NATO Police Command

To support local police reforms during a regional crisis while mitigating costs to the United States and the European Union, NATO should establish a deployable police command. This command would guarantee NATO could react quickly, fill security gaps, offer common and integrated doctrine and approaches, and set force standards that could apply under different oversights, such as the European Union or the United Nations. Given the prevalence and the increasing capability of criminal networks, these forces will need a creative combination of community policing, constabulary work, criminal investigation, and special branch work.

The commander should lead a rule of law unit composed of a headquarters; approximately 300 experts divided into groups of legal, government, and political advisors; a training unit; special operations units; stability policing units; a special investigative group, and a special weapons and tactics group. It should be capable of deploying within 5 days and of reaching a full operational capability of 1,000–4,000 police officers—with forces from such nations as Italy, France, and Spain—in 30 days. The latter response time is a goal of the European Gendarmerie Force for similar forces responding outside of the European Union that NATO could achieve by combining existing units on a rotational basis.<sup>29</sup> With 3 police officers per 1,000 people sufficient in a high-threat environment, the international force should be capable of deploying up to as many as 4,000 police officers.<sup>30</sup>

By including public prosecutors and judicial authorities in the deployable police command, NATO could assure and legitimize transitional justice and establish a criminal justice system to help maintain law and order. Such efforts could prevent mayhem in postconflict or regime-change scenarios when judicial and legal authorities often become broken, nonexistent, or corrupt.<sup>31</sup> A mixed domestic and international tribunal could also pursue mass atrocities, guarantee human rights, uphold the rule of law, implement curfews, and most of all, guarantee an independent, fair, and lawful process to indicted people. Similar hybrid courts have already been used in Kosovo, East Timor, and Sierra Leone to great effect.<sup>32</sup> These interventions have taught that focusing only on police is shortsighted because legitimacy is threatened when corrupt judges release convicted offenders, corrections officers abuse detained inmates, or poor prison conditions threaten prisoners' well-being.

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29 Michiel de Weger, *The Potential of the European Gendarmerie Force* (The Hague: Netherlands Institute of International Relations Clingendael, 2009), 9.

30 "State of Crime and Criminal Justice Worldwide," A/CONF.213/3 (report, 12th United Nations Congress on Crime Prevention and Criminal Justice, Salvador, Brazil, April 12–19, 2010), 19.

31 David T. Armitage Jr. and Anne M. Moisan, "Constabulary Forces and Postconflict Transition: The Euro-Atlantic Dimension," *Strategic Forum* 218 (Washington, DC: Institute for National Strategic Studies, National Defense University, November 2005).

32 Laura T. Dickinson, "Transitional Justice in Afghanistan: The promise of Mixed Tribunals," *Denver Journal of International Law and Policy* 31, no. 1 (Winter 2002): 23–42.



The team of government advisors should be high-ranking experts who can assist a country's ministries of interior and justice in developing institutional guidance and coordinating support from the stability policing operation and the stabilization mission. These advisors, in coordination with tribunals and judicial authorities, should mentor and monitor ministries, top officials, and their ancillary staffs on police administration, community policing, and criminal justice. This team should constantly link its work with mentoring, monitoring, and advising units for local police forces to offer guidance, provide feedback, and assist with implementing policies and procedures.

A social specialist, cultural heritage protection expert, legal advisor, gender consultant, and strategic communication advisor constitute a political advising team. The information about the operational scenario, cultural and social setting, religious traditions, and ethnic integration provided by this team can be used to inform command decisions. The commander can also share this information among the staff responsible for planning, personnel management, administration, logistics, communication, intelligence, and security. A doctrine and policy section might also keep this information in mind as they promote best practices and review current policies.

Highly trained experts with a clear track record of field work experience in crisis areas comprise a training unit that mentors, monitors, and advises. These specialists should be selected primarily on the quality of the civilian policing experience they gained in their respective countries. This team includes forensic laboratory experts, counterterrorism advisors, investigation experts, public order specialists, community policing officers, border guards, counternarcotics experts, and sexual and gender criminologists who can equip the police cadre with a comprehensive array of capabilities.

These experts should be devoted professionals capable of vetting participants. Experience teaching, mentoring, and coaching police officers, ideally as field training officers in an international mission, is important to this team's success—especially when local recruits may be illiterate. In contrast to the shortsighted efforts in Afghanistan, Iraq, and other stability operations, experts estimate it can take at least five years to create or to reform a law enforcement organization.<sup>33</sup>

To complete the command's capability, a special operations unit comprised of special investigators, Special Weapons and Tactics (SWAT) teams, and counterterrorism experts must be added. This unit is necessary for protecting VIPs, capturing war criminals and terrorists, and conducting high-threat police missions. Other paramount tasks include conducting sensitive investigations, collecting intelligence, seizing evidence, and supporting the training of local special investigations units and SWAT teams.

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33 Robert M. Perito, *Where Is the Lone Ranger When We Need Him? America's Search for a Stability Force*, 2nd ed. (Washington, DC: United States Institute for Peace, 2013); and Wither and Schroeter, *Police Primacy*, 3.



## Conclusion

The most notable aspect that authorities and military commanders must understand about building a stability police force is that large numbers of novice police officers, swiftly equipped and hastily instructed, are detrimental to the success of security and stabilization operations: a competent police officer takes longer to train than a soldier. Areas handed over to inadequately trained police officers can just as quickly fall back into the hands of criminals or insurgents. Developing an effective, community-based police force depends more on the values and attitudes of the members of the force than the officers' technical skills. Unfortunately, developing technical skills is easier and generally receives greater attention than reforming behaviors and attitudes.

During the last 20 years, the European Union, the United Nations, and NATO have adopted different interpretations and models for reforming police in crisis areas with mixed results. Political constraints and policymakers' inertia continue to have a negative impact on the policing dimension of stability operations. Hopefully, the lessons learned from their experiences can be institutionalized and more successes can be achieved. Radical cultural and conceptual changes will be required not only to implement effective policies but also to reorganize NATO's stability policing efforts. Recognizing police are essential to maintaining stability and to consolidating gains made by the military, NATO must create the organizational structure—a deployable police command—required to maximize its effectiveness.

### Massimo Pani

Lt. Col. Massimo Pani, the Stability Policing Section Chief of NATO Rapid Deployable Corps–Italy, holds an LL.M. in law, an MA in internal and international security, and an MSc in security and risk management. He has extensive security and policing experience in homeland and international settings that includes leadership and operational roles, and managing large multidisciplinary projects and groups in permissive and hostile environments in Asia, the Balkans, and Europe.

### Karen Finkenbinder

Dr. Karen Finkenbinder, the Peace Operations Advisor at the Peacekeeping and Stability Operations Institute (PKSOI), US Army War College, also teaches criminal justice courses at Shippensburg University. She served as a US expert for community policing to the United Nations, a municipal police officer, state police training and education specialist, and military police officer.