

# Inspectorates-general and the promotion of good security governance

## The example of Madagascar

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In Sub-Saharan Africa, DCAF helps to promote the good governance and accountability of security forces through a number of measures, including support to the inspectorates-general. DCAF currently works alongside the Inspectorate-General of Security Services and Civil Protection in Mali<sup>1</sup> and the Inspectorate-General of Security Services in Niger<sup>2</sup>. In Madagascar, we are implementing projects aimed to build trust between the civilian population and law enforcement agencies through support initially focusing on the National Police Inspectorate-General<sup>3</sup> and then extended to the Inspectorate-General of the Gendarmerie<sup>4</sup>.

In terms of our support for security sector reform processes, what are the advantages of focusing our attention on domestic supervisory authorities such as security service inspectorates-general? How can the support we provide directly benefit security forces (police, gendarmerie) bearing in mind that, on average, scarcely 30 officers are employed by inspectorates-general? Can our cooperation with these little-known and undervalued institutions, whose role is often dismissed as ineffectual, eventually have a genuine impact on the effectiveness, accountability and good governance of these security forces?

In an attempt to provide answers and identify the impact of support measures tailored to the needs of inspectorates-general, this policy paper will look at the work carried out by DCAF in Madagascar and, specifically, the centre's work with the National Police Inspectorate-General (IGPN).

Our choice to focus our work in Madagascar on inspectorates-general can be explained by two fundamental considerations:

- The first is pragmatic. As part of an **intervention strategy**, the required investment will be minor while the expected impact on the modest structure of the inspectorate is likely to be major.
- The second is related to the multiplier effect that can be achieved by supporting inspectorate-general efforts to **improve governance** throughout the whole institution (e.g. the police).

## An intervention strategy

The formulation and implementation of initiatives focusing on inspectorates-general have several potential advantages.

From a "project management" perspective, the following preliminary questions are crucial: What is the relationship between the cost of intervention and its potential impact? Is the intervention broadly subject to political considerations?

The first question refers to the **streamlining of resources** required for the intervention. The more targeted the intervention (fewer beneficiaries), the lower the cost. Inspectorates-general are most often moderate in size and have limited staff numbers. With this kind of institution, it may be possible to arrange activities for 20-30 participants, especially intensive training courses, that include all staff members, or at least all managerial staff, and not only one or two representatives. Working with all or most staff members enables issues related to institutional cohesiveness, vision, strategy, management and

process to be addressed. Although these topics are often overlooked, they are essential for an organisation's effectiveness. With relatively few resources, we can maximise the impact on the effectiveness of this structure (e.g. IGPN) and subsequently the effectiveness of the corresponding institution (the police). Conversely, although it is important to work alongside police or gendarmerie schools or academies, this will often require more time and greater investment. In Madagascar, all IGPN staff attended an intensive two-week training programme during which fundamental issues were addressed (e.g. disciplinary and administrative proceedings) and internal documents governing the functioning of the institution (such as mission, vision, strategy and communication) were produced.

The second question pertains to the **positioning of the intervention**. As we are aware, security sector reform (SSR) is an unmistakably political process. Helping to advance this process by implementing strategic projects undoubtedly runs the risk of deadlocks, delays, or reversals. At the same time, by working at an institutional level (e.g. the police) and, by extension, with a structure within this institution, it is possible to evade the sphere of politico-strategic influence. This influence will unquestionably remain (especially if the inspectorate-general reports directly to the Minister, as in the case of Madagascar) but it will usually not bring the whole process to a standstill. In Madagascar, even though the SSR process launched in 2016 has since experienced protracted periods of inactivity, it was still possible – and more than ever opportune – to maintain our commitment to IGPN.

## Leverage at an institutional level

### 1. Basis of the leverage

#### A remit defined by accountability

Inspectorate-generals of police and gendarmerie are the structures through which relevant forces are **held to account**. By and large, their mandates are three-fold:

- 1) Ensuring compliance by officers with their professional and ethical obligations via judicial and administrative investigations arising from violations or breaches of duty;
- 2) Promoting ethical standards and codes of conduct to police and gendarmerie officers;

- 3) Carrying out inspections and audits of the organisation and services, and helping to establish professional standards and practices.

The mandate of security inspectorates-general usually extends to all processes that are necessary to guarantee good governance within a security institution based on optimised operating practices of services and the promotion and protection of standards and texts regulating the obligations of officers. As a result, by striving to increase the ability of inspectorates-general to effectively carry out their duties, it is possible to **influence the good governance of the whole institution in question** (police, gendarmerie, etc.).

Efforts to strengthen an inspectorate-general of security forces must consider a number of dimensions which relate to both the inspectorate itself and the security institution as a whole. An in-depth assessment of a police inspectorate-general must therefore address, in turn, the governance of the whole policing institution. In Madagascar, our first activity consisted in conducting a thorough assessment of the IGPN; this addressed aspects such as strategy, structure, regulatory framework, procedures, human resources, communication, etc. The analysis of each aspect brought to light the implicit deficiencies and areas for improvement within the police force and the ministry to which it reports. This point is illustrated below.

#### An independent, organic positioning

If a body or authority is responsible for overseeing the action of defence or security officers, it should be independent. In the case of a "internal" authority, such as an inspectorate-general, the authority's independence will, in principle, be guaranteed by the fact that it does not report to, and is not therefore accountable to, the Inspector General of Police (IGP) but to the Minister himself. This autonomy allows the inspectorate to conduct administrative and judicial inquiries with complete objectivity and impartiality.

At the same time, it is important for the authority responsible for conducting the disciplinary proceeding and ruling on the case to be autonomous. In Madagascar, this authority, known as the Disciplinary Board, was a component of the inspectorate-general itself. As a result, a single body (IGPN) conducted the inquiries and ruled on the defendant's responsibility. Based on DCAF's recommendation, changes were made to this structure, as a result of which the Disciplinary Board no longer reports to the IGPN.

## 2. Illustrations of the multiplier effect of the actions taken by inspectorates

There are numerous benefits to supporting inspectorates-general for the whole security institution. Several examples are described below.

### Assessing the hierarchical control exercised by the relevant authority

The responsibility for ensuring that officers fulfil their professional and ethical obligations rests jointly with hierarchies and inspectorates general. As a result, efforts to support inspectorates-general will allow the **scope, effectiveness and legality of the hierarchical control exercised by the relevant authority** to be assessed at the same time.

An analysis of the inspectorate's performance in administrative inquiries following alleged breaches of duty by officers enables us to address the way in which superior officers discharge their own command duties. If, for instance, cases involving minor breaches are referred to the IGPN, as in the case of Madagascar, this is symptomatic of a dysfunctional chain of command. We take the view that an inspectorate-general should only deal with serious or sensitive cases, whether they pertain to administrative or judicial matters. So-called minor administrative failings should be penalised directly by superiors, bearing in mind that discipline is a key component of command. As part of the support we provide to the IGPN, departments are encouraged to impose direct penalties as they are likely **to prevent the failings of officers in all positions and police stations**, especially as the penalty, which is quickly handed down and understood by other colleagues, has an educational aspect. On the other hand, analysis of hierarchical controls may also reveal abuses of authority, in violation of international human rights standards. The work carried out alongside the IGPN in Madagascar highlighted, for example, abusive use of "strict arrests" (detention of an officer for up to 10 days), which can constitute arbitrary detention.

### Improving the way security services operate

Through initiatives tailored to the needs of an inspectorate-general, we are able to gain insight into how the relevant security services operate and, in turn, propose measures aimed at improving the efficiency and effectiveness of security services.

One of the key characteristics of inspectorates-general is that they improve the way in which services operate. This predominantly takes the form of inspection and

audit activities. Needless to say, enhancing the knowledge and expertise of inspectorate officials so that they are able to conduct inspections and audits and issue recommendations to the relevant services will directly help to improve the way in which the institution functions. But the inspectorate's influence can extend even further. The idea is to enable the inspectorate to go beyond simple compliance checks based on analyses of the context, the factors which might have led to or favoured the violations detected, or risks linked to internal procedures or the analysis of statistics (violations detected in the context of inspections; statistics of the disciplinary board; feedback from services) to gain comprehensive insight into the failures in service. **The analysis and recommendations issued by inspectorates can be used by the relevant ministry as a powerful strategic tool.** The ministry may use this analysis to conceive and implement appropriate reforms aimed at improving the effectiveness of services.

### Establishing a culture of professional ethics

An inspectorate-general of internal security forces is both **the guardian of and the means for dissemination of professional ethics**. Extending the influence of an inspectorate-general may involve increasing its capacity or its techniques, over the medium to long-term, with a view to establishing a genuine culture of professional ethics across all security forces.

With this aim in mind, we must build on this "robust core" of professional ethics and integrity principally embodied by members of the inspectorate and, if necessary, enhance knowledge and skills if we are **to trigger a multiplier effect across the security forces**. The approach is two-fold. On the one hand, it is about encouraging (as we have done in Madagascar) inspectorate officials to take an active role in professional ethics training sessions, both in terms of creating modules and conducting the training courses (initial and ongoing training). On the other hand, it is necessary to understand the inspectorate for what it is: a small structure whose personnel and logistical resources are often very modest, and which does not have the capacity alone to train officers in, and raise awareness of, professional ethics. As in the oversight of the actions and conduct of officers, inspectorates must have access to the resources of territorial departments to pass on and extend the impact of their action in terms of promoting professional ethics throughout the territory. In Madagascar, in view of the limited human resources and the difficulty of accessing units outside the capital Antananarivo, we advised the IGPN to liaise with the Public Security Department to

build, train and coordinate a network of 22 ethics representatives from each of the 22 regions in the country. In addition to the fact that this network of representatives would increase awareness of a culture of professional ethics, it would give all officers access to an individual contact who advises on ethical and disciplinary matters. Finally, as these representatives could act as "whistle-blowers": they can make sure that information is anonymously reported to central authorities from the territories.

### Ramping up the fight against corruption

As the inspectorate-general is key to establishing a genuine culture of professional ethics within the forces of a security institution, it must be the **standard-bearer in the fight against corruption and the principal medium through which the anti-corruption policies formulated by the respective ministry are implemented**. The eradication of corruption is necessary but not enough. Prevention is essential to bringing about a change in individual and collective behaviour and establishing a genuine culture of professional ethics. An inspectorate-general regulating security forces is perfectly placed and, in principle, adequately resourced to bring about such a change in behaviour. As corruption often thrives in a culture characterised by a non-existent sense of public service, it is up to inspectorates-general to promote and present their institution as an authority which acts in the interests of the civilian population. Besides their duties of raising awareness of applicable rules and standards and warning of the disciplinary and criminal consequences of violations, inspectorates-general have the necessary authority to prevent and detect acts of corruption. The inspectorate may conduct inspections and audits to detect suspicious transactions, prevent and identify risks in cases of corruption, and propose appropriate procedures to reduce these risks.

In this regard, Inspectorates-general constitute the core of a culture of internal control and risk management within the institution. They are ideally positioned and qualified to establish the relevant process within the gendarmerie and police stations, to promote a culture of ethical behaviour and to monitor the effective implementation of the procedures.

Furthermore, as the inspectorate deals with public grievances, it should conduct cross-cutting analysis of grievances to identify any acts of corruption and subsequently root out any systemic corruption in a particular territory or throughout a specialised department.

### Promoting links between the security institution and the civilian population

Provided the inspectorate-general is visible and accessible to the public, it is **ideally placed to raise awareness among the civilian population of the benefits of the security institution and, on this basis, strengthen or even (re)build relationships of trust**.

Security force inspectorates-general are set up to deal with (in administrative terms) or rule on (in judicial terms) only serious or sensitive issues. However, these tend to come to the public's attention and do the greatest damage to the institution's image. To the extent that the treatment of the population's grievances involves serious or sensitive events or failings, if the inspectorate to which the issue is referred responds in a competent, exemplary and objective manner, it becomes the interface between the institution and the public. Its actions epitomise the institution's determination not to allow any officer who breaches his or her obligations to escape legal or administrative proceedings. Supporting inspectorates-general to ensure that they are able to admit and deal with the population's grievances in an effective and efficient manner may have significant medium or long-term **impact on the institution's image as an authority which acts in the interests of civilians**.

## Conclusion

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Initiatives tailored to the needs of these inspectorates may, on the basis of modest efforts, have a significant impact on security institutions. To this end, it is important to draw on all the potential of an inspectorate-general in terms of the resources and skills it develops whilst performing its duties. By comprehensively analysing an inspectorate-general, simple and relatively easy-to-implement recommendations can be formulated, based on the inspectorate's potential multiplier effect across the whole institution. This paper has outlined several examples of this potential multiplier effect, such as improving the way in which services function, and promoting compliance with professional ethics, on which trust between the population and security forces is built. Supporting an inspectorate-general will also have bearing on overall state strategies in terms of tackling corruption, **on the understanding that a high level of integrity across all security forces is required in order to do so**. Security inspectorates-general are therefore influential stakeholders in the work done at the national and international levels for good security sector governance.

## Author

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## References

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- 1 As part of the project "Enhancing Security Governance in Mali", funded by the Government of The Netherlands.
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- 3 DCAF initially supported the Inspectorate-General of the National Police in Madagascar, as part of a project "Support to internal and external oversight of the National Police of Madagascar" funded by the French Ministry of Foreign Affairs.
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