

# **OPRACOWANIA I MATERIAŁY**



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## THE OSCE BORDER MANAGEMENT STAFF COLLEGE

Effective border management continues to represent a priority for OSCE participating States and partners. Every state has its own border security needs, and has developed systems and structures that respond to them. However, these vary considerably depending where the country is located. For example, OSCE participating States that are members of the European Union have a heightened level of information sharing and cooperation underpinned by harmonised procedures and standards, which also has an obvious impact on training requirements. The introduction of Schengen arrangements abolished checks at the internal borders and created a common border with identical border procedures.

FRONTEX reports that an overall regular and irregular people flow on the EU's eastern border continues. This appears to be driven by expanding legal travel channels as well as by long-term economic developments that encourage the mobility of people and goods.

Further, the smuggling of illicit goods remains a major threat to border security. Data indicates that the smuggling of tobacco products and petrol into the EU is especially common. Cross-border criminal activities also included attempts to smuggle stolen vehicles and illicit drugs. The Western Balkans, on the other hand, has gone through rapid and significant changes regarding irregular migration trends following the introduction of visa-free travel arrangements with Stakeholders and Schengen Associated Countries. The region has transitioned from largely a source to mostly transit area in terms of illegal border-crossings.

The border law enforcement services within the OSCE area have their own border security and management systems. Approaches to border security and management are different throughout the OSCE region. But as it can be seen it from even historical view it can be pointed out some regions which in the past had the same law, the same structures, and the same systems. Within the OSCE region we have the EU, the post-Soviet space and the Balkan region which are outstanding in terms of either having the frameworks in place now or having had some in their historical past which still reflect on their closer harmonization and better interoperability (with exception of politically sensitive cases of course). The CIS member states and many of the other OSCE Participating States (pSs) with Soviet era related past still have the similar traces in their structures which make them understand each other better. The same refers to the Balkan region where in addition to the common past the majorities of the states also have the similar EU integration strivings and work on streamlining the EU best practices on their way to Euro integration.

It would also refer to the EU, which is probably the most harmonized area from the border security and management perspective. Nevertheless the fact is that the approaches are different even within Schengen area. Thus in EU area the *EU Integrated Border Management* (IBM) is providing the framework which is detailed in *Schengen Aquis* and this is what makes the EU approach different from many others – the existence of a very elaborate legal base which is providing the framework for better harmonization, interoperability, cooperation and integration. Last but not least, the NATO, although it is a military-political alliance and its activity does not directly refer to border security and management the fact is that in reality the NATO membership is distinctively reflected in how the security sector is structured therefore influences some law enforcement services as well.

Having those several sub-regions and a number of participating states which could not be grouped into any of those one should clearly see where the bridges are to be built. Why does it need to present these issues from such a wide perspective? The answer is: the *Border Management Staff College* (BMSC) can become the bridge between and among different border security management systems. The BMSC intends strongly to become a bridge between those different regions, different partners, and different systems. The key word for the College will be *inter-operability* – the ability of the border security and management services to cooperate, their interoperability, familiarization with the relevant policies of each other, their capacity to jointly address the regional security threats and risks. The role will be to enhance such OSCE participating states' border security and management services' capacities. All the international and regional actors are promoting the same principles depicted in the *OSCE Border Security and Management Concept*: cooperation among the national agencies involved into border security and management on all the levels (*Border Security*, 2005). If WCO is providing the universal platform for the Customs services to co-operate, interact and even to operationally work together through the specially designed software and joint data bases there is no a universal organization which would provide such platform for the border guard/police services and especially there is no such universal organization which would provide the wider platform for all the border security and management services.

Therefore – with the absence of other platforms – OSCE as organization is very well placed for providing such a wide platform for all the border security and management services. The *OSCE Border Security and Management Concept* is in a more advantageous position as it is not limited by the detailed set of legal frameworks. Even being as comprehensive as a framework for co-operation it is however very beneficial that the Concept is wide enough and could fit even the most conservative approaches to border security and management.

## BEGINNINGS

The BMSC was established in 2009 in Dushanbe, Tajikistan under the OSCE's Office in Tajikistan (OiT). The original project proposal for the BMSC draws attention to the fact that the five Central Asian countries within the OSCE area face numerous bor-

der security related challenges. These include difficult and long trade and transit routes, border disputes and unsolved border delimitation and demarcation, threats of trans-national terrorism, illicit drug and small arms and light weapons trafficking across the borders and differing levels of access to natural resources. Trafficking and smuggling of human beings as well as irregular migration and labour are also concerns in multi-ethnic border regions. Trafficking in narcotics originating from Afghanistan, and in pre-cursor chemicals, is significant and has become increasingly sophisticated and diversified. UNODC assesses that well-developed cross-border transportation and porous borders have made Central Asia one of the most attractive routes for the smuggling of Afghan drugs. This imposes significant challenges on law-enforcement personnel, including those of border management agencies. The withdrawal of foreign combat troops from Afghanistan by the end of 2014 and assumption of overall responsibility for its security, including borders, by Afghanistan security forces, is also regarded as presenting particular challenges given the on-going insurgency and in-accessibility of parts of the border.

The OSCE's approach to border security and management is founded in the organization's understanding of comprehensive and cooperative security underpinning the 1975 *Helsinki Final Act*. The OSCE's three dimensions – the politico-military, the economic and environmental, and the human – are reflected in the OSCE's response to border security.

In December 2005, the OSCE's Ministerial Council approved a *Border Security and Management Concept*. The Concept aims to strengthen border-related commitments and co-operation between agencies concerned with border security and management to promote free and secure movement of people, goods, services and investments across borders, high standards in border services, and dignified treatment of people wanting to cross borders in conformity with relevant legal frameworks (*Border Security, 2005*). It also aims to reduce security threats and to create beneficial conditions for social and economic development in border territories. The Concept notes a variety of ways the OSCE can assist participating States in these areas, including through political and technical dialogue and confidence building, through technical assistance relating to national plans and strategies, and through specialised assistance (for example relating to countering international terrorism, trafficking, and organised crime, as well as the free and secure movement of persons and in relation to the economic and environmental field).

Subsequently, at their meeting in Madrid in November 2007, Ministers pledged to deepen the OSCE's engagement with Afghanistan in response to a request from the Afghan Government for assistance in the areas of border security and management, police training, and combating drug trafficking. In June 2008, a number of proposals were presented, including the establishment of a *Border Management Staff College* (BMSC) in Dushanbe.

The College has its own premises and teaching facilities within the OiT compound in Dushanbe. Since its establishment, it has developed a strong management and training structure capable of delivering a wide range of training courses and other inputs within the area of border security and management. The College is led by a Director and includes a small international and national professional and support staff. Its governance arrangements include a Board of Governors and an Academic Advisory Board. The College cooperates closely with the OiT and the OSCE Secretariat, other OSCE and

international bodies, as well as many participating States and Partners for Cooperation. The College has a number of affiliated institutions, including other training institutions.

The purpose of the College is to initiate, provide and support the professional development and competencies of present and future middle and senior border security and management officials and support co-operation, information exchange and development among the border security and management agencies of the OSCE participating States and Partners for Cooperation. As such, the BMSC serves as a single point for capacity building, sharing of knowledge, and access to the latest thinking, methodologies, techniques and technology regarding border security and management. It also contributes to fostering co-operation on intra-agency, inter-agency and cross-border level, bi-laterally, regionally and OSCE-wide, through its training courses, policy dialogue events and other activities.

The College offers a large number of border security and management training courses and other activities. Its flagship *Border Management Staff Course* has been joined by a one-year distance-learning course for senior officials. A number of specialist thematic courses are also provided in partnership with other organizations. Since its establishment in 2009, the College held over 85 border security and management related events and courses involving more than 2070 participants from 39 participating States and 8 Partners for Cooperation (*Facts and Figures*, 2015). Over the past five years, the BMSC has established a solid reputation as a deliverer of middle to senior level training on border security and management issues that are relevant to OSCE participating States and Partners for Cooperation.

The experience confirms that the BMSC is a relevant institution for training of middle to senior level officials from border agencies of countries still developing or seeking to enhance their border security and management systems. Equally, there is good potential for the College to provide specialist thematic and policy inputs that also have a wider appeal. As such, the College is regarded as an OSCE-wide institution.

The demands of providing quality training require highly experienced and skilled trainers who are capable of responding to the needs of participants' diverse experience and backgrounds. The BMSC has developed an extensive roster of experts and has good cooperation within OSCE and with other institutions.

## GOALS AND OBJECTIVES OF THE BMSC

The Vision of the BMSC is: "To continue to be an internationally recognized and certified training institution providing relevant and quality contributions to effective, cooperative and comprehensive border security and management within the OSCE region and beyond." This vision establishes an overall medium to long-term goal for the College to strive after. It recognises that, although considerable progress has already been made towards effective border security arrangements in the OSCE regional and beyond in line with international standards, the further efforts of border security and management agencies would be worth supporting.

The Mission of the BMSC is: "To initiate, provide and support the professional development and enhancement of the competencies of present and future middle and se-

nior border security and management officials and support co-operation, information exchange and development among the border security and management agencies of the OSCE participating States and Partners for Cooperation.” This mission establishes the practical, operational role of the College during at least the medium term. The mission is supported by a number of objectives.

The overall objective of the College is: “To contribute to effective border security through increased professional competences, capabilities and cooperation amongst border security and management agencies, relevant international organizations and officials in the OSCE region and beyond.” The BMSC will respond to this overall objective by delivering results in three main areas:

**Outcome 1:** *Leadership, management and operational competences of middle to senior level border officials are strengthened.* To achieve this, the BMSC will continue to provide a range of training and education courses for middle to senior level border officials. The courses will include staff courses, distance learning courses, and thematic courses (the latter being provided in partnership with other organisations).

**Outcome 2:** *Knowledge of border security and management and related issues is enhanced and disseminated.* To achieve this, the BMSC ensure that its activities are monitored and assessed so that they are relevant and use appropriate methodologies. The information gained will be fed back into the curriculum design process and also support dialogue with agencies sending course participants. In addition, the College will help facilitate research on border security and management issues. This can include hosting research events and researchers from affiliated organisations and other research institutes, as well as supporting students in their course projects. Where appropriate, research will be disseminated and will also be fed into curriculum design to ensure that it is fully up to date and relevant.

**Outcome 3:** *OSCE policy development efforts relating to open and secure border security and management are supported.* To achieve this, the BMSC will arrange seminars and other events on relevant topics that contribute to advancing border security and management policy of interest to participating States or groups of them. Such events will be designed and conducted in cooperation with the OSCE Secretariat and other bodies that may be relevant.

The BMSC by providing relevant and timely training, the competences and capabilities of border officials will be enhanced, thereby enabling them to contribute more effectively to border security and management arrangements that are of a high standard, are cooperative, and are in conformity with national legal frameworks and international law. The impact of these will be more effective border management and stronger border security in line with international standards. Suitable officials are identified by their agencies for the BMSC training courses concerned and that, following the training, they are placed in positions whereby they can utilise the competences and capabilities gained.

### THEMATIC AND GEOGRAPHIC FOCUS OF COURSES

The thematic focus of courses and other activities undertaken by the BMSC will reflect the priorities identified in the *OSCE’s Border Security and Management Concept*

which are focused on (a) promoting free and secure movement of persons, goods, services and investments across borders in accordance with relevant legal frameworks, including international law; (b) preventing the threat of terrorism, transnational organised crime, illegal migration, corruption, smuggling and trafficking in weapons, drugs and human beings; (c) promoting high standards in border services and other competent national structures; (d) promoting dignified treatment of individuals wanting to cross borders in conformity with national legal frameworks, international law, human rights, refugee and humanitarian law; and (e) to create beneficial conditions for social and economic development in border territories. These are further detailed in the Concept itself.

In accordance with the above overview, the College will continue to offer training that at a minimum covers the following:

- the role of the OSCE and other institutions contributing to border management;
- an overview of different models for border security and management (including regional and national models and issues connected to reform);
- promoting Border Security and Management in the OSCE Area;
- modern Security Challenges and Border Management;
- current and Emerging Trends in Border Security Management;
- elements and methods of border management (including customs and law enforcement, transnational threats, information sharing, anti-corruption and risk management);
- economic and environmental factors (including trade facilitation, hazardous materials, transport and trade);
- human trafficking, migration, refugees, asylum and protection;
- gender and human rights; and
- organizational management and leadership.

The BMSC offers the possibility for contributing to other aspects of the development of border security and management, including through the sharing of good practices, support of networking and cooperative mechanisms, support to research and applied research on border issues, and dialogue processes.

The activities of the College reflect an OSCE-wide perspective on support to border security and management and with particular attention to participating States that are still developing or enhancing their border arrangements. The BMSC's location in Tajikistan provides unique opportunities to involve border officials from Central Asian states and Afghanistan with special attention to the latter. However, it is also relevant for other countries in the OSCE area.

## **GOVERNANCE AND MANAGEMENT STRUCTURE**

The BMSC adjusts its structure to reflect clearer and leaner lines of responsibility that are directly linked to the three outcome areas in the BMSC results framework, as illustrated in the figure 1.

The BMSC is organized as a training institution according to three mutually supporting operational units, which are:



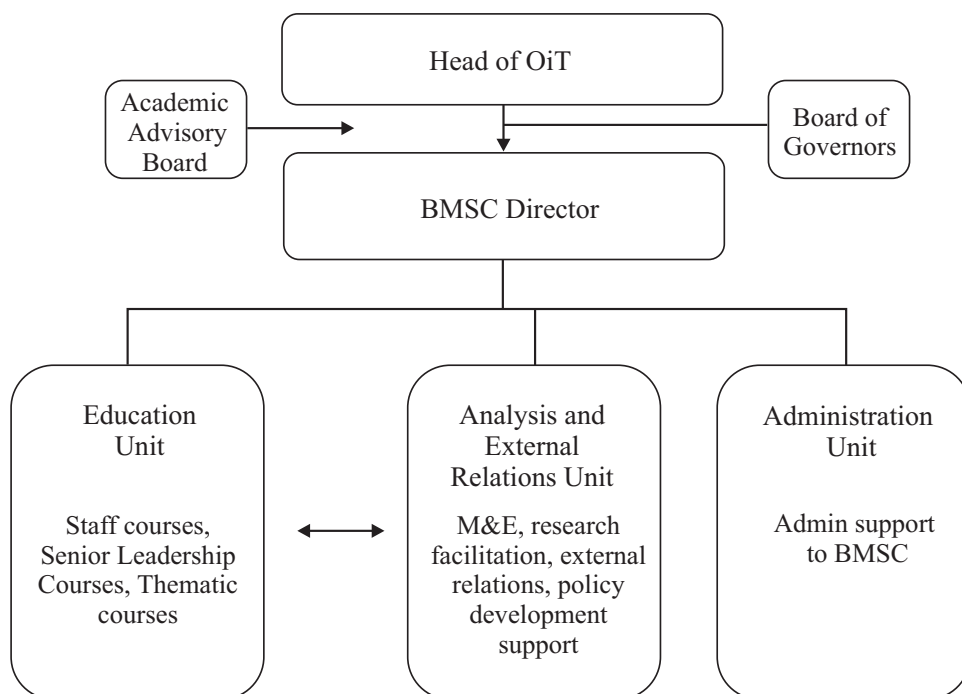


Fig. 1. The BMSC Structure

Source: OSCE BMSC, <http://www.oscebmisc.org/en> (24.04.2015).

- a) Education Unit – which is responsible for delivering quality and relevant training comprising the four week long Border Management Staff Course that is offered three times a year for mid-level managers working in border management; the Border Security and Management senior leadership (BSMSL) course that is a twelve month distance learning course for senior officials; and 20–25 *ad hoc* specialised training activities supplied in partnership with other organisations. BMSC training events are advertised in an annual course catalogue in advance of the beginning of each year and invitations are subsequently also sent to border agencies in participating States and to Partners for Cooperation in advance of specific courses. A quota system is not applied.
- b) Analysis and External Relations Unit – providing monitoring of BMSC performance, facilitation of research, external relations and other communication with sending agencies and alumni, and support to policy development. The monitoring and evaluation (M&E) role is capturing relevant data from course participants and their sending agencies on the performance of the training and other activities and the use to which it has been put and feed this back into the curriculum development process. The external relations role continues to involve communication with sending agencies regarding course participation and results as well as with alumni. The BMSC website (<http://www.oscebmisc.org>) is maintained and the College is continuing to utilise social media as means of disseminating information and maintaining contact with BMSC alumni (<http://www.facebook.com/oscebmisc>). The research facilita-

tion role provides inputs and otherwise helps facilitate research being undertaken by research institutes and professional researchers on border security and management issues. These activities are linked to BMSC training and policy dialogue events with the purpose of expanding knowledge and application. The BMSC is continuing to operate a small resource centre that is available to course participants and visiting researchers. The policy development support role focuses the College's contribution to the enhancement of border security and management arrangements in participating States and Partners for Cooperation still undergoing development. This role is to perform in conjunction with the OSCE Secretariat and with other agencies so that synergies are maximised. The inputs are to relate to specific areas of the borders policy field, including in actual situations on the ground. Events have the character of facilitated dialogues and involve senior policy makers.

- c) Administration Unit – which provides the support and administration of BMSC courses and other events.

The BMSC's activities are continuously prioritized and results' oriented and it is recognized that sound and transparent governance strengthens cost-effectiveness and the positive reputation of the College. The BMSC therefore, seeks to continuously improve the quality of performance measurement of the College's training activities in order to meet its stakeholders' needs and the working practices will be further developed in order to optimize the use of financial and human resources.

Staff is the College's most valuable asset. The BMSC has professional and motivated Staff, fully committed to provide optimal input to the objectives and values of the College. The BMSC strives to be an attractive and fair employer that takes care of its Staff and systematically develops its capabilities and the working conditions. To achieve those, the College actively develops and maintains the level of professionalism, competences, skills and abilities and efficiency of Staff members focusing on prioritized activities. What is more, the College provides training and Staff development, opportunities to maintain and expand competences contributing to corporate and individual goals and expectations. The BMSC fosters expertise provided by the experts working for the College and continuously improves the efficiency of Staff and processes based on regular assessments covering all activities of the College.

## RELATIONSHIP WITH EXTERNAL STAKEHOLDERS

The BMSC enjoys and hopes to continue to enjoy excellent relations with the Government of Tajikistan and its agencies working in the area of border security and management. A number of these Tajik partners also contribute to the training at the College. And Tajikistan is expected to continue to be well represented amongst the BMSC course participants.

As part of the efforts to consolidate the BMSC's status, the College will be licensed in Tajikistan as a training institution. This process will be completed in 2015.

The BMSC strengthens its relationship with affiliates and other training institutions working on or close to border security and management issues. The College is already affiliated to a number of international and regional organizations such as *United Na-*

tions Office on Drugs and Crime, United Nations High Commissioner for Refugees, Border Management in Central Asia, Border Management in Northern Afghanistan, the Geneva Centre for the Democratic Control of Armed Forces and professional training and research establishments, including the George C. Marshall Centre, Tampere Peace Research Institute and others (*What is...*, 2013: 2) to add to its value, profile and credibility. Some of these are represented on the College's Academic Advisory Board. Affiliation in the form of financial, material or teaching support also leads to cost efficiencies for the BMSC and helps the overall effectiveness of collective efforts to strengthen border security and management. Likewise, the College has and is developing its relationship with other organisations, including *Common Security Treaty Organization and Council of Border Troops Commanders of the Commonwealth of Independent States*, *North Atlantic Treaty Organization*, the *European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union*, *International Organization for Migration* etc. (*What is...*, 2013: 2).

In relation to wider networking, BMSC contributes to a network of Border security and management training institutions should this suggestion gain traction. *Inter alia*, seeks to strengthen the exchange of information, best practices and experience between the specialised national training institutions; provide access to a network of national and international trainers; and provide the instruments for training curricula amendments as well as the outreach activities development and delivery.

The BMSC enhances its communication with participating States so that they are better informed about College activities and results and it will draw upon its location and role as a knowledge centre to promote a stronger dialogue on border security and management issues.

The BMSC strengthens its dialogue with countries that are still developing their border security and management systems so that the College's activities meet their needs as closely as possible and so that convergence of standards is supported. To achieve this, the College encourages border management agencies to contribute to BMSC curriculum development and research activities. The BMSC is developing a mechanism through which sending agencies can report on the results achieved, including the utilization of College alumni. It is understood that results will be optimized when there is a close match between participant's needs, the training provided and the positions taken by the officials upon their return.

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While the original project proposal for the BMSC draws attention to the fact that the five Central Asian countries within the OSCE area face numerous border security related challenges and that there are particular needs in relation to Afghanistan, the College has developed as an OSCE-wide facility. In the *BMSC Strategic Plan 2015–2017*, it is stated that the College “reflects an OSCE-wide perspective on support to border security and management and with particular attention to participating States that are still developing or enhancing their border arrangements” (*BMSC Strategic...*, 2014). While these are expected to be the main beneficiaries of the College, it is also relevant that all

participating States will find benefit in the wide range of training, information exchange, and policy development support made available.

In December 2005, the OSCE's Ministerial Council approved a *Border Security and Management Concept*. The Concept aims to strengthen border-related commitments and co-operation between agencies concerned with border security and management to promote free and secure movement of people, goods, services and investments across borders, high standards in border services, and dignified treatment of people wanting to cross borders in conformity with relevant legal frameworks. It also aims to reduce security threats and to create beneficial conditions for social and economic development in border territories. The Concept notes a variety of ways the OSCE can assist participating States in these areas, including through political and technical dialogue and confidence building, through technical assistance relating to national plans and strategies, and through specialised assistance.

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### ABSTRACT

Effective border management is a priority for OSCE participating States and partners. Taking into consideration states' border security needs, it was of a crucial importance to develop systems and structures that respond to them. These are developed not only within states, but also within international organizations. The OSCE Member States initiated the *Border Security and Management Concept*: cooperation among the national agencies involved into border security

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and management on all the levels. One of the elements of this concept is the *Border Management Staff College* in Dushanbe.

## **KOLEGIUM ZARZĄDZANIA GRANICZNEGO OBWE**

### **STRESZCZENIE**

Skuteczne zarządzanie graniczne jest priorytetem dla Organizacji Bezpieczeństwa i Współpracy w Europie, dla państw członkowskich i stowarzyszonych. Uwzględniając potrzeby bezpieczeństwa granicznego, istotne z punktu widzenia państw jest tworzenie systemów i struktur pozwalających na realizację tych potrzeb. Cel ten realizowany jest w ramach państw, ale także w ramach organizacji międzynarodowych. Państwa członkowskie OBWE rozwijają koncepcję bezpieczeństwa granicznego i zarządzania, której kluczowym elementem jest *Kolegium Zarządzania Granicznego* w Duszanie.

