



## **INSPECTION AND EVALUATION DIVISION**

# **EVALUATION REPORT**

### **Evaluation of the Results of National Police Capacity-Building in Haiti, Côte d’Ivoire and the Democratic Republic of the Congo by United Nations Police in MINUSTAH, UNOCI and MONUSCO**

“Considered against the many deficits affecting national police forces when MINUSTAH, UNOCI and MONUC/MONUSCO were mandated, the missions’ police components have made plausible contributions to capacity-building. But for the United Nations to be more effective requires the Security Council to support longer-term capacity-building with adequate resources; a more engaged and solution-oriented United Nations Headquarters providing meaningful guidance to the field; ensuring to address in full the political and practical challenges, including national ownership; and for Member States to provide better qualified police officers.”

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FUNCTION

*“The Office shall evaluate the efficiency and effectiveness of the implementation of the programmes and legislative mandates of the Organisation. It shall conduct programme evaluations with the purpose of establishing analytical and critical evaluations of the implementation of programmes and legislative mandates, examining whether changes therein require review of the methods of delivery, the continued relevance of administrative procedures and whether the activities correspond to the mandates as they may be reflected in the approved budgets and the medium-term plan of the Organisation;”*  
(General Assembly Resolution 48/218 B).

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## **EXECUTIVE SUMMARY**

### **Evaluation of the Results of National Police Capacity-Building in Haiti, Côte d'Ivoire and the Democratic Republic of the Congo by United Nations Police in MINUSTAH, UNOCI and MONUSCO**

Since 2003, Security Council mandates have given increasing importance to building national police capacity through support of missions' police components. This evaluation assessed the results achieved in building national police capacity by the police components of the United Nations Stabilization Mission in Haiti (MINUSTAH), the United Nations Operation in Côte d'Ivoire (UNOCI) and the United Nations Organisation Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) and its predecessor, the United Nations Organisation Mission in the Democratic Republic of the Congo (MONUC). Primarily and flexibly using the methodology prescribed in the United Nations Rule of Law Indicators (UNROLIP) that pertain to the police, the evaluation established the following:

Considered against the many deficits affecting national police forces when MINUSTAH, UNOCI and MONUC/MONUSCO were mandated, the missions' police components have made plausible contributions to capacity-building. But for the United Nations to be more effective requires the Security Council to support longer-term capacity-building with adequate resources; an engaged and solution-oriented United Nations Headquarters providing meaningful guidance to the field; missions throwing their weight behind inherent political and practical challenges; and for Member States to provide better qualified police officers.

The evaluation identified the following recurring issues across all three missions:

- i. Reporting by missions focused overwhelmingly on activities and not on the actual results achieved;
- ii. There was insufficient advocacy by mission leaders to overcome political factors hindering capacity-building, including the lack of necessary national ownership and governmental support;
- iii. Donor concerns over human rights contributed to equipment shortfalls at missions;
- iv. Lack of resources limited the capacity-building efforts to certain activities;
- v. Missions did not forge strategic alliances with other capacity-building actors, nor did they attempt to coordinate their work;
- vi. Operational linkages in the rule of law chain remained weak in practice;
- vii. The DPKO-UNDP joint Global Focal Point for Police, Justice and Corrections did not influence capacity-building in the three missions evaluated;
- viii. Despite considerable improvements, the recruitment of qualified IPOs remained challenging;
- ix. A case of national police officers obtaining employment in the United Nations as individual police officers through corrupt practices at the national level demonstrate a systemic risk to the Organisation;
- x. The Police Advisor role in advising missions on capacity-building was unclear;
- xi. There is tension between the slow, long-term and complex task of police capacity-building implemented by missions with short, one-year horizons;
- xii. There was a mismatch between mandated tasks and resources provided.

With respect to the country-specific evaluations, in Haiti, MINUSTAH experienced comparatively favourable conditions in terms of contextual challenges and resources invested by the United Nations for capacity-building of the Haitian National Police. The analysis showed that, overall, despite setbacks caused by the earthquake in 2010, MINUSTAH efforts in Haiti were successful. The majority of UNROLIP indicators registered a positive change compared to 2011. However, capacity-building efforts were too ambitious during the mission's early days, with particular regard to the tension between high recruitment goals and overstrained training capacity of the police. Despite various investments in facilities, training, and equipment, the material resources were still not adequate, particularly with respect to poor vehicle fleet maintenance and very poor forensic capacity.

In Côte d'Ivoire, UNOCI was mandated to assist in restoring a civilian policing presence throughout Côte d'Ivoire starting in 2004, but unsettled conditions in the country delayed and slowed police and gendarmerie capacity-building. The electoral crisis of 2010 and the related outbreak of another violent conflict further impeded the limited capacity-building efforts. Despite limited data on results attained, police capacity-building efforts by UNOCI seemed to have achieved some positive results; such as improved performance of the Ivorian police and gendarmerie. Factors such as a lack of governmental support and political considerations delayed reform efforts and key initiatives, particularly the vetting process.

In the Democratic Republic of the Congo (DRC) challenges to capacity-building of the Police Nationale Congolaise were particularly difficult given the size of the force and the number of deficits confronted. Since 2002, MONUC and MONUSCO had been mandated to perform several specific capacity-building tasks with very limited resources. Capacity-building efforts were encumbered by limited progress in training, delayed passage of key police reforms and less-than-optimal national support.

OIOS-IED made one critical and nine important recommendations to address the issues raised by the evaluation. DPKO/DFS has accepted all of the recommendations made in this evaluation. The action plan for the implementation of these recommendations can be found in Annex 4.

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## I. Introduction

1. This evaluation assessed the results achieved in building national police capacity in Haiti, Côte d'Ivoire and the Democratic Republic of the Congo (DRC) by the police components of the United Nations Stabilization Mission in Haiti (MINUSTAH 2004-2014), the United Nations Operation in Côte d'Ivoire (UNOCI 2004-2014) and the United Nations Organisation Stabilization Mission in the DRC (MONUSCO 2010-2014) and its predecessor, the United Nations Organisation Mission in the DRC (MONUC 2001-2010) under their Security Council mandates.

2. The general frame of reference for the Office of Internal Oversight Services (OIOS) is set out in General Assembly resolutions 48/218 B, 54/244 and 59/272, as well as ST/SGB/273, which authorizes OIOS to initiate, carry out and report on any action that it considers necessary to fulfil its responsibilities. OIOS evaluation is provided for in ST/SGB/2016/6.

3. The objectives of this evaluation were:

a. To determine as systematically and objectively as possible the relevance, effectiveness and impact of activities undertaken by the United Nations police (UNPOL) components in MINUSTAH, UNOCI, and MONUC/MONUSCO towards capacity-building of national police in Haiti, Côte d'Ivoire and the DRC respectively.

b. To enable the Secretariat and Member States to engage in systematic reflection, with a view of increasing the effectiveness and impact of national police capacity-building in all peacekeeping missions with police capacity-building mandates.

4. The Inspection and Evaluation Division of OIOS (OIOS-IED) identified the topic based on a risk assessment and consultations with the Department of Peacekeeping Operations (DPKO) and the Department of Field Support (DFS) and the priorities determined by the Under Secretary-General, OIOS. The evaluation has been conducted in conformity with the norms and standards of the United Nations Evaluation Group (UNEG). It applied the UNEG standard criteria of relevance, efficiency, effectiveness and impact. DPKO management comments were sought on the draft report and were taken into account in the preparation of the final report. The formal response of DPKO is included in the annex.

## II. Background

5. Since 2003, almost all new peacekeeping mission mandates have included police reform, restructuring and rebuilding tasks, with the objective that when the mandate expires, the mission leaves behind a national police service that is democratically controlled, institutionally robust, technically proficient, community-oriented and a contributor to the long-term stability of the country and the establishment of the rule of law. In 2014, in its first ever resolution on United Nations police,<sup>1</sup> the Security Council recognized the role that peacekeeping forces can play in

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<sup>1</sup> S/RES/2185 (2014).

democratic institutional capacity-building of local police forces to regain community confidence and consolidate peace.

6. The three missions selected for this evaluation—MINUSTAH, UNOCI, and MONUSCO/MONUC<sup>2</sup>—have mandates that required them not only to provide operational support, but to build national police capacity through various means including training, mentoring, monitoring, vetting, co-locating, joint patrolling, reorganising, planning and advising.<sup>3</sup>

7. DPKO provides support to capacity-building through the Police Division (PD) of DPKO (PD/DPKO), under the leadership of the Office of the Police Adviser (PolAd). This includes: (i) policy guidance by the Strategic Policy and Development Section; (ii) technical advisory services by the Mission Management and Support Section; (ii) recruitment of respective specialists through the Selection and Recruitment Section; and (iii) direct assistance by the Standing Police Capacity.

8. Capacity-building of national police is largely carried out by individual police officers (IPOs). Formed Police Units (FPUs) contributed to capacity-building until 2010 when their participation was limited as per revised DPKO/DFS policy. However, many other United Nations and non-United Nations actors are involved in police capacity-building.

### III. Scope and Methodology

9. The evaluation covered the period since the establishment of the missions to 2014. It focused on the results achieved in building national police capacity, to which the missions' police components reasonably and plausibly contributed. No direct attribution of results achieved was possible due to the many additional actors involved in developing national police capacity in these countries. The evaluation, which was conducted between October 2014 and August 2015, also addressed the factors that have helped and/or hindered national police capacity-building.

10. It flexibly used the United Nations Rule of Law Indicators (UNROLIP)<sup>4</sup> as its main analytical framework to measure the state of national police capacity, which should ultimately

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<sup>2</sup> **MINUSTAH:** S/RES/1529 (2004), S/RES/1542 (2004), S/RES/1608 (2005), S/RES/1658 (2006), S/RES/1702 (2006), S/RES/1743 (2007), S/RES/1780 (2007), S/RES/1840 (2008), S/RES/1892 (2009)\*, S/RES/1927 (2010), S/RES/1944 (2010), S/RES/2012 (2011), S/RES/2070 (2012), S/RES/2119 (2013);

**UNOCI:** S/RES/1528 (2004), S/RES/1609 (2005), S/RES/1721 (2006), S/RES/1739 (2007), S/RES/1962 (2010), S/RES/1933 (2010), S/RES/2000 (2011), S/RES/2062 (2012), S/RES/2101 (2013), S/RES/2112 (2013), S/RES/2162 (2014);

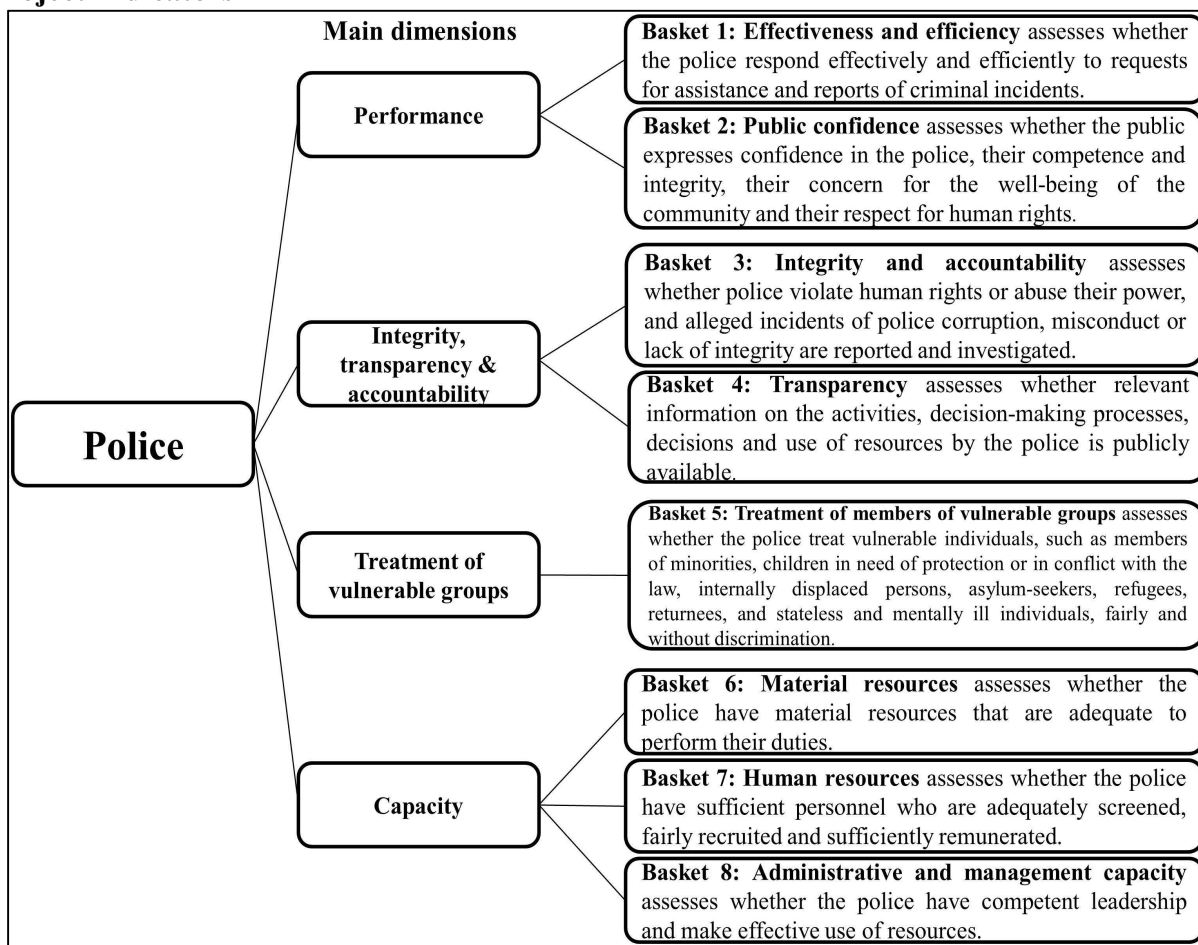
**MONUSCO/MONUC:** S/RES/1355 (2001), S/RES/1376 (2001), S/RES/1493 (2003), S/RES/1565 (2004), S/RES/1771(2007), S/RES/1856 (2008), S/RES/1925 (2010), S/RES/2021 (2011), S/RES/2053 (2012), S/RES/2098 (2013), S/RES/2147 (2014).

<sup>3</sup> For more details on the capacity-building efforts in each mission, please see individual mission chapter and the annex.

<sup>4</sup> UNROLIP is a tool for assessing rule of law in post-conflict situations. It was launched as a joint initiative by DPKO and OHCHR in 2008 and tested in Haiti, Liberia and South Sudan before its publication in 2011. See more details in the annex. The implementation guide and project tools are available at: [http://www.un.org/en/peacekeeping/publications/un\\_rule\\_of\\_law\\_indicators.pdf](http://www.un.org/en/peacekeeping/publications/un_rule_of_law_indicators.pdf).

reflect the result of the missions’ capacity-building efforts. The Special Committee on Peacekeeping Operations has frequently noted with appreciation the development of UNROLIP and encouraged the Secretariat to implement it in peacekeeping operations.<sup>5</sup> For the police, 41 indicators across four main dimensions and eight indicator baskets can be measured to monitor changes in the performance and fundamental characteristics of criminal justice institutions in post-conflict settings. UNROLIP is based on triangulation drawing data from expert surveys, public perception surveys, analysis of administrative data and field data collection. As UNROLIP emphasizes flexibility, additional secondary data was included in the analysis where considered appropriate to address data gaps.<sup>6</sup>

**Figure 1: Overview of police institution dimensions from the United Nations Rule of Law Project Indicators**



<sup>5</sup> A/66/19 para. 158; A/68/19 para. 179; A/69/19 para 184.

<sup>6</sup> UNROLIP is designed to be flexible, allowing for implementation in diverse settings. As the indicators are designed to track progress within a country over time rather than to make comparisons across countries, they can be tailored to a particular national situation.



11. Qualitative and quantitative data was gathered through various means, including:
- A representative nation-wide public perception survey in Haiti conducted between 11 May 2015 and 10 June 2015<sup>7</sup> (n=2262, response rate 83 per cent). It was not possible to conduct surveys in Côte d'Ivoire and the DRC; secondary data from an UNROLIP survey conducted by the Vera Institute in 2011 in Haiti and other surveys from academic institutions were used to complement the analysis.
  - Expert surveys using UNROLIP with various stakeholders (33 in Haiti; 21 in Côte d'Ivoire and 20 in the DRC) conducted through field missions.<sup>8</sup>
  - Semi-structured interviews with former senior staff members (seven for Haiti, three for Côte d'Ivoire and three for the DRC).
  - Data from police stations—30 in Haiti, and 65 in the DRC. It was not possible to collect field data from police stations in Côte d'Ivoire.
  - Analysis of administrative data provided by UNPOL components of the three missions.
  - A systematic analysis of external and internal United Nations documents based on the eight UNROLIP baskets for the police to locate both quantitative and qualitative secondary data on national police capacity-building in all three countries.
12. Efforts were made to collect data for all 41 UNROLIP indicators in the three countries. However, data was available for only 33 indicators in Haiti and 19 indicators each in Côte d'Ivoire and the DRC. Previous UNROLIP data was only available for Haiti. Due to a lack of data, a document review prescribed by UNROLIP could not be conducted. Further limitations included the reported unreliability of crime statistics in the countries, limited access to experts and national police officers, the lack of access to police stations in Côte d'Ivoire and untraceable records and data.

### **Structure of the report**

13. The report first deals with the cross-cutting issues that emerged from the mission-specific evaluations as they are directly actionable by the Organisation and within its control. The cross-cutting issues are followed by the mission-specific evaluations for MINUSTAH, UNOCI and the MONUC/MONUSCO.

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<sup>7</sup> The survey was based on a multistage stratified clustered sample including stratification by department, and population density with random GPS coordinate sampling for the selection of households. For calculating the sample sizes, a 1.96 level of confidence was assumed and the margin of error was set at 0.05. A total of 2802 homes were visited; of these 2325 were eligible and agreed to be interviewed yielding a response rate of rate 83%. Using the UNROLIP standard questionnaire respondents were asked to rate several indicators on a scale of 1 to 4, with the latter being the highest rating including a “no answer/I do not know” option.

<sup>8</sup> To be considered an expert, respondents needed to have a minimum of 12 month relevant experience in the country/position. Using the UNROLIP standard questionnaire respondents were asked to rate several indicators on a scale of 1 to 4, with the latter being the highest rating including a “no answer/I do not know” and comment option. Balanced selection of experts and the design of the rating system ensure that a few unrealistically positive responses do not influence an indicator’s overall rating. Ratings are calculated by taking the arithmetic mean of all valid responses based on the scores relating to the 4-point response categories. A rating becomes positive when it reaches the level of 2.5.

## IV. Results

### 1. Cross-cutting issues impacting the effectiveness of national police capacity-building

14. Informed by the UNROLIP findings for each mission, the evaluation identified several cross-cutting issues linked to the police capacity-building mandates. They are listed below in three levels:

- The mission level;
- The DPKO/DFS UNHQ level; and
- The Security Council level.

#### A. Mission-level issues

##### i. Reporting by missions focused overwhelmingly on activities and not on the actual results achieved

15. In all three missions, available police-specific reporting through bi-annual reports and the mission-based budget performance reports placed an overwhelming emphasis on activities and short-term outputs while providing no measurements of the progress or actual results of capacity-building programmes.<sup>9</sup>

16. An analysis of budget performance reports of MINUSTAH, UNOCI and MONUC/MONUSCO indicated that the most frequently cited police capacity-building activities conducted by the missions included the training of national police forces, providing operational and technical advice to national police forces and assisting with advice and the implementation of national reform plans.

17. MINUSTAH and UNOCI reported that approximately 64 per cent of the planned activities as achieved. MONUC/MONUSCO reported approximately 51 per cent of the planned activities reported as achieved. Overall, the three mission reported that 60 per cent of their planned 513 activities as achieved.

18. However, despite such reporting through the budget performance reports and the numerous anecdotal accounts of successful efforts, systematic and rigorous assessments measuring the improved capacity and results achieved by specific capacity-building activities were missing.

19. Despite repeated requests, details on the UNPOL mentoring programme in MINUSTAH and progress achieved could not be obtained, nor were results of mentoring activities reported by UNOCI or MONUC/MONUSCO.

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<sup>9</sup> Only as late as 2014 did MINUSTAH, with the assistance of the UN Standing Police Capacity, implement a system (H-SMART) to measure the HNP performance and development in key areas and to assess its operational capacity. However, H-Smart's use in MINUSTAH was not linked to institutional guidelines, but instead the ability and disposition of one police manager.

20. UNPOLs interviewed indicated that identification, observation and reporting of results achieved were not a part of their typical approach. Missions were further constrained by the frequent rotation of reporting officers and changes in report formats. There was insufficient knowledge management and archiving systems for obtaining baseline studies or data from the early days of missions. It was only in Haiti that one civilian expert emerged as critical in preserving institutional memory and supplying performance data pertinent to this evaluation.

21. Despite the development of UNROLIP from 2008 to 2011 and repeated encouragement by the Special Committee on Peacekeeping Operations<sup>10</sup> to implement them, no mission used them.

**ii. There was insufficient advocacy by mission leaders to overcome political factors hindering capacity-building, including the lack of necessary national ownership and governmental support**

22. The evaluation found that police capacity-building was primarily treated as a purely technical task managed mostly by the mission's police component, although United Nations guidance offers both political and technical approaches.<sup>11</sup>

23. There was a lack of clarity as to the role played by the Special Representatives and the missions' political affairs units in addressing specific political challenges in capacity-building. In all three countries, it was clear the police was politicized or had been an active party to the conflict.

24. In the three missions, the level of national ownership and governmental support for reform varied. In Haiti, the Reform Plan was viewed as lacking national ownership, while the subsequent Development Plan was perceived to be more inclusive of national perspectives and priorities. In contrast, in Côte d'Ivoire, an UNPOL report in 2014 noted that the overall process of the police and gendarmerie reforms was particularly hampered by the lack of a strong political will from the Ivorian Government. With police capacity-building predicated on national ownership, in the DRC the Government's role in this respect was of limited utility. Key reforms on the police were delayed for several years, and the Government did not organise training and relied on bilateral donors to train their police.

25. Yet, it remained unclear what the mission leadership did in detail to overcome the specific blockages constraining capacity-building, e.g. through good offices or fostering political space for reform. More broadly, the challenge of how to enhance national ownership, when the political will to reform police is insufficient, remains essentially unresolved.

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<sup>10</sup> A/66/19 para. 158; A/68/19 para. 179; A/69/19 para 184.

<sup>11</sup> E.g. Guidance Note of the Secretary-General: UN Approach to Rule of Law Assistance, April 2008, page 2, para. 2.

**iii. Donor concerns over human rights violations contributed to equipment shortfalls at missions**

26. Missions experienced equipment shortfalls related principally to donor concerns over human rights, particularly in relation to the provision of lethal or non-lethal weapons. Specifically, the dearth of ammunition and firearms available for training police graduates in Haiti meant that their firearm training was completed by “dry firing” their weapons, and graduates started their police duties unarmed. Former senior MINUSTAH officials interviewed noted that donor countries’ reluctance to provide Haiti with ammunition and weapons held back its ability to arm its officers.

27. The evaluation team was informed by national authorities that attempts to acquire non-lethal weapons such as tear gas had failed, as no country was willing to sell them to the DRC.

**iv. Lack of resources limited the capacity-building efforts to certain activities**

28. Due to their short-term nature, peacekeeping missions lacked resources except for small-scale quick impact projects. None of the missions’ police components had predictable long-term funds available to provide material resources, (re)build police schools or finance cost-intensive training programmes, limiting capacity-building to cost-efficient or -neutral activities such as development of training materials or “train-the-trainer” programmes. UNPOL trainers were unable to supplement classroom training with practical training exercises or equipment.

**v. Missions did not forge strategic alliances with other capacity-building actors, nor did they attempt to coordinate their work**

29. All three missions had a large number of non-United Nations and bilateral actors involved in national capacity-building. In this respect, although the United Nations has an often-repeated advantage in coordination owing to its universal membership Overall, the missions did not forge strategic alliances with other capacity-building actors, and there is little evidence that they had leveraged their presence in planning, implementing, monitoring and evaluating progress in capacity-building.

30. For example, there was no common database on the training given by various actors to national police, although interviewees informed of participants who were repeatedly attending similar training. Nor were the results achieved by non-United Nations actors through their programmes available to the missions’ police components. In Haiti, a lack of donor coordination led to a highly diversified vehicle fleet, causing challenges for its maintenance. In one case, a bilateral donor abruptly ceased all activities and exited from the country, but the mission did little to gain an understanding of the work done and progress made. The one exception to this occurred in UNOCI, where funds provided by Japan were channelled through the United Nations Development Programme (UNDP), with training provided by UNPOL.

**vi. Operational linkages in the rule of law chain remained weak in practice**

31. Despite efforts to conceptually unify security sector reform by placing an emphasis on viewing the police, judicial and prison system as tightly linked under the rubric of rule of law, in which the performance of one affects the others, there was little evidence that missions had successfully operationalized it.

32. For example, in Côte d'Ivoire, insufficient legal aid, high court fees, failure to prosecute and lenient sentencing for rape and unaffordable costs of medical certificates have all made access to justice difficult for the population. The public remained suspicious of the ability of the judiciary and security forces to handle their complaints favourably, instead showing a willingness to turn to extrajudicial or traditional mechanisms for settlement. In Haiti, as police capacity-building proceeded and improved this area, the judiciary proved that it could not handle a greater number of cases generated by increased arrests, leading to a high number of prolonged pre-trial detentions. The prison sector also was not prepared, as "overcrowding and inhumane conditions in the prisons and police holding cells remained the most frequent violations of political and civil rights."<sup>12</sup>

**vii. The DPKO-UNDP joint Global Focal Point for Police, Justice and Corrections (GFP) did not influence capacity-building in the three missions evaluated**

33. The GFP was established in 2012 to bring together DPKO operational expertise and UNDP programming and institution-building skills in the design and delivery of police, justice and corrections assistance and fundraising. Starting in 2013, both organisations began to co-locate parts of their respective rule of law teams in a single location at United Nations headquarters.

34. This clearly did not occur in the field and only the UNOCI police component was found to have coordinated well with UNDP. Mission and UNDP staff performing police capacity functions did not co-locate.<sup>13</sup>

**B. DPKO/DFS, UNHQ-level cross-cutting issues**

**viii. Despite considerable improvements, the recruitment of qualified IPOs remained challenging**

35. The Police Division (PD) has taken several steps to address the issue of appropriately qualified IPOs, but challenges remain. This has been acknowledged by the Special Committee on Peacekeeping Operations. Nevertheless, the quality, qualifications, skills and frequent rotation of IPOs recruited by the PD continued to adversely affect the capacity of missions to build capacity.

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<sup>12</sup> S/2009/129, Page 11, paragraph 49

<sup>13</sup> Cf. Independent Progress Review on the UN Global Focal Point for Police, Justice and Corrections, June 2014, Stimson Center & Clingendael Institute identified co-location as having the greatest potential to bring together complementary capacities across the United Nations system.

36. Many facets of the issue emerged, including: the lack of timely recruitment; frequent rotation of seconded officers, detrimental to ensuring continuity for the long-term task of capacity-building; generalist IPOs with some training in special topics who nevertheless lacked hands-on experience; an initial period of rejection of the IPOs by national counterparts due to the feeling that many were from poorly-trained police forces and thus inherently unsuited to impart training; a loss of respect among national police trainees stemming from poorly qualified IPOs; and the lack of French-speaking IPOs, including a senior manager's inability to speak the language, causing difficulties with francophone staff and generating mistrust with national police authorities.<sup>14</sup>

37. Based on the above noted deficits, overall, missions still lack adequate capacity to build capacity.

**ix. A case of national police officers obtaining employment in the United Nations as individual police officers (IPOs) through corrupt practices at the national level demonstrates a systemic risk to the Organisation<sup>15</sup>**

38. Since 2006, OIOS has recognised the potential for corrupt practices in troop selection during an investigation into other matters when it became clear that an officer had taken bribes as a member of a national selection panel prior to contingents' deployment.<sup>16</sup> In 2014, investigations conducted by the Investigations Division of OIOS (OIOS-ID) established<sup>17</sup> that eight police officers from Côte d'Ivoire had paid money to Ivorian counterparts to secure deployments to MINUSTAH and MONUSCO.<sup>18</sup>

39. In response, DPKO immediately suspended Côte d'Ivoire's police deployment and extension pending the completion of the Ivorian national investigation that would address the OIOS findings. After these incidents, DPKO would not authorise the resumption of the country's police contribution until assurances that the necessary measures had been taken at the national level. Following the above mentioned corruption cases, DPKO adopted several new measures to prevent a recurrence of the same type of case.<sup>19</sup> This case raises important issues.

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<sup>14</sup> An audit of MONUSCO conducted by OIOS in 2013 (Audit report 2013/103) determined that UNPOL made specific requests in its vacancy announcements about the need for officers with specialized skills, but police contributing countries still did not recommend officers with the required skills. Although PD arranged discussions with the permanent missions to the United Nations, it did not yield better matches. Even when the right-skilled personnel were selected, the frequency of rotations made their contribution short-lived.

<sup>15</sup> Corruption is described in the United Nations Convention Against Corruption (page iii, paragraph 1) as "Corruption is an insidious plague that has a wide range of corrosive effects on societies. It undermines democracy and the rule of law, leads to violations of human rights, distorts markets, erodes the quality of life and allows organised crime, terrorism and other threats to human security to flourish."

<sup>16</sup> A/61/264 (Part II), page 11, para. 19.

<sup>17</sup> OIOS-ID case number 0353/13.

<sup>18</sup> Details of the case have been reported on in a variety of public sources.

<sup>19</sup> The measures include (1) Not allowing a person of the same nationality as the candidate to be involved in the selection process, (2) Interviews/panel members are recorded at Hermes, (3) Hermes will record the names of officers and make any changes in the system, (4) All vacancies/skill set requirements will be advertised on the website to ensure transparency, (5) Joint screening between the field mission and UNHQ, (6) SAAT SOP under

40. Both the police contributing country (PCC) and the United Nations play an important role in the selection of UNPOLs. In brief, the process involves a field mission identifying the skill sets required for UNPOLs, which generally are a combination of experience, language, driving and shooting skills. The Secretariat also uses United Nations Selection and Assistance Team (SAAT), which visit PCCs to determine eligible officers. Final selection processes involves screening and interviews by the United Nations Secretariat and missions of candidates who have been considered eligible by SAATs. After selection and deployment, extensions in service for UNPOL also require the involvement and concurrence of both the United Nations and the PCC.

41. This process of selection and extension does not evaluate the integrity of the UNPOL candidates which remains within the domain of the PCC. Senior experts and OIOS-ID have suggested that deployment of seconded personnel to the United Nations is an obvious area with a potential high risk of abuse and corruption. Becoming an UNPOL can present a significant financial opportunity, increasing the risk of corruption.

**x. The Police Advisor (PolAd)/PD role in advising missions on capacity-building was unclear**

42. The PD has made progress in issuing capacity-building related guidance for missions and provided direct assistance to all three missions evaluated through the deployment of the Standing Police Capacity. The PolAd position itself is responsible for providing advice and support on all policing issues to heads of police components and his office provides strategic direction and oversight of policing issues in mission.<sup>20</sup> However, his role in regards to missions remained unclear, as noted by one head of police component. An OIOS audit in 2008 already identified that the title “Police Advisor” may not be commensurate with the actual role, rank, and supervisory nature of the position and may confuse those unfamiliar with the chain of command that exists among police personnel serving with the United Nations.<sup>21</sup> Also the audit’s recommendation to change the title of the PolAd to properly reflect the level of responsibility and functions assigned had been accepted by DPKO, but was never implemented.

43. It was not clear what specific instructions, advice or guidance the PolAd/PD has given to missions over the years to assist them in the capacity-building challenges of the three missions. Important strategic issues (see paragraph 108), in addition to not being addressed at the mission level, it was not communicated at all to PolAd/PD. Despite its oversight role, PD did not analyse the progress made in capacity-building by the three missions regularly and systematically, nor encouraged them to comply with existing guidance. As noted above, the UNROLIP was not used and baseline assessments were not done.

44. The fact that the PolAd does not have any direct oversight of the HOPCs is weakening the link between the HOPCs and the PolAd. On one hand, HOPCs expressed a desire for direct, meaningful guidance and problem-solving assistance from the PolAd. On the other, as HOPCs

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revision and will include measures for transparent selection, (7) certification by Member States that no officer has been involved in crime or is not currently under investigation.

<sup>20</sup> ST/SGB/2010/1 para. 8.6. & 8.8.

<sup>21</sup> Assignment No. AP2007/600/01

report primarily to the SRSGs, PD exercised extreme caution to avoid any action or render direct advice to the HOPCs that could be interpreted as infringing upon that primary reporting line.

### **C. Security Council-related cross-cutting issues**

#### **xi. There is tension between the slow, long-term and complex task of police capacity-building implemented by missions with short, one-year horizons**

45. The three missions' experience demonstrated the inherent tension between the slow, incremental nature of police capacity-building and the short, one-year mandates given by the Security Council. Pertinently, the World Bank has estimated that "a realistic time frame for recreating a retrained police force is close to twenty years."<sup>22</sup>

46. This tension was manifested in various ways. In Haiti, the mission came under pressure from headquarters and Member States to achieve unrealistic training output targets, which the Haitian National Police (HNP) resisted and the mission could not achieve. In the DRC, the main legal framework guiding the police reform process, the Organic Law on the organisation of the Police Nationale Congolaise (PNC), was drafted beginning in 2007 but was not promulgated until August 2011; both houses of parliament passed a statute on the recruitment, career development, and remuneration of the PNC in October 2011, but gained Presidential assent only in June 2013; and the legal framework for police reform is yet to be completed as seven key decrees needed to further police reforms are still pending.

47. Additionally, capacity-building can often compete with missions' priorities, especially when they are oriented towards urgent security and operational issues and in facilitating the return of peace through enabling political agreements. In these circumstances, capacity-building work—inherently repetitive, undramatic and low-key—may not receive the attention it deserves from mission management. A senior police manager agreed and observed, "Capacity-building is punching below its weight. There's always something that takes us away from capacity-building."

48. The experience of the three missions suggests that it is difficult, if not impossible, to reconcile the customary one-year time frame of Security Council mandates with an expectation of quick, demonstrable results. Experts interviewed suggested police capacity-building progresses incrementally and that the minimum time required for it is one generation of police officers. Recent UNPOL guidelines on police capacity-building and development also emphasized that it is a long-term effort.<sup>23</sup>

49. Based on the three missions' experience and given the fact that more recent missions<sup>24</sup> have been mandated with comprehensive police capacity-building tasks, there is a need to brief

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<sup>22</sup> [http://siteresources.worldbank.org/INTCPR/Resources/WP37\\_web.pdf](http://siteresources.worldbank.org/INTCPR/Resources/WP37_web.pdf), page 18.

<sup>23</sup> DPKO/DFS guidelines on "Police Capacity-Building and Development" Ref. 2015.08.

<sup>24</sup> The United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA) and the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA).



the Security Council that capacity-building mandates need to be aligned with what can realistically be achieved over the short-term.

**xii. There was a mismatch between mandated tasks and resources provided, in particular, in MONUSCO**

50. In its first ever resolution on policing in 2014, the Security Council referred to “clear, credible, and achievable mandates for policing-related activities, matched by appropriate resources.”<sup>25</sup> Similarly, the Special Committee on Peacekeeping Operations stressed “the need to ensure, in the formulation and implementation of mandates, adequate resources and congruity among mandates, resources and realizable objectives.”<sup>26</sup> In retrospect however, it is clear that the Security Council gave very different numbers of IPOs to the three missions for police capacity-building.

**Table 6: Missions’ budget share spent on police and mandated/reported capacity-building tasks**

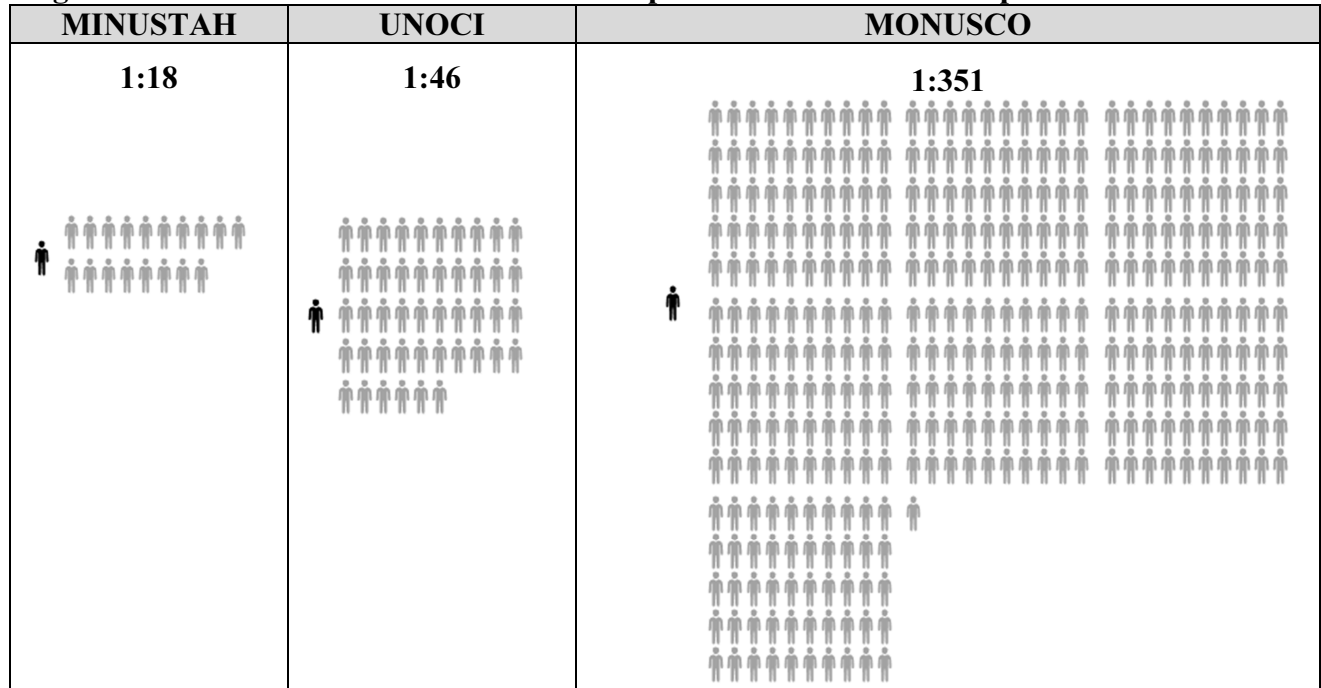
	<b>Total mission budget expenditure (in US \$1,000s)</b>	<b>% of budget expenditure on IPO &amp; FPU of total mission budget expenditure</b>	<b>% of budget expenditure on IPO of total mission budget expenditure</b>	<b>Mandated and reported UNPOL capacity-building tasks</b>
<b>MINUSTAH (2004-2014)</b>	5.882.855.9	15.8%	9.3%	16
<b>UNOCI (2004-2014)</b>	4.880.938.4	7.4%	3.8%	12
<b>MONUSCO/ MONUC (2001-2014)</b>	13.671.114.8	2.91%	1.49%	18

Source: OIOS-IED analysis of budget performance reports.

<sup>25</sup> S/RES/2185 para. 1.

<sup>26</sup> A/70/19 para. 30.

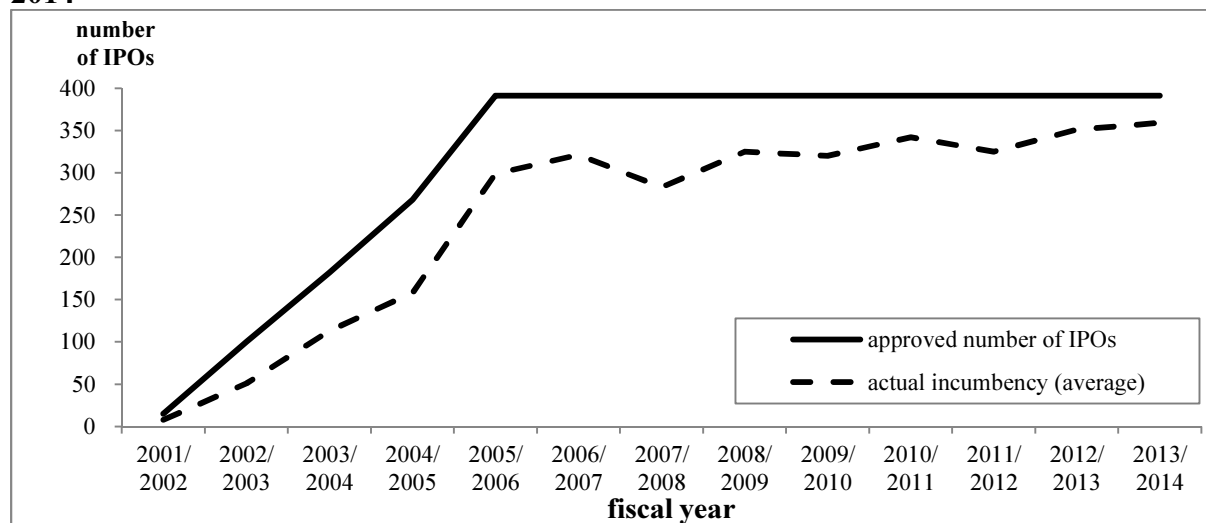
**Figure 2: Ratios of United Nations individual police officers to national police officers**



Source: OIOS-IED analysis.

51. The case of MONUSCO illustrates the mismatch between mandated tasks and resources. Over the years, the list of police capacity-building tasks required of MONUC and MONUSCO has grown enormously. Despite its gradually expanded police capacity-building mandate, the approved number of IPOs remained unchanged. Since the fiscal year 2005-2006, the authorized strength of IPOs has remained at 391 posts.

**Figure 3: Actual vs. authorized number of IPOs in MONUC/MONUSCO fiscal years 2001-2014**



Source: MONUC/MONUSCO budget performance reports.

## **2. Mission-specific results of national police capacity-building**

### **A. Results of national police capacity-building in Haiti**

**In 2004, the HNP was depleted and described as being “plagued by heavy politicization, corruption and mismanagement”<sup>27</sup>**

52. Haiti was in a deep crisis in 2004. The HNP—the sole security service provider in a country with no army – was dysfunctional and ineffective. The HNP was under attack and overwhelmed, contending with violence and unrest by armed gangs and individuals. In some cases, its personnel had abandoned its stations, which were subsequently taken over by groups comprised of the former military. Arbitrary promotions, the incorporation of chimères (supporters of Jean-Bertrand Aristide), police abuse, rape and drug trafficking contributed to the demoralization and erosion of the HNP professional standards and its politicisation, mismanagement and loss of credibility.

53. Consequently, the Security Council gave MINUSTAH a strong mandate that required it, inter alia, to assist the national government to transform the HNP into a sufficiently resourced, effective, honest, transparent and accountable police force.

#### **MINUSTAH police capacity-building activities**

54. Given the many deficits in the HNP, the MINUSTAH UNPOL component carried out a wide array of national police capacity-building activities. A significant number of capacity-building activities entailed providing advice to the HNP in areas including special operating procedures and facilities for dealing with female victims of violence and on developing guidelines to support the recruitment, vetting, training, certification and sensitization of HNP officers. UNPOL also provided technical advice on weapons control legislation, community policing, police operations, investigations. UNPOL advising activities extended to providing guidance on guarding high-level officials and preventing child trafficking. The MINUSTAH UNPOL component also engaged in offering specialised training the HNP on topics like public order, forensics, special weapons and tactics and sexual and gender-based violence and the protection of minors. Additional activities by UNPOL included assisting with the implementation of reform plans, border management and HIV/AIDS services. Concerning the building of material resource capacity, UNPOL assisted the HNP with establishing a national crime statistics and analysis database.

55. The results of the capacity-building of HNP as measured by the relevant UNROLIP indicators are as follows:

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<sup>27</sup> S/2004/300, para. 31.

**(i) Effectiveness and efficiency: Improved crime statistics illustrate progress in the HNP capacity**

56. A comparison of HNP capacity in terms of the “effectiveness and efficiency” basket of indicators from 2011 and 2015 yielded an overall mixed positive result. Improvement was registered for the indicators “police response to requests for assistance”, “satisfaction with police response to crime reports”, “response to domestic violence incidents”, “responses to sexual crimes against women and children” and “control of vigilantism”. Only “police control of crime” registered a negative change from 2.72 in 2011 to 2.14 in 2015.

57. Available crime statistics showed a continuous improvement after a significant negative change in earlier years. Recorded homicides declined from their highest level in 2012 of 10.2 cases per 100,000 people to 9.1 in 2014, though still almost double the rate in 2008 (5.2). Lynching remained a problem with 129 cases in 2014 which occurred primarily in the capital. The persistence of lynching also suggested the population’s continuing lack of trust in the police and judicial system.

58. Kidnapping was reduced substantially, down to 31 cases in 2014 compared to 266 in 2008. Reported crimes against women and minors, although showing an increasing trend after the earthquake in 2010, decreased since 2012. Lastly, the ability of the HNP to handle and control demonstrations and political protests gradually improved from “severely underdeveloped” in 2011 to “visibly improved” in 2014 due to the HNP improved planning ability, as well as a more rapid reaction and intervention ability in law and order situations.

59. Statistical trends on other crimes such as drugs trafficking and related arrests were inconclusive.

**(ii) Public confidence: Trust in the HNP is mixed, with some indication of decline**

60. A comparison of the UNROLIP data from 2011 and 2015 for the basket measuring public confidence in the police showed a slight improvement overall,<sup>28</sup> particularly in “crime reporting to the police” and “crime reporting by women”, though with significant declines for the indicators “police service to the community” and “avoiding arrest by offering a bribes”.

61. A comparison of public survey data from 2006 to 2015<sup>29</sup> showed that while trust in the HNP increased from 2006 to 2012, there has since been a major decrease. In response to the question – “To what extent do you trust the police?” – people responding in the affirmative fell from 55 per cent in 2014 to 17 per cent in 2015, with 75 per cent expressing limited or no trust.

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<sup>28</sup> Overall rating for public confidence basket 2011: 2.44; 2015: 2.53.

<sup>29</sup> Results from surveys conducted by the Latin American Public Opinion Project at Vanderbilt University (which takes no responsibility for any interpretation of the data), and by OIOS-IED survey for 2015.

**(iii) Integrity and accountability: Indicators showed improvement in most areas, though difficulties remained in removing officials for wrongdoing**

62. A comparison of UNROLIP data from 2011 and 2015 assessing “integrity and accountability” of the police showed improvements in four out of five indicators, with only one – “use of force to obtain confessions” – registering a negative change. There were improvements in terms of “use of police powers”, “investigations of police misconduct”, “prosecution of police corruption and misconduct” and “public perception of police behaviour”.

63. However, experts interviewed considered that weak institutions like the Inspector General and the criminal justice system were constraints, as many years were required to fire officers for wrongdoing. Some were apprehensive that even if investigations were initiated, prosecutions would not occur if powerful officers or those with connections to Haitian Government officials were protected and escaped prosecution.

**(iv) Transparency: The establishment of the office of the Inspector General was a positive development, but results remain lacking**

64. The office of the Inspector General was established in 2012, though it was assessed at the outset as very weak and unprofessional. Challenges with the Inspector General’s functioning remained, including insufficient information about reported cases, slow response to allegations of prolonged pre-trial detention in cruel and inhuman conditions, scant resources to conduct or follow-through with investigations, the lack of public awareness about filing complaints and inconsistent functioning of the complaint phone line.

**(v) Treatment of members of vulnerable groups: UNROLIP indicators register improvement**

65. UNROLIP indicators assessing the treatment of vulnerable groups indicated an overall positive change. Improvements occurred in “police response to children in conflict with the law” from 2.75 in 2011 to 3.11 in 2015, but the indicator relating to “discrimination by police”, remained unchanged at 2.09.

**(vi) Material resources: Though the HNP is better supplied, it remains insufficiently equipped**

66. Constrained by the country’s overall poor economic condition, the Haitian government’s budgetary allocations to the HNP have been low.

67. The lack of equipment was frequently cited as a key impediment. A comparison of the UNROLIP indicators from 2011 to 2015 measuring the adequacy of material resources for police to perform their duties showed some improvement, but overall, it was still considered below a

positive rating. There was improvement in the “availability of equipment to perform basic police duties”<sup>30</sup>, but the “availability of forensic test capacity” remained below the threshold.<sup>31</sup>

68. Experts linked the inability of the police to respond promptly to public requests for assistance to a lack of equipment, in particular cars and fuel; i.e. HNP vehicle fleet was improperly and inadequately stocked and poorly maintained. Experts also observed that, despite investments in facilities, training and equipment, the HNP had difficulty absorbing higher levels of police technology. Instead, experts advocated for more sustainable approaches, such as teaching basic fingerprints, ballistics and document analysis tools, as well as paper-based instead of computer-based systems due to the consistent lack of electricity in many police stations.

69. Field observations confirmed very weak forensic capacity. The forensic laboratory faced electricity supply problems and 70 to 80 per cent of the instruments in certain labs were not working. Testing materials and chemicals needed to conduct forensic tests had not been replenished. Overall, it was not possible to conclusively establish a single case being solved by the HNP using forensic methods of investigation.

**(vii) Human resources: The number of HNP personnel increased, but fell short of targets**

70. Overall, the UNROLIP indicators assessing human resources, registered a positive change compared to data collected in 2011.<sup>32</sup> In 2015 all indicators reached the positive rating threshold, including “recruitment practices”, “remuneration of police”, “skills to gather and protect physical evidence”, “vetting process for police officers”, “public perception of the effectiveness of the vetting process for police officers” and “competence of front-line police officers.”

71. Ambitious targets based on pressure for increasing the HNP strength from approximately 6,300 to 14,000 by 2011 were not met, falling short by about one third. Reasons for this included the lack of adequate training infrastructure and high attrition rate of candidates entering the recruitment process. The goal of increasing the number of females in the HNP was achieved, but only if the female administrative staff is aggregated along with uniformed female personnel.

72. The HNP remained concentrated in Port-au-Prince, with Haitian departments having a much lighter police presence. The overall ratio of uniformed HNP police officers to population increased to 1.09 per thousand inhabitants in 2015, but in half of the departments the ratio of police officers to 1,000 habitants varied between 0.35 and 0.48.

73. Vetting of HNP personnel was mandated by the Security Council to enhance the HNP integrity and rid it of corrupt elements. The results of the vetting process was positive. By mid-2013, 79 HNP personnel were terminated from service. The UNROLIP indicators for the vetting process, as rated by police experts, increased from 2011 to 2015.<sup>33</sup> While the Haitian public

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<sup>30</sup> UNROLIP indicator rating for 2011: 2.11; 2015: 2.68.

<sup>31</sup> UNROLIP indicator rating for 2011: 1.48; 2015: 2.05.

<sup>32</sup> Human resources basket rating overall 2011: 2.46; 2015: 2.75.

<sup>33</sup> UNROLIP indicator rating 2011: 2.51; 2015: 2.88.

perceived the effectiveness of the police vetting process as poor in 2011, it was perceived to be much more positive in 2015.<sup>34</sup>

**(viii) Administrative and management capacity: Capacity-building efforts have not been sufficient**

74. The UNROLIP indicators assessing the administrative and management capacity of the HNP showed mixed results between 2011 and 2015. Two out of five indicators— “paying salaries on time”<sup>35</sup> and “public perception of police leaders”<sup>36</sup> —registered negative changes but still reached the threshold for a positive rating. Three indicators – “record management capacity”<sup>37</sup>, “administrative systems”<sup>38</sup> and “the ability of police leaders”<sup>39</sup> registered positive changes, with only the latter reaching the 2.5 threshold.

75. In particular, the deficiency of HNP mid-level management was noted in 2006 and also more recently. Middle-ranking officers in the HNP, who were part of the first ten promotions, only received four months of basic training and no follow-on field training. An expert described this gap as “a fracture between the upper echelons of the police and the lower ranks, due to the weak number and quality of intermediate commanding officers.” The expert believed the shortage of middle management has “affected the internal discipline and the operational capacity of the HNP in general.”

**B. Results of national police capacity-building in Côte d'Ivoire**

**The country’s two civil wars adversely affected the capacity of the police and the gendarmerie**

76. The 2004 conflict divided the country into two parts along the “Zone of Confidence”. In the government-controlled south, the police and gendarmerie forces remained intact but the conflict completely disrupted them in the north. Both the Ivorian police and gendarmerie in the south and the “interim security structure” in the north were violent, corrupt and characterized by impunity and inaction. The slow peace process after the Ouagadougou Peace Agreement in 2007 further limited progress in restoring civilian policing. The 2010 post-electoral crisis further impeded capacity-building. Elements of the Ivorian police and the gendarmerie were implicated in human rights violations. Additionally, the Ivorian police and gendarmerie were not the country’s preeminent law enforcement agencies as the national army, the Republican Forces of Côte d’Ivoire (FRCI), held on to law enforcement responsibilities until 2011. The government had also granted authority to traditional hunters (dozos). In brief, the post-electoral turmoil only exacerbated a decline in the productivity and credibility of the Ivorian police and gendarmerie.

**UNOCI police capacity-building activities**

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<sup>34</sup> UNROLIP indicator rating 2011: 2.19; 2015: 2.77.

<sup>35</sup> UNROLIP indicator rating 2011: 3; 2015: 2.53.

<sup>36</sup> UNROLIP indicator rating 2011: 3.26; 2015: 2.78.

<sup>37</sup> UNROLIP indicator rating 2011: 2.36; 2015: 2.43.

<sup>38</sup> UNROLIP indicator rating 2011: 2; 2015: 2.25.

<sup>39</sup> UNROLIP indicator rating 2011: 2.48; 2015: 2.85.

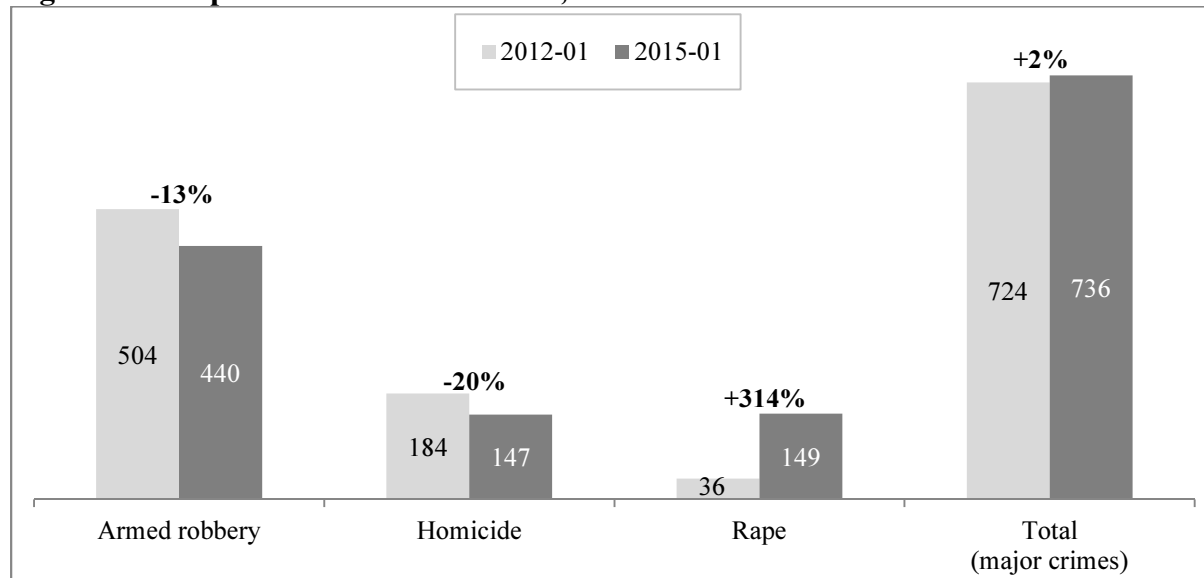
77. Since the start of the mission, a significant amount of UNPOL activities focused on advising the Ivorian police, including technical advice on vetting, recruitment, registration, certification and authorization of the applications for the interim police service in northern Côte d’Ivoire. UNPOL provided operational-level advice to the police and gendarmerie related to their functioning, ethics and structures. In addition, UNPOL provided advice on reform of the Security Sector. UNPOL also engaged in training activities, including human rights trainings with an emphasis on the rights of women and children. UNPOL activities aimed at bolstering the Ivorian police’s forensic capacity included providing technical assistance to install forensic science laboratory, as well as training and advice on forensic approaches to solving crimes. UNPOL also opened a training facility in northern Côte d’Ivoire and established gender desks and family support units at police commissariats.

78. Data was available for only 19 of the 41 UNROLIP indicators. However, using secondary data, the evaluation was able to qualitatively assess some of the related results of capacity-building of the Ivorian police and gendarmerie as follows:

**(i) Effectiveness and efficiency: Performance of the Ivorian police and gendarmerie improved**

79. Available United Nations crime statistics indicated that the number of serious crimes<sup>40</sup> reported during the first half of 2012 and 2015 showed a marginal increase of two per cent. However, the data for the major crime categories indicated a more positive trend, with one report referring to an overall “clear improvement” on the ground for the “working methods of the Ivorian police and the gendarmes.”

**Figure 4: Comparison of crime statistics; first semester 2012 to first semester 2015**



<sup>40</sup> Armed robbery, homicide, rape.



Source: UNOCI CivPol biannual reports Jul-Dec 2012; Jul-Dec 2013; Jan-Jun 2014; Jul-Dec 2014; Jan-Jun 2015.

80. The increase in the rape figures was interpreted as a result of the sensitization of the population and mentoring of the security forces, as well as improved public confidence, but not as an increase in actual cases.

**(ii) Public confidence: Trust in the Ivorian police and gendarmerie was still limited**

81. A survey conducted in Abidjan in December 2013 showed that 62 per cent of those interviewed reported having “little” or “no trust” in the Ivorian police.<sup>41</sup> Of the 40 per cent of those who had been a crime victim in the 12 months prior the survey, only 18 per cent had filed a complaint; among the respondents who did not report a crime, 76 per cent stated that doing so would be useless. A nationally representative survey conducted in August/September 2014 revealed that 57.5 per cent of respondents stated that they trusted the Ivorian police and gendarmerie “not at all” or “just a little”.<sup>42</sup>

**(iii) Integrity and accountability: Misconduct has not been punished consistently, although all indicators from an expert survey received positive ratings**

82. The lack of integrity and accountability, use of excessive force, torture and ill-treatment in the maintenance of law and order were citizens’ long-standing concerns with respect to the Ivorian police and gendarmerie. A 2011 audit noted the need to improve the problematic integrity and conduct of the Ivorian police. These still continue, with members of the Ivorian police and gendarmerie apparently involved in cases of extrajudicial killings, torture, ill treatment, arbitrary arrests and illegal detention. In addition, the low rate of judicial or disciplinary actions against alleged perpetrators continued to be a concern as of 2015. However, all three indicators - “use of police powers”, investigation of police misconduct”, and prosecution of police corruption and misconduct” assessed through an OIOS-IED expert survey administered in 2015, received positive ratings ranging from 2.9 to 3.3.

**(iv) Transparency: No data available**

83. There was not enough data available to evaluate this basket.

**(v) Treatment of members of vulnerable groups: Impunity for perpetrators of rape and sexual violence remains significant**

84. Concerns about the protection of vulnerable groups have been consistently expressed since 2006. The national government has been called upon several times to address the issues of sexual violence (particularly against girls), rape and sexual abuse. UNPOL assessed that its training on gender-based violence and child protection had led to “significant progress” in

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<sup>41</sup> Pham PN, Vinck P (2014). *Fragile Peace, Elusive Justice: Population-Based Survey on Perceptions and Attitudes about Security and Justice in Abidjan, Côte d’Ivoire*. Harvard Humanitarian Initiative: page ii.

<sup>42</sup> Afrobarometer Round 6.

developing capacity in the field of sexual- and gender-based violence and the protection of vulnerable persons. OIOS-IED could not validate this assessment.

85. However, available data suggested that despite increased reporting, only a limited number of perpetrators were arrested and detained. And while reports stated that the number of abductions had decreased between 2007-2009, a trend of abduction, rape and violence against girls and women persisted, especially in the west and north during this period. In 2015, there were over 20 child abductions reported in Abidjan, an area with the highest concentration of law enforcement forces.

**(vi) Material Resources: No data available**

86. There was not enough data available to evaluate this basket, but some experts noted that the Ivorian police's need for weapons and its limited access to non-lethal weapons ranked among one of the top factors that impeded training on their use. Additionally, in May 2015 a report of the Secretary-General noted that "the lack of equipment for public order maintenance for Ivorian law enforcement and security forces remained a challenge to their operational capabilities."<sup>43</sup>

87. In addition, a specific case of shortage of non-lethal weapons bears elucidation. In 2004, the Security Council had imposed an arms embargo on Côte d'Ivoire. Although the Group of Experts on Côte d'Ivoire had briefed the Ivorian authorities on the procedure for requests for exemption to the arms embargo to obtain non-lethal weapons on numerous occasions, they failed to follow those procedures and did not make arrangements for the import of non-lethal, riot control equipment. Furthermore, the Group of Experts noted that Ivorian authorities "increasingly, albeit wrongly, blame the embargo for this."<sup>44</sup> They remained concerned "that the Government of Côte d'Ivoire could publicly hold the embargo responsible if the security forces use live ammunition in situations of civil unrest [...]" and encouraged "United Nations officials and other international commentators not to make statements that might support such a position."<sup>45</sup>

88. In this respect, the Group of Experts cited the Secretary General's report of 20 May 2010 on Côte d'Ivoire.<sup>46</sup> This report stated that "the Security Council Committee established pursuant to resolution 1572 (2004) may wish to consider an exemption to the arms embargo allowing the Government to import riot control gear for relevant law enforcement institutions to avoid the use of long weapons and live ammunition in situations of civil unrest."

89. This stated support for the Government's position led to a negative reaction from the Group of Experts on Côte d'Ivoire. In their view, "the statement appears to overlook the fact that the Ivorian parties could have arranged for the purchase of the desired materiel, and made the relevant exemption request, at any time in the past six years. In this sense, it implies (a) that the embargo is responsible for the continued use of 'long weapons and live ammunition in situations

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<sup>43</sup> S/2015/320 para. 25.

<sup>44</sup> S/2011/271 para 74.

<sup>45</sup> S/2011/271 para 75.

<sup>46</sup> S/2010/245 para 94.

of unrest' and (b) that the Sanctions Committee should, itself, instigate an exemption to the embargo."<sup>47</sup>

90. The Committee also emphasized that the “responsibility for a lack of appropriate riot control equipment and any “resulting” disproportionate use of force rested solely with the Ivorian authorities.”<sup>48</sup>

**(vii) Human resources: The number of personnel increased but there was slow progress in vetting**

91. When UNOCI was deployed in 2004, the estimated strength of the Ivorian police was 12,000 officers—including 10 per cent female officers—while the strength of the gendarmerie was at 8,522, with no females. In October 2011, it was estimated that there were approximately 17,000 national police and 13,000 gendarmes of all ranks.

92. Progress in vetting was slow. Despite encouragement from the Secretary-General and a request from the government to vet all police personnel, national counterparts were reluctant to proceed due to the complexity and delicacy of the processes and fears that it might be misinterpreted as a tool of retaliation. At the beginning of 2015, efforts to establish such a mechanism were still being made. A clear majority of experts interviewed (10 out of 16) rated the current vetting process as “poor” or “very poor”.

**(viii) Administrative and management capacity: Results were hampered by resistance from the gendarmerie leadership**

93. Structural issues impeding capacity development included separate ministries to which the Ivorian police and gendarmerie reported: the former to the Ministry of Internal Security and the latter to the Ministry of Defence. Furthermore, although gendarmes participated in trainings offered by UNPOL since the 2004, the gendarmerie’s leadership was unwilling to invite the UNOCI police to participate in its reform programme.

94. Although only four out of six indicators for this basket could be populated with data and the number of experts was lower than recommended by UNROLIP, the indicators “salaries are paid on time”, “record management capacity”, “administrative systems of the police”, and “ability of police leaders” reached a positive assessment.

**C. Results of national police capacity-building in the Democratic Republic of the Congo**

**In 2001, the PNC lacked internal cohesion, was neglected, and was described as mistrusted, corrupt and a perpetrator of physical abuse**

95. When MONUC was mandated in 1999, the PNC lacked the capacity to provide basic law and order. It had been recreated after merging the Civil Guard and the National Gendarmerie in

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<sup>47</sup> S/2011/271 para. 77.

<sup>48</sup> S/2011/271 para. 78.

1997 and suffered from a number of deficits, particularly a lack of internal unity owing to its personnel being drawn from a variety of armed groups and factions. There was no vetting of any personnel. There were no retirement arrangements in place. Many police officers served until their death, and in some instances, their children assumed their position. Years of neglect in terms of training, resources and equipment, as well as insufficient and irregular salaries, had made corruption commonplace. Allegations of physical abuse by the police created mistrust with the population. Furthermore, the PNC was constitutionally bound to submit to the jurisdiction of the military justice system for all criminal offenses committed by the national police.

### **MONUC/MONUSCO police capacity-building activities**

96. During their mandates, the UNPOL components of MONUC and MONUSCO conducted training activities to enhance police capacity-building including, teaching specialised courses on human rights, child protection, investigation techniques intelligence, ethics, crowd control, community policing, non-lethal policing, road traffic regulation, responding to sexual and gender-based violent crimes and motorcycle riding. UNPOL also provided advice on internationally accepted policing practices, as well as advice on preparations for local elections. In addition to preparing basic police training manuals, UNPOL assisted in the implementation of national police reform and restructuring, particularly through the Comité de suivi de la réforme de la police.

#### **(i) Effectiveness and efficiency: Despite improvement in the PNC ability to control demonstrations during elections, human rights violations increased**

97. The indicators for the “effectiveness and efficiency” basket showed a mixed result. While the indicator “police response to requests for assistance” did not attain a positive rating, the indicator “response to sexual crimes against women and children” did, and the experts’ average rating was positive at 2.9.

98. In 2006, it was reported that while the PNC in Kinshasa had “demonstrated its ability to control political demonstrations without violating human rights, [there was still] a tendency to use excessive force.”<sup>49</sup> In November 2011, United Nations Joint Human Rights Office (UNJHRO) noted “considerable improvement” in PNC crowd-control interventions and its improved capacity for appropriately responding to demonstrations. While visible progress and a strengthened capacity is described for units trained by UNPOL and EUPOL on crowd-control during elections, only 6,000 of the 36,000 police officers (16.6 per cent) deployed in Kinshasa had actually received the training.

99. In contrast, between 26 November and 25 December 2011, elements of the Congolese defence and security forces in Kinshasa, including the PNC, seriously violated civilians’ human rights and were responsible for multiple cases of arbitrary executions, enforced disappearances of civilians and excessive use of force. The UNJHRO noted that the security forces failed to observe the basic principles that define the conditions for proportional use of firearms in policing.

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<sup>49</sup> S/2006/390 para 56.

**(ii) Public confidence: Trust in the PNC increased in some parts of the country**

100. There was no nationwide survey data available on the public perception of the PNC. However, a representative survey conducted in the eastern provinces of North Kivu and South Kivu and the district of Ituri at the end of 2013<sup>50</sup> showed that 61 per cent of the respondents trusted the police to ensure security while only 25 per cent trusted MONUSCO to provide security. Furthermore, the majority of respondents were of the view that the police protect civilians (57 per cent) rather than being involved in crime (15 per cent).

**(iii) Integrity and accountability: Continued human rights violations by the PNC negatively impacted the work of MONUSCO and reduced international assistance for police capacity-building**

101. Although experts rated the UNROLIP indicator “use of police powers” slightly above the threshold for a positive rating of 2.5 with a rating of 2.55, data from UNJHRO suggested that PNC had a continuously poor human rights record. This included a consistent pattern of restricting protests by political activists, as well as arbitrarily detaining journalists and human rights activists. Human rights violations in relation to the electoral process documented between 1 January and 30 September 2015 showed that 48 per cent of all documented violations have been committed by the PNC.

**Table 1: Number of documented human rights violations committed by PNC officers 2013 to Nov. 2015**

<b>Time period</b>	<b>Documented human rights violations committed by PNC officers</b>	<b>Change to the previous year</b>	<b>Documented victims of PNC human rights violations</b>	<b>Change to the previous year</b>
2013	564	0	753	0
2014	546	-3%	957	+27%
Jan. to Nov. 2015	796	+46%	1,894	+52%

Source: UNJHRO data compiled by OIOS-IED.

<sup>50</sup> 2014, P. Vinck and P. Pham, Searching for Lasting Peace Population-Based Survey on Perceptions and Attitudes about Peace, Security and Justice in Eastern Democratic Republic of the Congo, Harvard Humanitarian Initiative & UNDP: 52 et seq.

**Table 2: Share of PNC human rights violations**

<b>Time period</b>	<b>Total number of documented human rights violations</b>	<b>Documented human rights violations committed by PNC officers</b>	<b>Percentage share of total documented human rights violations</b>
2013	2,600	564	22%
2014	2,360	546	23%
Jan. to Nov. 2015	3,531	796	23%
2013 to Nov. 2015	8,491	1,906	22%

Source: UNJHRO data compiled by OIOS-IED.

102. During the PNC Operation Likofi,<sup>51</sup> serious human rights violations occurred which were condemned by UNJHRO but supported by elements of the Congolese public, highlighting the tension between international human rights norms and the local desire for immediate security.

103. In 2011, MONUSCO adopted a “fight against impunity” aimed at curbing PNC misconduct. Positive evidence suggested that the Congolese public was able to hold the PNC more accountable for its wrongdoings. Evidence included higher numbers of prosecutions for sexual violence by security forces, increased convictions of PNC and FARDC personnel for human rights violations and the installation and increased use of a telephone “Green Line” to report police misconduct. The positive expert rating for the indicator “investigation of police misconduct” of 2.75 supported this finding.

**(iv) Transparency: No data available**

104. There was not enough data available to evaluate this basket.

**(v) Treatment of members of vulnerable groups**

105. The only UNROLIP indicator that could be populated was “police response to children in conflict with the law”, which was rated 2.55. There was no additional data available to evaluate how police treated vulnerable individuals fairly and without discrimination.

**(vi) Material resources: The PNC lack of basic equipment limited its effectiveness, despite some progress**

106. The overall picture of the PNC resources remains very mixed. According to a senior official, from 2009 to 2012, the international community provided \$300 million to the DRC for building police stations, as well as providing security equipment, facilities and four-by-four vehicles. As late as 2010, the Security Council had not granted authorization to equip the PNC. Consequently, the Secretary-General pleaded with the Council to reinstate aid for equipment and

<sup>51</sup> Operation Likofi targeted “Kulunas” (or street children accused of serious crimes) between 15 November 2013 and 15 February 2014.

for donors to fill in remaining gaps. Overall, none of the UNROLIP indicators for “material resources” that could be populated reached the positive rating. The majority of experts interviewed disagreed or strongly disagreed that the PNC had adequate equipment to perform their basic duties.

107. On the positive side, in Kinshasa, OIOS-IED observed a well-equipped forensic facility and a well-equipped control room to respond to riot situations. A newly-built police school in Mugunga was also observed. The Legion Nationale d’Intervention had air-conditioned armoured carriers capable of shooting coloured water and demonstrated non-lethal equipment such as tear gas, stun grenades, and hand-held weapons that fire rubber bullets.

108. Field observations and expert interviews acknowledge that many PNC officers were armed with Kalashnikov-type (AK-47) military weapons. MONUSCO stated that the use of AK-47s is of “paramount importance” when considering reforms that make the police more accessible and professional. MONUSCO did not raise the issue with the Government or UNHQ due to concerns about national sovereignty but instead advocated for international partners to secure more non-lethal weapons and fewer assault weapons in policing.

**(vii) Human resources: As the PNC grew; it struggled to provide adequate training programmes and facilities for its personnel**

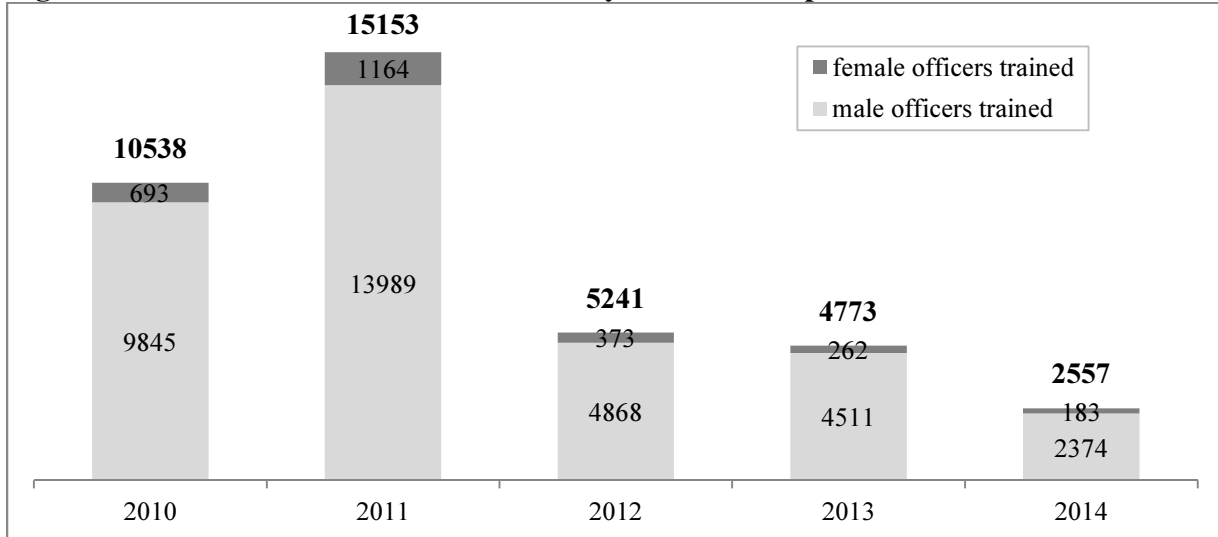
109. The precise numbers of the police was unknown due to poor human resource management systems. However, in 2004, estimates suggested a force size of 70,000-80,000 personnel. As of end 2014 the number of active PNC officers was 105,255, including 8,333 female officers.<sup>52</sup>

110. Training of the PNC suffered from multiple challenges, with inconclusive results on increasing capacity. There was a drastic decline in the overall number of PNC officers trained by MONUSCO from 15,153 in 2011 to only 2,557 in 2014, a decrease of 83 per cent.

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<sup>52</sup> Percentage of active police personnel who are women: 7.9%. Details on rank distribution by gender and job functions could not be obtained.

**Figure 5: Number of PNC officers trained by MONUSCO police 2010-2014**

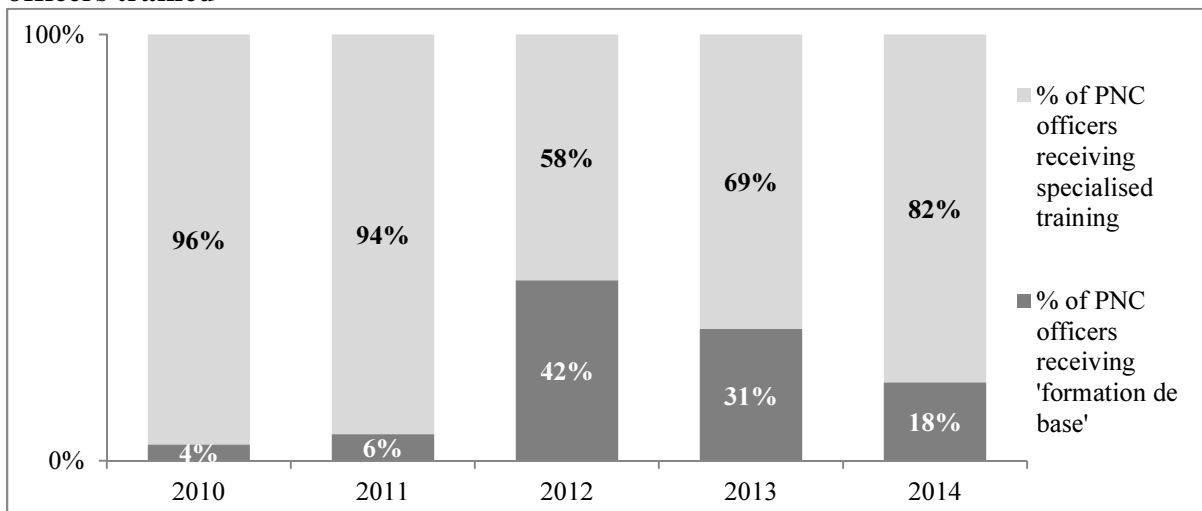


Source: Data compiled by OIOS-IED from MONUSCO-UNPOL.

111. According to an expert, the Government did not organise training “for a decade” and continued to rely largely on the UNPOL and bilateral donors to train their forces. As late as 2014, the Government requested that UNPOL continue to train PNC officers. The Government also did not refurbish training facilities despite their poor condition.

112. Donor priorities heavily influenced training content. From 2010 to 2014 the majority of trainings implemented by UNPOL with other partners focused on specialised topics such as community policing or sexual and gender-based violence. This raises the issue of appropriate balance between specialised and basic training.

**Figure 4: Distribution of training (basic training vs. specialised training) among all PNC officers trained**



Source: Data compiled by OIOS-IED from MONUSCO-UNPOL.



113. Overall, none of the UNROLIP indicators populated with data reached the midway threshold of 2.5. However, experts identified the human resource system as the stronger part of the PNC administration.

**(viii) Administrative and management capacity: A poorly and irregularly paid PNC, slow national reforms and the effect of international contributions led to varying results**

114. The PNC budget for 2015 was approximately \$202 million – with 20 per cent of the total budget expected to come from external resources. Reform of the PNC was hampered by a \$173 million shortfall in the 2014 national budget. Experts and PNC personnel interviewed indicated that the salaries of PNC were very low, averaging in the range of approximately \$70 to \$90 per month. It was only as recently as 2015 that the salary of the PNC increased by about 25 per cent.

115. In addition to salaries, the system of “prime” has been described as sanctioned and unsanctioned payments distributed to both senior PNC officials and officers. There is no clarity about how it functions, with two experts describing payments as high as \$10,000. Interviews offer varying descriptions of how “prime” is distributed. The PNC recorded 15 complaints of “embezzlement of prime” in 2014, suggesting that some dishonest police commanders were pocketing the funds instead of distributing them.

**Table 3: Overview of country specific results**

UNROLIP Indicator baskets	MINUSTAH	UNOCI	MONUC/MONUSCO
<p><b>Effectiveness and efficiency</b> The police respond effectively and efficiently to requests for assistance and reports of criminal incidents.</p>	Improved due to reduction in crime.	Improved due to reduction in major crime categories.	Improvements illustrated by election security, but human rights violations continued.
<p><b>Public confidence</b> The public expresses confidence in the police, their competence and integrity, their concern for the well-being of the community and respect for human rights.</p>	In a 2015 survey only 17 per cent of the population indicated that they trusted the police.	57.5 per cent of those surveyed in 2014 trusted PNC “not at all” or “just a little”.	61 per cent trusted the police to ensure security according to a representative survey taken in eastern DRC in 2013.
<p><b>Integrity and accountability</b> Police do not violate human rights or abuse their power, and alleged incidents of police corruption, misconduct or lack of integrity are reported and investigated.</p>	Four of five UNROLIP baskets for this indicator showed improvement between 2011 and 2015, but difficulty remains in removing unfit officers.	Slight improvement, but misconduct not punished consistently.	Human rights violations continued, measures to curb impunity introduced late.
<p><b>Transparency</b> Relevant information on the activities, decision-making processes, decisions and use of resources by police is publicly available.</p>	Creation of Inspector General is a positive step, but the office needs to be strengthened.	Not enough data available.	Not enough data available.
<p><b>Treatment of members of vulnerable groups</b> The police treat vulnerable individuals, such as members of minorities, children in need of protection from conflict with the law, internally displaced persons, asylum-seekers, refugees, returnees, and stateless and mentally ill individuals fairly and without discrimination.</p>	Impunity for perpetrators of rape and sexual violence remains significant.	Improved UNROLIP rating for “police response to children in conflict with the law” and no change in “discrimination by police”.	Not enough data available.
<p><b>Material resources</b> The police have material resources that are adequate to perform their duties.</p>	Rates below UNROLIP positive threshold for this indicator; in particular, lacking vehicle capacity.	Not enough data available.	Rates below UNROLIP positive threshold for this indicator; in particular, lacking basic equipment.
<p><b>Human resources</b> The police have sufficient personnel who are adequately screened, fairly recruited and sufficiently remunerated.</p>	UNROLIP indicators were positive for many baskets, yet there was a failure to achieve targets for HNP growth and inclusion of women; there were positive results for the vetting process.	Delayed start, but the number of trained police and gendarmerie has increased.	Results inconclusive; factors include lack of basic training for many officers, donor priorities affecting training and an overreliance on UN personnel to conduct training.
<p><b>Administrative and management capacity</b> The police have competent leadership and make effective use of resources.</p>	Capacity-building not sufficient; lack of middle managers; inability to absorb technology.	Separate command of police and gendarmerie prevented coordinated capacity-building; donor support was productive.	Poorly and irregularly paid PNC; slow national police reforms; donor support led to varying results.

## V. Conclusion

116. Police capacity-building is slow, incremental but essential work made difficult by both by internal and external factors.

117. Externally, many factors specific to the host state work against capacity-building progress: a fundamental reluctance to embrace change and promote the rule of law as it might upset power equations and vested economic interests, deficient physical infrastructure, widespread poverty, severely strained budgetary systems and a fearful and distrustful public. The challenge of how to enhance national ownership when the national will to reform police is insufficient remains essentially unresolved.

118. Yet, what has been achieved and what remains to be done must both be acknowledged. Gains have been made but remain fragile and reversible.

119. Considered against the many deficits affecting national police forces when MINUSTAH, UNOCI and MONUC/MONUSCO were mandated, the missions' police components have made plausible contributions to capacity-building. But for the United Nations to be more effective requires the Security Council to support longer-term capacity-building with adequate resources; a more engaged and solution-oriented United Nations Headquarters providing meaningful guidance to the field; ensuring to address in full the political and practical challenges, including national ownership; and for Member States to provide better qualified police officers.

## VI. Recommendations

OIOS makes one critical and nine important recommendations to improve the relevance, effectiveness and impact of activities of UNPOL undertaken towards capacity building of national police. DPKO/DFS has accepted all of the recommendations made in this evaluation. The action plan for the implementation of these recommendations can be found in Annex 4.

### **Critical Recommendation:**

#### **Recommendation 1**

DPKO should ensure that all police capacity-building and development efforts are based on adequate programme design, monitoring and evaluation frameworks with an emphasis on national ownership and sustainability. These frameworks should allow for the collection of baseline data, regular assessment of the progress made, results achieved or issues that require attention and action by the Head of Mission and/or by the Police Division. These frameworks should be compatible with the United Nations Rule of Law Indicators and be accompanied by short, easy-to-understand guidance for use by individual police officers and national counterparts to enhance ownership and to enable them to observe, identify and report on progress in capacity-building.

(Paragraph 15-21, 29-30, 70, 79, 85)

*Indicator of achievement:* Heads of police components report to Police Division on the implementation of programme design, monitoring and evaluation frameworks as well as issuance of related guidance.

## **Important Recommendations:**

### **Recommendation 2**

DPKO should assess and adequately address the potential risk of abuse and corruption related to the deployment process of seconded UNPOL. One control should include a signed declaration by the police contributing country that the process of selection of UNPOLs offered to the United Nations for service is free from any corruption and that systemic violation of this policy may lead to it being barred from offering its police officers to serve as UNPOLs.

(Paragraph 38-41)

*Indicator of achievement:* A fraud and corruption risk assessment is conducted and related controls implemented. Availability of signed declarations.

### **Recommendation 3**

DPKO should brief the Security Council on the tension between the slow, long-term and complex task of police capacity-building implemented by missions with short, one-year horizons and its implications for the work of present and future missions, including advising the Security Council that it might wish to consider a more limited menu of tasks for police-capacity-building missions, to better align mandates with what can actually be achieved within given resources, timeframes and potential constraints in cases of insufficient national ownership and political will.

(Paragraphs 22-25, 45-49)

*Indicator of achievement:* Security Council briefing held and documented.

### **Recommendation 4**

DPKO should clarify the role and function of the Police Advisor vis-à-vis the police components, document it and disseminate it to head of police components. It should strengthen the Police Advisor function for verifying implementation of capacity-building-related guidance, especially when dealing with evolving strategic issues.

(Paragraph 42-44)

*Indicator of achievement:* Clarification of the role and function of the Police Advisor vis-à-vis the police components documented and disseminated to head of police components.

### **Recommendation 5**

DPKO/DFS should work with missions to ensure that budget proposals include appropriate resources to enable follow-up activities for capacity-building tasks so as to improve sustainability and continuity.

(Paragraph, 28, 36-37)

*Indicator of achievement:* Requests for additional resources included in the budgetary submissions for missions with capacity-building tasks.

## **Recommendation 6**

Missions with capacity-building mandates should enhance their coordination role with other international partners and bilateral donors by:

- a) proposing and developing memoranda of understanding to enable mutual exchange on data on training imparted and outcomes of projects. Missions should invariably offer their databases to such partners as a demonstration of their willingness to be accessible;
- b) taking the lead in organising donor fora to ensure a more coordinated and collaborative approach to capacity-building, as well as to promote synergies and complementarity of projects in terms of programme design, monitoring and evaluation frameworks being implemented by various donors.

(Paragraph 29-31)

*Indicator of achievement:* Memoranda of understanding proposed and developed. Donor fora initiated and organised.

## **Recommendation 7**

DPKO should co-locate the missions' individual police officers involved in capacity-building with those of UNDP acting under the framework of the Global Focal Point for Police, Justice and Corrections.

(Paragraph 33-34)

*Indicator of achievement:* Co-location of individual police officers involved in capacity-building with those of UNDP.

## **Recommendation 8**

DPKO should determine accountability for the incorrect statement in the Secretary-General's report of 20 May 2010 regarding the issue of the arms embargo in Côte d'Ivoire to ensure that such a circumstance does not recur.

(Paragraph 87-90)

*Indicator of achievement:* Accountability determined for the incorrect advice given and related controls implemented.

## **Recommendation 9**

DPKO should enhance the mentoring skills of IPOs, emphasizing skill transfer rather than simply monitoring national police officials. In doing so, in addition to issuing appropriate written guidance, it should consider other forms of required training in effective mentoring; such as producing a short film on mentoring, in French and English.

(Paragraph 19)

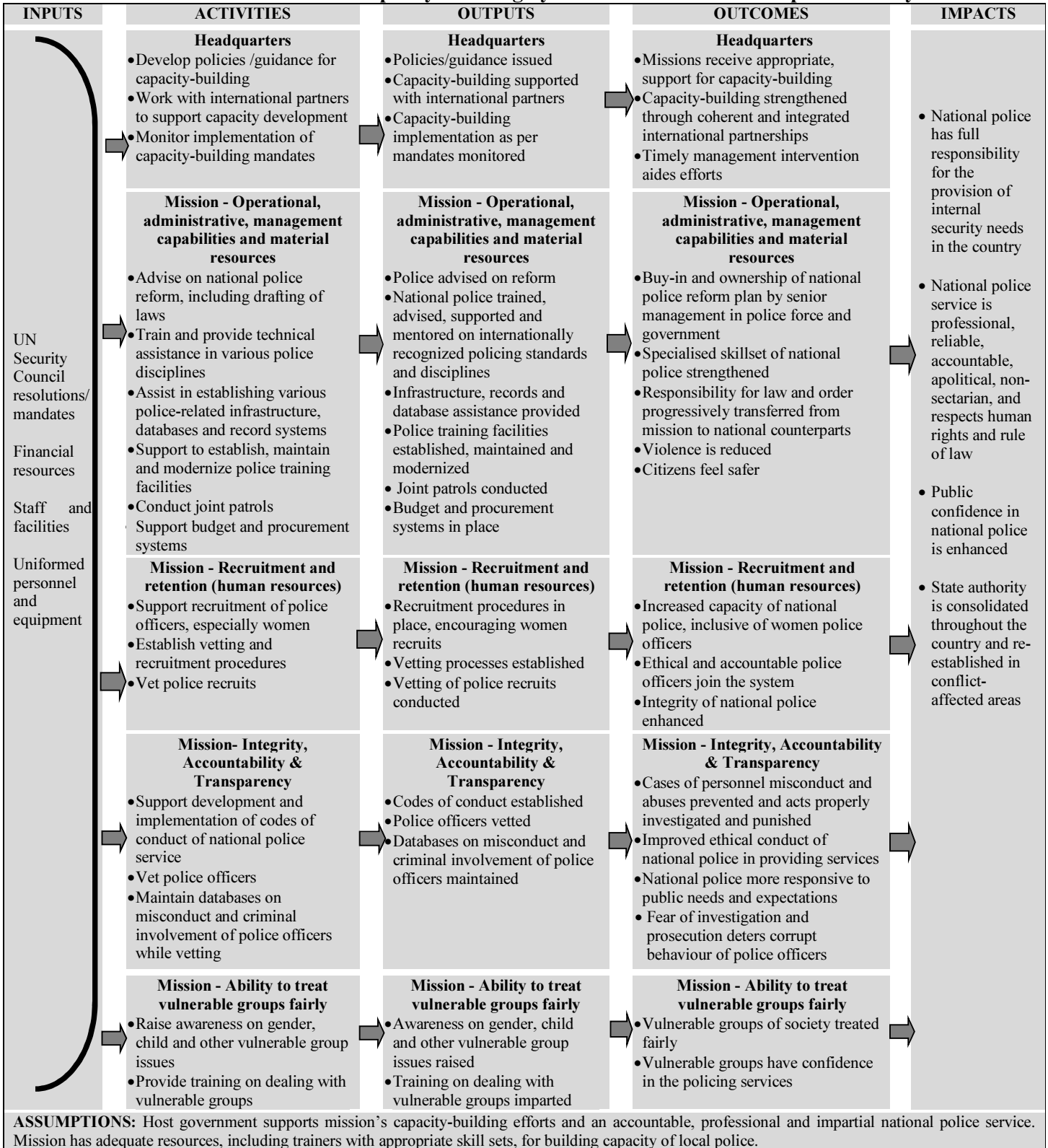
*Indicator of achievement:* Written guidance on mentoring issued and additional training developed and implemented.

**Recommendation 10**

DPKO/DFS should advise donor countries to carefully consider issues of sustainability and likelihood of actual use of forensic equipment that the donor country intends to transfer or fund for national police forces, including factoring in issues such as regular electric supply, the existence of supporting infrastructure and suitably qualified personnel.  
(Paragraph 68)

*Indicator of achievement:* Advice issued to donor countries.

## Annex 1: National Police Capacity-Building by UN Police – Thematic Impact Pathway



## **Annex 2: Details on United Nations police capacity-building activities by each mission evaluated**

### **MINUSTAH**

The overall national police capacity-building efforts of the police component of MINUSTAH to develop capacity of the Haitian National Police (henceforth HNP) from 2004 onwards included:

#### **Strengthen the HNP operational, administrative, management capabilities and material resources**

- Provide assistance on the planning, management and coordination of the HNP reform plan (2006-2011) and Development Plan (2011-2016)
- Support the establishment of a crime database
- Support in building HNP capabilities for anti-drug operations
- Support the establishment of a forensic laboratory capacity
- Provide training on electoral security control
- Advise HNP on its budget, finance and procurement management system
- Support to control the flow of small arms, develop a weapons registry, revise current laws on import and possession of arms, and a weapons permit system
- Support the development and implementation of a national community policing doctrine
- Build quick reaction capability for security threats
- Improve deterrence of transnational organised crimes and increase in the number of gang leaders arrested by police annually

#### **Enhance HNP recruitment and retention (human resources)**

- Achieve the goal of a minimum of 15,000 fully operational serving police officers by 2016
- Increase the number of national police officers and ratio of female officers year by year
- Establish policies and procedures that promote merit-based appointments and promotions
- Provide basic training and background checks for police cadets
- Provide advice to the HNP Academy on training police officers, including basic training, train-the-trainer programmes and training for high-ranking police officers
- Provide 13,500 performance evaluations of HNP officers
- Provide remedial field coaching

#### **Strengthen the integrity, accountability and transparency of HNP**

- Mentor and train police personnel, including at intermediate rank levels
- Implement conduct and discipline programmes including training, prevention, monitoring and recommendation on remedial actions where misconduct happened
- Conduct integrity vetting of HNP officers with the Office of the Inspector-General
- Establish a Police Monitoring Information System to monitor HNP administrative and judicial police for compliance with policies, procedures, human rights, the law and professional standards and practices
- Establish hotlines to receive public complaints of wrongdoings on the part of the police/justice sector and follow-up investigations with the Inspector General of the HNP



### **Improve HNP ability to treat vulnerable groups fairly**

- Establish awareness and capabilities to protect vulnerable groups
- Provide trainings on protection of gender, child and displaced persons
- Establish standard procedures to deal with children in conflict with the law and child victims of sexual violence
- Provide advice on the reception of women victims of violence and on special operating procedures for women victims
- Decrease the number of child trafficking and gender violence cases

### **UNOCI**

The overall national police capacity-building efforts of the police component of UNOCI to develop the capacity of the Ivorian National Police, from 2004 onwards included:

### **Strengthen the Ivorian National Police and Gendarmerie operational, administrative, management capabilities and material resources**

- Provide advice through training to the National Police and gendarmerie on investigations techniques, crime scene management, accident investigation, crowd control, human rights, penal procedures, intelligence gathering, police custody and other issues
- Provide assistance to install a forensic science laboratory
- Support the establishment and operationalization of Transnational Crime Unit (TCU) in Côte d'Ivoire

### **Enhance the Ivorian National Police and Gendarmerie recruitment and retention**

- Increase and encourage the number of women in the police structure
- Encourage the recruitment of female into the National Gendarmerie.

### **Strengthen the integrity, accountability and transparency of Ivorian National Police**

- Campaign against corruption, including through workshops for the National Police and Gendarmerie

### **Improve Ivorian National Police ability to treat vulnerable groups fairly**

- Advise on gender and protection of minors
- Conduct training to deal with cases of rape, domestic violence and sexual abuse
- Conduct human rights trainings
- Establish gender desks or family support units in police for victims of sexual and gender-based violence

### **MONUSCO/MONUC**

The overall national police capacity-building efforts of the police component of MONUSCO/MONUC to develop capacity of the Police Nationale Congolaise (PNC), from 2001 onwards included:

- Help progress institutional development, capacity-building, reform and restructuring, including the Joint Commission on Security Sector Reform
- Assess police reform and local police institutions and projects proposing amendments under the work of the Police Reform Steering Committee
- Implement train-the-trainer programmes

- Train and mentor in border control, intelligence, ethics, motorcycle riding, crowd control, negotiation, nonlethal policing, investigations, patrols, traffic policing, receiving of complainants, office duties, administration of detainees, mining policing, community policing, police census, development of legal texts, control of illegal exploitation of natural resources, airport monitoring and identification, tracing and tracking the mineral trade, lakes, road and border crossings, and truck and boat ownership
- Organise regular meetings with donors to coordinate the provision of equipment for 35,700 PNC officers through the UNDP-managed trust fund
- Provide substantive and technical support to develop a security sector reform matrix on the overview of all training programmes for the national army and police with the aim of reforming the national police, and sexual and gender-based violence programmes
- Advise the Government on the drafting of laws and decrees foreseen in the post-transitional constitution on the national police

#### **Enhance PNC recruitment and retention (human resources)**

- Make progress to develop a capable and an accountable national police service
- Increase the total number of trained deployed Congolese national police personnel
- Support maintenance of training centres for local police officers
- Increase the total number of national police officers in areas freed from armed groups.
- Establish and implement a vetting mechanism for the selection of candidates for key posts
- Increase the number of female officers in the national police
- Advise the Commissioner-General of the national police on the deployment of additional officers
- Advise the Government and PNC on the registration and certification of national police officers

#### **Strengthen the integrity, accountability and transparency of the PNC**

- Implementation of a conduct and discipline programme for police, including training, prevention, monitoring and disciplinary action
- Develop and maintain a database for PNC officers' misconduct and involvement in crimes and related abuses, including crimes against children and vulnerable persons

#### **Improve PNC ability to treat vulnerable groups fairly**

- Advise on integrating a gender perspective in security sector reform
- Conduct assessments on child protection issues
- Increase the number of judicial police officers trained in proceedings against minors
- Train and sensitize on child protection issues, children in armed groups, and cases of detained children
- Improve knowledge of the implementation of the provisions of the Child Protection Act
- Train and certify PNC trainers on gender awareness issues
- Conduct training on sexual violence, assistance to victims, handling of complaints, investigations and prosecutions of sexual and gender-based violence, including on data collection
- Support investigation by the transitional Government of all reported human rights abuses by the PNC

### **Annex 3: Overview of the United Nations Rule of Law Indicators Project (UNROLIP)**

The United Nations Department of Peacekeeping Operations (DPKO) and the Office of the United Nations High Commissioner for Human Rights (OHCHR), in cooperation with other United Nations departments, agencies, funds and programmes, have developed an instrument to monitor changes in the performance and fundamental characteristics of criminal justice institutions in conflict and post-conflict situations: the United Nations Rule of Law Indicators.

UNROLIP was launched as a joint initiative by DPKO and OHCHR in 2008 and tested in Haiti, Liberia and South Sudan before its publication in 2011. The indicators were endorsed, through the Rule of Law Coordination and Resource Group, by the Department of Political Affairs and the Office of Legal Affairs of the United Nations, the United Nations Children's Fund, the United Nations Development Programme, the United Nations Entity for Gender Equality and the Empowerment of Women (UN Women), the Office of the United Nations High Commissioner for Refugees and the United Nations Office on Drugs and Crime. All the members of the Rule of Law Coordination and Resource Group and the World Bank provided advice and support.

Through the reports of the Special Committee on Peacekeeping Operations, Member States frequently noted with appreciation the development of this instrument and encouraged the Secretariat to implement it in peacekeeping operations as planned.<sup>53</sup>

The assessment tool consists of a set of 135 indicators, that are grouped under three institutions: the police (41 indicators); the judicial system (51 indicators); and prisons (43 indicators). For each institution, indicators are grouped into several baskets, each relating to one of the four main dimensions of these institutions: Performance; Integrity, transparency and accountability; Treatment of vulnerable groups; Capacity.

Given the scope of this evaluation, only indicators for the police have been used. More details on the indicators for the police are provided below. The implementation guide and related project tools are available at:

[http://www.un.org/en/peacekeeping/publications/un\\_rule\\_of\\_law\\_indicators.pdf](http://www.un.org/en/peacekeeping/publications/un_rule_of_law_indicators.pdf).

#### **UNROLIP for the police category:**

Four dimensions = 8 indicator baskets = 41 indicators (39 rated indicators)

#### **Description of indicator baskets**

##### **Dimension 1 – Performance**

**Basket 1 – *Effectiveness and efficiency*:** This basket assesses whether the police respond effectively and efficiently to requests for assistance and reports of criminal incidents.

1. Police control of crime (indicator 1)
2. Police response to requests for assistance (indicator 2)
3. Satisfaction with police response to crime reports (indicator 3)

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<sup>53</sup> A/66/19 para. 158; A/68/19 para. 179; A/69/19 para 184.

4. Response to domestic violence incidents (indicator 4)
5. Responses to sexual crimes against women and children (indicator 5)
6. Control of vigilantism (indicator 6)
7. Intentional homicide cases resolved by the police (indicator 7)

**Basket 4 – *Public confidence*:** This basket assesses whether the public expresses confidence in the police, their competence and integrity, their concern for the well-being of the community and their respect for human rights.

1. Crime reporting to the police (indicator 8)
2. Crime reporting by women (indicator 9)
3. Police service to the community (indicator 10)
4. Gender and confidence in the police (indicator 11)
5. Avoiding arrest by offering a bribe (indicator 12)

## **Dimension 2 – Integrity, transparency and accountability**

**Basket 3 – *Integrity and accountability*:** This basket assesses whether police violate human rights or abuse their power, and alleged incidents of police corruption, misconduct or lack of integrity are reported and investigated.

1. Use of police powers (indicator 13)
2. Use of force to obtain confessions (indicator 14)
3. Investigation of police misconduct (indicator 15)
4. Procedure for investigating police misconduct (indicator 16)
5. Prosecution of police corruption or misconduct (indicator 17)
6. Public perception of police behaviour (indicator 18)

**Basket 4 – *Transparency*:** This basket assesses whether relevant information on the activities, decision-making processes, decisions and use of resources by the police is publicly available.

1. Public availability of reports on police complaints (indicator 19)
2. Public reports on police budgets and expenditures (indicator 20)
3. Public reports on deaths in police custody or as a result of police actions (indicator 21)

## **Dimension 3 – Treatment of members of vulnerable groups**

**Basket 5 – *Treatment of members of vulnerable groups*:** This basket assesses whether the police treat vulnerable individuals, such as members of minorities, children in need of protection or in conflict with the law, internally displaced persons, asylum-seekers, refugees, returnees, and stateless and mentally ill individuals, fairly and without discrimination.

1. Discrimination by the police (indicator 22)
2. Police implementation of child-friendly policies and procedures (indicator 23)
3. Police response to children in conflict with the law (indicator 24)
4. Operational policies and procedures concerning mentally ill suspects and offenders (indicator 25)

## **Dimension 4 – Capacity**

**Basket 6 – *Material resources*:** This basket assesses whether the police have material resources that are adequate to perform their duties.

1. Availability of equipment to perform basic police duties (indicator 26)
2. Availability of private areas for receiving crime reports and holding cells (indicator 27)
3. Availability of forensic test capacity (indicator 28)

**Basket 7 – *Human resources*:** This basket assesses whether the police have sufficient personnel who are adequately screened, fairly recruited and sufficiently remunerated.

1. Recruitment practices (indicator 29)
2. Remuneration of police (indicator 30)
3. Skills to gather and protect physical evidence (indicator 31)
4. Vetting process for police officers (indicator 32)
5. Public perception of the effectiveness of the vetting process for police officers (indicator 33)
6. Gender balance in police personnel (indicator 34)
7. Competence of front-line police officers (indicator 35)

**Basket 8 – *Administrative and management capacity*:** This basket assesses whether the police have competent leadership and make effective use of resources.

1. Salaries are paid on time (indicator 36)
2. Record management capacity (indicator 37)
3. Administrative systems of the police (indicator 39)
4. Public perception of police leaders (indicator 40)
5. Ability of police leaders (indicator 41)

**Annex 4: Recommendation Action Plan from the Department of Peacekeeping Operations (DPKO)**

**Evaluation of the Results of National Police Capacity-Building in Haiti, Côte d'Ivoire and the Democratic Republic of the Congo by United Nations Police in MINUSTAH, UNOCI and MONUSCO  
August 2016**

IED Recommendation	Anticipated Actions	Responsible Entity(ies)	Target date for completion
<p><b>Recommendation 1</b></p> <p>DPKO should ensure that all police capacity-building and development efforts are based on adequate programme design, monitoring and evaluation frameworks with an emphasis on national ownership and sustainability. These frameworks should allow for the collection of baseline data, regular assessment of the progress made, results achieved or issues that require attention and action by the Head of Mission and/or by the Police Division. These frameworks should be compatible with the United Nations Rule of Law Indicators and be accompanied by short, easy-to-understand guidance for use by individual police officers and national counterparts to enhance ownership and to enable them to observe, identify and report on progress in capacity-building. (Paragraph 15-21, 29-30, 70, 79, 85)</p>	<p>Responding to the need for stronger monitoring and evaluation frameworks, the Police Division (PD) will track the progress of police capacity-building by developing a mechanism under the Division's Strategic Guidelines Framework (SGF).</p>	<p>PD</p>	<p>Second quarter of 2017</p>

<p>Recommendation 2</p> <p>DPKO should assess and adequately address the potential risk of abuse and corruption related to the deployment process of seconded UNPOL. One control should include a signed declaration by the police contributing country that the process of selection of UNPOLs offered to the United Nations for service is free from any corruption and that systemic violation of this policy may lead to it being barred from offering its police officers to serve as UNPOLs. (Paragraph 38-41)</p>	<p>PD will address the risk of abuse and corruption related to deployment of seconded United Nations Police (UNPO) by amending the <i>note verbale</i> on police contribution, and by requesting OIOS to audit PD's selection and recruitment function.</p>	<p>PD</p>	<p>Fourth quarter of 2016</p>
<p>Recommendation 3</p> <p>DPKO should brief the Security Council on the tension between the slow, long-term and complex task of police capacity-building implemented by missions with short, one-year horizons and its implications for the work of present and future missions, including advising the Security Council that it might wish to consider a more limited menu of tasks for police-capacity-building missions, to better align mandates with what can actually be achieved within given resources, timeframes and potential constraints in cases of insufficient national ownership and political will. (Paragraphs 22-25, 45-49)</p>	<p>PD will brief the Security Council on UN Police constraints as a follow up to previous briefings in 2014 and 2015 following Security Council resolution 2185 (2014).</p>	<p>PD</p>	<p>Fourth quarter of 2016</p>

<p>Recommendation 4</p> <p>DPKO should clarify the role and function of the Police Advisor vis-à-vis the police components, document it and disseminate it to head of police components. It should strengthen the Police Advisor function for verifying implementation of capacity-building-related guidance, especially when dealing with evolving strategic issues. (Paragraph 42-44)</p>	<p>Consult the Working Group following up on the external review of the Police Division on the implementation of this recommendation.</p>	<p>PD external review Working Group</p>	<p>Third quarter of 2017</p>
<p>Recommendation 5</p> <p>DPKO/DFS should work with missions to ensure that budget proposals include appropriate resources to enable follow-up activities for capacity-building tasks so as to improve sustainability and continuity. (Paragraph, 28, 36-37)</p>	<p>Provide guidance to Heads of Police Components on the preparation of programmatic funding and other related requests for resources in budget proposals.</p>	<p>PD</p>	<p>Second quarter of 2017</p>



<p>Recommendation 6</p> <p>Missions with capacity-building mandates should enhance their coordination role with other international partners and bilateral donors by:</p> <ul style="list-style-type: none"> <li>a) proposing and developing memoranda of understanding to enable mutual exchange on data on training imparted and outcomes of projects. Missions should invariably offer their databases to such partners as a demonstration of their willingness to be accessible;</li> <li>b) taking the lead in organising donor fora to ensure a more coordinated and collaborative approach to capacity-building, as well as to promote synergies and complementarity of projects in terms of programme design, monitoring and evaluation frameworks being implemented by various donors.</li> </ul> <p>(Paragraph 29-31)</p>	<p>Provide guidance to Heads of Police Components on stakeholders' engagement and exchange of information in line with the Guidelines on Police Capacity-Building and Development.</p>	<p>PD</p>	<p>Second quarter of 2017</p>
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<p>Recommendation 7</p> <p>DPKO should co-locate the missions' individual police officers involved in capacity-building with those of UNDP acting under the framework of the Global Focal Point for Police, Justice and Corrections. (Paragraph 33-34)</p>	<p>PD will develop co-location plans with UNDP.</p>	<p>PD</p>	<p>Second quarter of 2017</p>
<p>Recommendation 8</p> <p>DPKO should determine accountability for the incorrect statement in the Secretary-General's report of 20 May 2010 regarding the issue of the arms embargo in Côte d'Ivoire to ensure that such a circumstance does not recur. (Paragraph 87-90)</p>	<p>By consulting with DPKO's Office of Operations (OO), PD will assist in determining accountability regarding the Côte d'Ivoire arms embargo to prevent a recurrence.</p>	<p>PD</p>	<p>Fourth quarter of 2017</p>
<p>Recommendation 9</p> <p>DPKO should enhance the mentoring skills of IPOs, emphasizing skill transfer rather than simply monitoring national police officials. In doing so, in addition to issuing appropriate written guidance, it should consider other forms of required training in effective mentoring, such as producing a short film on mentoring, in French and English.</p>	<p>To enhance the mentoring skills of Individual Police Officers (IPOs), PD will provide guidance to Heads of Police Components on UNPOL mentoring strategies.</p>	<p>PD</p>	<p>First quarter of 2017</p>

(Paragraph 19)			
<p>Recommendation 10</p> <p>DPKO/DFS should advise donor countries to carefully consider issues of sustainability and likelihood of actual use of forensic equipment that the donor country intends to transfer or fund for national police forces, including factoring in issues such as regular electric supply, the existence of supporting infrastructure and suitably qualified personnel. (Paragraph 68)</p>	<p>When seeking donor support, PD will ensure that donors are briefed on sustainability issues.</p>	<p>PD</p>	<p>Second quarter of 2017</p>

