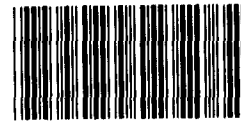


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FOREIGN
ASSISTANCE

Meeting the Training
Needs of Police in New
Democracies



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**National Security and
International Affairs Division**

B-251670

January 21, 1993

The Honorable Richard Lugar
The Honorable Daniel Patrick Moynihan
The Honorable Thomas A. Daschle
United States Senate

In response to a prior request from you and former Senators Alan Cranston and Brock Adams, we had been reviewing the extent to which assistance could support the U.S. foreign policy objective of promoting and consolidating democratic values. In October 1992, Congress authorized the executive branch to begin law enforcement training to support judicial reform efforts in Central and Eastern Europe and the former Soviet Union.¹ This report discusses (1) whether the needs of the police forces in the region have been adequately assessed, (2) whether the assistance to police forces currently being provided directly supports democracy-building initiatives, (3) whether the executive branch has developed a plan to provide police training in support of consolidating democratic values in this region of the world, and (4) which U.S. agency has the experience to meet the training intent of the legislation.

Results in Brief

The State Department has not thoroughly assessed the needs of police forces in Central and Eastern Europe and the former Soviet Union. According to State Department officials, no in-depth assessments are planned. Preliminary analyses that have been conducted in a few countries indicate, however, that police forces will need very basic training on subjects such as the role of police in a democracy.

To date, the United States has provided a small amount of police training in Central and East European countries, but this training was primarily to support U.S. objectives concerning antiterrorism and counternarcotics rather than specifically to support democracy-building initiatives. For example, during fiscal year 1991, the United States provided \$3 million for advanced technical training to support U.S. antiterrorism objectives, and a minimal amount for counternarcotics.

The October 1992 legislation authorized U.S. assistance to help countries of Central and Eastern Europe and the former Soviet Union establish democratic and free societies, in part, by strengthening their administration of justice systems and establishing professional police

¹Public Law 102-511, 106 stat. 3320, 3329, 3355 (1992).

forces. However, the State Department has given low priority to helping establish professional police forces.

The Department of Justice's International Criminal Investigative Training Assistance Program (ICITAP) was specifically established to provide the type of training needed by police forces in helping them to transition from serving an authoritarian regime to serving a democratic society. Congress intended that ICITAP be involved in carrying out law enforcement assistance in the region of Central and Eastern Europe and the former Soviet Union. State Department officials said there are currently no plans to use or involve ICITAP in providing training in the region, but acknowledged the need to reevaluate this issue.

Background

The United States began assisting foreign police in the 1950s, but by the early 1970s, Congress became concerned about the United States supporting police of repressive regimes. In December 1974, Congress added section 660 to the Foreign Assistance Act of 1961. Section 660 terminated the police assistance program and sharply limited the use of foreign assistance funds for such purposes. The prohibition did not apply to other funds appropriated to federal agencies, nor to activities carried out by the Drug Enforcement Agency (DEA) or the Federal Bureau of Investigation (FBI) related to "crimes of the nature of which are unlawful in the United States" or assistance to combat international narcotics trafficking.²

In 1981, Congress began authorizing the use of foreign assistance funds on a case-by-case basis for specific police training activities or specific countries. These authorizations primarily benefited some specific U.S. law enforcement goals such as countering the terrorist threat to U.S. citizens overseas or combating drug trafficking in the Andean countries of Latin America.³ Congress also authorized police training and development in Latin America as part of U.S. programs to improve judicial systems.

During fiscal year 1991, the United States provided about \$107 million in foreign assistance to police in 100 countries. The Department of State's International Narcotics Control program provided \$56 million, and its Antiterrorism Assistance (ATA) program provided \$12 million; the Department of Defense provided \$27 million, primarily to train and supply

²Foreign Assistance Act of 1974 (P.L. 93-559, sec. 30(a), 88 stat. 1795, 1804).

³These exemptions are described in our report Foreign Aid: Police Training and Assistance (GAO/NSIAD-92-118, Mar. 5, 1992).

counternarcotics police in Latin America; and ICITAP provided over \$11 million for investigative and police training in Latin America and the Caribbean.

The Freedom Support Act, enacted on October 24, 1992, authorized the use of foreign assistance funds to carry out administration of justice programs in Eastern Europe⁴ and the independent states of the former Soviet Union similar to the programs available to Latin America and Caribbean countries (P.L. 102-511).⁵

Emerging Democracies Have Special Police Assistance Needs

According to the Department of State, an effective police force is integral to a functioning democracy, but police organizations accustomed to functioning under totalitarian regimes need special training to help them make the transition to a force capable of functioning appropriately within a democracy. ICITAP officials told us that the transition from serving a totalitarian regime to serving the public in a democratic society may require a complete restructuring of the police force. They also indicated that concepts such as the police's duty to serve the public are new and often alien to officials accustomed to serving the political interests of an authoritarian regime.

To date, the State Department has not thoroughly assessed the specific training and assistance needs of police forces in each of the various countries of Central and Eastern Europe and the former Soviet Union. Without such assessments, State cannot be certain about the type of police assistance needed, what priority such assistance should be given relative to other assistance needs in the region, or whether the assistance that is provided meets the countries' most pressing needs and will be effectively used. According to State Department officials responsible for coordinating the assistance program for the region, such assessments are not planned. They noted that the U.S. strategy in providing assistance to these countries has been to respond to needs identified by the host government rather than having U.S. agencies assess a country's needs.

Although this has been the stated strategy, in 1991 the State Department's ATA program officials visited Poland and learned that the Polish police

⁴For the purposes of the act, Eastern Europe includes Albania, Bulgaria, the Czech and Slovak Federal Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, and the states that were part of the former Socialist Federal Republic of Yugoslavia.

⁵Although the Support for East European Democracy Act of 1989 (P.L. 101-179, sec. 2(b), 103 stat. 1298) specifically called for programs promoting the establishment of nonpartisan police forces in Eastern Europe, the authorities provided under the Freedom Support Act are more specific.

needed assistance in the most basic concepts of policing—such as instruction on the role and structure of the forces. These officials concluded that the police were struggling with the transition to a civilian police operation and that they needed to (1) improve their overall operations and force structure, (2) gain public trust by performing essential duties competently, and (3) provide for humane and equitable treatment of people.

These problems were confirmed by an interagency team sent to Poland in April 1992 in response to a Polish request for police assistance. The team found that people there have very little trust or respect for the police forces and that the police have little skill in working with the community. The team concluded that the Polish police often could not perform the most basic tasks of law enforcement, such as filling out crime reports to be used for investigations.

In the Czech Republic, the Chief of Police informed members of a State Department-sponsored team that the basic challenge facing him was both dealing with the public and remaining apolitical. He requested training for his highest ranking police officers in areas such as how political systems function in a democratic society, how police forces should be organized and structured, and how to withstand political pressure. An official from the embassy of the Czech and Slovak Republic in Washington, D.C., informed us that the current inability of the police to stop the rising crime rate was threatening the stability of the government by fueling communist propaganda that the new democratic system was not working.

These situations are similar to the experience of Panama and El Salvador where military-controlled police forces are being disbanded and civilian-controlled police are being created to support democratic principles and institutions. In both countries, the new police have had to contend with public distrust, attempts to politicize their operations, and uncertainty over the role and composition of the forces. However, in these countries, unlike the countries of Central and Eastern Europe, the United States has undertaken relatively major assistance programs to help establish independent and professional law enforcement organizations whose members comply with generally accepted police standards.

U.S. Programs in Central and Eastern Europe Only Indirectly Support Democracy Objectives

The United States has provided some training to police forces in Central and East European countries, but this has been primarily to support U.S. antiterrorism and counternarcotics objectives rather than the U.S. foreign policy objective of strengthening new democracies. Programs to directly support basic police needs and help police forces build institutions that will function effectively in a democracy have not been developed.

Most U.S. police assistance to Central and Eastern Europe has been provided by the ATA program. The State Department has acknowledged that the terrorist threat in these countries is low; however, State officials said that the potential threat and bilateral policy interests warranted ATA training. Accordingly, during fiscal year 1991, the ATA program provided courses valued at about \$3 million in airport security management, VIP protection, antiterrorist operations, and hostage negotiation/incident scene management.

According to ATA program officials, their courses are designed to enhance the skills of experienced police officials in the specific and unique context of combating terrorism. These officials said that the skills they teach are transferable to normal law enforcement duties; however, the program was not designed to teach basic policing skills. DEA has also provided a minimal amount of training in narcotics investigation methods in Central and East European countries, but DEA was unable to specify the cost of such training.

ICITAP Was Established to Meet Developmental and Training Needs of Foreign Police

ICITAP is the only U.S. program established specifically to address the developmental and training needs of foreign law enforcement agencies. Other U.S. training programs, such as those given by DEA, ATA, or the FBI are intended to train foreign police officials to meet U.S. law enforcement needs.

ICITAP was created in fiscal year 1986 when the Agency for International Development (AID) provided funds to the Department of Justice to design, develop, and implement projects to improve the investigative capabilities of law enforcement agencies in Latin America and the Caribbean. The objective was to encourage and strengthen democratic infrastructure building in the region. Over the years, both the scope of ICITAP's authority and its funding levels have expanded. In fiscal year 1991, ICITAP received \$4.9 million for its regional program, and \$6.5 million as part of its longer term program to support the development of the new police force in Panama. Additionally, with the signing of the El Salvadoran peace

agreements in January 1992, ICITAP received \$12 million to begin training and support of the new civilian police.⁶

ICITAP's training courses are specifically designed to meet the needs of police forces in emerging democracies. According to program officials, ICITAP evaluates the training required to bring attitudes and performance to acceptable standards supportive of a democracy. In Panama, for example, ICITAP included training in basic police skills with emphasis on community expectations and respect for human rights. In Honduras, ICITAP is helping to establish and train members of an Office of Professional Responsibility to oversee the actions of police officials. Respect for human rights is a priority objective for ICITAP training of Guatemalan police and criminal justice officials.

State Has Not Begun to Plan for Assisting Central and East European Police Forces

The Freedom Support Act authorized assistance to countries of Central and Eastern Europe and the former Soviet Union to help them establish democratic and free societies. This was to be accomplished by, among other things, strengthening the administration of justice and helping countries develop professional, apolitical police forces. The legislation authorizes programs "to enhance professional capabilities to carry out investigative and forensic functions, to assist in the development of academic instruction and curricula for training law enforcement personnel, and programs to improve the administrative and management capabilities of law enforcement agencies."⁷ The Joint Explanatory Statement of the Committee of Conference for the Freedom Support Act indicates that ICITAP should be one of the U.S. entities involved in carrying out such programs.⁸ State Department officials stated that they have not developed plans to implement such programs or to involve ICITAP in the delivery of law enforcement assistance to the countries of Central and Eastern Europe and the former Soviet Union.

A representative from the State Department's Coordinator for Eastern European Assistance advised us in December 1992 that the Coordinator's office had not yet evaluated the October 1992 legislation, and had not determined what funding, if any, would be available for law enforcement

⁶For a description of each program, see Aid to Panama: Improving the Criminal Justice System (GAO/NSIAD-92-147, May 12, 1992) and Aid to El Salvador: Slow Progress in Developing a National Civilian Police (GAO/NSIAD-92-338, Sept. 22, 1992).

⁷The Freedom Support Act authorizes the same judicial reform programs authorized for Latin America under sec. 534 of the Foreign Assistance Act.

⁸House Conference Report, No. 964, 102d Cong., 2d sess. 60 (1992).

institution building. The Coordinator's office had previously informed us that police assistance was not a high priority for the State Department in this area of the world. These officials said that ICITAP had not been previously included in the State Department's plans because there had been no legislative authority to provide such training until the Freedom Support Act was enacted.

The Department of Justice has recently requested foreign assistance funds from the State Department to provide training to Central and East European police forces in such areas as money laundering and fraud. Justice had previously conducted a limited amount of such training in the region with its own operating funds. Justice officials said that with the internationalization of crime, it is essential that these countries be able to address the problem and work with U.S. law enforcement.

The Justice Department request does not, however, include money for ICITAP. Given the new legislation, State Department officials agreed they need to reevaluate their assistance priorities and ICITAP's role in delivering assistance.

Recommendations

We recommend that the Secretary of State

- ensure that assistance to foreign law enforcement entities is given the appropriate priority relative to the other assistance needs of the region;
- adequately assess the assistance needs of the law enforcement entities in each of the countries in the region; and
- utilize ICITAP to help carry out the law enforcement assistance program in this region, in line with congressional intent.

Scope and Methodology

To obtain information on U.S. assistance provided to foreign law enforcement programs, we reviewed legislative authorities for providing this assistance, interviewed officials and obtained records from AID and the Departments of State, Justice, and Defense in Washington, D.C. We interviewed academic experts, national legal associations, and judicial branch officials. We also reviewed literature published on foreign police assistance and AID's public safety program.

We also met with representatives of the Hungarian and Czech and Slovak embassies in Washington, D.C., to discuss delivery of current police assistance and the needs of police forces in those countries.

This report does not address effectiveness of assistance to police in support of other U.S. foreign policy objectives in these countries such as controlling the sale and distribution of illicit narcotics.

We conducted this review from June to December 1992 in accordance with generally accepted government auditing standards. As you requested, we did not obtain agency comments on this report. However, we discussed the information in this report with several State Department program officials and incorporated their comments where appropriate.

We are sending copies of this report to the Secretary of State, the Attorney General, the Administrator of AID, and appropriate congressional committees. We will also make copies available to others upon request.

Please call me at (202) 275-5790 if you or your staff have any questions concerning this report. The major contributors to this report are listed in appendix I.



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