

## LAW ENFORCEMENT FORCES WITH MILITARY STATUS IN PEACEKEEPING OPERATIONS

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### ABSTRACT

*Since the end of the Cold War, peacekeeping operations have gained importance as an essential part of UN peace activities. The present day transformed security environment for peacekeeping operations requiring more pro-active resilient security structures and the ability to intervene in security hotspots. It is argued in this article that 'Law Enforcement Forces with Military Status'(LEFMS) provide an effective operational force for dealing with emerging threats. Having examined their national and multinational status there are positive indications that gendarmerie-type forces can indeed be a supportive force in partnership with the peacekeeping abilities of international actors. The research findings are exploratory with descriptive statistics used to support the arguments presented.*

**Keywords:** Gendarmerie, Police, Military, Law Enforcement, Peacekeeping, Conflict Resolution.

## BARIŞI KORUMA OPERASYONLARINDA ASKERİ STATÜLÜ KOLLUK KUVVETLERİ

### ÖZ

*Soğuk Savaşın sona ermesinden sonra, Birleşmiş Milletlerin barış faaliyetlerinin ayrılmaz bir parçası olan barışı koruma operasyonları önem kazanmıştır. Günümüz dünyası, barışı koruma operasyonlarının yürütüldüğü güvenlik ortamının proaktif, esnek ve kararlı güvenlik yapıları ile yeteneklerine sahip olunmasını gerektirmektedir. Bu makalede 'askeri statülü kolluk kuvvetleri'nin ortaya çıkan sorunlarla mücadele edebilecek etkili bir güç olduğu iddia edilmektedir. Askeri statülü kolluk kuvvetlerinin ulusal ve uluslararası konularının incelenmesinden sonra, uluslararası aktörlerin diğer barışı koruma yeteneklerini destekleyici olarak kullanılabileceklerine dair yeterli kanıtlara ulaşılmıştır. Araştırma bulguları keşfedici niteliktedir ve öne sürülen argüman betimsel istatistiklerle desteklenmiştir.*

**Anahtar Kelimeler:** Jandarma, Polis, Asker, Kolluk, Barışı Koruma, Çatışma Çözümü.

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## **INTRODUCTION**

One of the most used activities available to the United Nations (UN) in order to mediate conflict and work towards a sustainable peace is peacekeeping. Dating from May 1948 beginning in the Middle East with UN Truce Supervision Organization (UNTSO), 71 peacekeeping operations have been carried out and 16 of them are still ongoing (UN History of Peacekeeping [web], 2017).

Particularly after the end of the Cold War, peacekeeping operations gained momentum with 56 operations undertaken. Not only has the number of operations increased, but the operational dimensions of the UN have shifted dramatically. The traditional tasks assumed by UN peacekeeping missions were observing cease-fires and separating the opposing forces after inter-state wars. However, contemporary UN operations also encompass many other related activities from helping to build sustainable institutions of governance; to human rights monitoring; security sector reform; disarmament, demobilization and reintegration of former combatants. These are mostly traditional peace building activities (UN Peacekeeping [web], 2017a). Today peacekeepers and peace builders are inseparable partners in complex operations as stated in the 'Brahimi Report' (UN Conferences, Meetings and Events [web], 2000): "while the peace builders may not be able to function without the peacekeepers' support, the peacekeepers have no exit without the peace builders' work."

In recent years, the UN missions have been undertaking operations mostly in intra-state conflicts, but the threats to peace are more transnational than ever. The mounting risks posed by transnational organized criminal groups, gangs and terrorist groups as well as other non-state armed groups exceed the institutional and governing capacity of host governments since many have fragile state structures. Beyond the limitations of government, civilian international police units and domestic police forces are not well-trained or adequately equipped to cope with intense armed fighting. A further difficulty is that international peacekeeping forces constituted mainly by military personnel are not trained to investigate criminal and civilian aspects of conflict since their main task is to fight and subdue the enemy. Such difficulties contribute to a volatile hybrid security environment which challenges the traditional personnel/organizational structure and methods of the UN.

Pointing out this flaw, Javier Solana, then the Secretary-General of NATO, stated the necessity of establishing a permanent international police force in order to bridge the gap between the ability of international military forces and domestic police forces to guarantee law and order locally under democratic control (NATO European Forum [web], 1997). The UN also referred to the need to rearrange peacekeeping operations in structure and in tasks to bridge the gaps which appear in the operation field (UN Conferences, Meetings and Events [web], 2000; UN Peacekeeping [web], 2008:18-19).

Given the requirement for robust hybrid security institutions, which are able to manage uncertainty and volatility in security environments, it is argued that 'Law Enforcement Forces with Military Status' (LEFMS) could provide a viable instrument in peacekeeping operations (Lutterbeck, 2004: 62-63). Considering the changing threat environment of armed conflicts and rising the number of peacekeeping operations, the need for LEFMS might be expected to gain importance more than before. It is aimed in this article to determine the ongoing situation and propose some suggestions on the employment of LEFMS among other peacebuilding efforts in the complicated and challenging environment of peacekeeping operations. The following discussion firstly studies on conceptual and historical context of LEFMS; then examines the role of security institutions in peacekeeping operations; provides a brief scrutiny of why LEFMS are gaining importance in peacekeeping operations and finally some suggestions for their employment.

## **1. THE JOB OF LAW ENFORCEMENT FORCES WITH MILITARY STATUS**

The term of LEFMS itself is controversial but often based on misunderstanding and elision with illegitimate armed forces. In order to clarify such ambiguity, the discussion below develops a preferred definition together with a brief historical background and describes the contemporary development of LEFMS and multinational coordination efforts.

### **a. Conceptual Discussions**

The necessity on the clarification of the term LEFMS is fundamental given the absence of clear terminology within the relevant literature. 'Law Enforcement Forces' are the armed organizations within law enforcement agencies, which are state institutions that enforce the laws. Law

enforcement agencies comprise all of the organizations that fulfil any kind of law enforcement activity.

In the United States, for example, these agencies are called police, sheriff's offices/departments, while investigative police services are often called bureaus, e.g. the Federal Bureau of Investigation (Wikipedia [web], 2017a). In Europe, there are further examples such as border (Germany, Austria) or finance (Italy) police. However, in this article, the 'Law Enforcement Forces' imply those organizations which have the capability and authority for the use of force in order to fulfil their law enforcement tasks.

Real difficulty arises with the second part of the term of LEFMS, 'military status'; since the military status of these organizations makes the subject more contradictory. There are some terms such as 'paramilitary', 'military police' and 'constabulary' to describe this type of organization, but they are all ill-suited to the facts of practices in the field. For example, the origins of 'paramilitary' can be discovered in the earlier writings of British journalists. These articles implied that Nazi-sponsored civilian groups which policed rallies and disrupted those of their opponents were termed 'para-military' (Paschall, 1993: 2104-2107). They also described how the German military after World War I, encouraged the creation of civilian forces to counter domestic political turmoil and provide a ready reserve of manpower for swift military mobilization. This early identification of Nazis with the term 'para-military' loads the term with a negative and criminal identity.

One of the most cited definitions of 'para-military' suggests that "whose training, organization, equipment, and control suggest they may be usable in support, or in lieu, of regular military forces" (The Military Balance, 1994-1995: 5). The other one proposed by Scobell and Hamitt states that (1998: 219);

*a paramilitary force is a uniformed group, usually armed, neither purely military nor police-like in format or function but often possessing significant characteristics of both. It may serve as an agent or as an adversary of state; it may or may not perform internal security functions; and it may or may not have a wartime role as an adjunct to the regular armed forces.*

Most of terms converge and describe any organization which has a military and police functions and like structures as 'para-military'.

However, these conceptualisation efforts fail to address the question of legitimacy, and are often ambiguous. These definitions name police organizations with military uniform or military tasks as ‘para-military’ groups without paying attention to their situation under national and constitutional laws. Many contemporary armed organizations have features as outlined above, but could not be classified in the same group. There are distinct characteristics particularly in the case of LEFMS in the service of their governments mandated by their national constitutions and with their status, tasks, and jurisdiction clearly set out by law.

The opposite is true of outlawed armed groups or terrorists who are designated as ‘para-military’ but have no legal mandate. The term has become loaded with pejorative meaning and inaccuracy. The conceptual amalgamation of two different groups with contradictory status in one term is not satisfactory. For this reason, the term of ‘para-military’ does not correspond to the work of LEFMS and is not a neutral or accurate term for describing their status.

A further familiar term to connote LEFMS is ‘military police’, also known as ‘provost’. Military police is typically concerned with law enforcement, including criminal investigation, on military property concerning military personnel, installation security, close personal protection of senior military officers, management of prisoners of war, management of military prisons, traffic control, route signing and resupply route management (Wikipedia [web], 2017b). Although, there are some efforts to extend its meaning to stability policing (NATO e-learning [web], 2014), military police is part of the military of the state and has functional police mandate within the armed forces (Gobinet, 2008: 452). The term of ‘military police’ means “the corps responsible for police and disciplinary duties in an army” (Oxford Dictionary [web], 2017), so it does not correspond to the definition of LEFMS because duties of military police could not extend to the tasks of civilian police.

Particularly in the English, the term ‘constabulary’ can be used instead of gendarmerie-type organizations. Constabulary forces have been trained to execute military, as well as police functions, and their focus and equipment are organised around minimal and nonlethal use of force. Although there is no agreed definition for a constabulary it refers to “a force organized along military lines, providing basic law enforcement and safety in a not yet fully stabilized environment” (Armitage and Moisan, 2005: 5). In this statement, it is implied that constabulary forces are employed permanently to alleviate

the threat. The term of constabulary is not common in usage nor is its meaning clear. It is occasionally used instead of military police/gendarmerie or as an overarching concept comprising the meaning of both.

It is hard to reach an agreed definition of 'law enforcement forces with military status', but there are similar features. For example, LEFMS have a double subordination relationship with the Ministry of Defence and the Ministry of the Interior. LEFMS are organized along military lines and, as such, have centralized and hierarchical organization with heavier armour and equipment than civilian police forces (Lutterbeck, 2004). They are able to carry out wide-ranging operations, such as counter-terrorism particularly in rural or remote areas in contrast to local police forces. Their duties require LEFMS to interact with local groups and organisations in contrast to the military. In the event of war, they contribute to the armed forces as auxiliaries as well as maintaining law enforcement duties.

In this article, the term 'law enforcement forces with military status' refers to the law enforcement organizations having police and military functions. The 'military status' does not necessarily mean that the organization in question is subordinated to General Staff or the Ministry of Defence. They are given a wide range of terms such as Police, Gendarmerie, *Carabinieri*, *Guardia Civil*, Military Police, or *Marechausse*. Common to all is the term *gendarmerie* which has an important history. For the purposes of this discussion the terms 'law enforcement forces with military status' or gendarmerie-type organization is preferred.

#### **b. The Development of LEFMS**

The 'gendarmeries' emerged with the founding of '*Gendarmerie Nationale*' in France in 1791 during the time of the French Revolution. Similar types of organizations were also introduced in a number of European countries; such as Italy and Netherlands in 1814; Turkey in 1839; Spain in 1844; Romania in 1850; Portugal in 1911; Poland in 1990. Gendarmeries have continued to develop to the present day. The number of people working in gendarmerie-type organizations and armed forces in various countries are indicated in the following table.

**Table: LEFMS and Armed Forces in Europe<sup>1</sup>**

Country	Force	1991	2001	2011	2017
France	LEFMS ( <i>Gendarmerie nationale</i> )	89,300	100,700	103,376	103,400
	Armed Forces	453,100	273,740	238,591	202,950
Italy	LEFMS ( <i>Carabinieri</i> )	111,400	109,700	107,967	103,750
	Armed Forces	361,400	230,350	184,609	174,500
Netherlands	LEFMS ( <i>Koninklijke Marechaussee</i> )	3,900	5,200	5,911	5,900
	Armed Forces	97,500	45,200	37,368	35,410
Poland	LEFMS ( <i>Żandarmeria Wojskowa</i> )	18,000	7,500	7,300	59,100
	Armed Forces	287,000	198,545	100,000	99,300
Portugal	LEFMS ( <i>Guarda Nacional Republicana</i> )	16,700	25,600	26,100	22,400
	Armed Forces	61,800	43,600	43,340	29,600
Romania	LEFMS ( <i>Jandarmeria Română</i> )	34,800	53,000	57,000	57,000
	Armed Forces	200,800	103,000	71,745	70,500
Spain	LEFMS ( <i>Guardia Civil</i> )	63,000	71,260	79,950	75,500
	Armed Forces	257,400	143,450	142,212	123,200
Turkey	LEFMS ( <i>Jandarma Genel Komutanlığı</i> )	70,000	100,000	100,000	152,100
	Armed Forces	579,200	515,100	510,600	355,200

It is noteworthy that many countries have increased or preserved their gendarmerie-type forces. There is even a slight increase in some countries' gendarmerie forces after 2001 in which the 9/11 attacks occurred. During the same years, the number of armed forces dramatically decreased. In particular, the end of the Cold War provoked an enormous effort to limit armed forces with many countries reducing their armed forces by almost half. Additionally, although defence budgets are shrinking the budget of gendarmerie-type forces has remained constant or increased (Werkner, 2010: 67-73; *The Military Balance*, [web] 1991; 2001; 2011; 2017). The table above proves the reduction of armed forces and provides evidence that LEFMS maintained their numbers and importance in the countries examined.

While gendarmerie-type forces could be found in all parts of the world, they are emanated from continental European states. Their principal task was to maintain law and order in the interior, mainly in rural areas, and also carry out some duties in countering internal strife and disorder (Bayley, 1985; Emsley, 1993: 69-93). Gendarmeries, however, have also regularly been deployed as military police and combat force in inter-state conflicts (Lutterbeck, 2004: 47). Today, LEFMS perform similar tasks such as maintaining public order, investigating crimes, combating terrorism as well as developing a role in peacekeeping duties over many multinational operations.

### **c. Multinational LEFMS Initiatives in Europe**

The growing attention given to gendarmerie-type organizations has extended internationally with the founding in 1994 of the 'Association of European and Mediterranean Gendarmeries and Police Forces with Military Status'. The association, generally known as FIEP (abbreviation in French: *France, Italie, Espagne, Portugal*), aims to broaden and strengthen mutual relationships; promote an innovative and active reflection on the forms of police co-operation and the value of its model of organisation and structures abroad (FIEP [web], 2017). Though it is not an organization that plans and executes operations in the field, it provides an environment to facilitate the exchange of information with respective countries.<sup>2</sup>

The other multinational organization encompassing gendarmerie-type forces over Europe is the European Gendarmerie Force (EGF) founded in 2004. The establishment of EGF was instigated by the declaration of Javier Solana, and the assessments of 'Brahimi Report' on peacekeeping. Further, the widening interest in international policing underlined by the



'European Common Security and Defence Policy'. It provides a multinational, operational, and rapidly deployable body. The aim of the EGF is to strengthen international crisis management capacities and to contribute to the development of the 'Common Security and Defence Policy' (European Gendarmerie Force [web], 2017a).<sup>3</sup>

The EDF is designed to perform the full spectrum of police tasks within the scope of crisis management, from executive policing to support for the development of local police and security forces (Treaty of Velsen [web], 2007). The EGF also participates to the stabilization of crisis and conflict areas outside the European Union where it contributes to the protection of population, the upgrading of the human rights, and the reestablishment of the rule of law (European Gendarmerie Force Keynotes [web], 2017).

Succinctly, although LEFMS is not a familiar concept in English language literature, it is a widely used term in continental Europe. Domestic necessities such as extending and consolidating of the rule of central government to the 'unruly' countryside encouraged the growth of this type of organization. They serve to deal with internal strife and turmoil which has been part of the nation building process of European countries (Bayley, 1985; Emsley, 1993: 69-93). Today, alongside their national and traditional duties gendarmeries begin to play a role in international security.

## **2. THE CAPABILITIES OF SECURITY ORGANIZATIONS IN A CHALLENGING ENVIRONMENT**

It is widely recognized that the distinctive feature of the contemporary security environment is its' transnational and interconnected nature. However, the argument is not new nor does it seem ever ending. After the end of the Cold War and dissolution of the Soviet Union, many discussions about the 4<sup>th</sup> generation of war came to the fore. The new wars are identified by their non-national or transnational character based on an ideology, and a new target featuring attacks on the adversary's culture together with older but permanent methods of psychological warfare through manipulated media (Lind et al., 1989: 10-11).

The endeavour to understand the distinctive features of new wars continues. As one of the essential facilitators of the changing security environment is rapid globalization which has opened new horizons in understanding. The new wars have three distinct characteristics from earlier wars in terms of goals, methods, and finance. The new wars aim to

influence the identity of the people in the context of both “local and global, national as well as international”. Second, although the new warfare draws on the experiences of guerrilla warfare and terrorism, it also exploits political, economic and psychological sensitivities of societies. The actors of new wars are changing to a wide range of proxy armed groups, local warlords, criminal groups, terrorist organizations, as well as legal security forces. A third distinctive feature of these new wars are the varied methods of decentralized incomes. They can be supported by diaspora, ‘taxation’ of people, illegal trade in arms or drugs, human trafficking as well as sponsoring governments (Kaldor, 2012: 7-10).

Further, one of the most discussed topics in contemporary security is the concept of hybridity. Rather than being a single entity, a hybrid threat or challenger may be comprised of a combination of state and non-state actors. The hybrid threat can embrace a tailored mix of conventional, irregular, terrorist, and criminal means or activities taking effect simultaneously and adaptively (Hoffman, 2009: 34-39). The hybrid threats or new wars appear in the guises of low-intensity conflict such as guerrilla warfare, terrorism, and organized violence. Since the current security issues cannot be insulated within the borders of any state, security challenges faced by nation states are not purely internal or external (Lutterbeck, 2005: 231). The perpetrators, means and methods of any adversary vary widely in today’s security environment.

The security issues emerging mostly from weak or failed states reveal the need for attack and defence capability on one hand and experienced law enforcement officials on the other. There are three main security organizations in the arsenal of national/international actors to deal with the emerging threats to peacekeeping operations: police, military, and gendarmerie.

One possible answer to the problem might be to train and equip civilian police forces to counter threats. However, such actions do not immediately resolve all the issues faced. It is argued that the civilian police forces cannot operate effectively unless provided with a safe and secure environment (Perito, 2008: 8). Countering contemporary threats emerging particularly in the first phases of peacekeeping operations, which are generated by large and heavy armed groups mostly operating in rural areas, might exceed the traditional police capabilities. Having been an urban law enforcement force, police is inherently not well trained and structured or organised to deal with such kind of security issues.

Additionally, while high intensity armed violence continues it is necessary to mutually coordinate and operate with the armed forces which creates another hurdle for both of two organisations. Employing police might generate more difficulties than it solves due to the lack of mutual terminology between military and police. Besides of these issues, the development of an appropriate organisational culture within police forces to enable them to fight emerging aforementioned threats will require serious time and effort.

A critical instrument of international actors is the employment of military armed forces to subdue internal crisis situations, but this has also some drawbacks. An important difficulty is that the use of the military for law enforcement jobs will inhibit its ability to fulfil its original defence tasks (Record, 2005: 33-50). So, the military is not eager to do police work. Moreover, by employing the military to commit law enforcement work, the domestic security forces have less opportunity to develop or improve their own capabilities to perform their own responsibilities (Rasmussen, 1999). A further issue to hesitate in the employment of military forces that the military could operate aggressively against security threats whether internal or external and this behaviour fosters more serious consequences such as violations of human rights (Gray, 2008: 14-26; Harris, 2006: 241-252). Additionally, there are arguments on that the military may have a potential to get more involved in domestic politics if they are employed in law enforcement duties which could impede civil-military relations (Brooks, 2005: 74-96). For this reason, it is believed that the pressure for military participation in law enforcement might endanger long-term stability.

This convergence of new threats and risks is the primary justification for new structures and more co-operation between the agencies, internal as well as external (Bigo, 2000: 154-183). The extensive instability in host countries and emerging grey areas in operational environments necessitates stronger security retaliation. In other words, hybrid threats have increased the importance of hybrid security organizations such as LEFMS.

Given the complex, asymmetric, and violent security environment of today, capable hybrid security organisations enforcing law among the people and maintaining security is necessary. It is suggested that peacekeeping operations are changing and transforming to “cosmopolitan law-enforcement” activities because the new wars are a combination of

war, crime and human rights violations (Kaldor, 2012: 12). Hence, the combination of police and military structures provided by LEFMS might offer a resilient model to meet this need in peacekeeping operations.

### **3. THE EMERGING ROLE OF LEFMS IN PEACEKEEPING OPERATIONS**

Peacekeeping is only one among a range of peace activities such as conflict prevention, peacemaking, peace enforcement and peace building assumed by the UN. These peace activities are neither sequential nor isolated but mutually reinforcing and the boundaries between them have been gradually blurring. For example, peacekeeping operations are often required to play an active role in peacemaking efforts and may also be involved in early peace building activities (UN Peacekeeping [web], 2008).

Peacekeeping operations are put in place to separate the fighting factions and bolster the implementation of a cease-fire or peace agreement. The basic principles of traditional peace keeping are the consent of the parties involved in conflict; impartiality of peacekeepers; and the use of force only in the case of self-defence (UN Peacekeeping [web], 2008). However, the concept of restricting the use of force in peacekeeping operations seems to be under pressure and eroding. An asymmetric threat environment results in peacekeeping operations facing spoilers, noncompliant actors, criminals, terrorist groups, and proxy armed organizations. It also challenges the traditional composition of peacekeeping units.

#### **a. The Changing Nature of Peacekeeping Environment**

Given the cascading challenges in security environment since the end of the Cold War and 9/11 terrorist attacks, the number of peacekeeping operations has increased as stated before. Peacekeeping activities, generally, begins with an agreement to declare the end of fighting. However, the cessation of armed conflict and initiation of peace activities do not provide a stable environment immediately. In particular, the first six to twelve weeks following a ceasefire or peace accord produces a 'security gap'. This period is of vital importance since the opportunities lost during that period are hard to regain if it is not managed appropriately (UN Conferences, Meetings and Events [web], 2000).

The security vacuum results from three related gaps: deployment, enforcement, and institutional sustainability. The transformation of security management of any war-torn country from armies to international civilian police engenders the deployment gap. There is a need for an established minimum level of stability and security to be able to deploy civilian police in order to take over the duties of military forces during peace building and a negotiated peace agreement. However, achieving a minimum-security environment for the civilian police to operate is a time-consuming process without the availability of a prepared law enforcement security organization (Dziedzic [web], 2012).

A further enforcement gap is about capabilities whereas the deployment gap is focused on the timing of deployment of forces. In a conflict-ridden country, there is lack of 'indigenous policing' to provide safe and secure environment for public security and the rule of law (NATO Standard AJP-3.22 [web], 2017). Due to inadequacies of domestic police, there are also some problems relating to the employment of military or police as the use of force at the disposal of the military is lethal and blunt and the deployment of police officers would not be adequate to confront the security challenges particularly during the first stages of conflict (Dziedzic [web], 2012). The internal security tasks, such as crowd control, combating organized crime, protecting returnees, arising in these missions are aimed at controlling or neutralising the adversary rather than killing them (Lutterbeck, 2004: 62). To bridge the threat of the enforcement gap in peacekeeping operations only the minimum, but adequate use of force can be used to curtail the threat.

Institutional gap points to the incapacity of domestic governments to establish and sustain the rule of law sustainability (Dziedzic [web], 2012). Although it does not directly pertain to the policing aspect of the peace operation, it is certain that the governing capacity of a government can only be facilitated by a secure environment. For this reason, the security forces in the international missions are assigned with not only the repression of internal turmoil but also the reconstruction of local security institutions.

The emerging gaps have given rise to a new generation of 'multi-dimensional' UN peacekeeping operations. These operations are typically deployed in the dangerous aftermath of a violent internal conflict, and may employ a mix of military, police, and civilian capabilities to support the implementation of a comprehensive peace agreement (UN Peacekeeping

[web], 2008). Peacekeeping operations share many similarities with counter-insurgency (COIN) operations in which counter-insurgent cannot succeed with offensive military capabilities alone, whereas peacekeeper cannot achieve security by solely defensive methods (Friis, 2010:62). So, multi-dimensional UN peacekeeping operations are frequently mandated to provide operational support to national law enforcement agencies.<sup>4</sup> By helping to fill the security and public order vacuum that often exists in post-conflict settings, multi-dimensional UN peacekeeping operations play a critical role in securing the peace process, and ensuring that humanitarian and development partners are able to work in a safe environment (UN Peacekeeping [web], 2008).

#### **b. The Changing Composition of Peacekeeping Forces**

As a result of the transformation of security environment, the composition of peacekeeping forces has changed considerably in favour of policing. It is reported that while there were 1,169 police officers and 60,200 troops taking part in peacekeeping operations in 1995 in 17 peacekeeping missions, the structure of security forces in 2014 in 15 peacekeeping missions comprised 13,180 police officers and 83,702 troops.<sup>5</sup> The police forces multiplied almost 13 times compared to the year of 1995, while the number of troops increased about 1.4 times. The police contribution in peacekeeping operations has increased considerably from 0.02% in 1995 to 13.34% in 2014 (UNPOL [web], 1995-2004; UNPOL [web], 2005-2014).

Growing interest in the role of police in peacekeeping operations paved the way for structural changes in the UN as well. Firstly, a Civilian Police Unit inside the Department of Peacekeeping Operations (DPKO) was formed in 1993. In 2000, the Police Division was established, and later the UN Police Division became a part of the DPKO Office of Rule of Law and Security Institutions in 2007 (UN Police Division [web], 2017).

Although the statistics developed by the UN office do not provide the figures of LEFMS separately, the facts in the field reveal the changing trend in force structure and composition in peacekeeping operations. Indeed, the first main international deployments of gendarmerie-type forces took place between 1992 and 1995, when contingents of Spanish *Guardia Civil* and the Argentinean *Gendarmeria Nacional* were deployed in Haiti and El Salvador. The UN civilian police in East Timor contained a gendarmerie element, called the Rapid Response Unit (Hansen, 2002: 71-72).

Increasing demand in the field since 1999 has been widely met through the deployment of Formed Police Units (FPUs) by the UN. They are largely drawn from member states gendarmerie-type forces. The FPUs are defined as specialized, cohesive, armed mobile police units, providing security support to the UN operations by ensuring the safety and security of the UN personnel and assets; contributing to the protection of civilians; and supporting police operations that require a formed response (UN Department of Peacekeeping Operations [web], 2017). First FPU deployed in the 'United Nations Mission in Kosovo' (UNMIK) and in the 'United Nations Transitional Administration in East Timor' (UNTAET). Since then, the deployment of FPUs has increased from nine units in 2000 to 71 authorized FPUs in 2016 (Formed Police Units [web], 2017).

Nonetheless, these forces were mainly integrated into the international police or military force without an individually defined function. For the first time, a 'Multinational Specialized Unit' (MSU) was established in Bosnia-Herzegovina in 1998 subordinated to the "Stabilisation Force in Bosnia and Herzegovina" (SFOR), and later Kosovo followed suit in 1999 under the "Kosovo Force" (KFOR) command. Contrary to the previous cases, MSUs were composed exclusively of law enforcement with a military status, and their tasks were clearly defined (Hansen, 2002:71-72). They were mainly tasked with riot control, criminal investigations, and support for local police in conducting search operations, border monitoring, surveillance operations, seizing weapons, controlling persons, and checking vehicles, combating organized crimes (Kuehner, 2008:84-85).

After operational responsibility in Bosnia taken over by the 'European Union Force' (EUFOR), the Integrated Police Unit (IPU) was formed to replace MSU. The EGF carried out its first mission ever and manned an IPU headquarters from 22 November 2007 to 28 October 2010 in Bosnia (EUFOR ALTHEA Mission [web], 2017). The EGF has contributed to peace operations in five countries such as Bosnia-Herzegovina, Haiti, Mali, Afghanistan, and Central African Republic (European Gendarmerie Force [web], 2017b). It is able to contribute, alongside military forces, during the first stage of a crisis management operation. The EGF can also deploy up to 800 personnel within 30 days, tasked with the substitution, strengthening, training, mentoring, and advising of local police and security forces (European Gendarmerie Force Book [web], 2017).

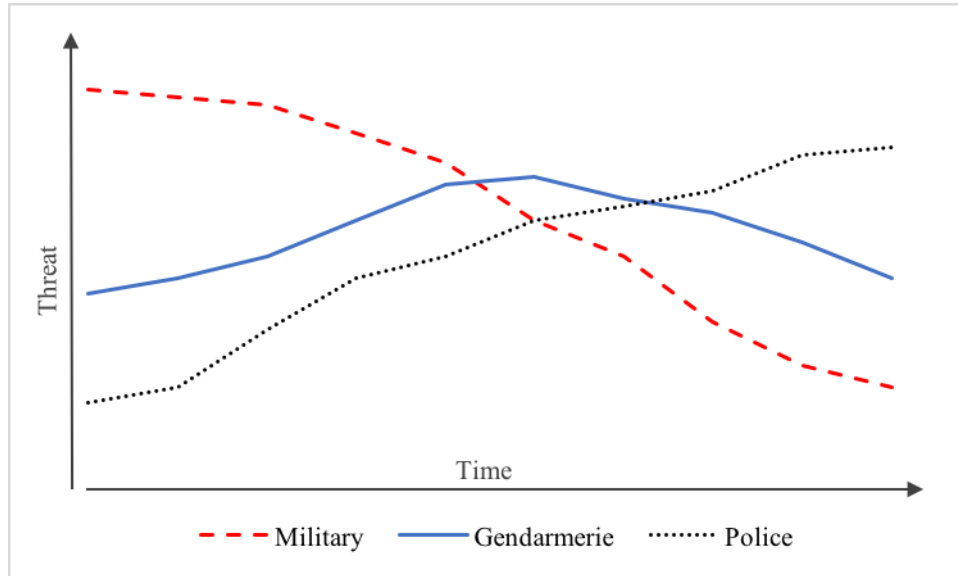
However, the EGF faces several difficulties. One of them is that only the law enforcement forces of EU countries are able to be member of the EGF. The EGF has seven members out of 28 EU member states. Since many of the EU members do not have LEFMS, their participation are constrained and face suspicions from the states which are unfamiliar with gendarmerie-type forces and are resistant to their introduction into the EU. Due to these limitations, EGF faces obstacles to its desire to be an operational effective multinational law-enforcement body. A further problem is confusion on the exact role of the EGF since it is not a formal body of the EU. It may create incoherence among UN crisis management initiatives and challenge the foreign policy ambitions of the EU (Arcudi and Smith, 2013: 14).

LEFMS are generally gathered under FPU as prescribed by the UN and termed 'Stability Police Units' (SPUs) or 'Multinational Specialized Units' (MSUs) in the NATO context. There is an ongoing effort to develop the 'Stability Policing Concept' by NATO. In its final draft of 'Allied Joint Doctrine for Stability Policing' (AJP)-3, stability policing is defined as a "set of police related activities for the restoration and/or upholding of the public order, security and rule of law as well as the protection of human rights through supporting and, when necessary, temporarily replacing the indigenous police forces, when the latter are either unable or unwilling to perform the function themselves." Further, it points out that military police and gendarmerie-type forces are ideally suited to interact, cooperate, and support both the military and civilian players (NATO Standard AJP 3-22 [web], 2017). These judgements culminated in the establishment of NATO 'Stability Policing Center of Excellence' in 2014. As a multinational organization, it supports cooperation and interoperability of NATO Nations and NATO Partners, and provides best practices and usage of available resources and infrastructure (NATO Stability Policing Center of Excellence [web], 2017).

### **c. The Employment of Security Organizations in Peacekeeping Operations**

The trend of employment of security organizations in peacekeeping operations could be supposedly visualized like the following graph. It depicts the employment of security organizations, military, police, and gendarmerie, in peacekeeping operations over time and according to the level of threat.





**Graph:** *The Security Organizations in Peacekeeping Operations.*

As shown in the graph above, the military takes the lead with the support of adequate number of gendarmerie-type forces in the first deployment of peacekeeping forces to the field. In this phase, wide disturbances, riots, and armed groups may be the primary threats. When the security situation improves the number of troops can be reduced, and LEFMS can take over many duties from the military. Once the risk level decreases and becomes relatively calm, police forces will increasingly take over the operational responsibility while LEFMS remain in a reserve position. However, it does not mean that gendarmerie-type forces would replace military forces or police. In contrary, they should act in partnership and coordination with military and police operations in peacekeeping duties.

On the other hand, there are serious critiques of employing gendarmerie-type forces in peace operations. Several authors contend that civilian police only should be responsible for law enforcement in liberal democracies. They argue that LEFMS are described as undemocratic and disrespectful of human rights (Barley, 2001). Although it has been demonstrated that gendarmerie-type organizations may be a good alternative to lessen armed conflict during crisis periods, it is often stated

that they would inhibit the peace building process in the long term given their military nature (Hills, 1998: 26-41). It is also argued that employment of gendarmeries may represent a militarization of police work, send the wrong signal during a process of reconciliation, demilitarization, and democratization (Jakobsen, 2000: 49), and create high risks for the security sector reform (Friesendorf, 2011: 83).

Although the effectiveness of LEFMS in peacekeeping operations, particularly in bridging the enforcement gap during the first weeks, is largely recognized, some scholars challenge their deployment due to their military affiliation. It should be borne in mind that these security organizations fulfil their duties under domestic and international legal obligations. The activities of LEFMS, at least in Europe, have been carried out with constitutional and legal scrutiny. Hence, just having dual subordination to civil and military structures does not necessarily make the LEFMS an undemocratic organization. The existence of long standing gendarmerie-type organizations in many European countries demonstrates clearly that LEFMS are accepted in democratic regimes. Further, the LEFMS provide an adequate response to the 'grey' area of peace building activities.

## **CONCLUSION**

The peacekeeping operations have been increasing over recent years to response to the rising risks against fragile state structures as well as international security. The threats have not only climbed by numbers but also multiplied by strength, and repercussion effects have been spreading swiftly and widely. Contemporary security environment needs to launch holistic approach encompassing governance, judicial, political, economic, social, psychological and security precautions. From the point of security, it calls for peacekeeping forces that capable and experienced in countering threats posed by organized criminal groups, armed groups and terrorist organizations.

There are three security organizations such as police, military and LEFMS in the use of states and international actors. The possible effectiveness of employing police or military forces in peacekeeping operations can be evaluated by discussing their existential aims. Military forces are trained to defend the homeland and to win wars. Brutal as it seems, armies are required to use maximum force to urge adversaries into submission and often overlook the domestic laws of host countries in their operations, but they are subject to international law, particularly laws of

armed conflict. However, the police deals with domestic problems, and it must pay attention to the laws of the respective country in which it executes law enforcement duties. These police forces employ the minimum use of force to reach its' aims, and they are not well equipped or structured to repress wide disturbances or counter insurgency.

The tasks carried out in a peacekeeping environment do not correspond exactly with those of the military or civilian police, therefore LEFMS could open new horizons for peacekeeping operations. The security environment of past decades created LEFMS as a necessary instrument in national and international conflict. Their distinctive features of structure, equipment, personnel, and organizational culture make them appropriate and resilient tool in challenging peacekeeping conditions. They already play important role as a complementary force particularly in unstable security environment owing to their idiosyncratic characteristics. Besides of their increasing employment in theatre, there are also some promising efforts to develop doctrine and accelerate international coordination.

However, it should be pointed out that LEFMS face some essential challenges to overcome. There is no internationally agreed definition on the job of LEFMS or their legal status. This confusion entails to disorganized efforts of various multinational organizations formed by law enforcement forces. In order to respond effectively to the threats emerging in the peacekeeping operation field, firstly, the legal and conceptual discussions on the job of LEFMS have to reach an agreement, and then, their energies should be harmonized and synchronised by an international body.

Finally, there is a serious lack of reliable data and field/case studies which report on the effectiveness of security organisations in the field. It is critically important that protocols and methodology should be developed to measure the success and failures of peacekeeping activities and the utility of various international manpower contributions. Sound and logical proposals can only be recommended by providing valid operational feedback and reliable scholarship.

## **ENDNOTES**

<sup>1</sup> The table provides figures for members of European Gendarmerie Forces (EGF) and Turkey. The figures on Armed Forces do not comprise gendarmerie-type forces. The number of conscripts are included, but not reserves. The data compiled from (The Military Balance [web], 1991; 2001; 2011; 2017).

<sup>2</sup> Members of FIEP: France, Italy, Spain, Portugal, Turkey, Netherlands, Morocco, Romania, Jordan, Tunisia. Associate members: Argentina, Chile, Qatar. Observers: Palestine, Ukraine, Brazil. (all ordered by date of participation). See, (FIEP [web], 2017).

<sup>3</sup> EGF has seven members: France, Italy, The Netherlands, Poland, Portugal, Romania, and Spain. Partner: Lithuania. Observer: Turkey. See, (European Gendarmerie Force [web], 2017).

<sup>4</sup> However, the UN is far from the only actor operating in this realm. In parallel, the European Union (EU), Organisation for Security Cooperation in Europe (OSCE), the African Union (AU), and NATO have developed their capacities and deployed police in their own operations both within and beyond their respective regions. See, (Hughes et al. 2013:16). The efforts in UN, EU and NATO have been considered in this study.

<sup>5</sup> These numbers reflect the composition on January of respected years. See (Troops and Police Contributors Archive (1990-2016) [web], 2017)". As of 30 June 2017, total number of personnel serving in 16 peacekeeping operations are 112,294 as 11.982 police officers. See (United Nations Peacekeeping Operations Fact Sheet [web], 2017).

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