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Policing and the responsibility to protect in oceania: a preliminary survey of policing aid programs in the 'Arc of Responsibility'

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Abstract

This paper presents preliminary research about the donor aid programs that contribute to police-building in the 'Arc of Responsibility' in the Pacific and Australia's 'near-abroad'. It focuses on the capacity building projects that exist in Timor Leste and Solomon Islands with respect to police training. The two cases represent examples of exogenous state-building, situations in which the form and function of the state is to a great extent being dictated by outside actors. The international community provides different forms of assistance toward strengthening state capacity in the policing sector and this paper explores how police training programs and the deployment of peacekeeping police articulate with the concept of Responsibility to Protect (RtoP) as outlined in the UN Secretary General's 2009 report. This early survey forms part of a larger project that will include Papua New Guinea. One issue so far which has become apparent is that there are a range of training programs and models in place, conducted by different international actors. While the language of police training, at this stage at least, does not specifically include references to the Responsibility to Protect, there is a great deal of intersection between the basic functions of police in Protection of Civilians (POC) in state-building missions and the broader intentions of RtoP.

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Introduction

This paper is a preliminary examination of the support given by international aid donors in the policing sector in support of state building projects in Timor Leste and Solomon Islands. It forms part of a wider study of the political impact and influence of Responsibility to Protect (RtoP) principles on police forces in Timor Leste, Solomon Islands and Papua New Guinea. In the past decade, these three states have been described as forming part of an 'Arc of Instability', the area to the North of Australia and across into the South Western Pacific Islands where 'weak states' exhibit problems of political instability, institutional fragility, a lack of infrastructure, poor service delivery in health and education, relatively high levels of crime and corruption, and have a high possibility of incidence of human rights abuses.

The realisation within state-building and peacekeeping debates that the local community has a strong role to play in any linkage of development with security has meant that, rather than simply stigmatise weak states, a more positive attitude comes in demonstrating that the onus of providing regional security is jointly shared by the state in question, its immediate members and other interested actors. With so-called 'weak states' the emphasis is now largely on the role of the international community to assist in creating viable and stable forms of government. For Oceania, the term 'Arc Of Responsibility' has been around since at least 2007 and it better connotes the mutuality involved in the complex business of state building.

This paper examines (1) the evolution of the concept of RtoP and its articulation with the role of policing in protection of civilian populations; (2) the major aid donors to Timor Leste and Solomon Islands; and (3) the variety of police training and which nations play a significant role in providing police training.

The ultimate objective of the project as a whole is to assess if the police forces that are in the process of being created are adopting the principles of RtoP either formally (i.e. in the language of RtoP) or more informally (i.e. the norms and practices of RtoP but not the language), but research on these matters commenced only in April 2010 so the data to answers is yet to be collected. It is expected that following fieldwork in Timor Leste, Solomon Islands and Papua New Guinea, in-country interviews with police trainers and those being trained, community representatives and women's organizations, some light will be shed on whether the efforts to create more accountable, responsible and professional police services are upholding the norms and principles of RtoP and contributing to these states being able to care for their own populations, thus avoiding any need for external intervention in support of human rights through an RtoP 'trigger'.

Sovereignty, RtoP and Policing

The Responsibility to Protect (RtoP) is an emerging doctrine in international law and politics that aims to increase the capacity of states to prevent abuses of human rights. The Canadian-sponsored International Commission on Intervention and State Sovereignty (ICISS) report *The Responsibility to Protect* clearly places the onus on the world's states to accept the idea of sovereignty as a responsibility 'to protect the dignity and basic rights of all people within the state' (ICISS, 2001: 8). This heralded a shift from the previous position of regarding sovereignty as in theory at least, if not in practice, wholly sacrosanct. In the Cold War world, sovereignty basically meant non-intervention in a state's internal affairs; it was something of a shibboleth of statehood. In the post-Cold War world the emergence of the Responsibility to Protect (RtoP) doctrine has shifted international relations towards a general normative view that state sovereignty involves the human security of a state's population. If a state is unwilling or unable to provide this then the international community, it is argued, should intervene to provide that protection. Yet not all states have the capacity to do this: some are less able (and some less willing) to protect their populations from harm. Even if governments desire this end varying state capacity is related to the separate histories of the countries of the world, levels of industrialisation and modernity and integration into the global market and the global international political system.

The dramatic increase from 1945 in the number of internationally recognised states participating in international affairs is a direct consequence of decolonisation, but it is also a by-product of the creation of the United Nations itself, and on its emphasis on self-determination. United Nations membership is now almost synonymous with statehood. This has meant that international acceptance of statehood rests perhaps more on the international community than on a territory's own population deeming its government to be legitimate. At the same time, once a state is recognised as legitimate it is difficult, if not impossible, for a state to cease to exist. Even the most war-torn and factionalised of bounded territories, such as Somalia, still enjoys international acceptance of its right to exist, and the trappings of state recognition at the United Nations, although exactly who or what Somalia's UN representatives actually represent is a good question. That a 'government' exists only because it has been imposed by the will of a neighbouring state, and controls only a few square kilometres of its national capital, then sovereignty is a sort of shared delusion. Despite the many breeches of sovereignty, the international state system has been created upon, and can only function with, this linkage between a defined territorial state, its internal rule and the international recognition of a government, all of which conveying legitimacy to the state.

Despite these modern anomalies as Somalia, and to an extent Afghanistan, where the world recognises that some sort of state needs to exist in a specific place, historically a state's capability to exist and be regarded as internationally legitimate has traditionally rested largely on its capacity to exert what Stephen Krasner (1999: 11-12) calls its 'domestic sovereignty', that is, the authority and control of the government and the rule of law within a specific territory. An essential step in creating and maintaining this domestic sovereignty is the ability of a state to move beyond what Michael Mann (1988:4) has referred to as 'despotic power' — the brute imposition of political will through armed force — to 'infrastructural power' where a non-coercive bureaucracy is able to provide services to the population. This move

established a legitimate role for the state in the lives of its people. In Oceania however, decolonisation occurred with little to no economic development and the structures that would have supported the services in education, health, and roads were often non existent. Wage labour was uncommon so taxation revenues were limited and unable to meet even the lowest service demands and aspirations of citizens.

In Europe the process of state building took many centuries, and it was incredibly violent (Tilly, 1992). The Weberian idea of the state as a community of people within a bounded territory who exercise a monopoly over the legitimate use of violence still holds true. The difference today is that recognition (including UN membership) plays a decisive role in admitting new states to the international community. Even with the newest states the international expectation is that they, as well as states decolonised within recent memory, will conform to Western liberal and normative concepts of respect for human rights when attempting to exert or enforce their authority. The principle legitimate means through which authority can be enforced are the army and the police. Not all states have such a clear distinction between these two 'bodies of armed men', using Lenin's phrase, as is customary in Western democratic theory, where the armed forces protect the state from external threats and the police protect civilians by apprehending those who break the law of the state, and attempt to prevent harm to civilians.

This is however the distinction that is being created through international assistance in resolving conflict situations and peace missions generally. Among peace operations policy-makers there is also a growing recognition that it will take some time for a developing state emerging from conflict to bring its military and police services to a level where they can function professionally, and without outside monitoring. What is at stake here is building a police culture and a military culture in which the forces of the state protect civilians and do not abuse their legitimate powers (ICF, 2010: Session 9). This implies that such forces work for the state, obey its laws themselves and derive their authority from the manner in which they behave professionally towards the citizenry and population at large

These expectations for the forces of states in the developing world may be lofty, but they are expectations that they also hold for themselves. They have not been thrust onto them entirely but represent a changing behaviour, which is part of the story of a reinterpretation of the rights and duties of sovereignty.

In theory, member states of the United Nations are meant to comply with the wishes of the Security Council as part of their obligations (Art. 2.5), yet as the ICISS noted back in 2001, tensions exist between the claims that states make over their competence in governance, their efforts to provide security for people against threats to state security, and the 'practical protection for ordinary people' (ICISS, 2001: 11). In a state like Sudan the attempted application of RtoP meant that the Sudanese government was tasked with removing the abuses suffered by its population in Darfur (Williams and Bellamy, 2005: 32), despite being responsible for the arming, funding and conduct of genocide through both its own actions and those of the Janjaweed militias. Logically this was consistent with the objective that the first test of RtoP lies with the state, and only if it is 'unwilling or unable' to stop violence against vulnerable populations can other action, such as military intervention for humanitarian protection purposes, be explored (ICISS, 2001: 9). Intervention remains,

and should be, a last resort; the onus is on the state to treat its population appropriately and this requires structures that will support a discourse of the protection of human rights.

The United Nations General Assembly Resolution on the 2005 World Summit Outcome (UNGA 2005:30) contained specific affirmations by the world's states on the 'Responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity' (Paras. 138 and 139). This demonstrates that states themselves believe that it is part of their role to resist the temptation of using their 'legitimate' coercive violence in an illegitimate manner, or to solve complex political situations in ways that may lead to large scale human rights abuses. In addition, from April 2006 onwards the UN Security Council (UNSC) has clearly framed a number of resolutions on matters that involve vulnerable populations as Chapter VII mandates, that is, humanitarian concerns are seen as threats to international peace and security. The language used has increasingly been the language of RtoP. For example, UNSC Resolution 1674 of 28 April 2006 on the protection of civilians in armed conflicts (UNSC 2006: 1) specifically reaffirmed the World Summit Outcome, giving it the force of international law, and the UN Secretary General's report (UNGA, 2009) to the 63rd Session of the General Assembly of 12 January 2009 *Implementing the Responsibility to Protect*, further clarifies the range of approaches that may be employed to assist states in living up to their responsibilities to their own people.

The Secretary General's report has three pillars: (1) the protection responsibilities of the state; (2) international assistance and capacity building; and (3) timely and decisive response. Policing belongs in pillar 2 where there is a clear need for international police to enter into post-conflict situations along with the military (UNSC 2009: 18 - Para 39 and 41), along with a general call for 'creative solutions'. If the forces of the state can be made to function properly then pillar 3, which flags intervention as an absolutely last option, should not be required at all. The UN is increasingly moving to adopt comprehensive measures to prevent conflict "both upstream (preventive peacebuilding) and downstream (post-conflict peacebuilding)" (IFCPO 2009: 15), and in doing so the thresholds for international capacity building assistance are lower than they would be for a Chapter VI or VII mission (UNSC, 2009: 22 – Para 50). This involves a holistic approach that involves local government, civil society and media in utilising whatever strategies already exist in a post-conflict environment. Security Sector Reform (SSR), is now considered a key to all peacebuilding (IFCPO 2009: 15). For this reason the role of police in post-conflict countries is of special interest, as is the training they receive from donor states whose interests lie in making weak states stable over the long term.

As such donor states play a part in making a stable world order through state building projects operating consensually though the United Nations (such as the United Nations Integrated Mission in Timor Leste - UNMIT), or through regional state-building missions, such as Solomon Islands (the Regional Assistance Mission Solomon Islands – RAMSI). Both of these missions have policing components.

With RtoP fast becoming a centrepiece of conceptions of international peace and security, recent UNSC Resolutions have enlarged the concept of 'threat' to take in violence against civilians, particularly women and children, along with arms trafficking, sexual slavery, human rights abuses and environmental damage. The

pressures on developing states to operate with security sectors that reflect best practice in the developed world is strong, and donor states are keen to see it happen.

At a regional level in Oceania the Australian Labor Party government of Kevin Rudd has indicated it wants a new era of international relations in Asia and the Pacific (Hawksley, 2009). The Australian government thus has a large and important opportunity to play a part in strengthening compliance with RtoP norms through its bilateral Overseas Development Assistance and its contribution to multilateral state-building missions. AusAID's funding of the University of Queensland-based Asia-Pacific Centre for the Responsibility to Protect, and the $2 million in project money allocated by the Australian Responsibility to Protect Fund, contributes to knowledge of the RtoP concept in the region and can hopefully make a direct contribution to the human security of vulnerable populations in the Asia Pacific (ARPF 2010). We must however acknowledge that RtoP is a relatively new concept and that it must compete with other globalising discourses around state security in the face of challenges, such as transnational crime and terrorism, for policy adoption and implementation.

One of these parallel but perhaps not competing concepts is the classical peacekeeping notion of Protection of Civilians (POC), the subject of the 27-29 April 2010 International Forum for the Challenges of Peace Operations hosted by the Asia Pacific Civil Military Centre for Excellence, held in Canberra and Queanbeyan. In the first session Major General (Retired) Tim Ford, a former Australian Military Adviser to the Department of Peacekeeping Operations and former Chief of Staff for the UN Truce Supervision Organization (UNSTO) in the Middle East, noted that POC and RtoP are not the same thing. In his presentation he stated: "Protection of Civilians is a mandated peacekeeping task that occurs with the consent of the host nation." He went on to discuss how "POC involves a range of international, national and local measures to support and provide protection, ensure security, and support actions that eliminate the ability of perpetrators, or potential perpetrators, to threaten a population" (Ford, 2010). Ford thus views POC as a stage in state building and capacity building within states to ensure their own security. POC therefore clearly supports the thrust of RtoP, but it is not exactly the same thing. We may regard RtoP, and especially its emphasis on intervention, as the worst case scenario while POC remains the fundamental duty of every state. This point was echoed in the 2010 Challenges Forum with Izumi Nakamitzu, the Director of the Division of Policy, Evaluation and Training at the United Nations, claiming that while the UN was looking toward creating mission-wide protection strategies for civilians the clear understanding was that host states (those states in which UN troops and police were deployed) had the primary responsibility to respect their civilians and to inform the UN of the areas where it could make a difference to the capacity of the state to perform this function more effectively (Nakamitzu 2010).

In UN operations at least, the host country, often weak and divided by civil war, and with few state institutions of any competency, has the primary task of looking after its own people, and can suggest how the international community, including police forces, can assist it to perform this task better. While this sounds nonsensical, this is exactly what RtoP is really all about – building the capacity of states in the areas of law enforcement so that human rights abuses will no longer occur and the reason for any potential intervention will be removed. As such policing is central to the domestic upholding of both POC and RtoP, and therefore the first issue supports the second.

POC, RtoP and Policing in Oceania

The states of Oceania in particular vary widely in their political, economic and cultural histories. The process of state formation was very uneven over time with some states taking form in the late nineteenth century (e.g. Australia, New Zealand) while for others decolonisation and independence is more recent (e.g. Papua New Guinea 1975; Solomon Islands 1978; Kiribati 1994; Timor Leste 2002). Economic development histories vary widely within the region: some are primarily self-sufficient and only barely linked to the global market (PNG, Solomon Islands); while others are almost 'post-industrial' economies, being primarily based on services (Australia, New Zealand). The sort of developing industrial economies of South East Asia (e.g. Indonesia, Vietnam, Thailand, Malaysia) are not present in the Pacific. The result is that asymmetries of power and capacity operate throughout a Pacific region that is critical to Australian security. Strong and apparently weak states exist side by side in a system of complex interdependence. There are personal and commercial links in trade, migration, culture, and more formal governmental links in state cooperation through skills transfers, education and training. A central part of the North-South aid flow from Australia and New Zealand to Oceania is the cooperation provided for what is termed 'state-building' in countries such as Solomon Islands, through Regional Assistance Mission to Solomon Islands (RAMSI), and in Timor Leste through the United Nations Integrated Mission in Timor Leste (UNMIT). Bilateral assistance from Australia remains a significant contributor to state strengthening (*strongim gavman*) efforts in Papua New Guinea (PNG), even after the in-line policing component of the 2004 Enhanced Cooperation Program had to be abandoned (Hawksley 2005: 36-37; Hawksley 2006: 170).

A state's police force is, along with the army, the main way in which a state can attempt to maintain control when the rule of law is threatened. A problem however exists if these forces do not themselves obey their own state's laws, or abuse the powers they are given which are meant to provide security and protection to citizens. In the sense of developing respect for RtoP, if the institutions of state security have a history of abuse of human rights, participation in summary executions and other acts, then the implementation of an RtoP agenda will be complicated, if not impossible. The training being provided to police forces is therefore critical at the basic level of creating a climate of security within civil society, which can lead to the building of civic support for human rights and to the emergence of a police culture of respecting human rights. The training and capacity development being provided by the international community, particularly Australia, Portugal, and New Zealand, to the police forces of Timor Leste and Solomon Islands therefore contributes specifically to state-building through POC, and thus indirectly to RtoP by laying the groundwork for respect of rights by the forces of the state.

Timor Leste

In the case of the new state of Timor Leste, the deep factionalism and divided political loyalties between the army and police forces developed over four years and erupted in May 2006 when Timor Leste Defence Force (F-FDTL)[1] personnel shot a large group of unarmed police in Dili near the police headquarters, killing nine and injuring more than twenty, which led to the police abandoning their posts. In the consequent looting and arson there was internal upheaval with some 150,000 people displaced (Goldsmith and Dinnen 2007: 1097-9). On 11 February 2008 there were assassination attempts on the President Jose Ramos Horta and the Prime Minister (and former President), Xanana Gusmao. Early reports of the attack noted some twenty people were injured—including President Horta, who was shot twice in the stomach—while rebel leader Alfredo Reinado, responsible for the 2006 police attacks and who had since been at large, was killed (ABC, 2008). With high youth unemployment, poverty, a limited industrial base and an economy based on the export of one commodity, state building is difficult. Enforcing order will be challenging. This all points to the dire need for a policing strategy that will not only work, but one that also respects human rights and which works with local people for local solutions.

The legal system of Timor Leste is still developing and while laws are being written in Portuguese very few of the younger generation can understand the language. For the state as a whole, estimates of linguistic fluency in Portuguese range between 5-25% of the population. Most of the *Policia Nacional de Timor Leste* (PNTL – Timor Leste National Police) having grown up under Indonesian occupation, do not speak Portuguese. This has the potential to make the enforcement of the rule of law rather subjective.

UNMIT has recently been extended until February of 2011 and is primarily a police-building and state-building mission, although there are 33 military liaison officers attached to it. The United Nations Civilian Police (UNPOL) component of UNMIT at the end of February 2010, had over 1500 officers drawn from 38 participating UN members (UNMIT, 2010). The current UNMIT Police Commissioner Luis Miguel Carrilho has been with the United Nations since 1996, working on civilian police (civpol) training with the United Nations Mission in Bosnia and Herzegovina (UNMIBH), and was also involved in the earlier (1999-2002) United Nations Transitional Administration in East Timor (UNTAET). He is also the commander of one of the largest components of the UNPOL mission training the PNTL, the Portuguese *Guarda Nacional Republicana* (GNR), which is essentially a paramilitary force. This raises the rather vexed question of the skill sets required to teach policing to nascent state forces such as the PNTL, a point developed by Goldsmith (2006: 32), and Goldsmith and Dinnen (2007). In many such places, there is often a contrary history of developing special police units as quasi-praetorian guards for political figures, as well as ongoing underlying political instability, pressuring external donors as well as inclining local political authorities to boost the public order and the paramilitary capacities of local police forces undergoing reform (see Goldsmith 2009). These tendencies or patterns do not make the task of training police

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[1] The F-FDTL is the acronym for the *Falintil-Forças de Defesa de Timor Leste* where 'Falantil' is itself an acronym for the *Forças Armadas de Libertação de Timor-Leste* (Armed Forces for the Liberation of East Timor).

particularly easy, and if laws are applied partially the POC as a concept is less solid than it needs to be, as some will be more protected than others.

In dollar terms the largest donors on average to Timor Leste are Australia and Portugal, who gave USD$79 million and $43 million respectively in 2007-08, the latest year for which data is available (OECD 2010a). With 83% of the total $278 million in development aid being bilateral, these two states represent (28%) and (15%), or about 43% of total aid pledged. As such it is no surprise that both are heavily involved in building the security sector, especially after the 2006 troubles. Australia's aid to Timor Leste comes mostly through the $53.7 million to pay for the Australian Federal Police who are present in the country as the International Deployment Group training the PNTL. So far some 800 PNTL trained by the AFP in collaboration with the United Nations. Portugal deploys around 140 GNR as part of UNMIT (Expresso 2010), down from about 200 in 2009. The GNR itself is essentially a paramilitary unit, subject to military law and organization, which differs from the AFP's 'community policing' model, which consists of community partnerships, organisational transformation and problem solving.

Another state, the USA, also commits funds to police training, as part of the $9.45 million it provides to Timor Leste. While the majority goes to development assistance, and just over one million goes to International Narcotics Control and Law Enforcement, some $300,000 is directed towards International Military Education and Training, which involves creating a non-partisan and professional force that will support and advise the police (USAID 2009). Along side this is the non-UN *International Stabilisation Force* (ISF), which is the Australian led Operation ASTUTE, comprising an 'ANZAC Battle Group made up of Australian and New Zealand personnel, together with other support forces' (Nautilus 2010a).[2] Also in support of the military side, Australia has been training Timorese at the Royal Military College of Duntroon and two had graduated by mid 2008, while under the larger Defence Cooperation Program, again sitting outside of the UNMIT, ADF forces and NZ armed forces under Operation Tower, have been training F-FDTL troops and funded the construction of the $6 million training centre at Metinaro in March 2009 (Nautilus, 2010b).

Security Sector Reform (SSR) in Timor Leste is one of the main objectives of UNMIT. In February and March of 2010 three pieces of legislation were passed that essentially create a new National Security Policy in Timor Leste to create integrated action between the Armed Forces, Police and Civil Protection (East Timor Law and Justice Bulletin 2010). Such a step appears necessary as after the shooting of Ramos Horta in 2008, a joint command between Army and Police was set up but it appears to

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[2] The ADF website does not provide precise numbers but claims: "The ISF is in the process of adjusting its force size to meet improving peace and stability conditions in East Timor. At the completion of this process the ISF will consist of one Australian Infantry Company drawn from the Second Batallion, The Royal Australian Regiment, a New Zealand Infantry Company drawn from the 2/1 Royal New Zealand Infantry Regiment, and support elements such as engineers, logistics and supply personnel. The ISF also includes the Timor Leste Aviation Group (TLAG) drawn primarily from the Australian 5th Aviation Regiment with Australian Black Hawk S70A-9 helicopters. The ISF operates at the invitation of the Government of East Timor, and in support of the United Nations, to maintain stability and provide a secure environment for the ongoing development of East Timor." (ADF: 2010). The force may thus be anywhere between about 500-800 personnel.

not be functioning effectively (ICG, 2009) and policing the streets has developed into an issue of Timorese against international police, especially UN Police. Other possible obstacles to SSR include the ways in which members of the Timorese elite appear to be enjoying a privileged position, which weakens the perception that the law is being applied evenly. Presidential interventions in the justice system also make it difficult to create a feeling among the population that the law is indeed fair, and fairly upheld. Without this fundamental principal that no one is above the law, donor states have their work cut out for them to build a new police culture. They must include local actors in making a system that works for Timor Leste, but they must also work to create a system that is transparent and fair, so as to build respect for the law and human rights. At the moment at least two different, and competing, policing models appear to be the subject of police training in the PNTL – the paramilitary style of the GNR and the community policing style of the AFP. Both have their advantages, but they cannot exist within the same organization.

State building has an exit strategy and in Timor Leste the UN is gradually handing back responsibilities to the PNTL. In December 2009 the Police Intelligence Unit came under Timorese leadership, the seventeenth such unit to do so. Since May 2009 five districts, Lautem, Oecusse, Manatuto and Vinqueque, and the city of Bacau, have now come under PNTL command, while UN police assist and support their work. (UN News Centre, 2010a; 2010b). With over ten year of police training since UNTAET, even the Secretary General's Special Representative, Ameerah Haq, is urging caution, noting that while there has been remarkable progress, there are many obstacles ahead. She identified longer-term socio-economic challenges such as poverty, hunger, and health care as crucial to recovery and development. Within this context policing can lead the way in terms of a cultural transformation in social attitudes to what is acceptable behaviour for Timorese citizens **(**UN News Centre 2010c**)**.

While it is important for the PNTL to develop the capability to run itself, the extent of the transmission of a culture of respect for and education about RtoP is debatable, principally as the organizations doing the teaching in this vital state institution are perhaps themselves unaware of RtoP principles, or do not have RtoP as a specific part of their own training. This is not to say that international police do not know how to protect civilians; they clearly do, as this is the fundamental role of all police. Basic police training is to develop a person to assist those in need, to protect people from harm and to investigate complaints. It is not exactly the language of "RtoP" but it may work just as well. Adopting consistent training may be enhanced by the drafting of an international code of policing, a matter suggested by the Police Commissioner (Retired), and former Australian Police Adviser, Department of Peacekeeping Operations, United Nations, former UN Undersecretary of Policing, Andrew Hughes, at the International Challenges Forum (ICF 2010, Session 9) in the report back from the working group on policing. Further testing of this hypothesis will occur during fieldwork in 2010 and 2011.

Solomon Islands

Australian Overseas Development Assistance in Oceania supports 'police-building' (Goldsmith and Dinnen, 2007) and aims to develop capacity so that states in the region begin to adopt the culture of civilian protection through a strengthening of institutions. This is seen in Timor Leste and in Solomon Islands, to which in April 2003 the Howard government agreed to lead a force with the intention of stabilising the state and reducing levels of community violence. This overturned a long-term "hands off" policy when it came to the affairs of the Pacific Islands and as in Timor Leste, the operation in Solomon Islands involves both military and police in state building. RAMSI landed in July 2003 and is not a UN mission, although it does provide updates to the Security Council roughly every six months.

Australia is the largest single donor to the Solomon Islands state, providing almost $200 million (86%) of its aid funding on average in 2007-8. Aid also contributed over 35% of Solomon Islands GNI in 2008 (OECD 2010b). The only other significant donors are New Zealand ($20 million), and Japan ($12 million), although the Asian Development Fund ($6 million) and the European Commission ($5 million) also play a role.

RAMSI is ostensibly a multinational effort that is dominated and mostly funded by Australia. While initially characterised by a heavy military presence of over 1800, this quickly gave way to civilian policing and technocratic assistance in managing governance and balancing budgets. By August 2005, there were just 80 armed troops, half of them Australian, and matters appeared to have been going well. But state building is never simple and tensions sometimes flare, as they did following political instability in April 2006 when violence erupted and the commercial sector of Honiara was razed (Goldsmith and Dinnen 2007: 1102). The Australian Defence Force (ADF) was required to send in emergency troops to restore calm and to support the policing component, known as the Participating Police Force (PPF), who normally work alongside and mentor members of the Solomon Islands Police Force (SIPF), previously known, until 2005, as the Royal Solomon Islands Police (RSIP) (Nautilus 2010 c).

RAMSI's PPF is comprised of some 250-300 officers (precise numbers vary), mostly from Australia, New Zealand. Papua New Guinea police, as well as some from Vanuatu and 12 other Pacific islands states, also assist in the PPF, whose current commander is Wayne Buchhorn of the AFP. PPF have worked alongside the restructured and largely restaffed SIPF since 2003, when RAMSI acted on the endemic corruption within RSIP has and dismissed over 200 people from the 800 strong police force, later arresting 160 on various charges including 'corruption, murder, assault, rape, intimidation and robbery'. From 2004 at the Police Academy at Rove on Guadalcanal, PPF have trained four batches of recruits who are now operating in various parts of country (RAMSI 2010).

The PPF assist in training and building trust in communities as part of a strategy of community policing. Australian Federal Police comprise the largest portion of the PPF and contribute to the development of the community policing strategy. This process is assisted by New Zealand, which has allocated $36 million to Solomon Islands for 2009/2010, its largest bilateral programme. In terms of law and order New

Zealand works with AusAID to staff the legal system with qualified magistrates, as well as contributing police to the PPF who are themselves trained in community policing (NZAID 2010).

The PPF plays a variety of roles in Solomon Islands, among them training of RSIP officers, but there has been criticism of the model of policing adopted (Dinnen, McLeod, Peake, 2006:97) as it essentially imported Australian tactics and operations to Solomon Islands with little regard to existing practices. Poor cultural awareness and linguistic skills also made cooperation between RSIP and AFP in the PPF difficult, although moves recently have led to better preparation by AFP and more intensive in-country training. Lessons learned from the April 2006 riots have led to moves to increase deployment lengths for up to two years, and to provide accommodation for families to attract 'more stable long-term officers to the force' (O'Callaghan 2008: 191) so a greater sense of community policing has the chance of being established. The documentary *Policing the Pacific* (SBS 2006), showed that people's need for justice is strong, yet tensions remain between the justice of the state and the justice of *kastom* (custom). This strikes at the heart of the relationship betweens state and citizen, and highlights the seeming irrelevance of the state for many of its citizens. In part imagining a bond between citizen and state goes back to modern Western assumptions surrounding what states should do, and to the inability of many post-colonial states to meet the demands for services placed upon them. It points also towards an incomplete acceptance of the notion of state power as legitimate as people struggle to accept the legal and political culture imposed by 'exogenous state building' (Dodge 2006).

RAMSI must negotiate many complex issues, but the situation in Solomon Islands today is much improved on the violence that occurred between 1998-2003 when up to 20,000 people were displaced and dozens murdered (Hawksley 2007: 126). Levels of violence have diminished, and in the activities of RAMSI there is some intersection of POC and RtoP principles. RAMSI has funded a training course on corrections, delivered by the Queensland's Sunshine Coast TAFE, in which 25% of students were women and which has led to some capacity to assess and train other staff – essentially a train the trainer program (Solomon Times 2009). Many of these will operate the new correctional facility at Auki on Malaita. Gender mainstreaming, the practice of developing gender perspectives and equality within all levels and institutions of government, has been recognised as vital to building peace after conflict since at least 1997 (OSAGI 2010).

The most intensive training of SIPF comes through the Solomon Islands Police Force Leadership Development Program run by the Australian Institute of Police Management (AIPM 2010). The Force Leadership Program commenced in 2004 has five levels:
1. Leadership lessons delivered by SIPF instructors to recruits.
2. Introductory Police Leadership Program, to introduce officers to concepts of leadership.
3. Middle management Leadership Program for experienced officers to develop effectiveness.
4. Advanced Leadership Program for experienced officers.
5. Training of the executive of SIPF, including workshops and seminars.

Clearly there is an effort in Solomon Islands to build the police into a professional force, although exactly what the training consists of is unknown at this stage. The in-line patrols take SIPF officers through the basics of policing such as report writing, evidence taking, crowd management and crime scene investigation (*Policing the Pacific*, 2006). All of these things build towards POC and thus help develop the capacity of the state to administer its own laws and justice. Tensions remain between methods of modern policing and traditional concepts of justice through *kastom*, but it is obvious that the steps being taken are helping to develop a capacity to uphold law and order, at least in and around the capital of Honiara, and fieldwork will ascertain how far this influence spreads.

Conclusions

The adoption of Responsibility to Protect principles by the United Nations (UN) General Assembly through the World Summit followed a decade of soul searching after failure to protect adequately civilians from atrocities. After the April-June 1994 Rwanda Massacres the UN vowed Never Again would it fail to protect a civilian population from harm. The repositioning and reconceptualisation of the demands of sovereignty, so that states are primarily responsible for the treatment of all who dwell within their boundaries, has not yet solved this dilemma. State building, which involves security *with* development, aims to create the capacity for this to occur. In Timor Leste and Solomon Islands the idea of a national government is still a work in progress and these situations are complex. The UNSG's report (UNGA 2009: 13) notes that states that have already suffered war crimes and human rights violations, such as Timor Leste and Solomon Islands, have to work through a process of social reconciliation. This process must occur alongside the building of institutions so that social healing, and the strengthening of respect for law, order and the state are combined to create good and just societies.

A fuller examination of the interaction between police from Australia, Portugal and New Zealand, in particular, in training their counterparts in PNTL and SIPF, is especially important to discover whether positive and tangible improvements in human rights are filtering through to the communities being policed. On the bright side the function of police is to uphold the law and protect people from harm, so it is very likely that building strong police forces in Timor Leste and Solomon Islands will assist in creating capacity for these states to respect the rights of their populations. Whether this is in line with basic a POC function, or whether it develops its language to consciously adopt the rhetoric of RtoP remains to be seen.

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