Collantes-Celador, G., Soler i Lecha, E., Reigeluth, S., Aytar, V. & Arican, M. (2008). Fostering an EU strategy for security sector reform in the Mediterranean: learning from Turkish and Palestinian police reform experiences (Report No. 66). Lisbon: EuroMeSCo.

CITY UNIVERSITY LONDON
EST 1894

City Research Online

Original citation: Collantes-Celador, G., Soler i Lecha, E., Reigeluth, S., Aytar, V. & Arican, M. (2008). Fostering an EU strategy for security sector reform in the Mediterranean: learning from Turkish and Palestinian police reform experiences (Report No. 66). Lisbon: EuroMeSCo.

Permanent City Research Online URL: http://openaccess.city.ac.uk/2194/

Fostering an EU Strategy for Security Sector Reform in the Mediterranean: Learning from Turkish and Palestinian Police Reform Experiences

Gemma Collantes Celador
Eduard Soler i Lecha
Stuart Reigeluth
Volkan Aytar
Mehmet Arican

Acknowledgements

TABLE OF CONTENTS

Acknowledgements

FOSTERING AN EU STRATEGY FOR SECURITY SECTOR REFORM IN THE MEDITERRANEAN:
LEARNING FROM TURKISH AND PALESTINIAN POLICE REFORM EXPERIENCES

EuroMeSCo 66 January 2008

1. Executive Summary

In the absence of an overarching strategy, Turkey and the Palestinian territories depict how the EU has adopted different approaches to security sector reform (SSR) which have not facilitated the consolidation of a common EU foreign policy, though the situation might soon change given respective SSR-related documents from the Council and Commission. This report contributes to the security sector debate by stressing that in conflict and post-conflict scenarios endurable SSR requires fomenting synergies between the police and judicial sectors and the inclusion of DDR, in tandem with the institutional implementation of transparent, accountable and democratic oversight mechanisms. There is an adamant need for constructive consistency when applying this central facet of EU foreign policy in the Mediterranean basin and beyond.

SSR is an emerging phenomenon in conflict, post-conflict and development scenarios that has acquired a prominent role within the policy agendas of key international actors. As a prelude to the two case studies, and in order to better understand the EU's end goal, a brief analysis of the two pivotal European SSR documents is provided with particular emphasis on their contribution to develop a more coherent and effective EU presence in this field. More specific consideration is then given to the role played by SSR-related matters within the framework of two EU foreign policy mechanisms towards the Mediterranean: the Euro-Mediterranean Partnership (EMP), also known as the Barcelona Process, and the European Neighbourhood Policy (ENP).

The two case studies - Turkey and the Palestinian territories - are exceptional due to the nature of their geopolitical position in regional and international politics. Both demonstrate different levels of state development and different degrees of monopoly over the legitimate use of force, which have contributed to the development of different EU approaches to SSR, tailored to the specific needs of the local context in which the Union is operating. Both cases also demonstrate how the EU emphasizes democracy or security depending on the respective circumstantial differences. Turkey exemplifies by and large the EU accession process of fulfilling democratic reform in return for EU membership. The Palestinian case illustrates how security demands precede democratic apertures. Together, both highlight the lack of a consistent and comprehensive EU SSR strategy, the lack of which continues to impede the emergence of a common EU foreign policy.

This study makes a set of recommendations for the two case studies, and concludes with more general ones applicable to the broader Euro-Mediterranean area. These are mainly addressed to the European Commission, Council of the EU (and thus, Member States) and European Parliament. Moreover, the conclusions and recommendations included in this report could inspire the work of various advocacy groups in the fields of SSR, conflict resolution and democracy and human rights promotion given that, based on the "human security" logic, this report departs from the assumption that police reform encapsulates both modernising and democratising processes.

2. Introduction

Security sector reform (SSR) is a recent concept, born and developed in the late 1990s with a "visionary integration" role.[1] Heavily influenced by the "human security" discourse, SSR represents the idea that security and development are two faces of the same coin. According to the Development Assistance Committee of the Organisation for Economic Cooperation and Development (OECD DAC), "Inappropriate security structures and mechanisms can contribute to weak governance and to instability and violent conflict, which impact negatively on poverty reduction".[2]

A central component of SSR is police reform. From a good governance perspective, police reform is important to foster peaceful and democratic societal environments that provide the appropriate context for economic growth and basic security.[3] Police reform is primordial to the consolidation of official state structures and instrumental to the implementation of legitimate state monopoly over the use of force. Proper police reform requires going beyond modernisation efforts (technical assistance, cooperation and efficiency) to include the democratisation needs of this institution (civilian, parliamentary, judicial and public control and oversight).[4] Consequently, within the EU's commitment to foster peace and stability in a variety of contexts and as a measure to ensure its own security, police assistance is and will constitute an important implementing tool.

A more concrete reason for focusing on the police dimension is that the approaches developed by the EU towards the two case studies clearly depict the different challenges confronting the Union when struggling to define a coherent SSR strategy in the Mediterranean basin.[5] This report does not attempt to draw lessons from the Turkish and Palestinian police reform processes *per se*, but rather from the manner (and resulting repercussions) in which EU instruments have been implemented in two different scenarios.

1 Herbert Wulf, "Security Sector Reform in Developing and Transitional Countries", in Clem McCartney, Martina Fischer and Oliver Wils (eds.), *Security Sector Reform - Potentials and Challenges for Conflict Transformation*, Dialogue Series, Berlin: Berghof Research Center for Constructive Conflict Management, 2004, p. 10.
2 **OECD DAC,** *Security System Reform and Governance*, Guidelines and Reference Series, Paris, 2005, p. 11. For a detailed analysis of the human security concept and its relation to SSR, see Commission on Human Security, *Human Security Now*, New York: United Nations Publications, 2003; and David Law, "Human Security and Security Sector Reform: Contrasts and Commonalities", *Sicherheit und Frieden*, Nº 1, 2005, pp. 14-20.
3 **This report refers to "police" as public agencies and state institutions with a security mandate within the borders of an administrative state area. It does not include "policing", which in the literature on police studies also refers to private security companies, citizen-based agencies and new surveillance technologies.**
4 **This report builds on a previous project on the democratic and civilian control of armed forces (DC-CAF) within SSR processes in Spain and Turkey, see** Eduard Soler i Lecha, Débora Miralles i Solé, Ümit Cizre and Volkan Aytar, *Drawing Lessons from Turkey's and Spain's Security Sector Reforms for the Mediterranean*, EuroMeSCo Research Report, Nº 52, Lisbon, October 2006.

EuroMeSCo **66 January** 2008

FOSTERING AN EU STRATEGY FOR SECURITY SECTOR REFORM IN THE MEDITERRANEAN:
LEARNING FROM TURKISH AND PALESTINIAN POLICE REFORM EXPERIENCES

There are two EU documents on SSR, the 2005 *EU Concept for ESDP Support to Security Sector Reform* and the 2006 *A Concept for European Community Support for Security Sector Reform*, which were brought together under a common policy framework in 2006.[6] These two SSR concepts build on various EU reference documents and a range of Council, Commission and Member States' activities in various geographical and thematic areas that some analysts would argue have been re-labelled to fall under SSR. The EU is not new to this field, but it lacks effective integration of its policies into a comprehensive, overarching strategy. This is what the two EU SSR documents aspire to do by providing "one common understanding on SSR among the 27 Member States".[7]

The EU adopts by and large the OECD DAC extensive definition of the security sector that includes from core security actors to security management and oversight bodies, justice and law enforcement institutions and non-statutory security forces (with whom donors rarely engage).[8] This endorsement of the OECD guidelines is further exemplified by the importance placed in both the Council and Commission SSR documents on ensuring and strengthening the accountability, effectiveness and efficiency of the security sector when dealing with external and internal security needs; the civilian control of security actors; and the protection of democratic norms and principles of good governance, human rights, transparency and the rule of law. This is to be achieved on the basis of a holistic, multi-sectoral approach that seeks to find linkages between existing local security actors, rather that concentrating on one, often independent of other associated security actors' reform processes, as previous donor actions have tended to do.[9] These pledges are grounded on a search for local ownership and tailored reforms that can ensure that EU support to SSR is most adequately applied to the needs of the local population, the country and region in question.

This commitment to more coherent and effective EU engagement in SSR activities is still in its early implementation stages and therefore, it is difficult to assess its long-term relevance. The Council and Commission documents (and the subsequent policy framework) clearly represent a major step forward in developing the EU's external identity. The strategy described in these documents will allow the Union to respond more effectively to a variety of challenges, including violent conflict, poverty, state fragility and terrorism. The EU possesses the right variety of tools and mechanisms as well as respect for being a long-standing active donor, to make a positive impact in this field. However, in order to attain tangible results and take advantage of its strengths, the EU needs to continue working on solutions to a number of issues, ranging from planning and budgeting to taking into account the costly political, economic and human implications of an integrated SSR strategy, to building effective relations (at headquarters and field levels) among members of the EU family and externally with a variety of actors so as to create cooperation rather than competition.[10] The problems encountered during the policy formulation phase are a clear illustration of the importance of these outstanding issues.[11]

The EU's Mediterranean Policy exemplifies the challenges facing the Union as it tries to become a significant actor in the field of SSR. Although the Barcelona Process has included democratisation and promotion of good governance as major goals, SSR has never been a priority for EU policies towards the Mediterranean.[12] Most documents of the Barcelona Process, from the Barcelona Declaration in 1995 to the five-year working programme agreed at the Barcelona Euro-Mediterranean summit in 2005, do not contain a single reference to SSR.[13] In the few cases in which the Barcelona Process does tackle police-related issues, it has focused on the need to increase cooperation between police units in order to fight illegal migration, terrorism, drug trafficking and organised crime, leaving democratic aspects of the reform process out of the agenda.

This situation contrasts with five contemporary realities: (1) the increasing importance played by SSR in the policies of the EU towards other regions, particularly in the Western Balkans and Africa;[14] (2) the increasing weight assigned to SSR-related issues in the intra-Arab discussions on political reform;[15] (3) the existence of MEDA regulations which aim at developing "co-operation in areas relating to the rule of law, such as co-operation in judicial and criminal matters, the strengthening of institutions which guarantee the independence and effectiveness of the judicial system, the training of national security services and civil protection";[16] (4) the EU's concerns over the situation of partners on matters such as arrests and imprisonments without due process and unsatisfactory treatment of prisoners, and extra-judicial killings by the authorities;[17] and (5) the increasing importance of Justice and Home Affairs (JHA) in the EMP, particularly since Valencia's 2002 Euro-Mediterranean Conference and, above all, the inclusion of a JHA chapter in the five-year working programme adopted in the Barcelona summit in 2005.

5 **This report considers "strategy" as a framework of** institutional mechanisms at the disposal of the EU to create policies, both in the socio-economic and politico-security spheres. This definition moves away from the strictly classical or militaristic understanding of strategy as "a plan of action that calculates the relationship of specific means to larger ends" or "the art of distributing and applying military means to fulfil the ends of policy" (Liddell Hart, 1991). The definition adopted in this report emphasises the need for common goals that use the strengths of different institutions and ensure coherence between short and long-term needs, priorities and interventions. It is important to note that SSR-related EU documents refer to this understanding of "strategy" as comprehensive, cross-pillar, well-coordinated "responses" or "approach/es". In order to better separate the past and present from what the EU is aspiring to develop, this report prefers to use "approach" and "strategy" respectively. Ursula Schröeder, "Strategy by Stealth? EU Security Policies between Crisis Management and External Security Governance", in *European Conflict Prevention and Crisis Management Policies*, Final Conference, Brussels, 5-6 July 2007, p. 5; and Damian Helly, "Developing an EU Strategy for Security Sector Reform", *European Security Review*, Nº 28, February 2006, p. 8.

6 **For a longer analysis of these two documents, see** Gemma Collantes Celador, "The EU and its Policy towards Security Sector Reform: a New Example of the 'Conceptual-Contextual' Divide?", in *6th International Seminar on Security and Defence in the Mediterranean*, Barcelona: CIDOB and Spanish Ministry of Defence, forthcoming.

7 **Interview with Council official, Brussels, April 2007.**
8 **Council of the EU,** *EU Concept for ESDP Support to Security Sector Reform (SSR)*, Document Nº 12566/4/05 REV 4, Brussels, 13 October 2005, pp. 5, 7-8.

9 **In this respect, the integration of DDR activities within** a SSR context, as called for in the EU 2006 document, is a step in the right direction. Council of the EU and European Commission, *EU Concept for Support to Disarmament, Demobilisation and Reintegration (DDR)*, Document Nº 16387/06, Brussels, Approved by the Council of the EU on 11 December 2006 and by the European Commission on 14 December 2006, p. 12.

10 **For examples of possible solutions on the table** see Council of the EU and European Commission, *Joint Council Secretariat – Commission Services Working Paper on Security and Development – Food for Thought to Strengthen EU Policy Coherence*, Brussels, 2 October 2007, pp. 3-5.

11 **See** Collantes Celador, "The EU and its Policy towards Security Sector Reform", op. cit.

12 **Launched in 1995, the Euro-Mediterranean Partnership** (EMP), also known as the Barcelona Process, has faced substantial difficulties since its initial stages, but remains the main regional cooperation framework for states and citizens around the Mediterranean basin.

13 **Council of the EU,** *Five Year Work Programme, 10th Anniversary Euro-Mediterranean Summit, Barcelona*, Document Nº 15074/05 (Presse 327), Brussels, 27-28 November 2005.

14 **Interviews with Council and Commission officials,** Brussels, April 2007. Africa seems to have been in the mind of Council and Commission officials involved in the drafting process of the two SSR documents for a number of reasons, but this does not mean that the two concepts were created for implementation in this continent alone. On the contrary, the intention was to create a general tool that the EU could use in a variety of contexts worldwide, as illustrated by the various scenarios for action identified in the two SSR documents.

15 **Arnold Luethold,** "Security Sector Reform in the Middle East: A Nascent Debate", in Alan Bryden and Heiner Hänggi (eds.), *Reform and Reconstruction of the Security Sector*, Münster: Lit Verlag, 2004, Chapter 5.

16 **European Commission,** *Communication from the Commission to the Council and the European Parliament, Reinvigorating EU actions on Human Rights and Democratisation with Mediterranean Partners, Strategic Guidelines*, Document Nº COM (2003) 294 final, Brussels, 21 May 2003.

17 **European Commission,** *Communication from the Commission to the Council and the European Parliament to Prepare the Meeting of Euro-Mediterranean Foreign Ministers, Valencia, 22-23 April 2002*, Document Nº SEC (2002) 159 final, Brussels, 13 February 2002, p. 5.

FOSTERING AN EU STRATEGY FOR SECURITY SECTOR REFORM IN THE MEDITERRANEAN:
LEARNING FROM TURKISH AND PALESTINIAN POLICE REFORM EXPERIENCES

EuroMeSCo **66 January** 2008

In February 2004, a regional programme entitled *Euro-Med Police Cooperation Project in the MEDA Region* was launched for two years, which aimed to improve cooperation among the police forces of Mediterranean partners in the areas of organised crime, human- and narcotics-trafficking, international terrorism, human rights and illegal immigration. These aims were to be achieved by: (a) the organisation of seminars, which included targeted training, specialised debate forums and visits to relevant EU and MEDA country agencies dealing with the different project areas; (b) the organisation of a network of specialised police officers and trainers to promote exchanges of information and best practice in the Mediterranean region; and (c) the creation of specific teaching material on the different project areas. Scarce information exists regarding the development and outcomes of this project, which the European Commission considers extremely sensitive. These types of programmes, however, have sidelined the democratic reform dimension to prioritise other elements such as exchanges of information, confidence-building, socialisation and networking among different police bodies.[18]

The European Neighbourhood Policy (ENP) framework could be a more appropriate mechanism to foster police reform and other related political reform processes. The gradualist, pragmatic and strictly bilateral approach of the ENP could allow the EU to work together with those countries willing to pursue a reform strategy in the police and other security actors. Country reports and action plans corresponding to Southern and Eastern Mediterranean partners have neglected police reform, in terms of both the modernisation and democratisation dimensions. In the very few exceptions, such as the references to torture and police abuse in Egypt's country report, the EU has failed to translate them into concrete recommendations in the adopted action plans.[19]

This study concentrates on two cases that counter this diagnosis. In Turkey, as a member of the Barcelona Process, but not a beneficiary of the ENP due to possible accession as a candidate country, the EU has addressed SSR including police reform. And in the Palestinian territories, as founding member of the Barcelona Process and active partner in the ENP, and as reflected in the country reports and action plans devoted to the Palestinian Authority, the EU has actively promoted SSR, particularly within the ESDP framework. These two cases exemplify existing scenarios which provide concrete challenges to the EU in the Mediterranean region as it struggles to improve its role in the domain of SSR.

As an integral element of SSR, police reform is a new concept in Turkey. It is not usually referred to directly in laws, regulations, executive orders and other administrative practices. This may have to do partly with the negative resonance that the concept of "reform" has in the Turkish administrative working vocabulary, based on the mentality that a structure or practice in need of reform implies recognition of failures or deficiencies. Despite the longitudinal impact of the top-down and authoritarian state practices and associated laws and regulations, attempts similar to reform have been emerging especially since Turkey's EU-orientation from the late 1990s. To situate these attempts, the particular context driving reform as well as internal security mechanisms and structures in Turkey needs clarification.

Although some shy steps were initiated in early 1992 by the then reformist government, especially with the amendment to the Code of Criminal Procedure (CMUK), the need to reform the internal security forces became even more apparent particularly with Turkey's European Union accession process since the late 1990s.[20] In the context of Turkey's harmonization measures, the EU-led drive seems to be the main determinant behind police reform attempts. Internal mechanisms have remained rather weak comparatively, while the military character of the gendarmerie was voiced more within the context of Turkey's civil-military relations (CMR), that seemed to diverge from the accepted EU standards, the human rights and professionalism record of the police force were among the perceived reasons for the need to reform. However, for both agencies problems associated with professionalism and accountability also seem to be among the main reasons for reform. Motivation for EU membership has been *the* key source for changes in this field as well.

However, in the context of Turkey's successive EU Harmonization Packages – the legislative bundles of legal reform carried out between 2002 and 2005 (following the important constitutional amendment in 2001) – a holistic police reform (or, even more generally, internal security sector reform) was still not clearly delineated. Instead, most of the draconian laws and regulations were liberalized and the space for individual rights and freedoms was expanded, and some beginning steps towards civilian supremacy and oversight over the

3.
Turkey:
Promises
and Challenges

3.1.
The Need for Reform:
EU-led Drive

EuroMeSCo **66 January** 2008

FOSTERING AN EU STRATEGY FOR SECURITY SECTOR REFORM IN THE MEDITERRANEAN:
LEARNING FROM TURKISH AND PALESTINIAN POLICE REFORM EXPERIENCES

security forces were initiated. Some of those changes could still be seen in the light of police reform, at least in their potential practical outcomes. European Commission-assisted "twinning"[21] and related projects (with all the deficiencies and problems to be discussed below) could be evaluated more closely within a police reform approach.

The EU's role in Turkey's police reform should be situated within the accession/enlargement process whereby the EU contributed and assisted to institution-building in the policing sector (including police and gendarmerie agencies), through programmes such as twinning and others, as Turkey strove to adopt, enforce and execute the *acquis communautaire*. The EU's strategies were mainly formulated, customized and implemented through the European Commission (EC)'s Delegation to Turkey in Ankara, the national capital. The Commission document describes SSR for candidate countries as follows:

> The reform of the security sector in candidate or potential candidate countries is partly covered under the political Copenhagen criteria (guaranteeing democracy, the rule of law, human rights, respect and protection of minorities) for EU membership. The prospect of EU membership also carries with it a series of very specific obligations in the areas of border controls, migration, asylum and visa, police cooperation, or judicial co-operation in criminal or civil matters, which falls under the *EU policy of freedom, security and justice*. Fulfilling membership requirements in these areas is not only about transposing in national legislation the related EU *acquis* under Chapter 24 of accession negotiations. The countries must also demonstrate their capacity to successfully implement this *acquis*, and more generally align the rest of the related legislation and practice of their services in line with commonly accepted EU standards and best practices.[22]

To move towards this goal, the EC Delegation has worked closely with the Turkish Ministry of Interior to develop manageable projects designed to help the police and gendarmerie. The EC has also cooperated with the United Nations Development Programme (UNDP) to advance efforts to institute civilian capacity-building and civilian oversight mechanisms of internal security sector agencies. In helping Turkey "align the rest of [its] related legislation and practice of services in line with commonly accepted EU standards and best practices,"[23] the EC's approach to police reform should normally be seen as part and parcel of the EU's larger orientation towards assisting security sector reform as a whole. However, before we discuss the reform process and EU's role in it, let us briefly discuss the basic parameters of Turkish internal security organization.

3.2.
Socio-Political Context: Police and Gendarmerie in Turkey - A Bifurcated Structure

Since at least the late Ottoman period, the internal security forces were organized along a two-fold structure: the civilian police force and the gendarmerie with its military structure. According to their official histories, both forces emanate from the mid-nineteenth century formation of the *Zaptiye Müşirliği* ('field marshalship' in charge of law enforcement).[24] However, after the establishment of the Republic of Turkey in 1923, the bifurcation of these two forces, which served both as "social control" and "law enforcement" mechanisms,[25] became more apparent when the republican law administering the gendarmerie corps went into effect in 1930.[26]

The national police force and the gendarmerie are differentiated along two important lines, firstly in terms of their respective jurisdictions; secondly, in terms of responsibilities vis-à-vis the civilian government authorities. The police's jurisdiction roughly consists of urban areas and the gendarmerie provides security in rural areas. This geographical distinction became increasingly at odds with the social realities created by the rapid urbanization of Turkey.[27] This dual situation reportedly creates problems concerning the division of labour, coordination and jurisdiction and accountability of security services.

While legally, both the police (the General Directorate of Security, EGM) and the gendarmerie are responsible to the Ministry of Interior (İB), the gendarmerie's military nature (represented by the General Command of Gendarmerie, JGK) seems to create confusion with its responsibilities to the civilian authorities. Although the Law on the Establishment, Duties and Jurisdiction of Gendarmerie[28] placed the gendarmerie under the [provincial] governors and district governors appointed by the İB, the JGK is squarely situated within the four-fold hierarchical structure of the Turkish Armed Forces (TSK). Also in terms of promotions, appointments, personnel administration, disciplinary and judiciary procedures, the gendarmerie corps is located within the military structure headed by the Office of the Chief of General Staff, who, in turn, responds to the Office of the Prime Minister, instead of to the Ministry of National Defence (MSB).[29]

21 **"Twinning" is an initiative of the European Commission**, designed to assist candidate countries (often state administrations) in acquiring the independent capacity to adopt, implement and enforce the full *acquis communautaire* before accession to the European Union.
22 **European Commission, "Annexes to the Communication from the Commission to the Council and the European Parliament"** in *A Concept for European Community Support for Security Sector Reform,* Document Nº COM (2006) 253 final, Brussels, 25 May 2006, p. 4.
23 **Ibid.**
24 **While some ambiguities exist, especially in terms of** the exact formation date of the corps, the official history of the Turkish Gendarmerie can be accessed at http://www.jandarma.tsk.mil.tr/redirect.htm?url=/genel/tarihceic.htm. For the official history of the Turkish National Police, see http://www.egm.gov.tr/tar.osmanli1879-1908.asp.
25 **For the transformation of the Turkish National Police** in terms of its "social control" function, see, Ferdan Ergut, *Modern Devlet ve Polis: Osmanlı'dan Cumhuriyete Toplumsal Denetim Diyalektiği (Modern State and the Police: Social Control Dialectics from the Ottoman Empire to the Republic)*, Istanbul: Iletisim Publications, 2004. For an account of the National Police Department (Directorate General of Security – *Emniyet Genel Müdürlüğü*, EGM), see İbrahim Cerrah, "Police", in Ümit Cizre (ed.), *Almanac Turkey 2005: Security Sector and Democratic Oversight*, Istanbul: TESEV Publications, 2005, pp. 86-99. Full PDF text accessible at http://www.tesev.org.tr/etkinlik/almanaking.pdf.
26 **Law Nº 1706, 10 June 1930.**
27 **For examples of the controversy over the respective** "zones of duty" of the police and gendarmerie, see Cerrah, "Police", op. cit., p. 105.
28 **Law Nº 2803, 10 March 1983.**
29 **See Lale Sarıibrahimo**ğlu, "Gendarmerie", in Cizre, *Almanac Turkey 2005*, op. cit., pp. 100-111.

Fostering an EU Strategy for Security Sector Reform in the Mediterranean: Learning from Turkish and Palestinian Police Reform Experiences

EuroMeSCo 66 January 2008

Indeed, until today, the JGK has retained its military character (to evidence its importance as part and parcel of the military and civilian bureaucracy, or the "state" – *devlet*), while the EGM was seen as a more "politicised" entity supposedly open to political influence and ideological infiltrations by, among others, the civilian "government" – *hükûmet*). This important duality between the state and the government forms one of the main problems hampering democratisation and institutional reform in Turkey. Most of the efforts by the elected governments to harmonize this asymmetrical relationship and carry out institutional reforms were perceived negatively by the establishment of the state, as insidious attempts to infiltrate the 'sanctified' order of the state.

This duality was also mimicked in the way the two internal security agencies were perceived, partly explaining the alleged problems of division of labour, coordination and jurisdiction as noted above. Indeed, in the years preceding the military *coup d' état* in 1980, the police was highly politicized along left and right wings. Unconfirmed reports suggested that police units made up of leftist officers were sent to disperse right-wing demonstrations and vice versa. During the mid-to-late 1990s, some sections of the police force again became purportedly subject to extreme Turkish nationalist politicisation, especially at the height of the conflict with the separatist terrorism of the Kurdish Workers' Party (PKK), and for both the police and the gendarmerie, claims of human rights abuses were rampant.

However, more recently, with the increased quality of the police training and education, the rising numbers of commissioners and officers receiving masters and doctorates (some on topics including human rights law, technologically more advanced crime-fighting methods, etc.) and the positive impact of EU twinning projects, a younger reformist wing seems to have emerged within the police. This wing is also psychologically supported by civil societal demands for the establishment of more professional, accountable and transparent police structures. However, the durability and strength of this wing highly depends on the political will of the government and the state's sustained pro-EU reform course. Pro-reform circles and wings are in dire need of such external support and extra-institutional mechanisms to persist and become successful.

3.3.
Legal Changes and Associated Challenges

In this general context, important formal changes were legislated between 2002 and 2005, which may be seen as having an impact on police reform. Among those legal changes, one could cite the changes made in the:

- Turkish Penal Code (TCK)

- Anti-Terror Law (TMK)

- The Code of Criminal Procedure (CMUK and later, CMK)

- The Law on Associations

- The Law on Assembly and Demonstration Marches

- The Code of Civil Procedure

- The Law on Police Duties and Powers (PVSK)

- The Law on the Trial of Civil Servants

- The Judicial Records' Law

- The Law on Military Courts

- The Execution of Sentences and Security Measures Act -(CGIK) (The Law pertinent to implementation of punishment and security precautions)

However impressive these legal changes may be and notwithstanding their potential links with police reform, they can hardly be seen as amounting to a comprehensive and holistic approach to police reform for several reasons:

Firstly, most of the legal changes espoused in EU Harmonization Packages signify steps to fortify the role of the judiciary and merely to expand the formal space for individual rights and liberties vis-à-vis the security forces, without associated institutional and administrative measures that could support a more substantive and sustainable change. The amendment to the Code of Criminal Procedure (CMK)[30] aptly illustrates the disjointed relation between formal legal changes and institutional/administrative and mentality-oriented transformation.

EuroMeSCo **66 January** 2008

FOSTERING AN EU STRATEGY FOR SECURITY SECTOR REFORM IN THE MEDITERRANEAN:
LEARNING FROM TURKISH AND PALESTINIAN POLICE REFORM EXPERIENCES

The amendment has introduced a more "prosecutorial" or "inquisitorial" orientation in conducting criminal procedures, armed prosecutors with considerably more powers and made the police subject to their permission in the issuance of search and arrest warrants, among other limitations. However, while the decreased powers of the police ideally constituted a positive step towards the protection of individual rights and liberties, in actual practice – as also noted by numerous high-level police officers and NGO and human rights organization professionals – this change meant an increased strain between the judges/prosecutors and the internal security agencies, thus creating a confusion over authority.[31]

Secondly, although those changes officially involved the establishment of "judiciary police" structures (*adli kolluk*) or specialized police units to help prosecution processes, institutional arrangements to support such formations considerably lagged behind. Instead, police and gendarmerie agencies remained in a passive/demanding situation with regard to the empowered prosecutors. Additionally, many prosecutors also failed to fulfil the promises entailed in legal changes partly due to the lack of adequate training/adaptation structures that would normally support formal changes. Indeed, contradictory decisions by numerous prosecutors over similar or comparable situations created more confusion. Obviously, prosecutors' empowered situation should also be contextualized within their already dubious locus within judiciary processes which are reportedly laden with claims of politicization, corruption and lack of professional and educational capacities.

Coupled with the above-mentioned strain, this situation may have led police and gendarmeries agencies to espouse a 'passive-aggressive' or 'passively resistant' attitude vis-à-vis formal changes which, according to them, unjustly undercut their previous powers. This passively resistant attitude, coupled with media frenzy over "crime rates spiralling out of control" especially in large metropolitan centres like Istanbul and Ankara, led institutional demands and social discourses over the need for "re-securitization".[32]

Numerous police and gendarmerie officers and bureaucrats have uttered claims that "increasing" crime rates had to do with an undue stress over prosecutors' supremacy and a priority over human rights protection that purportedly disempowered the abilities and capacities of the police and gendarmerie agencies which shy away from using initiatives due to fear of legal and institutional reprisals. This feeling reportedly lends support to anti-reform tendencies especially within older, more status quo-oriented ranks and circles of the police and gendarmerie agencies. Younger and more educated, yet lower level ranks -while maintaining their critical attitude especially towards its partial course- have continued to support reforms.[33]

Among the major challenges waiting to be tackled are the problems of over-centralization of the Turkish provincial and public administrative system which make reform attempts difficult to implement. The conflicts between older, more status-quo oriented upper cadres and younger, more educated and more reform minded lower cadres also emerge as important problems. Moreover, the weaknesses of the social services designed for, and socio-economic rights of the police and gendarmerie personnel remain major obstacles for reform.[34]

3.4.
Is the EU-wide "Security-Orientation" Taking the Front Seat?

However, the EC's actual policies and practices in Turkey in the area of SSR in general and police reform in particular could be seen rather as amounting to an incremental approach marked by a fragmented and partial course. While one could still claim that the EC's policies have had a generally positive impact that could further be developed and improved in time, in terms of police reform, those policies have remained rather disparate to fulfil their promises. This situation may have resulted from the EU's recent tendency towards "re-securitization".

The general EU policies towards Turkey in the area of "Justice, Freedom and Security" appear stronger on issues related with Europe-wide security (including visa policies, protection of borders, fight against crime, drugs and others), partly due to EU priorities as a united space of security. Indeed, reportedly because of 11 September 2001, Europe-wide terrorist attacks, and its increasingly anti-immigrant "tilt", most EU policies have been "re-securitized", causing concern among international NGO, human rights and academic circles,[35] all of which may partly explain the EC's "security-oriented" priorities in relation to Turkey.

Illustrative EC initiated and partially-funded projects in Turkey include:

- Strengthening the fight against organised crime, money laundering, financial sources of crime and the financing of terrorism, human trafficking;

- Establishing a "National Drugs Monitoring Centre" and developing and implementing a "National Drugs Strategy";

- Strengthening the capacity for the interdiction of drugs in rural areas;

- Developing an Action Plan to implement Turkey's integrated border management strategy and a training system for Border Police;

- Supporting visa policy and practice;

- Developing an Action Plan to implement Turkey's asylum and migration strategy, and an Asylum and Country of Origin Information (COI) System.[36]

Despite the apparent uses and successes of these projects, especially in terms of technical and professional capacity-building for the Turkish police and gendarmerie, EU-wide security orientation may be said to have been used as an alibi by the security establishment to press for authoritarian amendments to the previously liberalized laws. Indeed, as the reform climate and the government's zeal for reform receded, and under renewed terrorist attacks by the separatist PKK since 2005, the most positive changes started to be reversed. In June 2006, the Anti-Terror Law (TMK) was amended along authoritarian lines. In June 2007, the Law on Police Duties and Powers (PVSK) was amended to increase the authority of the police and gendarmerie agencies at the expense of judicial oversight mechanisms and citizens' rights and liberties.[37] Following these amendments, reported cases of infringement of citizens' rights and liberties as well as the police's excessive use of force significantly increased. As long as Turkey is seen by the EU as mainly a "gateway" country to stop unwanted illegal immigrants, drugs and terrorists, then such "re-securitization" orientations will be hard to challenge.

Some EC projects associated with the area of "Justice, Freedom and Security" have been considerably helpful in initiating somewhat shy yet potentially promising steps towards police reform in Turkey. Those projects furthered the agenda for institutional reform to support professionalization, accountability and transparency of the police agencies. Among these are projects to support:

- Civilian Oversight of the Internal Security Sector;

- Training of Gendarmerie Officers on European Human Rights Standards;

- Ethics for the Prevention of Corruption;

- An Independent Police Complaint Commission and Complaints System for the Turkish National Police and Gendarmerie;

- Enhancement of the professionalism of the Turkish Gendarmerie in its Law Enforcement Activities;

- Strengthening the Accountability, Efficiency and Effectiveness of the Turkish National Police;

- Improvement of Statement Taking Methods and Statement Taking Rooms;

- Strengthening Police Forensic Capacity.[38]

According to high and mid-level police professionals and international and local experts, these projects have been particularly useful in building professional capacities and supporting human-rights sensitivities among the cadres of the police and the gendarmerie (see Table 1). Most of these projects, however, are still in their beginning stages and their effectiveness in deepening professionalization down to the critical mass of the police and gendarmerie officers would have to be tested in time. There has been considerable success in helping increase "reform-mindedness" among younger and more educated cadres.

EU-orientation emerges as the main force behind attempts to reform Turkey's security sector as a whole, and for police reform in particular. Without the country's EU accession process, police reform would certainly be in jeopardy. However, due to the partial and disparate character of the EU's policy towards Turkey's reform process, police reform attempts have remained weak. Developments since 11 September 2001 have generally worked to strengthen "securitization" as a general tendency both at a global scale and at the level of the EU. Because of this "security-first" orientation, the EU's SSR policies in Turkey,

3.5. Professionalization, Accountability and Transparency on the Move

3.6. Conclusions and Recommendations

EuroMeSCo **66 January** 2008

FOSTERING AN EU STRATEGY FOR SECURITY SECTOR REFORM IN THE MEDITERRANEAN:
LEARNING FROM TURKISH AND PALESTINIAN POLICE REFORM EXPERIENCES

including police reform, have been negatively impacted. The feeble political will in Turkey to reform the security sector agencies creates additional problems for reform attempts. To be successful, a more holistic approach to SSR (including police reform) is needed, by taking into consideration the connections between police reform and judiciary reform, institutional and personnel reform. Finally, a strong local "ownership" and political will for reform is required in Turkey to make the transformations sustainable and create synergies and multiplier effects. The EU and the Turkish government should seek partnerships with NGOs and the media to follow through a substantive police reform, as part of security sector reform.

Despite the initial success and potential promises of the EC-assisted projects, one should not overlook the remaining problems and challenges associated with EU policies towards police reform in Turkey. Obviously, solutions to some of those problems are beyond the ability of the EU since they would require consistent involvement by the Turkish government and police and gendarmerie agencies. However, some other problems could be solved if the EU alters some of the parameters towards police reform in Turkey in particular, and in accession countries in general.

Conclusion 1: Police reform policies seem to lack an effective parliamentary and civil society component. Most EU policies are customized directly for the executive and its associated branches, namely the Ministry of Interior, Turkish National Police and the Gendarmerie. However, in virtually all EU Member States, the national parliaments play important roles in the democratic and civilian oversight of the security sector, including internal security via the police and gendarmerie.

Policy Recommendation 1: The EU should assist in empowering the Plenary and the Special Commissions of the Turkish Grand National Assembly (TBMM) which are currently particularly weak and under-equipped to deal with police reform or oversight-related issues, and are under heavy influence and bearing of an overpowered executive. This also creates a problem of top-down reform motion within the Ministry of Interior, National Police department and the Gendarmerie.

Conclusion 2: The civil society component is even more limited with regard to monitoring and overseeing police agencies, the protection of human rights and pressing for increased professionalization. The impact of both the executive and the parliament also seem to be limited in terms of their civilian oversight and control abilities especially regarding the gendarmerie, which retains its military nature.

Policy Recommendation 2: While EU clout may be limited in these spheres, it could still have an important contribution if it develops new policies to support civilian capacity-building (perhaps in partnership with other organizations such as the UNDP). The formation of an Independent Police and Gendarmerie Monitoring Board made up of NGO representatives, lawyers, parliamentarians and Ministry of Interior personnel could be anticipated, which could also strengthen the human rights dimension of existing EC projects that remain tilted towards security concerns.

Conclusion 3: While the EC also assists in Judicial Reform through a few promising projects (see Table 2), police reform oriented steps usually have remained unconnected to them.[39] The problem of police and gendarmerie agencies remaining in a passive/demanding situation with regard to the empowered prosecutors without associated institutional measures are one of the main challenges to police reform.

Policy Recommendation 3: The disjointed courses of judicial and police reforms should be synchronized and synergies could be sought between the two. Joint projects bringing together judiciary and police and gendarmerie professionals could be envisioned.

Conclusion 4: Similar to the problem of the disjointed judicial and police reforms, an important challenge for police reform is the fragmented and uneven nature of structural/institutional, personnel and legal reform. Both structural/institutional and personnel reform attempts significantly lag behind.

Policy Recommendation 4: The EU could consider working more closely with the Turkish government and parliament to design more coherent policies of an institutional/structural nature as well as personnel reform in the police sector in Turkey. EU could help the Turkish government increase the socio-economic rights of the police and gendarmerie personnel. This would also help fight anti-reform tendencies within the government, police and gendarmerie.

31 **This point was referred to at the** *Turkey 2006 Progress Report* prepared and issued by the European Commission: "A number of cases have shown inconsistency in the judiciary approach to the interpretation of legislation. As regards the implementation of the new Code of Criminal Procedure, the establishment of the judicial police has led to some tensions between the police and gendarmerie bodies and prosecutors. Despite the Ministries of Interior and Justice issuing two circulars, prosecutors report difficulties in effective supervision of the judicial police". European Commission, *Turkey 2006 Progress Report*, Document Nº COM (2006) 649 final, Brussels, 8 November 2006, p. 9.
32 **For an overview of this media frenzy as well as the** social discourse over the need for "re-securitization," see Economic and Social History Foundation of Turkey, "Istanbul'da Korku Nöbeti (Fear Seizure in Istanbul)", *Istanbul: Kent Kültürü Dergisi*, Journal of Urban Culture, May 2007.
33 **These views are based on interviews conducted for** this report.
34 **Interview with a provincial governor, spring 2007.**
35 **For various discussions, see Sergio Carrera and Thi-** erry Balzacq, *The EU fight against Terrorism: Security Problems, Insecure Solutions*, CEPS Policy Brief, Nº 80, July 2005, p. 1; "Changes in the Security Concept and JHA Agenda," CEPS in collaboration with IUEE Universidad Autonóma de Barcelona, http://www.libertysecurity.org/article293.html (retrieved 9 February 2006); Tony Bunyan, "While Europe Sleeps: Under the 'War on Terrorism' a Veneer of Democracy is Legitimating the Creation of a Coercive (and Surveillance) State", *ECLN Essays*, Nº 11, December 2005, http://www.ecln.org/essays/essay-11.pdf; *Open Letter from Civil Society Groups to the European Parliament Calling on MEPs*, 6 December 2005, http://www.statewatch.org/news/2005/dec/ep-let-dat-ret.htm.
36 **EC Delegation to Turkey, Projects in the area of Jus-** tice, Freedom and Security and Political Criteria, Managed by Section C, Fields of Assistance, TR 0204.05; TR 0204.04; TR0304.03; TR 0204.03; TR0601.06; TR 0204.01; TR 0404.05; TR 0304.04; TR 0204.02; TR 06.01.01; TR 0304.02; TR 0601.07.
37 **For various discussions, see documents associated** with TESEV-CEPS project on "Recasting a Vital Balance in Difficult Times: How to Increase the Visibility in Turkey of the new European Values and Processes of Security and Human rights?". See http://www.tesev.org.tr/etkinlik/tr_ab_insanhaklari.php.
38 **EC Delegation to Turkey, Projects in the area of** Justice, Freedom and Security and Political Criteria, Managed by Section C, Fields of Assistance, TR 06 01 03; TR0601.08; TR0501.05; TR0404.03; TR 0301.01; TR0201.01; TR0304.01.
39 **The Judicial Modernization and Penal Reform;** Development of Probation Services; Establishment of Courts of Appeal; Better Access to Justice; Good Governance, Protection and Justice for Children; Court Management System; Training of lawyers on the European Convention on Human Rights; Training Programme on the Istanbul Protocol: Enhancing the Knowledge Level of Non-Forensic Expert Physicians, Judges and Prosecutors. EC Delegation to Turkey, Projects in the area of Justice, Freedom and Security and Political Criteria, Managed by Section C, Fields of Assistance, TR 0404.02; TR 0401.02; TR 0501.01; TR0601.04; TR0501.04; TR0501.03.

Conclusion 5: The EU lacks significant benchmarks to evaluate the success of police reform in Turkey and in other candidate countries. Partly due to the unconnected and somewhat inconsistent course of reform attempts, the EU aims to assist police reform in a rather piecemeal manner and fails to connect this to the larger issue of security sector reform. Even in its monitoring and evaluation functions, issues related to SSR in general and police reform in particular are dealt with at different sections of successive Turkey Progress Reports, thus creating more confusion and incoherence.

Policy Recommendation 5: The EU should consider adopting clearer benchmarks to evaluate progress and assist transformation in SSR and police reform. These benchmarks could help provide a clearer, objective monitoring of the advances as well as challenges involved in police reform attempts, including:

- Status and substantive content of the laws directly or indirectly related to police reform;

- Status and substantive content of the administrative orders and practices related to police reform;

- Level of professionalization among the police and gendarmerie corps;

- Level of professional education among the police and gendarmerie corps, especially at the level of human rights education;

- Existence, or lack of, professional code of ethics for the police and gendarmerie corps;

- Level of complaints by the citizens against the police and gendarmerie corps, and the pace with which those complaints have been resolved administratively or by the courts;

- Existence, or lack of, executive, parliamentary and judiciary mechanisms of control and oversight of the police and gendarmerie corps;

- Existence, or lack of, civil societal / NGO mechanisms of control and oversight of the police and gendarmerie corps;

- Finally, existence and strength of local "ownership" (government, parliament, ministries, security agencies, NGOs, civil society groups and media) as an important component that should be tackled both as part of the overall reform attempt, and as a benchmark to follow.

3.7.
Annex – Selected European Commission Twinning Projects

TABLE 1
Police Reform in Turkey

Title	Purpose	Results and Outputs
Improvement of Statement-Taking Methods and Statement-Taking Rooms in the Republic of Turkey	To improve and place statement-taking activities in the process of judicial investigations in the context of a shift towards evidence-based prosecutions. To strengthen cooperation and coordination regarding judicial investigations between law enforcement institutions.	- Existing statement-taking methods of the Turkish National Police assessed and improved in terms of respect for the rule of law and human rights; statement-taking capacity enhanced. - Standards on pre-service and in-service training and curriculum regarding statement-taking and law enforcement staff statement-taking developed and adopted by the Turkish National Police. - Police staff (200 trainers and 800 police officers) adequately trained and equipped to take statements as well as to correctly evaluate evidence collected in the investigation process so as to be able to utilize the knowledge derived from evidence during statement-taking. - Standards concerning physical conditions of statement-taking rooms developed and adopted by the Turkish National Police; pilot statement-taking rooms (30 in total) equipped with appropriate means meeting those standards. - Current cooperation and coordination between police, prosecutors and lawyers in the process of judicial investigations assessed and institutions' cooperation capabilities improved through the establishment of a Joint Working Group.
Civilian Oversight of Internal Security Sector	To establish framework conditions for Governors, District Governors and Ministry of Interior staff to make the transition from a narrowly conceived, bureaucratically and legalistically managed oversight of policing to a system of security sector governance based on a human-centred understanding of security and public safety and transparency in partnership with civil society.	- Legislative framework developed to enable the Ministry of Interior and public administrators (governors and sub-governors) to exercise effective civilian oversight over law enforcement bodies. - Ministry of Interior and public administrators (governors and sub-governors) have access to conceptual and institutional resources to oversee policing effectively. - Civil society and the media have the conceptual and institutional tools to engage with policing oversight. - Ministry of Interior and the Grand National Assembly establish a working framework to ensure transparency of internal policing services through the standing committees on Internal Affairs and Planning Budget Commissions of the parliament.
Strengthening Accountability, Efficiency and Effectiveness of the Turkish National Police.	Development and implementation of a Corporate Plan for the reorganization of the service, including modern training and personnel systems for the Turkish National Police in line with current EU practices with a view to adopt recommendations from the EU with respect to the working conditions and procedures of police personnel.	- Corporate Plan for the reorganization of the service endorsed. - Proposals for the reorganization of community police facilities adopted and initiated. - Detailed project proposals and technical specifications elaborated for the above. - Operational standards for policing communities endorsed. - Programme for pre-service, in-service and management of human resources development and training for the Turkish National Police agreed upon and implemented. - Proposals for a new personnel system including appraisal, promotion and appointment endorsed and installed.

TABLE 2
Judiciary Reform in Turkey

Title	Purpose	Results and Outputs
Development of Probation Services in Turkey	To establish a modern probation service in Turkey with a view to assisting the judiciary and public prosecutors in the implementation of the judicial supervision of offenders.	- Current legislation, regulation reviewed and redrafted as necessary. - National standards and probation service methodologies drafted. - A first generation Risk and Needs Assessment (RNA) tool developed. - A new case record and data collection system created. - Pilot model probation units established in Ankara (national) and other cities (local: Kocaeli, Kütahya, Denizli Nevşehir) and the operation of these pilot projects were reviewed. - Training curriculum prepared and training by Short Time Experts from Member States delivered.
Support to the Establishment of Courts of Appeal in Turkey	To establish functioning Courts of Appeal in Turkey under the new Turkish legislation by creating and carrying out training programmes for forthcoming judges, prosecutors and auxiliary staff.	*Not delivered yet, but the following results are expected*: - Judges and prosecutors appointed to the Courts of Appeal trained on the role of Courts of Appeal in a legal system. - Judges and prosecutors appointed to the Courts of Appeal capable of effectively dealing with procedures and working methods in the Courts of Appeal under the *acquis*. - Judges and prosecutors appointed to the Courts of Appeal provided with necessary tools to tackle legal and practical questions which will arise when working in the Courts of Appeal and applying the new regulation. - Case law in the procedure and in the working methods in all new established Courts of Appeal unified from the first day they start functioning. - A basis and mechanisms for future contacts and collaboration with similar courts in EU Member States (including study visits) established in order to improve, develop and create solutions within the system. - The auxiliary staff appointed to the Courts of Appeal prepared to handle their somewhat new duties and responsibilities in the Courts of Appeal. - Judges and prosecutors of the Court of Cassation trained, with the function of the Court of Cassation in a legal system with second instance courts.
Better Access to Justice	To promote access to justice in Turkey by developing legal aid systems to ensure that citizens enjoy rapid and easy access to justice through technological opportunities and alternative disagreement solutions.	*Not started yet, but the following results are expected*: - Increased utilization of the present legal aid system. - Introduction of Alternative Dispute Resolution (ADR) into the Turkish legal practice. - Improvement of fairness in criminal proceedings. - Strengthening the technical capacity of the Ministry of Justice.
Support to Court Management System in Turkey	To reconstruct the court management system (case flow, fiscal, human resources, court performance standards and technology management), thus to strengthen an effective judiciary and to accelerate judicial processes.	*No results yet, but the following results are expected*: - Develop and implement new court management system including fiscal, case flow and human resources, and the management of courts. - Reduce backlog of cases from previous years. - Shorten the average trial duration. - Raise professional skilfulness of the auxiliary personnel in pilot courts, and especially enhance the effectiveness and responsibility of the administrative staff. - Obtain effective technological solutions and technology management system for a more satisfactory and rapid judiciary system.

EuroMeSCo **66 January** 2008

FOSTERING AN EU STRATEGY FOR SECURITY SECTOR REFORM IN THE MEDITERRANEAN:
LEARNING FROM TURKISH AND PALESTINIAN POLICE REFORM EXPERIENCES

4.
The Palestinian Territories: An EU Anomaly

The EU has not been able to develop a comprehensive SSR strategy towards its eastern and southern neighbours. Across North Africa and throughout the Middle East, the EU has chosen to enhance security, rather than pursue democratic apertures. The Palestinian case is the most acute example of a contradictory EU policy to endorse and then reject elections. As member of the international Quartet to the Middle East peace process (with the US, UN and Russia), the EU has backed the three conditions demanded by Israel prior to engaging in negotiations with the Islamic Resistance Movement (Hamas). Resulting from Hamas' unwillingness to explicitly 1) recognize Israel, 2) renounce violence, and 3) accept all previous agreements, the two ESDP civilian missions in the Palestinian territories were suspended: EUPOL-COPPS is not operating to its full capacity and EUBAM-Rafah is not operating effectively at the border crossing.[40]

After monitoring and declaring the Palestinian legislative elections in January 2006 as free and fair, the EU adopted the US/Israeli policy of ostracizing Hamas and supporting the PA Presidency. Resulting from the Mecca Accord and Saudi mediation in February-March 2007, the Palestinians managed to forge a National Unity Government, which crumbled as the Presidential Guard deployed at crossing around the Gaza Strip instigating the pre-emptive Hamas take-over in mid-June 2007. President Abbas moved to create an emergency government and to amend the Basic Law, also considered the temporary Palestinian constitution. Beyond the constitutional crisis, the separation of security forces between an isolated Hamas in the Gaza Strip and an internationally endorsed Fatah in the West Bank causes severe challenges for a unified Palestinian security sector, not to mention the feasibility of a single putative Palestinian state.

As a core instrument of the EU Common Foreign and Security Policy, the suspension of the two ESDP civilian missions implies that the EU has moved from a gradualist long-term "reformist" SSR plan to adopting the short-term US-Israeli "restructurist" policy, which aims to buttress Fatah forces loyal to the PA President, in order to overwhelm Hamas. Not only did this policy back-fire when Hamas took over Gaza, but it could also prove equally detrimental for subsequent EU security efforts throughout the Middle East. This section addresses what the EU and US approaches have achieved in the Palestinian security sector and recommends including a reverse disarmament, demobilization, and reintegration (DDR) process, as well as judiciary reform to foster a more comprehensive European strategy. Ultimately, for successful and durable reform to occur, the EU will need to reconsider its policy towards the Palestinians.

4.1.
The EU and the Palestinian Police

EU efforts to reform the Palestinian police emanate largely from the Oslo Accords (1993) and its Declaration of Principles, which call for the establishment of a substantial police force to sustain the PA. The Palestinian civil police were to be trained, monitored and guided by the "deployment of international police observers." The Gaza-Jericho Agreement (1994) stipulated a Temporary International Presence (TIP) of 400 members in eight designated towns and cities subject to full PA control in the Gaza Strip and Jericho. The TIP Protocol stated that staff "shall have no military or police function" and would "assist in the organization and training of the Palestinian Police." However, due to political discrepancies between police observer missions and peacekeeping executive forces, the TIP negotiations collapsed and failed to deploy an international team to assist in reforming the Palestinian police.[41]

European efforts also emanate from other subsequent international initiatives in the Palestinian territories, such as the Temporary International Presence in Hebron (TIPH) in 1994, the UK Department for International Development (DFID) "study to identify possible reform programs to support the PA Civil Police" in 2004, and the EU Coordinating Office for Palestinian Police Support (EUCOPPS) established in 2005. Initial EUCOPPS objectives included "both immediate operational elements, in particular the delivery of technical equipment, as well as longer-term transformation of the Palestinian police forces, such as the reform of management structures and the development of proper accountability mechanisms".[42] Together with the PA Ministry of Interior, EUCOPPS prepared the Palestinian Civil Police Development Programme (PCPDP), which "serves as both a blueprint [for the 2005-2008 "transformational and operational plans"] and as a framework for donor assistance".[43]

The resulting EUPOL-COPPS began a three-year mandate on 1 January 2006, but was immediately confronted with Hamas' democratic victory in the legislative elections on 27 January 2006. The ensuing international financial boycott of the Hamas-led PA not only seriously discredited democracy in the Middle East, but is also in violation of donor standards for security sector reform assistance and in violation of principles of good governance.[44] On an operational level, the boycott also meant EUPOL-COPPS activities were seriously

40 See CITpax, *EU Civilian Missions in the Palestinian Territories, Frustrated Reform and Suspended Security*, Middle East Special Report, Nº 1, Madrid, Summer 2006.
41 **Brynjar Lia,** *Building Arafat's Police, The Politics of International Police Assistance in the Palestinian Territories after the Oslo Agreement*, Reading: Ithaca Press, 2007, pp. 224-240.
42 **Heiner Hänggi and Fred Tanner,** *Promoting Security Governance in the EU's Neighbourhood*, Chaillot Paper, Nº 80, Paris: EU Institute for Security Studies, June 2005, p. 76; and Council of the EU, *EU assistance to the Palestinian Civil Police*, Secretariat Factsheet, Brussels, 25 February 2005.
43 **Council of the EU, EUPOL-COPPS Factsheet, 9 Feb**ruary 2006; and Strategic Assessments Initiative (SAI), *Planning Considerations for International Involvement in the Palestinian Security Sector*, Washington DC, July 2005, p. 57.

FOSTERING AN EU STRATEGY FOR SECURITY SECTOR REFORM IN THE MEDITERRANEAN:
LEARNING FROM TURKISH AND PALESTINIAN POLICE REFORM EXPERIENCES

EuroMeSCo **66 January** 2008

impeded and reduced to sporadic stationary deliveries to the Jericho Police Academy, also devoid of training activity. International ostracism and Israel Defence Forces (IDF) attacks prompted an armed branch related to Hamas, the Popular Resistance Committee, to carry out a militant operation at the Kerem Shalom crossing on 25 June 2006, in which two Israeli soldiers were killed and another kidnapped. Israel closed the Rafah crossing and bombarded the Gaza Strip. Since then, the activities of the other EU civilian mission, on border assistance management (EUBAM-Rafah), have also been largely suspended.

As the EU struggles to define a common foreign policy, the paralysis of the two ESDP civilian missions in the Palestinian territories and European acquiescence to help advance the US-Israeli "restructurist" agenda, rather than maintain its gradualist and long-term "reformist" approach to the Palestinian security sector, have depleted the initial neutrality both missions enjoyed, which may have reverberating effects on the legitimacy of other EU missions in the Middle East.[45] The EU has also failed to denounce the Israeli destruction of Palestinian infrastructure that had been built with EU funds, such as the Rafah airport. And the IDF often targeted PA police facilities, such as police stations and prisons, which were easier to locate than Palestinian militias.[46] Not only have other EU civil police projects been sidelined, but the EU is now perceived by the Palestinians as an implementing instrument for US foreign policy.

Similar to Afghanistan, where the EU sent some 160 civil officers in June 2007 to train the Afghan police force within the Provincial Reconstruction Team (PRT) framework,[47] EUPOL-COPPS is attempting to train a Palestinian police force within the US-Israeli military agenda. Similar to Afghanistan where the EUPOL civilian mission is building on a previous German police reform program, so it is in the Palestinian territories, where EUPOL-COPPS builds on a British police reform initiative. Both cases depict how the EU provides "soft" power support to the "hard" US military lead. The complementary role of the Europeans has led to contradictions in EU foreign policy. The *European Security Strategy* (December 2003), for instance, linked security as a development precondition to democratic governance. After observing the Palestinian elections in January 2007 and then agreeing to overwhelm Hamas demonstrates that the "EU has not yet developed an explicit democracy promotion strategy", and highlights "the apparent double standards that exist when Western states favour 'stable' regimes in the region, even if these are undemocratic, over 'unstable' but potentially more democratic regimes".[48] The Palestinian case is an acute example of this contradictory EU policy in the Middle East.

In the aftermath of the Hamas election, the international community imposed a boycott to circumvent the Islamic movement. Endorsed by the US, approved by Israel, and implemented by the EU, the Europeans created the Temporary International Mechanism (TIM), which operationally replaced the PA Ministry of Finance since the summer of 2006: all foreign funds are transferred via the TIM, instead of going to the Single Treasury Fund of the PA. Despite resuming funds to the PA emergency government, the US also opened a Palestine Liberation Organization (PLO) account: Qatar quickly provided $22 million, Saudi Arabia sent $50 million, and Norway $10 million.[49] Resurrecting the PLO will undoubtedly have reverberating effects on the institutional stability of the PA and on the possibility of restoring the National Unity Government.

The US however continues to provide exclusive support to the PA Presidency. Most of the $59.8 million approved in early April 2007 by the US Congress were directed to transform and strengthen the Fatah Presidential Guard, via the US Security Coordinator (USSC). $16 million were intended to upgrade and "bolster security" at Karni crossing; $43 million to training and equipment for Abbas' Presidential Guard ($14.5 million of which to "basic and advanced training", $23 million to "non-lethal equipment", and $2.9 million to "upgrade the guard's facilities").[50] At the end of May 2007, Israel also agreed to permit the training of the Presidential Guard near Jericho and training to "reach battalion size formations" also began in Egypt, but apparently these battalions will not operate as consolidated units in the Palestinian territories.[51]

Contrary to the US, as of spring 2007, the EU was unable to provide basic funds to its civilian mission activities, such as prison reconstruction, court refurbishment, vehicle maintenance, and radio repair, which are essential to any basic security sector reform. Lacking the financial and political support to implement long-term police reform measures, the two ESDP civilian missions have increasingly followed US initiatives in the Palestinian security sector.[52] For instance, the US training of 5-6 battalions in the West Bank may lead to the emergence of a "green" military force. Under US security supervision and Israeli intelligence coordination with this Palestinian gendarmerie, a "blue" civil police force may emerge, assisted by EUPOL-COPPS. The EU has thus moved from its long-term "reformist" plan towards adopting the

4.2.
The US and the Presidential Guard

44 For guidelines to donor standards for SSR assistance, see OECD DAC, *Handbook on Security System Reform: Supporting Security and Justice*, Paris, 2007.
45 Stuart Reigeluth, "Europe must remain neutral in Gaza", *The Daily Star*, 25 May 2007. For an argument against deploying an ESDP mission hastily along the Lebanese-Syrian border, see Stuart Reigeluth, "EU monitoring is not the best option", *The Daily Star*, 6 December 2007. And for concerns about the credibility and effectiveness of the EUPOL-Afghanistan civilian mission deployed in the summer of 2007, see Giji Gya, "EUPOL-Afghanistan – an opportunity for whom?", *European Security Review*, Nº 33, May 2007, pp. 7-12.
46 SAI, *Planning Considerations for International Involvement in the Palestinian Security Sector*, op. cit., p. 13.
47 See Council of the EU, *EU Police Mission in Afghanistan Factsheet*, May 2007; Andrew Wilder, *Cops or Robbers? The Struggle to Reform the Afghan National Police*, Issue Paper Series, Afghanistan Research and Evaluation Unit (AREU), July 2007; ICG, *Reforming Afghanistan's Police*, Asia Report, Nº 138, 30 August 2007; and Council of the EU, *[Portuguese] Presidency Report on ESDP*, Document Nº 16426/07, Brussels, 11 December 2007, pp. 6-7.
48 Hänggi and Tanner, *Promoting Security Governance in the EU´s Neighbourhood*, op. cit., p. 27, 33, 69.
49 Adam Entous, "Aid flows into Palestinian account after US shift", *Reuters*, 28 May 2007.
50 "Hamas criticizes U.S. security aid to Abbas", *Reuters*, 11 April 2007.
51 Ze'ev Schiff, "Israel to let Presidential Guard train near West Bank city of Jericho", *Haaretz*, 24 May 2007.

EuroMeSCo **66 January** 2008

FOSTERING AN EU STRATEGY FOR SECURITY SECTOR REFORM IN THE MEDITERRANEAN:
LEARNING FROM TURKISH AND PALESTINIAN POLICE REFORM EXPERIENCES

short-term "restructurist" SSR plan propounded by the US and Israel.[53] This change was reinforced with the nomination of former NATO SACEUR, Marine General James Jones, after Annapolis in November 2007, as the US Special Envoy for Middle East security.

Though synergies between the EU and US also were reinforced on the ground, via the liaison officer for the USSC team with EUPOL-COPPS, US-led activities are problematic for the Palestinians and Israelis in general: rather than implementing a peace treaty, the US is moving to impose a settlement, which may not be conducive to a two-state solution. The US-devised "governor scheme" in the West Bank has drastic implications for the Palestinian security sector. The chain of command sidelined the PA Interior Ministry and the municipal governors answer to the PA President. The long-term repercussion of the "governor scheme" is further fragmentation of the Palestinian territories. As a revealing indication of the Palestinian condition, the US "benchmark document" of May 2007 refers to West Bank cities as "clusters". Like the benchmarks in Iraq, the initial deadlines were missed, and further implementation delays are foreseeable. Ensuring security in their respective and separate clusters, the governor system would come to resemble the security structure in the neighbouring police-state of Egypt. In the absence of a state monopoly of force (and a sovereign state), the wider emergence of militarized family clans is predictable, such as the Dughmush clan in Gaza, also known as the "Army of Islam", and other more extremist "jihadist" groups may also try to fill the security vacuum in the Palestinian territories.[54]

However, just as the complete consolidation of small semi-autonomous family-clan power bases is unlikely, so the governor security "clusters" option in the West Bank is equally unfeasible. Securing the West Bank first by deploying an international force appears to be the US plan, which will further isolate the Gaza Strip, and contradicts the two-state solution.[55] Moreover, exclusive US support for the Presidential Guard has not only sidelined PA ministries, but also has marginalized other initiatives by local actors, including the discarded 100-day plan by the former PA Interior Minister Hani Qawasmi, considered "benign" by EUPOL-COPPS for focusing on basic civil order measures such as trafficking; the White Paper from the National Security branch of the Ministry of Interior, which had gained momentum and international support prior to January 2006; and Jibril Rajoub's proposal to Prime Minister Ismail Haniyeh at the end of April 2007, also involving a depoliticized security plan.[56]

4.3.
Towards Disarmament, Demobilization and Reintegration (DDR)

Prior to losing Gaza in mid-June 2007, the PA National Security Adviser's Technical Team for Reform (TTR) proposed an ambitious security sector transformation plan, which involved down-sizing the cumbersome security forces with payments for the retirement of older staff. Substantial funds were to be made available as well for the demobilization of militia fighters outside the official PA framework. The proposed DDR plan however continues to exclude other Islamic militias, such as Hamas' Izz al-Din al-Qassam Brigades, or Palestine Islamic Jihad's military wing, Saraya al-Quds. Despite being obvious, only by including all militias and factions will comprehensive and durable reform of the security sector take place in what remains of Palestine.

Israel did permit the return of previous PLO resistance forces "to police Palestinians and further Israeli security interests in exchange for a defined process that would lead to the creation of an independent sovereign Palestinian state in the West Bank and the Gaza Strip by 1999".[57] And in the early phases of the Oslo process, overtures were made to recruit both Islamic and secular resistant groups into a "politically plural" Palestinian civilian police, but as the peace process continued to balk, internal factional obstacles accrued and such groups as Hamas and the "new guard" of Fatah were sidelined.[58] The Oslo Accords also resulted in over-sizing forces loyal to Arafat, with repercussions for the present Palestinian security sector. Another persistent problem was Israel's demand to have the PA security forces fight "terrorism" or dissident groups. The request to detain "non-state" actors continues, but is contradictory, as Hamas is now an elected "state" actor. Regime change is an accurate definition of attempts to overwhelm Hamas.

Both Hamas and Fatah have embarked on DDR processes: Hamas more forcefully in the Gaza Strip with family clans and the PA Presidency forces more tentatively with Al-Aqsa Martyrs Brigades in the West Bank.[59] However, the exclusion of Hamas and other resistance groups from participation in the official Palestinian security sector not only exacerbated the Palestinian crisis, as demonstrated by the bloody street battles between the parallel paramilitary forces of Fatah-backed Presidential Guard and the Executive Force, led by Youssef Zahar, but also led to the brink of civil war and the pre-emptive Hamas take-over of Gaza. The imprisonment of Youssef, the brother of the former Hamas-led PA Foreign Minister, Mahmoud Zahar, and his subsequent torture during the crackdown on Hamas

52 **For a broader analysis of inconsistent US and EU SSR efforts across North Africa and the Middle East,** see Yezid Sayigh, *Security Sector Reform in the Arab Region, Challenges to Developing an Indigenous Agenda*, Arab Reform Initiative, Thematic Paper, N° 2, December 2007.

53 **For a previous analysis of the divergent SSR plans,** see Roland Friedrich, *Security Sector Reform in the Occupied Palestinian Territories*, Jerusalem: PASSIA, 2004, pp. 3, 18-20. The "restructurist" plan is a top-down process, previously aimed at removing control from the hands of Yasser Arafat, now at supporting the PA President. The "reformist" agenda is meant to transform the PA security institutions into a democratically accountable system to provide effective security to the Palestinian people.

54 **For difficulties in managing powerful clans in the** Gaza Strip even for Hamas, see ICG, *Inside Gaza: The Challenge of Clans and Families*, Middle East Report, N° 71, 20 December 2007. On extremist groups, see Harvey Morris, "Jihadistan?", *The Financial Times*, 28 May 2007; and Steven Erlanger and Hassan Fattah, "Jihadist Groups Fill a Palestinian Power Vacuum", *The New York Times*, 31 May 2007.

55 **See Herb Keinon, "US considering int'l force in W.** Bank", *The Jerusalem Post*, 8 January 2008. For an argument for deployment in the West Bank, see Martin Indyk, "Is Trusteeship for Palestine the Answer?", *Foreign Affairs*, 27 June 2007; and for a warning against such deployment, see Robert Malley and Aaron David Miller, "'West Bank First': It Won't Work", *The Washington Post*, 19 June 2007. For an analysis of the different options for international engagement, see CITpax, *Third Party Intervention in the Arab-Israeli Conflict, From Mediator to Monitor*, Middle East Special Report, N° 2, Madrid, Winter 2008, particularly Chapter 3 (Palestine-Israel).

56 **Interviews with EUPOL-COPPS, Head of Mission,** Colin Smith, Ramallah, 26 April 2007; with former Head of Preventive Security Forces for the West Bank, Jibril Rajoub, Ramallah, 30 April 2007; and with Raji al-Najme, National Security Assistant to the PA Minister of Interior, Ramallah, 1 May 2007.

Fostering an EU Strategy for Security Sector Reform in the Mediterranean: Learning from Turkish and Palestinian Police Reform Experiences

EuroMeSCo **66 January** 2008

in the 1990s by Fatah forces in the Gaza Strip is exemplary of the inherent difficulties in a theoretical DDR exercise to have the Executive Force join the PA security forces: the blood vendetta and factional feud runs deep between Fatah and Hamas. Nonetheless, a Palestinian National Guard, comprising the multiple Palestinian factions, is not entirely out of the question. This will need strong political mediation towards a viable power-sharing formula, which could ultimately provide a positive precedent for reconciliation between Islamic and secular movements in the Middle East.

Contrary to the US and Israeli "coercive approach to DDR", a more sustainable long-term cooperative approach within a wider SSR strategy could be envisioned by the EU to help avoid the violent short-term backfire of dissident militias. A valid proposal is to "reorder the DDR sequence", whereby the Palestinian security sector would integrate as much as possible both secular and Islamist militias into an official branch, such as the civilian police, through a gradual process of demobilizing, disarming and re-training ex-combatants.[60] For militia integration to occur, first socio-economic and political incentives must be provided to ensure the transition from armed resistance fighter to national security member, which would have positive consequences for international and Israeli interests in the Middle East.[61] However, international and Israeli interference have thus far thwarted the emergence of a depoliticized and unified Palestinian security sector, which in turn has fuelled internal competition for the monopoly of force on the streets in both the West Bank and the Gaza Strip. Moreover, any DDR exercise will prove futile without the assurance of a reanimated peace process or at least a durable long-term *hudna* (cease-fire) between Palestinians and Israel.[62]

The Palestinian case remains an anomaly to the EU position on security sector reform. Though aberrant to other cases where more emphasis is placed on democratic oversight and good governance,[63] the EU does have the ability to build on field programmes. The European Commission had launched a judicial reform project, entitled "Empowering the Palestinian Judicial System", with an initial €7 million in 2002-03. The EU has been unable to create cohesion between the police and judicial branches. Closer synergies need to be implemented for a more comprehensive strategy to security sector reform.

Conclusion 1: The circumvention of Hamas decreased a sustainable and unified PA, pushed Hamas closer to Syria and Iran, helped instigate the Hamas take-over of Gaza, created a parallel government in the West Bank, and only aggravated Palestinian suffering and strife. The boycott is not only counterproductive to EU neutrality in the Middle East, but also in violation of donor standards for SSR assistance.

Policy Recommendations 1:

- Lift the financial boycott on the Palestinian people to alleviate the humanitarian crisis, particularly in Gaza.

- Open the Rafah crossing with a reinvigorated EUBAM, to also deploy at the other crossing points, and explore the possibility of providing security with the deployment of an EU Battlegroup, with the consent of *all* implicated parties.

- Mediate the reconstitution of the PA National Unity Government, including both Fatah and Hamas. Saudi and Egyptian efforts to do so have apparently not been sufficient; the EU can play a larger role as both monitor and mediator.

Conclusion 2: Devoid of state sovereignty, the Palestinian security crisis has created two de facto governments led by competing factions, who both claim the legitimate monopoly of force; a claim used by both Hamas and Fatah to impose and reinforce control over their respective territorial fragments of what remains of Palestine.

Policy Recommendation 2:

- Encourage re-institutionalizing the security chain-of-command, via the PA Interior Ministry, to include branches in the West Bank and Gaza.

- Re-order the DDR process to start with integrating militias into a depoliticized national security system to diminish the wide gamut of militant groups.

- Create concrete synergies beyond the conceptual between the police and judicial reform to provide oversight and links between detention and prosecution.

4.4.
Conclusions and Recommendations

57 **SAI**, *Planning Considerations for International Involvement in the Palestinian Security Sector*, op. cit., p.11.

58 **For a detailed analysis of the internal and external** obstacles to DDR, see Brynjar Lia, *A Police Force without a State, A History of the Palestinian Security Forces in the West Bank and Gaza*, Reading: Ithaca Press, 2006, especially Chapter 10: pp. 371-427.

59 **For a description of the DDR efforts**, see Roland Friedrich and Arnold Luethold (eds.), *Entry Points to Palestinian Security Sector Reform*, Geneva/Ramallah: DCAF, 2007; for Hamas' DDR in the Gaza Strip, see ICG, *Inside Gaza: The Challenge of Clans and Families*, op. cit.; and for Hamas' reform strategy, see Ghazi Ahmad Hamad, *The Challenge for Hamas: Establishing Transparency and Accountability*, Geneva: DCAF, 2006.

60 **For an insightful analysis of the various paramilitary groups** and the difficulties in integrating within the Palestinian security sector, see Pamela Scholey and Khalil Shikaki, "Considering the international DDR experience and spoiling: Lessons for Palestine", forthcoming in an edited book by University of British Columbia Press.

61 **The DDR process must include all armed entities for** "genuine security reform" to occur. Palestinian security services "are weak, and their off-shoots will resist any move to take away their autonomy. The broader challenge, in other words, is to undertake long over-due, comprehensive security sector reform, aimed at the integration of all armed entities – Hamas's but also Fatah's and those formally under PA command – into a streamlined, de-politicised security service", see ICG, *After Mecca: Engaging Hamas*, Middle East Report, Nº 62, 28 February 2007, p. 32. The Brookings Institution asserts that the inclusion of Palestine Islamic Jihad and Hamas will also help curb Iranian interference in internal Palestinian affairs, see Martin Indyk and Tamara Cofman Wittes, "Back to Balancing in the Middle East, A New Strategy for Constructive Engagement", *Opportunity 08*, February 2007, p. 11.

62 **For the official Hamas position from the political adviser** to PA Prime Minister, Ismail Haniyeh, see Ahmed Youssef, "What Hamas Wants", *The New York Times*, 20 June 2007.

63 **Hänggi and Tanner**, *Promoting Security Governance in the EU's Neighbourhood*, op. cit., p. 20: "It has to be emphasised that activities aimed at modernising and professionalising the armed and security forces (first category) without assuring their democratic accountability (second category) cannot be considered as SSR in the framework of security sector governance".

EuroMeSCo **66 January** 2008

FOSTERING AN EU STRATEGY FOR SECURITY SECTOR REFORM IN THE MEDITERRANEAN:
LEARNING FROM TURKISH AND PALESTINIAN POLICE REFORM EXPERIENCES

Conclusion 3: The EU is playing a secondary and complementary role to US and Israeli activities in the Palestinian security sector, which may have repercussions for police reform initiatives throughout the Middle East, including Afghanistan.

Policy Recommendation 3:

- Increase funding for EUPOL-COPPS projects aimed at reconstructing prisons, maintaining vehicles, providing uniforms, refurbishing training facilities, and repairing radios.

- Establish a mechanism of evaluating, reporting, and denouncing damages caused by Israel to EU funded investments in Palestinian security infrastructure, based on the concept of conditionality and compensation.

- Professionalize civil police via intense training programmes based on strict rules of conduct with capacity to then deploy and provide high levels of law and order in the Palestinian streets.

- Initiate a public awareness campaign to describe the security sector plans to down-size, integrate and retire ex-combatants; to demarcate the responsibility of each security branch; and to distribute an official police "code of conduct", highlighting police activities and citizen rights of appeal to judicial oversight.

Undertaking these initiatives, in conjunction with international support for economic development, political accountability and financial transparency, the EU could then reinstate calls for good-governance and democratic-oversight. Restoring a viable degree of legitimacy in the Middle East, the EU can still fulfil these long-term imperatives for sustainable SSR in the Palestinian territories. To proceed effectively though, the EU must reconsider its foreign policy towards the Palestinians.

5.
Moving Forward: Recommendations for Broader Euro-Mediterranean Cooperation

The EU needs to strengthen its commitment to SSR, including police assistance, in order to develop its role as a global player with transformative and normative powers. The two SSR concepts from the Commission and the Council mentioned in this report, and the subsequent policy framework, are positive steps forward, but the impact of these documents remains limited to small circles of experts within European institutions. The Commission and Council should therefore make efforts to ensure that the main recommendations made in these documents are incorporated into the workings of the various facets of the EU's external action in accordance with the actions of its main external partners, including the guidelines of the 2007 OECD-DAC *Handbook on Security System Reform: Supporting Security and Justice*. In this respect, EU actions in the Mediterranean should not be an exception to this more concerted strategy on SSR.

Several recommendations on the application of SSR promotion in the Mediterranean were developed in the 2006 EuroMeSCo report *Drawing Lessons from Turkey's and Spain's Security Sector Reforms for the Mediterranean* (Nº 52), which highlighted that SSR can be promoted successfully in a framework characterised by: (1) broader locally-driven political reform attempts to achieve higher democratisation and human rights standards; and (2) a security paradigm shift towards a situation where the needs and rights of citizens take priority over those of the state and/or regime. Within this context, for the sake of pursuing democratic apertures, the EU should attempt to create the necessary conditions to reduce tensions, and effectively contribute to conflict resolution in the Middle East and North Africa. Taking into consideration political, economic and social factors, six major areas for action were identified in that report:

1. **Develop conceptual work** by mainstreaming concepts such as human security, peace culture and the idea of SSR in EU documents and activities while also promoting advocacy work between the EU and third countries in the Mediterranean.

2. **Enhance coherence between actors and policies** in order to optimise European efforts and turn the EU into a credible and reliable partner in international affairs.

3. **Elaborate a framework for both positive and negative conditionality** adapted to each particular context, with specific emphasis on the need to provide concrete and feasible incentives for reform.

FOSTERING AN EU STRATEGY FOR SECURITY SECTOR REFORM IN THE MEDITERRANEAN:
LEARNING FROM TURKISH AND PALESTINIAN POLICE REFORM EXPERIENCES

EuroMeSCo **66 January** 2008

4. **Offer cooperation opportunities** even to countries which have not been disposed to pursue reform programmes. Opening windows for external cooperation will contribute in the mid- to long-term to create conditions for internal demand for SSR.

5. **Reconcile the fight against terrorism with democracy promotion and human rights,** which is also significant when addressing police cooperation between the EU and its Mediterranean partners.

6. **Increase transparency** and generate more information on SSR-related issues within the framework of EU policies towards the Mediterranean region. A dual process of **public awareness and diplomatic advocacy** could be envisioned.

Several other proposals were elaborated in the 2006 report, in relation to the Democratic Civilian Control of Armed Forces (DCCAF), which have direct implications for various EU policies in the Mediterranean region, such as the Barcelona Process, the European Neighbourhood Policy and European Security and Defence Policy. An identical approach was adopted and applied to the following sub-sections in which the proposals related to the field of police reform are inspired by the conclusions reached in the two case studies elaborated in this report: Turkey and the Palestinian territories.

As the main regional framework for Euro-Mediterranean cooperation, and given that all partners of the Barcelona Process have committed themselves (at least in theory) to promoting democracy and respect for human rights at both a national and regional level, the EMP could be a suitable framework to promote police reform in the region. However, these same partners have committed themselves to "refrain, in accordance with the rules of international law, from any direct or indirect intervention in the internal affairs of another partner", as well as recognising that each member can "choose and freely develop its own political, socio-cultural, economic and judicial system".[64] Thus, it is difficult for the EU to promote significant change in police matters if the Mediterranean partners do not share that same commitment to reform. Despite this major obstacle, there are issues that could still be advanced bilaterally in the framework of the Association Agreements while maintaining multilateral dialogue and cooperation:

1. **Multilaterally, the EMP could enhance police cooperation programmes**. As depicted in the report, the Euromed Police Programme does not intend to promote police reform, but rather to strengthen cooperation among police bodies around the Mediterranean. This kind of programme should continue, be encouraged and even enhanced. This may not promote immediate democratic police reform *per se*, but could help create conditions to do so in the mid- to long-term. The *cadres* engaged in these initiatives may become more open to cooperation with the EU, both in terms of modernising and democratising their respective police structures.

2. **Bilaterally, the EMP should strengthen dialogue on police issues.** This measure is particularly relevant for those countries that are less eager to be actively involved in the European Neighbourhood Policy. In those cases, the Barcelona Process remains the main platform for political dialogue (including police matters) with the EU. Consequently, police-related issues (accountability, transparency, fight against torture and ill-treatment) should be incorporated on the agendas of the Association Council and Association Committee, as well as in the work of the subcommittees on Human Rights established between the EU and some EMP countries, like Morocco and Jordan.

Contrary to the Barcelona Process, the ENP is a strictly bilateral framework in which third countries decide whether or not to take up the EU's offer for cooperation in various fields in exchange for internal political and economic reforms, without the prospect of accession to the Union. This policy is developed through Country Reports and Action Plans. The former provide an assessment of the political and economic situation, including the institutional dimension. The Action Plans, on the basis of country reports, are agreed upon formally between the EU and the partner, and include an agenda of political dialogue and reform. As described in this report, so far most Country Reports and Action Plans have neglected the democratising and governance side of SSR, including police-related issues, only mentioning aspects such as the fight against terrorism and border control. The governance and democratising side of SSR, including police-related issues, should therefore be incorporated in ENP documents and goals, via the following steps:

5.1.
Police Reform and the Euro-Mediterranean Partnership (EMP)

5.2.
Police Reform and the European Neighbourhood Policy (ENP)

1. **Provide detailed information**. Country Reports should contain a section on the status, structure, problems and linkages to civil authority of the security sector, including the police. In cooperation with local partners, European Commission delegations could centralize collection of this information in order to provide possible solutions and subsequently to propose concrete reform programmes (and when applicable adequate benchmarks) pending acceptance by the neighbour country.

2. **Offer suitable incentives.** A recurring criticism concerning ENP implementation is that compared with the enlargement accession process, it falls short of offering appropriate incentives to partners to carry out substantial and sensitive reforms.

   • Demarcate and clarify which agencies and Community programmes third countries could participate in.[65] Though Europol and Eurojust are not open to full membership, ENP partners could upgrade their cooperation with these agencies, particularly if committed to democratising and creating transparent synergies between their police and judicial sectors.

   • Access to CEPOL (European Police College) could be offered to police officers belonging to any ENP country in expectation that this measure will contribute to creating awareness among police officials of EU standards and best practices in police-related matters.[66]

   • Simultaneously, the EU could assure that police-related programmes can be and are financed via the European Neighbourhood and Partnership Instrument (ENPI), the European Instrument for Democracy and Human Rights (EIDHR) and the Governance Facility (currently under design).

   • Emulating the enlargement experience, the EU could offer twinning programmes in the police sector, such as certain projects completed and being developed in Turkey. Avoiding the shortcomings highlighted in the analysis of the Turkish experience, Turkey could inspire the refining and defining of EU areas of action with neighbour countries.

5.3. Police Reform and the European Security and Defence Policy (ESDP)

As illustrated in this report, the two ESDP civilian missions in the Palestinian territories have not been particularly effective. If future SSR missions launched using ESDP instruments are to be deployed in the Mediterranean area (such as possibly in Lebanon or perhaps the Western Sahara), the EU should study carefully the shortcomings observed in relation to the border assistance management (EUBAM-Rafah) and the police reform (EUPOL-COPPS) missions. To not replicate the precedent set by the two ESDP civilian missions in the Palestinian territories, the EU may wish to consider the following three issues:

1. In the ESDP framework, **ensure legitimacy among the local population** by adopting a less exclusive and politicized approach when identifying relevant local security actors. The EU should not undervalue the risks of ostracizing "non-state" militias which enjoy democratic representation as popular recognition for their armed resistance. Perceived as taking sides for supporting a specific security branch will inevitably deplete proclaimed neutrality, and will lead to the loss of legitimacy. The EU must reengage the Palestinians with a respectable degree of neutrality to act as an effective and legitimate third party.

2. In view of advancing the ideas put forward to develop a cross-pillar SSR strategy, as elaborated in the Council and Commission SSR documents and subsequent policy framework, **the needs arising from the security-development nexus should be addressed.** This implies the following:

   • **Demobilization, disarmament and reintegration (DDR) exercises should become an intrinsic feature of SSR missions**, with particular emphasis on the reintegration phase, to include concrete incentives such as training courses and job creation. Given the developmental nature of some of these measures, the recent cross-pillar fact-finding missions by the EU should continue and be strengthened in the future.

   • Due to the regional dimension of contemporary conflicts, **country-specific police reform should be complemented by integrated border assistance management measures.** The latter has been developed as an instrument to fight cross-border organised crime and terrorist activities and to contribute to regional trade promotion, safe freedom of movement and economic growth.

65 **European Commission,** *Communication from the Commission to the Council and the European Parliament on the general approach to enable ENP partner countries to participate in Community agencies and Community programmes*, Document Nº COM (2006) 724 final, Brussels, 4 December 2006.
66 **For more information on CEPOL's legal framework,** functions and activities see http://www.cepol.net/KIM/

Fostering an EU Strategy for Security Sector Reform in the Mediterranean: Learning from Turkish and Palestinian Police Reform Experiences

EuroMeSCo 66 January 2008

- Both DDR and border assistance will be important, indeed primordial, aspects of future security measures and means for state-building across the Middle East. Since European Member States have become more involved militarily in the region, namely in peacekeeping missions in Lebanon and Afghanistan, but also via bilateral agreements, the EU needs to be wary about deploying subsequent ESDP civilian/military missions without the consent of all parties involved. Precaution should therefore be urged to not deploy hastily, for instance along the Lebanese-Syrian border, where a low-profile German pilot project is engaged in assisting the reform of the Lebanese police, because without Syrian consent, implementing effective border management will be difficult, in fact unfeasible. Moreover, deploying an ESDP mission would further politicize EU engagement with possible other negative results, particularly after the Palestinian precedent.

6. Conclusion

This report has attempted to highlight how the EU has adopted discrepant SSR approaches when addressing specific police reform initiatives in the Mediterranean region. The conclusion derived from the two cases examined is that so far SSR-related actions by the EU are characterised by a lack of coherence with regard to normative democratic goals, but also by a fundamental lack of political consistency. Though progress has been made with regard to advancing SSR coherence, particularly forthcoming from the European Commission and the Council of the EU, Member States have maintained diverse SSR approaches toward neighbouring countries.

Without being a compare-and-contrast exercise, this report has examined two cases which depict the challenges and obstacles in defining a common EU SSR strategy. Turkey is the most contested EU accession case, and the Palestinian territories are the most disputed case in the Arab Middle East. The Turkish case demonstrates how the carrot of eventual EU membership has not been sufficient for police reform as the accession process has continued to be postponed. The Palestinian case illustrates how an initial gradualist EU long-term SSR process became part of a short-term Israeli-US endeavour to restructure security elements loyal to the pro-Western PA Presidency.

Exemplary of broader developments across North Africa, in the Middle East and around the Mediterranean, the cases presented in this report conclude that synergies between the police and judicial sectors need to be forged to reach a more comprehensive strategy to SSR. Subsequently, democratic oversight and transparency are also paramount as long as electoral results are respected and supported by the international community. And in all cases, SSR assistance must be as depoliticized as possible, to include the perspectives of opposition political groups for the potential reintegration and disarmament of their militias. To advance the capacity of civil police, the EU could adopt a more holistic strategy to SSR, and start to include this topic in the Euro-Mediterranean agenda through the framework of the Barcelona Process, the European Neighbourhood Policy and the ESDP.

Fostering an EU Strategy for Security Sector Reform in the Mediterranean: Learning from Turkish and Palestinian Police Reform Experiences

EuroMeSCo 66 January 2008

Primary Sources

Barcelona Declaration, adopted at the Euro-Mediterranean Conference, Barcelona, 27-28 November 1995.

Council of the EU, *[Portuguese] Presidency Report on ESDP*, Document Nº 16426/07, Brussels, 11 December 2007.

_____, *EU Police Mission in Afghanistan Factsheet*, May 2007.

_____, *Headline Goal 2010*, Document Nº 6309/6/04/REV 6, Brussels, 4 May 2006.

_____, EUPOL-COPPS Factsheet, 9 February 2006.

_____, *Five Year Work Programme, 10th Anniversary Euro-Mediterranean Summit, Barcelona*, Document Nº 15074/05 (Presse 327), Brussels, 27-28 November 2005.

_____, *Civilian Capabilities Improvement Conference – Ministerial Declaration*, Document Nº 14713/05 (Presse 306), Brussels, 21 November 2005.

_____, *EU Concept for ESDP Support to Security Sector Reform (SSR)*, Document Nº 12566/4/05 REV 4, Brussels, 13 October 2005.

_____, *EU assistance to the Palestinian Civil Police*, Secretariat Factsheet, Brussels, 25 February 2005.

_____, *Civilian Headline Goal 2008*, Document Nº 15863/04, Brussels, 7 December 2004.

_____, *A Secure Europe in a Better World: European Security Strategy*, Brussels, 12 December 2003.

Council of the EU and European Commission, *Joint Council Secretariat – Commission Services Working Paper on Security and Development – Food for Thought to Strengthen EU Policy Coherence*, Brussels, 2 October 2007.

_____, *EU Concept for Support to Disarmament, Demobilisation and Reintegration (DDR)*, Document Nº 16387/06, Brussels, Approved by the Council of the EU on 11 December 2006 and by the European Commission on 14 December 2006.

European Commission, *Communication from the Commission to the Council and the European Parliament on the General Approach to Enable ENP Partner Countries to Participate in Community Agencies and Community Programmes*, Document Nº COM (2006) 724 final, Brussels, 4 December 2006.

_____, *Turkey 2006 Progress Report*, Document Nº COM (2006) 649 final, Brussels, 8 November 2006.

_____, *Communication from the Commission to the Council and the European Parliament: A Concept for European Community Support for Security Sector Reform,* Document Nº COM (2006) 253final, Brussels, 25 May 2006.

_____, *Turkey 2005 Progress Report*, Document Nº COM (2005) 561 final, Brussels, 9 November 2005.

_____, *Commission Staff Working Paper annex to "European Neighbourhood Policy" Country Report Egypt, {COM (2005) 72 final}*, Document Nº SEC (2005) 287/3, Brussels, 2 March 2005.

_____, *Communication from the Commission to the Council and the European Parliament, Reinvigorating EU Actions on Human Rights and Democratisation with Mediterranean Partners, Strategic guidelines*, Document Nº COM (2003) 294 final, Brussels, 21 May 2003.

_____, *Communication from the Commission to the Council and the European Parliament to Prepare the Meeting of Euro-Mediterranean Foreign Ministers, Valencia, 22-23 April, 2002*, Document Nº SEC (2002) 159 final, Brussels, 13 February 2002.

European Council, *Presidency Conclusions*, Document Nº SN200/00, Santa Maria da Feira, 19-20 June 2000.

OECD DAC, *Handbook on Security System Reform: Supporting Security and Justice*, Paris, 2007.

_____, *Security System Reform and Governance*, Guidelines and Reference Series, Paris, 2005.

Open Letter from Civil Society Groups to the European Parliament Calling on MEPs, 6 December 2005.

7.
Selected
Bibliography

"Regional Cooperation Programme in the Field of Justice, in Combating Drugs, Organised Crime and Terrorism as well as Cooperation in the Treatment of Issues Relating to the Social Integration of Migrants, Migrations and Movement of People", *Euromed Report* Nº 44, April 2002.

The official history of the Turkish Gendarmerie,

http://www.jandarma.tsk.mil.tr/redirect.htm?url=/genel/tarihceic.htm

The official history of the Turkish National Police,

http://www.egm.gov.tr/tar.osmanli1879-1908.asp

Secondary Sources

Books

Abdelbaqi, Mustafa H., *Introduction to the Palestinian Criminal Justice System*, Freiburg: Max Planck Institute, 2006.

Bayley, David, *Changing the Guard: Developing Democratic Police Abroad*, Oxford & New York: Oxford University Press, 2006.

Chourou, Béchir, *Promoting Human Security: Ethical, Normative and Educational Frameworks in the Arab States*, Paris: UNESCO, 2005.

Ergut, Ferdan, *Modern Devlet ve Polis: Osmanlı'dan Cumhuriyete Toplumsal Denetim Diyalektiği*, Istanbul: Iletisim Publications, 2004.

Friedrich, Roland and Luethold, Arnold (eds.), *Entry Points to Palestinian Security Sector Reform*, Geneva/Ramallah: DCAF, 2007.

Lia, Brynjar, *Building Arafat's Police: The Politics of International Police Assistance in the Palestinian Territories after the Oslo Agreement*, Reading: Ithaca Press, 2007.

_____, *A Police Force without a State; A History of the Palestinian Security Forces in the West Bank and Gaza*, Reading: Ithaca Press, 2006.

Nathanson, Roby and Stetter, Stephan (eds.), *The Middle East under Fire? EU-Israel Relations in a Region between War and Conflict Resolution*, Tel Aviv-Berlin: Friedrich Ebert Stiftung, 2007.

Scholey, Pamela and Shikaki, Khalil, "Considering the International DDR Experience and Spoiling: Lessons for Palestine", forthcoming in an edited book by University of British Columbia Press.

Book Chapters and Journal Articles

Aliboni, Roberto, "10 Ans de Dialogue Politique et de Sécurité au Sein du Processus de Barcelone - une Tentative D'évaluation", *Géoeconomie,* Nº 35, 2005, pp. 101-121.

Alkire, Sabina, "Concepts of Human Security", in Chen, Lincoln C. and Fukuda-Parr, Sakiko and Seidensticker, Ellen (eds.), *Human Insecurity in a Global World*, Cambridge: Harvard University Press, 2004, pp. 15-37.

Bicchi, Federica and Martin, Mary, "Talking Tough or Talking Together? European Security Discourses towards the Mediterranean", *Mediterranean Politics,* Vol. 11, Nº 2, 2006, pp. 189-207.

Bunyan, Tony, "While Europe Sleeps: Under the 'War on Terrorism' a Veneer of Democracy is Legitimating the Creation of a Coercive (and Surveillance) State", *ECLN Essays,* Nº 11, December 2005.

Cerrah, İbrahim, "Police", in Cizre, Ümit (ed.), *Almanac Turkey 2005: Security Sector and Democratic Oversight*, Istanbul: TESEV Publications, 2006, pp. 86-99.

Chanaa, Jane, *Security Sector Reform: Issues, Challenges and Prospects,* Adelphi Paper, Nº 344, Oxford: Oxford University Press & International Institute for Strategic Studies, February 2002.

Collantes Celador, Gemma, "The EU and its Policy towards Security Sector Reform: a New Example of the 'Conceptual-Contextual' Divide?", in *6th International Seminar on Security and Defence in the Mediterranean*, Barcelona: CIDOB and Spanish Ministry of Defence, forthcoming.

Fostering an EU Strategy for Security Sector Reform in the Mediterranean: Learning from Turkish and Palestinian Police Reform Experiences

EuroMeSCo 66 January 2008

Crawford, Adam, "The Pattern of Policing in the UK: Policing Beyond the Police", in Newburn, Tim (ed.), *Handbook of Policing,* Cullompton & Portland: Willan Publishing, 2003, pp. 136-168.

Del Sarto, Raffaella and Schumacher, Tobias, "From EMP to ENP: What's at Stake with the European Neighbourhood Policy towards the Southern Mediterranean", *European Foreign Affairs Review*, Vol. 10, Nº 1, 2005, pp. 17-38.

Economic and Social History Foundation of Turkey, "Istanbul'da Korku Nöbeti", *Istanbul: Kent Kültürü Dergisi*, Journal of Urban Culture, Istanbul, May 2007.

Eekelen, Willem van, "EU Common Foreign and Security Policy and Security Sector Reform", in Fluri, Philip and Spence, David (eds.), *The European Union and Security Sector Reform*, forthcoming.

Gya, Giji, "EUPOL-Afghanistan – an opportunity for whom?", *European Security Review,* Nº 33, May 2007, pp. 7-12.

Hansen, Annika, "Security and Defence: The EU Police Mission in Bosnia-Herzegovina", in Carlsnaes, Walter et al. (eds.), *Contemporary European Foreign Policy,* London & Thousand Oaks, CA: Sage Publishers, 2004, pp. 173-185.

Helly, Damien, "Security Sector Reform: From Concept to Practice", *European Security Review*, Nº 31, December 2006, pp. 11-13.

_____, "Developing an EU Strategy for Security Sector Reform", *European Security Review*, Nº 28, February 2006, pp. 7-9.

Indyk, Martin, "Is Trusteeship for Palestine the Answer?", *Foreign Affairs*, June 2007.

Jones, Trevor and Newburn, Tim, "The Transformation of Policing? Understanding Current Trends in Policing Systems", *The British Journal of Criminology*, Vol. 42, Nº 1, Winter 2002, pp. 129-46.

Jünemann, Annette, "Repercussions of the Emerging European Security and Defence Policy on the Civil Character of the Euro-Mediterranean Partnership", in Jünemann, Annette (ed.), *Euro-Mediterranean Relations after September 11*, *International*, *Regional and Domestic Dynamics*, London & Portland: Frank Cass, 2004, pp. 37-53.

Larrabee, Stephen F., "Turkey Rediscovers the Middle East", *Foreign Affairs*, July/August 2007.

Law, David, "Human Security and Security Sector Reform: Contrasts and Commonalities", *Sicherheit und Frieden*, Nº 1, 2005, pp. 14-20.

Luethold, Arnold, "Security Sector Reform in the Middle East: A Nascent Debate", in Bryden, Alan and Hänggi, Heiner (eds.), *Reform and Reconstruction of the Security Sector*, Münster: Lit Verlag, 2004, Chapter 5.

Mahjoub, Azzam, "La Politique Européenne de Voisinage: Un Dépassement du Partenariat Euro-méditerranéen", *Politique Étrangère*, Nº 3, 2005, pp. 535-544.

Merlingen, Michael and Ostrauskaite, Rasa, "ESDP Police Missions: Meaning, Context and Operational Challenges", *European Foreign Affairs Review,* Vol. 10, Nº 2, Summer 2005, pp. 215-235.

Said, Yahia, "Middle East Security: A View from Palestine, Israel and Iraq", in Glasius, Marlies and Kaldor, Mary (eds.), *A Human Security Doctrine for Europe: Project, Principles, Practicalities*, Abingdon & New York: Routledge, 2006, pp. 148-170.

Sarıibrahimoğlu, Lale, "Gendarmerie", in Cizre, Ümit (ed.), *Almanac Turkey 2005: Security Sector and Democratic Oversight*, Istanbul: TESEV Publications, 2005, pp. 100-111.

Scheye, Eric and Peake, Gordon, "To Arrest Insecurity: Time for a Revised Security Sector Reform Agenda", *Conflict, Security & Development*, Vol. 5, Nº 3, December 2005, pp. 295-327.

Schmid, Dorothée, "Le Partenariat, une Méthode Européenne de Démocratisation en Méditerranée? ", *Politique Étrangère,* Nº 3, 2005.

Schumacher, Tobias, "Riding the Winds of Change: The Future of the Euro-Mediterranean Partnership", *The International Spectator*, Vol. 39, Nº 2, 2004, pp. 89-102.

Sedra, Mark, "European Approaches to Security Sector Reform: Examining Trends through the Lens of Afghanistan", *European Security*, Vol. 15, Nº 3, September 2006, pp. 323-338.

Soler i Lecha, Eduard, "Redimensionar el Diálogo Euromediterráneo en Materia de Seguridad: El Reto de la Seguridad Humana", *Revista CIDOB d' Afers Internacionals*, Nº 76, December 2006/January 2007, pp. 123-142.

Wulf, Herbert, "Security Sector Reform in Developing and Transitional Countries", in McCartney, Clem and Fischer, Martina and Wils, Oliver (eds.), *Security Sector Reform - Potentials and Challenges for Conflict Transformation*, Dialogue Series, Berlin: Berghof Research Center for Constructive Conflict Management, 2004, pp. 9-28.

Youngs, Richard, "The European Union and Democracy Promotion in the Mediterranean: A New or a Disingenuous Strategy", *Democratization*, Vol. 9, Nº 1, 2002, pp. 40-62.

Conference Papers

Schröeder, Ursula, "Strategy by Stealth? EU Security Policies between Crisis Management and External Security Governance", in *European Conflict Prevention and Crisis Management Policies*, Final Conference, Brussels, 5-6 July 2007.

Tanner, Fred, "Suggestions for Confidence-Building measures", in *4th International Seminar on Security and Defence in the Mediterranean, Ten Years of the Barcelona Process: Results and New Aims,* CIDOB Foundation and Spanish Ministry of Defence, Barcelona, 2006.

Turkish Police Academy, *Türk Polisinin AB Sürecine Etkisi Sempozyumu Bildirgeleri*, Polis Akademisi Yayınları, Ankara, 1996.

Reports and Policy Papers

Ball, Nicole and Hendrickson, Dylan, *Trends in Security Sector Reform (SSR): Policy, Practice and Research*, Ottawa: International Development Research Centre (IDRC), 2006.

Brown, Natham J., *The Peace Process Has No Clothes; The Decay of the Palestinian Authority and the International Response*, Washington DC: Carnegie Endowment, 15 June 2007.

Brzoska, Michael, *Development Donors and the Concept of Security Sector Reform*, Occasional Paper, Nº 4, Geneva: Geneva Centre for the Democratic Control of Armed Forces (DCAF), 2003.

Carrera, Sergio and Balzacq, Thierry, *The EU Fight against Terrorism: Security Problems, Insecure Solutions*, CEPS Policy Brief, Nº 80, July 2005.

_____, "Changes in the security concept and JHA Agenda", CEPS in collaboration with IUEE Universidad Autonóma de Barcelona, 2005.

CITpax, *Third Party Intervention in the Arab-Israeli Conflict, From Mediator to Monitor*, Middle East Special Report, Nº 2, Madrid, Winter 2008.

_____, *EU Civilian Missions in the Palestinian Territories, Frustrated Reform and Suspended Security*, Middle East Special Report, Nº 1, Madrid, Summer 2006.

Commission on Human Security, *Human Security Now*, New York: United Nations Publications, 2003.

Emerson, Michael and Noutcheva, Gergana, *From Barcelona Process to Neighbourhood Policy: Assessments and Open Issues*, CEPS Working Paper, Nº 220, 2005.

Friedrich, Roland, *Security Sector Reform in the Occupied Palestinian Territories*, Jerusalem: PASSIA, 2004.

Hamad, Ghazi Ahmad, *The Challenge for Hamas: Establishing Transparency and Accountability*, Geneva: DCAF, 2006.

Hänggi, Heiner and Tanner, Fred, *Promoting Security Sector Governance in the EU's Neighbourhood*, Chaillot Paper, Nº 80, Paris: EU Institute for Security Studies, July 2005.

ICG (International Crisis Group), *Inside Gaza: The Challenge of Clans and Families*, Middle East Report, Nº 17, 20 December 2007.

___, *Reforming Afghanistan's Police*, Asia Report, Nº 138, 30 August 2007.

___, *Turkey and Europe: The Way Ahead*, Europe Report, Nº 184, 17 August 2007.

___, *After Gaza*, Middle East Report, Nº 68, 2 August 2007.

___, *Security Sector Reform in the Congo*, Africa Report, Nº 104, 13 February 2007.

___, *After Mecca: Engaging Hamas*, Middle East Report, Nº 62, 28 February 2006.

Indyk, Martin and Cofman Wittes, Tamara, "Back to Balancing in the Middle East, A New Strategy for Constructive Engagement", *Opportunity 08*, February 2007.

Lindstrom, Gustav, *Enter the EU Battlegroups*, Chaillot Paper, Nº 97, Paris: EU Institute for Security Studies, February 2007.

_____, *The Headline Goal,* Section on ESDP, Paris: Institute for Security Studies, 2007.

Nowak, Agnieszka (ed.), *Civilian Crisis Management: the EU way*, Chaillot Paper, Nº 90, Paris: EU Institute for Security Studies, 2006.

PASSIA & DCAF, *Palestinian Security Sector Governance: Challenges and Prospects*, Jerusalem, 2006.

Saferworld, *Developing a Common Security Sector Reform Strategy for the EU*, Paper based on Expert Seminar organised by the UK Presidency of the EU, European Commission, Saferworld and International Alert, January 2006.

Schmid, Dorothée, *Interlinkages within the Euro-Mediterranean Partnership. Linking Economic, Institutional and Political Reform: Conditionality within the Euro-Mediterranean Partnership*, EuroMeSCo Paper, Nº 27, 2003.

Soler i Lecha, Eduard, *El Mediterráneo Tras la Cumbre de Barcelona: La Necesidad de una Voluntad Política Renovada*, Documentos de Trabajo Mediterráneo, Nº 5, Barcelona: CIDOB, June 2006.

Soler i Lecha, Eduard and Miralles i Solé, Débora and Cizre, Ümit and Aytar, Volkan, *Drawing Lessons from Turkey's and Spain's Security Sector Reforms for the Mediterranean*, EuroMeSCo Research Report, Nº 52, Lisbon, October 2006.

Strategic Assessments Initiative (SAI), *Planning Considerations for International Involvement in the Palestinian Security Sector*, Washington DC, 2005.

Tanner, Fred, *Security Governance, the Difficult Task of Security Democratisation in the Mediterranean*, EuroMeSCo Brief, Nº 4, 2003.

Wilder, Andrew, *Cops or Robbers? The Struggle to Reform the Afghan National Police*, Issue Paper Series, Afghanistan Research and Evaluation Unit (AREU), July 2007.

Yezid Sayigh, *Security Sector Reform in the Arab Region, Challenges to Developing an Indigenous Agenda*, Arab Reform Initiative, Thematic Paper, Nº 2, December 2007.

Periodicals, News Agencies and Newsletters

Al-Jazeera

Balkan Investigative Reporting Network (BIRN)

El País

ESDP Newsletter

Foreign Policy edición española

Haaretz

Reuters

The Daily Star

The Jerusalem Post

The New York Times

The Financial Times

The Washington Post

Today's Zaman

8.
Author's Contact Information

Gemma Collantes Celador (gcollantes@ibei.org) is a Post-Doctoral Research Fellow at the Institut Barcelona d'Estudis Internacionals (IBEI), a graduate teaching and research institution on international studies, where she specialises on security issues. She is currently working on various projects related to human security; the role of the EU in security sector reform; police co-location practices in externally-assisted police reform missions; and local ownership and community policing within peace operations.

Eduard Soler i Lecha (esoler@cidob.org) is the Coordinator of the Mediterranean Programme at the CIDOB Foundation and Associate Lecturer on International Relations at the Autonomous University of Barcelona. He is currently working on EU-Turkish relations, Spanish Mediterranean Policy, Euro-Mediterranean Relations and security in the Mediterranean.

Stuart Reigeluth (sreigeluth@toledopax.org) is Projects Manager for the Africa and Middle East Programme at the Toledo International Centre for Peace (CITpax) in Madrid, Spain. He is currently working on third party intervention in the Arab-Israeli conflict, with emphasis on the emerging role of the European Union around the Mediterranean and in the Middle East.

Volkan Aytar (volkan@tesev.org.tr) is a Democratization Program Officer for the Turkish Economic and Social Studies Foundation (TESEV) in Istanbul, Turkey. He is currently working on TESEV's Security Sector Reform, and Social and Institutional Perceptions and Mentalities projects.

Mehmet Arıcan (arican@pa.edu.tr) is a lecturer on criminal law, criminal justice and police studies at the Turkish National Police Academy, in Ankara. He is the founding member and the President of the Turkish Society of Criminology. He is currently working on the impact of legal reforms on the Turkish Criminal Justice System with particular emphasis on the police.

Özge Genç (ozge@tesev.org.tr) is Project Assistant for the Democratization Program at the Turkish Economic and Social Studies Foundation (TESEV). She is also a PhD student on Political Science at Istanbul Bilgi University. Her areas of interest are International Politics, Security Studies and Middle East Politics.

Amr Elshobaki, Khaled Hroub, Daniela Pioppi, Nathalie Tocci, *Domestic Change and Conflict in the Mediterranean: The Cases of Hamas and Hezbollah,* EuroMeSCo Paper 65, January 2008.

Roberto Aliboni, Yasar Qatarneh, *Conflict Prevention in the EMP*, EuroMeSCo Paper 64, January 2008.

Amel Lamnaouer, Atef Abu Saif, *Political Integration of Islamist Movements Through Democratic Elections: The Case of the Muslim Brotherhood in Egypt and Hamas in Palestine,* EuroMeSCo Paper 63, September 2007.

Jamil Mouawad, *Youth as Actors of Political Reform in the Southern Mediterranean*, EuroMeSCo Paper 62, September 2007.

Dorothée Schmid, Shai Moses, Alfred Tovias, Stephen Calleya, *Mapping European and American Economic Initiatives towards Israel and the Palestinian Authority and their Effects on Honest Broker Perceptions*, EuroMeSCo Paper 61, October 2006.

Piotr Macieij Kaczynski, Piotr Kazmierkiewicz, Ali Tekin, *Political Scenarios for the EU and Its Neighbourhood - Views from Selected Southern Mediterranean and Eastern European Countries*, EuroMeSCo Paper 60, October 2006.

Luis Martinez, Algeria, *The Arab Maghreb Union and Regional Integration*, EuroMeSCo Paper 59, October 2006.

Alexandra Barahona de Brito, *Political Liberalisation and Transition to Democracy: Lessons from the Mediterranean and Beyond: Morocco, Turkey, Spain and Portugal*, EuroMeSCo Paper 58, October 2006.

Alain Blomart (rapporteur), *The Cartoons Crisis*, EuroMeSCo Paper 57, October 2006.

Gemma Aubarell, Xavier Aragall, Mohammed-Ali Adraoui, Eva Østergaard, Jordi Moreras, Abdelhak Saaf, *Migrant Communities and the Internal and External Dynamics of Integration: the Potential Role of Migrants in the Euro-Mediterranean Partnership*, EuroMeSCo Paper 56, October 2006.

Previous EuroMeSCo Publications