

Executive Summary

This paper provides an overview of the police sector in Afghanistan, assesses reform efforts since 2002, and identifies five key issues that must be addressed if the objective of creating an effective Afghan National Police (ANP) is to be achieved. The resurgence of the Taliban in southern Afghanistan since 2005 has contributed to a belated realisation of the importance of an effective police force, and resulted in an exponential growth in resources for police reform efforts. 2007 is likely to see more money committed to the police sector than the previous five years combined. This makes it an important time to assess and learn from past efforts, and to take advantage of the opportunity these additional resources will provide to develop a more comprehensive and effective approach to police reform in the future.

Overview of the Police Sector

Afghanistan has never had a very strong or effective civilian police force. Whatever progress was made in developing a civilian police force during the 1970s was lost during the more than two decades of conflict that followed. Following the defeat of the Taliban in the fall of 2001, anti-Taliban Northern Alliance commanders were quick to exploit the power vacuum and filled many of the district and provincial police forces with private militias who had little or no police training or experience. The daunting challenge confronting police reformers in the spring of 2002 was to create an effective civilian police force from an untrained force manned primarily by factional commanders and their militias, who had little or no equipment or infrastructure, who were unpaid or under-paid, and who operated within the corrupt and factionalised institutional structure of the Ministry of Interior (Moi).

The Afghan National Police (ANP) is Afghanistan's over-arching police institution, which consists of the following forces: Afghan Uniformed Police (AUP) who are responsible for most day-to-day police activities; Afghan Border police (ABP); Afghan National Civil Order Police

(ANCOP); and the Counter Narcotics Police of Afghanistan (CNPA). In 2006 a temporary force, the Afghanistan National Auxiliary Police (ANAP), was established separate from the ANP to support counter-insurgency operations. The ANP operate under the authority of the Ministry of Interior (Moi), which is also responsible for overseeing provincial and district administration and for implementing the government's counter-narcotics policies.

The 2006 Afghanistan Compact authorised a police force numbering 62,000. The increase in insurgent activities in southern Afghanistan in 2006 resulted in several "temporary" measures to increase the size of the police force beyond this authorised level. One controversial quick-fix measure was the creation of ANAP, a force of 11,270 who are recruited locally, given 10 days of training, and then deployed initially to six southern provinces most directly affected by the Taliban insurgency. By late 2006, the US began strongly advocating for an increase in the authorised ANP size from 62,000 to 82,000, which was subsequently approved at the JCMB V meeting in April 2007. The decision to increase police numbers, largely as a result of the growing insurgency, is not fully supported by all other international police reform actors. Some are concerned that the focus of reform efforts is shifting away from establishing a civilian police force to a paramilitary or counter-insurgency force, while others have raised concerns about the fiscal sustainability of increasing the size of the ANP. An area where there is consensus is the need for more policewomen – of the 63,000 police in 2006, only 180 were women.

International Actors and Police Sector Coordination

The police sector in Afghanistan is currently supported by approximately 25 countries and several international organisations. The main police coordination bodies are the Interagency Police Coordinated Action Group (IPCAG) and the recently established International Police Coordination Board (IPCB). The UNDP-managed

Law and Order Trust Fund for Afghanistan (LOTFA) has primary responsibility for coordinating support for police salaries. The European Commission (EC) has been the single largest donor of police salaries, contributing nearly half of the \$330 million channelled by donors through LOTFA between 2002 and 2006.

From 2002 to 2007 Germany was responsible for coordinating international support for the ANP as the “lead donor” or “key partner” for the police sector. During this period it contributed approximately \$80 million to support police reform activities, mostly implemented by the German Police Project Office (GPPO). In 2007 Germany’s key partner role will be subsumed within the overall umbrella of the newly established European Union Police Mission in Afghanistan (EUPOL). The EUPOL mission is expected to consist of 160 police advisors, trainers and mentors, contributed by 23 nations (including some non-EU nations like Norway, Canada and Australia) and deployed throughout the country.

Since 2004, the US has been by far the largest overall contributor of human and financial resources to support the police sector, with its 2007 contribution alone expected to be \$2.5 billion. The US police programme is implemented by the US Department of Defense’s Combined Security Transition Command – Afghanistan (CSTC-A), which is also responsible for training and developing the Afghan National Army (ANA). The main coordination challenges in the police sector are:

- Achieving effective strategic coordination in the absence of a common vision on the role of the ANP and a common strategy on how to achieve that vision. This makes it difficult to extend coordination beyond simple information sharing.
- Strengthening weak coordination between the different security sector “pillars”, especially between the police and judicial sectors.
- Managing the inherent tensions in a situation where a very high percentage of overall hu-

man and financial resources are contributed by one donor, which effectively enables it to dominate decision-making.

- Strengthening weak coordination between Kabul and the regional and provincial levels.
- Strengthening the government’s ability to govern and coordinate the security sector, including improving government-donor coordination and intra-government coordination among competing ministries.

Police Reform Activities

Training and Mentoring

The main focus of police reform from 2002 to 2005 was police training. The central component of the GPPO programme in Kabul was to rebuild and re-establish the Kabul Police Academy (KPA), which trains commissioned officers in a three-year course, and non-commissioned officers in a nine-month course. US support has focused on providing basic training to fresh recruits and serving patrolmen at a Central Training Centre (CTC) for police in Kabul, as well as at seven Regional Training Centres (RTCs). The main police training challenges are:

- High rates of illiteracy and semi-literacy among ANP patrolmen and recruits, which makes it difficult to provide effective training and severely limits the policing tasks that can be performed.
- Weak or non-existent recruiting and vetting systems resulting in little attention given to who is trained, and little follow-up to determine what happens to those who have been trained. In some areas this has had the perverse effect of strengthening forces opposed to the central government.

The focus of reform efforts is now shifting from police training to reinforcing this training through mentoring programmes. The largest mentoring programme is the US-financed programme implemented by DynCorp, which by the end of 2006 employed approximately 500 international police trainers and mentors. Most of

the 160 EUPOL mission personnel will also be given mentoring responsibilities. The main police mentoring challenges will be:

- Finding sufficient numbers of highly qualified international police mentors, with an appropriate mix of political as well as technical skills, who are willing to work in remote and often inhospitable areas of Afghanistan.
- Ensuring commitment to police and Mol reform from the top levels of the government and Mol. In the absence of comprehensive Mol reform, large-scale mentoring programmes to strengthen the capacity of individual police officials are unlikely to have a major impact on improving the overall effectiveness of the ANP.
- Ensuring that effective assessment systems are established to determine whether the mentoring programmes have enough of a positive impact to justify their enormous expense.

Equipment and Infrastructure

Inadequate police equipment and infrastructure are important contributing factors to the ineffectiveness of the ANP, as well as to the large number of police casualties. Large amounts of donor funding are now going into building and renovating police infrastructure and donating police equipment. The biggest challenges to equipping the Afghan police are:

- The lack of internal controls and accountability systems in a notoriously corrupt institutional environment.
- Finding the funds to operate and maintain all the donated equipment, vehicles and infrastructure. This problem is exacerbated by the fact that 95 percent of donated police equipment is non-standard, and some is sub-standard.

Restructuring and Reforming

By 2005 there was a growing realisation that simply providing more training and equipment to individuals who then returned to work in the unreformed institutional environment of the ANP and the Mol was having limited impact. At the same time, the escalation of the insurgency in southern Afghanistan led to greater appreciation of the need for a more effective police force. These two factors have resulted in more attention and resources now being given to institutional restructuring and reform of the ANP and the Mol. The most important institutional reform initiatives in the police sector have been pay and rank reforms, which began to be implemented in late 2005. The major objectives of these reforms are: 1) to restructure a top-heavy police force by reducing senior officer positions; 2) to institute a rigorous process for testing and selecting officers based on merit rather than personal and factional connections and bribery; and 3) to increase pay to facilitate recruitment and retention and reduce corruption.

The most important component of pay and rank reform was instituting a merit-based process for selecting police officers for the greatly reduced number of officer positions. The selection process ran into serious trouble when President Karzai disregarded the recommendations of the selection committee, and instead appointed 14 police chiefs who, among many serious shortcomings, had failed the qualifying exam. After an unusually strong international reaction, and the establishment of a probation board to review the appointments, 11 of the 14 police chiefs were replaced. A major challenge that remains is ensuring that merit-based appointments and promotions are not circumvented in a similar manner in the future.

Key Issues and Recommendations¹

If police reform is to succeed in Afghanistan, and the big increase in resources to reform the ANP is not to be wasted, the major actors –

¹ Section 6 summarises the major recommendations made in this paper.

especially the government, the US, and the EUPOL mission — will need to address five key issues.

1. Develop a shared vision and strategy for the ANP

The most fundamental issue that must be resolved for police reform efforts to succeed in Afghanistan is the need for a shared vision of the role of the ANP, and a shared strategy on how to achieve that vision. In particular, there is a need to reconcile the “German vision” of the police as a civilian law and order force, and the “US vision” of the police as a security force with a major counter-insurgency role. These two visions, shaped in part by the US focus on defeating the Taliban-led insurgency in southern Afghanistan and the German focus on relatively peaceful areas of northern Afghanistan, need to be reconciled and consensus reached on a shared vision that addresses the policing needs of all of Afghanistan.

Given the alarming increase in police casualties, urgent attention must be given to developing alternatives to using poorly trained and equipped police (especially ANAP) as a counter-insurgency force. The role envisioned for the ANP has major implications for how police should be recruited, trained, equipped and deployed, as well as for the composition and size of the police force. The differing German and US visions, combined with the government’s lack of vision, are seriously undermining police reform efforts.

2. Replace SSR pillars with an integrated and comprehensive rule of law strategy

The failure of the government and the international community to develop and implement an effective strategy for reforming and strengthening the judicial sector is a potentially crippling flaw of current police reform efforts. A civilian police force, no matter how well trained and equipped, will have little ability to uphold and promote the rule of law in the absence of a functioning judicial system. The failure to adopt



Photo: Ministry of Interior

a more integrated approach to strengthening the police and justice sectors is related to the failed policy of maintaining separate Security Sector Reform (SSR) “pillars” headed by “lead donors” or “key partners”. This separation has made success within each pillar hostage to the enormous differences in the planning, funding and implementation capacities of each lead donor. The separate pillars also created barriers to developing a comprehensive and integrated rule of law strategy that would provide a coherent overall framework within which the individual sectoral strategies could be developed and implemented. For police reform efforts to succeed, there is an urgent need to develop and implement a comprehensive and integrated rule of law strategy, within which reform of the judicial sector should be prioritised equally, if not higher, than reform of the ANP and ANA.

3. Make donor assistance conditional on comprehensive Mol reform

The most consistent theme that emerged in interviews for this paper was that without com-

prehensive reform of the Mol, police reform efforts will fail and the money spent on reform will be wasted. The Mol is notoriously corrupt, factionalised, and an increasingly important actor in Afghanistan's illegal drug economy. Since 2005 there has been a belated recognition that the focus on training and equipping the police, with little regard for who was being trained or equipped (a process that one provincial Chief of Police described as "putting uniforms on thieves"), will not have much positive impact unless the overall structure within which the police operate – the Mol – is also reformed. While significant progress was made in 2006 to reform ANP pay and rank structures, a much more comprehensive approach to reforming the entire Mol, not just the police section, is necessary if reform efforts are to be effective and sustainable.

There has been a tendency to address police reform as a technical problem requiring technical solutions, rather than recognising that Mol reform is first and foremost a political task requiring a carefully designed political strategy supported at the top levels of government and the international community. A major failure of reform efforts for the past five years has been the lack of political will to proceed beyond recognising and talking about the problem of a corrupt, factionalised and criminalised Mol. Donors should make their assistance more conditional on comprehensive top-down reform of the Mol, without which their contributions toward police reform efforts are likely to be wasted.

4. Prioritise quality of police over quantity

There has been a damaging tendency to let immediate issues, such as the presidential elections and the growing Taliban insurgency, result in "quick fix" solutions that prioritise the quantity of police over the quality. A recent example was the 2006 decision to create the ANAP to assist in counter-insurgency operations. Such measures to quickly increase police numbers are undermining the longer-term objective of creating an effective police force. While too few police may indeed be a serious problem in some

areas, a more serious problem is that the local police that are present are often corrupt and ineffective, and as far as the public are concerned do more harm than good. The reputation of the police (as well as other local government departments) as corrupt and criminalised is eroding the legitimacy of the government, and is one of the important destabilising factors in Afghanistan today. Increasing the quantity of police will only have a positive impact after more progress has been made in improving the quality of the police through measures such as comprehensive Mol reform, more careful recruiting and vetting, better training, strengthened internal control systems, and stronger links to a reformed judicial sector. As long as the police are viewed as part of the security problem rather than part of the solution, hastily increasing the number of poorly trained police to work in a corrupt institutional environment is more likely to have a negative rather than positive security impact.

5. Prioritise fiscal sustainability of the security sector

It is widely recognised that in the foreseeable future Afghanistan will not have the resources to independently sustain the security sector institutions that are currently being developed. Despite this knowledge, few concrete measures are being taken to address the problem, and few decisions are being made to bring security sector costs more in line with what Afghanistan can afford. Failure to act soon to prioritise the fiscal sustainability of the security sector is likely to have a crippling effect on the development of other public and private sector institutions. It may also have a negative impact on the development of democratic institutions, and could result in the destabilising collapse of security institutions once external resources dry up.

International donors must make more of an effort to assess the fiscal implications of reform initiatives such as the massive investments in police equipment and infrastructure and the decisions to increase the size and salaries of the ANP. They must ensure that the planning and

approval of such initiatives are not just based on narrow sectoral perspectives that are negotiated with self-interested ministries, but involve the Ministry of Finance and are based on a national perspective that balances the often competing priorities and demands of different sectors.

Prior to the JCMB VI meeting in the autumn of 2007, and prior to the recruitment of additional police, the affordability of the JCMB V decision to increase force numbers from 62,000 to 82,000 should be reassessed. Even if major cost-cutting measures are introduced, international donors will still need to make medium- to long-term commitments to continue financing a major percentage of the ANP's recurrent costs.

Conclusion

Despite some notable achievements, the overall result of police reform efforts during the past five years has been disappointing, and many Afghans still perceive the ANP to be part of the security problem rather than part of the solution. If the key issues that undermined past reform efforts are not addressed, the major increase in human and financial resources directed towards reforming the ANP are likely to be wasted. It is troubling that these issues are all very self-evident, and for the most part have

been widely recognised as serious problems for several years. The failure to address them, despite the recognition of their importance, highlights the serious inadequacies of the international community when it comes to institution-building and state-building.

Afghanistan is unlikely to ever again have the levels of international attention and resources devoted to reforming the police that it has today. There is now a unique opportunity to move away from the multitude of individual police reform projects toward a more coordinated, comprehensive and longer-term approach that stands a much greater chance of effectively addressing the complex and difficult task of reforming the ANP. It is time to clarify today's blurred vision on the role of police in Afghanistan, and to achieve consensus on a common vision and strategy for developing a police force that will operate as "cops" rather than robbers.