



## SP: A VALUABLE TOOL FOR NATO'S HUMAN SECURITY APPROACH

*Stability Policing: A Valuable Tool for NATO's Human Security Approach.*

by Jose A. Lorenzo

*"Human security is 'at the heart of who we are and what we do: an Alliance working together to protect our people and our values – freedom, equality, human rights'... 'Taking a human security approach is the best way to achieve lasting peace and security'."*

NATO's Secretary General Jens Stoltenberg, 25 February 2021.

In recent years NATO has taken steps to adapt to the changing nature of conflicts in a post-cold war era. Nowadays, the irregular has become the normal, where many times disputes remain below the threshold of warfare and are con-

ducted via proxies, non-state actors, through cyber means, and/or terrorist actions, still remaining in the grey zone, a space where attribution is often challenging, and accountability therefore neglected. Frequently, victims are amongst the civilian population, which is being leveraged to achieve

litary objectives seems more apparent. In either case, NATO's set of common values, i.e., individual liberty, democracy, human rights, and the rule of law, are at risk.

Acknowledging these changes and the paramount importance of Human Security, NATO has empha-

**NATO WILL WORK AND REINFORCE COORDINATION AND COOPERATION WITH OTHER INTERNATIONAL ACTORS TO ADDRESS THE BROADER CONDITIONS PROMOTING CRISIS AND WIDESPREAD INSTABILITY AND CONTRIBUTE TO STABILISATION AND RECONSTRUCTION**

ve military objectives. In other instances, such as Russia's war of aggression against Ukraine, the targeting of civilians to achieve mi-

lised this in the new **NATO 2022 STRATEGIC CONCEPT**, which was adopted by Heads of State and Government at the NATO Summit



in Madrid on 29 June 2022. It stated that the **protection of civilians and civilian harm mitigation are central to NATO's approach to crisis prevention and management**. NATO will work and reinforce coordination and cooperation with other international actors to address the broader conditions promoting crisis and widespread instability and contribute to stabilisation and reconstruction<sup>1</sup>.

This reinforces the **NATO 2016 Policy on the Protection of Civilians**<sup>2</sup>, which asserts that NATO recognizes that **all feasible measures must be taken to avoid, minimize and mitigate harm to civilians**. When planning and implementing such measures, NATO should consider those groups most vulnerable to violence within the local context. NATO recognizes that, in general, children constitute a particularly vulnerable group during conflict and women are often disproportionately affected by violence.

This article will focus and explore the **benefits of having Stability Policing** within the NATO's toolbox and how it can provide an **added value to the Alliance** and contribute to the **Human Security** approach, including the protection of civilians, which the organization is now advocating for.

To better understand what Stability Policing is, it is necessary to provide a definition. NATO defines Stability Policing as: *"Police-related activities intended to reinforce or temporarily replace indigenous police forces in order to contribute to the restoration and/or upholding of the public order and security, rule of law, and the protection of human rights"*<sup>3</sup>. It can be identified as

the support to or conduct of Law Enforcement functions directed at policing the populace during a NATO-led military intervention.

The NATO 2019 publication, MC 0362/2 NATO Rules Of Engagement (ROE) recalls that civilian Law Enforcement is not a NATO function; however, it acknowledges that the situation may arise during a NATO/NATO-led military intervention. When this situation results the NATO forces may, under direction of the North Atlantic Council (NAC), and with the agreement of the Host Nation when appropriate, engage in support to or the conduct of civilian Law Enforcement functions. NATO's

involvement will then be determined by the political direction given by the NAC and specified in the Supreme Allied Commander Europe's (SACEUR) Operational Plan and Rules of Engagement.

Although Stability Policing is recognised in NATO through the **Allied Joint Publication 3.22 Allied Joint Doctrine for Stability Policing** (dated 2016) and the circumstance that NATO Forces have already been **de facto** performing Stability Policing tasks, similarly to those police activities performed by other relevant IOs (AU, EU, and UN), since the **Balkan Wars in the '90s**, surprisingly it remains highly unknown to many





within the NATO community.

In essence, Stability Policing aims at creating a **safe and secure environment** (SASE), restoring, and maintaining **public order, security**, and the **respect for the law** by strengthening (reinforcing) and/or substituting (replacing) Host Nation Law Enforcement agencies with the long-term objective of contributing to the establishment of the **Rule of Law**. Stability Policing can be applied throughout the **entire spectrum of conflict** to all NATO Operations, both **Art.5 and non-Art.5** Crisis Response Operations, conducting its activities other than combat, by engaging an adversary that is not a conventional enemy through **tailored-to-the-need procedures, means, equipment, and forces**. SP can be used for conflict prevention and support to civil authorities and to strengthen local Law Enforcement agencies by directing its efforts at establishing a SASE for the population, and to strengthen the indigenous police force. Stability Policing can operate until the transfer of responsibility to national or international Law Enforcement agencies. The very nature of Stability Poli-

cing activities require that its forces have **permanent contact with the local population**, authorities, and representatives of local, regional, national, international community members, and different stakeholders of the criminal justice system (police, courts and corrections), thus making Stability Policing through the conduct of civil-military interaction a key player in Civil-Military Cooperation (CIMIC), which will result in promoting the image of the force and of the Host Nation. This **people-centred** approach that Stability Policing brings about guarantees a closer contact with the civilian population, turning a **deeper understanding of the human environment** and allows the identification of the specific policing needs of the population, addressing both **preventive and protection-oriented** needs. It is this understanding of the human environment that allows to address specific actions and ensure that civilians are minimally impacted by conflicts and/or disasters. Stability Policing can contribute to NATO's overall protection of civilians' efforts by **addressing** topics such as **Children and Armed Conflict (CAAC)**; **Cultural**

**Property Protection (CPP)**; **Women, Peace, and Security (WPS)**; **Conflict Related-Sexual Gender Based Violence (CR-SGBV)**; **Trafficking in Human Beings**; **Sexual Exploitation and Abuse (SEA)**; and **Building Integrity (BI)**.<sup>4</sup> Children have been identified within the civilian population to be an **especially vulnerable** group in armed conflicts, and up to six distinct categories of crimes<sup>5</sup> have been identified as grave violations against CAAC. Stability Policing efforts in this area can be directed at **identifying and reporting of violations, raising awareness** amongst Host Nation Law Enforcement agencies and **training Host Nation counterparts to prevent and report** these serious crimes. Stability Policing activities can contribute to **minimize CR-SGBV** by **educating and training Host Nation Law Enforcement agencies** on these issues, with the **dual role** of **preventing** internal misbehaviour and **preparing** the local Law Enforcement agencies to perform tasks bearing a **gender perspective**, if not mandated to investigate. The article *"Serious Transnational Organized Crime: International Actors and Actions to Counter Human Trafficking and Smuggling of Human Beings"*<sup>6</sup> explains the link between serious transnational organised crime and trafficking of human beings and how this typology of crime could spill over to a conflict area where NATO may be present. As well, it also highlights the fact that **NATO is not a primary responder on Human Trafficking, and it could limit its efforts in "not fuelling"** this serious crime (by reviewing its supply chains to ensure no victim of human trafficking is exploited to provide services, and forbidding its troops to

THE VERY NATURE OF STABILITY POLICING ACTIVITIES REQUIRE THAT ITS FORCES HAVE PERMANENT CONTACT WITH THE LOCAL POPULATION, AUTHORITIES, AND REPRESENTATIVES OF LOCAL, REGIONAL, NATIONAL, INTERNATIONAL COMMUNITY MEMBERS, AND DIFFERENT STAKEHOLDERS OF THE CRIMINAL JUSTICE SYSTEM









engage with victims of trafficking for sexual exploitation) or it could take a more proactive approach and take measures to “fight” against the trafficking of human beings by investigating it with the use of dedicated assets such as the Stability Policing ones. In the case of an executive mission, when replacing the indigenous police force, Stability Policing could directly support international Law Enforcement agencies in countering this serious crime, and, when in a reinforcement mission, it could improve performances of the Host Nation’s responders support the Host Nation and serve as bridge to help prevent and counter the trafficking. Another area often overlooked is the protection of cultural heritage

and cultural property protection (CPP). This issue is primarily addressed from a perspective of armed conflicts, in The Hague Convention for the Protection of Cultural Property

in the Event of Armed Conflict of 1954 and its two protocols. Cultural Property (CP) is significant as it is an important sign of identity not only to a specific nation but to all humanity. CPP “shall comprise the safeguarding and respect of such property”. Stability Policing can be a crucial player in the fight against criminal activities such as illegal excavations and trafficking of looted antiques, as well as the protection of sacred places and cultural heritage. All these efforts are a key role in the recovery and stabilisation process<sup>7</sup>. During the “NATO Stability Po-

licing in Cultural property Protection Conference”<sup>8</sup>, organised by the Centre of Excellence for Stability Policing in Vicenza (Italy) from the 15<sup>th</sup> to 18<sup>th</sup> of November 2021, an event which brought together Italian and NATO authorities, representatives from International Organisations, and experts from the heritage sector, **Stability Policing was acknowledged as proactively safeguarding CP**, by - inter alia - improving situational awareness, preventing adversaries from obtaining illicit revenues from its trafficking, and promoting Host Nation’s cultural identity<sup>9</sup>.

Until here we have seen that Stability Policing can provide NATO with a policing capacity specialised in addressing the local populace. It has

**CURRENTLY THE NATO STABILITY POLICING CENTRE OF EXCELLENCE IS ORGANISING A CONFERENCE, TO BE HELD IN JUNE 2023, WHERE RELEVANT EXPERTS WILL EXAMINE “NATO STABILITY POLICING’S ROLE IN HUMAN SECURITY”**

a multifaceted character, capable of delivering tailored-to-the-need procedures, equipment, and forces, which allows Stability Policing to address the above-mentioned cross-cutting topics, which are at the heart of the Human Security approach. **Yet, experience has shown that the civilian policing dimension has been left out of NATO’s planning phase.** In these scenarios NATO has found itself playing catch-up once and time again regarding the policing dimension in NATO operations. The reality of the matter is that, since the Balkan wars in the late 1990’s,

the necessity of NATO having to provide policing capacity to replace or reinforce the indigenous police force has surged in Bosnia, Kosovo, Iraq, and Afghanistan.

Regarding this last example, the NATO Stability Policing Centre of Excellence, under NATO ACT’s aegis between the 5<sup>th</sup> and the 7<sup>th</sup> of July 2022, carried out a conference – “Stability Policing in Afghanistan: did NATO miss an opportunity? Lessons from a 20-year campaign”, during which it was identified that **the Alliance and the International Community did not consider the role that Stability Policing could have played in filling the “public security gap”** between local institutions and the Afghan population. This created

a capacitive vacuum, which alienated Afghan National Police and local institutions from the populace, whose basic security needs have been completely neglected.

Furthermore, criminal networks, terrorism and insurgency were being combated almost exclusively through the military instrument, rather than also using the police instrument. This gap could have been bridged by Stability Policing, which inter alia could have contributed to the fight against corruption, the protection of ethnic minorities, cultural heritage, and women’s rights<sup>10</sup>. The importance of a credible and reliable police force is vital, this was highlighted by Colonel Giuseppe DE MAGISTRIS, Director of the NATO Stability Policing Centre of Excellence, in a recent publica-







tion when referring to the opportunity missed in Afghanistan, writing that *“Being the first to interact with the population, ensuring their security and basic needs, the Police are the most visible expression of a government; however, if perceived as inefficient and predatory, they undermine the legitimacy of the central authorities”*.<sup>11</sup>

In this regard, NATO Secretary General’s Special Representative for Women, Peace, and Security — Dr. Irene FELLIN — echoing the Warsaw Summit declaration<sup>12</sup>, highlighted that there is the need to include a **“Stability Policing dimension”** in the protection of civilians. She also emphasised that the Comprehensive Approach by NATO cannot be separated from the balanced **coexistence of purely military instruments along**

**with additional capabilities and a wider spectrum with a specific focus on populations.** This would include Stability Policing, which fills a clear “gap” in the list of instruments available to the Alliance. Moreover, she drew attention to NATO’s Human Security issues and to the role Stability Policing plays in NATO’s integrated approach to the management of current and future crises, with a focus on what is happening in Ukraine<sup>13</sup>.

With the Stability Policing Concept<sup>14</sup> currently under revision, it may be a good opportunity to adapt it to the new 2022 Strategic Concept; to determine the necessity of having an expeditionary police assistance capability resourced with sufficient numbers of qualified and trained police assistance experts; and to highlight the con-

tribution that Stability Policing can deliver to NATO operations and support its integration to all phases of planning and execution.

Currently the NATO Stability Policing Centre of Excellence is organising a **conference**, to be held in **June 2023**, where relevant experts will examine **“NATO Stability Policing’s role in Human Security”** and hopefully raise awareness of the added value that Stability Policing can bring the Alliance in current and future crisis scenarios.

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depending on the circumstances.

This article has been published on the NATO SP CoE website and on the NATO SP CoE Twitter account.

#### Pictures source

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#### note

- 1 NATO 2022 STRATEGIC CONCEPT is accessible at <https://www.nato.int/strategic-concept/>
- 2 NATO Policy for the Protection of Civilians, endorsed by the Heads of State and Government participating in the meeting of the North Atlantic Council in Warsaw 8-9 July 2016, available at [https://www.nato.int/cps/en/natohq/official\\_texts\\_133945.htm](https://www.nato.int/cps/en/natohq/official_texts_133945.htm)
- 3 NATO agreed term, can be accessed at <https://nso.nato.int/natoterm/Web.mvc>
- 4 NATO's Human Security work currently focuses on five areas where the Alliance can be most effective: Protection of Civilians; preventing and responding to Conflict-Related Sexual Violence, combating Trafficking in Human Beings, Children and Armed Conflict, and Cultural Property Protection. This paper will focus on how NATO SP can contribute to these five areas. Likewise, and within the broader approach of the Alliance, SP works to address gender inequality by integrating gender perspectives through the Alliance's three core tasks of deterrence and defence, crisis prevention and management, and cooperative security.
- 5 The Six Grave Violations Against Children During Armed Conflict 1. Recruitment and use of children 2. Killing or maiming of children 3. Sexual violence against children 4. Attacks against schools or hospitals 5. Abduction of children 6. Denial of humanitarian access.
- 6 David Elerro (2021) "Serious Transnational Organized Crime: international actors and actions to counter human trafficking and smuggling of human beings", COESPU magazine 2021-3 Edition. <https://www.coespu.org/magazine/coespu-magazine-3-2021>; the author is a Subject Matter Expert in combatting trafficking of human beings, a Senior Officer with FRONTEX and previously having managed projects in this area for EUROPOL.
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- 11 Colonel Giuseppe DE MAGISTRIS (2022) "Stability Policing, the great absence in the Afghan conundrum", GENDARMERIE IN THE INTERNATIONAL FRAMEWORK - ROMANIAN GENDARMERIE - DECEMBER 2022. <https://www.nspcoe.org/wp-content/uploads/2023/02/SP-the-great-absent-in-Afghan.pdf>
- 12 See footnote n. 2.

- 13 From Ms. FELLIN's speech at the Carabinieri Officers' College in Rome, on the 20 October 2022 presentation of the United States Special Inspector General for Afghanistan Reconstruction report: "Police in Conflict: lessons from the U.S. experience in Afghanistan", produced by the United States Special Inspector General for Afghanistan Reconstruction (SIGAR) in collaboration with the NATO Stability Policing Centre of Excellence based in Vicenza (NATO SP CoE). <https://www.nspcoe.org/presentation-of-the-sigar-report-police-in-conflict/>
- 14 Stability Policing Concept by the two NATO Strategic Commands, Allied Command Transformation in Norfolk, Virginia and Allied Command Operations in Mons, Belgium, aimed at supporting the identification of the requirements needed to develop and implement a coherent Stability Policing capability (draft under revision and pending approval).



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