

Editors :
Aditya Batara G.
Beni Sukadis

BORDER MANAGEMENT REFORM

in Transition Democracies



LESPERSI
Lembaga Studi Pertahanan dan
Studi Strategis Indonesia



The Geneva Centre for the
Democratic Control of Armed Forces

Border Management Reform in Transition Democracies

Editors

Aditya Batara G

Beni Sukadis

Contributors

Pierre Aepli

Colonel Rudito

A.A. Banyu Perwita, PhD

Zoltán Nagy

Lieutenant-Colonel János Hegedűs

First Edition, June 2007

Layout

Front Cover

Lebanese-Israeli Borders

Downloaded from: www.michaelcotten.com

Printed by

Copyright

DCAF & LESPERSI, 2007



**The Geneva Centre for the
Democratic Control of Armed Forces**



LESPERSI
Lembaga Studi Pertahanan dan
Studi Strategis Indonesia

FOREWORD
Sriptto, SH
Vice Chairman of 3rd Commission, Indonesian House of Representatives
And
Chariman of Lelperssi Founder Board

Border issues have been one of the largest areas of concern for Indonesia. Since becoming a sovereign state 61 years ago, Indonesia is still facing a series of territorial border problems. Up until today, Indonesia has reached agreements with its neighbouring countries related to demarcation and state border delineation. However, the lack of an unequivocal authority for border management has left serious implications for the state's sovereignty and its citizen's security.

The Indonesian border of today, is still having to deal with border crime, which includes the violation of the territorial border, smuggling and terrorist infiltration, illegal fishing, illegal logging and Human Rights violations.

These kinds of violations have also made a serious impact on the state's sovereignty and citizen's security. As of today, Indonesia still has an 'un-settled' sea territory, with regard to the rights of sovereignty (Additional Zone, Economic Exclusive Zone, and continent plate). This frequently provokes conflict between the authorised sea-territory officer on patrol and foreign ships or fishermen from neighbouring countries.

One of the principal border problems is the Sipadan-Ligitan dispute between Indonesia and Malaysia, which started in 1969. On 17 December 2002, Indonesian was shocked by the International Court of Law's verdict that Malaysia has the legal ownership of Sipadan-Ligitan island as its sovereign territory. *Firstly*, Indonesia did not claim both of these islands as a part of the Unitary State of The Republic of Indonesia, in Perpu No.4 Year 1960 on Indonesian Sea Territory. As a consequence, therefore, the government's claim was based on an historical event related to a Convention of 1891 between the Netherlands and Britain.

Secondly, Indonesia has been left far behind by Malaysia who has passed two acts for the administration of the Sipadan-Ligitan Islands: to operate the lighthouse since early the 1960's and the tourism act since 1980's. Therefore, Malaysia used the argument that as they were effectively administrating the islands, they could therefore claim ownership of them.

Based on these experiences, at least, there are two major problems regarding Indonesia's borders that need an immediate solution. *Firstly*, there is

no clear agreement and regulation in respect of Indonesia's border territory, especially in the case of the sea-border. Above all, other countries such as Japan and USA do not adhere to in UNCLOS Convention of 1982 (United Nation Convention on Law of The Sea). Thus, Indonesian waters, with their lack of regulated and agreed borders, have the potential to be violated by other countries. *Secondly*, there is no clear authority designated to manage the Indonesian border, and as such, the condition of the border today is in a critical phase, particularly with regard to the aspects of security and stability.

Another issue, that is no less important, is the lack of public participation in relation to border issues. In order to resolve this fact, LESPERSSI (Indonesian Institute for Strategic and Defense Studies) considers it is necessary to carry out a series of seminars regarding the management and control of the border. The main focus of LESPERSSI is concentrated on the matters taking place at the actual border area, which of course includes the issue of security. Borders should be viewed as a part of the national security system, and one must take into account the strategic position of Indonesia's borders as the exit/entry point of people and commodities from many other countries, which can potentially threaten the security of all our citizens.

On 21 March 2007, LESPERSSI, in corporation with DCAF Switzerland (The Geneva Centre for Democratic Control of Armed Forces) conducted a seminar on "Good Practices in Border Management and Border Security: Lessons Learned in New Democracies" at the Grand Preanger Hotel, Bandung. LESPERSSI tried to accommodate various issues on border security and to put forward solutions.

This book summarises the presentations made and the results of the seminar discussion, in order to provide information for the stakeholders involved in the management of the state border. This book also explains the importance of state border management in relation to the reform of the security sector, the experiences of other countries (the case of Hungarian border-guard reform), Indonesia's current border condition and relevant issues, and provides discourse on the establishment of an Indonesian border guard in the future. This book also includes DCAF's border security programme in South Eastern-Europe, that can provide useful lessons for the Indonesians, whilst carrying out reform of the management of their state border.

Finally, LESPERSSI would like to convey its gratitude to DCAF for their trust and to the Germany Foreign Ministry for their support in the publication of this book.

Jakarta, June 2007

FOREWARD

Why Democratic States have Dedicated Border Management Services The Necessity for a Specialised, Professionally Trained Border Guard

**Philipp H. Fluri, Deputy Director, DCAF
Alison Buchanan, Project Coordinator, DCAF**

Borders traditionally define geographic boundaries of political entities or legal jurisdictions, such as governments, states or sub-national administrative divisions. The 20th century, following the collapse and break-up of long-standing empires, has been, with the resurgence of nationalist states, an era of defining and demarcation. This was further extended and complicated by the collapse of the Soviet Union and end of the Cold War, the most striking case being that of Yugoslavia; but paradoxically now that the Cold War is over, the ensuing changes have made our security environment extremely volatile and the world less safe than it was then.

Therefore, an increasingly urgent problem facing the world today is that of border security.

Borders exist for a multitude of reasons: to regulate immigration, both legal and illegal; to control the movement of people, collect customs duties, prevent smuggling of weapons, drugs, endangered species and hazardous material, and to control the spread of diseases. There is an increase in the trafficking in human beings, and even of weapons of mass destruction. In today's world of rapid and effortless travel across around the globe, our airports and seaports also classify as borders, and managing them in the 21st century is a daunting and infinitely more complex task than ever before. The threats of today are more subversive, penetrating and sinister – more lethal by far than previously.

The reasons for this are many. There is the new phenomenon of globalisation, with its many benefits, creating a borderless, boundary less world, with goods and services moving freely over the globe and changing world relationships. Unfortunately it has enabled crime also to move freely over the globe and criminals of various specialisations are working hand-in-hand; to quote Ambassador Carlos Pais "weak Rule-of-Law is their breeding-ground; money-laundering their bloodline; porous borders their highways; new technologies, like the mobile 'phone and the Internet, their preferred gadgets." ¹ So the second element to shape our security environment is the advance of technology which has moved with the speed of light and aided and abetted globalisation. Technology must be used to counteract, rather than encourage, crime and enhance better and more efficient ways of working together.

The third, newest and possibly most fearful threat to world peace, prosperity and security is that of terrorism, described as a phenomenon that sits somewhere between warfare and crime, the fear of harm and destruction from terrorists lurking in every airport, office tower, underground station and quiet street – an all-pervasive nightmare. With these new threats, the role of the border guard has changed dramatically.

¹ Ambassador Carlos Pais, Head of the OSCE Spillover Monitor Mission to Skopje; Address to the Second Ministerial Review Conference in Skopje, February 2005

These three new sources of threat differ from threats of the past in that they cross borders, and as such are no longer defined by territory. The previous clear distinction between domestic threats and international ones is now blurred. Ensuring the security of each country demands not merely an efficient border security system, but much better co-operation between all the agencies and organisations involved, not just at national level but at regional and international level.

Efficient and effective border management *respecting human rights and the rules of civilised behaviour as observed in democracies* is therefore an essential task for individual states, which greatly influences both national and international security and trade facilitation. Efficient and effective border management enables citizens to live in an area of freedom and security, where they can travel more freely and where business can operate more effectively across borders, which are the key requisites for economic growth and poverty reduction. Today, the steady flow of people and goods across our borders may help to drive our economies, but as such this can also serve as a conduit for terrorists, weapons of mass destruction, illegal migrants, contraband, and other unlawful commodities. The new threats and opportunities of the 21st century therefore demand a new approach to border management, encompassing two key principles:

- Firstly, a States' air, land, and sea borders must provide a strong defence for its people against all external threats, most importantly international terrorists but also drugs, foreign disease, and other dangerous items.
- Secondly, control of a States' border must be highly efficient, posing little or no obstacle to legitimate trade and travel.

This, however, presents the authorities involved with a complex and diverse task, as they are expected to achieve a fine balance between ensuring on the one hand "tight controls" in relation to criminal activities, and on the other hand guaranteeing free movement of ideas, persons and goods. What, then, are the solutions to these new and multiplying problems and dangers?

This is undoubtedly a long-term process necessitating considerable understanding at all levels of authority and by the ordinary citizen. Security can no longer be linked to border lines only. Border security can no longer stand alone, because of the afore-mentioned effects of globalisation, cross-border criminality, and terrorism. Border surveillance of today means border management, which must comprise all modern principles of leadership and personnel management and state of the art of technical devices. Modern border management is crime prevention and prosecution requiring much cross-border co-operation and international sharing of its burdens.

So many factors are involved – historical, economic, political and social and cultural. Border guards everywhere must co-operate to harmonise their standards and co-operate to fight the insidious, all-encompassing threat to a stable and peaceful world. Citizens expect their Governments to deliver high quality personnel on the borders, capable of responding to the uncertainties and threats of today's security environment.

There must, therefore, be a willingness to learn new processes to achieve our aims, while thinking, planning and acting across the many mandated areas of responsibility. All this requires reshaping of border security agencies – of their organisation, their structure and strategic and operational command and control procedures, their logistics, their special equipment, and above all, their education and training.

As well as perception of the supranational nature of the problem, as well as far greater financing, as well as a willingness to co-operate internationally and integrate different areas of authority – law, police, military etc, border control must take on a new professionalism, becoming a distinctive specialist force integrated into the policing system rather than part of the regular police or of the military. Personnel involved in managing borders should be a specialist professional force, requiring specialised skills and qualifications. This calls for specially trained staff who can use and put into practice this integrated system consisting of elements such as green and blue border patrols, passport check points, a visual and technical observation network, border patrol ships and planes, the capacity for risk analysis, criminal investigation and intelligence etc.

It is clear that today's Border Guards need to rise to these new challenges that face them. As the security environment changes, the role the border guard plays is an increasingly important one in the protection of the security of citizens. Successful border guarding depends to an even greater degree on the ability of the people, properly trained, motivated and equipped, focused and organized on achieving results, and directed by outstanding leaders throughout the chain of command. This ultimately implies the need to develop, adapt and implement new concepts for vocational training. Responsible authorities need to be able to adapt proactively to current training, and to generate improved performance and individual growth within the organization. The issue of training and education has thus become pertinent as never before, and authorities must not only define what knowledge, skills and attitudes are necessary to perform the specific border guarding tasks, but must also assess training needs and specify needed competences.

A final crucially important factor is the one of human resource management together with extensive and qualified training. Recruiting able people may not be enough. They should be dedicated people, with a clear sense of purpose and of the vital importance of their task. Without professionally trained personnel, harmonisation of standards and cooperation between countries, organized crime will continue to make use of porous borders and ill-equipped and poorly motivated border staff.

Geneva, June 2007

Aditya Batara G. & Beni Sukadis (eds.), *Border Management Reform in Transition Democracies*, (Jakarta: DCAF & Lesperssi, 2007)

TABLE OF CONTENTS

FOREWARD

Suripto, S.H

Philipp H. Fluri and Alison J. Buchanan

TABLE OF CONTENTS

FIRST PART

Border Management in Transition Democracies

Border Management in Transition Democracies

Pierre Aepli

SECOND PART

Border Management in Indonesia: Status and Needs

Border Security Issues

Colonel Rudito

National Border Management and Security Problems in Indonesia

Anak Agung Banyu Perwita, Ph.D.

THIRD PART

Lessons Learned from Other Countries

Case Study: Border Management Reform in Hungary

Three Factors of Reform: Law Enforcement Reform in Hungary with Schengen Training Case Study

Zoltán Nagy

Hungarian Experiences of Border Management Reform from 1989 to 2007: Lessons Learned in Establishing a Demilitarised Border Management System

Lieutenant Colonel János Hegedűs

FOURTH PART

Border Management Reform in Indonesia

*Border Lines Management in Indonesia: An Effort to Guarantee
Citizen Security*

Aditya Batara G

Border Issues as Part of Law Enforcement

Beni Sudakis

FIFTH PART

DCAF's Border Security Programme

*Lessons Learned from the Establishment of Border Security
Systems: General Information on Past, Present and Future
Activities*

International Advisory Board for Border Security DCAF

APPENDIX

Notes from Discussion (Review)

Authors

BORDER MANAGEMENT IN TRANSITIONAL DEMOCRACIES

Pierre Aepli
DCAF Senior Consultant

INTRODUCTION

The purpose of this article is to look at the changes that affect border guarding and to illustrate their consequences for countries in transition towards democracy. To do that I shall place the border guard in the global security system and show the effects of the evolution of the latter for the border guards' role, organisation and relations with the other actors of the security system. Experiences made in South-Eastern Europe form the basis of this article.

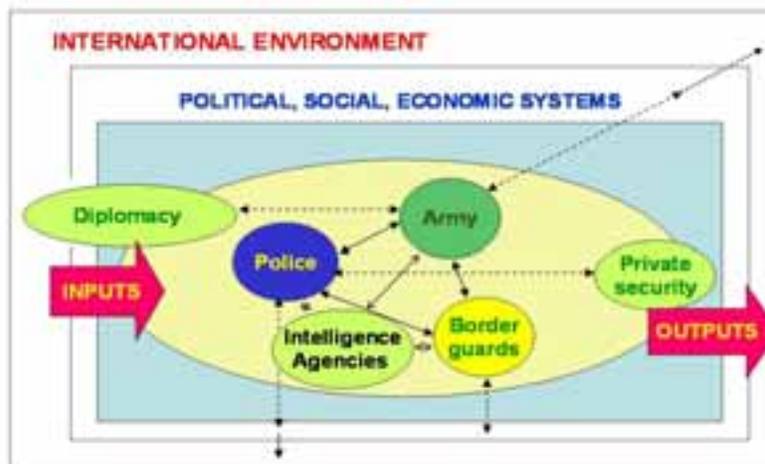
One could object that the circumstances of Indonesia are totally different to the ones prevailing in Eastern Europe because of history, geography and politics. But if we look beyond disparities, we shall find common features between both situations: what is at stake in each case, is the mastering of the change process.

In this short study, I shall begin by examining the security system and its evolution, before looking at the reforms taking place in the border guard organizations of Eastern Europe. I shall then consider the change process and its key factors of success before concluding.

THE BORDER GUARD AS AN ACTOR OF THE SECURITY SYSTEM

Security can be seen as the product of a system, the objective of which is to assure the protection of the State, its society and its citizens. The different actors of the system will contribute, independently or in collaboration, to this objective. The following figure describes the security system and some of its actors. One sees that the security system is in fact a sub system of larger systems which will affect its evolution.

Figure I.1. The Security System

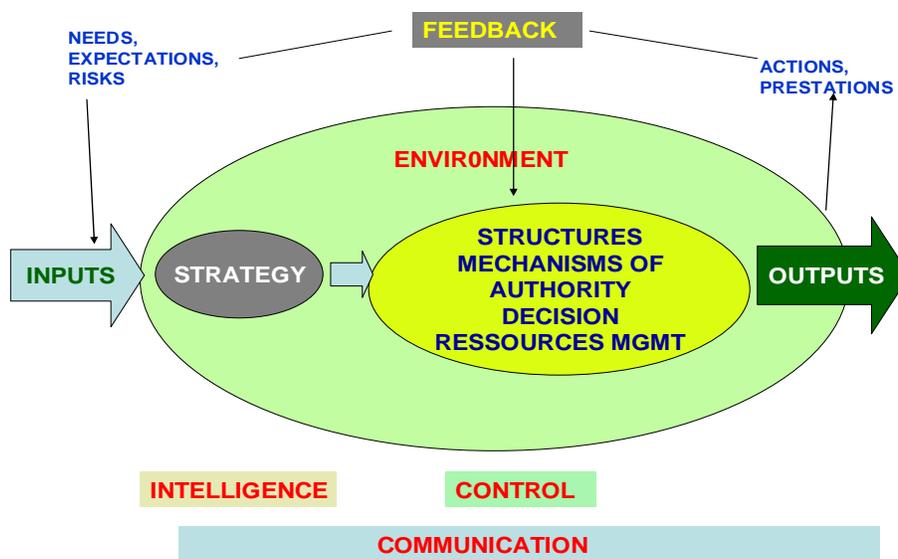


The main actors of the system are the army, which is in charge of the security of the country and may, according to the situation, also play a role in internal

security; the police, which traditionally deals with the protection of the State institutions, the citizens and their goods; the border guards, which protect the borders and the intelligence agencies. Other actors may be found: private security companies are developing in most countries and in some cases the citizens themselves play a role in their protection, as illustrated by the development of some forms of community policing.

Figure 2 illustrates how the system works: its inputs include the threats to the State and civil society, and the security needs and expectations of the citizens. To satisfy these needs outputs must be produced by the different actors of the system. The quality of these outputs depends on the efficiency of the actors and of their cooperation. Outputs will be measured against expectations and corrective measures taken when necessary. The information system consisting of intelligence, control and communication must contribute to the identification of the needs, the sharing of information, the feedback and the necessary adjustments.

Figure I.2. National Security Mechanism



Changes in the environment and consequences for the security system.

Profound changes have taken place in the security environment. The disintegration of the USSR and of Yugoslavia, and local and regional conflicts in different parts of the world, have not only caused a revival of ethnic and religious confrontations, but also considerably modified the type of threats, the form of conflicts and the geographical maps.

Figure I.3. The Borders in Europe Over 100 Years

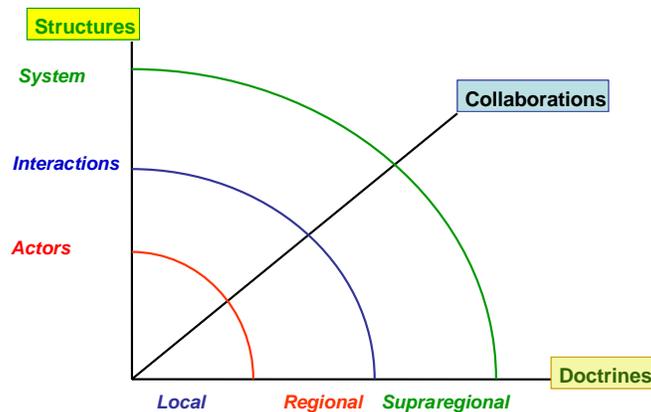


The development of organized crime: illegal migration, drug trafficking etc, presents new challenges for the security of States and the differences between external and internal security are blurring. This evolution has consequences for the security system at its different levels:

- The modifications of the risks and the threats may ask for new priorities and consequently modify the objectives. For instance, the rise of the criminal risks and the reduction of classical military threats have led to a readjustment of the priorities and of the allocation of funds between the different actors of the system.
- Consequently, the missions, the roles, the doctrines, the organisational forms of the sub systems (the actors) will have to be rethought and adapted. Each one has to conduct a painful process of change.
- The interactions between them will also evolve as the fight against the new types of threats requires more integrated approaches.

Figure 4 illustrates the different levels where changes are required.

Figure I.4. 3 Dimensions, 3 Areas, 3 Levels to be tackled



REFORMS IN NEW EUROPEAN DEMOCRACIES

If the situations to be found in Indonesia and in the new democracies of South-Eastern Europe (SEE) are different, parallels can be found in the process of change they have all entered. I shall present the modifications in the border guard organisations in SEE and identify some key factors of success in the management of change. It is up to Indonesia to see if some of the experiences made abroad may be useful for her. I do not pretend to give advice here, I only describe some experiences made by other States which may or may not be useful.

Reforms of the border guard organisations

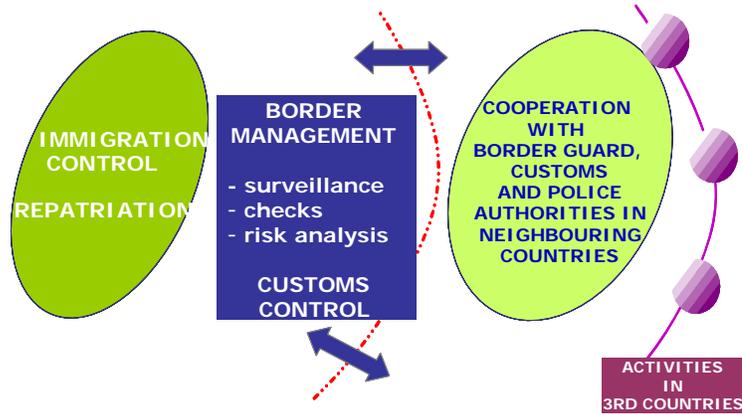
Modifications in the Border Guard organisations take place in the general context of the reform of the security sector. Four main features of these reforms must be highlighted:

- Democratisation notably includes the installation of democratic oversight institutions
- Demilitarisation consists mainly in transferring security agencies reporting to the Ministry of Defence, other than the armed forces, to the Ministry of Interior
- Decentralisation: the need to delegate more authority and power of decision to lower levels in order to increase the rapidity of reaction and a greater flexibility of the entire organisation implies reviewing its structures
- Professionalism: new challenges as well as the replacement of conscripts by contract personnel requires the acquisition of new skills and competences

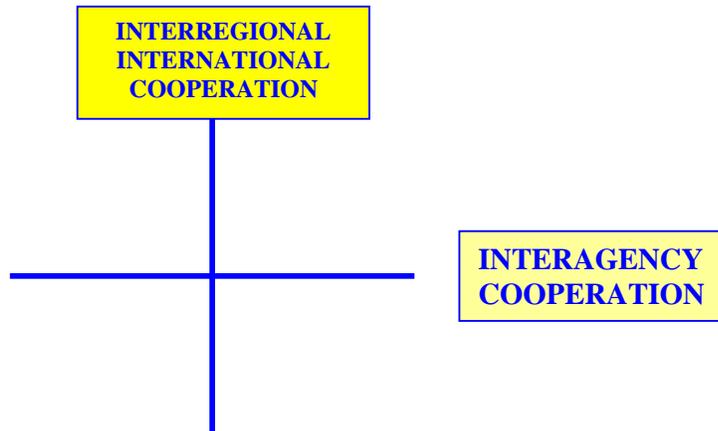
These features apply to the border guard and influence their reforms.

An additional element plays an important role in the reform process of border guards: the necessity for new democracies wanting to enter the European Union to harmonise their organisation with that of European requirements. In this context, the Schengen integrated border management system defines how to conduct border control (checks at crossing border points) and border surveillance (between border crossing points) based on risk analysis. To face new challenges, the fight against organised crime and illegal immigration, human and drug trafficking cannot be limited only to control of the border. That is why Schengen structures this fight over four tiers, which place the border in a larger space. Figure 5 describes these four tiers:

**Figure I.5. EU Border Security Strategy
(With 4 tiers)**



There are clearly two dimensions in this approach.



Consequently one of the key factors of success in the fight against organized crime lies in the fostering of cooperation not only between countries or between agencies of a same country but also between those of different countries. In this context, the signing of agreements, the exchange of liaison officers, or the establishment of regional centres play an important role. Sharing information, creating common risk analysis capabilities, establishing joint common patrols and improving interoperability must contribute to more efficient border control.

With regard to interagency cooperation, it is particularly important to develop it between the police and border guards. Both are partners in the fight against organized crime and if there are cross border crimes, they can frequently be linked with other forms of criminality. It is therefore necessary that border guards and police work closely together. The same is true for the collaboration with customs and immigration services. The success of such collaboration lies in the clear definition of missions and competencies, the sharing of information and the setting up of mechanisms of coordination. In some cases, to make

collaboration more efficient, border guards organisations have been merged with police forces, as in Hungary and in Slovenia.

Demilitarisation

In the transition process towards democracy, the border guards have generally been transferred from the Ministry of Defence to the Ministry of Interior, and conscripts have gradually been replaced by contract personal. This change has many consequences for the organization, the equipment and the doctrines. Fewer human resources mean that the front line approach, in which each segment of the border is controlled by patrols, must be replaced by the area management approach, in which scarcer resources are deployed in depth and made more flexible. Surveillance of the border must still be made by patrols, but larger segments of it will be done by technical surveillance. Risk analysis is developed in order to quickly deploy mobile forces, positioned in the area, according to the operational needs of the situation.

Decentralisation

This redeployment of resources and their greater operational mobility must be accompanied, not only by the development of risk analysis capabilities, but also by changes in leadership. The pyramidal chain of command should be softened and more operational freedom of action granted to lower levels. Decisions must be taken as near to the events as possible. Thus local commanders should be empowered to act and for that purpose they must receive all the necessary information.

Professionalism

Contract personal instead of conscripts, better deployment of resources, more technology, development of risk analysis capabilities, empowerment of operational leaders at lower levels, can only succeed if efforts are made to raise professionalism. To reach this objective requires a comprehensive review of curricula and training methods. Without entering into details, let us only stress some key requirements for training the different categories of personal.

The objectives of training should be as follows for:

- *Senior officers*: to enlarge their understanding of the security environment, the role of its actors and of the necessity to develop their cooperation. The management of change should also be an important issue.
- *Middle managers*: to develop their autonomy and their initiative in order to become efficient operational leaders
- *Border guards*: to acquire the necessary skills to face the new challenges

Democratisation

Democratic border management is not only a matter of bureaucratic accountability; it is also a matter of professional standards and values. Thus, it is not only necessary to develop adequate oversight mechanisms but also to build

trust between border guards and the population. To that purpose, corruption must be fought and transparency assured by an open policy of communication.

KEY FACTORS OF SUCCESS IN THE REFORM PROCESS

One can list seven factors:

- A sense of urgency which helps to marshal energies to support the reform process
- The development of a vision that defines what has to be reached
- A strategy that shows how the objectives will be fulfilled
- An integrated approach including the key actors and a clear definition of their relationship to each other
- Clear support of the political and management levels
- A transparent policy of communication both internal and external
- The mastering of management of change

CONCLUSIONS

The situation in which reforms have taken place in Southern Europe is different from the one of Indonesia. The needs, the threats, the expectations as well as the political, geographical or geo strategic factors are not the same. However, many characteristics of the challenges to be addressed are similar and must be managed in the same context of change. Thus solutions and methods developed to conduct the reform process in other countries can be of interest for Indonesia. One can only stress that for such a large country, reforms must be made by Indonesia itself and that foreign advice or help can only be seen as support to a reform process, led solely by the Indonesians.

CURRENT BORDER SECURITY ISSUES

Colonel Rudito
TNI (Indonesian Military) Headquarter

INTRODUCTION

Indonesia is fifth largest state in the world and has sea borders with 10 (ten) neighbouring countries and land borders with 3 (three) neighbouring countries. The border areas are widely spread out with various typologies from hinterland to the smallest outer islands. This condition presents a great challenge for effectively controlling and securing border areas. The challenges that Indonesia faces in border areas have distinctive conditions and characteristics with other regions. The problems which have occurred in border regions have been affected by various factors such as geography, the availability of natural and human resources, socio-economics, politics and cultural conditions, and the prosperity levels of the people from neighbouring states. One of the primary problems faced by all border regions in Indonesia is poverty and the lack of basic social structures and infrastructures.

SECURITY ISSUES ON BORDER AREAS

The management of the State border is a strategic and urgent issue which is related to the integrity of the United Republic of Indonesia. One of the things which contributes to the below average results in handling border issues, is the absence of an institution that specifically manages all the aspects of border management, at both the national or regional level. The security measures require a close cooperation between the states in this region. Cooperation should include coordination among related institutions, such as navies, other law enforcement agencies, ship operators and port authorities. The issues and problems which often occur between neighbouring countries, are dominated by the problems in stipulating the border lines which separate countries, either on the continent or at sea.

Next are several border issues which are currently faced by Indonesia:

State Border Lines

In several border regions, either on land or at sea, agreement has not yet been achieved regarding the establishment of the border line. In addition to that, several maritime borders have also not been finally agreed between Indonesia and her neighbouring countries. These problems often trigger disputes between relevant authorities and with fishermen from Indonesia and her neighbours.

Illegal Fishing

The fact that Indonesia has maritime borders with 10 (ten) neighbouring countries gives the opportunity for foreign vessels and local fisherman to easily cross the borders illegally, as they do not know the exact location of Indonesia's maritime borders. Efforts to handle fishermen who trespass the border are required to be implemented comprehensively by the security authorities and by the regional government.

Bilateral discussions to overcome these problems are also necessary between the security authorities and the regional government, especially taking into account the quantity of sea resources which have been stolen by foreign fishermen over the years, causing great disadvantages to our country.

Traditional Illegal Border Crossings

The similarity of culture, customs, traditions and inheritance in several border regions, has inevitably caused an increase in the activities of illegal border crossings. The similarity of culture and traditions and illegal border crossings are border issues that have existed for a long time and have recently re-emerged along with the management of continent border areas in several regions such as Papua, Kalimantan and NTT.

Armed Robbery against Ships and Sea Piracy

According to article 100 of UNCLOS '82, piracy is an illegal act "*on the high seas or in any other place outside the jurisdiction of any state*". So, the act which takes place in waters under national jurisdiction, therefore, *is not* an act of "*piracy*" but an act of "*armed robbery*" or "*sea robbery*". These terms should be defined clearly to avoid misinterpretation between "*sea robbery*" and "*piracy*". Piracy, armed robbery against ships and terrorist attacks in the sea lanes have posed a serious threat to maritime security in the Asia Pacific Region, and have also disturbed the stability of global trade. This issue is of paramount importance and maritime commerce has become an important factor in enhancing the welfare of states in the region, and in South East Asia in particular.

Illicit Drugs Trafficking

It is forecasted that the flow of trade of this type of crime, is facilitated by the use of sea and air transportation. The majority of illicit drugs are carried by cargo containers and come from foreign country. Even though ship boarding and interdiction can take place at sea, harbour inspections should also be applied in order to ensure operational effectiveness. This type of crime usually favours sea transportation. Basically the victims of this crime are looking for a better life in a new country as promised by the criminal, who are then distracted into illegal trafficking themselves.

Arms Smuggling

This crime originates from the black market and arrives in this area by the use of fishing vessels or any other traditional methods of sea transportation. This act is predicted to occur within the borders of Indonesia-Malaysia-Thailand.

Maritime Terrorism

It is perceived that terrorists are working together on robberies in the Malacca Straits and are attacking and destroying one of the biggest trade lanes in the world. The important thing is to be ready and alert in order to overcome all possible attacks that may happen to Indonesia, which is already a victim of terrorist attacks. However, if we observe carefully we will find out that terrorism at sea is still rare and that their effects are not as frightening as those of terrorism on land. The main target of terrorism is to produce fear amongst people.

Illegal Logging

Most of Indonesia's border regions have rich natural resources and a variety of ecosystems. This encourages criminals to conduct illegal logging activities. These activities are made worse by the distinctive regulations in place in our neighbouring states. For example, the regulations in Malaysia and Singapore have a policy to allow goods from abroad to enter their countries without any procedures in place to examine the origin of the goods. As long as the customs on the goods are paid, these goods are considered legal.

EFFORTS IN SECURING BORDER AREAS

Efforts to handle issues in the border regions are still somewhat ad hoc and are handled by several committees, as follows:

- a. General Border Committee (GBC) RI-MAL, co-chaired by Minister of Defense RI.
- b. Joint Border Committee (JBC) RI-PNG, co-chaired by Minister of Internal Affairs RI.
- c. Joint Border Committee (JBC) RI-RDTL, co-chaired by DirGen of General Government Dept Internal Affairs RI.
- d. Combined Annual Report Meeting RI-SIN, co-chaired by Commander in Chief of TNI.

The security measures in borders area are also conducted by several operational activities, which include, amongst others:

- a. The Coordinated Patrol and Joint Patrol with neighbouring countries, in the framework of bilateral/trilateral cooperation.
- b. The establishment of joint border posts.
- c. The installment of surveillance equipment in border regions, such as the Integrated Maritime Sea Surveillance System along Malacca Straits.
- d. The deployment of TNI personnel in small outer islands.

CONCLUSIONS

- a. The strategic location of Indonesia allows the opportunity for many illegal activities to occur within the border areas
- b. Over the years, the efforts to handle border issues have been managed through bilateral cooperation with the neighbouring countries that have direct borders with Indonesia.
- c. The security measures are undertaken by TNI by conducting joint or coordinated border security operations with several neighbouring countries. Other state institutions have also undertaken several measures in diplomacy through joint committees.
- d. Hopefully, through the comprehensive efforts of all the state's elements and with the good will from Indonesia's neighbouring countries, the problems will be solved and a secure and prosperous condition will be achieved and well maintained in the border areas.

THE MANAGEMENT OF THE NATIONAL BORDER AND INDONESIA'S SECURITY PROBLEM

Anak Agung Banyu Perwita, Ph.D

Vice Rector of Parahyangan Catholic University-Indonesia

"The bad condition of our borderland has not been able to invite the government's attention to re-focus its policy. Even government had a tendency to limit border issue to become merely at outmost islands".¹

Introduction

As implied in the statement quoted above, Indonesia is currently facing some territorial border problems. The poor management of development in our border lands, which to date has not been adequate, is a crucial issue in Indonesia today. This internal problem and the possibility of neighbouring countries claiming part of our national territory have increasingly turned this issue into a priority for the Indonesian government. So far the government has not yet taken border issues seriously as one of its main concerns and has not seen the necessity to maintain its territorial integrity and sovereignty as a united nation state in this era of globalisation.

According to the 2003 Indonesian Defense White Paper, Indonesia is still facing a number of border problems with its 10 (ten) neighbouring states which are: Singapore, Malaysia, Philippines, Australia, Papua New Guinea, Vietnam, India, Thailand, Timor Leste and the Republic of Palau. A number of these border problems could, of course, have adverse consequences on various aspects of our national security, including military, political, economic and social aspects.

The questions to be posed now are: how should state borders play an essential role in security at the national and international level? How should the state, particularly the TNI, play its role in managing Indonesia's national borders? This paper looks at the significance of the national border issue as one of the crucial aspects of our national security problem, and focuses on the range of issues (military and non military dimensions) as part of a comprehensive solution in managing our national border issue.

Border Issues and their Relevance to National Security.

"Borders are like agents of national security and sovereignty, and a physical record of a state's past and present relations with its neighbours"²

As indicated by the above quotations, state borders actually play an important role in determining national security and sovereignty, and even the state boundaries (borders) have an important position to play in the making of inter-state interactions in particular regions. Even though the phenomenon of

¹ The statement of the Chairman of Partai Amanat Nasional, Soetrisno Bachir, as Quoted from KOMPAS daily, 13 February 2006.

² See Kari Laitinen (2004). *Reflecting the Security Border in the Post-Cold War Context*, in http://www.gmu.edu/academic/ijps/vol6_2/Laitinen.htm, accessed 25 Jan 2006.

globalisation has made a mark on contemporary international relations, these relations are also still dominated by traditional issues such as the state borders. This is of course strongly related to national security and territorial sovereignty.

On the other hand, the globalisation phenomenon, with all its aspects, seems to neglect the traditional boundaries of inter-state relations and the physical distance between nation-states vanishes. The rapid development of information technology, communications and weapons has also shown how state border lines have become increasingly less relevant in international relations in this era of globalisation. Globalisation, according to Anthony Mc Grew, has not only made the issue of territory in many states become increasingly less relevant, but also questions the sovereignty existence of the territory of nation-states.³

State Borders as State Identity

In most cases in many developing countries, the lack of ability to manage the state boundary effectively often becomes one of indicators that the state has turned into a weak or even a failed state.⁴ This, for example, is marked by the inability of the state to manage its territorial boundaries. Furthermore, the lack of effective administration in managing national borders has also become a separate problem adding to the already complicated problem of traditional state boundaries.

In the context of Indonesia, for instance, the phenomena of forming new provinces and new kabupaten (regency) can also be seen, as the emergence of ethno-nationalist sentiment based on traditional borders/boundaries. As a result, some governments in the new provinces and/or new regency are now trying to assure their regional boundaries. An illustration of this can be seen by the request of the local parliament and the newly established government of Banten province, to the local parliament and the Government of DKI JAKARTA, to assure the boundary of the Islands of Seribu.⁵ If this problem cannot be overcome comprehensively, it will of course affect national integrity. The negative consequences of the failure of the state to comprehensively manage its national territorial integrity will produce social, economic and political tensions among sub-nationals and even create (violence) conflicts which in turn create fragmentation and national disintegration.⁶

The limited and the low capacity of the state to manage and protect all the state boundaries will have a real impact, both internally and externally. The complexity of borders problem will not only push intrastate conflict/war but could also trigger inter-state conflict and war. This is due mainly to the fact that border issues are closely related to the principle of territorial integrity and sovereignty. Traditionally, every nation-state is ready to do anything, including going to war, in order to maintain its sovereignty.⁷

³ See, Anthony McGrew (2000). Power Shift: From National Government to Global Governance. In David Held Ed. *A Globalizing World?: Culture, Economics and Politics*. London: Routledge, pp.127-168.

⁴ See Stewart Patrick (2006). Weak States and Global Threats: Fact or Fiction. In *The Washington Quarterly*, Vol.29, No.2, pp.27-53.

⁵ KOMPAS, 28 March 2006.

⁶ Julian Saurin (1995) The End of International Relations ? The State and International Theory in the Age of Globalization. In John MacMillan, Andrew Linklater. *Boundaries In Question: New Directions in International Relations*. London: Pinter Publishers, pp. 244-261.

⁷ See Daniel Philpott (2001). *Revolutions in Sovereignty: How Ideas Shaped Modern International Relations*. New Jersey: Princeton University Press, pp.5-10.

Furthermore, as Kari Laitinen argued, border issues do not only include the issue of physical territory, but they also covers various aspects such as (natural) resources and the issue of identity, which in certain contexts become an important factor regarding national and local pride.⁸ At this point, border issues are a significant part of the national security agenda. Hence, the management system of our national borders will play a crucial role in the development of a national security agenda.

Meanwhile, in the context of international relations, there are many cases that can be mentioned to illustrate inter-state conflicts in which border issues were a triggering factor. In other words, various developments in contemporary international relations have brought contradictions between the relations among the various actors (both state and non state). On one hand, border issues have strengthened the sentiment of (ethno) nationalism and various other forms of identity (national and local), including the desire to maintain (natural) resources. The case of Ambalat between Indonesia and Malaysia is one of the cases which can be used to explain the significance of border problems among nation-states.

Traditionally, international relations focus its attention on the study of the patterns of relations among nation-states. The territorial aspects of the nation-states will determine their sovereignty, power and even their security. Therefore, national boundaries will play a significant role in determining the existence of a nation-state. In order to effectively protect and control its territory from any possibility of external military threats, all nation-states will need an appropriate military strength. The idea of protecting the security and safety of its national territory is based on classical realism which emphasizes the self-help system. In other words, the concept of security of the border will have consequences on the ability of a deterrent, the need to have military forces and the security dilemma and interaction with other state actors.

Even for a classical realist, such as Hans Morgenthau, the most important national security interest is "*to protect [its] physical, political, and cultural identity against encroachments by other nations*"⁹. However, the problem of national state boundaries and security has shown different faces in most developing states. One Study, conducted by Robert I Rotberg, has explicitly indicated that one of the important characteristics of failed states is the inability to manage the state boundary, which has subsequently resulted in intra and interstate war.¹⁰ The effective management of state boundaries, therefore, becomes the main prerequisite for creating a strong state.

On the other hand, as Georg Sorensen noted, the biggest problem to create a national security and a strong state lies on the limited capacity of the state.¹¹ This is mainly because the state agenda is occupied with various domestic problems, such as maintaining the regime, and thus has a limited capacity to manage issues such as economics, cultural, social and political aspects and defence.

⁸ Kari Laitinen (2004). *Reflecting the Security Border in the Post-Cold War Context*, In http://www.gmu.edu/academic/ijps/vol6_2/Laitinen.htm, accessed 25 January 2006.

⁹ Quoted from Jutta Welds (1996). Constructing National Interests. Dalam *European Journal of International Relations*. Vol.2. No.3, pp.275-318.

¹⁰ Robert I. Rotberg (2004). The Failure and Collapse of Nation-States: Breakdown, Prevention, and Repair. In Robert I. Rotberg ed. *When States Fail: Causes and Consequences*. New Jersey: Princeton University Press, pp.1-50.

¹¹ Georg Sorensen (1996) Individual Security and National Security: The State Remains the Principal Problem. In *Journal Security Dialogue*. Vol27. No.4. pp.375-390.

The Military and the Non-Military Security of Territorial Borders

For many developing countries, such as Indonesia, the national border issues frequently produce a dilemma. The defence aspects which refer to the ability to overcome various military threats coming from external environments are consequently related to the non military threats. Unlike other developed nation-states, developing states must also face various problems in their economic, cultural, social and political development which are so complicated and tightly related with internal stability and the ability of the defence forces to protect the state from any military threat from their external environment.

Viewed through the exploration of academic literature, the various related problems, as mentioned above, have shown the significance of non military issues and capacity to protect national security.¹² A state that fails to protect its national border will therefore face various security problems from non state actors, such as transnational organized criminals and terrorist groups which frequently exploit territorial boundaries to plan, prepare and conduct their terrorist activities.

One case that could clearly explain how transnational criminal organisations and terrorist groups have conducted their activities is through the use of the border regions between Thailand, Malaysia and Singapore by terrorist groups in designing, planning and executing terrorist activities in Indonesia two years ago.¹³ The border of southern Thailand, from the province of Satun to Sumatra (isles of Riau), through the territorial water of Malaysia around Langkawi-Penang, is a land route and a favorite sea route used to move the flow of weapons and explosives of the terrorism perpetrators for their terrorist activities. In addition, the border region of the South Philippines from Zamboanga and Davao (Mindanao), towards the islands of Sulu to Sarawak and Nunukan in Kalimantan, and the islands of Sangihe Talaud in North Sulawesi to Maluku and central Sulawesi, are alleged to become one of the routes for weapons used to conduct terrorist activities in the east part of Indonesia.¹⁴ From the above examples, it is no exaggeration when the New York Times expressed that,

*“Failed states that cannot provide jobs and food for their people, that have lost chunks of territory to warlords, and that can no longer track or control their borders, send an invitation to terrorists”.*¹⁵

As experienced by many developing countries, the complexities of actors, the military and non military issues, such as unequal and uneven development in the border regions, overpopulation, transnational crime, degradation of the

¹² For further discussion on this issue, see Richard Ullman (1983). Redefining Security. Dalam *International Security*. Vol.8.No.1, Ole Waever (1989). *European Security-Problems of Research on Non-Military Aspects*. Copenhagen Papers No.1. Copenhagen: University of Copenhagen, Barry Buzan (1991). *People, States and Fear: An Agenda for International Security Studies in the Post Cold War*. Boulder: Lynne Rienner Publishers, Helga Haftendorn (1991). *The Security Puzzle: Theory Building and Discipline in International Security*. In *International Studies Quarterly*. Vol. 35. No.1, Muthiah Alagappa (1998). *Asian Security Practice: Material and Ideational Practices*. California: Stanford University Press, Benjamin Miller (2001). *The Concept of Security: Should it be Redefined*. In *The Journal of Strategic Studies*. Vol.24.No.2, Sean Kay (2004). *Globalization, Power and Security*. In *Security Dialogue*. Vol.35. No.1.

¹³ KOMPAS daily, 1 April 2006.

¹⁴ Ibid.

¹⁵ New York Times, July 2005. Quoted from Stewart Patrick (2006), hlm.34.

environment, and social and culture problems are the root causes of national insecurity. As Caroline Thomas states:

"(national) security in the context of the third Worlds does not simply refer to the military dimension, as it often assumed in the Western discussion of the concept, but to the whole range of dimensions of a state's existence which have been taken care of in the more developed states, especially those in the West"¹⁶.

The simple cases concerning the above statement, for example, can be illustrated by two different reports made by KOMPAS daily (10 March 2006). It was reported in one article entitled "Keamanan RI Jadi Isu Utama [Indonesia's Security Is the Main Issue]". This article wrote about the disinclination of Japanese investors to invest their capital, due to the low level of security and social instability in Indonesia. While in other news, written in the same daily newspaper, on the same date, there was an article entitled "Pos TNI in Pulau Terluar Papua [TNI barrack in the outmost islands of Papua}" which reported the efforts of Kodam Trikora to build a military post to protect the outer most islands from the possibility of claims from external party/states. In addition, it was also suspected that this border region has become one of the main sea lines for smuggling, illegal logging and illegal fishing.

The term 'security' as implied in the two articles indeed carries two different meanings. The first news article aimed to show the real condition of non military security issues at the domestic level which substantially influence foreign investors. In order to invite foreign investments, the government needs to have a more comprehensive policy in the area of non military issues such as economics, law and social culture. Meanwhile, the second news article obviously refers to the aspect of defending the border land from any possible external military threats.

The level of vulnerabilities in many developing countries increasingly becomes higher when the various problems, as mentioned above, are mixed with other problems such as limited financial resources, human resources and institutional incapacity (including the strength of the military forces). For this reason, national border issues and national security is inseparable from both military and non military threats. As a result, the management of the national territorial border will include various dimensions including military, economic, social-cultural, environmental and political aspects.

Concluding remarks

As discussed earlier, the complications surrounding national border issues are related to the type of threat, the wider objective of national security policy, limited resources, and the perception of the threat, which will always push for a more comprehensive policy. Internally, the effective management of national territorial boundary will not only strengthen nation-state building, but will also contribute to the creation of regional security building. This can be achieved by establishing cooperation with our neighbouring states. But, of course, we must be able to entangle various dimensions such as economics, social and legal aspects and apply diplomacy in managing our national borders.

¹⁶ Quoted from Caroline Thomas (1991). *New Directions in Thinking about Security in the Third World*. Dalam Ken Booth Ed. *New Thinking about Strategy and International Security*. London: Harper Collins Academic.hlm.269.

To borrow the words of Rizal Sukma, in order to comprehensively manage our national border, we should have at least four integrated dimensions in our national policy framework, namely: Development, Democracy, Diplomacy and Defence.¹⁷ Failure to combine the above dimensions will only create Indonesia as a newly failed nation-state in this era of globalisation.

¹⁷ Rizal Sukma (2005) War will never solve our problem, The Jakarta Post, 21 March 2005.

THREE FACTORS OF REFORM
*The Hungarian law enforcement reform process
with a training case study*

Zoltán Nagy

Head of Department, General Directorate for Training, Ministry of Justice and
Law Enforcement, Budapest, Hungary

Abstract

In the last 18 years, and due to the changed political system in Hungary, the Border Guards have successfully completed some important reforms, but I have to stress that these reform processes are still taking place throughout the whole sector of the Hungarian law enforcement organisations.

As for the law enforcement organisations themselves, these are currently working at a cooperative level, but strong efforts are being made to reach the next level, that of collaboration. Nevertheless, we can point out we urgently need to have a strategy on integrated law enforcement activities in order to be able to take effective and joint actions in the future.

In essence, a successful reform or change process has three main factors: a pressing situation; the power to implement reforms; a concept for the implementation of reforms. The Schengen Training project, can be used as a case study, and can also be described in accordance with the reform model described above.

Hungary is currently in a transition period; as it is a member of the customs union but not yet a full member of the Schengen community. The date Hungary plans to join the Schengen community is on 1 of January 2008. The Schengen Training Project is a part of the Schengen process. It was initiated in order to transfer knowledge of the new activities required, in connection with the Schengen membership, to the law enforcement organisations.

Keywords

Collaboration, 3 factors of reform, depoliticization, demilitarisation, decentralisation, trained people to implement reforms

Introduction

In the last 18 years, and due to the changed political system in Hungary, the Border Guards have successfully completed some important reforms, but I have to stress that these reform processes are still taking place throughout the whole sector of the Hungarian law enforcement organisations.

This paper has three main parts, the first part is about Hungarian law enforcement reform and in a wider context about Hungarian security policy: its activity is complex, global, regional, and at the same time European. This means that besides a successful national law enforcement activity, Hungary has to fulfil its obligations and tasks as a member state of the European Union, as well as in accordance with other international agreements.

In order to fulfil these obligations, an integrated law enforcement strategy is being prepared in Hungary, and this task is also defined by the National Security Strategy.

Therefore, all law enforcement organisations, which include the Hungarian Border Guard, have to face the challenge of taking part in integrated law

enforcement activities, as required in the above mentioned strategy. In practical terms, it means that the organisations of the Border Guard and the Police will have to be integrated into one organisation, as laid down in a Government Decree. This is a significant step in this approach of integrated action, and this document will provide more details about the factors that have made this approach necessary, not only in Hungary but also in the past in the 'old' EU member states such as Germany.

After the integration, the various border security tasks will be carried out inside of the Police organisation as special law enforcement tasks, therefore the integration process requires, within a rationalised organisation, that the future tasks of the Border Guards have to be reorganised in order to answer the new challenges for both the national and international environment.

Law enforcement agencies in democratic societies have established such criteria, on the basis of how the legality of the use of force can be examined. On the basis of this, legitimate physical force is:

- *Instrumental*, since its function is not to punish those who act illegally and not to take revenge, but to prevent or disrupt illegal situations and to ensure the future convictions.
- *Necessary force*, since it can only be used if the danger cannot be defeated by any other method.
- *Minimal force*, since it is exercised by causing the least possible grievance and by sparing innocent persons and material surroundings.
- *Proportionate force*, since it cannot cause a bigger disadvantage than the danger that is being counteracted.
- *Reactive force*, since if an officer is facing an illegal attack, the reaction to that shall be synchronised with the act in space and time, as this reaction will only be legal at the place of the illegal act and as long as the illegal act exists.
- *Professional force*, since the way of using it is determined by professional experience and proficiency, and the necessary physical force and competences are gained by practice.

Due to the complexity of tasks and new global requirements toward law enforcement organisations, the following definitions gain more and more importance, so it is worth defining and differentiating between coordination, cooperation and collaboration.

One way to differentiate definitions of working together

- **Coordination:** The organisation of efforts of different parties to reach a common goal. High-stakes issues are not often involved, and parties need not carry the relationship beyond the accomplishment of the task at hand. The goal is static.
- **Cooperation:** A means to an end that involves gains and losses on the part of each participant. This can sometimes foster a competitive environment, and parties need not carry the relationship beyond the accomplishment of the task at hand. The goal is static.
- **Collaboration:** All parties work together and build consensus to reach a decision or create a product, the result of which benefits all parties. Competition is a nearly insurmountable roadblock to collaboration, and the relationship among parties must continue beyond the accomplishment of the task in order to assure its viability. The goal is dynamic.

Where do teams, partnerships, think-tanks, open-sources and joint ventures fit into this schema? The general definition of a team is an interdependent group, which suggests that collaborative groups are teams, coordinated groups are not, and cooperative groups may or may not be. Partnerships and joint ventures are both primarily cooperative undertakings, whose objectives evolve over time. Open-source developments can run the gamut among all three types of undertaking and so, theoretically, can think-tanks, though in reality much think-tank work is solitary and not really collaborative. Even the work of scientists on major international projects is substantially individualistic, with more coordination and cooperation than true collaboration.

As for the law enforcement organisations themselves, these are currently working at a cooperative level, but strong efforts are being made to reach the next level, that of collaboration. Nevertheless, we can point out we urgently need to have a strategy on integrated law enforcement activities in order to be able to take effective and joint actions in the future.

A consequence of the above mentioned fact is that a separate Border Guard organisation is unlikely to have a future in the long run, and that collaboration between organisations has to be integrated into all fields of activity.

In the first part of this document a three pillar model of the Hungarian law enforcement reform process will be described, including the organisation of the Hungarian Border Guard.

In the second part a case study will be presented about the importance of training activities in this reform process.

This document contains the lessons learned in its final, summarising part.

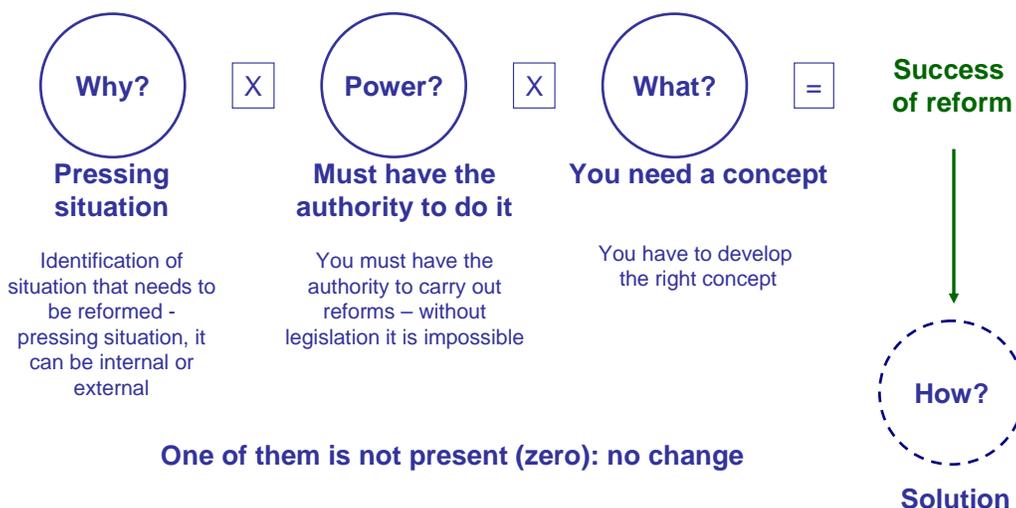
1. Three factors of reform (change)

It can be said that a successful reform or change process has three main factors: a pressing situation; the power to implement reforms; a concept for the implementation of reforms. (Figure 1):

1. First of all, we have to identify the situations where we need reform – this is a pressing situation
2. Secondly, we have to create and clarify the authority, power and rights to carry out the reform process
3. Thirdly, we have to develop the right concepts in order to be able to implement the reform process.

After having a concept, we can start the process of elaboration and implementation. We always have to consider our resources (human and financial resources) and we have to analyse and know the differences between the present situation and the situation we wish to reach at the end of the process.

Figure III.1. Three Factors of Reform



Before presenting the Hungarian law enforcement reform concept and its implementation through the three factors of this model, I would like to highlight two important experiences we have encountered to date in this integration process. Our experiences show that the key persons involved in change are the people, our colleagues, who work in the law enforcement organisations. In order to implement the changes successfully, the transfer of knowledge has a priority role. We have to convince these colleagues about the need for reform and to train and prepare them for the new activities.

In my opinion, this is a key factor of success, and it is at least as important as having a good concept. There are hundreds of examples of good concepts from all over the world that in the end could not be implemented. Therefore I think it is necessary to talk about transfer of knowledge and in this document this is presented by a practical example.

1.1. The pressing situation facilitating the Hungarian reform process

The first factor of the model is a pressing situation that facilitates the reforms and describes why the reform was necessary.

This was the change of the political system in Hungary, in 1989, from socialism to a Republic. In 1989, the Hungarian state changed its form from a socialist type state to a Republic, and in 1990 free elections were held and a new parliament was chosen. Hungary became a democratic and free country. These changes caused much tension in the structures that were still functioning in accordance with the old system, which was characterised by the following:

Militarization and centralisation

- A centralised and military system was typical at that time and, the law enforcement organisations had no legal regulations at all until 1990. Militarization created problematic in Constitution matters and it was against the principle of separation of the powers.
- Centralisation had a negative impact on implementation: it slowed down the implementation of tasks hence there were only a few possibilities to delegate power and competences to a lower level.

Politicization

- Political and professional power did not separate from each other and politics had a great influence on the activities of professional organisations.

Due to the new situation after 1990 and due to the changes in the international environment such as globalisation and the technological boom, new tasks and challenges were faced by law enforcement organisations, such as:

- international and organised crime
- terrorism
- illegal immigration
- 'White collar' crime and intellectual crime (both allowed huge opportunities for committing criminal activities)
- an increasing risk of natural disasters as a consequence of global warming
- elimination of customs control at the internal borders of the European Union

These new phenomena made it necessary to rebuild old organisations or build new ones that could deal with these problems and new challenges.

This means practically that people working in the law enforcement organisations had to possess a new kind of knowledge, and this knowledge had to be transferred to them.

Globalisation and international crime can only be handled by cooperation within law enforcement organisations, between them and via cooperation with other organisations.

Rapid technical development is also extending the possibilities for criminals, such as new information technology- or IT terrorism and intellectual crime, which are both expanding greatly. To tackle these crimes it is an absolute necessity to have the appropriate technical equipment and IT technology.

1.2. The power to implement the reforms

The second factor of the reform process is to create and clarify the power, authority and rights to implement the reform activities. In a democratic state, a normative basis has to be created for the implementation of reforms. The authorisation of law enforcement organisations is always based on the law.

Law enforcement organisations have the legal basis to implement their activities legally in a democratic state. International agreements regulating criminal and judicial aid, and the fight and cooperation against terrorism, have become part of Hungarian legislation.

Hungary, as a member of the European Union, is continually carrying out the harmonisation of laws in the field of law enforcement and also in other fields. Evidently, the Hungarian law enforcement organisations have undertaken a number of international cooperation's in the law enforcement field. Furthermore, Hungary is a member of numerous international organisations.

1.3. Drafting a concept for the implementation of reforms

In order to carry out reform processes in state structures, one has to provide a theoretical basis for the work. It is not possible to reorganise one unit of the structure and leave other units untouched. This is even more valid in the case of law enforcement activities, which require close cooperation because of the nature of their activities. The content, appearance of and interest in security have gained new dimensions, thus the implementation of new tasks in the field of law enforcement have resulted in a force to change the whole approach, philosophy and methodology.

The third factor of the model of law enforcement reform is the drafting and implementation of the proper concept that provides answers to the requirements of the new environment. It means that the old system should be reformed in as follows:

- Depoliticization means the separation of political and professional control, but above this, the building of professional law enforcement activity, as well as keeping political power out of law enforcement activities. Reform has a precondition to separate and to **differentiate between political and professional leadership**.
- Demilitarisation was necessary in fields where there were problems regarding the constitution, because it harmed the principle of separation of powers. For example, in the field of criminology it is totally unacceptable to place the command on a higher level than the law.
- Decentralisation means that the Police organisation is organised in accordance with the local governments and the municipal system of Hungary and that cooperation between the Police Directorate is supported. Therefore, some activities have to be rationally kept under central control. The organisation of the Border Guard was also decentralised, but instead of 19 Directorates as in the Police, the Border Guards had 10 Directorates in the countryside and one central organisation in the capital.

The acceptance of reform is one of the key factors to success. Winning the support of the management for reform is unavoidable and necessary, but it is also important to involve the colleagues within the organisation in the reform process. A good example of this is the solidarity between Border Guard officers and the positive influence of this in the whole process. In order to stabilise internal and external security, we built an internal strategic partnership between all law enforcement organisations, including a wide range of international cooperation, which we wish to maintain and develop steadily. The activities of national law enforcement organisations are characterised by coordination and cooperation, and structures for coordination have been created steadily.

The idea of community policing is to address questions and matters of collaboration between law enforcement organisations and society, and aims to realise collaboration between all levels within the structure of the organisations. A law enforcement organisation can not act successfully without useful feedback, criticism and also acknowledgement by society. Besides social crime prevention programmes over the last years, the strengthening of the communities ability to self protecting has started, and new types of connections between those involved in crime prevention have been built in Hungary.

To have better organisations means improving the capabilities of the personnel working in the Police and the Border Guard etc. In order to reach this objective in Hungary, the training systems for law enforcement organisations have been enhanced. Leaders, officers and deputy officers are trained in state institutions and in schools for secondary and higher education which are managed and professionally supervised by the Ministry of Justice and Law Enforcement.

In Hungary, special law enforcement training, law enforcement exams and law enforcement management training have been established. This training system is linked in several areas, on one hand to the civilian education system in the fields of higher education, basic education further training and adult education. On the other hand, the law enforcement training institutions have

close connections with the law enforcement organisations of the Police and the Border Guards, and this means that the curricula of the schools are divided into theoretical and practical parts, which have to be fulfilled by the practitioners at one of the law enforcement organisations.

These training activities ensure that personnel are fully qualified to undertake their tasks, that they are responsible for their actions, and that there is an increase in their social acceptability. As a result of this, being a member of Hungary's law enforcement organisations is becoming more and more attractive for young people, which is proven by the fact that the number of students applying to attend law enforcement schools is five to ten times higher than the number of places available.

The support of the European Union has facilitated technical development and we can now say that we have the optimal technical conditions to carry on with the reform process.

2. Case study: a milestone in the reform process - Join Schengen

Hungary is currently in a transition period; as it is a member of the customs union but not yet a full member of the Schengen community. The date Hungary plans to join the Schengen community is on 1 of January 2008.

Developments are required on the external borders of Hungary mainly with regard to the Ukrainian, Romanian, Serbian and Croatian border sections, including aspects such as infrastructure, increasing the staff numbers of border guards, further developing the technical level of equipment, assuring access to databases that will also be harmonised and developed, and concerning the continuous further training of staff protecting the external borders of the European Union. In direct relation to these tasks, the technical and cooperation conditions of in depth control will also have to be further developed and coordination mechanisms will need to function fluently throughout Hungary. Criminal activities of an international nature also appear directly on the borders and require close cooperation among the Member States, which also has a large impact on the effective security of the European Union.

The above areas are priority areas that shall be addressed by the developments Hungary foresees that need to be finance financed with the help of the Schengen Facility.

Hungary did not only take on the legal obligations arising from the Schengen Convention and its implementation rules, but it is also prepared to set up the infrastructure, institutions and procedures necessary for the effective application of the Schengen acquis in practice. Special efforts have been dedicated to the necessary human resources, technical, infrastructural and IT developments in order to meet the requirements of Schengen.

The Schengen Training Project is a part of the Schengen process. It was initiated in order to transfer knowledge of the new activities in connection with the membership of Schengen, to the law enforcement organisations.

The Schengen Training project as a case study can also be described in accordance with the above mentioned reform model.

First of all, the reasons that made it necessary are as follows:

- A basic principle of the European Union is to have the free movement of persons within the EU, which means that all EU citizens have the right to move freely within all EU member states.

- The aim of the developments are also to further develop Hungary's, effective filter-system on the external border, in line with Schengen regulations, to enforce the prevention and investigation of illegal migration and to increase the readiness to counteract cross-border organised crime along the borders. We also aim to further professionalise the Hungarian authorities in order to enhance their national procedures with relation to police work and cooperation. This will be done by purchasing the necessary equipment and by providing training with a clear distinction between the tasks to be performed at the future external border and the areas inside the country.

Secondly, the legal framework:

- The Schengen Agreement has eliminated internal border control within the Schengen area and has placed this control at the external borders of the EU, where the control of persons and migration is carried out in accordance with common regulations. In order to ensure the free movement of persons, there are common rules for external border control, visa policy, migration, and cooperation in the field of criminal affairs, police and customs cooperation. The most important precondition for the free movement of persons is cooperation between the Police, the Border Guard and Law

Thirdly, the concept of how to carry out the Schengen Training Project

- An Action plan was elaborated on how to implement common regulations. In this Action plan, tasks were laid down in the following fields: internal and external border control, visa policy, migration, police cooperation, legal cooperation in civil and criminal law, the drug trafficking, small arms trafficking, the Schengen Information System and data protection.
- In order to realise a more effective and modern member state representation, as well as to facilitate cross-border law enforcement cooperation it is required to enhance our personnel knowledge in the fields of language knowledge, knowledge on the EU and Schengen, as well as practical knowledge.

2.1. Target group of the Schengen Training Project

The Schengen Training project aims to carry out training at Border Guard, Police Institutions and at the Office of Immigration and Citizenship for officers, deputy officers and public servants of these organisations. The training institutions responsible for implementing training are the four law enforcement vocational schools, the Police College, the law enforcement management training centre and other training institutes of the Border Guard and Police.

Due to the special knowledge required, the training was implemented at the law enforcement training institutions. Only in the case of language courses was an external company involved, but in the preparation of the materials the teachers at the law enforcement schools also cooperated.

The participants have different needs depending on which area they are working in and their previous knowledge and experience, so the training has to be organised and carried out in accordance with these specific needs.

During training, colleagues from a number of different organisations participated and this may have a positive impact on further cooperation in their future work

2.2. Content

The aim of the Project is to implement Schengen standards regarding legal and professional matters, IT, language training, the preparation of Border Guard, Police and the Office of Immigration and Citizenship personnel, and to support the implementation and use of common procedures and Information Systems as applied in the European Union. Based on the four main objectives of the Schengen Facility, the training was also divided into four groups:

Professional training can be divided in accordance with the following subjects.

Strengthening of the External Border Control

Strengthening external border control is the key focus of preparation for applying the Schengen acquis. The aims set out under this objective will be met via several measures. The special technical background of both border traffic control and border surveillance has to be enforced and developed using an integrated border policing approach, which is a continuation of previous phases of upgrade. This includes the purchase and development of special equipment, infrastructure, IT and telecommunications equipment, specialised vehicles as well as security equipment. The training of law enforcement officials also represents an important part of these measures and the staff development of the Border Guards working on the external borders is also included.

Enhancement of the ability to control by increasing the capacity for data provision and data access

The main focus of measures under this objective is the continuation of developments in order to prepare the national databases containing Schengen related data. These databases will provide the necessary data and information required by law enforcement officials without any obstacles. A key measure foreseen is the development of Schengen standard applications and IT equipment in order to enhance and facilitate data exchange both at the national and international level.

Increasing the effectiveness of in depth control

The aim is to increase the effectiveness of in-depth checks and to achieve a more efficient prevention of and fight against illegal immigration and cross-border organised crime. For this, the capacity of Hungarian law enforcement authorities to cooperate with each other and with partner organisations in the EU Member States had to be improved. To attain this aim an Integrated Management Centre will be established.

Developing international cooperation capacity in criminal matters

This objective focuses on developing the capacity of the Hungarian law enforcement agencies in the field of criminal investigation (gathering of intelligence), especially regarding international cooperation, to take upon a more determined role against cross border criminal activities. This includes the development of the liaison officer's network to enhance police cooperation and also the technical aspects and the infrastructure of units involved in international police cooperation.

During the two years of training, about 10,000 persons have participated in 40 different courses. For several topics, so-called multiplier training has been organised, the multipliers have the tasks of transferring the knowledge further within their organisations.

Besides the training materials prepared for the courses, a complete Schengen practical guide has been prepared in order to support the practical implementation of new rules and activities, as well as a Schengen disc to assist the every day work of colleagues within the Border Guard. E-learning material has also been developed as part of a German-Hungarian Twinning Project run at the Ministry of Justice and Law Enforcement. This E-learning material is designed in accordance with the principle of sharing knowledge, and it is available for other purposes as well. It is the property of the General Directorate for Training.

Language trainings

The primary objective of these courses is to support active, oral and written communication abilities in foreign languages, as well as law enforcement related European Union professional language. The secondary objective is to develop a language course with commonly used and relevant law enforcement terminology. Most of the language courses have been organised in English, German and French, but the languages of our neighbouring countries also have a great importance, and thus language knowledge also contributes to international cooperation. We have started 163 courses with the participation of 2,000 persons in 9 languages. Special training materials have been prepared in all 9 languages so that they can be used in the future in other courses as well

3. Lessons learned

3.1. Law enforcement reform process

- To achieve the successful implementation of reform, all three factors are necessary, this means the identification of the need for change, creating and clarifying the power and authority to act and the elaboration and implementation of a proper concept for the reform process. In this process consideration of the environment, finances, personal and instrumental resources are of a high priority. Identification of the need for change is a basis for the definition of further activities;
- Consideration and analysis of the difference between the old situation and the situation you want to reach after the reform process;
- National laws and international agreements create the legal framework and authority to carry out law enforcement activities;
- Besides the development of the proper concept it is also important to be able to implement it.

3.2. Knowledge transfer processes from the Schengen Training Project

- It is important to harmonise the content of training with the concept of the reform;
- Training has to be carried out before the introduction of reform and development processes;
- Trying out project methods in the hierarchical structure of law enforcement organisations and in the public administration assist in the process;
- Joint training for different law enforcement organisations can support cooperation in their every day work;
- However, if training has to be carried out over a short period of time, the active participation of colleagues from the various organisations can create problems;

- By training a large number of participants at the same time, it is necessary to introduce new and innovative instruments, such as E-learning.

4. References

- 1) Finszter, G. (2005) *Az alkotmányos rendvédelem és a Határőrség* (Constitutional law enforcement and the Border Guard), Pécs (Hungary): Scientific bulletin of the newspaper *Határőr Pécs - Border Guard Pécs*, 37-61 p.
- 2) Finszter, G. (2000) *A rendszerváltás és a Rendőrség* (Change of the political system and the Police), <http://www.helsinki.hu/docs/magyar.pdf>
- 3) "Schengen Facility" (Art 35 Accession Act 2003) *Indicative Programme 2004*, Hungary

HUNGARIAN EXPERIENCES OF BORDER MANAGEMENT REFORM FROM 1989 TO 2007

Lessons Learned in Establishing a De-Militarised Border Management System in Hungary

Lieutenant-Colonel János Hegedűs
Hungarian Border Guards

Introduction

During the last years of the 20th and in the first years of the 21st century — from 1989 to today — huge changes took place to the Hungarian Border Guards. The aims and methods of border guarding were completely modified and the whole organization of the Border Guards was altered drastically. The task of today's border guards is not to lock the Hungarians inside the state borders, but to forbid undesirable aliens' access to the country, in the interests of our citizens and for the safety of the country - and since 1 May 2004 the European Union,— and to fight against human trafficking and other forms of the international crime.

Illegal migration started from East to West caused by the influences of East-European, regional, and world-wide events and Hungary locates in the axis of this enormous route. A Border Policing Office which acted in 2006 in the main direction of the illegal migration has dealt with as many illegal migrants as the Hungarian Border Guards had all in the seventies or the eighties.

With eighteen years of experience behind us, we can now report that the Hungarian Border Guards can meet the new challenges they face and reliably guard the state border. Primarily this is due to the Hungarian Border Guards, who were able to quickly acquire the new knowledge and new methods required and to apply those efficiently at work. The technical conditions of our work have been significantly developed with the assistance of Hungary's government and the European Union. As a result of this improvement, the Hungarian Border Guards have fulfilled the border guarding requirements of the European Union, and in the last year have started working towards Hungarian accession to the Schengen Convention. The Hungarian Border Guards are an organic part of Hungarian civil society and enjoy the support of the population. In 2006 we celebrated the centenary of our organization. Over the last Eighteen years of change we have learnt many lessons from this period of our own life.

1. Hungary

Our country is located geographically in the middle of Europe in the Carpathian Basin. Our territory is 93,030 square kilometres and we have a population of 10,152.000 inhabitants. The capital city, Budapest, lies on the banks of the River Danube. Hungary is bordered by seven countries and our neighbours are Austria, Croatia, Serbia, Slovenia, Slovakia, Romania and the Ukraine. Hungary is a land-locked country without a sea, but she has some important rivers — for example the Danube, the Tisza and the Dráva — and Central Europe's biggest lake, Lake Balaton.

Figure III.2. Hungary Map



Our history, which is more than 1100 years old, started in 896 when seven nomad tribes arrived from Central Asia and settled down in the heartland of our country. Hungary's is a Republic with a written constitution dating from 1949, but it was significantly modified after the collapse of the socialist state in 1989. Our country has a national assembly named the Parliament with 386 representatives elected directly by the people, every fourth year. This is the highest forum of law making and is headed by the President of the Parliament. Hungary is member of a number of important international organizations which include: the United Nations, the North-Atlantic Treaty's Organization, the European Union and the Organization for Security and Cooperation in Europe, and she plays a relevant role in the political, economical and cultural life of her region.

The border of the Hungarian Republic is 2245.5 kilometres long. The common border with Slovakia is: 678.5 km, with Austria it is: 356 km, with Slovenia it is: 102 km, with Croatia it is: 355.4 km, with Serbia it is: 163.8 km, with Romania it is: 453.1 km and with the Ukraine it is: 136.7 km long. The length of the internal border of European Union is 1.589.5 km long whilst the length of the external border is 655.9 km.

2. The Hungarian Border Guards

To start at the very beginning we have to step back into 1903 when the Hungarian National Assembly regulated, by law, the requirements of border-guards and the 8th law of 1903 decided to establish the border-police, which are the basic forerunners of our present organisation. The newly founded border-police worked successfully until the end of the First World War and were responsible for border-guarding, border-traffic control and contemporary alien-policing.

Between the World Wars, border guarding in Hungary was influenced by the peace-treaty of Trianon. The Hungarian Government received permission to found the Hungarian Royal Custom Guards for defence of the borders. The Custom Guards were a disguised part of Hungary's military force, which had a military organization and were responsible for guarding the state-borders, assuring border defence and the control of small-border-traffic, and for providing custom tasks. This organisation was reorganised into the Hungarian Royal Border Guards in 1932, and in 1938 they were merged into the army as border sentries.

After the Second World War the guarding of the state-border and the control of border-traffic was provided by the Army Border Guards and the Border Police, who were a special branch within the State Police. The Border Guards were incorporated into the National Security Authority from 1 January 1950. They extended their border guarding responsibilities to the south (Yugoslavia) and west (Austria) border sections in this period. In 1950 at the south and in 1952 at the west border section, a 15 kilometres wide border strip was formed. Inside this they set-up a 50-500 meters wide border-zone which could only be entered with the police or border guards permission. Only the Border Guards were permitted to enter the 50 meters wide border-zone. In the west border section they built a cross ruled technical blockade system made of barbed wire. Along the southern and western state borders, 318 kilometres of infantry minefields were also built. In 1956 the southern minefield was cleared, but in 1957 it was newly laid on the west border section. Finally, the south border section and the west border section were terminated in 1965 and 1969 respectively and the clearing of the minefields was completed in 1971. Instead of minefields, a 248 kilometres long, SZ-100 type weak current, electrical signal system was built up, which was also used in the former Soviet Union.

During these decades the Hungarian Border Guards were a militarised organization which used thousand of conscripts in their service, and generally speaking the legal framework for their activities was weak and narrow. It was a relevant part of the state administration, and an additional tool in the hand of the former power of the state. Its total staff numbered 19,000.

From 1989, a number of important, historic, changes took place. In the south and west sections, the border strip and the electrical signal system were pulled down. In 1989, Hungary joined the Geneva Pact of 1951 concerning the migrants. Because of the influences of the Hungarian changes, many East German citizens came to Hungary, hoping to manage to go further into West Germany. In accordance with a decision of the Hungarian Government, the Hungarian Border Guards opened crossing points for them on the western border section on 11 September 1989, and they had free access into Austria. As a consequence of this, and until 9 November 1989 when the Berlin Wall was demolished, 60,000 East German citizens migrated to West Germany via Hungary.

Since 1990, professional border guarding has been extended and with this there has been a radical reorganisation of the Border Guards. The military type border guarding districts have been reorganised into directorates, two of them have been abolished totally and border guard training colleges have been established for the many newly employed border guards. In April 1998, the last conscripts were discharged from the Border Guards. The scope of the Border Guards' duty has been increased and the Border Guarding law and related legally based orders have come into force. Act 32, of 1997, regarding border guarding and has completed the legal background which regulates the Border Guards.

Over the past ten years, Hungary has reorganised the structure of its Border Guards, changing it from a military organisation with enrolled staff, into a police organisation with solely professional staff. The advent of the Border Guard Act meant that legal regulations were modified. In line with the creation of an organisational structure which suits present requirements, Hungary has established a border surveillance system that reflects 21st century border guarding principles, and which will satisfy both current and future security requirements.

3. The legal background of the Hungarian Border Guards

The legal background of the Border Guard is based on the Constitution (40/A §) of the Republic of Hungary which is Act 20 from 1949. According to the Constitution, the legal status of the Border Guards was divided into two parts. The Border Guards acted as a military force and implemented their military tasks according to the laws on Military Defence; however they implemented their 'green' border guarding duties in accordance with the law on Border Guards and other relevant legal regulations. In the case of a military attack or an unexpected border crossing by military personnel, the Border Guard took part in the defence of the Republic of Hungary as an armed force. It preserved the territorial integrity of the Hungarian Republic, protected its material assets and implemented other tasks as defined by the laws on the Defence of Public Order.

During law enforcement activities, the Border Guard protected the state border, controlled border traffic, secured the regulated conditions at the state border, and implemented criminal investigations, dealt with petty crime, alien controls, state administration and also some tasks relating to refugees.

Figure III.3. Hungarian Border Guard Activities





In 2004 there was modification of our Constitution, which resulted in the Border Guards becoming a clear law enforcement organization. Since 1 January 2005 the Hungarian Border Guards are no longer part of the armed forces. From this date, Hungary has only one armed force which is the Hungarian Home Defence Force. It is important to note, however, that the Border Guards are a legally based and competent police type authority, but they are not part of the Hungarian Police. They are an independent organisation with their own staff, which comes under the Ministry of Justice and Law Enforcement. From 1 January 2005, the constitution declares that the Border Guards protect the state border and maintain the regulated conditions of the state border.

Since 1 November 1997, the Border Guards have had the right to commence investigations in the cases related to five crimes, as declared in the Penal Code Act 4 from 1978, namely: forgery of travel documents, human trafficking/smuggling, and impairment of border markings, unlawful staying in Hungary, and forbidden crossing of the state-border by weapons. Since 1st July 2006 our investigation rights have been broaden and nowadays the Border Guards have the authority over ten crimes: violation of personal freedom, trade of humans, violence of ban of entry, facilitation of unlawful staying in Hungary, human trafficking/smuggling, impairment of border mark, smuggling of weapons, participating in criminal organization, forgery of travel documents and misuse of public-documents.

Another relevant field of our work is the alien policing. The border-policing offices and services of Border Guards have authority to control foreigners on their responsibility area. There are strict rules of this job written in a special law titled: entry and staying of foreigners in Hungary, act 39 from 2001.

The Border Guards are under the control of Parliament, the Government and the Minister of Justice and Law-Enforcement. On behalf of the Government, the Minister of Justice and Law-Enforcement provides the professional supervision of the Border Guards' activity. The Minister of Justice and Law-Enforcement exercises every authority that is not delegated to another organisation or person by the Constitution, the Act on Border Guarding or by another law.

4. Tasks of the Hungarian Border Guards

The main tasks of the Hungarian Border guards are as follows:

1. Surveillance of the state border, prevention, detection, and interruption of unauthorized border crossings;
2. In accordance with international agreements and by cooperating with other authorities, control of personnel, vehicles, and cargo traffic going through the borders, authorisation of personal exit and entry according to relevant prescriptions, and the upkeep of order at border crossing points;
3. Execution of the alien policing tasks defined in the act on the entry and residence of aliens and in the legislation on its implementation;
4. Interaction in the execution of tasks of authorities responsible for refugee cases, as defined in separate acts;
5. Execution of obligations as determined in international agreements, directing Hungarian activities of examining border related events, overseeing border clearance, and the works connected to the survey, marking, and restoring of border signs;
6. To ward against violent acts made against the order maintained at the border and the facilities under its protection;
7. Implementation of the necessary measures required to manage conflicts directly endangering the order of the border and dangers imposed by masses of refugees;
8. Detecting armed activities endangering the order of the border and apprehend those arriving armed;
9. Upkeep of the order of the border, and interacting as a professional authority in certain public administration processes;
10. Execution of certain law enforcement tasks in states of emergency, as determined by the law;
11. Practice of certain competences in a number of cases of petty offence, as determined by the law;
12. Collection and evaluation of information necessary for the implementation of its tasks.

For years Hungary has been located in one of the main axes of the east-west illegal migrant routes. At the state border, the Border Guards have successfully managed to prevent, discover, prove and forcing back the variety of illegal acts taking place. Because of migration, illegal border crossings and international organized crime there has been a significant increase in the smuggling of goods, drugs and vehicles. The Border Guards have been fighting successfully against the illegal migration and its related international crimes for years.

Figure III.4. Illegal Immigration Route across Hungary



Illegal migration is helped by well organised, international human trafficking/smuggling organisations with an excellent knowledge of the terrain and sophisticated technical equipment. The human traffickers/smugglers try to ensure that large number of groups of migrants succeed in crossing the state-border. Regarding crimes at committed at the border, attempted illegal border crossing is the most common and more than half of such acts happen at the border crossing points. The second and third most common is alien policing related petty offences and the forgery of travel documents. The Border Guards have achieved a 75-80 % success rate in preventing such crimes. The Border Guards cooperate with other actors in the state administration in the undisputable interest of the country and in the prevention of illegal acts. These organisations include: the Customs, Police, Immigration and Citizenship Office, the National Secret Services, the Hungarian Home Defence Force, the National Health Service, Airport and Cargo Agencies, Travel Agencies, as well as local governments and with people and their communities.

Hungary, as a transit country, has been in the mainstream of illegal immigration for many years. Illegal immigrants arriving from the Ukraine, Romania and Serbia travelling towards Slovakia, the Czech Republic, Germany, Austria, Slovenia and Italy, commit or attempt to cross the border illegally, mainly via Budapest. Over the past years, there has been an increase in the number of border violations. The number of illegal border crossings and trafficking in human beings has increased two-fold during the past years, with a significant number of illegal crossings being carried out in large groups.

On an annual basis, passport controllers within the Border Guards check nearly 100 million passengers at the border-crossing points. As a result of development over the past few years, the conditions have been improving continuously improving at the busiest border crossing points. The Border Guards have installed a computerised document reading system at the border crossing points, which is able to identify a passport automatically and is able to show if the personal data is on file.

5. The Structure and Location of the Border Guards

The organisation of the Border Guards consists of central, regional, local and other kind of operational elements. Its central element is the National Headquarters of the Border Guards, in Budapest. The head of the Border Guards is the National Commander who is appointed by the President of the Republic of Hungary, in accordance with the proposal of the Minister of Justice and Law-Enforcement. Border Guards territorial (regional) services are made up of: ten Border Guards Directorates and their local services which are 51 border police offices. They also have operational services such as Mobile Forces (15), Criminal Investigation and Intelligence Services (27) and Alien Policing Reception Centres (6) for aliens captured in Hungary during illegal activity. Hungary has 112 border-crossing points, 70 roads, 26 railways, 10 airports, and 6 water border-crossing points.

Figure III.5. Hungarian Border Guards Deployment

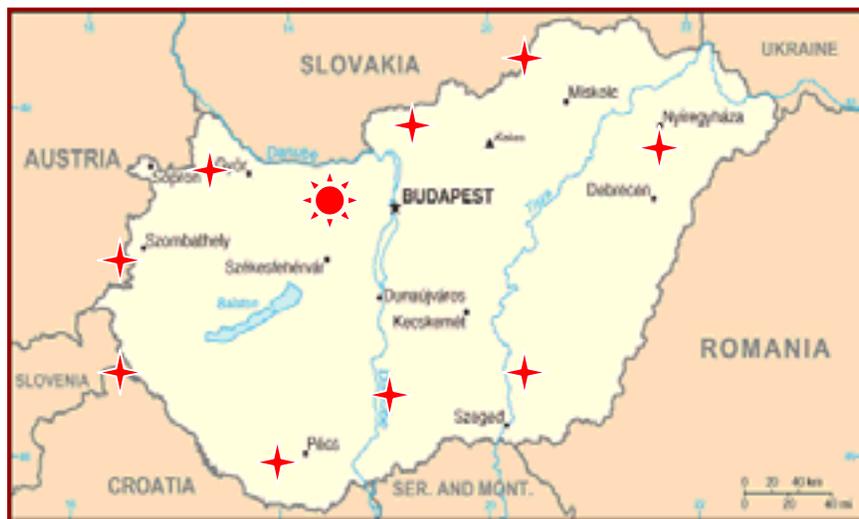
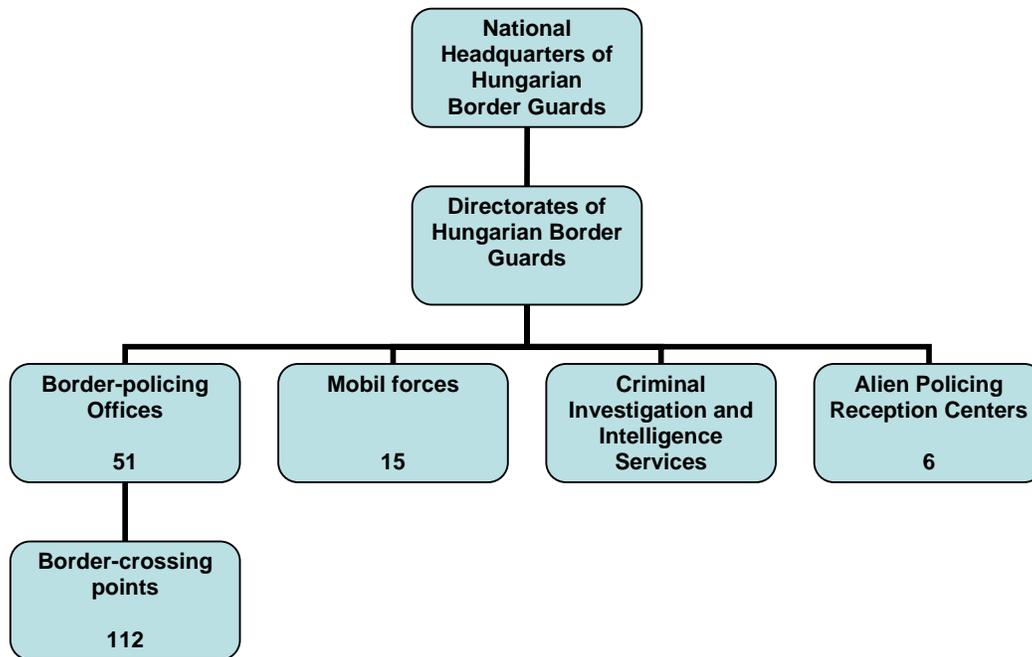


Figure III.6. Organizational Structure of Hungarian Border Guards



At the central level, the planning, organization, co-ordination and, at certain levels, the implementation of the border guard's professional activities (e.g. border guarding, border traffic control, maintenance of regulated order at the state border, criminal investigations and intelligence, alien and petty crime controls, service on duty and training) are carried out by the operational General Directorate. At the regional level these are carried out by the operational deputy directorate's structure. All technical services, which are essential for the management and functioning of the service, such as Human Resource, Health Care, Psychological Services, Controlling, Legal Affairs, Public Relations, International Affairs and Administration, fall under the direct authority of the National Commander and the Directors. Presently the total number of staff is 10,500 persons.

In order to effectively execute the obligations imposed by the law, the organisational structure of the Border Guards is divided into professional fields, functional services, and logistical services which supporting the mission of the organization.

Professional fields:

1. The field of border policing, which consists of the surveillance of the state borders of the Republic of Hungary; the maintenance of order at the borders; prevention, detection and interruption of unauthorised border crossing; control of personal, vehicle, and cargo traffic through the border; and prevention of the exit or entry for persons not eligible for border crossing;
2. The field of criminal investigation and intelligence, which ensures the prevention, detection and disruption of criminal acts within the remit of the Border Guards, in accordance with the law on criminal procedures, as well as carrying out related intelligence activities;

3. The field of alien policing and petty offences, which ensures the execution of the tasks delegated to the Border Guards by the laws on alien policing, petty offences, and asylum.

Functional services:

1. The operations service ensures proper focus of forces and provides the necessary manoeuvrability for the proper execution of border guard tasks, as well as implementing and coordinating the complex tasks within the territory of the country, that are necessary for the control of illegal migration and related unlawful acts. It also serves as a reserve force for handling unexpected situations;
2. The deployment service ensures the continuity of the execution of border guard tasks and the organisational management and leadership, and ensures the execution of duty and duty reporting, warrants, evaluation and analysis, data handling service, and data security.

Logistical Services:

1. Financial (economical, technical, supply and maintenance, IT);
2. Training and methodology;
3. Human (HR, disciplinary, healthcare and psychology);
4. Control and supervision;
5. Management (secretariat, legal, international, communication, data protection, strategic planning and quality management).

In an evaluation of 2006, we can see that 109 million passengers travelled through the borders of our country and that 38 million vehicles moved through the border-crossing points. In the same period of time, border guards commenced measures on 82,816 cases. 16,508 cases were connected to illegal migration, 23,159 persons were sent back, at the state border, to the countries they were coming from because they did not meet the conditions necessary to enter into Hungary. 3,036 wanted persons were caught officially by the border guards. In 2,757 cases, the border guards recognized forged document, a crime committed mainly by foreigners who want to travel via Hungary into Western European countries. In the other 40,113 cases, the border guards have recorded measures against persons in a variety of different cases. The perpetrators who made illegal and unlawful acts during their staying in Hungary or took part in criminal activity and subsequently caught by the border guards were mainly Romanians (8,939), Ukrainians (3,530) and Serbs (977). The Border Guards are an independent economic agent. At the central level, financial support, material resources, technical aid and IT background are provided by the economic General Directorate and at the regional level by the economic Deputy-Directorates.

6. Accession to the European Union (EU) and the Experience of Three Years

During the preparation work for EU accession, the year 2000 was a turning point for the Border Guards. After three years of planning and preparation, the development programmes entered the stage of realization in the areas of mobility, information-technology, and reconnaissance and border traffic control. From January 2001 a Governmental Decree was issued, containing the integrated development of the Border Guards, and also the task of creating a

Schengen harmonized border traffic control-system. The structure, operational authorities and working conditions of the Border Guards were screened by EU experts so that the all the legal regulations and practices required by the Schengen Convention could be processed. In the year 2000, fourteen programs ensured the development of Border Guards, concentrating on the most important areas with a view to the EU accession process. These were legal harmonisation, human resources, technical development, infrastructure and the modernisation of the organisation. The programme concerning the Border Guards and legal harmonization was successful. The new Aliens Act, the draft of Border Guarding and amendments to the Refugees Act's, were worked out in compliance with EU legal regulations and practices. And thus, the possibility for further detailed regulations has been created. The Human Resources development concentrated on two areas, i.e. on the demand for staff and for adequate training. Together with the foreign experts, we established the concrete number of staff needed for controlling the EU internal and external borders and the most suitable types and methods of training required.

In the field of technical security, the establishment of a border registration system, IT web development, acquisition of means of border traffic control, green border reconnaissance equipment and an increase in the capacity for mobility, were given the priority during the last years. The border registration system has been built at road border crossing points and air border crossing points. The system will be introduced at functioning blue and rail border crossing points in the future and the development of the Border Guards capacity to be mobile on land, in the water and in the air, is also planned. As far as ground mobility is concerned, I would just highlight the tasks of the mobile patrol. In 2001, development has been concentrated on minibuses, which use watch lists as well as on mobile deployment centres. In order to improve the control capacity on blue borders, new boats have been brought into service.

7. Lessons Learned on the Basis of the Experiences of the Hungarian Border Guards

From the very beginning we have to know that what kind of main effects took place in the environment of Border Guards in the past eighteen years. One of most relevant changes was that in 1989 the Hungarian state changed from a socialist type state to a Republic, and in 1990 free election was held and a new Parliament was chosen. Hungary became a democratic and free country where human rights are respected, and where people have the right and opportunity to express their opinions freely and to travel abroad without limits. The new Hungarian Government declared that the country does not have an enemy and wishes to cooperate with her neighbours on an equal level in the interest of mutual and fruitful political, economical and cultural relations. In spite of the help of the international community, one of the bloodiest war of the nineties occurred in our southern neighbourhood. Between 1991-98 the former Yugoslavia collapsed after a civil war causing a very high risk to security in the region. Thousands of refugees escaped from their homes and looked for shelter in our country and in other peaceful areas of Europe.

Other remarkable events include the fact that Hungary joined the North-Atlantic Treaty's Organization (NATO) in 1999, which is a powerful, collective, defence organisation in the North Atlantic European region and plays a specific and relevant role in security policy.

From the Border Guards perspective, 1 May 2004 was a cornerstone day as the country's common borders with Austria, Slovakia and Slovenia became the internal border of European Union and on the same day the border with Croatia, Serbia, Romania and the Ukraine became part of the external border of the European Union. Since joining the European Union, historical changes have been made in border guard technology. Hungarian Border Guards have concentrated their human and technical powers on the external borders, whilst applying different methods on the internal borders. On 1 January 2007, Bulgaria and Romania became members of the European Union, bringing more new challenges for the Border Guards as the Hungarian-Romanian border is also now part of the internal border since that date.

Figure III.7. Schengen Convention Member and Candidate Countries



To continue with dates, I would like to say some words about 1 January 2008. On this day, the decision makers of the European Union have planned that a number of new countries will become members of the Schengen Convention and Hungary will be among them. This means that the constant border surveillance and border control will no longer be required on the internal border of the European Union, except in some special cases.

7.1. The following explanations have made border guarding more efficient:

1. Professional decisions being made in time
2. A solid legal background for carrying out tasks successfully
3. Well organized and professional Border Guards
4. Ensuring financial and technical supplements
5. Financial and moral motivation of personnel and a strict maintenance of discipline
6. Ensuring mobility
7. Modernisation of the organization

8. Active cooperation with neighbouring countries and other states
9. Adequate education and training
10. Initiative and activity in regional cooperation

7.2. The most essential decisions contributing to success were:

1. Forget 'military border guarding' and replace it with border management based on law enforcement
Means: no conscripts in the staff only purely well-trained professional crew. The activities have to be based on a wide legal framework coming from within the Constitution.
2. Participating in the writing of laws concerning the Border Guards
Means: the Border Guards' opinion must be taken into account during the total period of law-making (this is task of the highest management of BGs)
3. Participating in negotiations about the new border-security system
Means: relevant political parties have plans about national security and one of its significant parts is the border security. Taking part in governmental talks about border security establishments and reforms
4. Learning about the highly developed models and adopting favourable practices
Means: Always learn. Study the different models worked out by others and do not hesitate to use useful examples. Visit border-guarding organisations abroad and make relationships with them.
5. Talks with non-governmental organizations and civil associations
Means: NGOs and civil associations have the right to voice their opinions regarding security. State administration uses the money of tax payers and there should be no secrecy involved regarding this part of the security sector

7.3. The factors which could have led to failure but which we managed to avoid:

1. The idea of spreading out the guardianship of the state border between different authorities
2. Annexing certain elements of border guarding to other authorities (e.g.: green border elements or border crossing points to the police, and customs guards to the army)
3. Insufficient financing of Border Guards
4. Different ideas from different political parties regarding the management of Border Guards
5. We have managed to avoid the anticipated negative effects by reacting in time, by being in a very favourable financial position and by our non-political attitude

7.4. Elements of the Hungarian model that are considered to be weak

1. Certain areas of personnel, some financial aspects and some technical structures
2. Parts of the training process

We have taken the right measures to prevent these weaknesses from developing further.

8. Recommendations for Countries that are Planning to Reform their Border Security Systems

1. Avoid the direct influences of political parties regarding the organisation of Border Guards
2. Make use of the favourable effects of political influence (e.g.: demilitarisation)
3. A critical and objective evaluation of the organisation should precede any decisions of the structure of the organisation
4. The organisation should be built on a solid legal basis
5. Professional and uniformed organisations should be structured to deal with the special border guarding tasks (i.e. a service without conscripts)
6. If possible, only one organisation should deal with these tasks
7. The organisation should be subordinated to the Ministry of the Interior or the Ministry of Justice
8. The structure of the organisation should be defined by the tasks
9. EU standard techniques should be used in carrying out the tasks
10. Voluntary activities, motivation and patriotism should be considered when employing personnel
11. The training and education of personnel should be carried out carefully, and international experiences should be taken into consideration
12. Open talks with local governments, NGOs, build up a useful civilian/border guard relationship and involve them in the circle
13. Active cooperation with neighbouring countries and other Border Police organisations should be developed

9. General View of East/South Eastern European Countries Regarding their Border Security Reforms

Security and democratisation are closely related and interlinked. For whatever reasons people feel insecure, from being exposed to any external aggression or internal threat, it is difficult to promote and move further on with the democratisation process. The region of East/South Eastern Europe is a good example of this, because the countries were engaged in a parallel process of building their own institutional capacities, as well as meeting basic security requirements. Following the changes of 1989, the East/South Eastern European states undertook reforms that included the establishment of new institutions, state administered structures, and chains of responsibility for the security sector, as well as adopting the appropriate structures required for the depoliticization and democratic control of security sector actors.

Reforms included the establishment of the principles and structures for oversight and transparency of the security sector; empowering the parliaments or national assemblies to oversee and approve security sector budgets; the establishment of systems of parliamentary committees to examine security sector policies; the civilianisation of border security sector bureaucracies, and the depoliticization of security sector actors. Also, a key element of these security sector reforms was to provide the legal background for reforming security sector formations and making them more professional

This entails defining missions, tasks and structures for border-security sector actors in line with the priorities outlined in relevant legal documents such as national security concepts. Border-guarding is a national mission that should be carried out by a specially trained police force.

Efficient implementation, continuous development and the need for a rapid reaction to the changing nature of cross border crime requires that one leading authority should be responsible for national border security. This authority should consist of one national, non military, specialised organisation that is responsible for security of the border. This organisation should operate under the patronage of either the Ministry of the Interior or the Ministry of Justice.

East/South Eastern Europe: Over the last 15 years, the countries of this region have gradually undertaken reforms to reorganise the structures of their border guard agencies, changing them from military organisations with conscripted staff into police organisation with purely professional staff.

Border guarding requires a professional, specifically trained staff, and is beyond the abilities of a military consisted of conscripts. Today, controlling the border is a matter of law enforcement, rather than of national defence. The military definition of border security - which characterised the Cold War era - is no longer relevant, given the changed security environment. These countries have been building up close relations with different actors from international organizations and institutions. One of the strongest capacities among them found within European Union which provides a number of different projects throughout the region.

Summary

In my presentation, I have tried to paint a proper picture of the Hungarian Border Guards. In the past eighteen years, we encountered more changes than we experienced during the forty previous years. The strict, military type Border Guards were completely changed into a flexible, professional and open law enforcement organization with clear tasks and a stabile legal background, working in the interest of our citizens and our country. To reach our common goals we had to make huge efforts and we had to work together as one.

Indonesian Borderline Management

An Effort to Ensure the Citizen's Security

Aditya Batara G
Researcher at LESPERSI

I. Introduction

Indonesia has undergone Security Sector Reform (SSR) over the past eight years. There are, however, several issues missing in its agenda. In general, SSR conveys the message of 'the rule of security in an effective state with a framework of democratic oversight'.¹⁸ According to the 2002 Human Development Report, the term SSR covers five major aspects: the right to use force; civil management and oversight; law and law enforcement agencies; non-state security forces and a non-state civil society.¹⁹ Thus SSR does not only apply to intelligence, police and military services but also concerns many other institutions in the process of ensuring a state's 'total' security.

In the case of Indonesia, the established pattern of SSR is still limited to the TNI (Indonesian Military), POLRI (National Police) and BIN (State Intelligence Agency). The reason for this is that Indonesia is still a relatively young democracy. It is, however, a paradox that Indonesia celebrated its independence 61 years ago and still faces a crisis of state sovereignty on its territory. So far, Indonesia has had different problems regarding democracy, delimitation and its border management. In fact, the borders are essentially physical borders that emphasise the state's sovereignty and separate its societal, cultural, political and lawful structures from other states. Due to globalisation and a sharp rise in the flow of people, information and goods, the border area serves as a medium to filter potential threats to the citizens' security.²⁰

II. Redefining the Border Security

The border conveys the meaning of a geographical limit or a political entity or lawful jurisdiction, such as a federal, state or regional government. The border itself can be categorised into three forms: land, sea and air.

The border, as part of a political entity (state), is tied to security issues. Therefore, the border area becomes a territory of state security management which needs serious attention. Today's threat patterns to global security have undergone a transition from conventional issues (war, inter-state conflict, etc) to non-conventional issues such as terrorism, weapons of mass destruction and trans-national organised crime. Furthermore, the global security threat is one of the consequences of non-state actors with a high mobility level to immigrate state systems.

Thus the border area becomes a strategic territory in overcoming the above mentioned global security threats. The existence of border control, as a mechanism for oversight of the trafficking of people and goods, has become very

¹⁸ Quoted from Andrzej Karkoszka, *The Concept of SSR in, Security Sector Reform: Its Relevance for Conflict Prevention, Peace Building and Development*, Geneva: UN and DCAF, 2003. page 10.

¹⁹ Each group comprises of a number of institution, actors, agencies and forces depend on each state.

²⁰ In this paper, the term 'border' is outlined covering the airport, port, public road and other means of transport involving the flow of inter-state information, people and goods.

significant in ensuring the citizen's security. Border control itself consists of trans-boundary checkpoints, as well as the checkpoints at airports for personnel and imported goods. The border entrance gate, either at the checkpoint of the airport or port, is the first place to prevent people or goods from coming into the country and possibly threaten the stability of the state by endangering the security of its citizens. Besides that, borders can also serve as a control mechanism with regard to the trafficking of people and goods to foreign states.

Several forms of criminal activity in the border area concern the smuggling of commercial goods, human and arms trafficking, drug smuggling, terrorism, illegal fishing and logging.

III. The Indonesian Border and its Problem of Complexity

Indonesia is an archipelago state with 17,499 islands and an extent of water territory that reaches 5.8 million km². The coastline is 81,900 km in length, and two thirds of the Indonesian territory is made up of sea. As a consequence, Indonesia has only three land borders, whereas the rest are sea borders. Indonesia shares its sea borders with 10 states, namely Malaysia, Singapore, the Philippines, India, Thailand, Vietnam, the Republic of Palau, Australia, Timor Leste and Papua New Guinea. Regarding the land border, Indonesia shares it with the following three states: Malaysia, Papua New Guinea and Timor Leste. The land border is 2,914 km in length.

Figure IV.1. The Border Map of Indonesia



Source: Bakosurtanal, 2003

The vast border territory of Indonesia has real consequences for the strategic meaning of the border area for the dynamics of social life, politics, economy, culture and security. The border area then becomes a principal way for different values, influences and even threats to come and yield a significant impact on Indonesian society.

However, in a contextual meaning, the Indonesian government has not yet considered the border issue to be one of major significance. The vast border territory is seen as a 'back' and not a 'front' door. It is a pity that the centralisation paradigm is still applied to the border area oriented policy,

although the decentralisation paradigm has been applied through a regionally autonomic concept all over Indonesia. In general, it can be said that the border territory has not been touched by a specific policy, in the sense of a management contribution as a positive influence, on either the social, political, economical and security levels, up to now.

Based on the outcomes of LESPERSI's observation, there are two issues underlying the border area. First, the delimitation and demarcation of the Indonesian border is still unclear. In this context, Indonesia has maintained diverse problems in determining its right capacity, particularly with regard to its land and sea borders.

The second problem is related to the management system of the border area. As an early note, the government to date still uses the pattern of inter-institution coordination to manage its borders.

Both fundamental issues above will be analysed more deeply in the discussion below.

III.1 Delimitation and Demarcation of Indonesian Borders

Up to now, Indonesia has had border disputes with other states. The land borderline between Indonesia and Malaysia in Kalimantan of 2'000 km in length has not yet been settled. There are a total of 10 issues to be discussed. Regarding the sea border, different sea zones remain subject to debate. Those include the exclusive economic zone (with Malaysia, the Philippines, Republic of Palau, Papua New Guinea, Timor Leste, India, Singapore and Thailand), the territorial sea border (Timor Leste, and Malaysia-Singapore) and the continents border (Vietnam, the Philippines, Republic of Palau and Timor Leste)²¹.

Theoretically, the following nine aspects often become reasons for territorial claims by one of the states²²:

1. Treaties, this are the most general claims that was based on international treaties and tend to produce minimum conflict and more persuasive.
2. Geography, the claim is based on the natural border.
3. Economy, the claim is related to issues of survival or state building.
4. Culture, the claim is based on the limitation of 'national ethnicity'; specifically language, descendants or other cultural characteristics.
5. Effective control, the claim is based on the existence of territory, administration and population.
6. History, the claim is based on the historical determination (1st ownership) or duration (period of ownership).
7. *Utis possidetis*, the claim of territory is based on the *utis possidetis* doctrine, meaning that the newly independent state inherits the administrative border which was established by the Colonial Government.
8. Elitism, the claim is based on the technological capability.
9. Ideology, the claim is based on a unique identification with territory or, in other words, with an ideological expansion.

²¹ The Master Plan Book of State Territorial Border Management: *Prinsip Dasar Arah Kebijakan, Strategi dan Program Pembangunan*. Bappenas (National Development Planning Board), 2006. Pg.31-34.

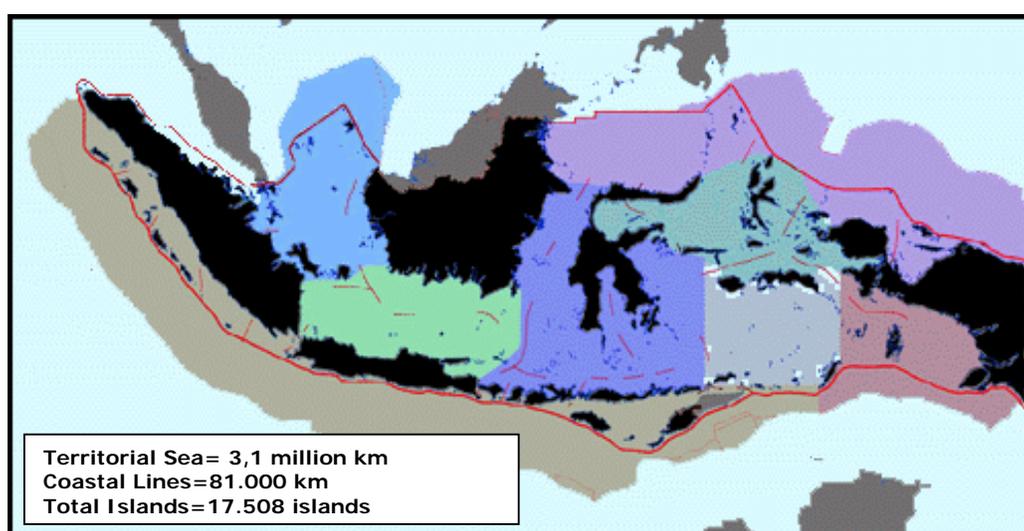
²² Brian Taylor Summer, *Territorial Disputes at the International Court of Justice*. *Duke Law Journal*. Pg.1.

Indonesia, so far, has tended to use *utis possidetis*, treaties, history and culture in claiming the 'floating' borderline when facing territorial disputes with its neighbouring states. If Indonesia's argument remains, based on this approach, it will endanger Indonesia very much as the arguments underlying the Indonesian claims on the 'floating' of border territories are very weak.

III.1.1 Delimitation of Indonesian Maritime Territory

Indonesia is an archipelago state with 17,499 islands and the extent of water territory reaches 5.8 million km², and a coastline of 81,900 km in length. Two thirds of the Indonesian territory is made up of sea. As a consequence, Indonesia has only three land borders, whereas the rest are sea borders.

Figure IV.2. Geographical Map of Indonesian Maritime



Source: Indonesian Fishery and Maritime Affairs Ministry, 2003.

The form of Indonesia's archipelagic state is reflected in the country's geopolitical conceptualisation. The Concept of *Wawasan Nusantara* provides key aspects on the fundamental development of the country: 'To Manifest the NKRI as an archipelagic state which is bonded in one political, economic, socio-cultural and state security defence unit, to meet the goals of the Indonesian struggle through the development of integrated land, sea and air potential'.²³

The Indonesian geopolitical commitment in its National Perspective indicates clearly that the government, implementing the development process on a national scale, should have had an obligation to realise the Indonesian strategic position as an archipelagic state and its consequences on the social, economical, cultural, and political and security/defence development, undertaken as a geo-strategy. So far, there have been few governmental, political commitments on the state border issue, particularly at sea. The government has only focused on developing programmes for the land territory without having any significant impact on the land border territory. The biggest problem in the delimitation of

²³ Abdul Rival Rais, *Konflik Laut Cina Selatan dan Ketahanan Regional Asia Pasifik: Sudut Pandang Indonesia*, Jakarta:APSINDO, 2001, pg. 23.

the Indonesian sea territory which results from the complex problem of the front islands of Indonesia.²⁴

In the delimitation context, the front islands have become a base for withdrawing the base line of National waters, giving legitimisation of rights and authorisation of Indonesia to its water territory.

Data from the year 2004 shows that 12 of the 92 front islands, which have become state border points of Indonesia, are vulnerable to border conflict.²⁵

Based on the Presidential Regulation No 78/2005, 92 Indonesian small front islands border several States such as Malaysia (22 islands), Vietnam (2 islands), The Philippines (11 islands), Singapore (4 islands), Australia (23 islands), Timor Leste (10 islands) and India (12 islands).

Unfortunately, the Indonesian maritime border has not been fully recognised at the international level. The decision on the baseline of national waters was set by the Government's Regulation No. 4 of 1960 and revised by the Government's regulation No. 6 of 1996 on Indonesian Waters. However, those regulations have not been deposited at the UN. Actually, the first step to get an international regulation is by depositing those regulations.

In the beginning, the islands vulnerable to border disputes were not inhabited and often utilised by foreign fishermen as shelter and fishing grounds. During their development, half of the outer islands have been inhabited. Most of them have been inhabited by Indonesian citizens that make their living as fishermen.

The limited social, economical and cultural infrastructure put the Indonesian citizens on those islands in an irritating and difficult situation.²⁶

The existence of the Indonesian front islands is of strategic relevance as a gateway to land interaction with its neighbouring states, in terms of a social, economical, political, and cultural and defence context. Interactions occurring in the front islands can have positive effects, such as trade, or negative influences such as smuggling, illegal fishing and water disputes.

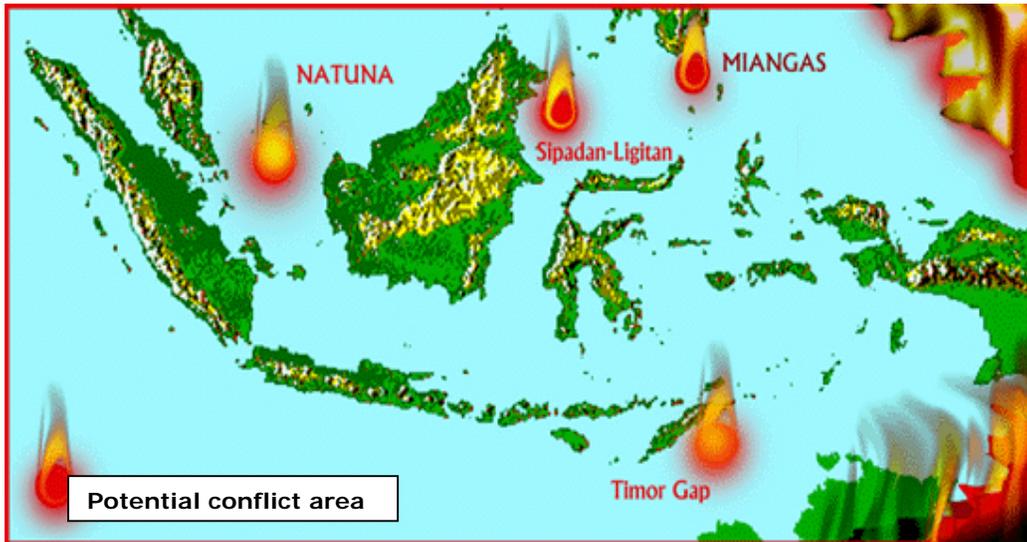
In general, a number of Indonesian front islands have the potential to yield conflict with neighbouring states, namely Natuna Waters, the Sangihe Talaud Islands and the Timor Gap area.

²⁴ The writer prefers to use the word 'front islands' to 'outer islands' regarding those islands are the front parts – not the outer parts – of Indonesia bordered with other states.

²⁵ *Sebanyak 12 Pulau Terluar Indonesia Rawan Konflik*, KOMPAS, Edition 9 September 2004, <http://www.kompas.com/KOMPAS-cetak/0409/09/economy/1258816.htm>, accessed on Friday, 28 December 2006 at 14:56 WIB.

²⁶ See the Laporan Akhir Tahun LESPERSI ((LESPERSI Annual Report) *Evaluasi Sektor Keamanan 2006 dan Prioritas RSK of 2007*.

Figure IV.3. Potential Location of Conflict in Indonesian Waters



Source: Fishery and Maritime Affairs Ministry, 2003.

For Natuna Waters, attention should be paid to the Sekatung Island (Riau) which borders Vietnam and is sometimes used as shelter by foreign fishermen. In the Sipadan-Ligitan Waters, the Sebatik Islands (owned by Indonesia and Malaysia) must receive special attention. Regarding the Sangihe Talaud Islands, the Miangas Island that borders directly with the Philippines should gain special attention.²⁷ Concerning the Timor Gap, the Dana and Batik Island must be watched carefully as they are vulnerable to smuggling and illegal immigration.²⁸

Due to a missing limitation of the Indonesian territory by international law, most of the Indonesian sea territory has been made vulnerable to crimes and expansion of sea territory by neighbouring states.²⁹

III. I. The Demarcation of Indonesian Land

The condition of the Indonesian land border is much clearer than the sea border. Nonetheless, the land border also remains affected by problems in the Indonesian border area as a whole. The one and only difference regarding the level of problems between the sea and land borders is that there is better demarcation of the Indonesian land borders.

Indonesia maintains land borders with three states (Malaysia, Papua New Guinea and Timor Leste) on three islands, four provinces and 15 regencies and municipalities (see figure III-3,a,b, and c).

²⁷ One the writer's opinion, Miangas Island should get an early attention regarding most of the people there have shown the great desire to merge with the Philippines due to economic reason

²⁸ Processed from different sources

²⁹ International Maritime Bureau (IMB) reports that Indonesian sea territory is the most dangerous in the world. According to IMB, for the first 3 month of 2007, 9 of 41 attacks and piracies in the world are noted to occur in Indonesian Waters. Al Busyra Basnur, *Laut Kita, Aman Tak Aman*, <http://www.seputar-indonesia.com.edisicetak/opini/laut-kita-aman-tak-aman-3.html>. accessed on 1 June 2007, at 13:24 WIB.

Figure IV.4. Indonesia Land Border

A. Indonesia – Malaysia border in Kalimantan



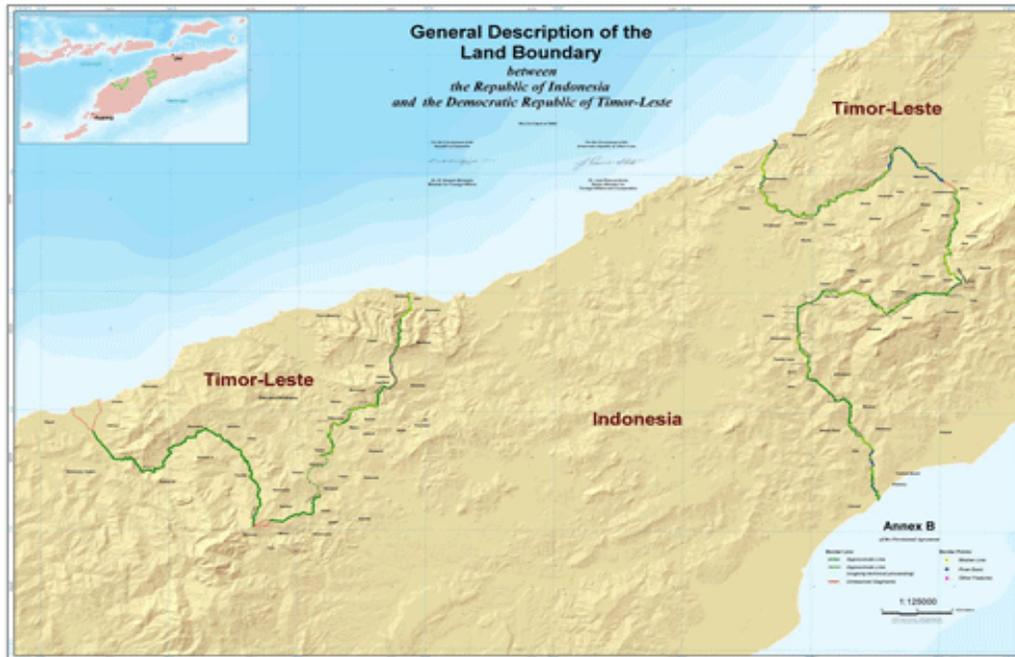
Source: Indonesian National Development Planning Board (Bappenas) 2006

B. Indonesia – Papua New Guinea Border in Papua



Source: www.papuaweb.org

C. Indonesia – Timor Leste Border in East Nusa Tenggara



Source: www.bakosurtanal.go.id, 2006

Although the demarcation condition of the Indonesian land border is better than the sea border, illegal border crossing, logging, migrant workers (TKI) and goods smuggling remain one of the major problems/concerns of the land border. The low level of socialisation and infrastructure (adequate border signs and trans-boundary posts) along the land borderline has become a major problem which demands serious attention from the government.

III.2. Border Management Authority in Indonesia

So far, Indonesia does not possess a clear authority for the conducting of border management tasks. The Indonesian government tends to apply a coordinative management system which is, unfortunately, not separated into a customs authority, immigration, and quarantine and security level. Such a separation would be the only solution to reduce significantly the threat levels in the borderline areas. Especially, as the authority in this region overlaps among the previously indicated factors.³⁰

As a consequence, it must be acknowledged that the government's response to the dynamics of this issue is still insufficient. As was already explained at the beginning of this chapter, the border area is an integral part of a state that is vulnerable to potential security and defence threats from other states.

The existence of an integrated borderline management authority – customs, immigration, quarantine and security – is the main solution to reduce the

³⁰ The writer sees that an integrated system of state borderline management will optimize the CIQS (Custom, immigration, quarantine and security) standard in one agency/institution enabling the process of oversight and control on state borderline becomes more effective and efficient.

security and defence threat level at the state border. The integrated state borderline management will contribute better conditions within the border areas and assure a more permanent state sovereignty in the front territories of the said state.

So far, the Indonesian border area has been managed through a security approach by relying on the TNI (Indonesian Military) as its main actor. Act No. 34 on TNI of the year 2004, article 7 verses 2 (b) point 4, states that the TNI is to secure the border territory.

However, the current security approach in managing the border area is no longer suitable to be applied. Firstly, the TNI is a state security and defence force which has no expertise in the social, economic, cultural and political management sectors of Indonesia's borders.³¹ Its only capability is to maintain the state's sovereignty regarding potential threats from other states. Secondly, putting TNI, as the only force, in charge of the sovereignty of the border area management – which is far beyond central control and access to civil society oversight – might cause potential abuse of authority by some of the TNI personnel. For instance, the case of several TNI members being involved in criminal activities such as illegal logging, goods smuggling and human rights violations as part of their official duties. Thirdly, strengthening the national self-identity of the community in the border areas would be more efficient if it was conducted by non-coercive, persuasive and accommodative manners.

The state territory draft, proposed by DPR RI (The House of Representatives) in February 2006, states that the government will establish a special agency for border management in charge of implementing the following authorities³²:

1. To conduct border negotiations and establish border signs.
2. To conduct the development of the border territory, especially the financial instruments.
3. To collect data and name the islands/archipelago and other geographic elements.
4. To guard the border territory.
5. To establish and periodically revise the map of the Indonesian territory and hand it to DPR RI at least once every five years and deposit a copy at the UN.

Point 2 reflects on the authorities' imbalance. This is because of the border area development being in the relevant regional administration's hand. Delegating the developmental affairs of the border area to the border management agency will only negate the similar responsibility delegated to the local administration. The border management agency should be in charge of controlling the flow of people and goods and the security management of the borderline without playing an active role in developing the border area.

Ideally, the government only delegates the authority to manage the borderline with the idea of protecting its citizens from the flow of people and goods harming the agency to be established. The agency to be established should meet three main elements in order to run its job efficiently and effectively:

³¹ Aditya batara G, *Perbatasan sebagai Identitas Bangsa*. JURNAL NASIONAL. Tuesday edition, 3 April 2007

³² See the State Territory Draft: Initiative Proposal of Legislation Body of DPR-RI, 14 February 2007, Articles 29-30

1. Integrated state borderline management covers the aspects of customs, immigration, quarantine and security in one agency.
2. Tight oversight and control on the flow of people and goods, based on existing laws, is aimed only at protecting the citizens' security.
3. Transparency and accountability of the relevant agency and its activities towards the public.

The control of the flow of goods and people is mostly undertaken by the immigration and custom authorities. Meanwhile, the coast guards, as the authorised party, are in charge of insuring the appropriate level of security along the sea borderline.

IV. Closing

The discourse on SSR so far has been addressed to the national security actors, namely the military, police and intelligence agencies. Actually, the essence of SSR is to create a model of security that allows Indonesian citizens to gain direct influence through the framework of democratic oversight. When talking about a model for Indonesian security, the recent global security developments need to be taken into consideration.

Implementing SSR does not only mean to reform the role, function, status and control of the different security sector actors, but also to synergise the available capabilities for the national security and defence system in relation to the existing global security threat.

One possible form of synergising the national security and defence system, also considering the global security threats, is by means of state border management reform. Borders are often ignored in the discourse of SSR. The border issue is considered a *non populist* issue that does not contribute significantly to the strategic meaning of SSR. In fact, the border is one medium of ensuring the citizen's security and part of the national security system. It is paradoxical that Indonesia has been recognised by the world as a state for almost 62 years, considering that it has had sovereignty problems in terms of international law. The border is a symbol for the most real and physical form of sovereignty of a state, with its unique social, cultural, political and legal characteristics that are different from other states.

There are two main problems concerning the Indonesian border. Firstly, the Indonesian border delimitation and demarcation and border management authority in Indonesia. Regarding the issues of the Indonesian border delimitation and demarcation, the government must immediately carry out a series of policies to accelerate the setting of the Indonesian border territory. Regarding the strong potential of change in the delimitation and demarcation of the Indonesian border, the government needs to pay attention to 9 aspects of reasons for state's ownership claim on a territory, namely treaties, geography, economy, culture, effective control, history, *cutis postdates* doctrine, elitism and ideology in setting the strategy and policies of Indonesian territorial border.³³

³³ The Indonesian government should understand the said 9 aspects in setting the state territorial border in order to make the Sipadan-Ligitan Dispute Case won by Malaysia through the effective control clausal in international court of justice does not appear. For more explanation on Sipadan-Ligitan dispute case, see Mustafa Abubakar, *Menata Pulau-Pulau Kecil Perbatasan*, Jakarta:Penerbit Buku: KOMPAS, 2006, page 83-91.

Secondly, concerning the issue of border management authority in Indonesia, the government must accelerate the legalisation of a State Territory Draft to establish a specified agency that possesses the authority to manage the borderline (custom, immigration, quarantine and security). Furthermore, in its establishment, this agency will be expected to meet the standards required for democratic and civil control of the security sector. Thus the use of coercive force can be minimised by more persuasive and accommodative manners on the dynamic border issues. In addition, the regional administration must realized their responsibility for border area development as mandated by the Act No 32 of 2004 on Regional Administration

References

Abubakar, Mustafa. *Menata Pulau-pulau Kecil Perbatasan*. Jakarta:Penerbit Buku Kompas, 2006.

Master plan Book of State Territory Border Management:*Prinsip Dasar. Arah Kebijakan, Strategi dan Program Pembangunan*. Bappenas, 2006.

Laporan Akhir Tahun LESPERSSI: *Evaluasi Sektor Keamanan 2006 dan Prioritas RSK tahun 2007*.

Rais, Abdul Rival, *Konflik Laut Cina Selatan dan Ketahanan Regional Asia Pasifik: Sudut Pandang Indonesia*. Jakarta: APSINDO, 2001.

_____, *SSR: Its Relevance for Conflict Prevention, Peace Building and Development*, Geneva: UN and DCAF, 2003.

TNI Magazine, PATRIOT, edition: May 2007.

Border Issues as Part of Law Enforcement

Beni Sukadis
Program Coordinator of LESPERSI

Introduction

In the meeting held between the Ministers of Security and Political Affairs and the I-DPR Commission (House of Representatives) in July 2007, a number of issues related to border territories and outer islands were examined.

Particular attention was paid to outer island territories. Islands can be "lost" if they disappear or diminish in size, if a country loses ownership or oversight over these islands, or if central authorities lose influence over island populations because of long standing economic grievances. These phenomena can be addressed by adopting the following measures: first, by naming presently unnamed islands, by transmitting the names of these islands to the UN, by effectively occupying these islands by building a monument and, finally, by bringing prosperity to border territories in order to prevent them from becoming socio-economically disadvantaged areas.

Border issues are closely related to human trafficking, arms smuggling and trafficking of other goods. These challenges cannot be resolved by military means, they must be addressed by a strategy that combines law enforcement measures, social welfare policies and high levels of political commitment.

Problems of Border Territories

On 9 April 2007, *Koran Tempo*, an Indonesian newspaper, published an article entitled "*Orang Asing Banyak Kuasai Pulau Nias*" on the alleged "occupation" of islands by foreigners. The newspaper editorial argued that the issue should receive more attention than it currently does from all concerned parties in Indonesia and be given top priority by the authorities.

This article raises a series of questions related to the legal framework surrounding island ownership in Indonesia. Ownership of islands by foreigners can endanger the integrity of our territory in so far as there is no regulation in existence which allows foreigners to buy islands in Indonesia. This issue touches upon the subject of fishing rights. Indonesian fishermen cannot be blamed for selling their products to foreign fishermen; what is needed is a more comprehensive framework for foreigners to network with local fishermen.

As the Indonesian sea borders remain largely open, the flow of people, goods and services is difficult to monitor. Fundamentally, open sea borders are linked to issues related to the Indonesian National Interest. For instance, fishermen from Thailand, China and the Philippines have long fished illegally in Indonesian territorial waters. According to one estimate, the annual losses to the Indonesian national economy due to illegal fishing are around 4 billion rupiahs.

One illustrative example of the various challenges in border territories are the Miangas Islands, located in North Sulawesi. Most of the inhabitants of the island, composed of Miangas and Marores, do not consider the islands to be part of Indonesia. Most of them work in the Philippines and regularly buy, sell and trade goods in that country. Recently, Miangas decided to fly the Philippines flag - instead of the Indonesian one - after an incident of trivial disputed between police officer with Miangas peoples. This incident is not an isolated one; it is representative of a larger trend and must be handled as an urgent priority.

Moreover, there have been numerous media reports suggesting that arms and ammunition smuggling is carried out in the coastal waters of Sulawesi and Kalimantan. According to these reports, the traffic is carried out in the Southern Philippines, going from Sabah (Malaysia) or Tahuna (North Sulawesi), passing by Sabah and Nunukan (East Kalimantan) to reach Poso by boat.³⁴ This case suggests that the challenges of trafficking are intimately linked to the conflicts in the region. It also demonstrates the failure of the state security apparatus to put an end to arms smuggling in the region.

The challenges of border management and oversight, in outer islands in particular, have been recently addressed by the Indonesian government. In 2006, the Indonesian National Development Planning Board published the "Master Plan Book of State Border Management", placing the issue of border management as one of the government's top priorities. The report stresses the importance of coordination between central and local governments in border management.

A number of specific policies have been put forward, particularly Presidential decree No. 7 - Mid Period Development Planning (RPJM) 2004-2009 and Presidential decree No 39 of 2005 - Government Working Plan (RKP) 2006. However, both legislations are very general in nature, do not specify any concrete governmental policy, and only partially address border issues in the outer islands. One of government's priorities is to develop the infrastructure in the border territory and the outer island, and the second is for the economic development in the form of transportation and telecommunication in the outer islands. This is a significant factor in order that local residents can move around and communicate between each other, and also to allow coordination between the district administrations and the local ones.

The building of sea transport routes to outer islands is of particular importance as inter-regional transport routes are crucial in maintaining communication flows and the free movement of people. While these routes might not be economically profitable, government subsidies is logical as it provides for the de facto occupation of our territory. Because the maintenance of outer islands a key factor of Indonesia's national interest, the development of sea transport routes is a much needed policy.

Similarly, the expansion of telecommunications in border territories and outer islands is another area than must be prioritized. One illustrative example of current failures is the situation prevailing in Sebatik Island, located in north eastern Kalimantan. The island is divided in two parts; the northern part belongs to Malaysia and the southern one to Indonesia. There are more people living in the Indonesian section of the island, but all watch Malaysian television as regular antennas do not receive Indonesian broadcasts. Only those that possess parabola antennae have access to Indonesian television broadcasts.

The case of Sebatik Island is representative of the prevailing situation in many other border territories. These phenomena have lasted for so long that they have the potential to undermine national unity in Indonesia and can, in the long run, destroy the very meaning of being Indonesian. In other words, while many islands are formally a part of Indonesia, their inhabitants feel emotionally attached to a neighboring state. Another area of concern is the fate of uninhabited islands. There are 92 outer islands in Indonesia and most of them are uninhabited. At least 12 of these islands are vulnerable to conflict and smuggling of different kinds. Indisputably, immediate and concrete action is

³⁴ p.29, Tempo Magazine, in February 2007, "Weapon Business in the heart of Poso".

needed to address the different problems in these regions, not least the illegal foreign occupation of several islands in Nias and Malaysian violation of international borders in Ambalat.

Borders as Territory

Border territories and outer islands raise a number of challenges and can be a source of frustration. These issues are related to the national interest in four fundamental ways:

- a. They have a significant impact on state sovereignty
- b. They are factors that can contribute to the promotion of socio-economic welfare policies
- c. Any activities across border affect the situation in neighbour country
- d. They impact on the security and defence environment at a national and regional level.

The aforementioned factors are closely inter-related. However, the most important of these is socio-economic. Unemployment, political instability and economic disparities between Indonesia and neighbouring countries have created a new range of problems. In many outer islands, the only way to survive is to work, illegally, in a neighbouring state. According to one Malaysian NGO, there were 6 million illegal Indonesian workers in the country in 2002. This phenomenon adds to the argument that Indonesia does not provide enough jobs to ensure the survival of its population.

In addition, this issue raises concerns about the ability of the Indonesian government to control its borders and prevent the illegal crossing of goods and people. For instance, the 1'900 km long border between Malaysia and Indonesia in Kalimantan is monitored by only 25 guards of the Indonesian Military (TNI), and some of the border posts are only inspected once a month. Thus, current statistics on smuggled goods, illegal logging, illegal crossings and human trafficking should come at no surprise.

The existence of TNI border posts is legally irrelevant as, according to the 2004 TNI Act, the function of the army includes the maintenance of security in border territories. However, in the management of border flows, the army performs outside its main function, namely national defence. In practice, border patrols are charged with countering human and goods trafficking, something which has little to do with national defence. The function of managing the free flow of goods and people is in fact a law enforcement duty.

Generally, law enforcement duties in border territories, international airports and ports are handled by customs officials and the police. Thus, in securing the border, the TNI in fact executes a law enforcement function and therefore, it can be argued, that it in fact performs a temporary duty. If the TNI does in fact perform a temporary duty, the question remains as to which agency is in charge of border security. The Coordinating Agency for Maritime Security (Bakorkamla), under the coordination of Coordinating Minister for Political and Security Affairs, is responsible for maritime security.

Towards a Border Guard Unit

Recently, high-ranking officials of the Indonesian Navy (TNI-AL) have agreed to establish a Coast Guard unit. The unit would be given authority to protect Indonesia's territorial waters and enforce shipping laws; substituting Bakorkamla in its current duties. However, questions remain as to the mission and jurisdiction of the unit: What will be the specific mission of the Coast Guard unit? Under which political authority will it be placed? Will the duties of the unit overlap with those of TNI-AL or of the national police?

Land border security is currently managed by several cavalry infantry battalions under the authority of Kodam or Kostrad. As previously mentioned, the TNI performs the duty of monitoring the flow of goods and people. There have been recent discussions around the creation of a Coast Guard unit for handling border security at sea. Similarly, it can be suggested that a single unit be established to handle security and law enforcement for Indonesia's land borders.

To date, no political entity in Indonesia has dared to express this idea publicly. Nevertheless, the duties of land border guard's focus on issues of transnational crime, illicit drug trafficking, illegal fishing and immigration; matters traditionally handled by police forces. Therefore, it is not unreasonable to suggest the creation of a border guard unit, which would be separate from the Indonesian army, to handle border security. The establishment of a single security agency responsible for land border security needs strong political commitment as the obstacles for its creation are many and the road ahead is difficult. However, if all parties realise the importance of the issue, the creation of a boarder security unit is not unfeasible.

Conclusions

This paper has suggested a number of policy recommendations to address sea and land border challenges in Indonesia. Given an uncertain socio-economic situation, immediate action and a complete study is needed for a further understanding of these issues.

The following conclusions stem from the previous discussion. First, the challenge of border territories is not only an issue of law enforcement but also one of social welfare. Second, border problems cannot be handled by security means only; they must be dealt with in a multi-sectoral approach, one that involves civilian and military actors. Third, and in view of recent developments in the military doctrine of the Navy and TNI, the creation of a border guard unit must be explored more comprehensively. Finally, while establishing a border guard unit will certainly create significant benefits, it will not solve all outstanding issues. A more wide-ranging study of the costs and benefits of this unit should be conducted.

Lessons Learned from the Establishment of Border Security Systems: General Information on Past, Present, and Future Activities

*International Advisory Board for Border Security, DCAF *³⁵*

Recent changes in the perception and understanding of security have made effective and efficient border security systems a basic requirement for all states. In many cases, improving a country's frontier controls in this way necessitates extensive organizational and structural changes.

In order to assist the Western Balkan (WB) governments in the creation of new border security systems, the Geneva Centre for the Democratic Control of Armed Forces (DCAF) has developed a program intended to address the strategic needs and issues involved in this process. The participating countries are: Albania, Bosnia & Herzegovina, Macedonia, Serbia, and Montenegro, with activities aimed in particular at the respective ministries of the interior in each country, which are responsible for border security. DCAF appreciates that Croatia, who has already been invited to negotiation talks by the EU, is willing and able to assist its neighbours through the sharing of its own national experiences.

Through a series of customized workshops entitled "Lessons Learned from the Establishment of Border Security Systems," DCAF is (together with seven donor countries) offering an inside look at how Estonia, Finland, Germany, Hungary, Russia, Slovenia, and Switzerland developed their own respective border security systems, and what lessons they learned in the process. Initiated in November 2001, the program will continue at least until 2007. The entire plan of activities, designed to support the creation and development of reliable border security systems that will be in line with EU requirements, has been drawn up according to the specific security needs of South Eastern European countries.

Despite the results achieved so far in establishing reliable border security systems in countries undergoing transition, there is a need for these forums of discussion to be organized, because there is still an absence of recognized operational norms and concepts

in this area. These arenas can be regarded as supplementary work to previous efforts. The ensuing pages provide an insight into the program, which is composed of two phases, and is aimed at four different levels.

The first phase, which ran from 2001–03, involved a general overview of European border guard agencies and the elaboration of general principles in border security. The second phase, which started in June 2003, represents a shift away from general overviews to a focus on concrete topics, ranging from legal reform to training and education and risk assessment. A detailed Coast Guard program is included as part of the second phase. In this phase, customized projects have been designed to reach four levels of personnel working in the field of border security, as follows:

- Level 1 – Chiefs of border police services and senior staff
- Level 2 – Regional commander level
- Level 3 – Station commander level

³⁵ This report was prepared by the International Advisory Board for Border Security at the Geneva Centre for the Democratic Control of Armed Forces (DCAF) and published in *Connections: The Quarterly Journal*, Vol. V, No. 2, Partnership for Peace Consortium of Defense Academies and Security Studies Institute, Fall 2006.

- Level 4 – Future leaders

An envisioned third phase of the program aims to use the knowledge gained in the first two phases in specific projects that will be customized for regional commanders, station commanders, and young cadets respectively. These projects include an Advanced Distance Learning course, operational guidelines and job descriptions, and an annual conference for future leaders.

For the first level, a series of permanent working groups has been formed focusing on the following priority areas:

- Legal reform
- Strategic and organizational structure, leadership, and management
- Logistical support
- Education and training
- Risk analysis, criminal intelligence, and investigation
- Blue border surveillance

These working groups bring together a group of experts from donor and recipient countries to work towards the realization of a number of concrete aims. With their practical focus, the working groups give participant countries the opportunity to analyze and discuss specific topics of crucial importance in achieving success in modern integrated border management, as well as allowing them to work on strategies related to specific elements of their organizational structures.

The International Advisory Board assists in developing these strategies if the need arises. Each working group meeting has a concrete goal, and builds upon the work achieved both during and after the previous meeting. They endeavour to direct assistance not to the leaders of the border police services, but rather to those persons directly responsible for the given topic. In legal reform, for instance, the final aim was the development of a border security act, all necessary side acts, and a book of regulations for the border security service. Participants were the chief lawyers of the border police services, with assistance provided by legal experts from various EU countries.

For the second level—that of regional commanders of border security services—an Advanced Distance Learning (ADL) course has been developed, which can be seen as a cornerstone for a future Virtual Border Guard Academy. This course was under preparation in 2004–05, and was launched in January 2006. The aim of this course is to provide a learning platform for regional commanders to enable them to communicate effectively and share information with all other colleagues involved in guaranteeing security for their citizens through effective border management, and to ensure that common best practices are established through permanent and direct interaction.

Designed as a two-year-long education and training project, the ADL course also aims to improve both English language skills and management and leadership skills among some thirty-five regional border police commanders. Courses will be given in English; with a view to ensuring that all participants will have the required language skills by the beginning of the ADL course, DCAF organized four three-week-long English language courses. In between the formal language courses, language training is implemented by distance e-learning, which takes place at home or in the workplace. On completion of the language training, the professional course regarding border security will run for eighteen months, starting in February 2006.

The ADL course is divided into three core modules, stretched over five blocks of activities during 2006 and 2007. The virtual part of the course will take two months (e-learning period). During this time students will receive general education on the following topics: change in the security environment, leadership and management, and border management. Classroom activity will then follow, taking place in Switzerland, Slovenia, Estonia/Finland, Germany/Hungary, and in the Western Balkan region, and will include study visits. This portion of the course is aimed at solidifying the knowledge received during the two-month e-learning period. This will be followed by a four week customized program, which will offer deeper analysis of border security in a specific target region, and will contain tailored propositions for national arrangements.

At the level of station commanders, and in response to requests from recipient countries, a special program entitled "Operational Guidelines and Job Descriptions" has been organized. This program complements the ADL module for regional commanders described above, and aims to provide practical training for station commanders on the subject of carrying out border checks and surveillance at the individual station level. Participants at this level are commanders who have yet to take up their border station posts. The program takes the form of two week-long study visits, during which participants carry out a variety of practical exercises, all designed to reproduce situations similar to those found in their home countries.

For the fourth level, DCAF runs an annual Summer Training Conference for around fifty future leaders. The aim of this gathering is to bring together a group of promising professionals in the field of border security, accompanied by young scholars, NGO activists, journalists, and government officials from Albania, Bosnia and Herzegovina, Croatia, Estonia, Finland, Germany, Hungary, Macedonia, Montenegro, Serbia, Slovenia, and Switzerland in order to give them an opportunity to engage with prominent international experts in a comprehensive debate concerning contemporary and future issues of border security. Such an event will train and educate future leaders in the field of border security, thereby contributing to DCAF's effort towards guaranteeing continuity in transferring best practices. Moreover, by sharing their professional experiences and participating in group activities, participants will be able to build the basis for future cooperation based on good relations among young professionals across the region.

First Phase of the Program

The initial exploratory workshop took place on 21–24 November 2001 in Lucinges, France. It focused on the preliminary lessons learned from creating border security services in Estonia, Germany, Finland, and Hungary, as these represent particularly successful examples. Successes and failures of these countries in the establishment of their border security systems were compared with more distinct Russian and Swiss case studies

During the second workshop, held on 20–24 February 2002 in Geneva, we delivered, gathered, and systematized information and suggestions to the Yugoslav participants. FRY was represented by fifteen experts: five from the Federal Ministry of the Interior; five from the Serbian Ministry of the Interior; and five from their Montenegrin counterpart. At this event, the findings of the first workshop were further evaluated, and some specific aspects (missions, goals, and objectives) of the issue were more thoroughly discussed.

The third meeting took place in Helsinki on 12–18 April 2002, under the heading "The Finnish Frontier Guard (FG) as a Credible and Adequate Border

Security System.” Finland’s experience shows that it is no longer possible for states to combat transnational organized crime alone and by means of a fixed borderline. The workshop emphasized that border security systems must be complex and flexible at the same time. National and international cooperation at all levels is thus of great importance, and one of its most important elements is functional cooperation between neighbouring countries. This is an issue that can be of particular significance in the case of countries in South Eastern Europe. Present were the chiefs of the border security services, accompanied by three experts, representing Albania, Bosnia and Herzegovina, Croatia, Macedonia, Serbia and Montenegro, and Slovenia. The decision to include Slovenia as one of the program’s donor countries was made at this workshop.

The fourth workshop, entitled “Principles Leading to Success in Development of the Most Forceful Border Security Organization in Europe—the *Bundesgrenzschutz*,” took place from 8–14 June 2002 in Germany. The event consisted of an exchange of views on passport control techniques, methods of fighting illegal immigration, and approaches to dealing with asylum seekers. Participants were introduced to how the *Bundesgrenzschutz* operates within the Green Border/Schengen internal border, and how their education and training system has been constructed. Moreover, attendees were given the opportunity to briefly participate in the work of a border guard battalion of the *Bundesgrenzschutz*.

The fifth workshop took place in Estonia from 16–21 August 2002. It focused on, among other topics, activities and action plans to comply with the EU requirements regarding the Schengen *aquis* and the use of limited resources to fulfill set goals. The Estonian experience concerning the delimitation and demarcation of borders—in the absence of political will on the side of the “honorable neighbour”—was discussed. Methods of criminal intelligence gathering and investigation as important means of guaranteeing effective border control were analyzed. Finally, participants were shown demonstrations of the electronic surveillance systems at the green and blue borders.

The sixth workshop was held in Slovenia on 4–8 November 2002, and continued the focus on EU compatibility that had begun in the fifth workshop in Estonia. Participating were representatives from the EU Commission, who explained to representatives from the Western Balkan countries the obligations incumbent upon them as aspirant future EU member states. At the same time, a focus was given to the Slovenian concept of border security, and its application to the problem of illegal migration. This event was of particular interest to the participants, given that they share with Slovenia the same practical concerns. In spite of the fact that the Slovenian border security model is different from that which was discussed during all previous workshops, the way in which their border security system was developed involved a number of similar stages that are central to the enhancement of any border security capacity. For this reason, the workshop provided an important insight into the future requirements that will be faced by SEE countries.

The seventh workshop was held in Geneva on 11–14 March 2003, under the title of “Managing Change—A View from the Western Balkans.” The workshop was composed of two main elements. In the first part, there was discussion and further development of the participant countries’ strategy papers and implementation plans. These documents were to form the basis of presentations made to the EU in April 2003, and the Geneva workshop was an opportunity to make them as rigorous and as complete as possible. This was also the chance to discuss in detail DCAF’s future activities, and to determine how well they fit in

with countries' needs and priorities. The second part of the workshop was dedicated to the discussion of the Ohrid process, the Ohrid conference to take place in May 2003, and the concrete topic of civil-military cooperation in the field of border security. With presentations made by representatives from the EU and NATO, such cooperation was described as a way of meeting the practical needs of a transition period characterized by the co-existence of different authorities. It was emphasized that the measure would only be temporary; to be kept until civilian authorities had developed the various competencies necessary to take over full authority for border security. Given the importance of this issue, the future contribution and support of the EU and the donor community was sought, with the final intention being that civilian border authorities would be empowered by such cooperation and that it would in the end produce a more complete and capable border security system.

The eighth workshop, which took place in Brussels on 7–9 April 2003, was a continuation of the earlier March workshop. Entitled "Preparation for EU Candidacy: Schengen Criteria and Lessons Learned from Schengen Experiences," the strategy papers and implementation plans, which were the culmination of eighteen months of work, were presented to the EU. These presentations occurred during the second half of the workshop. The first half was dedicated to presentations by EU representatives on the subject of EU standards and requirements in the border security field. Topics ranged from the details of the Schengen system to the concept of twinning projects. In the context of the upcoming Ohrid conference in May, the EU, along with its partners such as NATO and the Stability Pact, presented in some detail their views on civil military cooperation in the Western Balkans. The need for a temporary, civilian-led form of cooperation was re-emphasized by all sides.

As a conclusion for the first phase, it can be said that the strategy papers presented to the EU Commission in Brussels showed that the Western Balkan countries had a clear idea and vision regarding the development of their border security systems. This vision is one of increasing harmonization with EU requirements. The main obstacles to such harmonization are therefore not at the level of strategic thinking, but rather in the practical difficulties that arise in the implementation process.

Throughout these meetings an emphasis has been placed on an interactive component, where the participants were asked to present their views and analyses of the topics introduced by the host nation. The interactive workshops also presented an opportunity for participants to share experiences with border guarding experts from the donor countries.

For its part, DCAF has been, and remains, intent to build on its current experience in the area of border security, and will continue to seek insightful information and experience from individuals or organizations that have been active in the establishment and/or reform processes of border guard structures. DCAF's goal remains the design and promotion of successful models, and the provision of assistance in their concrete implementation. To achieve this goal, DCAF will continue with the establishment of suitable programs, and with advising and guiding countries who are interested in building up or reforming their border security systems.

To help guide DCAF in this process, an International Advisory Board of senior border security officials from Estonia, Finland, Germany, Hungary, Russia, Slovenia, and Switzerland was established. In the future, the possibility of appointing new members to the International Advisory Board certainly exists, with interest already having been expressed by Bulgaria, France, the

Netherlands, Poland, Romania, Spain, and Sweden (which already has been involved in several activities). The goals of the IAB are to improve the security of citizens in the Western Balkans, and of Europeans more broadly, through the development of effective citizen-oriented border security systems, and to achieve this mission within the context of a national and international security alliance.

Second Phase of the Program

In its second phase, the program has taken a different approach. The general overviews of national border security systems have been replaced with analysis and discussions of specific topics of crucial importance in achieving success in modern integrated border management. DCAF has invited senior specialists in the areas under discussion to take part in all events. All donor countries have been asked to present detailed analyses and recommendations for participants on selected topics.

An innovation introduced in the second phase has been the creation of working groups to accompany each workshop. These working groups of senior specialists provide an opportunity to deepen and extend the work covered in the workshops. Since June 2003, working groups have been established for legal reform, leadership and management, education and training, logistical support, risk analysis, criminal intelligence and investigation, and blue border surveillance.

The second phase, with its practical focus as reflected in the working groups and other activities, serves to reinforce the achievements of the first phase of the project. After having built the general framework of their border security systems, it allows participant countries to work on strategies related to specific elements of their organizational structures. The International Advisory Board assists in developing these strategies if the demand arises.

In order to allow for the regular evaluation of work as it progresses, DCAF's Border Security Program convenes international review conferences at the ministerial level, which take place annually in February. The first review conference took place in Slovenia in 2004; the 2005 review conference was held in Skopje, Macedonia, and was attended by all the ministers of interior, public order, and security of the recipient countries. The ministers' support for DCAF's program was emphasized by the signing of a common ministerial declaration. These conferences allow the countries of the region to present their work, with IAB members providing evaluation and feedback. In addition, the participants have the opportunity to receive an overview of the activities taking place in the region and receive first-hand information about the present developments and future activities of the border police services in neighbouring countries. Invitees include practitioners in the field of border security, accompanied by politicians, analysts, academics, and other agencies and organizations involved in running border security programs. The third annual ministerial review conference was held in Sarajevo from 23–25 February 2006, where a further ministerial declaration was signed regarding regional cooperation.

This entire plan of activities, designed to support the creation and development of reliable border security systems that will be in line with EU requirements, has been drawn up according to the requirements of South Eastern European countries. Such a plan reflects their needs, as stated in the responses to the IAB-DCAF questionnaires sent out in December 2002. Additionally, gaps between the member states' intentions set down in the strategy papers and their ability to implement these objectives are being addressed through the program organized by the DCAF IAB, in close

collaboration with the Finnish Frontier Guard, the Estonian Border Guard, the German *Bundesgrenzschutz*, the Hungarian Border Guard, and the Slovenian Border Police. In addition to leadership training, the workshops focus on the training of middle management and individual specialists, with special programs prepared for future leaders, commanders of the smallest border guard units, and individual specialists who are taking their first steps in the field of border security.

Organization of the Second Phase of the Project

Level One: Working Groups for Chiefs of Border Police Services and Senior Staff Legal Reform (first workshop held 25–28 June 2003 in Brussels). The goal of the legal reform workshop was to introduce EU requirements concerning border security acts and all associated legislation that impacts upon border security activities.

The importance of a legal framework is that it serves as the basis for an organization's actions, by setting out the limits to its authority, and making its duties and responsibilities transparent to itself and outside actors. Border security systems can function without such a legal framework, but there will always be ambiguity as to their role and function in national security structures. This event served to clarify these issues, and made clear to participants the importance of developing a clear legal structure through which border security systems can define themselves. Through the perspective of law, the issue of the internal regulation of border guard services was addressed. Finally, an area where legal frameworks are particularly important is that of cooperation. More than simply personal ties or informal meetings, international cooperation involves the signing of binding agreements.

Workshop participants included leaders of the border police of participating countries, along with their closest co-workers who participate in director-level decision making, and top specialists within the organization in the field of legal reform. As a follow-up to the legal reform workshop, a working group was formed consisting of experts in the field of legal issues pertaining to border security. The goal of this working group has been to consider all issues pertaining to the drafting of a modern border security act, and to finally draft such an act. The working group's meetings are outlined below.

Legal Basis Working Group I, 10–13 September 2003, Valbandon, Croatia. This working group meeting focused on the cooperation between different national agencies that play a part in the border security system. The conference featured some theoretical themes as well as practical exercises. Presentations were given by legal experts from Croatia, Estonia, Germany, and Slovenia, who spoke of their experiences in reforming their own legal systems.

Legal Basis Working Group II, 26–28 October 2003, Sarajevo, Bosnia and Herzegovina. This working group was an opportunity for the participating Western Balkan states to gain insight into different processes of legal reform. For that purpose, the cases of Slovenian, Croatian, Hungarian, and Estonian legal reform were discussed from new viewpoints. The main emphasis was placed on how to create a solid legal basis for successful border guarding, what difficulties can be expected, and how to overcome them. The intended result of such meetings is the drafting, by all WB countries, of a modern border security act, in full compliance with EU requirements.

Participants in this working group included leaders of legal departments, accompanied by their closest co-workers, and specialists from other departments who are able to contribute to the drafting of legislation that relates to border

security. Together, all three events covered in detail the requirements, practices, and methodologies involved in drafting a new border security act. Participating countries presented their newly drafted border security acts at the Review Conference in February 2004. Meetings of Working Groups on Legal Reform will also take place throughout 2005 and 2006, and will elaborate on the importance of governmental and ministerial decrees and instructions as well as rules and regulations issued by director general of border police. The working groups have met as follows:

Legal Reform Working Group III, 31 January–2 February 2005, Logarska Dolina, Slovenia. Co-organized by the Slovenian national police, the conference served as an opportunity to investigate and discuss the role of “rules and regulations” in border security. Working group meetings were designed to provide participants with the opportunity to learn about the difficulties and obstacles that have been encountered, and subsequently solved, by the countries that have experience regarding the preparation of “Rule Books.” The meeting was divided into three parts.

First, participants focused on the basis for preparing sufficient subordinate laws (manuals of roles/directives) and guidance. During the first day, participants were acquainted with EU legislation (especially the Schengen manual), then the relations between main and subordinate laws, and the role and importance of guidance and instructions in Slovenia, Germany, and Estonia. Participants discussed the relations between main and subordinate law in foreign countries and realized the importance and the role of guidance and instructions. In particular, the program highlighted which activities should be covered in South Eastern European countries with subordinate laws and guidance/instructions.

Second, participants discussed which phase they were currently in the process of setting up a coherent set of legislation regulating their nation’s border service. They also discussed the influence on parallel legislation in South Eastern European countries, and presented their own view of their next steps and requirements to achieve harmonization with EU legislation.

Last but not least, participants discussed the usefulness of establishing an on-line database that will include all EU requirements and recommendations as well as South Eastern European countries’ existing laws and subordinate laws related to border security. During the workshop, participants gave presentations about the current status of affairs in their country regarding:

- Main laws regulating border security
- Laws related to the main laws (e.g., laws relating to foreigners, asylum law, etc.)
- Governmental acts
- Ministerial acts
- Directors’ instructions and orders.

Participants nominated to attend this working group were legal experts with experience in the field of border security and involved in legislation development, as well as operational commanders with substantial experience of the practical requirements.

Legal Reform Working Group IV, 1–4 June 2005, Mostar, Bosnia and Herzegovina. Co-organized by the State Border Service (SBS) of Bosnia and Herzegovina, this working group continued the focus on subordinate laws/side acts (including manuals of rules and directives) and guidance and instructions related to border security and the border police, with special attention being

given to the main and subordinate laws regulating border security in Bosnia and Herzegovina. The meeting started with a presentation by an expert from Hungary, who talked about the Hungarian experience of bringing side acts regulating border security issues into full compliance with EU requirements.

Presentations were then given from all the delegations on the developments and progress made in the field of legal reform within the last six months, as well as on their respective nations' plans for the future. This is an extremely useful way of exchanging information between the countries of the region, and ensures that everyone is regularly informed about new developments throughout the Western Balkans. The BiH delegation then gave a presentation on the legal framework within Bosnia and Herzegovina related to the subordinate law regulating border police activities.

After discussing this main law in Bosnia and Herzegovina, participants were given documents relating to various laws subordinate to the main law, and were divided into four working groups. These groups included a mixture of participants from each of the participating countries; each group was led by experts, as mentioned above. The working groups were given selected topics to cover from those laid down in the BiH *Main Law on Surveillance and Control of Crossing of the State Border*, and were tasked to create drafts of the implementing regulations which should be passed by the head of the BiH State Border Service in accordance with the above mentioned main law (Article 64). After one and a half days of discussion and work, the various working groups presented the drafts of their proposals for these regulations. This was followed by a presentation made by one of the experts from Croatia, who discussed Croatia's experience regarding the creation of a manual on state border surveillance. This manual has been created as a practical tool to assist border police officers in their daily work; a draft has been submitted to the Border Directorate in the Ministry of the Interior, and a final version will be signed by the Director of the Border Police in autumn of this year.

The meeting also included a presentation regarding the creation of a specialized Web page that would include information on all border security legislation. This would include both EU legislation and national legislation (from all the countries of the region), and would be available through DCAF's main Web site. All participants agreed that this would be an extremely useful tool, and Slovenia has agreed to take the lead in creating this site. Each participating country agreed to provide a point of contact that will be responsible for forwarding up-to-date information on national laws and related subordinate laws to the main Slovenian organizer. It is intended that this Web page will be up and running by January 2006.

Participants in the working group included representatives from Albania, Bosnia and Herzegovina, Croatia, Macedonia, Montenegro, and Serbia. The attendees were a mixture of legal experts involved in legislation development with experience in the field of border security, along with operational commanders with substantial experience of the practical requirements. Lectures were delivered and working groups were led by experts from Slovenia, Estonia, Croatia, Germany, and Hungary, who were able to pass on their experiences in the development of legislation relating to border police and border surveillance and cross-border control within their countries.

The working group hoped to hold two meetings in 2006, with the aim of identifying the obstacles within national legislation that need to be overcome in order to implement the agreed flexibility measures as stated in the ministerial declaration, as well as providing guidance for the drafting of international

agreements in order to create the capacities to implement the measures. Participants in these meetings of the working group were to have the following qualifications:

- Educational background in law
- Operational exposure in the field of border security, including practical experience specifically in legislation development
- Operational commanders with substantial experience of practical requirements
- Elementary knowledge of one foreign language.

Legal Reform Working Group V, 15–18 January 2006, Moravske Toplice, Slovenia. Co-organized by the Slovenian Police, this working group was dedicated to developing “international agreements between services in order to create legal guarantees to enhance cooperation measures.” During the meeting, participants looked in detail at the area of cross-border cooperation, including the issues of common patrols, exchange of liaison officers, and exchange and flow of information. In addition, the following requirements for the creation of a sound legal basis were discussed, among others:

- Negotiation skills and procedures
- One-stop control
- Common patrols
- Data exchange, data flows, and a common data center
- Liaison officers/desk officer’s network
- Direct cooperation and sharing of best practices
- Authorities in foreign territories
- Civil/labor liability
- The database in DCAF’s server.

Delegations were invited to embark on a round table discussion highlighting the latest developments in legal reform within the border services of their home countries in order to keep colleagues up to date with actual developments that had taken place since the Mostar meeting. Also included was a visit to the border check point at Dolga Vas on the Slovenian-Hungarian border. Participants were able to see first-hand how the professional personnel involved physically manage the flow of information between the two countries, in order to ensure efficient “one-stop control.” Practical deficiencies and advantages of one-stop control were also discussed during the visit.

Legal Reform Working Group VI, 7–10 June 2006, Croatia. Co-organized by DCAF and the Croatian Border Police, the aim of this working group was to focus on providing guidance for, and to start work on the drafting of international agreements in order to create the preconditions for implementation of the objectives for regional cooperation as agreed in the ministerial declaration signed in Sarajevo in February 2006. These objectives are as follows:

- Maintaining contacts between border police leaders at local, regional, and national levels to assist in more effective operations
- Appointing national contact points for regional or cross-border liaison and cooperation, including:
 - Establishing a liaison/desk officers network

- o Establishing integrated border crossing points, including local offices for the exchange of information and early warning messages
- o Promoting joint patrols
- o Setting up common risk analysis procedures
- o Encouraging joint operations
- o Establishing common information management methods
- o Coordinating investigations.

Participants were divided into sub-groups, and experts were allocated to assist them in discussions of the following issues (i.e., the nine objectives as laid out in the ministerial declaration signed in Sarajevo):

- Sub-group One: Holding of regular meetings of border police leaders at local, regional, and national levels to assist in more effective operations; appointing national contact points for regional or cross-border liaison and cooperation; establishing a liaison/desk officer's network
- Sub-group Two: Establishing integrated border crossing points, including local offices for the exchange of information and early warning messages
- Sub-group Three: Promoting joint patrols
- Sub-group Four: Setting up common risk analysis procedures; encouraging joint operations; coordinating joint investigation units; establishing common information management methods.

Using the Convention on Police Cooperation in SEE as the legal basis for their work, the sub-groups were tasked to work on the draft texts of agreements to be signed between two countries, in order to implement the measures as stated above. The subgroups worked for just one and a half days, and on the final day of the workshop each sub-group presented their work. In this short timeframe, each group had managed to complete draft texts of agreements/MOUs covering all but one of the nine objectives.

The impressions of participants attending the event were extremely positive. They felt that the issues discussed were of much relevance; they learned a great deal and received useful advice from the experts; and found this working group challenging, stimulating and helpful, as the output can be used as a basis for actual negotiation in the future. From DCAF's side, this working group achieved more than expected, and it was impressive to see the high standard and amount of work produced in such a short period of time. The majority of participants in this workshop had been permanent members of this working group, and as such were well acquainted with the subject matter, the issues involved, and their colleagues from the neighbouring countries. In addition, the participants have the required expertise required to complete the work, and the ability to follow this work through on returning to their ministries.

Participants in the workshop included attendees from Albania, Bosnia and Herzegovina, Macedonia, Montenegro, and Serbia, and were a mixture of legal experts involved in legislation development with experience in the field of border security, as well as operational commanders with substantial experience of the field's practical requirements. Working groups were led by experts from Slovenia, Croatia, and Hungary who were able to pass on their expertise and experiences in the development of international/bilateral agreements with regard to cross-border/regional cooperation. The Legal Adviser-Defense Reform of NATO HQ, Sarajevo, attended as an observer.

The final aim of this working group is the drafting of a new Border Security Act that will cover the main ideas and principles of the border security mission, and is in full compliance with EU requirements. All issues concerning border security not included in this new act should be identified, so that they can be covered in accompanying side acts. A set of internal regulations should also be drafted, taking the form of a rulebook to be used by border guard personnel.

Leadership, Management, and Internal Organization in Border Security Services

First Workshop, 27–30 August 2003, Dobogókö, Hungary. For border management to be successful, it must follow four cardinal principles: planning, organization, motivation, and control. Exactly how these principles translate into the border security context was the first focus of the workshop. Secondly, emphasis was placed on the importance of correct internal structuring of the organization. Among the issues investigated were how top-level management fits together with regional commanders, and how local stations are integrated into the regional centers. Clarity on such questions facilitates communication, and ensures that each border guard has a place in the organization and knows what is expected of him.

Participants in the workshop included leaders of the border police from participating countries, along with their closest co-workers who participate in director-level decision-making and top specialists within the organizations in the fields of planning, organizing, motivating, and controlling. The workshop on leadership was followed by two working group meetings aimed at further developing the themes covered. The meetings are set out below.

Leadership and Management Working Group I, 30 November–5 December 2003, Budva, Montenegro. This meeting focused in particular on the planning and control of the border service. Participants were introduced to the system of control developed by the Hungarian Border Guard, and to the “management by results” approach developed by the Finnish Frontier Guard in the 1990s. The participants were given the opportunity to apply this approach to their own services, through practical exercises given to the delegations. Participants in this working group included leaders of the departments responsible for the day-to-day planning and organization of their respective nations’ border control services.

Leadership and Management Working Group II, 24–29 January 2004, Mavrovo, Macedonia. This working group focused on motivation and control. In particular, emphasis was placed on the importance of teamwork. The synergies that can be achieved through teamwork were explained in presentations, and tested in various group activities. Explanations were also given on how to calculate staff priorities, a key consideration when attempting to motivate personnel. The control system of the Hungarian Border Guard was also presented, with participants expected to consider those general principles of control relevant to their own domestic systems. Participants included leaders of the departments of human resources and operations who are responsible for motivating and controlling, along with their closest co-workers.

The final aim of the leadership and management working group, which also met in 2005 and 2006, is the development of a three-level planning system. This is intended to cover national headquarters (strategic, tactical and operational plans), regional centers (tactical and operational plans), and local stations (operational plans). Working groups met as follows:

Leadership and Management Working Group III, 22–24 May 2005, Frankfurt, Germany. This meeting was for chiefs of cabinets of participant

countries. The chiefs evaluated the Second Annual Review Conference, which took place in Skopje in February 2005, and also discussed proposals for inclusion in the Third Annual Review Conference, which took place in Bosnia and Herzegovina in February 2006.

Leadership and Management Working Group IV, 22–24 September 2005, Kopaonik, Serbia. This workshop gathered together chiefs of the border police organizations from all the countries involved in DCAF's Border Security program, as well as chiefs of the cabinets or other responsible persons from BIH, Macedonia, Albania, Croatia, and Serbia. During the meeting presentations were made by representatives from Germany, Finland, Slovenia, and Croatia on the subject of the importance and different models of cross-border cooperation. The meeting also included discussion about the draft program, substance, and objectives of the Third Ministerial Conference, which was held in Sarajevo from 22–24 February 2006. The chiefs of the border police services also agreed on the following common objectives for 2006:

- To foster efforts in the area of legal reform
- To describe the objectives and substance of future joint field operations such as procedures and co-ordination of activities in all operational areas
- To enhance and update technical facilities (infrastructure) and trans-border interoperability to advance joint operational capabilities with reference to the border police.

Leadership and Management Working Group V, 4–5 December 2005, Budva, Montenegro. The chiefs of the border services of all the countries of the Western Balkans involved in DCAF's Border Security Program, as well as the chiefs of cabinets of the ministers of interior or security (or their representatives) met in Budva. The aim of the meeting was to evaluate DCAF's annual program of activities for 2005, to discuss the Third Ministerial Review Conference in February 2006, and to discuss and approve the annual plan of border security activities for 2006. The chiefs of services universally praised the program, often citing it as one of the major influences on the progress made during the last year within the field of border security. The Ministerial Conference was discussed in depth, and its program agreed upon; in addition, delegations agreed on the proposed program of activities for 2006, with a main goal of further enhancing regional cooperation and the implementation of regional flexibility measures.

This working group aimed to hold two events in 2006, targeted at the chiefs of services, to look into the necessary steps which have to be taken in order to achieve the flexibility measures as stated in the Ministerial Declaration. Participants in these workshops would include delegations headed by either the chief of staff or chief of operations from a national border service (or other representative from the appropriate management level), along with three to four high-ranking officials responsible for preparing working instructions and other manuals for the national border police organization involved in the program.

Leadership and Management Working Group VI, 5–8 April 2006, Jahorina, BiH. The workshop was in essence a follow-up to the Ministerial Conference in Sarajevo of 24–25 February 2006, where intensive cross-border cooperation was agreed upon, as set forth in the declaration that was signed by the ministers of the interior or security of the Western Balkan countries (with the exception of Croatia). The aim of the Working Group for Leadership and Management is to prepare a manual for the border police/border guard services of the SEE

countries (Common Standard Operational Procedures) for future implementation of the following objectives:

- Regular meetings in order to maintain contacts between border police leaders at local, regional, and national levels
- National contact points for regional or cross-border liaison
- Integrated border crossing points (common border checks, among others)
- Joint patrols
- Liaison/desk officer's network
- Common risk analysis and investigation methods
- Joint operations
- Common information management procedures.

The first meeting covered the first four issues listed above. Experts from Estonia, Finland, Germany, Hungary, and Slovenia contributed the experience of their services and national regulations. Their presentations served as a basis for the following discussions and first drafts of the various manual chapters. Three sub-groups were established, around the following sets of topics:

- National contact points and regular cross-border meetings (leading countries: Montenegro and Macedonia; experts from Finland and Slovenia)
- Joint patrols (leading country: Serbia; expert from Germany)
- Shared responsibilities in border checks (leading country: Bosnia and Herzegovina; experts from Estonia and Hungary).

The presentations of the experts were broadly discussed. The results were presented to the plenary and were submitted for further work to the respective leading country. In wake of the presentations, it is intended that practitioners from the front lines of the border services in each country will complete the first draft with their recommendations. Meetings with other DCAF working groups in order to coordinate their contributions to open questions and problems have to be decided on a case-by-case basis. The host nation, Bosnia and Herzegovina, which at the same time is the leading country for the working group on leadership and management will collect all contributions and revise them with DCAF. For the follow-up preparations, BiH has provided a special secretary for the editorial work. The minutes of this workshop will be submitted to all participating countries. The participants in this workshop were officers serving in key functions of operations and organization and, in one case, a chief of border police (Macedonia).

Leadership and Management Working Group VII, 11-14 October 2006, Jahorina, BiH. This next workshop will tackle the following five issues related to cross-border cooperation:

- Establishing a liaison/desk officers network
- Common risk analysis methods
- Joint operations
- Common information management procedures
- Co-ordination of investigations.

Logistical Support

Workshop, 8-12 October 2003, Kalvi-Narva, Estonia. It is self-evident that border security organizations must aim to fulfill their missions and achieve their

objectives to the best of their ability. However, the success of the underlying security mission depends to a large extent on having a functioning logistical support system in place. The conclusion of this workshop was that logistics is what gives meaning and direction to equipment and technological know-how. Logistics therefore constitutes the relationship between strategy, operational needs, and technical means. On the basis of the experiences of various European border security organizations, some key principles to ensure an effective logistical support system were found to include foresight, efficiency, flexibility, simplicity, cooperation, and inter-operability. Other major topics covered in the workshop included the procedures involved in drafting proposals for EU funding, and the various steps to be followed when developing a list of technical needs for a specific border security project. Throughout the workshop, the experience of the Estonian border guard (and other European border security organizations) was drawn upon to illustrate the issues and difficulties faced by Western Balkan countries in their reform processes.

Participants in this workshop included leaders of the border police from participating countries, along with their closest co-workers who participate in director-level decision-making and top specialists within the organization in the field of logistical support. To further examine the issues dealt with in the workshop on logistics, two working groups were formed. One will focus on the development of "Smart Borders Projects," and the other will study in detail the drafting of proposals for EU funding. The Smart Borders Projects group will aim at clarifying the equipment needs of WB border authorities, through the specification of what exactly these authorities expect from their equipment, in terms of output and results. For its part, the EU funding working group will involve the development of technical assistance project management units (TAPMUs), which will provide WB border security authorities with the competences to deal successfully with international donor agencies, and in particular the EU funding agencies. These working groups were organized according to the following schedule.

TAPMU Working Group I, 24–29 January 2004, Mavrovo, Macedonia. This working group was the first attempt to explain to participants the procedures involved with obtaining funding from external donors—notably the European Union—and implementing and managing such projects. This involved participants looking at specific stages of the funding process, including topics such as program and project identification; the elaboration of project fiches, including logical framework matrices; drafting Terms of Reference; and examining aspects of EU project management procedures. The aim of this working group is to develop small technical assistance project management units (TAPMUs) within border guard agencies, trained so as to be able to deal effectively with international technical assistance donors at all the relevant stages of the funding process. Eventually, these units will be sufficiently trained so as to provide their respective agency with a corpus of expertise in most aspects of procurement and project management. At the conclusion of the working group meeting, participants were informed of a scheme to provide distance-learning assignments which will be assessed and distributed prior to the follow-up meeting.

Smart Border Project Working Group I, and TAPMU Working Group II, 26–30 April 2004, RACVIAC, Bestovje, Croatia. A customized training course was designed in order to develop the project-leader skills of pre-selected specialists from within the technical and logistical branches of the border guard services of the participating countries. These leaders were instructed in the procedures necessary for conducting analyses of the technical needs that are required when

responding to operational demands. A particular emphasis was placed on communication and surveillance systems, and participants were shown how best to carry out the analytical processes—such as feasibility studies—that are essential when providing technical solutions to operational problems.

Additionally, they became acquainted with the process of elaborating technical specifications, particularly in relation to international tender procedures. The leaders were expected to elaborate full operational-technical justifications for equipment requirements and to be able to fully appreciate what technical means are currently available and appropriate. These solutions should also address important questions related to procurement, including licensing, spares, maintenance regimes, and operational sustainability (including financial sustainability).

A questionnaire was provided to participants before the working group meeting relating to their own logistical support system and equipment for IT, communication, and green and blue border surveillance systems currently in use. This questionnaire provided a transparent insight into the current equipment holdings of the respective agencies. Additionally, the respondents were asked to fully identify new requirements and provide detailed justification as to why the equipment was necessary. These matters were addressed during the working group meeting. Additionally, participating countries were asked to make presentations based on their responses to the questionnaire. General recommendations on the creation of IT systems by Finnish, Estonian, Slovenian, and Hungarian specialists were made at the meeting. Additionally, a presentation was made on how to design technical specifications for a TETRA system and how to prepare them for international tender. Presentations on their respective IT systems were also made by recipient countries.

In the second TAPMU working group meeting, held simultaneously, the participants discussed their assignments and examined how well (or otherwise) they had succeeded in drafting quality documentation. The remainder of the working group meeting examined in greater detail the qualities required for elaborating such documents. In addition, a handbook, to be used as an *aide-mémoire* for all those participants scheduled to work in TAPMUs, was reviewed.

Smart Border Project Working Group II, 17–21 October 2004, Rovinj, Croatia. In the course of this meeting, experts presented in detail the green border surveillance systems used by their border guard organizations and introduced their future requirements. Delegations from the region introduced their own achievements in the field of IT and communications during the past six months. Briefings from specialists who had designed technical specifications for a wide range of surveillance systems and prepared associated tender dossiers were also given. Participants benefited from hearing the experiences of other countries regarding the establishment of their border police service, and in particular their experiences regarding the following:

- Preparations of tender procedure
- Definition of the technical characteristics of the necessary surveillance equipment
- Making a draft fiche and considering possibilities of delivery of equipment.

The workshop included teamwork and practical exercises where, together with experts, participants attempted to find functional solutions to build a technical surveillance system at a specific border under specific conditions. In

2005, the working groups would continue their activities, with the final aim being to ensure that leaders in logistics are well-positioned to understand and respond to the operational requirements through the use of communications, IT, and surveillance systems.

Logistical Support Working Group III, 10–12 February 2005, Belgrade, Serbia. This meeting continued with the theoretical aspects of logistic support; the main topics of the working group included the explanation of procedures involved in the setting up of tenders, evaluation of results, the setting up and signing of contracts, financial procedures, and how to implement and install technical equipment. It also covered the education and training of the people working with technical equipment and its maintenance. Experts from Estonia and Bulgaria gave presentations on the design of operational communication systems. A special day was dedicated to the Serbian experience gained in the creation of IT and communications in the field of border security, which involved a visit to the Ministry of Interior of the Republic of Serbia to see their equipment in practice.

Participants in this working group included those with an educational background in engineering, including IT, as well as operational exposure in the field of border security, including practical experience in communications, IT, and surveillance. In addition, participants were required to know at least one foreign language. They were appointed in border guard organizations as team leaders and team members, responsible for the creation of national communications, IT, and surveillance systems. Participants were accompanied by personnel who are competent English speakers with some knowledge of border security who were willing to learn and who will in the future provide South Eastern European border security authorities with the competences to deal successfully with international donor agencies, and in particular the EU funding agencies.

Logistical Support Working Group IV, 8–13 September 2005, Toila, Estonia. The aim of this workshop was to familiarize participants with the practical side of logistics, infrastructure, and structure of the border crossing points and border surveillance posts, and to introduce them to various systems of border surveillance equipment. Experts from the Estonian Border Guard described the process of system development and showed participants the installation of their new coastal surveillance system. Experts from the Finnish Frontier Guard and Spanish *Guardia Civil* compared the latest developments with their experiences and made suggestions to the participating countries. A comparative analysis of the technical means required for green border surveillance was also conducted, and the requirements for various building and construction projects for border guard functions were discussed.

Each county sent a delegation composed of personnel from the border police organizations or from other relevant departments/sectors in the ministries responsible for preparing and implementation of projects for blue and green border surveillance, as well as from departments responsible for building or renovating the facilities. The delegations were basically made up of one architect or engineer, and two persons responsible for border surveillance.

In 2006, the working group will hold two meetings, with two main topics: communications and IT. The goal of these meetings is to examine projects in the preparation phase, in order to ensure that the systems that will be purchased will be interoperable.

Participants in these meetings should have the following qualifications:

- Educational background in engineering, including IT
- Operational exposure in the field of border security, including practical experience specifically in communications, IT, and surveillance
- Elementary knowledge of one foreign language.

In addition, participants should be appointed in border guard organizations as team leaders or team members responsible for the creation of national communications, IT, and surveillance systems.

Logistical Support Working Group V, 22–25 March 2006, Serbia. Interoperability between telecommunications and IT services and the equipment of different border agencies in neighbouring countries is one of the cornerstones of efficient, integrated border management. As long ago as 1985, the Schengen Agreement envisaged a more coordinated, cooperative approach between public authorities across Europe. The purpose of this meeting was to explore the different technical means and facilities for exchange of all kinds of information between border services of neighbouring countries. This includes setting up—particularly in border areas—telephone, radio, and telex lines and other direct links to facilitate the transmission of information. The introduction of interoperable digital radio-telephone systems was also considered in order to support field operations of mobile units; the important issues of standardization of equipment and coordinated procurement procedures were investigated as well.

Through expert presentations and a series of practical examples, as well as through discussion panels, the participants were given the opportunity to gain knowledge about the new technologies and European trends in these fields. In addition, an analysis was conducted to find possible joint activities, and it was agreed to establish a coordination committee for conducting future actions. This committee will consist of chiefs of telecommunications services (or their deputies) of the Ministries of the Interior of Albania, Croatia, Macedonia, Montenegro, and Serbia, and of the State Border Service of Bosnia and Herzegovina. The mandate of this committee will be to:

- Coordinate all activities concerning the cross-border telecommunications of their countries
- Hold regular meetings and exchange information about the condition and development plans in the field of telecommunications in their countries
- Evaluate possible technical solutions regarding cross-border telecommunications and prepare proposals for joint projects of common interest
- Cope with issues of information security and protection in cross-border communications.

The next meeting of the Logistical Support Working Group will be held from 6–9 September 2006 in Croatia.

Annual Review Conferences

First Annual Review Conference, 27–28 February 2004, Lake Bled, Slovenia. The series of annual review conferences is intended to provide an occasion for participants to present the results of the year's activities, both in the workshops and the working groups. The first annual review conference covered the main achievements during 2002–03 and described plans for 2004–05. To support the aspirations of participating countries, an annual plan for assistance in 2004–05

was discussed and signed. To guarantee the continuation of financial assistance, and so that in the future it may include material assistance from the Swiss Ministry of Defense, a Memorandum of Understanding was discussed, evaluated, and signed. All chiefs of services and ministerial representatives were present, along with representatives of the Slovenian Minister of the Interior, who was host to the event.

Second Annual Review Conference, 24–26 February 2005, Skopje, Macedonia. The Second Annual Review Conference aimed to give participants the opportunity to gain an overview of all the activities taking place in the region and the participating countries in the field of border security, to which DCAF's program contributes in part. The Prime Minister of Macedonia opened the conference with an address on security sector reform, and presentations on the demands of internal security in SEE were given by the heads of the EU, OSCE, NATO, and the Stability Pact's delegations.

During the second day, the ministers of the interior of the Western Balkan countries stressed the importance of border security within their countries in order to guarantee the security of their citizens, and highlighted the importance of national, regional, and international cooperation. The conference reviewed the progress made to date by the border security services of the Western Balkan states; the overall achievements in the period 2003–04 were presented by the chiefs of the border services of the region. The ministers of the interior signed a statement that recognized the importance of the work being done by the border security services in providing a secure environment for their citizens, and formally approved the continuation of the Border Security Program. The annual plan of common activities for 2005–06 was also discussed, and formally signed by the chiefs of the border security services.

The participants included ministers of the interior of all Western Balkan states (with the exception of the Minister of Interior from Montenegro), chiefs of border security services of all Western Balkan states, as well as other agencies involved in assisting border security programs: EU, NATO, OSCE, ICMPD, EUPOL PROXIMA, and the Stability Pact.

Third Annual Review Conference, 23 – 25 February 2006 in Sarajevo, Bosnia and Herzegovina. The Third Annual Review Conference aimed to give participants an overview of all the activities taking place in the region and the participating countries in the field of border security, to which DCAF's program contributes in part. The Chairman of the Council of Ministers of BiH, Adnan Terzic, opened the conference. He and the Minister of Security, Barisa Colak, reflected on achievements made in the reform of internal security in anticipation of eventual EU integration. The Head of the EU Commission Delegation to BiH, Ambassador Hunphreys, addressed the conference on internal security and European integration, and the Deputy State Secretary for International Relations of Hungary and a member of the Stability Pact's Working Table III made statements on current developments from their perspective.

During the second day, attendees reviewed the progress made to date by the border security services of the Western Balkan states and overall achievements in 2005. Implementation strategies for the future were presented by the chiefs of the border services of the region. Senior border guard officials from Hungary and Slovenia gave presentations on their countries' roles in supporting the countries of the region. The ministers of the interior or security from the region stressed the importance of border security within their countries in order to guarantee the security of their citizens, and highlighted the

importance of national, regional, and international cooperation, the necessity to work together in order to jointly fight cross-border crime, and the requirement to further harmonize regulations to reach EU standards.

Undoubtedly, the highlight of the event was the signing of a declaration effected by all ministers of the interior or security of the region (with the exception of Croatia). This declaration recognizes the importance of and need for formally setting up mechanisms to promote, strengthen, and deepen regional cooperation, thus taking shared responsibility for the problem of cross-border crime, as well as setting out steps to more effectively combat it. By signing this declaration, the ministers have confirmed their support for harmonizing legal frameworks, developing coordinated operational measures and procedures, and advancing interoperable technical means. With this commitment endorsed by the ministers, sincere and valid regional cooperation can now begin. The ministers also formally approved and signed the annual plan of common activities for 2006.

On the last day of the conference, a roundtable discussion on the latest EU developments in the field of border security took place, where representatives from DCAF's IAB for Border Security and beyond (from Estonia, Finland, Slovenia, Greece) gave presentations and updates on a variety of relevant issues. The participants in the conference included the ministers of the interior or security of all Western Balkan states (with the exception of the Minister of Interior from Serbia, who was represented by his Chief of Cabinet); chiefs of border security services of all Western Balkan states; and representatives from the following donor countries: Estonia, Finland, Germany, Hungary, Slovenia, Switzerland, Greece, Poland, and Romania. Representatives were also present from the following agencies involved in assisting border security programs: EU, NATO, OSCE, ICMPD, EUPM, FRONTEX, Danish Centre for Human Rights, the PSOTC in BiH, PAMECA, SIPRI, Stability Pact, and Austrian, Swiss and U.S. Embassy staff. Some ninety persons were present during the opening of the conference on 23 February. The Fourth Annual Review Conference will take place in February or March 2006, and will be hosted by the Republic of Croatia.

Training and Education as an Essential Means of Improving the Quality of a Border Security System in a Democracy First Workshop, 7–10 March 2004, Lübeck, Germany. Rapid social and economic changes over the last few years have made flexibility—meaning the ability to learn, unlearn, and relearn—more important than ever. It is essential to find new ways of communicating and working together, in order to facilitate the sharing of information and ideas. These changes have affected the border security field, most notably shifting the basic border guard mission away from guarding borders and towards the protection of citizens. This shift has increased the need for professionally-trained personnel. In short, the only way for police organizations to face all the challenges of the modern world is good education and training. We have to learn continuously merely to keep pace with an ever-changing environment.

While they are related, training and education are separate concepts. Training aims to provide the knowledge, skills, and attitudes that are needed to perform specific tasks. Education usually provides more theoretical and conceptual frameworks designed to stimulate analytical and critical abilities. But learning by experience through solving an actual problem can genuinely contribute to learning and development. Therefore, training, education, and planned experience are interdependent. Distinctions should also be made between trainer-centered training and learner-centered learning, the latter

enabling the effective transfer of learning to become reality. Through the presentation of different training and education systems developed by leading European border security agencies, this workshop explored the values and skills that are necessary throughout the different stages of career development, and sought to answer the question of what role there is for training and education in twenty-first-century border security organizations.

Participants included leaders of the border police of participating countries, along with their closest co-workers who participate in director-level decision-making and top specialists within the organization in the field of training and education.

A working group on training made up of experts in the field was set up following the workshop in Germany. Meeting up to three times over the course of 2004–05, its aim was to discuss the quality of education and training programs for the effective and successful performance of border guard duties. In its first two meetings (see below), a selection of education models and best training programs were presented. The emphasis was on training as a process, which includes needs analysis, program development, program delivery and evaluation, train-the-trainer programs, and how training can play an important role in assisting an organization to achieve its objectives. These groups have met according to the following schedule.

Training and Education Working Group I, 26–29 May 2004, Hungary. At this working group meeting, all donor countries were expected to present proposals on how to create training systems for both the border guard personnel sent to man border stations and those who will be station commanders. Given the urgent need for manpower owing to the task of taking over border responsibilities from the military, the training cycle in this instance should be no longer than three months. The question of how to move from this initial step towards comprehensive, one- to two-year long training programs, which should serve as a cornerstone for success in the future, was a focus of the workshop.

Training and Education Working Group II, 17–20 June 2004, Bosnia-Herzegovina. In the course of this working group meeting, participants were expected to present what had been developed and implemented so far in the area of training and education by their respective services. At the same time, donor countries presented what they considered to be the keystone of their own training and education systems, and an essential element of its success. Participants in this meeting included leaders in the field of education and training, and their closest co-workers.

Experts Meeting on Training and Education, 25–27 November 2004, Frankfurt, Germany. The Meeting of the advisory board for education and training gathered together the senior representatives of the education systems from Estonia, Finland, Slovenia, and Hungary. The aim of the meeting was to clarify and make more precise any unresolved issues regarding the possibility of publishing a book on training and education. The main discussion was about the need for the publication of a book on training and education, the content and substance of the book, the required time frame, the dynamics of forthcoming activities, the program for the following meetings, and the division of responsibilities between the persons involved in the process.

Representatives from all invited countries agreed and expressed their readiness to participate in the process of preparing a book on training and education. It was decided that the book should be a combination of practical experiences delivered by the countries involved as well as theoretical descriptions of worldwide methodology in the field of training and education. The

book should provide information for the beneficiary countries on how to develop their concepts for training and education in the field of border security, but they should be able, based on the material delivered, to make their own conclusions and decisions about the structure and further development of their training and education capabilities. It was decided that it will be very important to emphasize that the internal vocational process of education and training is not only the responsibility of training centers and academies, but also of the border services in each country.

Experts Meeting on Training and Education, 7–9 February 2005, Frankfurt, Germany. Due to the activities undertaken within the Border Security Program in the area of training and education throughout 2004, the aim of this meeting was to initiate work on a handbook for border police officers, offering a practical eye and a comprehensive approach to the learning process of border guards. The meeting gathered experts from Bulgaria, Estonia, Finland, Hungary, and Slovenia who work in or are related to the area of border guard training and education in their respective countries and are able to contribute and qualitatively assess the value of the planned publication, titled *Developing a Border Guard/Border Police Education and Training System*.

The meeting largely followed the draft of the contents of the publication that was agreed upon at the training and education meeting which took place in November 2004, but some slight changes were subsequently made. The handbook will be aimed at working group members, their colleagues, and officials responsible for the development and implementation of education and training systems within the border guard services in their respective countries.

Training and Education Working Group III, 31 March–2 April 2005, Sofia, Bulgaria. During 2005, the meetings of experts in the field of education and training were dedicated to the curricula on border checks and border surveillance. The main objective of this first event was to try to clarify which knowledge, skills, and attitudes are necessary to perform specific border guarding tasks, how to assess the training needs, and how to define the needed competences—i.e. the ability to use knowledge, skills, attitudes, and values to perform the tasks that reflect the scope of professional practice. During the meeting, specialists elaborated upon the curricula needed for teaching passport controllers. Each country prepared a detailed presentation on a specific subtopic within their training curriculum for their border police, such as profiling, traveling documents, performing a border check, refusing entry, dealing with asylum seekers, etc. These presentations covered all aspects of the assigned topic that had been incorporated into the national training programs of each country's border services.

Experts Meeting on Training and Education, 29–31 May 2005, Vienna, Austria. The aim of this IAB gathering was to discuss further the launching of the handbook for border police officers, offering a practical eye and a comprehensive approach to the learning process of border guards. During the meeting, the IAB concentrated on the following topics: vocational and academic education, education process, training needs, and leadership training curricula.

The objective of the advisory board meeting was to review and evaluate the received contributions for the handbook *Developing a Border Guard / Border Police Education and Training System*. Training and education experts from Bulgaria, Estonia, Finland, Germany, Hungary, and Slovenia were involved in the assessment of various topics included in the draft of the handbook.

Experts Meeting on Training and Education, 28–30 July 2005, Frankfurt, Germany. The aim of this meeting was to further evaluate and review the

received contributions for the handbook *Developing a Border Guard/Border Police Education and Training System*. During the meeting, experts focused on such topics as: guiding principles for developing the border guard/border police education system; cooperative leadership systems; best practice examples; assessment and evaluation; and quality control. Training and education experts from Bulgaria, Estonia, Germany, Hungary, Finland, and Slovenia also reviewed the completed and revised articles.

Training and Education Working Group IV, 2–5 November 2005, Montenegro. Co organized by the Montenegrin Border Police, this meeting discussed the curricula on border surveillance and looked at theoretical principles of adult education, while the host country revealed its achievements in the area of education and training of border police officers and the paths to development in the future. The agenda also included a visit to the Education and Training Center situated in Danilovgrad. This visit aimed to raise awareness of the advances that have been made by the Montenegrin Border Police in the education and training of border police personnel.

As part of the program, participating delegations gave detailed presentations on pre-designated subtopics regarding border surveillance and discussed how theoretical teaching is reflected in practice within their individual border services. Each participating country chose the subtopic covered during the meeting. Those were:

- Surveillance methods
- Differences between surveillance areas
- Patrolling
- Actions taken during a border incident
- Planning system
- Risk analysis on the level of a station.

The meeting was aimed at training and education experts with experience in the field of border security, as well as representatives of the headquarters and police academies. The next year will be dedicated to the issue of permanent training within border guard services, training program design, and lifelong learning.

Experts Meeting on Training and Education, 15–18 December 2005, Frankfurt, Germany. This meeting continued the series of gatherings in 2005, and aimed at reviewing and evaluating the contributions for the publication discussed above. The concept of the planned handbook was also reviewed, with an objective of providing a comprehensive image of the education and training systems in the donor countries. From country reports outlining their border police development history and experiences, to concise theoretical articles tailored to be as universal as possible, the book will look at specific issues, such as values in the professional education and training of police, the strategy of lifelong learning, quality management in border police training, basic competences, needs analysis, etc. Those involved in the publication include education and training experts from Bulgaria, Estonia, Finland, Germany, Hungary, and Slovenia.

For 2006, two meetings are planned to examine what the border police should be taught in order to carry out their tasks. The first working group meeting will focus on curricula for border checks and harmonization of curricula, both for basic training courses and for personnel already serving in the border patrol. The second working group meeting will focus on the curricula for border

surveillance. All countries involved stressed the deficiencies in their teachers' competencies to meet the new training requirements. The 2006 meetings will take this need as their starting point. Our intention is to develop common training programs and to prepare teachers, trainers, or instructors for their implementation. Delegations of participants in these meetings should include one person in a managerial position responsible for permanent training within border guard organizations, and two or three people who are experts in the field of border guarding, one of them serving as a trainer or teacher.

Training and Education Working Group V, 15–18 March 2006, Macedonia. Co organized by the Macedonian Police, this working group aimed to set out the basis for the development of comprehensive, common curricula education and training programs regarding border checks and control and border surveillance. These programs, once they have been designed and approved, will be at the disposal of all countries in the region in order to harmonize border guard training, guarantee capabilities for common action, enhance regional cooperation, and thus improve the fight against cross-border crime.

On the first day of the meeting, the delegations gave presentations on the organization of their border guard training—i.e. how they determine the needs, who develops the program, who delivers it, how they manage training events, how they evaluate programs, and the problems they face. This was then complemented by presentations by experts from the Slovenian Police Academy, who talked about program design; presentations from the Finnish Border Guard Academy on administrative planning and supervision and border check and surveillance training; and presentations from Estonia on managing and leading education and training.

During the second day, the delegations divided into three teams. The two "program teams" worked together on the design of a common curriculum/training program for border checking and border surveillance, and a "managers' team" worked on the planning of the negotiation and implementation of training programs within the border services. On the final day, the three teams presented their work, and in particular the two program teams managed to produce an outline design of:

- Job descriptions—i.e., the tasks that have to be carried out by the border guard re: border checks and border surveillance
- What the border guard knows about the above subjects (as a result of basic training/experience on the job)
- What the border guard needs to know in the future.

The participants included delegations from all Western Balkan countries (except for Croatia), made up of managers, instructors from the police academies, and operators working in the field. The experts came from the Slovenian Police Academy, the Finnish Border Guard Academy, and Tallinn University in Estonia.

The sixth working group meeting is planned to take place from 12–15 November 2006 in Serbia. In the meantime, an extra meeting of the two program team member is planned for 27–30 August in Croatia to further prepare the common programs.

General Overview of Maritime Border Issues and Integrating the Coast Guard into the Border Security System: the Case of the Finnish Frontier Guard First Workshop, 25–29 August 2004 in Helsinki. This specific project was aimed at

providing useful background material and EU member country experience in order to assist Western Balkan states in the establishment of coast guarding systems. The starting point was the EU's requirements for management of the maritime borders. This covers both blue border surveillance and the border checks in ports. During the project, the beneficiaries were familiarized with existing organizational, operational, and technical solutions in Finland, Spain, and Greece.

While the general principles for the control and surveillance of green and blue borders are essentially the same, attention should be paid to the relationship between a coast guard service and the border security service. In the EU border management context it is essential that the coast guard function be completely interlinked with the border police. Several states have established a practice where the border service manages the coast guard, and takes on a number of other maritime duties. The aim of the third phase is to build a common understanding on how best to establish coast guarding functions in WB countries; to undertake a joint Adriatic threat analysis; to develop national drafts of coast guard concepts, structures and resources; and eventually to develop a model of Adriatic Sea border control cooperation based on the Baltic Sea region experience. The starting point was the EU requirements for management of maritime borders, covering both blue border surveillance and border checks in ports. Participants were familiarized with existing organizational, operational, and technical solutions in Finland, Spain, and Greece/Italy. The form of this phase will be discussed below.

The aim of the "blue border project" is to build a common understanding on how to use EU coast guarding best practices in Western Balkan countries. The model for a joint Adriatic threat analysis; the development of national drafts of coast guard concepts, structures, and resources; and eventually the development of a model of Adriatic Sea border control cooperation based on examples from the Baltic Sea region will be on the agenda of the meetings. The starting point of the "blue border project" concerned the EU requirements for the management of maritime borders and the application of those standards at maritime borders, covering both blue border surveillance and border checks in ports.

The meeting in Helsinki aimed to give a general overview of maritime border issues by emphasizing the case of the Baltic Sea area. Border management is one of the key civil security functions of any state at sea, but there are other necessary functions as well. It may prove useful to make a given authority responsible for a number of different functions. The possible divisions of responsibility between authorities were examined, with Finland being an example of a border guard organization that successfully carries out several coast guard functions. In addition, case studies were given by Sweden and Estonia to highlight the different aspects of being either an "independent" or an "integrated" coast guard.

The prevention of illegal immigration and human smuggling can be enhanced by cooperation with other countries bordering on the same littoral. The Baltic Sea region is an example where cooperation in coast guarding has helped curb maritime crime; the participants were able to examine the arrangements of this example of international cooperation in border control. In addition, the extensive experiences gained from securing the river border of the Oder River were presented by representatives from Germany, along with presentations by Romania and Bulgaria on strategies prepared under the EU's perspective to prevent illegal border-crossings in the case of the Danube River. The workshop

was organized in Finland in order to capitalize on the Finnish Frontier Guard's expertise in the area and to maximize the synergies that can come from considering how maritime and green border operations can be integrated into one effective border security organization. A number of working group meetings followed on this workshop, which are outlined below.

First Working Group on Blue Border Surveillance, 24–28 October 2004, Málaga, Spain. Spain has established an EU ad hoc center for the surveillance of maritime borders, with a view to providing important insights into international cooperation at the operational level. Moreover, Spain is responsible for elaborating a common EU strategy on guarding blue borders. For Western Balkan countries, it is therefore interesting to see how the EU wants to achieve progress on this issue.

Jointly organized by DCAF and the Spanish *Guardia Civil*, this event was a continuation of the work done at the initial workshop on blue border surveillance held in Finland in August 2004. The gathering in Málaga was beneficial for all services seeking to explore the different possibilities that exist with regard to blue border surveillance, and the role and place of the coast guard in border security. The *Guardia Civil* presented its own system, and participants were able to draw comparisons with the systems that were presented to them in Finland, notably those of the Finnish Frontier Guard, the Estonian Border Guard, and the Swedish Coast Guard.

Participating delegations formed common teams, incorporating all relevant actors in this field, including representatives of the border police, the coast guard, and the navy, depending upon where the responsibility for blue border surveillance lies in the various countries. The main topics of the workshop included the presentation of the Spanish system of blue border control. This involved, *inter alia*, discussions of illegal migration management, SIVE (the *Guardia Civil's* External Surveillance Integrated System deployed along the Spanish coast), and the centers of coordination of maritime borders of the EU. Study visits were made to the Málaga port, as well as to illegal migration management installations in Ceuta.

Second Working Group on Coast Guard, 17–20 April 2005, Athens and Corfu, Greece. This event was a continuation of the work already done in 2004 during the events mentioned above. Jointly organized by DCAF and the Hellenic Coast Guard, the meeting started with presentations from all delegations on the developments made in the field of blue border surveillance within the previous six months and their plans for the future. The Swedish Coast Guard then gave a presentation on the EU's Strategy for Sea Borders, and the Hellenic Coast Guard presented their system of blue border control, highlighting the way in which they implemented EU strategy. Participants were therefore able to draw comparisons between the variety of systems that were presented to them in Finland and Spain respectively and the Greek system of blue border surveillance, as well as considering the role and place of the coast guard in border security.

During the meeting, participants had the opportunity to see the work being done in the Hellenic Coast Guard Headquarters and at the EU's Eastern Sea Border Center. This included a visit to the operational center of the Hellenic Coast Guard, the Joint Rescue Command Center, and a presentation on the VTMIS surveillance system (Vessel Traffic Management Information System). Participants also had the chance to go to sea in coastal surveillance vessels to observe first-hand the various operational means available to the Hellenic Coast Guard to carry out their work, and to see in practice the Greek model of carrying out blue border surveillance.

On the final day of the workshop, participants were taken to sea on small patrol craft and shown blue border patrolling on the Greek/Albanian border. This was concluded by a visit to the Port Authority, where they were given a demonstration of the Vessel Traffic System (VTS) of surveillance, the local level of the VTMIS surveillance system. The meeting concluded by agreeing on the program for the third working group meeting on blue border surveillance, which took place in Croatia, as detailed below.

Third Working Group on Coast Guard, 26–29 October 2005, Trogir, Croatia. Jointly organized by DCAF, OSCE, and the Croatian Police, much of this meeting was dedicated to the first drafts of the strategies and action plans for blue border surveillance that were to have been created by each of the participating countries. The first day of the meeting started by looking at the EU's demands and requirements for maritime border strategies, followed by presentations from Finland, Estonia, Sweden, Spain, Greece, and Cyprus, which showed how the EU's guiding principles were implemented in practice in Northern and Southern Europe. The practical aspects of designing a strategy for maritime borders in accordance with EU demands and requirements was then presented. This was followed by a complementary presentation that looked at the concerns and pitfalls that should be taken into account when designing a strategy.

On the second day of the meeting, Croatia presented her experiences in the field of blue border surveillance, given by representatives from the Croatian Maritime Police; the Ministry of Sea, Tourism, Transport, and Development; and the Ministry of Defense (Navy). This was followed by a visit to the harbour in Split and to the naval operational center to see the Peregrine and GEMS radar systems at work.

Participants then divided into different working groups to discuss in detail the strategies required for the control of sea, lake, and river borders respectively. Each working group then gave presentations on their results and findings, and each delegation left with a comprehensive template that could be used by them to further develop their draft blue border strategies.

The meeting concluded by agreeing that during the next two months all participating countries would prepare draft strategies for blue border surveillance, formatted in the manner that was discussed and presented during working groups' meetings. This would give them the chance to create a document that included their ideas, wishes, and choices for the organization they would like to set up in their countries that would be responsible for border guarding at sea.

In 2006, this group had plans for one event, to allow for elaboration of the final draft strategies prepared for the countries and discussion of how these strategies can be implemented. Participating delegations for this meeting were to be made up of all relevant actors in the field of blue border surveillance, including representatives of the border police, the coast guard, and the navy (depending upon where the responsibility for blue border surveillance lies in each country).

Fourth Working Group on Coast Guard, 25–28 October 2006, Albania. The final aim of the working group will be the creation of a strategy for a common border security system, including a search and rescue (SAR) function, whereby the means of green and blue border surveillance are united under a clearly defined control and command line. Written strategies should be presented at the Third Annual Review Conference in 2006.

Risk Analysis and Criminal Investigation & Intelligence

First Workshop, 30 November–4 December 2004, Frankfurt, Germany). Rather than simply being concerned with controlling the entry and exit of aliens and national citizens, border security is a concept that includes preventing illegal entry, combating human trafficking and the smuggling of goods, and contributing to the fight against terrorism and the proliferation of weapons of mass destruction. All these activities require that three important elements—risk analysis, criminal intelligence, and investigation functions—are closely interlinked with other border guard duties.

Modern border guarding cannot take place without these three elements. This workshop aimed to highlight the importance of risk analysis within border security; it included presentations of a number of different risk analysis models, familiarizing participants with best practices. The presentations also described how these models have been organized by different services, focusing in particular on the model used by the Finnish Frontier Guard. Criminal intelligence and investigation were covered in presentations made by other leading border security agencies that have successfully integrated criminal intelligence and investigation capacities into their operational concepts. Participating countries were also given the opportunity to present their own existing or planned approaches.

During the workshop, the main emphasis was placed on the comprehensive risk analysis model developed by the Finnish Frontier Guard. This model builds upon two assumptions: that effective contribution to crime prevention requires intelligence-led operational activities; and that the information gained in border management activities is to be utilized systematically for purposes of analysis and intelligence. The intelligence-led approach suggests that practical field-work is based on constant profiling, and that planning is supported by statistical analysis. Profiling means that each border guard is able to give special attention to those subjects that represent a higher threat, with applicable field methods having been developed to this end.

In the area of planning, it has to be recognized that system gaps may lead to irregularities. In this regard, border management is only as strong as its weakest link. The border management system has to be analyzed to determine its impact on crime in different areas, and to find out where the gaps exist in the system. For this purpose, pragmatic and simple statistical methods have been developed, part of the so-called operational risk assessment. The basis for both profiling and operational risk assessment efforts is a valid understanding of the prevailing threats. To achieve this, an intelligence function must be organized to support risk analysis in border management activities.

In addition to risk analysis, the scope of the border guard mission requires that such organizations also develop a mechanism for carrying out criminal intelligence and investigation activities. This can either take the form of coordination with police agencies and other actors outside of the border guard organization, or these capabilities can be integrated into the activities of the border guard itself. The choice made will depend on a number of factors, including the place of border security in a given nation's legal framework and the organizational concept upon which the border guard authority has been built.

The workshop included presentations on the activities of the German *Bundesgrenzschutz* (BGS), the Finnish Frontier Guard, and the Estonian Border Guard, as well as presentations from other leading border security agencies that have successfully integrated criminal investigation and intelligence capacities into their operational concepts in various ways. Participating countries were also

given the opportunity to present their own existing or planned approaches to criminal investigation.

Participants in the workshop included leaders of the border police of participating countries, along with their closest co-workers who participate in director-level decision-making and top specialists within the organization in the field of criminal investigation and intelligence, as well as risk assessment. During 2005–06, three working groups were formed to address these closely interlinked elements. The aim of these working groups will be to assist the countries of the region to develop mechanisms within their border security systems to carry out criminal intelligence and investigation activities and integrate criminal investigation and intelligence capacities into their operational concepts. In addition, the groups hope to develop a common understanding of the role of the border guard function in the national systems of criminal investigation, to provide operational guidelines about the organization of investigations within the border guards, and to further develop the operational and strategic risk analysis methods used in relation to different types of borders.

Experts will be drawn from investigation, intelligence, and border guard backgrounds, and will discuss in detail the coordination issues involved in sharing intelligence and investigation information, as well as the exact duties and the necessary competences required in order to carry out risk analysis successfully. For the risk assessment working group, experts will seek to make sense of and harmonize the many different risk assessment methods currently in use.

The working groups on *Investigation* will address the identification and analysis of the criminal investigation system in the region and the role of the border police. They will seek to evolve common conceptions of the role of the border police in the national systems of criminal investigation, as well as to prepare the necessary proposals for national legislation. The structure and contents of operation guidelines will also be prepared.

Participants in the Investigation working group will include legal experts with an education in criminal law, national and/or regional managers or trainers with experience in criminal proceedings, and personnel who will take over management positions in a border police unit involved in criminal proceedings.

The working group on *Risk Analysis* will be divided into groups focusing on operational and strategic analysis and tactical risk analysis. Regarding operational and strategic analysis, working groups will give a thorough introduction of operational and strategic risk analysis methods through lectures and case studies. Operational analysis methods will also be developed further, as they relate to different types of borders. As far as possible, existing material from the participating states would be utilized in exercises. Participants in this working group include national and/or regional managers or trainers with experience in and knowledge of operational border control activities and management.

The working group on tactical risk analysis will introduce the various methods of tactical risk analysis (and related intelligence) to the participants. Participants will be requested to provide genuine data on actual incidents, if possible, in order to assist in drawing up joint risk profiles, risk indicators, and refreshed models of operation. Participants in this working group include communication-oriented intelligence practitioners, or experienced border control and document checking experts. The following working group meetings have taken place.

Risk Analysis, Criminal Intelligence and Investigation Working Group I, 11–13 May 2005, Budva, Montenegro. DCAF organized this working group

meeting as a continuation of the workshop held in Frankfurt in December 2004. Its aim was to establish integrated working groups to deal with these three closely interlinked elements throughout 2005 and 2006 in order to assist the border services in the region to:

- Develop mechanisms for border police to carry out criminal intelligence and investigation activities
- Integrate criminal intelligence and investigation capacities into border police operational concepts
- Develop a common understanding of the role of the border police in the national systems of criminal intelligence and investigation
- Deliver operational guidelines about the organization of intelligence and investigations within the border police
- Further develop tactical, operational, and strategic risk analysis methods as they relate to different types of borders.

Presentations were given by the participating countries about the current tactical, operational, and strategic risk analysis methods used within the border police, or in close cooperation with the state police and state intelligence services. During these presentations, participants gained a clear view of the actual situation in other countries in the region concerning these topics.

After presentations from a variety of EU experts, teams worked in four working groups in order to find out the “ideal” way to carry out intelligence and investigation functions as well as to introduce a risk analysis model into the everyday practice of the border police services in the region. This teamwork was facilitated by experts from Germany, Switzerland, Estonia, and Finland. During the working group, participants had the opportunity to discuss in detail the coordination issues involved in sharing intelligence and investigation information, as well as the exact duties and the necessary competences required in order to carry out the above mentioned elements successfully. Participants in the workshop were both leaders of border police authorities and specialists in the fields of criminal intelligence, investigation, and risk assessment.

Risk Analysis, Criminal Intelligence and Investigation Working Group II, 1–4 December 2005, Budva, Montenegro. This meeting carried on the work from the previous working group meeting in May in Frankfurt. The framework for this working group was as follows. The working group started with short briefings by each delegation on:

- How the responsibilities regarding intelligence gathering, investigation, and risk analysis are divided between the agencies legally involved in this business
- How this works in practice
- How cooperation between the various agencies involved is organized.

This was followed by a discussion of the presented job descriptions, tasks, and the implementation of processes and procedures required—specifically, information gathering, investigation, and risk analysis at both the national and regional headquarters level.

During the working group meeting, experts from Estonia, Finland, France, Germany, and Switzerland covered the administrative aspects required to implement a risk analysis model, and looked into the practicalities of carrying out

operational risk analysis. The different stages and elements of the investigation process in the case of illegal immigration were discussed, and a practical case study covered intelligence matters and decision making. Participants included leaders of border police services as well as experts drawn from investigation, intelligence, and border guard backgrounds.

For 2006, the working group has two events planned. The meeting of the risk analysis group has as its goal building the capability within participant states of conducting risk analysis at the strategic level within the region. The intelligence and investigation working group meeting will focus on building the capability for data collection and analysis, examining full intelligence cycles; gathering, forming, storing, and distributing this information; creating profiles; and encouraging cooperation between agencies. Participants in these meetings should have the following qualifications:

- Leaders of the border police of participating countries, along with their closest co-workers who participate in director-level decision-making and top specialists within the organization in the fields of criminal investigation, intelligence, and risk assessment
- Legal experts with an education in criminal law, national and/or regional managers or trainers with experience in criminal proceedings, or personnel who will take over management positions in a border police unit involved in criminal proceedings
- National and/or regional managers or trainers with experience in and knowledge of operational border control activities and management
- Communication-oriented intelligence practitioners, or experienced border control and document checking experts.

Risk Analysis, Criminal Intelligence and Investigation Working Group III, 10–13 May 2006, Slovenia. During 2006, the working group on risk analysis, criminal intelligence, and investigation aims to assist the countries of the Western Balkans in achieving the following goals:

- In risk analysis: to be capable of conducting risk analysis at the strategic, operational (including tactical), national, and regional levels
- In Intelligence: to gain a capability in data collection and analysis; to be able to implement full intelligence cycles; and to conduct operational cooperation between agencies and services responsible for intelligence
- In Investigation: to assist in the enhancement of professional capabilities for criminal investigations by national border police authorities; and to identify and apply common standards and procedures for investigation of border-related crimes, in order to be able to carry on common investigations in cases of crimes committed in different countries.

During the first meeting, the working group made a number of agreements. In the area of risk analysis, participants actively discussed the structure of a strategic risk analysis model (SRA) currently used by EU member countries. This model includes the following elements in its analysis of the internal and external environment:

- The operational situation in consulates (quality, equipment, effect of granting more visas); possible risks and threats, and proposals to address them

- The situation in neighbouring countries, including the border security situation; levels of traffic; changes in border security systems; social factors; possible risks and threats, and proposals to address them
- The border security situation in the EU, including changes in borders and how they can impact national situations (enlargement), and possible risks and threat and proposals to address them
- Routes of illegal immigration, including possible risks in individual national systems and proposals to address them
- Land borders (border surveillance and border checks); sea borders; air borders; and possible risks and threats, and proposals to address them
- Main conclusions and proposals for implementation measures, comparison of risks and own resources (staff, equipment, mobility, commanding system, organizational structures, powers).

The participating countries agreed to create rules and regulations for carrying out national risk analyses, which will include formats of all the necessary reports included in their model. The created documents will be sent to DCAF by 1 November 2006, and will be discussed and analyzed during the next working group meeting, which will take place from 22–25 November in Macedonia. In addition, at this meeting activities will be directed towards the development of an operational risk analysis methodology.

In the area of intelligence, participants first received information from customs officers about the intelligence role within customs. At the same time, the importance of cooperation between different agencies and services was stressed again. Participants were asked in the working groups of the first day to identify the main factors that could influence their organizations and to sort out the possible opportunities and threats. Then, taking into account their organizations' strengths and weaknesses, they were asked to highlight the critical sectors and the key factors of efficiency in order to identify priorities and define measures to be taken.

A model was provided of how to conduct such an analysis, and the results of the three study groups were presented in a plenary session. This model of analysis must be considered as contributing to the preparation of the reports mentioned above. It thus offers participants a tool to complete their analyses in their home countries.

The morning of the second day was devoted to the presentation of some of the techniques and outcomes of criminal analysis. A second important point was addressed, concerning the structure and the conduct of the meetings in which situations are presented on the basis of intelligence analysis and decisions are made. Examples of reports disseminating information according to the decisions made were also presented. During the afternoon a comprehensive exercise was organized. Participants divided into three groups representing two police agencies in France and Germany and a customs agency in France, and were assigned to analyze different situations, assimilate information obtained from their partners, request new information, and prepare coordination and decision meetings.

In the area of investigation, participants agreed on several recommendations. The first was that participating countries should apply the FEMALE method of investigation of human smuggling crimes. They were asked to evaluate the methodology and send proposals to DCAF by November 2006. The methodology will be discussed during the next workshop, along with the adoption of a common methodology for the investigation of human smuggling cases.

Risk Analysis, Criminal Intelligence and Investigation Working Group IV, 22–25 November 2006, Macedonia. The final aim of the working groups on risk analysis, criminal intelligence, and investigation will be to provide all participants with the knowledge of common EU standards for risk assessment in order to create operational risk assessment methodologies in each participating country. Operational guidelines on how to set up criminal intelligence and investigation capacities, including the necessary job descriptions, should also be elaborated.

Level Two: Advanced Distance Learning (ADL) Module For Regional Commanders

As a new stage of development, an ADL module for regional commanders, which can be seen as a cornerstone for a future Virtual Border Guard Academy, was under preparation in 2004–05, and was launched in February 2006. The learning provided is intended for regional commanders, in order to enable the sharing of information across participating countries and to ensure that common best practices are established through interaction. Interactive learning that brings together regional commanders from the countries that make up the Stabilization and Association Process (SAP) will also form a basis for future regional cooperation.

To prepare the content for the ADL module, an international advisory board was extended to include specialists in the fields of education and training from each participant country. The content of the curriculum was drafted on the basis of collaboration between advisory board members. Its aims are to determine the content of the curriculum for the entire course and particular modules, assess the relevance of the material provided, make the necessary updates, and prepare a final exam. For their part, the ADL specialists at the Zurich Federal Institute of Technology (ETHZ) are responsible for transforming the curriculum into an ADL module. While the curriculum materials have been translated, the seminar courses are given in English. With a view to ensuring that, by the beginning of the course in February 2006, all participants would have the required language skills, English courses were organized for participants in their home countries during 2004 by national authorities. After the first selection of candidates by the end of 2004, specialized language courses combining modules in the home country with courses in a native language environment started in February 2005.

Four English language courses of roughly a month in duration were organized by DCAF, and three two-month courses were organized by national authorities. Countries nominate eight participants for these courses, with five participants ultimately being selected. DCAF provided content for the national segments of the courses.

Organized by DCAF, the first classroom phase of the Advance Distance Learning Course for Regional Commanders took place in York from 4–30 April, at the Leeds University Centre for International Studies. This was a four-week-long English language training course for thirty-four participants from all Western Balkan countries, as well as participants from Slovenia and Estonia.

The participants, who were divided into four groups depending on their ability and in accordance with the final achievement test, all progressed considerably during the four weeks of training. The participants also gained the necessary requirements in order to be able to actively participate in the next phase of language learning, which will involve a professional course on border security, planned to start in February 2006 and to run for eighteen months. The main aim of this program is to enable participants to communicate effectively

with all other colleagues involved in guaranteeing security for their citizens through effective border management.

The second English language course took place in Lucerne, Switzerland, from 11 July–7 August 2005. Thirty-six regional commanders or police officers from ministries in headquarters from eight countries (Albania, Bosnia and Herzegovina, Croatia, Estonia, Macedonia, Montenegro, Serbia, and Slovenia) participated. During the first day, an exam was administered to assess the ability of all the participants. The participants were divided into four groups: one group at the elementary level, two groups at the pre-intermediate level, and the fourth group at the upper intermediate level.

The course involved intensive classroom activity in the following areas:

- Listening comprehension
- Reading comprehension
- Grammatical accuracy
- Phonological control
- Vocabulary range
- General linguistic range
- Spoken pronunciation
- Information exchange
- Notes, messages, and forms
- Correspondence
- Reports and essays.

The course concluded with a progress test that showed improvement in all previously mentioned areas. The third English language course, took place in Birmensdorf, Switzerland from 25 September–16 October 2005. The participants included twenty-eight regional commanders (or police officers from ministries in headquarters of an equivalent level) from the same eight countries that sent participants to the previous course. This course included participants at the elementary and pre-intermediate levels, although members of the latter group were able to move up to intermediate proficiency during the course. The program involved intensive classroom activity, which continued the themes mentioned above. As before, the course finished with a progress test that showed improvement in all previously mentioned areas.

The fourth English language course, took place in Budva, Montenegro from 12 November–5 December 2005. The thirty-six participants completed this final course in preparation for the main ADL course, which started in January 2006. The course finished with a progress test that showed improvement by all participants in all previously mentioned areas. Their achievements and present level of English knowledge is explained well in the certificates delivered to each participant.

The first module of the eighteen-month-long ADL course for regional commanders was scheduled to take place in Geneva during early 2006. The advanced distance learning phase of this module took place from 12 December to 22 January, to prepare the participants for the classroom phase.

The beginning of the ADL Main Course for Regional Commanders, entitled "Change in the Security Environment," took place from 22 January–11 February 2006 in Geneva. The participants were twenty-four regional commanders or police officers from ministries in headquarters of an equivalent level, from eight countries (five from Albania, two from Bosnia and Herzegovina, six from Croatia,

two from Estonia, two from Montenegro, six from Serbia, and one from Slovenia).

The course involved intensive classroom activity in the following areas:

- Working in teams
- Problems of border management in a globalizing world
- Roots of conflict
- New security environment
- Globalization, regionalism, and integration
- Transnational organized crime and international security
- Combating trafficking in human beings
- Organized crime in the Balkans
- The non-proliferation regime and its current challenges
- Trafficking in nuclear materials
- Trafficking in small arms and light weapons
- Old and new forms of terrorism
- Combating the ideological support of terrorism
- Counterterrorism and border security
- WMD terrorism
- EU counterterrorism policies
- The crime–terrorism nexus
- Human rights
- Border security in modern world
- Guiding principles of successful leadership and management in modern border security organizations
- Recent developments in the framework of the EU.

The lecturers were experts from GCSP, DCAF, Oxford University, Zurich University, Tartu University in Estonia, the Swiss Police, and the Slovenian Police, among others. As part of the course, several visits were organized to the following international organizations that are involved in the issues listed above, including:

- UN Headquarters in Geneva
- International Red Cross Headquarters
- Office of the UN High Commissioner for Human Rights
- Office of the UN High Commissioner for Refugees
- International Organization for Migration
- Swiss–French Communication Center.

The second ADL module, on “Leadership and Management,” took place from 3–23 May 2006 in Slovenia. The advanced distance learning phase of this module took place from 10 March to 6 May, to prepare the participants for the classroom phase in Slovenia. The third module, on “Border Management I,” took place in Estonia and Finland, from 15 August–3 September 2006. The fourth module, entitled “Border Management II,” will take place in early 2007 in Hungary and Germany.

Level Three: Operational Guidelines and Job Descriptions for Station Commanders

In response to requests made by recipient countries, and as a complement to the ADL module for regional commanders described above, a special program will be

organized for station commanders. The aim of the program will be to provide practical training for station commanders on the subject of carrying out border checks and surveillance at the individual station level. The program will be aimed in particular at commanders who have yet to take up their border station posts or who have up to three years of experience. The program will take the form of week-long study visits, during which participants will be familiarized with the planning and organizing of everyday activities of border police stations, and will carry out a variety of practical exercises, all designed to reproduce situations similar to those found in their home countries.

The first courses for station commanders were begun in Kiskunhalas, Hungary on 16–23 May and 7–14 June 2004. Thereafter, two more courses took place in Gotenica, Slovenia, the first from 6–10 September and the second from 20–24 September 2004. In total, fifteen station commanders from each recipient country were invited, with all costs covered by DCAF.

In 2005, the first series of workshops on communication and stress management, took place in the Slovenian Police Academy in Ljubljana in March and April. In accordance with the proposal made by the Slovenian hosts, the previously established two working groups in this field were divided into four groups, and each of those groups participated in a four-day course over the period from 28 February to 15 April 2005, according to the following timetable:

- The first group from 1–4 March 2005
- The second group from 22–25 March 2005
- The third group from 5–8 April 2005
- The fourth group from 12–15 April 2005.

This series of workshops gathered together sixty-one commanders of police stations for border control from Croatia, BiH, Montenegro, Serbia, and Macedonia. Their aim was to develop communication skills for police daily work and the strategies for coping with stress in order to improve the officers' effectiveness and professionalism. The training was designed to be interactive, with the full involvement of the participants with many instruments for self-discovery, role plays, discussion, problem solving, group work, and analysis of their own behaviour.

The workshop was divided into two parts. The first part was about communication training, and was designed to provide knowledge about the rules of effective communication. It built on experimental situations that allowed the students to improvise and to find out the best solutions for themselves. During this segment, police officers learned how to respect and protect others and their own human dignity through communication and stress management and how to be more effective. The second part of the workshop involved training in how to deal with stress, which is one of the most important personal competences involved in police work. Police officers were trained in how to use the advantages of stressful situations and how to protect themselves from the damaging effects of stress.

The second course, on leadership and green and blue border surveillance, took place over two one-week sessions, from 21–30 August and 11–20 September in Estonia. This workshop was a follow-up to workshops of the same kind held in Hungary (May/June 2004) and Slovenia (September 2004 and April/May 2005). There were thirty-nine participants from five countries (Bosnia and Herzegovina, Croatia, Macedonia, Montenegro, and Serbia) in each session. All of them held the rank of chief of a border police station. The workshop gave

the participants the opportunity to gain knowledge and experience about leadership, as well as to observe how their colleagues at the station commander level perform their daily duties in practice. The workshop program was divided into two parts: classroom activities and field visits.

Classroom activities addressed the following topics:

- Leaders and leadership
- Leaders' competences
- Leaders' personality typology
- Leadership styles
- How to build an effective team
- Principles of effective teamwork
- Teambuilding process
- Motivating leadership
- Criteria of organizational efficiency.

This portion of the course also included a number of practical exercises, which the participants described as being very useful.

The second part of the program consisted of visits to a border guard station on Estonia's eastern border (with the Russian Federation). During this portion, participants were introduced to the following subjects:

- Organizational structure of the Estonian border guard
- How work is organized at the border crossing points
- How border guarding is carried out on the lakes, rivers, and green borders
- What kind of technical support do border guards have and how it functions
- In what way the work had been carried out before the Estonian border guards received their first technical equipment
- Cooperation with other services and neighbouring countries (the Estonian Border Guard organized a joint exercise with their Russian colleagues, which provided an example of how the Estonian and Russian border guard manage illegal border crossings).

Further courses on operational guidelines and job descriptions for station commanders will take place in September in Hungary and Poland.

Level Four: Annual Summer Training for Future Leaders

Under the rubric of the Border Security Program, DCAF organized a summer camp which gathered together fifty-eight future leaders in the area of border security from 15–21 August 2004 at the Swiss Army Mountain School in Andermatt, Switzerland (participants included three attendees from each Western Balkan country, and three from each donor country). The aim of this conference was to bring together a group of young scholars, NGO activists, journalists, and government officials from Albania, Bosnia and Herzegovina, Croatia, Estonia, Finland, Germany, Hungary, Macedonia, Russia, Serbia and Montenegro, Slovenia, and Switzerland in order to give them an opportunity to engage with prominent international experts in a comprehensive debate concerning contemporary and future issues of border security. The aim of this type of event is to train and educate future leaders in the field of border security, thereby contributing to DCAF's effort towards guaranteeing continuity in

transferring best practices. Moreover, by sharing their professional experiences and participating in group activities, participants will be able to build the basis for future cooperation based on good relations among young professionals.

The Second Annual Future Leaders Summer Training Conference took place once again at the Swiss Army Mountain School in Andermatt from 14–21 August 2005. This event was organized in cooperation with the Swiss Army Center of Excellence in Mountain Training, and gathered together forty-five participants from all countries in South Eastern Europe, as well as the Czech Republic, Estonia, Finland, Germany, Spain, Slovenia, and Ukraine. As mentioned above, the aim of this event was to bring together in a stimulating environment a group of young scholars, NGO activists, journalists, government officials, and border guards in order to give them an opportunity to engage with prominent international experts from Germany, Estonia, Slovenia, and Switzerland in a comprehensive debate concerning contemporary and future issues of border security.

The first three days of the summer training were spent in the classroom discussing topics related to a variety of security issues, as well as examining leadership and management methods. The second part of the program took the participants into the mountains, where they were able to learn and practice summer mountain training skills as taught by the Swiss Army, and to practice the leadership techniques discussed in the classroom. The level of genuine interest and involvement in both the academic and the training activities, together with the high standard of English displayed by both border officers and academics, led to a successful and productive week. It was decided to create a Future Leaders Alumni Network to coordinate the activities of the alumni and conduct on-line forums on issues related to border security in the future.

The Third Annual Future Leaders Summer Training Conference took place again in Andermatt from 13–20 August 2006. The topics discussed included:

- Leadership and management
- Corruption
- The new security environment
- Globalization and competing concepts of border law and border guarding
- Intelligence and risk analysis
- Management and corporate culture.

Participants were expected to have the following qualifications:

- Actively serving border guards, no older than 35 years old at the time of the conference
- The ability to speak and write English well enough to communicate with others without difficulty
- Operational exposure in the field of border security, including practical experience.

Outlook for 2006

In 2006, a program has been planned that continues the work of the working groups established in seven areas. These areas are legal reform, leadership and management, logistical support, education and training, risk analysis, criminal intelligence and investigation, and blue border surveillance/coast guard. It is intended that the working groups will meet twice a year over the 2006–07 period. By the end of this period, the final aims of the working groups stated above will hopefully have been achieved.

The Border Security Program's activities will concentrate on the promotion and deepening of regional cooperation, with the aim of benefiting the development of the countries of the region and accelerating their integration into the EU. The focus will be on the following areas:

- Overcoming legal differences and fostering international agreements on cross border cooperation
- Increasing operational capacities
- Improving the level of technical interoperability
- Harmonizing education and training processes.

January 2006. The working group on legal reform met for the fifth time in Slovenia. The first module of the ADL course for regional commanders on "The New Security Environment" began in Geneva, Switzerland.

February 2006. In February 2006, the Third Annual Review Conference was held in Sarajevo, Bosnia and Herzegovina. At this event, an evaluation was made of the progress achieved towards reaching the final aims of each working group, and documentation was presented. Also, plans for enhanced regional cooperation and the implementation of regional flexibility measures were discussed. This conference was followed by a meeting of the International Advisory Board for Border Security.

March 2006. The fifth working group meeting on education and training took place in Macedonia. The fifth working group meeting on logistical support also took place in March, in Serbia.

April 2006. The sixth working group meeting on leadership and management took place in BiH. The course for station commanders (Operational Guidelines and Job Descriptions) was run in Finland, focusing on the topic of communication and stress management. The same course was run twice, each time for forty participants, lasting for one week.

May 2006. The second module of the ADL course for regional commanders, entitled "Leadership and Management," took place in Brdo, Slovenia. A meeting of the DCAF IAB for Border Security and the third working group meeting on risk analysis, criminal investigation, and intelligence also occurred. A meeting for chiefs of border guard agencies of the Western Balkans was organized, with the aim of evaluating the work done in the first half of 2006 and suggesting changes to the program for the second half of 2006. All three events took place in Slovenia.

June 2006. The sixth legal reform working group meeting took place in Croatia.

August 2006. The third future leaders summer conference took place in Andermatt, at the Swiss Army Mountain Training Site. The third module of the ADL course for regional commanders, "Border Management 1," took place in Estonia and Finland.

September 2006. The sixth meeting of the Logistical Support working group is planned for September in Croatia. The continuation of the Operational Guidelines and Job Descriptions course for station commanders, which will focus on leadership and green and blue border surveillance, will take place over two weeks in Poland and Hungary.

October 2006. The seventh working group meeting for leadership and management will be held in October in BiH. The fourth coast guard working group meeting is planned to take place in Albania.

November 2006. The sixth working group meeting on education and training will take place in Serbia. The final IAB meeting of the year will be held in Bosnia and Herzegovina. In addition, the fourth working group meeting on risk analysis, criminal investigation, and Intelligence will also take place in Bosnia and Herzegovina. The fourth module of the ADL course for regional commanders, "Border Management II," will take place in Hungary and Germany. Finally, the chiefs of the border services will meet in Frankfurt in order to agree on the annual plan for 2007.

ADL Course for Regional Commanders. The ADL course planned for 2006–07 is divided into five modules. The virtual part of the study will take two months, and during this time students are expected to receive general education on a specific subject or theme. Classroom activity will last three to five weeks, and will take place in the recipient's country. It is aimed at solidifying the knowledge received during the two month e-learning period. The following customized four-week program will offer deeper analysis of border security in a specific target region, and will contain tailored propositions for national arrangements.

Third Annual Review Conference, 23–25 February 2006. This conference provided WB participants with the opportunity to review the activities undertaken in 2005. The topics under consideration included legal reform, leadership and management, logistical support, training and education, blue border surveillance, risk analysis, and the development of criminal investigation and intelligence capabilities. At the same time, the annual plan of common activities for 2006 was discussed. The chiefs of the various border police services involved in the program were also asked to present an overall evaluation of the DCAF border guard projects, including their success and usefulness in the development of effective border management in the region.

Third Future Leaders Conference, 13–20 August 2006. The Third Future Leaders Summer Conference was held once again in Switzerland, in August 2006. This conference sought to continue the work that began in 2004 in the development of personal and professional relationships of young border guard cadets from all over Europe. Practical teambuilding experiences will be combined with lectures from specialists in the field of international relations, speaking on topics related to border security.

Questions and Answers Session

Session I. Keynote Speaker by Pierre Aepli (DCAF)

Q: Tri Suswoyo (Indonesian Maritime Security Coordinator Agencies)
My question relates to the slide on border management and the border security system. As most countries have a coast guard, why don't you concentrate on that aspect?

A: Pierre Aepli (DCAF)

Thank you for your question. It is true that I come from a continental country and that our experience is not directly relevant to the issue at stake.

But naturally, financial considerations are significant for border security. Maritime borders are very important for some countries; just think of the importance of the maritime border between Europe and Africa.

What I would like to say is that for maritime security, it is not sufficient to have the right ships and right equipment. Collaboration between the army and navy is an absolute necessity. Another important element is intelligence gathering. Why? Let me give you an example: France and Great Britain. Great Britain has a long maritime frontier with France. It has fewer ships to guard them, but it is able to make more drug seizures than France. Why? Because British intelligence services are better equipped and British ships are much better than the ones used by France. This is an issue that arises when you have a border crossing with thousands of crossing points. You don't know which ships contain drugs or illegal migrants.

If you establish an elaborate intelligence gathering system, you will be able to concentrate on the most likely cases of illegal shipments. Therefore, maritime border is also a question of resources. If you invest resources in maritime security, you will be able to better monitor your borders. This is why I believe that intelligence gathering is a crucial element of border security.

Q: Colonel Sipahutar, (School of Staff and Command TNI Bandung)

I am pleased to hear that you have experience in the army and also as a border guard. You encourage us to learn more about border management. But how is this concept relevant for Indonesia? You suggest that security must be viewed as a system. How would you apply this concept to Indonesia, and in particular I would like to hear you speak about our land borders. On the land border between Malaysia and Indonesia, you imply that the problem has changed because of the attribute of current threats – transnational crime, illegal migration, organised crime and terrorism – and that there must be closer collaboration between Indonesia and Malaysia to face these threats. How would you apply good practices in border management to this particular case?

My next question relates to your second slide on changes in border security. I would like to hear you speak about the situation in Pambojon and the border between North and South Korea. How would you apply border management to these areas?

A: Pierre Aepli (DCAF)

There is certainly another set of challenges in non-peaceful borders. Border management is a totally different matter in peaceful and non-peaceful environments. In the former, the main function of border guards is to fight transnational crime, illegal migration and the like.

On the other hand, in a non-peaceful situation, you have to fight an enemy. You must first establish peace to later establish the good practices of border management. If there is no peace to be enforced, the army will invariably play a key role at the border.

Take for instance the case of Azerbaijan in the Caucasus. It has been in a situation of "no war, no peace" with Armenia since the signing of a cease-fire in 1994. In Azerbaijan, the army is in charge of securing the border with Armenia, but border guards patrol borders with Russia and Georgia. Border patrols can only be established after a border has become peaceful.

Q: Karoly Soos (European Union) :

Congratulations on your presentation. You rightly emphasised the elements of success - namely political will, political support and political commitment - needed to reform the security sector and border management. My question relates to the current situation in Indonesia. How do you regard the current political commitment to reform border guard units and implement new political structures? Thank you.

A: Pierre Aepli (DCAF)

In this process, border guards can play an important role when peace has been established. Different models apply to different situations and that is why political commitment is so important.

When I spoke of management, I did not speak of the necessary conditions for success of reform. Political commitment is necessary but not sufficient. Without political commitment, there is no clear vision and reform is unlikely. But if the border guard bureaucracy does not support reform, nothing will change. Hence, political support and the support of bureaucracy are two crucial elements for the success of reform.

Q: I have one simple question. You mentioned that the security threats that Europe now faces are changing. These new threats are terrorism, human trafficking, and transnational crime. But this week, I read in the newspaper that NATO wants to install anti-ballistic systems on the soil of two European countries. This relates to border security I think. What is your point of view regarding this program?

A: Pierre Aepli (DCAF)

I don't think that missile defense relates to the role of border guards. The only way to think about this program is to consider the current security environment and the threats we will face in the future. Missiles can also be used by terrorists. Current geopolitical realities and the threats we now face oblige use to rethink our intelligence sector and strategies for cooperation.

The roles of the different organs of the security sector are constantly changing. It is difficult to change the role of the military over a short period of time. One must first conduct an in-depth analysis, and only then, reformulate the missions of the different governmental agencies. From my point of view, a clear mission for the armed forces has to do with intelligence gathering.

To face current problems, one needs to keep a balance between the missions of the different security agencies. In coordinating the action of these agencies, priorities must be adopted and resources allocated according to the threats we face today and those that we might face tomorrow.

Session II: TNI (Indonesian Military) Headquarter and Department of Homeland Affairs

Q : Reggy (LBH)

One of the speakers mentioned a draft law related to border areas and border management. There have been allegations that government officials and law enforcement agencies are involved in smuggling activities. In this regard, I suggest that Law no.9 on Immigration be included in border management. Is this feasible?

A : Mr. Kartiko Purnomo, MPA (Department of Homeland Affairs)

With regards to entry and exit points, CIQS has its own legislation. If there is immigration law and border law, so that it will be regulated. If it concerns the border line, what we need is name certification law. There are two choices, is it necessary or not? Some people say it is not necessary due to some remaining problems. In sum, I agree that immigration law should be included to address these matters.

Q: Mayor Agung Dasa (Defence Programme, ITB)

There is an additional issue related to border security, namely the welfare of populations living in border areas. For instance, in the Island of Miangas, most inhabitants live in poverty and many of them work in the informal sector in the Philippines or illegally as fisherman. My question is the following: What can the Indonesian government do to address this issue?

A : Mr. Kartiko Purnomo, MPA (Department of Homeland Affairs)

There are many governmental programmes in place to address this issue, but the internal management of government needs to be changed first. The Ministry of Home Affairs does not yet have general development guidelines for these border areas, but other departments do.

Recently, our directorate has bought two ships in order to help the governors of the Sagihe and Talaud Islands to monitor local populations scattered across outer islands. If you look at the map of North Sulawesi, especially Miangas Island, you will see that many islands are unpopulated. I think we need to monitor these unpopulated islands.

The Directorate General has plans to assist people living in remote islands; local populations will be provided with infrastructure by the central government. Local

autonomy has provided many opportunities for local populations, and it is up to them to make the best use of it.

Q: Philip Fluri (DCAF)

My question is for you, Mr. Purnomo. I would like to hear you elaborate on the following point. You said last week that a new coordination unit for border management was to be created to replace the current ad hoc committee. Could you tell us more about the constituting elements of the new coordinating unit?

A : Mr. Kartiko Purnomo, MPA (Department of Homeland Affairs)

We don't have a single coordinating body, but we work closely with all ministries involved in border management. For instance, when we conducted a joint border committee with the PNG government, we asked official from CIQS, the Ministries of Foreign Affairs and Defense and Police Head Quarters to join to help us solve this problem along with the PNG.

Problems emerge after meetings and discussions are concluded and a comprehensive document has been produced, as it is easy to forget the recommendations of these meetings! This is precisely the role of the unit of the Ministry of Foreign Affairs, and my personal responsibility: to ensure that recommendations are followed on. Our government is aware of the difficulties associated with these ad-hoc mechanisms. Hence, it is the responsibility of the Coordinating Minister for Politics and Security, Mr. Menkopolhukam, the set up this unit, which we call the border desk.

What is the future of the border desk? The desk is under the authority of the coordinating Minister. It is generally efficient but problems arise when coordinating with the Defense Minister. Border management is not only a security issue; it is also about socio-economic development. The next step is to draft legislation to set up a permanent coordinating body in the central government.

But you have to remember that some people in our government are opposed to this idea. If a permanent body is established, it will imply that the current role of many departments will be taken away to the new agency.

Q : Janos Hegedus (Hungarian Border Guards)

Before all, I would like to ask you how many unnamed islands there are in Indonesia, as I have heard that there are as many as 8,600. Second, referring to slide no.7, I would like to confirm the number of border crossing points. You mentioned there are 73 in Indonesia. Does this number include international airports, ports, roads, and highway border crossing points? Third, which authority is in charge of handling border issues in Indonesia? The Ministry of Interior or the Ministry of Defense?

A : Mr. Kartiko Purnomo, MPA (Department of Homeland Affairs)

I think that they are 8,653 unnamed islands, but I have to double check on than one. We are going to set up a committee to address this issue, in accordance with the recommendations of the UN. By setting up a permanent committee, the plan is to systematically name unnamed islands. The central government will not be responsible for attributing names, local populations will. Local people will send

the name of the island, we will verify its spelling, and then send it to a historian to check for consistency. The national government will then publish it in a national directory (GASTER).

As for your second question, the Ministry of Defense and the Ministry of Foreign Affairs are in charge of border security, under the authority of the President. There are no problems in our dealings with neighboring countries. We are eager to collaborate with foreign governments, not least with Malaysia. There are no current problems in that matter. I believe that this answers your questions.

Authors

Pierre Aepli is Senior Consultant for the Border Security Programme. He is responsible for the preparation of the "Book on Intelligence, Risk Analysis and Investigation". Pierre Aepli worked in a private company in which he was a managing director in charge of several foreign subsidiaries and also was a colonel in the Swiss Army. Following this, Pierre was Chief of Police for the Canton of Vaud from 1982 to 2002 , and for several years chaired the Conférence des Commandants Suisses. He initiated and conducted many police reforms at the cantonal and national levels in Switzerland, and has performed various international missions for Switzerland and for the Council of Europe. In 2003, he was Chairman of the Directing Committee responsible for the organisation of the G8 summit. Pierre holds a degree in political science, a diploma from the Institute pour l'Etude des Methodes de Direction de l'Enterprise (IMEDE), and is a graduate of the FBI National Academy in Quantico, Virginia. He teaches a course on management for the University of Lausanne at the Ecole des Sciences Criminelles .

Colonel Rudito is a Middle-ranked Officer from Indonesian Navy. At present he served as a Support-Officer for Border Security Cooperation, Indonesian Military Headquarter (Paban V Kerjasama Keamanan Perbatasan Mabes TNI).

Anak Agung Banyu Perwita, born on 6 February 1967, is a senior lecturer at the Department of International Relations, Parahyangan Catholic University, Bandung-INDONESIA. Currently is Vice Rector for Relations and Cooperations, at the same university. He obtained MA in International Relations and Strategic Studies from Lancaster University, UK (1994) and Ph.D from Flinders University-Australia (2002). His subject interests are foreign policies and strategic studies. Among his latest publications are :

1. *Indonesia and the Muslim World: Islam and Secularism in the Foreign Policy of Soeharto and Beyond*. Copenhagen: NIAS Press, 2007. ISBN: 10-87-91114-92-2. (2007).
2. *Democratization and Foreign Policy in Indonesia: The Impact of Islamic "Symbolic Politics" on Post-Soeharto Foreign Policy*. A contributing chapter of the book "Democracy in Indonesia: The Challenge of Consolidation. Ed Bob S. Hadiwinata, Christopher Schuck Eds. Munich: Nomos Verlag. ISBN: 13-978-3-8329-2374-7. (2007).
3. *Globalisation, Radical Islam And "Religious" Conflict in Indonesia*. A contributing chapter of the book "*Understanding and managing Militant Movements in Southeast Asia*". Ed. Kamarulzaman Askandar. Penang: Universiti Sains Malaysia. ISBN: 983-3391-01-X. (2006).

He had also experiences as overseas visiting fellows in several places, such as: DAAD Research Visiting Fellow, Indonesia Research Unit, Institute of Political Sciences, International Relations/Foreign Policy Studies, University of Giessen, Germany (2005), Asian Political and International Studies Association (APISA) Research and Teaching Fellowship (2004), Kuala Lumpur-Malaysia, Visiting Fellow, Clingendael Institute of International Relations, Den Haag-Netherlands (Feb-March 2004), Fulbright Fellows, University of Southern Carolina, Columbia-USA (June-July 2003), and Asian Visiting Fellow, Nordic Institute of Asian Studies (NIAS) Copenhagen-Denmark (March 2003)

Zoltán Nagy was born on 28 December 1967. He is Head of Department, General Directorate for Training, Ministry of Justice and Law Enforcement, Budapest, Hungary since September 2006. Among his publications are,

1. Adrienne Szabó, Jolán Velencei, Zoltán Nagy: **Knowledge-sharing in trust-based corporate culture**, Strategijski menadžment, 1-2, 55-59, 2003, ISSN 0354-8414
2. Zoltán Baracska, Zoltán Nagy, Jolán Velencei: **Inteligentni portal Doctus** (Doctus intelligent portal) Strategijski menadžment 1-2, 60-63, 2003, ISSN 0354-8414

He obtained MSc from Miklos Zrinyi National Defence University, Budapest Hungary and since 2006 he is a PhD student at the same college. His speciality is in e-learning (technology, methodology, content development, LCMS, collaboration), organisational performance evaluation, implementation of HR IT system, and knowledge management.

Lieutenant-colonel János Hegedűs born on 23 April 1969, in Nagykanizsa, Hungary, is a Head of Border-policing Office of Hungarian Borderguards. He had experiences overseas, such as, NATO Border-security Mission to Albania (2001), Multinational Forces and Observers (MFO) to Egypt (2001-2002), 5th Joint Operation of Land-borders in Germany on the German-Polish and German Czech Border (2003), and the training programme of new Iraqi police forces in the International Police Training Center in Jordan Hashemite Kingdom as trainer and commander of the Hungarian contingent (2004-2005). He also participates on international conferences, such as International Meeting of Schengen Visa work-team (25-27 October 2005), DCAF Conference (5-8 April 2006), and FRONTEX Conference (20-23 November 2006).

Aditya Batara Gunawan, born on 17 July 1984, in Palembang, Indonesia. He obtained bachelor degree from University of Indonesia majoring in political science on 2005. Since August 2006, he has worked as teaching staff at Political Science Department, University of Indonesia. At the same year, he take part as speaker on "Research Day", Faculty of Social and Political Science, University of Indonesia (cultural power discourse session). He joined LESPERSI (Indonesia Institute for Strategic and Defense Studies) on December 2006 as a researcher. His subject interest is defense technology, border security, and post-modernism.

Beni Sukadis, is currently the Program Coordinator of Lelperssi, Jakarta. He studied in International Relations Department at Faculty of Social and Political Science, Parahyangan Catholic University, Bandung, Indonesia. He participated in short courses on civil military relations at The Clingendael Institute, in The Netherlands, and also a course on Defense Resource Management by Naval Post-Graduate School (USA) held in Jakarta. His field of interests is security sector reform, defense issues, civil military relations, conflict resolution and international relations. In 2005, He co-edited a book on Indonesia's Military Business Restructuring.

The provision of security as a public good, in the interests of all members of society and focused on guaranteeing human security within a democratic framework, has become an established international norm. As a part of the national security architecture, effective border management plays a significant role in preventing human trafficking, illicit smuggling, and the entry of persons or groups involved in criminal activities.

At the same time, the border management regime should facilitate the legitimate activities of citizens. Militarised border systems not only often prohibit such activities, but are often ill-suited to preventative tasks, as well as being wasteful of resources, and democratic states now use border management units trained and managed as a component of their law enforcement agencies' activities.

The need for border management reform is even more important as cross-border crimes occur more frequently than ever before. Hence, security sector reform agendas must include border security and border management reform issues focused not only on securing the state border and the safety of citizens, but also on facilitating legitimate activities and using state resources as effectively as possible. The contributors in this book describe the significance of border management reform, lessons learned from other countries on border management reform (Hungary & South East Europe) during their democratic transitions, and the current status and needs of border management in Indonesia.



LESPERSI
Lembaga Studi Pertahanan dan
Studi Strategis Indonesia



The Geneva Centre for the
Democratic Control of Armed Forces