

Compilation of Reference Texts

Community Safety and Security Sector Governance



Human Rights &
Democracy Media
Centre



Geneva Centre for the
Democratic Control of
Armed Forces (DCAF)

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Representative Office
of the Federal Republic of Germany
Ramallah



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About DCAF

The Geneva Centre for the Democratic Control of Armed Forces (DCAF) promotes good governance and reform of the security sector. The Centre conducts research on good practices, encourages the development of appropriate norms at the national and international levels, makes policy recommendations and provides in-country advice and assistance programmes. DCAF's partners include governments, parliaments, civil society, international organisations and security sector actors such as police, judiciary, intelligence agencies, border security services and the military.

DCAF has worked in the Palestinian Territories since 2005. It assists a wide range of Palestinian actors such as ministries, the Palestinian Legislative Council, civil society organisations and the media in their efforts to make Palestinian security sector governance democratic, transparent and accountable.

About SHAMS

The Human Rights & Democracy Media Center (SHAMS) is an independent, non-profit, non-governmental organisation. It was established in 2003 in Ramallah, Palestine, by a group of Palestinian academics, teachers, journalists, lawyers and human rights activists. SHAMS believes that human rights are protected by, and disseminated through the interdependence between civil, political, economic, social and cultural rights. SHAMS seeks to enhance the role of women and youth within the Palestinian society, and to consolidate the culture of human rights and tolerance in the framework of the rule of law.

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Introduction

The Palestinian authorities have implemented a number of measures to improve the adherence to the rule of law in the West Bank and the Gaza Strip. Additionally, Palestinian officials have approached the Geneva Center for the Democratic Control of Armed Forces (DCAF) with requests for assistance in this field. They asked DCAF to provide practical training material with examples of good international practice on how to implement principles of the rule of law. In particular, they expressed an interest in international reference documents in the fields of community safety and crime prevention. DCAF and the Human Rights & Democracy Media Center (SHAMS) responded to these requests by developing the present reader on international standards for community safety and crime prevention.

What does this reader include?

This reader includes extracts of two reference documents from the field of crime prevention and community safety:

- The *United Nations Guidelines for the Prevention of Crime* (2002). The *Guidelines* present a framework for promoting community safety as an essential element of sustainable development.
- Chapter 6 of the 2010 International Report of the International Centre for the Prevention of Crime (ICPC), entitled '*Crime Prevention and Community Safety. Trends and Perspectives*'. This chapter focuses on the importance of good governance for sustainable development and safer and more secure societies.

Who is this reader for?

The reader is a practical tool for those involved in the development of legislative and policy frameworks related to community safety and crime prevention. This includes legislators, executive officials, civil servants, security officers, researchers and members of civil society.

What is the rule of law?

Improving the rule of law is one of the key objectives of security sector governance (SSG) and reform (SSR). Yet, depending on the context, practitioners use different, sometimes competing definitions¹ and approaches when referring to the rule of law and to its implications for security sector reform.

The rule of law can be considered from an institution building perspective. This approach focuses on the institutions that are necessary to achieve the rule of law. Such institutional attributes include:

- A complete and coherent legal framework;
- An effective, efficient and trained judiciary;
- Professional law enforcement agencies.

However, a mere focus on the institutional dimension of the rule of law may not serve development practitioners. For example, such an approach says little about the governance objectives and underlying values of the rule of law.

Thus, it is useful to complement this approach with an ends-based definition of the rule of law. According to this definition, five main objectives should be achieved under the umbrella of 'rule of law':

- Authorities are bound by law
- Equality before the law is ensured
- Law and order is maintained
- Court rulings are efficient and fair
- Human rights are protected.

¹ The following is adapted from Rachel Kleinfeld Belton, *Competing Definitions of the Rule of Law. Implications for Practitioners*, Carnegie Endowment for International Peace, Nr. 55, 2005.

Box 1: The Security Sector



The security sector consists of the core security and justice providers and their management and oversight institutions. The legal and policy framework regulates their tasks, authorities and structures.

Core security and justice providers:

- Security forces (armed forces, police, intelligence and security services, but also liberation armies and insurgency groups)
- Justice and law enforcement institutions (courts, prosecution services, prisons, traditional justice systems)

Management and oversight institutions:

- Executive management and oversight bodies (Presidency, Council of Ministers, ministries of defence, interior, justice and finance)
- Legislative management and oversight bodies (Parliament and its committees, ombudspersons)
- Informal oversight institutions (civil society organisations, media, research and advocacy organisations)

What is the relation between the rule of law and good governance of the security sector?

One of the preconditions for improving the rule of law is the existence of security sector institutions that are accountable and have a clear legal basis. In other words, efforts to strengthen the rule of law cannot be limited to providing technical training and equipment to police and security forces (see Box 1). They must include the development of effective formal oversight and management bodies on the executive, legislative and judicial levels (e.g. ministries, parliaments and courts). Furthermore, improving the rule of law also requires effective informal oversight of police and security forces by civil society organisations and the media.

What are the links between the rule of law, community safety and crime prevention?

Strengthening the criminal justice system is only one of many aspects of the rule of law. The focus on improving governance in order to strengthen the legitimacy of security sector institutions is far more important, in particular in transitional contexts. This focus on governance entails going beyond the establishment of formal security sector institutions.

Informal community safety mechanisms can help ensure that security and justice are provided in a fair, responsive and effective way to all citizens. Such a broad approach to the rule of law includes community-level partnerships and so-called 'governance nodes' between citizens and law enforcement institutions. These partnerships serve to elaborate joint strategies to address the community's key safety and security concerns. Furthermore, they:

- Promote the delivery of professional, people-centred law-enforcement services;
- Promote citizens' knowledge of what law-enforcement institutions are doing at community level;
- Encourage a dialogue between citizens and core security and justice providers;
- Strengthen the legitimacy and credibility of public authorities;

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- Help develop “community safety plans” to address risks and threats to community safety;
- Encourage proactive initiatives by local residents to solve safety and security problems;
- Ensure equity of access to decision-making processes, especially for marginalised social groups.

Reference Texts

United Nations Guidelines for the Prevention of Crime (2002)

The United Nations Economic and Social Council (ECOSOC), Resolution 2002/13, Annex²

24 July 2002

I. Introduction

1. There is clear evidence that well-planned crime prevention strategies not only prevent crime and victimization, but also promote community safety and contribute to the sustainable development of countries. Effective, responsible crime prevention enhances the quality of life of all citizens. It has long-term benefits in terms of reducing the costs associated with the formal criminal justice system, as well as other social costs that result from crime. Crime prevention offers opportunities for a humane and more cost-effective approach to the problems of crime. The present Guidelines outline the necessary elements for effective crime prevention.

II. Conceptual Frame of Reference

2. It is the responsibility of all levels of government to create, maintain and promote a context within which relevant governmental institutions and all segments of civil society, including the corporate sector, can better play their part in preventing crime.

3. For the purposes of the present Guidelines, "crime prevention" comprises strategies and measures that seek to reduce the risk of crimes occurring, and their potential harmful effects on individuals and society, including fear of crime, by intervening to influence their multiple causes. The enforcement of laws, sentences and corrections, while also performing preventive functions, falls outside the scope of the Guidelines, given the comprehensive coverage of the subject in other United Nations instruments.

4. The present Guidelines address crime and its effects on victims and society and take into account the growing internationalization of criminal activities.
5. Community involvement and cooperation/partnerships represent important elements of the concept of crime prevention set out herein. While the term "community" may be defined in different ways, its essence in this context is the involvement of civil society at the local level.
6. Crime prevention encompasses a wide range of approaches, including those which:
- (a) Promote the well-being of people and encourage pro-social behaviour through social, economic, health and educational measures, with a particular emphasis on children and youth, and focus on the risk and protective factors associated with crime and victimization (prevention through social development or social crime prevention);
 - (b) Change the conditions in neighbourhoods that influence offending, victimization and the insecurity that results from crime by building on the initiatives, expertise and commitment of community members (locally based crime prevention);
 - (c) Prevent the occurrence of crimes by reducing opportunities, increasing risks of being apprehended and minimizing benefits, including through environmental design, and by providing assistance and information to potential and actual victims (situational crime prevention);
 - (d) Prevent recidivism by assisting in the social reintegration of offenders and other preventive mechanisms (reintegration programmes).

² The ECOSOC Resolution 2002/13 was adopted on 24.07.2002. Its full text can be accessed at: <http://www.un.org/en/ecosoc/docs/2002/resolution%202002-13.pdf>

III. Basic Principles

Government leadership

7. All levels of government should play a leadership role in developing effective and humane crime prevention strategies and in creating and maintaining institutional frameworks for their implementation and review.

Socio-economic development and inclusion

8. Crime prevention considerations should be integrated into all relevant social and economic policies and programmes, including those addressing employment, education, health, housing and urban planning, poverty, social marginalization and exclusion. Particular emphasis should be placed on communities, families, children and youth at risk.

Cooperation/partnerships

9. Cooperation/partnerships should be an integral part of effective crime prevention, given the wide-ranging nature of the causes of crime and the skills and responsibilities required to address them. This includes partnerships working across ministries and between authorities, community organizations, non-governmental organizations, the business sector and private citizens.

Sustainability/accountability

10. Crime prevention requires adequate resources, including funding for structures and activities, in order to be sustained. There should be clear accountability for funding, implementation and evaluation and for the achievement of planned results.

Knowledge base

11. Crime prevention strategies, policies, programmes and actions should be based on a broad, multidisciplinary foundation of knowledge about crime problems, their multiple causes and promising and proven practices.

Human rights/rule of law/culture of lawfulness

12. The rule of law and those human rights which are recognized in international instruments to which Member States are parties must be respected in all aspects of crime prevention. A culture of lawfulness

should be actively promoted in crime prevention.

Interdependency

13. National crime prevention diagnoses and strategies should, where appropriate, take account of links between local criminal problems and international organized crime.

Differentiation

14. Crime prevention strategies should, when appropriate, pay due regard to the different needs of men and women and consider the special needs of vulnerable members of society.

IV. Organization, Methods and Approaches

15. Recognizing that all States have unique governmental structures, this section sets out tools and methodologies that Governments and all segments of civil society should consider in developing strategies to prevent crime and reduce victimization. It draws on international good practice.

Community involvement

16. In some of the areas listed below, Governments bear the primary responsibility. However, the active participation of communities and other segments of civil society is an essential part of effective crime prevention. Communities, in particular, should play an important part in identifying crime prevention priorities, in implementation and evaluation, and in helping identify a sustainable resource base.

A. Organization

Government structures

17. Governments should include prevention as a permanent part of their structures and programmes for controlling crime, ensuring that clear responsibilities and goals exist within government for the organization of crime prevention, by, inter alia:

- (a) Establishing centres or focal points with expertise and resources;
- (b) Establishing a crime prevention plan with clear priorities and targets;

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- (c) Establishing linkages and coordination between relevant government agencies or departments;
- (d) Fostering partnerships with non-governmental organizations, the business, private and professional sectors and the community;
- (e) Seeking the active participation of the public in crime prevention by informing it of the need for and means of action and its role.

Training and capacity-building

18. Governments should support the development of crime prevention skills by:
- (a) Providing professional development for senior officials in relevant agencies;
 - (b) Encouraging universities, colleges and other relevant educational agencies to offer basic and advanced courses, including in collaboration with practitioners;
 - (c) Working with the educational and professional sectors to develop certification and professional qualifications;
 - (d) Promoting the capacity of communities to develop and respond to their needs.

Supporting partnerships

19. Governments and all segments of civil society should support the principle of partnership, where appropriate, including:
- (a) Advancing knowledge of the importance of this principle and the components of successful partnerships, including the need for all of the partners to have clear and transparent roles;
 - (b) Fostering their formation at different levels and across sectors;
 - (c) Facilitating their efficient operation.

Sustainability

20. Governments and other funding bodies should strive to achieve sustainability of demonstrably effective crime prevention programmes and initiatives through, inter alia:
- (a) Reviewing resource allocation to establish and maintain an appropriate

balance between crime prevention and the criminal justice and other systems, to be more effective in preventing crime and victimization;

- (b) Establishing clear accountability for funding, programming and coordinating crime prevention initiatives;
- (c) Encouraging community involvement in sustainability.

B. Methods

Knowledge base

21. As appropriate, Governments and/or civil society should facilitate knowledge-based crime prevention by, inter alia:
- (a) Providing the information necessary for communities to address crime problems;
 - (b) Supporting the generation of useful and practically applicable knowledge that is scientifically reliable and valid;
 - (c) Supporting the organization and synthesis of knowledge and identifying and addressing gaps in the knowledge base;
 - (d) Sharing that knowledge, as appropriate, among, inter alia, researchers, policy makers, educators, practitioners from other relevant sectors and the wider community;
 - (e) Applying this knowledge in replicating successful interventions, developing new initiatives and anticipating new crime problems and prevention opportunities;
 - (f) Establishing data systems to help manage crime prevention more cost-effectively, including by conducting regular surveys of victimization and offending;
 - (g) Promoting the application of those data in order to reduce repeat victimization, persistent offending and areas with a high level of crime.

Planning interventions

22. Those planning interventions should promote a process that includes:

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- (a) A systematic analysis of crime problems, their causes, risk factors and consequences, in particular at the local level;
 - (b) A plan that draws on the most appropriate approach and adapts interventions to the specific local problem and context;
 - (c) An implementation plan to deliver appropriate interventions that are efficient, effective and sustainable;
 - (d) Mobilizing entities that are able to tackle causes;
 - (e) Monitoring and evaluation.
- (b) Promoting activities that redress marginalization and exclusion;
 - (c) Promoting positive conflict resolution;
 - (d) Using education and public awareness strategies to foster a culture of lawfulness and tolerance while respecting cultural identities.

Support evaluation

23. Governments, other funding bodies and those involved in programme development and delivery should:
- (a) Undertake short- and longer-term evaluation to test rigorously what works, where and why;
 - (b) Undertake cost-benefit analyses;
 - (c) Assess the extent to which action results in a reduction in levels of crime and victimization, in the seriousness of crime and in fear of crime;
 - (d) Systematically assess the outcomes and unintended consequences, both positive and negative, of action, such as a decrease in crime rates or the stigmatization of individuals and/or communities.

C. Approaches

24. This section expands upon the social developmental and situational crime prevention approaches. It also outlines approaches that Governments and civil society should endeavour to follow in order to prevent organized crime.

Social development

25. Governments should address the risk factors of crime and victimization by:
- (a) Promoting protective factors through comprehensive and non-stigmatizing social and economic development programmes, including health, education, housing and employment;

Situational

26. Governments and civil society, including where appropriate the corporate sector, should support the development of situational crime prevention programmes by, inter alia:
- (a) Improved environmental design;
 - (b) Appropriate methods of surveillance that are sensitive to the right to privacy;
 - (c) Encouraging the design of consumer goods to make them more resistant to crime;
 - (d) Target “hardening” without impinging upon the quality of the built environment or limiting free access to public space;
 - (e) Implementing strategies to prevent repeat victimization.

Prevention of organized crime

27. Governments and civil society should endeavour to analyse and address the links between transnational organized crime and national and local crime problems by, inter alia:
- (a) Reducing existing and future opportunities for organized criminal groups to participate in lawful markets with the proceeds of crime, through appropriate legislative, administrative or other measures;
 - (b) Developing measures to prevent the misuse by organized criminal groups of tender procedures conducted by public authorities and of subsidies and licences granted by public authorities for commercial activity;
 - (c) Designing crime prevention strategies, where appropriate, to protect socially marginalized groups, especially women and children, who are vulnerable to the action of organized criminal groups,

including trafficking in persons and smuggling of migrants.

V. International Cooperation

Standards and norms

28. In promoting international action in crime prevention, Member States are invited to take into account the main international instruments related to human rights and crime prevention to which they are parties, such as the Convention on the Rights of the Child (General Assembly resolution 44/25, annex), the Declaration on the Elimination of Violence against Women (resolution 48/104), the United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines) (resolution 45/112, annex), the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power (resolution 40/34, annex), the Guidelines for Cooperation and Technical Assistance in the Field of Urban Crime Prevention (Economic and Social Council resolution 1995/9, annex), as well as the Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-first Century (General Assembly resolution 55/59, annex) and the United Nations Convention against Transnational Organized Crime and the Protocols thereto (resolutions 55/25, annexes I-III, and 55/255, annex).

Technical assistance

29. Member States and relevant international funding organizations should provide financial and technical assistance, including capacity-building and training, to developing countries and countries with economies in transition, communities and other relevant organizations for the implementation of effective crime prevention and community safety strategies at the regional, national and local levels. In that context, special attention should be given to research and action on crime prevention through social development.

Networking

30. Member States should strengthen or establish international, regional and national crime prevention networks with a view to exchanging proven and promising practices, identifying elements of their transferability and making such knowledge available to communities throughout the world.

Links between transnational and local crime

31. Member States should collaborate to analyse and address the links between transnational organized crime and national and local crime problems.

Prioritizing crime prevention

32. The Centre for International Crime Prevention, the United Nations Crime Prevention and Criminal Justice Programme network of affiliated and associated institutes and other relevant United Nations entities should include in their priorities crime prevention as set out in these Guidelines, set up a coordination mechanism and establish a roster of experts to undertake needs assessment and to provide technical advice.

Dissemination

33. Relevant United Nations bodies and other organizations should cooperate to produce crime prevention information in as many languages as possible, using both print and electronic media.

Good Governance at the Core of Prevention³

International Centre for the Prevention of Crime (ICPC)

Chapter 6 of the International Report 'Crime Prevention and Community Safety: Trends and Perspectives', 2010

At the international level there is a consensus that good governance is central to achieving sustainable development and safe, secure societies. Many international organizations have emphasized the importance of strengthening and reforming institutions, to ensure access to justice and the rule of law. They have often seen good governance largely in terms of strengthening criminal justice systems, for example, and the reform of state structures, particularly to reduce corruption and aid transparency. The increasing capacity of state structures is only one aspect of good governance. It is also important to build capacity for governance beyond the institutions of the state, particularly where they are weak and lack resources and/or legitimacy.

The United Nations 'Guidelines for the Prevention of Crime', have emphasized what has been called the '**steering**' role of governments in leading crime prevention partnerships. The guidelines recommend working at all levels and in connection with a variety of actors, especially civil society. In our 2008 edition, we examined the role of institutional and local actors, and the community. This chapter will focus on governance arrangements in relation to crime prevention.

The term governance is increasingly used to talk about governing arrangements (instead of government) in recognition that responsibility and capacity for governing is often situated beyond governmental or public sector bodies. In developed countries the term is frequently used to refer to the **shift from a public sector monopoly** in the provision of security, and the growth of the private security industry, and to refer to the involvement of local authorities and civil society in the design and implementation of everyday security measures.

This reflects the recognition of the finite capacity of the public sector to meet the popular demand for security, and a search to involve other sectors in the governance of security, including citizens, through a process of 'responsibilization'. The public police can no longer be expected to provide omnipresent security. The private security sector and other types of private and semi-private civil society arrangements are increasingly involved in the provision of security. Thus governance is a concept which helps to **make sense of new and existing arrangements and acknowledge other actors in security**, both in policy development and in implementation.

1. Defining Good Governance

1.1 An Important Concept for International Organizations

Among international agencies, there is a diversity of emphasis in promoting good governance, reflecting their different objectives. This ranges from promoting transparent and honest government, to emphasizing the importance of good governance for socio-economic development and democracy-building.

The **World Bank** defines governance as:

"..the traditions and institutions by which authority in a country is exercised for the common good. This includes (i) the process by which those in authority are selected, monitored and replaced, (ii) the capacity of the government to effectively manage its resources and implement sound policies, and (iii) the respect of citizens and the state for the institutions that govern economic and social interactions among them."

UN-HABITAT has developed a **more comprehensive understanding of governance**, related to urban settlements (see box below):

"Urban governance is the sum of the many ways individuals and institutions, public and private, plan and manage the common affairs of the city. It is a continuing process through which conflicting

³ Source: ICPC: International Report. Crime Prevention and Community Safety: Trends and Perspectives, 2010, Ch. 6, pp. 103-128. The report can be downloaded from ICPC's website: http://www.crime-prevention-intl.org/uploads/media/International_Report_2010.pdf

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or diverse interests may be accommodated and cooperative action can be taken. It includes formal institutions as well as informal arrangements and the social capital of citizens."

UN HABITAT's 'Campaign for Good Governance' has also attempted to develop universally relevant **norms of good governance** (see below) that can be operationalized, or translated from principle into practice. These principles of good governance are particularly **applicable to crime prevention**. Inequality of access to resources, and to decision-making processes, helps to contribute to high

rates of violence and crime. They argue that accountable and effective services and capacity for crime prevention at the local level, is not only a matter of equitable governance, but of pursuing greater equality.

Their emphasis on **subsidiarity, efficiency, transparency and accountability** echoes the UN Guidelines' emphasis on the key role of local or municipal authorities in building sustainable strategies for crime prevention, particularly where they have legal and fiscal responsibility and resources.

BOX 1: UN-Habitat Principles of Good Urban Governance

The Campaign for Good Governance aims to develop universally relevant norms that can be operationalized - that is, translated from principle to practice. The Campaign proposes that good urban governance is characterized by sustainability, subsidiarity, equity, efficiency, transparency and accountability, civic engagement and citizenship, and security, and that these norms are interdependent and mutually reinforcing. These proposed norms are introduced below.

Sustainability in all dimensions of urban development

Cities must balance the social, economic and environmental needs of present and future generations. This should include a clear commitment to urban poverty reduction.

Subsidiarity of authority and resources to the closest appropriate level

Responsibility for service provision should be allocated on the basis of the principle of subsidiarity, that is, at the closest appropriate level consistent with efficient and cost-effective delivery of services. This will maximize the potential for inclusion of the citizenry in the process of urban governance. Decentralization and local democracy should improve the responsiveness of policies and initiatives to the priorities and needs of citizens. Cities should be empowered with sufficient resources and autonomy to meet their responsibilities.

Equity of access to decision-making processes and the basic necessities of urban life

The sharing of power leads to equity in the access to and use of resources. Women and men must participate as equals in all urban decision-making, priority-setting and resource allocation processes.

Efficiency in the delivery of public services and in promoting local economic development

Cities must be financially sound and cost-effective in their management of revenue sources and expenditures, the administration and delivery of services, and in the enablement, based on comparative advantage of government, the private sector and communities to contribute formally or informally to the urban economy.

Transparency and Accountability of decision-makers and all stakeholders

The accountability of local authorities to their citizens is a fundamental tenet of good governance. Similarly, there should be no place for corruption in cities.

Civic Engagement and Citizenship

People are the principal wealth of cities; they are both the object and the means of sustainable human development. Citizens, especially women, must be empowered to participate effectively in decision-making processes. The civic capital of the poor must be recognized and supported.

Security of individuals and their living environment

Every individual has the inalienable right to life, liberty and the security of person. Insecurity has a disproportionate impact in further marginalising poor communities. Cities must strive to avoid human conflicts and natural disasters by involving all stakeholders in crime and conflict prevention and disaster preparedness. Security also implies freedom from persecution, forced evictions and provides for security of tenure. Cities should also work with social mediation and conflict reduction agencies and encourage the cooperation between enforcement agencies and other social service providers (health, education and housing).

UNDP highlights the **impact of good governance on development**, and achieving the Millennium Development Goals, and promotes democratic models of governance.

“Democratic governance is central to the achievement of the MDGs, as it provides the ‘enabling environment’ for the realization of the MDGs and, in particular, the elimination of poverty. The critical importance of democratic governance in the developing world was highlighted at the Millennium Summit of 2000, where the world’s leaders resolved to “spare no effort to promote democracy and strengthen the rule of law, as well as respect for all internationally recognized human rights and fundamental freedoms, including the right to development.”

1.2 The Governance of Security in Developing and Post-conflict States

Although the shift in thinking about the provision of security has come mainly from developed countries with relatively strong and established governmental structures and public service provision, researchers in the South and international organizations have noted its relevance for security in developing countries, and weak or failing states.

State resources in such countries can be extremely limited or non-existent, or undermined by corruption. Other arrangements, both legitimate and illegitimate, are often in place to provide security and other services to fill the gap. **Strengthening governance structures, and building capacity for crime prevention or control, is as much a process of building legitimacy as of increasing resources.** Civil society organizations often have strong legitimacy, but lack resources. Networks of civil society and international organizations provide potential ‘nodes’ for governance alongside state bodies, or in place of them during periods of transition, where such structures have disintegrated or lack legitimacy.

Apart from its role in crime prevention, **UNODC** also promotes the importance of good governance for **strengthening institutions to counter organized crime.**

Eg. the Regional Program to Promote the Rule of Law and Human Security in Eastern Africa 2009-11 describes the impact of *‘poor governance, insecurity, conflicts, poverty and economic disparities among and within countries of the region’ as ‘providing opportunities for transnational organized crime, as is evidenced by the widespread illicit trafficking in drugs, persons,*

money, arms, wildlife and timber products... National legislative frameworks to fight organized crime, corruption, money-laundering and the financing of terrorism are weak in most countries of the region.’

1.3 Nodal Governance

The concept of governance networks, involving clusters of linkages between civil society and the state, and the multiplicity of ways in which the governance of security is structured, is what Shearing and Wood (2000) describe as ‘nodal governance’.

Nodal Governance *‘envisions criminal justice agencies and actors as part of a broader web of governmental and non-governmental institutions involved in the promotion of safety, security and justice’ at local, regional, national, and international levels.*

This understanding of the governance of security allows for an examination of the role, knowledge and capacity of non-governmental actors in civil society (such as voluntary and community groups, private security providers, young people and women) in shaping and producing security. A key element of this emphasis on analyzing the contribution of ‘nodes’ within networks of governance has been its capacity to describe collaborative partnerships, and participative approaches to the production of security.

This concept is particularly useful for an examination of trends in the development of crime prevention, since it acknowledges the contribution of networks beyond the traditional criminal justice agencies, and activities that were not previously considered crime prevention. It refocuses attention away from the state as the primary deliverer of safety and security.

2. Devolution and Local Coordination for Crime Prevention

As the 2008 International Report underlined, the involvement of municipalities in crime prevention has continued to increase since the 1980’s and in line with the UN Guidelines for the prevention of crime (1995 and 2002). That report also discussed the importance and variety of partnerships in crime prevention, but highlighted the discrepancy between the expectations of municipal actors, and their lack of resources, both financial and legal, to address local concerns about crime.

(...)

2.2 Where Powers and Resources Have Been Decentralized to Municipalities, Cities Have Been Able to Play a Particularly Strong Role in Crime Prevention.

Some cities have been given responsibility for local policing and a more explicit role in prevention (eg. cities in Colombia, France, Italy and Ecuador, and the city of Madrid) and/or tax resources to be spent on prevention initiatives developed at the local level (France, Belgium, Chile) (...). In France, central government has supported local initiatives through a contract system since 1991: city contracts, local safety contracts and urban social cohesion contracts (...). However, funds can be limited resulting in a reluctance of local authorities and mayors to take on these prevention functions.

A well known example of decentralization has been in Colombia where the national parliament passed legislation giving powers to cities, enabling them to take greater control of the use of their resources and make local bylaws, for example, to control arms and alcohol consumption in public spaces (...).

The increasing role of cities in crime prevention has often taken place in the context of the development of broader urban policies.

(...)

Some national strategies in developing countries have demonstrated **approaches which both strengthen institutions and build partnerships** with civil society organizations. The Kenya Governance, Justice, Law and Order Sector (GJLOS) Reform Program (2004-2009), for example, included crime prevention and police and law reform, as key policy components of its programme on Public Safety and Security. This included partnerships between a broad range of government security and welfare services, as well as civil society organizations, and the Kenya Private Sector Alliance (KEPSA). Others have developed crime prevention strategies with a particular focus on the development of capacity amongst civil society organizations (Uganda Taxi Operators and Drivers Association).

In some cases, particularly in countries lacking resources, establishing specific bodies or partnership structures remains uncertain. Many partnerships are formed for specific projects, often between civil society organizations, government bodies and international organizations to undertake work on a national level or on specific policy issues. The Nigeria

Drug Abuse Control programme, working with street children and commercial sex workers, is an example of such a short-term greater attention to the importance of building capacity and project-limited partnership. This emphasizes the need for government-civil society links to sustain partnership working.

(...)

3. Building Legitimacy: New (and Old) Challenges to Be Faced

As discussed in Chapter 1, recent research and experience suggests that **levels of fear of crime and sense of insecurity can increase when there is a decline in confidence in public bodies**. This applies to all agencies with coercive powers, such as social services, schools using their disciplinary powers, local government and housing authorities with their powers to evict, but especially to agencies such as the police and the judicial system. Police in countries with a recent history of military dictatorship, or ex-colonial or ex-apartheid policing are likely to lack legitimacy with many sectors of the population. Confidence cannot be built by asserting the effectiveness of services. **Legitimacy needs to be built through structures of accountability and the participation of civil society in the governance of security.**

3.1 The Legitimacy of Penal Responses

A key concern among international organizations in recent years has been the effectiveness of criminal justice responses to high rates of violence. In particular a low rate of prosecution of homicide cases undermines public confidence in criminal justice and the rule of law, contributing to a sense of impunity. In Africa, for example, the chances of a murder resulting in a conviction are only around 11% (18% in South Africa) compared to 56% in the US, and 61% in the UK. Issues of immunity and impunity to punishment are particularly stark where homicides involve the murder of women and "honour killings". In some parts of the world police may not investigate when crimes are described as 'crimes of passion'. Elsewhere there is concern that the deaths of women have not received attention from the police, as in the case of femicides in cities in Mexico and Central America, or missing Aboriginal women in Canada, which highlights a lack of attention by the police and local authorities in these cases. High levels of corruption and incidents of extrajudicial punishment and killing obviously

exacerbate a lack of confidence and fear of security services, undermining the legitimacy of services and exposing victims to further abuse, without recourse to justice. Victims are often unable to find justice for these abuses.

For this reason, to deal with issues of impunity, international organizations have tended to focus on criminal justice reform to increase effectiveness, and reduce corruption within criminal justice agencies.

This is in the context of wider democratic reform and deep distrust of law enforcement agencies. An emphasis on democratic accountability in Latin America has also been coupled with a focus on human rights. This is echoed in other contexts in which law enforcement bodies have been and/or remain human rights abusers, such as in Brazil, South Africa, India and Northern Ireland.

These and other international initiatives have tended to emphasize developing training and accountability structures, although it is questionable how far such measures alone can produce institutional cultural change. Transforming policing practice and addressing corruption also needs to address issues of poor resourcing, poor pay and poor conditions of employment. Reform requires major structural and organizational change, adequate resources and good management (...).

3.2 Community-Police Relations

Establishing community-based policing and building collaborative relationships between agencies providing security to local communities has been central to a number of national strategies worldwide. This includes Poland and the Warsaw Safety Map programme; the Policing Plan 2006-10 in Belize, Vision 2020 and Policing for People in Trinidad and Tobago; Neighbourhood/Community Policing in the UK; *Policía de Proximidad* in Spain; the Sector Policing programme in South Africa, which emphasize strengthening the capacity of the police to enforce and improve public confidence in policing, and rates of reporting, rather than increasing local capacity for crime prevention or more long lasting participation.

The positive involvement of citizens with the police has traditionally been limited to a role as informants, or as victims reporting offences. In many countries citizen patrols have been encouraged as a form of citizen participation in surveillance and deterrence, reducing opportunities for crime (e.g. Neighbourhood

Watch UK; Citizens on Patrol, Belize; *Vecinos en Plan Alerta*, Partido de Morón, Buenos Aires, Argentina). As discussed in the contribution by Berg and van der Spuy, citizen patrols can be of concern if they become aligned with extra-legal enforcement.

There is more evidence of the effectiveness of citizen interventions to resolve and prevent violent conflict through conflict mediation approaches (...) than through surveillance and citizen patrols. A more positive development in many countries is the establishment of permanent units/forums for community participation to foster police-community relations and undertake prevention activities (Crime Police Advisory Services Austria; Community Policing Forums (CPFs), South Africa; Police Citizen Liaison Committees, Belize). Some participatory governance structures have been implemented in a way that promotes the inclusion of young people in decision-making (...).

In Australia, New Zealand and Canada, improving relationships between indigenous peoples and the police has been supported through collaborative approaches that sensitize police to injustice, issues of colonization, discrimination and social exclusion. Indigenous culture, alongside the promotion of traditional dispute resolution, has been a key focus for crime prevention policy.

Responding to urban unrest has been a particular incentive for the development of projects to rebuild poor relationships between police and local communities, especially young people and ethno-cultural groups. Some of these have emphasized participatory approaches to opening a dialogue (...), and an emphasis on cultural exchange to overcome prejudice and increase understanding between different groups (...).

Good governance in crime prevention rests heavily on the legitimacy of public institutions, including the penal system. However, while the public institutional framework remains central, an increasing number of private institutions are emerging as new players in security. This raises questions concerning the regulation and supervision of their activities.

(...)

5. Developing the Role of Civil Society in Crime Prevention

5.1 Variety of Purposes

In our 2008 report, we outlined some of the ways in which civil society can be involved in crime prevention, one of the key recommendations of the UN Guidelines. Two goals were outlined: public participation in defining local needs, including through local diagnoses of security, and public participation in implementing strategies.

Building capacity for crime prevention within civil society, often in conjunction with international NGOs, has become a recognized aspect of approaches to security sector reform in developing countries or in post-conflict situations. The Trinidad and Tobago Citizen Security Programme, a six-year programme sponsored jointly by the Government and the Inter-American Development Bank, for example, includes support to strengthen NGOs and fund small-scale crime prevention initiatives. (...)

Where institutions are weak, civil society organizations can play a pivotal role in building crime prevention capacity amongst other smaller community organizations.

The Crime Prevention Coalition of Nigeria (CPCN), for example, modelled on the Crime Prevention Coalition of America, works with schools, community organizations and law enforcement agencies to promote grass roots crime prevention in Nigeria, particularly through youth diversion and education/training, and working with schools to reduce violence and gang activity. It provides training and information and undertakes awareness-raising campaigns. Similarly, Action for a Safe South Africa attempts to mobilise grass roots action to prevent crime in South Africa. The involvement of the private sector in crime prevention has also been particularly promoted in South Africa (e.g. Business against Crime).

In developed countries, civil society organizations are also increasingly recognized as having greater capacity to work with some of the most excluded members of the population. In the UK, for example, the State's Pupil Referral Units were established to work with children at risk of exclusion, or excluded from school, yet were abandoned in favour of schemes run by a number of charities (The Prince's Trust, Barnardo's, Nacro, Rathbone and Kids Company).

In both developed and developing countries, civil society organisations play a key role in holding local and national governments to account and in influencing debates on policy. Civil society organizations have, for example, played a central role in the promotion of citizen security in Latin America, and in promoting a human rights perspective in the region. Internationally, civil society organizations have played a central role in promoting children's rights (...).

Increasing the capacity of communities to self-govern, to resolve local problems and conflicts, and to engage in local decision-making has also become widely promoted in sustainable crime prevention. Initiatives to increase social capital and increase capacity for local conflict resolution and problem solving have been a particular feature of urban policy and development approaches, aiming to reduce social exclusion and insecurity. (...)

5.2 Participatory Approaches

Decentralization and devolution can provide new opportunities for participation of citizens in decision-making, and in influencing an understanding of local issues and the way in which they should be addressed. Many such schemes have been developed with wider aims of urban governance, but including a crime prevention component (...).

Public participation can also open the door to, or unwittingly encourage, punitive and exclusionary views. It is the challenge of participatory crime prevention to reduce tendencies to blame or propose exclusionary approaches, and promote inclusionary approaches able to reinforce democracy and social inclusion. **Developing inclusive and transformatory participatory methods and processes which avoid stigmatizing, blaming and encouraging vigilante punitive responses to crime, is a challenge for practitioners.** This was recognized at a conference on 'Decentralisation, Local Power and Women's Rights: Global Trends in Participation, Representation and Access to Public Services' (November 2008) (...).

A number of successful participatory approaches work from the bottom-up. One of the most influential for crime prevention has been the development of women's safety audits, which were initially developed in Toronto Canada (...).

These involve the identification of safety concerns by local groups of women, enabling them to

propose responses and engage with municipal governments in developing solutions.

(...)

There has also been an increasing emphasis on the **inclusion of young people's voices in decision-making** at all levels of policy making and implementation. The Child Friendly Cities movement, promoted by UNICEF, and UNESCO's Growing up in Cities Project, and UN-HABITAT's work on the role of children and youth in urban governance, have been particularly influential in this regard, stressing the role of wider society in ensuring the developmental rights of children. They have stressed the importance of youth participation in ensuring that children's needs and rights are considered and met. UNICEF has produced a guide to youth participation ('UNICEF (2009) 'We've Got Something to Say - Promoting Child and Youth Agency: A Facilitator's Guide' – Manual for programming).

At the local level this can mean community level projects to include young people in crime prevention initiatives. The Peace Squares SulAmerica initiative in Brazil, for example, promotes the participation of young people, and the wider adult community, in transforming public spaces into sites for peaceful coexistence. Youth participation has also been promoted at the international level through initiatives such as the worldwide Glocal Youth Parliament. Established to create a network of urban youth partnering with local governments and organizations, international institutions and the private sector it aims to include young people's views in the improvement of urban quality of life. UN-HABITAT and ICPC have published the first edition of the Youth Resource Guide in 2010, which focuses on youth-led and youth participatory resources. The Guide brings together practical knowledge and initiatives on youth and violence and crime prevention from around the world to promote safer communities.

Good governance is a large concept but a vital aspect of effective and resources are available, through diagnosing problems, identifying potential partners, and mobilizing them. Moreover, good governance helps ensure that different points of view (governments and institutions, private sector, community organizations etc....) and different components of the community (the public) are all considered.

Good governance also relates to some of the core principles and values of prevention

underlying the UN guidelines, including human rights, democracy and inclusion. Reducing crime and improving the quality of life of communities, means taking into account the needs and aspirations of all segments of the population, including the most marginalized.

Good governance and the ability to develop measures or methods that promote good governance vary considerably across countries, but also from one community to another, and over time. There is increasing international attention to the situation in post-conflict countries, in weak or authoritarian states, and low income countries. In such cases state and non-state partnerships for security may be the most feasible, while reconstruction or restoration of peace, and the reduction of corruption and development of trust between the state sector and the population, require a greater focus on supporting and building the capacities of local community resources.

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