

## The European Gendarmerie Force: Beyond Potential

### Summary

On 18 October 2007, the Treaty establishing the European Gendarmerie Force (EUROGENDFOR) was signed by France, Italy, the Netherlands, Portugal and Spain. A headquarters was also established in Vicenza, Italy. In the meantime, Romania became a full EUROGENDFOR Member, and Lithuania and Poland were accepted as official Partners. Turkey is an official EUROGENDFOR Observer. EUROGENDFOR has undertaken three deployments to date in support of international peace-support operations in Afghanistan, Bosnia and Herzegovina, and Haiti. Given the utility of European gendarmerie, with the ability to perform a number of police and law enforcement tasks within the nexus of military–civilian missions, the Force exists today as a multinational European police initiative in support of international crisis management. This policy brief seeks to analyse EUROGENDFOR in line with the original thinking that dates back to the 2004 Declaration of Intent. By most accounts, the original rationale and objectives were and remain valid. Yet EUROGENDFOR has not yet developed as an initiative to the extent that many of the main expectations and goals would imply. Although the Force can call on a modest track record of operations and other activities to date, more needs to be done to link and position EUROGENDFOR in the world of international policing and, more generally, global security. This is especially the case in respect of European Union crisis management operations. The brief notes that many international policing challenges and needs relate closely to the various individual and collective abilities that the contributing national forces of EUROGENDFOR possess. The development of a far-reaching strategy for the future geared towards a more demand-driven approach, together with a bit of verve, may serve EUROGENDFOR well.

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### Is beauty in the eye of the beholder?

On 18 October 2012, the Treaty establishing the European Gendarmerie Force (EUROGENDFOR) marked its fifth anniversary. As stated in the Treaty, EUROGENDFOR was conceived as being “operational, pre-organized, robust and rapidly deployable, exclusively comprising elements of police forces with military status” in support of international crisis management operations. The Dutch Royal Marechaussee, the French National Gendarmerie, the

Italian Carabinieri Force, the Portuguese National Republican Guard, the Spanish Civil Guard and the Romanian Gendarmerie are today EUROGENDFOR Members.<sup>1</sup>

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<sup>1</sup> The Lithuanian Public Security Service and the Polish Military Gendarmerie are official EUROGENDFOR Partners. The Turkish Gendarmerie is a EUROGENDFOR Observer.

Yet most observers of international interventions can agree that EUROGENDFOR has not been a key cog in global or European efforts related to bringing peace and security to conflict and crisis zones around the world. The European Union (EU) has noted that it has “so far never availed itself” of the Force within the framework of civilian crisis management under the Common Security and Defence Policy (CSDP).<sup>2</sup> This is the case even though the police- and law enforcement-related work of the EU and others has increased significantly since EUROGENDFOR became operational. In addition to so-called “substitution” missions, for which EUROGENDFOR was particularly expected to do and execute the actual policing and law enforcement itself in the absence of requisite local capacity, there has been an increase in so-called “strengthening” missions, focused on training, advising and mentoring.

At the same time, it could be argued that EUROGENDFOR’s rationale and intent were well founded and remain so today. For one thing, the national forces that today constitute and contribute to EUROGENDFOR are some of the more capable police and law enforcement agencies in global terms. In turn, it is irrefutable that the abilities they demonstrate in serving and protecting citizens and residents in their home countries are also urgently required in the framework of international responses to conflicts and crises. In these environments, where violence and crime are rampant and even basic law and order just a pipe dream for most, the combined European gendarmerie efforts have much to offer for the realization of safety and security and eventually the emergence of the rule of law.

Indeed, a basic scan of international policing needs today could even suggest a need to revisit the potential of EUROGENDFOR in relation to the utility of using gendarmerie as assets to address global conflict abroad. In October 2012, for example, delegates from over 100 countries met in a conference in Germany to debate international police and peace operations.<sup>3</sup> They concluded that international policing remained vitally important for the success of international crisis management, but that critical improvements were still needed in the areas of doctrine, operations, training, and logistics. This was especially the case, given new threats posed by “serious organized crime, transnational crime, terrorism, maritime piracy and porous borders”. Skill sets needed include those concerned with public order management, criminal

intelligence and investigations, border management, anti-corruption and others. The delegates also called for “highly qualified, well trained, medically fit and well equipped” constabulary units or, in UN terminology, Formed Police Units (FPUs).

The present policy brief examines EUROGENDFOR in this context, where a number of international policing needs are closely matched by various EUROGENDFOR capacities and capabilities. Yet much of what the Force has done, is doing or can potentially do, is not widely known, or is misread or dismissed in the relevant circles. The brief thus aims to provide insight into why the Force still strives to fully realize its evident potential, and how it could be better positioned to contribute to international crisis management needs.

## EU member states respond to international policing challenges with gendarmerie

As articulated in the 2004 Declaration of Intent on EUROGENDFOR, the Force has three objectives. First, the Force exists to provide Europe with a police asset able to undertake various police missions required in the context of international crisis management operations. Second, the Force provides European and, prospectively, other states intent on joining EU missions, with a multinational operational platform to that effect. Finally, EUROGENDFOR exists more generally to contribute to various crisis management initiatives of international organizations. This objective is thought by some observers to relate not only to operations, but also to non-operational work including doctrine development, knowledge-sharing and training.

Operationally, EUROGENDFOR is expected to normally function within a civilian chain of command. This is due to the law enforcement mentality that is grounded in EUROGENDFOR’s founding documents and Operational Concept, where the need to link with other international police actors and to focus on

<sup>2</sup> Council of the European Union, ‘Lesson and best practices for CSDP from the European Union Police Force Training (EUPFT) 2008-2010’, 18536/11, Brussels, 12 December 2011, p. 19.

<sup>3</sup> See “High-level Conference on International Police Peacekeeping,” available at <<http://www.facebook.com/media/set/?set=a.444252368953839.102843.137654242946988&type=1>>.

building up local police capacity is promoted. Given the nature of gendarmerie, which includes more robust policing and law enforcement abilities, and specific military training and tactics, the Force can also function when required within a military command structure and likewise undertake a number of police and law enforcement tasks. These cover a broad range, based on the hybrid nature of gendarmerie, from traffic policing at one end of the spectrum to high-end security operations at the other. A key feature of EUROGENDFOR is the Integrated Police Unit (IPU), which can bring these capabilities to bear as required. Furthermore, in theory, an 800-strong rapid reaction element can be deployed. Normally, smaller units related in size, ability and command structure to UN FPU would be deployed in cases where a structured police response was required to help create public order, support crime fighting and undertake other activities.

On the basis of decisions by the High-level Inter-Departmental Committee (CIMIN), EUROGENDFOR's decision-making body, there have been three designated EUROGENDFOR deployments to date. From 2007 to 2010 in Bosnia and Herzegovina (BiH), the Force managed the Headquarters of the IPU as part of Operation EUFOR-ALTHEA, supporting crime-fighting operations, training local police in crowd control, and other activities. In Afghanistan, where EUROGENDFOR has been active since late 2009, the Force supports the North Atlantic Treaty Organization (NATO) Training Mission in Afghanistan by training the Afghan police, including border police and constabulary-like civil order police. In the case of the UN response to the 2010 earthquake in Haiti, FPUs from Italy and France and a Spanish special weapons unit were active from February to December of that year as part of the police component of the UN Stabilization Mission in Haiti (MINUSTAH).

### Somewhere between realizing potential and spinning wheels

EUROGENDFOR is generally thought to face a number of developmental challenges in reaching its full potential. These include:

***EUROGENDFOR identity.*** The utility of gendarmerie and the EUROGENDFOR Operational Concept, which aims among others to support missions that are in transition from military to civilian operations, underpin the Force's identity. That said, with the exception of so-called 'hot' stabilization environments,

the use of gendarmerie to bring about security in post-conflict environments is debated, especially in peace-building settings. Some argue that it is vitally important to create and promote new positive images of military and police as soon as possible in post-conflict environments. Efforts are required to create and promote crystal-clear lines of separation between their functions and tasks. Gendarmerie blur these tidy lines, owing to their hybrid abilities, command structure and sometimes apparent military creed, thus impeding security normalization and making early attempts at security sector reform (SSR) harder to realize.

These and other assumptions may need to be discussed further. For one thing, there is an argument that takes the above into account and, conversely, uses it to promote gendarmerie as being well suited to bringing about security and initial requisite reform during key stages of a mission transition. It is precisely the nature of gendarmerie that allows it to engage in hostile and also more benign environments where full military approaches cannot or should not be undertaken, all the while being sensitive – perhaps in the case of European gendarmerie the most sensitive of all – to the key elements of police-military relations so as to assist in larger-scale institutional reform processes. One could thus expect EUROGENDFOR to be potentially able to provide significant assistance on these important aspects that relate to laying the initial groundwork to support SSR and, much later, the rule of law in post-conflict and other crisis environments.

Another issue is the way some EUROGENDFOR deployments come about and are labelled. To be sure, many assessments of the international interventions in BiH, Haiti and Afghanistan note the important contributions made by the respective designated EUROGENDFOR elements. These bode well for the success of any possible new EUROGENDFOR missions and other activities in the future. However, operations to date cannot consistently be considered bona-fide EUROGENDFOR deployments from start to finish, where the benefits of being trained, deployed and supported together as part of EUROGENDFOR could be easily seen and promoted. Instead, as in the case of MINUSTAH, national elements were deployed through the UN system and later re-flagged as Force elements once engaged. In the few cases of specific requests for EUROGENDFOR deployments, namely FPUs in support of UN and EU missions in Kosovo,

respectively, Force decision-makers could not agree unanimously on deploying the Force. Yet, such opportunities are the ones that represent real possibilities to deploy missions made up of inter-operable units, trained together and supported logistically through the EUROGENDFOR system, from the pre-deployment to the exit phase.

**The relationship with the EU.** EUROGENDFOR's founding documents and current discourse emphasizes support to the EU 'first and foremost' in relation to the other main international organizations. This support is expected to be in the form of either contributions to, or stand-alone deployments in support of, EU operations. At the same time, on the basis of the Treaty, the Force also aspires to support NATO, the Organisation for Security and Cooperation in Europe (OSCE), the UN and others. Participation in so-called 'coalitions of the willing' is also possible.

It is notable that the entry into force of the Treaty of Lisbon in late 2009 provided little if any impetus at all to realizing the expressed synergy between EUROGENDFOR and the EU. The Treaty of Lisbon does not mention EUROGENDFOR specifically, but it essentially re-drew the entire EU institutional landscape in the area of the CSDP in many ways and areas that play nicely to declared EUROGENDFOR capacities and capabilities. For example, the Treaty laid huge emphasis on prioritizing police and law enforcement capabilities in support of the rule of law and SSR in the context of international crisis management; strengthening of the EU's ability to deploy these as well as civilian and military assets rapidly; and working with groups of states in the implementation of specific tasks towards crisis management goals.

Yet cooperation between the EU and EUROGENDFOR, as it was originally envisioned, should not be considered a phenomenon that comes about naturally through good intentions or a championed read of treaties. Cooperation is a business where the linkages and synergies between prospective partners need to be capitalized on. In the case of the EU and EUROGENDFOR, one linkage is the overlapping memberships and the national decision-making and other mechanisms that already exist to engage in support of EU foreign policy. Furthermore, the thinking behind the structured policing models such as the IPU and FPU concepts is consistent within EUROGENDFOR and EU headquarters. The under-

standings and debates in continental Europe about the pros and cons of having and utilizing gendarmerie in both the national and international contexts would also be helpful in regard to finding ways to bring EUROGENDFOR closer to the EU in support of the CSDP. Finally, the EU will require European police and law enforcement assets in the context of CSDP missions today and in the future. EUROGENDFOR is already in a position to meet this requirement, with existing as well as potentially available significant assets that would be useful in both the military and civilian stages of a mission.

**Relations with third parties.** The criteria for EUROGENDFOR membership, namely any EU member state possessing a police force with military status, are specific and narrow. Few countries can meet the membership criteria, in part because reform has taken place in countries such as Austria, Belgium and Luxembourg to the extent that the respective gendarmerie forces have been incorporated into non-military federal police structures. Thus, EUROGENDFOR membership is not expected to grow significantly, though more room exists to increase the number of official observers and partners.<sup>4</sup>

As a result, EUROGENDFOR relations with third parties are an important component of its development and performance. As noted in the Declaration of Intent, this is especially the case in regard to other countries wishing to participate in EU crisis management operations and are therefore seeking an appropriate platform. In these cases, such contributions are likely to be regular or civilian police or also in some cases military police. In the case of EUFOR-ALTHEA, EUROGENDFOR did enter into a partnership with Hungary, and this ability may become more important in the future. This is due to the need to ensure synergized EU peace-support efforts in the field of police and law enforcement in cases where EUROGENDFOR is contributing or, more notably, leading an operation or other activity in support of the CSDP. The need also relates to finding ways to increase expertise and experience-sharing among police and law enforcement personnel. Finally, additional assets may be needed in cases where not all

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<sup>4</sup> EUROGENDFOR Observer status can be granted to EU candidate countries that possess such a force. Partner status can be granted to EU member states and candidate countries that have a military-status force with certain police capabilities.

EUROGENDFOR Members, Partners and Observers decide to make contributions to a prospective mission or other assignment.

One central question to settle is which other countries to cooperate with. Should this be done on an individual basis or through the creation of a specific strategy or mechanism? Also, will the scope of working with third parties be limited to, or expanded beyond, EU member states and other countries traditionally considered European? One obvious first step to undertake as part of this process could be to single out countries that best understand and relate to European gendarmerie. In places like Germany, for example, discussions have taken place in this area, including research on the need for this country to consider creating a specific international gendarmerie contingent that could be readily deployed in support of international crisis management operations.<sup>5</sup>

**Leadership and command.** As stated, the CIMIN is EUROGENDFOR's decision-making body, made up of senior-level foreign ministry and other national representatives of the said Members. The CIMIN directs the Force strategically and politically, appoints the EUROGENDFOR Commander and authorizes the activities of the Permanent Headquarters (PHQ) in Vicenza, Italy. The Commander is responsible for implementing CIMIN directives and ensuring a well-run and functioning PHQ.

Although the CIMIN can request and authorize the EUROGENDFOR Commander (and thus PHQ) to engage at the political–strategic level, this ability was not originally foreseen to be regular or defining. However, it could be argued that one should expect an international police leader to not only function to a certain degree at this level, in line with the chain of command from above, but also that he or she should be the primary face and point of contact of the police entity (e.g., as the UN Police Adviser in the UN Department of Peacekeeping Operations is for the UN Police). The main benefit of using a leader in this way is that they link the strategic, tactical and operational levels, engaging in support of each as and when required. Thus it may be possible to improve EUROGENDFOR's visibility, efficiency and effectiveness by ensuring that the Commander and PHQ, as the most central and accessible assets of EUROGENDFOR, are adequately utilized on the basis of CIMIN decisions in the common task of supporting the overall development of the Force.

For example, the EUROGENDFOR Presidency rotates annually among Members. While the Presidency should naturally be the key player in coordinating decision-making and representing EUROGENDFOR on the grand stages at the highest levels, the regular rotation and hand-over of presidency functions means that the 'EUROGENDFOR telephone number' changes too frequently. Twelve months of international relations work, including the need to start up and shut down activities and also organize events, goes by quickly. What is needed in this environment is a continuous and relevant actor that is responsible for maintaining external relations and representing the Force overall for much longer periods of time, including informing and contributing to decision-making at all levels.

Furthermore, decisions in EUROGENDFOR are made unanimously. This means in practice that a decision is made as fast as the slowest country can or wishes to engage. As a result there is a risk that communication and momentum towards a goal, such as a rapid EUROGENDFOR deployment, can be lost. At best, this is inefficient and at worst this generates negative views on EUROGENDFOR performance and relevancy. In this environment, it could be the Commander, together with the Presidency, who can keep up communication and deal directly with partners and EUROGENDFOR Members alike and be the face of the Force.

## Time for a game plan

EUROGENDFOR is a multilateral European police initiative with a record of activities to date, including potential to do more, both quantitatively and qualitatively. The nature of future conflict and responses by the international community, combined with the size of European national budgets and the overall financial environment, will determine the scale, scope and degree of inter-national crisis management in the future. It may thus be a good time for EUROGENDFOR to put forth a new overarching strategy. This could include:

**A grand strategy** that puts EUROGENDFOR on the map as a key asset in the bigger picture of international

<sup>5</sup> Ronja Kempin and Christian Kreuder-Sonnen, "Gendarmerieeinheiten in internationalen Stabilisierungsmissionen: Eine Option für Deutschland?" SWP-Studie 6, Stiftung Wissenschaft und Politik, March 2010.

policing. This is particularly relevant in view of current work to develop a European Global Strategy covering all aspects of future EU external action, including discussions on the European Security Strategy. On the basis of the expected type and frequency of peace operations that are likely to be undertaken in the future, a main role for and expectation of EUROGENDFOR will need to be identified, either in support of work concerned with rule of law and SSR – assuming this trend in peace operations continues – or, alternatively, in the context of the emergence of more traditional peacekeeping as well as pure stabilization operations. Furthermore, many call the current international policing system “ad hococracy” and claim it is based on “serendipity”.<sup>6</sup> The degree to which the system continues in this way, or else changes into one that embraces the creation of doctrinal frameworks, implementation of best police practices, emergence of professional standards, and provision of adequate logistical support and other factors, will need to be gauged in relation to EUROGENDFOR’s possible roles in and contributions to the system.

**A business strategy** that treats the EU as EUROGENDFOR’s touchstone. Much remains to be done to make the link between EUROGENDFOR and the EU stronger in the context of supporting CSDP missions. The fact that both entities have Treaties that are naturally and intrinsically aligned should be used as the main impetus to realize the requisite legal, financial, doctrinal, operational and other arrangements. Some advancement on this front is already under way, such as EUROGENDFOR’s special mention in the EU’s Multi-Annual Civilian Capability Development Plan. This and other developments confirm the interest of the European External Action Service in

linking with the Force and this should be capitalized on as a matter of priority. In turn, EUROGENDFOR leaders and decision-makers will need to make a calculation and develop a methodology with regard to complementary cooperation with the UN, NATO, OSCE and probably in the future the African Union.

**A functional strategy** that has EUROGENDFOR specifying its comparative advantages. It needs to develop steadfast and dependable capacities and capabilities based on reliable procedures and assets available from current Members as well as Partners, Observers and third parties. It will be important not to develop too much rhetoric and propaganda with regard to all of the different missions and tasks that EUROGENDFOR can in theory undertake and for whom, whenever and wherever required. For the foreseeable future, where resource and other challenges will remain prevalent and yet EUROGENDFOR and other international police officers will still be urgently needed in many places, attention on when and how EUROGENDFOR mainstays and contributions will be brought to bear in a limited number of comparative advantage situations should be the order of the day. In the case of operations, one aspect of this effort should be a focus on realizing adequate requisite logistical support.

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<sup>6</sup> See, for example, Charles Hunt and Bryn Hughes, “Assessing Police Peacekeeping: Systemisation not Serendipity”, in *Journal of International Peacekeeping* 14 (2010): 403-424.

## ABOUT ...

### The Clingendael Conflict Research Unit

The Netherlands Institute of International Relations ‘Clingendael’ is a training and research organization on international affairs. The Conflict Research Unit (CRU) is a specialized team, focusing on conflict-related issues in developing countries.

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Mr. Steeves coordinated an internal evaluation of EUROGENDFOR in the first half of 2012; Mr. van der Wal provided research assistance. The views expressed in this brief are those of the authors and do not necessarily represent the official views of, and should not be attributed to, EUROGENDFOR.