

ANNEX A – New Public Order Concept adopted in Ukraine

Modern theories on crowd dynamics lead to identify strategic principles in the work of the police for preventing and de-escalating conflicts between groups in a crowd or with the police. All EU Member States adopted and developed Public Order (PO) concepts in line with the best European practices and EU common principles, focused on a human rights based approach.

The concept adopted in Ukraine adopts a proactive approach (instead of the existing reactive approach) and a graded deployment of police personnel based on a dynamic risk and threat analysis. It is based on:

- A clear Command structure (European standard) with a delineation of roles and responsibilities (Gold/Silver/Bronze Commanders);
- Four de-escalating principles;
- Tactical methods;
- Dialogue, assignment tactics;
- Threat and risk assessments;
- Start and end talks;
- Graduated police work.

What distinguishes the concept from some other EU concepts is that no shields are used, it is more mobile/flexible/fast and has shorter order paths.

In this particular concept, shields are replaced by good quality Personal Protection Equipment (PPE) and secured vehicles (used for force protection). Another particularity is the fact that the PPE is used under the uniform, which implies special uniforms just for the PO operations. Finally, PO Vehicles used are different from those used in the other concepts in a way that they don't have the usual protections utilized, namely grid protections on windows.

a) **The four principles are:**

- **Knowledge**
Police work must be based on knowledge. In this context, this means being well acquainted with the factors that influence whether a situation escalates or not. Such knowledge enables the police to better understand the interests and goals of the groups and to plan accordingly.
- **Communication**
The basis for future conflict prevention is laid when the police communicate with the intention to develop networking activities with participants at an event. Communication should be constant during all phases of an operation and it could be of particular importance when a calm situation starts changing into a more agitated one. How the police act, look and make formations are also part of the communication and send a message to the surrounding participants.

- **Differentiation**

An important risk factor identified through research is the danger in regarding and treating all crowd members alike and as potentially dangerous. There are many examples of how conflicts arise and escalate when the police have intervened in an undifferentiated manner.

- **Facilitating**

Police strategies in relation to collective events should above all focus on facilitating the achievement of objectives of a group or a crowd. Most people participating in large crowds have legitimate objectives. The police should identify the participants' legitimate intentions in order to consider how to achieve them. By facilitating the achievement of objectives of the participants, the police can both avoid violence and receive the participants' support in handling order disturbances.

b) The Methods used are:

- Close surveillance
- Point / Show road
- Filter cordon
- Wedge
- Vehicle formations
- Arresting techniques
- Simultaneously coordinated effort
- Dispersion
- Stationary surveillance
- Cordons

c) Dialogue, assignment tactics:

The function of the dialogue police officers in the special police tactics is important as they have good knowledge of the groupings that participate in the demonstrations and form a link to the management of the demonstration march and the Operation Commander during the intervention. It is important that police communicate with the demonstrators and the public in order to explain the intentions of the police, give information about rules when an area is cordoned off, for example. Communication is important already at the meeting place where the police officers can give and receive information by mingling with people.

d) Investigation

An important part of the concept is an investigation unit present at scene to insure the criminal proceeding. Their task is to relieve the other police officers and to start the investigation process. This ensures a better and faster investigation process being possible. Experience shows that it also will lead to more cases before the court and more convictions. All the detentions in connection with the public order disturbances shall be justified in a

subsequent investigation. Whether the case deals with a violation of the Penal Code, the Public Order Act or other violations, it is important that the cooperation between the deployed police units and investigators be conducted in accordance with existing guidelines.

e) **Technical equipment as a complement to the concept**

As a complement to the concept, technical aids can also be used such as e.g. drones and body cameras.

i) Drones

The experience shows that drones are effective tool to support law enforcement work in public events. There are minimum requirements for LEA UAV used in Public Order and drone operators must have proper training because flying drones it is not a basic skill for average police officers. Operators must be trained in Aviation theory, Legislative background and Practical flights.

ii) Body Cameras

Police body-cameras are meant to increase accountability, transparency, and trust. Body cameras can have an impact on reducing officer use of force, citizen complaints, and other negative outcomes.

As in all Modern concepts, planning and follow-up are crucial phases.

- The quality of the preparatory work prior to a deployment has great impact on how the operation can be conducted. This fact is supported by experience and current theories on command. The Deployment Commander, the Staff Commander, the Operation Commander and the Platoon Commanders prepare the operation together with the Criminal Intelligence Service (and the Security Service when appropriate) as well as with dialogue police officers prior to demonstrations and Public Order events. The work is focused on getting a picture of the situation, the challenges (threats and risks) and to assess the legal position. An inventory of alternative scenarios must be made in order to decide on strategy, staff and operation structure, description of the target, implementation guidelines and operation follow-up procedure
- The follow-up of the intervention is important in order to learn from the experiences, both that which worked well and to identify necessary improvements. The debriefing is part of the follow-up in order to capture the thoughts and feelings of the group members about the work during the intervention. Structured accounts of the experiences which are analysed and reconnected are also of importance. Follow-up meetings where the different stages of the sequence of events, decisive decisions, critical points, coordination between several command levels and functions, examples of good practice etc. are discussed to provide valuable input for future operations.