LESSONS OF THE OSCE POLICE ASSISTANCE IN CENTRAL ASIA WITH A CASE STUDY OF KYRGYZSTAN

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LESSONS OF THE OSCE POLICE ASSISTANCE IN CENTRAL ASIA WITH A CASE STUDY OF KYRGYZSTAN

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1. Today almost all OSCE field missions in Central Asia have undertaken either police-related activities or comprehensive assistance towards police reform. While policing is widely known as a key component of the OSCE’s mandate, there have often been challenges in achieving planned objectives in cooperation with host states, and in overall implementation of police-related activities.

2. Being the sole international organization involved in police assistance to post-Soviet systems featuring the corrupted and fragile “militsia”, the OSCE’s field presence is important to both host states and the organization itself. However, a fragmented strategy underpinning police assistance leads to ad hoc projects with limited long-term effect. A wide-ranging package of technical assistance, encompassing workshops, seminars, trainings and conferences has been conducted, but these activities have not always been followed up by implementation on the ground.

3. Kyrgyzstan began to receive more widespread and long-term OSCE police assistance starting in 2003. In eleven years the Kyrgyz police has received a wide range of technical help in the form of hundreds of seminars, computers and vehicles, and other inputs that should be considered significant within the context of the country’s underdeveloped post-Soviet police force. However, two revolutions in 2005 and 2010, and the interethnic conflict of 2010 in the South of Kyrgyzstan hampered the efficiency of a programme that has now spanned more than a decade.

4. As the biggest international provider of assistance to police, the OSCE should make requests to host governments for deeper opportunities to engage with police forces, in order to address issues such as
corruption and human rights violations. In order to develop effective activities, the OSCE must cooperate with civil society and an array of political actors along with government and police forces. Moreover, as an inclusive organization, the OSCE has to develop independent assessment and evaluation instruments in order to reconsider prior activities and failures in this regard.

5. The importance of achieving these ends should be measured against the necessity of keeping the host state interested in police reform. Without support from political decision-makers, as some recent processes have demonstrated, the OSCE may find it difficult to make a difference on the ground.

INTRODUCTION

In 1998 the OSCE developed an unprecedented and ambitious mission to comprehensively transform police forces into modern organizations serving the needs and protecting the rights of citizens. Starting in Southeastern Europe, the mission has since spread beyond the Western Balkans and is now visible across the post-Soviet space. Within the last two decades, police-related activities have assumed prevalence among the OSCE’s democratization and rule of law programmes in post-conflict and developing states. These activities were targeted at larger initiatives, such as fighting terrorism, drug trafficking and organized crime. Today almost all OSCE field missions in Central Asia have undertaken either police-related activities or wide-scale comprehensive assistance in police reform.

Although policing is commonly perceived by participating

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states as being part of the OSCE’s mandate, there have been several controversies that have created challenges in achieving cooperation between the OSCE and its field missions, and, ultimately, achieving mission objectives in terms of implementing police-related activities. Furthermore, prominent critiques of analysts regarding the OSCE’s ability to assist efficiently in reforming police have been issued within the broader discussion of a prolonged OSCE crisis.\(^3\)

Although the research will analyze OSCE policing in all Central Asian states, it emphasizes the case study of Kyrgyzstan, which has been the longest lasting and largest OSCE project in Central Asia. In specific terms, this paper focuses on strategies and approaches of engagement, controversies and challenges confronting the OSCE as it develops and implements training and reform concepts, as well as the major results of the activities implemented.

**OSCE POLICE ASSISTANCE IN CENTRAL ASIA**

In 1992, the five Central Asian states added a Eurasian Dimension to the Euro-Atlantic organization by becoming parts of the OSCE. Later, two field missions were opened in 1994 and 1995 respectively; the Mission to Tajikistan, which was created as a response to the devastating civil war there, and the Central Asia Liaison Office (CALO) in Uzbekistan. In 1998, after the adoption of an individual comprehensive dialogue approach to Central Asian states, a further three OSCE centres opened in Kazakhstan, Kyrgyzstan and

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\(^3\) It has been widely recognized that the OSCE has been going through a crisis period for eighteen years, and it had to revise its role and principles in the current structure of international relations and security context. Pal Dunay, “The OSCE in Crisis,” Chaillot Paper, No. 88, (2006). Wolfgang Zellner, “The Reform of the OSCE: Problems, Challenges and Risks,” PSIO Occasional Paper, No.2, (2006).
Turkmenistan. Initially the scope of the missions’ work in the region was almost the same, providing expert services to governmental authorities on matters of all dimensions, politico-military, economic and environmental and human.

By the end of the 1990s, the OSCE started assisting regional governments with security sector reforms in field missions against the background of rising of Islamic extremism in neighboring Afghanistan. In the late 1990s the demand for OSCE activities in South-eastern Europe started to decrease, allowing activities to shift towards Central Asia particularly after 2001.

Following the organization’s relatively successful experience in police-related activities in the Balkans, the OSCE initiated the same assistance in all five states at the beginning of the new millennium. Traditionally the police forces of the Central Asian states enjoyed close ties to their respective regimes and bore more resemblance to the Soviet style “militsia”, that tended towards control and the suppression of political opponents and non-conformists rather than protecting the population. Moreover, the levels of corruption in police structures increased significantly after the collapse of the Soviet Union. Economic devastation depressed wages, forcing policemen to seek other sources of income. They were involved in bribery, corrupt schemes connected to the state budget and more general abuses of power aimed at maximizing private gain. In some cases these abuses extended to enmeshment in organized crime and drug trafficking networks, as well as informal extortion of legal business and blackmail.

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5 It was also due to increasing international emphasis on non-conventional security threats, such as terrorism and organized crime in the region neighboring with extremism-threatened Afghanistan. New interest was encouraged by the OSCE’s willingness to affirm the status of an active and relevant international political organization in the 21st century.

Clearly, many problems remained in the independent post-Soviet states that had a direct impact on police forces. This research will analyze the range of OSCE police assistance provided in the region and challenges faced in implementing OSCE activities. As already noted, Kyrgyzstan is the only of the five countries with experience of a comprehensive, joined up OSCE initiative on policing, while Kazakhstan, Tajikistan, Turkmenistan and Uzbekistan have been involved in more limited and specific OSCE police-related initiatives. The experience of OSCE work in these countries is briefly as follows:

Kazakhstan

The OSCE started to engage with Kazakhstan’s police in 2003 when the Strategic Police Matters Unit (SPMU) conducted pilot projects on crime intelligence, which included assessment and analysis of police, trainings and the study of the use of software in investigations. The pilot project was recognized as effective due to the success of several SMPU investigations employing the new methodology.7 In 2006 the “Police Development Cooperation Activities Project” was adopted under which various study tours and human rights trainings were conducted. The OSCE was allowed to work within the boundaries of routine police activities, but not on more complicated law enforcement issues and human rights violations. Overall, David Lewis, the OSCE regional observer, recognized that police-related activities in Kazakhstan “failed to develop any real strategy”.8

Tajikistan

Tajikistan’s police was the most underdeveloped and devastated of all the region’s police forces following the civil war of the 1990s. Only from 2008 did the OSCE start a police

7 OSCE, Annual Report of the Secretary General on Police-Related Activities 2004 [SEC.DOC/2/05 June 29, 2005].
needs assessment, which appointed a Counter Terrorism and Police Adviser Unit in Dushanbe. This unit conducted various police trainings and assisted law enforcement agencies in combatting drug trafficking, terrorism and organized crime.\(^9\)

One of the more controversial OSCE activities during this time was the canine training project, which comprised a budget of 295,900 Euros for one year. Under the project, the new canine training centre in Dushanbe was constructed, and trainings of dogs were duly conducted. Despite the fact that the OSCE appears to be developing a commendable track record in canine training, the rationale for canine training projects in Tajikistan remains questionable. The project was supposed to “enhance the efficiency of MIA operations and investigations in combating drug trafficking, preventing acts of terrorism and securing public order.”\(^10\) Nevertheless, civil activists considered the project as nothing more than a means for Tajikistan’s MIA to acquire OSCE funds.

OSCE police-related activities in Tajikistan were fragmented and appeared to lack a unifying strategic vision. Even the few activities initiated were not successfully executed, and the police remains low qualified, corrupt and heavily subjected to the whims of the political elite.

**Turkmenistan**

Any international assistance program in Turkmenistan faces challenges due to the very closed nature of the ruling regime there. The OSCE needed to be precise in its activities there, since any perceived interference with the country’s internal affairs or criticism of the government would inevitably lead to further restrictions of OSCE’s mandate there. Therefore, in 2005 the OSCE started a number of trainings for police officers on human rights issues. In the following two years various round-tables, and training in fields such as


international humanitarian law, drug trafficking and canine policing were conducted. Activities allowed the OSCE to engage Turkmenistan’s police force in trainings and talks on human rights and democracy. However, there is no record to suggest police applied the knowledge from the sessions to ensure violations of human rights occurred less frequently in the isolated republic.

Uzbekistan

Uzbekistan is very complicated authoritarian country, where the police is a repressive tool in the hands of the incumbent regime. The Andijan massacre of 2005 demonstrated the extent to which internal security forces could violate human rights. In this complicated authoritarian environment the OSCE was able to assist in supporting policing on a small scale.11

Along with neighboring states, Uzbekistan was involved in OSCE canine training programs. They were conducted in the framework of wider activities combatting drug trafficking, terrorism and organized crime. In some cases revealed by civil activists, the police of Uzbekistan was cheating the program and not carrying out its goals as intended.12 Generally, it is impossible to assess the effect of OSCE assistance due to the closed nature of Uzbekistan. Local civil society remains broadly concerned over the effectiveness of OSCE assistance.

12 David Lewis claims that “...given the regime’s tactic of planting illegal drugs on its political opponents and dissidents and its use of sniffer dogs to ‘detect’ drugs in such cases, it seemed almost inevitable that tracker dogs would be misused.” (from David Lewis, Op. cit.) Thus this canine project was highly criticized by civil society, especially when the case of journalist Salijon Abdurahmanov was evolved. In 2008, he was arrested by police officers using sniffer dogs “on charges of possession of illegal drugs”, but civil activists asserted, “... the drugs were planted by the police”. (From Frontline, “Uzbekistan: Journalist and human rights defender Salijon Abdurahmanov detained,” June 20, 2008, http://www.frontlinedefenders.org/node/1478 (accessed 18 July 2013).)
in policing and human rights promotion. 13

CASE STUDY: KYRGYZSTAN

The OSCE has been conducting more comprehensive police assistance with a larger budget and for a longer period in Kyrgyzstan than all the other Central Asian states. 14 Significantly, the government allowed the OSCE to track human rights records and reform prison systems. However, the preliminary results of the OSCE’s extensive programme activities do not reflect expectations of the programme when it began. Therefore, the question of effectiveness of OSCE assistance in the case of Kyrgyzstan has raised many questions regarding the rationale behind this initiative and clearly needs to be deeply analyzed.

Frustrations at post-independence stagnation and collapse in Kyrgyzstan spread to all spheres of life, including law enforcement. The police was among the most ineffective institutions in the post-independence age with many problems including corruption and human rights violations. 15 Parliament-initiated research on corruption in Kyrgyzstan revealed that in 2011 the approximate damage to the state by police corruption amounted to more than 35 million USD. Despite the absence of data for previous years, researchers claim that this damage is consistent with previous years dating back to 2000. 16

15 According to the Transparency International Corruption Perception Index 2013, Kyrgyzstan’s rank is 150 out of 176 states, where the score of perceived level of public sector corruption is 24 (where 0 means that a country is perceived as highly corrupt and 100 means it is perceived as very clean). Transparency International, Corruption Perception Index 2013, Available at http://cpi.transparency.org/cpi2013/results/ (accessed 20 July 2014).
On August 7th, 2003 the OSCE signed a Memorandum of Understanding with the Kyrgyz Government. Under this agreement, the OSCE’s Police Assistance Programme for Kyrgyzstan (PAP) was developed with a budget of over 3.6 million euros and was expected to reach completion in the first half of 2005. But so far the mission has not been completed, and is still short of the goals it set itself. The lifetime of the PAP has been extended in the context of mass protests that triggered two changes of presidents in 2005 and 2010 respectively, and inter-ethnic conflict in the south of Kyrgyzstan in June 2010. This fragile and occasionally violent political environment has been accompanied by internal issues in the Ministry of Internal Affairs, which has witnessed 13 interior ministers appointed since independence and lower-ranking personnel shifted accordingly. Experts in police reform have claimed that the country’s complicated internal dynamics challenge the effectiveness of OSCE police assistance, and it is perhaps unfair to blame the OSCE for the project’s unexpected duration and mixed results.\(^{17}\)

1. Based on preliminary research, the OSCE came up with eight major objectives:
   - Improving the quality of police investigations;
   - Improving police capacity for drug interception;
   - Setting up a modern and efficient police emergency call-response center;
   - Establishing a national criminal information analysis system;
   - Providing a radio communication system for police crime investigators;
   - Improving the police capacity to prevent, resolve or manage public conflict and disorder;
   - Introducing community-policing methods at a pilot site;
   - Expanding the curriculum of the National Police Academy.\(^{18}\)

The program started with the ambitious mission to assist the Kyrgyz police’s transformation into a modern security service capable of protecting the rights of the country’s citizens.

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The first police assistance effort in Kyrgyzstan revealed the lack of preparation for serious reforms on the part of government and initial problems regarding cooperation. However, some progress in particular fields and technical assistance contributed to improvements in the level of professionalism among Kyrgyz police.

1. The OSCE’s first experience with the Police Assistance Program (PAP) from 2003 till 2005 brought a wide range of technical assistance to Kyrgyz police stations in the form of dozens of trainings and technical equipment. Successfully expanding the curriculum of the National Police Academy and preliminary steps in terms of introducing community policing in one geographic target area were two of the project’s most important achievements. However, the OSCE’s success in the country should not be overestimated, because after three years this groundwork failed to lead to significant changes in police investigation. Data for crime detection in Kyrgyzstan is almost certainly unreliable; with MoI reports from 2004 claiming crime detection rate of 82.8%, twice as high as states with more developed police systems like Sweden or Norway, where rates are around 40%-45%. Moreover, human rights violations and the use of torture to gain confessions from suspects have persisted over the course of the programme. Incentives to improve police-public relations were hampered by the absence of consultations with civil society. The closed nature of Kyrgyz police activities and the force’s unaccountability before the public was widely perceived in Kyrgyzstan and civil society had expected transparency gains from the OSCE, which stands for democratic policing. As a result civil society grew

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19 Provision of computers and vehicles, initial stages of civil society involvement in further determination of operations, study tours with expanded curriculum in the Police Academy, all of these achievements could be considered as significant inputs into post-Soviet underdeveloped Kyrgyz police.


skeptical towards cooperation between the police and the OSCE amid rumors that “the OSCE was supplying the police with non-lethal weaponry such as rubber bullets”, in order to support the Kyrgyz government suppressing anti-regime protests. A demonstration was organized against the OSCE in front of its Bishkek office. 22 Protesters were mainly human rights activists and representatives of Coalition for Democracy and Civil Society; they demanded transparency in all PAP activities and consultation over financial assistance. Additionally, the civil society requested involvement in determining further plans and projects relating to police assistance. It was the first time OSCE had faced such resistance in a host country, and it persuaded the organization to call for the engagement of civil society in all its activities. However, while the OSCE agreed to involve civil society in “the executive steering committee of the program”, actual public participation in the program remained significantly limited. 23

To this day, the OSCE is still perceived by some civil society activists as an international supporter of the corrupted MoI, which turned a blind eye to police violations of human rights and thus is incapable of spearheading any political initiative to reform the security services. 24 The rate of corruption in the police force was increasing and damaging the state budget, yet the OSCE could not assist in bringing transparency and accountability to police during this period. 25 Thus, the first OSCE activities in Kyrgyzstan were viewed by civil society with hostility at worst and exceptionally as a “goodwill gesture” at best, rather than an overarching strategy. 26

2. The growth of authoritarianism under Askar Akayev and widespread inability of governmental institutions to fulfill their functions lead to the Tulip revolution in March 2005, wherein mass public unrest spread from the south of the

23 Ibid. p. 32.
24 Interview, “Za Reformy i Rezultat” civil union activist, Bishkek, May 2013.
25 Ar-Namys, Nekotorye Korruptsionnye Shemy, op. cit.
26 David Lewis, op. cit., 31.
country to the north and the first President and government were overthrown. For several days, the country, particularly the capital Bishkek, witnessed lawlessness in the form of violence, mass lootings, fraud and the misappropriation of properties and business. During this time the police was ineffective in maintaining order and did not engage in conflict reconciliation.27 OSCE assistance provided in the previous years to strengthen the capacity of the police to prevent, resolve or manage public conflict and disorder was shown to be fruitless. Frustrated with the first PAP in Kyrgyzstan, the OSCE decided to design a 12-month Interim Police Reform Programme (PRP) to support the police under the newly elected government.28 The PRP was focused on urgent issues, such as prevention and management of public conflicts, police training, police reform and community policing as well as operational efficiency.29 Since 2007, the Police Reform Programme (PRP) has become an integrated part of the Unified Budget of the OSCE Centre in Bishkek (CiB).30 Funding from the Unified Budget is supposed to increase the long-term effectiveness of the programme. Dozens of training and seminars with other elements of technical support were provided, however the police reform, for which interim PAP, and then PRP were initiated, did not take place until the regime under the second president Bakiev was overthrown. Meanwhile across Kyrgyzstan as a whole, the rate of torture and human rights violations drastically increased during the period 2008-2010.31

27 Moreover, some police officers were engaged in lootings and misappropriation of businesses, and were caught in an “ongoing political battle among rival political groups and organized crime leaders.” (David Lewis, “Reassessing the Role of OSCE Police Assistance Programming in Central Asia,” Open Society Institute. Occasional Paper Series, no. 4. (2011), 33.).

28 In 2007 extended till 2010 and rebranded to the Police Reform Program (PRP).


sense 2010 presented a real dividing line.

3. The results of the 2009 Kyrgyz presidential elections were rejected by a large portion of the population, leading to several protests in various regions of the country. From that point on, the regime was on a weak footing and opposition mobilizations were a common occurrence in the run up to a mass rally in Bishkek in April 2010. The subsequent revolt and occupation of the “White House” by protesters lead to government forces firing on protesters. Eighty people died that day, and hundreds were injured. The police forces, which had undergone a number of OSCE trainings on conflict management and reconciliation from 2005 onwards, were largely powerless during the conflict. Several were killed and injured as events unfolded, and many effectively surrendered their mandate to keep law and order. Following months of political tension inter-ethnic clashes took place in the south of Kyrgyzstan in June, wherein hundreds of people were killed, injured and displaced. Just a couple of months prior to the clashes, the OSCE and the NGO Social Technologies Agency conducted trainings for more than 1200 police officers in the southern region, where they trained regulating interethnic relations during conflicts.\(^{32}\) The violence again pointed to the superficial nature of technical support - participation in trainings is never a guarantee that the experience and skills participants gain will be implemented in the field.

Amid the threat of conflict escalation, the OSCE remained involved through various activities in the conflict reconciliation process, playing a particularly important role in raising international awareness through politico-military, economic and environmental, and human dimensions. Following the conflict, the OSCE PRP revised the objectives of its further activities:

“... fostering trust and confidence between the police and the population through incorporating community-based policing principles into the police-public relationship; and developing a professional police service through continuous education and training combined with advisory and technical support in a number of selected areas.”

In light of the tragic events, the OSCE decided to revise the Community Security Initiative with the Interim Government of Kyrgyzstan taking on a 1.5 million Euros budget and 27 international experts. Support for the Interim Government and the prospect for better cooperation resulted in many successful initiatives, such as Community Safety Working Groups (CSWGs), the Mobile Police Receptions (MPRs) and the Community Initiative Fund (CIF). Later in 2013, a CiB-supported Steering Committee to guide the process of police reform was established. Simultaneously, a MoI working group studied possible models for a civilian oversight mechanism and provided the government with a draft law on co-operation between MoI and civil society.

OSCE annual reports indicate the significant improvement in police-public relations after 2010 and better police skills in dealing with ethnic issues as a result of the OSCE efforts in


34 A lot of attention was paid to the revision and improvement of community policing concept due to the complicated police-public cooperation in Kyrgyzstan. Markus Mueller, the Head of the OSCE Centre in Bishkek from 2003 till 2008, proposed a project on community security initiative in Kyrgyzstan, which was later supported by the OSCE. The Permanent Council approved the Community Security Initiative (CSI) in Kyrgyzstan in its Decision No. 961, to assist Kyrgyz police in the aftermath of the inter-ethnic violence, and in further improvement of long-term professionalism of the police; and Markus Mueller was appointed as the Head of the OSCE Police Advisory Group to Kyrgyzstan. The project supposed to be a pilot initiative, and further should contribute to comprehensive police reform.
“providing conceptual, infrastructural and capacity-building support”. But civil society records on policing in the south of the country after ethnic violence are less positive and differ strikingly from official ones.

From 2010 onwards, dozens of meetings between the OSCE and the Ministry of Interior personnel, police officers, Members of Parliament and Kyrgyz-based NGOs on police reform in the country were organized. However, governmental responses were inconsistent and delayed due to fragile political and social circumstances. In 2013, research showed 90% of respondents in Kyrgyzstan felt the police was corrupt, while more than 61% of reported paying a bribe to the police. According to Ar-Namys political party review, the police remained one of the most thoroughly corrupted institutions in Kyrgyzstan, damaging the budget by more than 35 million USD annually, a fact that has never been properly addressed in the meetings and reports of the OSCE.

CONCLUSIONS/RECOMMENDATIONS

1. The fragile political and social context added to a lack of political will to transform police and adopt coherent reform strategies on the part of host governments in Central Asia undermines any potential OSCE assistance geared towards these reforms. For the OSCE, as the only major international player providing assistance to police in the region, and the post-Soviet militsia, which is in a state of degradation across the region, reform is unquestionably an urgent issue. However, the organization’s failure to criticize significant human rights violations and acts of torture committed by police in Central Asia, as well as an inability to persuade

host governments to struggle with corruption often gives the impression to local populations of tacit support for authoritarian regimes looking to modernize the police as a convenient instrument of repression. This undermines the organization’s credibility in the region.

2. Provision of advanced software, equipment and vehicles, hundreds of trainings and study tours for Central Asian policemen, the modernization of the Police Academy entailing both technical and academic assistance in Kyrgyzstan and the introduction of the Community Security Initiative are among the outcomes that have been achieved even within fragmented ad hoc projects in Central Asia. Nevertheless, it seems that the OSCE has been overly reliant on technical support. A wide range of workshops, seminars, and trainings has been conducted, but implementation on the ground has not been ensured. Projects spanning a decade have still not been critically assessed by the OSCE and so it is still unclear to what extent skills gained at training events and the introduction of modern software has changed police activities and behavior. The inability to improve instruments for project evaluation is also an obstacle to reform implementation, especially within the framework of long-term projects.

3. As more than ten years experience shows, the OSCE should develop a comprehensive strategy of democratic police promotion in relation to its overall strategy of security promotion. The OSCE has to address big policy-related socio-economic problems, such as corruption and human rights violations. Furthermore, police-related activities have to be understood within the political, economic and social setting of host states, so as to direct resources towards relevant activities as well as longer term planning. In order to develop an effective range of activities, the OSCE has to cooperate with civil society and an array of political actors along with government and police forces.

4. In Central Asia, where activities are circumscribed by demands from host governments for exclusively technical
assistance, the OSCE should earnestly ask states for more comprehensive opportunities to engage with police forces. The OSCE should not forget about its role as the only major international provider of police assistance, and must use this priority to assist in addressing the outstanding problem of corruption within police forces and continuing human rights violations. In Kyrgyzstan, meaningful police reform is still waiting to begin. In order to have comprehensive reform, the OSCE has to take into consideration civil society’s proposals for police reform as well as state versions. Moreover, as an inclusive organization, the OSCE has to learn from its mistakes and react to criticism from project beneficiaries, and be open to rethinking its projects. In addition, independent assessments and evaluation instruments should be developed in order to reconsider previous activities and failures.

5. These are monumental tasks that lead to the core of major socio-economic problems. The fundamentals should be considered. A large and poorly paid law enforcement apparatus is invited to be corrupt. The way out is through reform, which reduces the apparatus, pays adequately and punishes corruption and abuse of power. It is open to question whether there is sufficient resolve in the Central Asian governments to achieve these aims. If there is, it should be assumed that the OSCE will be there to continue to assist.
11. OSCE, Annual Report of the Secretary General on Police-Related Activities 2004 [SEC.DOC/2/05 June 29, 2005].
12. OSCE, Annual Report of the Secretary General on Police-Related Activities 2005 [SEC.DOC/2/06, November 2,
2006], 2006, 40.
15. OSCE, Annual Report of the Secretary General on Police-Related Activities in 2011 [SEC.DOC/1/12, August 6, 2012].