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## *OSCE Police Reform Programmes in Kyrgyzstan and Tajikistan: Past Constraints and Future Opportunities*

*Erica Marat*

*Erica Marat, PhD, is a Eurasia expert based in the U.S. She teaches as an adjunct professor at the American University and is an Associate at the Central Asia Program of George Washington University. Marat has extensive fieldwork experience in Central Asia researching crime, corruption and state-crime relations. She is currently working on a project comparing police reforms in Georgia, Kyrgyzstan and Mongolia.*

Most former Soviet republics began to consider police reform in the 2000s, over a decade after the Soviet Union's collapse. By then, the police in the successor states had become one of the most corrupt government agencies, with reputations for serving the needs of political elites and criminal leaders rather than the public. Kyrgyzstan and Tajikistan were the first Central Asian countries to attempt to reform their police. Leaders from both governments invited the Organisation for Security and Cooperation in Europe (OSCE), the United States and the European Union to assist them in their efforts. In both countries, the reform process has been slow and has consistently failed to meet the expectations of donor organisations and of members of civil society. Meanwhile, law enforcement agencies have become even more corrupt and aggressive toward the population.<sup>1</sup>

Using the examples of Kyrgyzstan and Tajikistan, this policy brief argues that the international community can have only a marginal impact on police reform in former Soviet states. Despite significant external support over the past decade, Kyrgyzstan has shown very little inclination to genuinely overhaul its police forces. Similarly, Tajikistan has failed either to lessen corruption or to improve its human

rights record.<sup>2</sup> In general, externally driven efforts are futile and cost-intensive, because they seek to instil a culture of community policing in countries with authoritarian political regimes and weak local governance. Instead, this policy brief argues, international donors should focus their efforts on facilitating public debate on the meaning and design of police reform among community leaders, NGOs, local governments and political leaders.

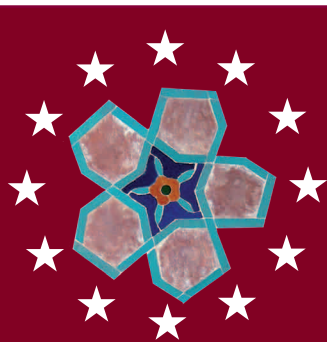
This recommendation is based on the understanding that 'democratic police reform' means trusting the citizenry to police the police.<sup>3</sup> The most fundamental element of police reform is a redefinition of the rationale for what constitutes the legitimate use of violence against civilians to maintain social order, both in everyday life and during mass protests.<sup>4</sup> Instead of being used as a punitive instrument of oppression, the post-Soviet police must learn to behave in transparent, accountable ways, respecting the rights of all citizens. New institutions and forms of interaction between society and the police should emerge as a result, while the country's

<sup>2</sup> 'OSCE, Tajikistan to sign MoU on supporting Tajikistan's police forces', *Asia-Plus*, 4 April 2011.

<sup>3</sup> B.J. Ryan, *Statebuilding and Police Reform: The Freedom of Security* (London: Routledge, 2011), pp. 50-54; R. Weber, 'Police Organisation and Accountability: A Comparative Study', in A. Kadar (ed.) *Police in Transition* (Budapest: Central European University, 2001).

<sup>4</sup> P.K. Manning, *Democratic Policing in a Changing World* (Boulder, CO: Paradigm Publishers, 2010), p. 13.

<sup>1</sup> For more, see D. Lewis, 'Security Sector Reform in Authoritarian Regimes: The OSCE Experience of Police Assistance Programming in Central Asia', *Helsinki Monitor*, 22(September 2011).



Policy brief



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post-Soviet Ministry of Internal Affairs (MIA) should become responsive to the concerns of the public. Ideally, the police will begin to work on behalf of the public, not the regime, and to obey the rule of law rather than the orders of government.<sup>5</sup>

Both government and society in Kyrgyzstan and Tajikistan recognise the urgency of police reform, but they often differ on what should be changed and how reform should proceed. Unless there is a wider public debate on the parameters of police transformation, the reform process is likely to be hijacked by political leaders and/or MIA officials to serve their own ends.

### *Police Procurement versus Human Rights*

Kyrgyzstan and Tajikistan were the first Central Asian countries to launch democratic police reform. Both states asked the OSCE and other donors for help in reforming their police forces.<sup>6</sup> In both cases, the OSCE led external donor efforts and helped the MIAs to design programmes that sought to increase the operational capacity and professionalism of the police. The OSCE trained Kyrgyz and Tajik police personnel to serve community needs sensitively and responsively, by respecting human rights, eradicating domestic violence and exhibiting ethnic and cultural awareness.<sup>7</sup> In Kyrgyzstan, the OSCE has focused on training police in peaceful forms of crowd control. Donors believe that these initial changes will lay the base for a greater transformation in the future.

However, despite both countries' apparent interest in democratising their police and the obvious readiness of the OSCE and other donors to help, the prospects for genuine reform are dim. There is a mismatch between what the countries expect the donors to deliver and what the donors are offering. Both countries primarily want their police to be better able to prevent crime and to prosecute criminals and insurgent groups more effectively. Leaders have pursued donor funds to build new MIA buildings and renovate existing ones, as well as supply new cars, office equipment (computers, printers, projectors, etc.), uniforms and forensic technologies.<sup>8</sup>

The Ministries also hope to increase the meagre salaries currently received by police personnel.<sup>9</sup> They see extremely

low wages as the root cause of the pervasive corruption that severely taxes law enforcement. Government leaders believe that these improvements will eventually lead to greater stability and security, allowing the MIAs to prevail over violent non-state actors, such as organised criminal groups, religious extremists and opposition forces. Finally, the Kyrgyz and Tajik regimes also want to improve the reputations of their police forces, which the public in both countries currently regard as corrupt and brutal institutions.

The OSCE, however, ties their programme activities to the development of efficient police forces that are transparent, accountable and respectful of human rights. In collaborating with the Kyrgyz and Tajik MIAs, the organisation often cites international examples of best practices on successful police reform. MIA and other government officials, on their part, have accepted the OSCE's emphasis on human rights and community policing as a necessary condition for material assistance. But the case of Kyrgyzstan shows that for over a decade, while welcoming foreign material assistance, MIA officials consistently ignored the importance of improving human rights.

As an organisation with a mandate to promote dialogue on security sector reform and provide a platform for action, the OSCE has a unique opportunity to serve as a vehicle for implementing specific projects. However, the organisation has often been reluctant to engage civil society groups. The OSCE's assistance to security sector reform in Kyrgyzstan and Tajikistan has been heavily focused on professional training, better equipment and counter-terrorism activities. The organisation has rarely pushed for improvements in police governance. This has left the OSCE open to accusations that they are willing to help authoritarian regimes build stronger law enforcement agencies to control their opponents.<sup>10</sup>

Outside of Kyrgyzstan and Tajikistan, the experience of other Soviet successor states demonstrates that police reform driven mostly by international assistance is unlikely to succeed. International donors generously supported Moldova and Ukraine, but reform programmes there did not produce the desired results. Corruption is widespread, and the police continue to use torture and to collaborate with criminal groups. But there have also been successes: the governments of Lithuania, Latvia and Estonia actively pursued police reform in the early 1990s, matching external support with political will. In Mongolia a community incorporating NGOs, academics and human rights experts has designed a comprehensive police reform concept that is currently considered by the government and is soon to be discussed in parliament. In each of these cases, the political leadership's will to reform the police was accompanied by civil society's active engagement in the process – a synergy that is so far lacking in Kyrgyzstan and Tajikistan.<sup>11</sup>

5 Ibid.

6 As well as the OSCE, the U.S. and EU have also designed programmes to support police reform in both countries. They often collaborate with the OSCE's offices in Bishkek and Dushanbe. In the U.S., the Bureau of International Narcotics and Law Enforcement Affairs has financed police reform efforts in Tajikistan. Various EU programmes have also supported security sector reform throughout Central Asia. For more, see E. Marat, 'Security Sector Reform in Central Asia', The Geneva Centre for Democratic Control of Armed Forces, 2012. See also analysis by J. Kucera, 'The US Military Aid to Central Asia: Who Benefits?', Central Eurasia Project, Open Society Foundation, September 2012.

7 For more information, see OSCE Centre in Bishkek, 'Policing', OSCE, <http://www.osce.org/bishkek/43316>, accessed 5 October 2012; and OSCE Office in Tajikistan, 'Counter-terrorism and police assistance', OSCE, <http://www.osce.org/tajikistan/43667>, accessed 5 October 2012.

8 Interviews with several Kyrgyz and Tajik officials of the Ministry of Internal Affairs and Ministry of Justice, July 2011; interviews around a seminar on private security companies in October 2012, Bishkek and Ulaanbataar.

9 The current salary level for police personnel in both countries ranges from practically zero for new graduates to roughly \$300 a month for more senior staff.

10 D. Lewis, 'Reassessing the Role of OSCE Police Assistance Programing in Central Asia', Central Eurasia Project, Open Society Foundations, April 2011, p. 30.

11 For more on the Baltic states, see Y. Korobovsky and J. Powers (eds.), *Defence Reform in the Baltic States: 12 Years of Experience* (Geneva: Geneva Centre for Democratic Control of Armed Forces, 2004).

## Kyrgyzstan

The OSCE launched its project in Kyrgyzstan in 2003, following its successful police reform experience in Kosovo. The president at the time, Askar Akayev, invited the OSCE to help his government overhaul the MIA after police officers killed six civilian protesters in southern Kyrgyzstan in March 2002. Some minor changes to police operations have been made over the past decade, including the introduction of elements of community policing and the use of rubber bullets to disperse protesters. But these positive changes have been dwarfed by the rise in forced confessions, petty graft and the readiness of the police to serve the political regime at the expense of society. At best, the police are merely inefficient at maintaining public order; at worst, they are themselves a threat to public security.<sup>12</sup>

The situation is even murkier in southern Kyrgyzstan. During the June 2010 bloodshed in Osh, some police and armed forces personnel joined the conflict, rather than attempting to restore order.<sup>13</sup> They acted unprofessionally and they reportedly attacked the Uzbek minority while protecting the Kyrgyz majority. The problem was made worse by their lack of adequate training in how to deal with ethnic-based civic unrest and their lack of appropriate equipment.

Over the course of a decade of police reform programmes, the OSCE has focused its efforts on developing the capacity of the police to fight transnational threats such as terrorism, drug trafficking and organised crime.<sup>14</sup> Most of the OSCE-funded projects have been ad hoc and have not followed a coherent strategy.<sup>15</sup> Local civil society activists, in the meantime, have depicted the Akayev-OSCE collaboration as a case of the international community helping a corrupt, authoritarian regime to suppress civilian protests and opposition groups more effectively. Indeed, throughout the 2000s, the OSCE did support police reform programmes despite the growth of authoritarianism under Akayev and his successor, Kurmanbek Bakiyev.

Furthermore, the OSCE tried to apply other international experiences in Kyrgyzstan without taking the local context into account. Some of the attempts at collaboration between, for example, Georgian and Turkish experts and their Kyrgyz counterparts produced no concrete results. International donors did not try to gain a full understanding of local patterns of interaction between society and police before they began doling out advice to the Kyrgyz authorities. Instead, donors used their existing playbook, prescribing reforms that had worked in other countries and relying on gossip and chitchat about the way the local MIA worked.<sup>16</sup> Kyrgyz MIA officials argued that Georgia

Established in 1998, OSCE programmes in Kyrgyzstan deal with security and management, rule of law, good governance and legislation, environmental protection and regional co-operation. Following the June 2010 violence in southern Kyrgyzstan, the OSCE deployed 28 community policemen to the country. Initially, the OSCE had planned to dispatch 52 policemen, but due to opposition inside the country, the OSCE had to reduce the number and visibility of international personnel. Their deployment was not made public and their functions were scaled back.

received large foreign financial aid before embarking on reform, while Turkey is not comparable since it does not share the Soviet experience.<sup>17</sup>

Kyrgyzstan's experience since 2002 shows that international aid can make it relatively easy for MIA officials to adopt pro-reform policies, such as supporting new legislation and accepting donor funds to train police personnel. This, however, is not sufficient to trigger genuine institutional changes; it is instead largely aimed at keeping donors happy. As a result of the OSCE's attempts to foster police reform in Kyrgyzstan, a group of high-ranking MIA officials became informal gatekeepers, accepting donor funds on behalf of the ministry but not attempting to use the funds allocated by the OSCE for far-reaching reform.<sup>18</sup>

After the fall of the Bakiyev regime in 2010, police reform once again became the cornerstone of the new Kyrgyz government's effort to boost public trust in their new leaders. First as prime minister and now as president, Almazbek Atambayev has preferred to outsource police reform to the MIA, NGOs and elected representatives. The MIA, in turn, opted to begin the post-2010 reform effort by changing laws and regulations, avoiding making any changes to the ministry's structure. The same cycle of unfruitful collaboration between the OSCE and the MIA has continued into Kyrgyzstan's third post-Soviet regime.

Last year, two Bishkek-based NGOs – 'Nashe Pravo' and the Central Asia Free Market Institute – sought to take up a direct role in the reform effort. Frustrated by the slow pace of the process, these groups have insisted that until the MIA becomes more accountable to the public, it should not have access to material assistance from international donors.<sup>19</sup> NGOs have also said that the MIA should be restructured to break up patronage networks, both within law enforcement structures and between the police and political leaders. Both NGOs pushed for various changes, although they often clashed over the type of changes needed for the MIA to reduce corruption and improve professionalism.

The OSCE has supported the NGO experts' involvement in designing police reform despite resistance from ministry officials. By mid-2012, a working group comprised of members

<sup>12</sup> Interview, OSCE expert, Bishkek, May 2012.

<sup>13</sup> Kyrgyz NGOs have uncovered cases of police and military personnel use of firearms against the civilian population during the violence in Osh. See A. Mamahaimov, 'Aziza Abdirasulova: My popytalis opredelit' rol' organov vlasti vo vremya iun'skoi tragedii', *Voice of Freedom*, 19 September 2012.

<sup>14</sup> This is a widely contested view in Kyrgyzstan, frequently discussed by the members of the police reform Working Group, which is made up of parliamentary representatives and NGO activists.

<sup>15</sup> *Ibid.*, Lewis, 'Reassessing the Role of OSCE Police Assistance Programing in Central Asia'.

<sup>16</sup> Interview, OSCE expert, Bishkek, June 2012.

<sup>17</sup> Interview, Kyrgyz Ministry of Internal Affairs official, Bishkek, May 2012.

<sup>18</sup> *Voice of Freedom's* interview with Kalicha Umuralieva, initiator of a working group on the police reform: I. Lukash, 'Kalicha Umuralieva: Uspekhi reform – v ob'edinenii usilii vseh zainteresovannikh storon', *Voice of Freedom*, 31 May 2012, <http://vof.kg/?p=4862>, accessed on 1 June 2012; Interviews with several NGO activists, Bishkek, October 2011-June 2012.

<sup>19</sup> Interview, Kalicha Umetaliyeva, NGO activist, Bishkek, July 2012.



of parliament, NGO representatives and government officials had formulated a police reform concept with four main points: democratisation, demilitarisation, depoliticisation and technology procurement.<sup>20</sup> The group insisted that a civilian minister must be appointed to transform the MIA into a genuine civilian agency. The new minister's efficiency will depend upon the level of trust invested in him or her by the public. The concept presumes the detachment of the police from the political leadership, including banning police personnel from participating in political events and harassing political figures.

The NGOs' OSCE-backed efforts to influence the reform prompted MIA officials to consider outside input and to meet with civil society groups on a regular basis. Since the drive for reform comes mostly from outside the MIA, the proposed changes will deal with issues that affect society at large, and wider oversight should decrease the number of opportunities for MIA employees to misuse donor funds. As the OSCE programmes have done, the NGOs have pressed the MIA to institute more transparency and greater respect for human rights. If the NGOs continue to participate in the process, Kyrgyzstan's reform agenda will proceed slowly, but it should eventually increase accountability among the police and boost their level of interaction with society.

Kyrgyzstan's post-2010 experience shows that backing from the OSCE, as one of the main sources of financial support for the MIA, can give NGOs greater leverage in the reform process. The organisation and other international donors must continue, therefore, to support collaboration among the government, parliament and civil society. Funds for the reform process must be disbursed only when the donor is satisfied that MIA officials have taken NGO advice into account.

## Tajikistan

Two decades into independence, Tajikistan's police are woefully under-trained and under-equipped. At the same time, they face some of the region's greatest challenges, such as drug trafficking and paramilitary groups left over from the civil war of 1992-1997. Dushanbe has followed Kyrgyzstan's example in asking the OSCE to help reform its police force. In 2011, Tajikistan's MIA signed a Memorandum of Understanding on police reform with the OSCE, emphasising the importance of human rights, of combatting human trafficking and domestic violence, and of providing better training, education and professional development.<sup>21</sup>

Tajikistan's President Emomali Rakhmon became interested in police reform after a series of guerrilla attacks swept through the Rasht Valley in 2008 and 2009.<sup>22</sup> The political leadership believed the outbreaks of violence revealed the inability of the police to gather sufficient information about the rural population's loyalties, as well as the willingness of local populations to protect opposition forces and extremist movements from government forces. As part of an effort to build trust between the police and

Tajikistan was the first Central Asian country to join the OSCE in 1993. OSCE programmes in Tajikistan focus on the politico-military, human, economic and environmental dimensions of security. Compared to their other programmes in Central Asia, the OSCE maintains a stronger emphasis on the politico-military dimensions of security in Tajikistan. In 2009, the OSCE opened a Border Management Staff College in Dushanbe, which trains border officers from across the Central Asian regions as well as from northern Afghanistan.

local populations, Tajikistan has moved to rename its 'militsiya' as 'politsiya'. The change is intended to indicate that the police are no longer a Soviet-type militarised group, but a modern law enforcement agency ready to address the concerns of local communities.<sup>23</sup>

The OSCE's involvement in reforming the Tajik police heavily emphasises the importance of combatting terrorism within the framework of human rights, as well as of developing the skills of operational managers.<sup>24</sup> This approach is mainly carried out by training senior MIA officials to strategically plan activities in partnership with the public. The reform also seeks to facilitate coordination between the MIA and other state agencies, including the National Border Strategy Coordinator, the National Border Strategy Working Group, the Drugs Control Agency, the Ministry of Justice and the Ministry of Foreign Affairs.

The OSCE has also collaborated with the contractor sent by the U.S. Bureau of International Narcotics and Law Enforcement Affairs (INL) to train Tajik police supervisors in the basics of community policing. The OSCE office in Dushanbe and the INL contractor wrapped up their Community Policing and Law Enforcement Development Programme in Tajikistan in 2011. The project was aimed at developing and strengthening relationships among community members, local government officials and police 'by creating multiple forums for interaction and involvement, including Community Policing Partnership Teams'.<sup>25</sup>

Despite the investments made by donors, Tajikistan's police reform shows few signs of yielding long-lasting change. To date, the reform has failed to address corruption in the higher political ranks, instead seeking to build a more robust police force that can eliminate challenges to the regime.<sup>26</sup> Over the past decade, donor efforts to curb drug trafficking and organised crime through security sector reform and tighter borders have largely failed, and the OSCE's police reform effort is likely to fall short of substantive results as well. Reform faces steep challenges, especially since members of the government and

23 'Tajikistan: Police Name Change Can't Hide Image Problem', *Eurasianet.org*, 4 May 2011, <http://www.eurasianet.org/node/63417>, accessed 22 October 2012.

24 For more details, see OSCE Secretary General, *Annual Report of the Secretary General on Police-Related Activities in 2010*, OSCE, May 2011, <http://www.osce.org/spmu/81657>, accessed 22 October 2012.

25 The Emergence Group (USDOS contractor firm) handout on Tajikistan, October 2011.

26 D. Trilling, 'Tajikistan: On Afghan Heroin's Highway, Corruption Fuels Addiction and HIV', *Eurasianet.org*, 9 April 2012, <http://www.eurasianet.org/node/65240>, accessed 23 October 2012.

20 Unpublished draft of a Police Reform Concept Paper.

21 OSCE Office in Tajikistan, 'OSCE and Tajik Interior Ministry sign memorandum of understanding on police reform', OSCE, <http://www.osce.org/tajikistan/76554>, accessed 29 July 2012.

22 According to a OSCE representative in Tajikistan, Bishkek, October 2011.

of law enforcement agencies are often themselves implicated in large-scale drug smuggling operations. Better-trained police will be more capable of capturing small-scale drug traffickers, but training alone will not wipe out officials' links with the drug trade nor tackle the connected corruption within the political elite.<sup>27</sup>

The MIA has shown little interest in collaborating with civil society groups nor in consulting with opposition forces on how to bring forward more inclusive reform. Unlike their counterparts in Kyrgyzstan, Tajikistan's NGOs function in a more restricted political environment. International donors, therefore, find it more difficult to introduce civil society voices into the police reform process. Unless Tajikistan's leaders fundamentally restructure the MIA and cause the police to be more accountable to the parliament and the public, the country is likely to repeat the experience of Kyrgyzstan in the early 2000s. The police reform process will only strengthen the ruling regime's ability to oppress insurgency in remote areas, instead of increasing popular trust in the police.

## Conclusion

Although international organisations have developed plans to strengthen police accountability, they have found it difficult to embed these values into post-Soviet police structures.<sup>28</sup> Merely training and equipping police officers will not lead to structural and psychological changes. Instead, the reform process should be initiated and overseen by individuals who are free of patronage or bureaucratic ties to the MIA. Ideally, the parameters of reform should be framed and implemented outside of the MIA, with broad participation from the parliament, civil society and local governments. This means that trust-building between the police and the public should be a key element of any police reform initiative in Kyrgyzstan and Tajikistan, as well as in any other former Soviet state.<sup>29</sup>

Both countries have invited international donors to help reform national police agencies. Both, however, have also learned ways of accepting material assistance without actually improving their human rights record or increasing transparency. In Kyrgyzstan, MIA officials have now been receiving equipment and professional training from the OSCE and other donors for over a decade. But the ministry was reluctant to change its structure or to increase its accountability to the population. After NGOs and members of parliament became actively engaged in shaping the reform's strategy, the MIA agreed on structural changes, such as the future depoliticisation and demilitarisation of the police force. The OSCE has provided vital support to NGOs who were trying to secure access to MIA officials.

In Tajikistan's case, although reform programmes are still in their

early stage, the results already suggest a repeat of Kyrgyzstan's pattern: the reform process has been entrusted to the MIA and other government officials without broader public participation. There has been virtually no civil society oversight on the conduct of police training or the MIA's plans for their newly acquired equipment.

The OSCE, therefore, should work with NGOs and the wider public before engaging MIA officials, much less disbursing funds. Working to facilitate open discussions, parliamentary hearings, community outreach and media campaigns on the issue of police reform would lay the basis for a more comprehensive long-term transformation. When necessary, NGOs and members of parliament should be exposed to international examples of MIA transformation, although it should be remembered that no single case can be precisely duplicated in another country, no matter how similar the political background might seem. In Kyrgyzstan, the OSCE and other donors must continue to support the further engagement of the Working Group overseeing and steering the reform; in Tajikistan, the government must establish civil society participation in MIA reform efforts. Any material reform assistance should be allocated on the condition that NGOs will have full access to the ways the ministry uses its resources and be made aware of the type of assistance it requests in the future.

In countries with weak civil society groups, like Tajikistan, the OSCE and other donors should support projects that encourage NGOs to partner with the MIA and parliament on the issue of police reform. Enabling NGOs to guide reform and introducing a dialogue between civil society and the MIA will inevitably delay the reform's implementation. But this is the only option that can make the MIA accountable to the population at large in the longterm. If society's voices are not taken into consideration, any reform will only serve the interests of those in power today.

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27 Ibid., Lewis, 'Reassessing the Role of OSCE Police Assistance Programing in Central Asia'.

28 A. Bloed, 'The Slow Process of Police Reform in Central and Eastern Europe: Some Lessons Learned', in N. Uildriks (ed.), *Police Reform and Human Rights: Opportunities and Impediments in Post-Communist Societies* (Antwerp: Intersentia, 2005), p. 35-39.

29 B. Ansori, 'Police Reform Discussed in Tajikistan', *Central Asia Online*, 4 April 2012, [http://centralasiaonline.com/en\\_GB/articles/caii/features/main/2011/04/04/feature-02](http://centralasiaonline.com/en_GB/articles/caii/features/main/2011/04/04/feature-02), accessed 23 October 2012.



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- Enhance knowledge of Europe's engagement with Central Asia through top-quality research and by raising awareness among European policy-makers and civil society representatives, as well as discuss European policies among Central Asian communities;
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