
**Building Security Institutions:
Lessons Learned in Afghanistan**

Olivier Neola

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publications@ifri.org

Ifri
27 rue de la Procession
75740 Paris Cedex 15 – FRANCE
Tel : +33 (0)1 40 61 60 00
Fax : +33 (0)1 40 61 60 60
Email : ifri@ifri.org

Ifri-Bruxelles
Rue Marie-Thérèse, 21
1000 – Bruxelles – BELGIQUE
Tel : +32 (0)2 238 51 10
Fax : +32 (0)2 238 51 15
Email : info.bruxelles@ifri.org

Website: www.ifri.org

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The author

Olivier Neola worked for five years in NATO's Political Affairs Division. Since 2005 he served three times as political advisor for three successive EU Special Representatives to Afghanistan. In 2009, he was the Head of the IPCB Secretariat which coordinate international efforts to reform the Afghan police. He currently works for the EU Civilian Planning and Conduct Capability.

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Abstract

After its rapid military victory over the Taliban, the international community underestimated the resources, time and work that would be required to enforce Security Sector Reform (SSR) in Afghanistan. Even though the Afghan population was supportive of the coalition's efforts at first, the light footprint approach, fostered by the Europeans, failed to provide satisfying results as the insurgency made its way through popular frustration. After the security situation worsened in 2005-6, the US-led coalition intensified the build-up and the training of Afghan national security forces. But internal debates about the role they should play in such a fragmented society, particularly for the Afghan Police, created division between the United States and the other members (especially the European Union countries). On the eve of the withdrawal of ISAF combat troops, Afghan government seems unfit to handle its new security forces that sometimes are the only representatives of the state in remote areas and failed to stabilize the country.

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Après sa rapide victoire militaire contre les Taliban, la communauté internationale semble avoir sous-estimé les ressources, le temps et la quantité de travail nécessaires à la Réforme du Secteur de Sécurité (RSS) afghan. Malgré le soutien initial des populations, l'approche par l'empreinte légère, prôchée par les Européens, n'a pas produit les résultats escomptés permettant ainsi à l'insurrection de progresser en se nourrissant du mécontentement populaire. Après la dégradation des conditions de sécurité en 2005-6, la coalition, sous l'impulsion américaine, a intensifié le recrutement et l'entraînement des forces de sécurité afghanes. Mais les débats internes sur le rôle de ces forces, et notamment l'Afghan National Police, dans une société hautement fragmentée, a créé de profondes divisions entre les Etats-Unis et les autres membres de la coalition (notamment les pays de l'Union Européenne). A la veille du retrait des troupes de l'ISAF, le gouvernement afghan ne semble pas capable de gérer ses nouvelles forces de sécurité qui sont parfois les seuls représentants de l'Etat dans les zones reculées et échouent encore à stabiliser le pays.

Introduction

As the international community¹ prepares to considerably reduce its footprint in Afghanistan, leaving behind a country mired in instability many uncertainties, it is a good time to take stock of the massive effort undertaken for many years to rebuild local security institutions. This is all the more important as the exit strategy designed by the West is largely based on transferring to local security forces the responsibility for the future stability of the country.

This paper intends to review the successive phases of the Afghan operation and the different strategies adopted to rebuild local security institutions in a country which hardly had any left in 2001. There will be a particular focus on efforts to build and reform the Afghan national police. This because Afghan police reform mobilized very important amount of resources and attention from key actors but also because it was the reform exercise which illustrates better the main challenges and dilemma inherent to Afghan security sector reform – and to the mission as a whole – since 2001.

Beyond the necessity to point to erroneous evaluations and mistakes made over ten years (which is always easier in retrospect), the paper will also need to question the very nature of the enterprise: is it really possible to quickly create viable security institutions (army, police and justice) in a country ravaged by decades of war?

Context

The US-led international efforts to rebuild Afghanistan and its institutions were not part of a well-planned strategy. Afghanistan had ceased to be of strategic interest for Washington after the Soviets were defeated and withdrew their troops at the end of the 1980's. The US felt obliged to intervene in Afghanistan after the Sept. 11, 2001 terrorists' attacks as it was clear that the Taliban regime was harbouring al-Qaeda bases, personnel and leaders.

By the end of December 2001, a sweeping military victory (supporting the local Northern Alliance) was completed by a convincing political agreement negotiated with a wide spectrum of Afghan leaders (but excluding the Taliban). The December 2001 Bonn Agreement laid the

¹ The term international community will be used in this paper to describe the US-led international coalition under UN Mandate.

foundations for the reconstruction of the Afghan State and institutions and supported the set up of an International Security Assistance Force (ISAF) to be deployed under UN Resolution 1386².

In the period of international consensus, which followed the shock of 9/11 and the easy victory over the Taliban regime, the international community gladly committed its support to the rebuilding of the Afghan State and of its institutions. It is highly probable, however, that neither the US nor their Allies did have a clear idea of the magnitude of the enterprise they were engaging into.

Challenges

Perhaps Afghanistan's geography played a role in shaping a very fragmented political system. The central and southern mountainous regions (where population concentrates along a complex network of often steep-sided valleys) were traditionally conducive to a complex tribal organization. This is the case in regions populated by Hazaras and especially by the Pashtuns who have traditionally dominated the country politically. In the North, the tribal system is significantly weaker but divisions follow ethnic lines (between Tajiks, Uzbeks, Turkmens and Pashtuns).

Because of the terrain and strong tribal structures in the South, the authority of the central State has always been traditionally weak³ in most rural Afghanistan. Hence, the sway of the police and of the State justice system was weak and restricted to the capital and main urban centres⁴.

The purges after the Communist coup in 1978 and the Soviet war (1979-89) have further contributed to the weakening of state security institutions. The war also had a devastating effect on local traditional security arrangements which were linked to the tribal systems. After the Soviet's withdrawal in 1989, the mujahideen, the local leaders who led the fight against the Soviets could not agree on a power sharing agreement and plunged the country into another eight years of infighting which destroyed Kabul and any remnant of central state authority. The rise of the Taliban and their progressive conquest of most of the country did little to restore the central State institutions. Also, during these two decades of war and unrest, the country suffered from several important waves of "human capital flight". Each phase of political turbulence since 1978⁵ had resulted in

²Resolution 1386, adopted by the Security Council, on 20th December 2001, available at: <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N01/708/55/PDF/N0170855.pdf?OpenElement>.

³ The Afghan tribal system mechanisms were brilliantly described in Michael Barry, *Le Royaume de l'insolence, Afghanistan: 1504-2001*, Paris, Flammarion, 2002.

⁴ "All in all, the degree of control over territory and the population by the central government was still modest by the 1970s" in Antonio Giustozzi and Mohammad Isaqzadeh, "Afghanistan's Paramilitary Policing in Context The Risks of Expediency", p.7, Afghan Analyst Network, July 2011.

⁵ The Communist Coup of 1978, the Soviet invasion of 1979, the consecutive 10 years of war, the fall of Najibullah's government in 1992, the four following years of

large portions of the urban elite leaving the country (along with millions of refugees). This also heavily contributed to the weakening of state structures and administrative capacities.

Hence, Afghanistan in 2001 represented a very significant challenge for any exercise of Security Sector Reform (SSR). In this paper the term “security sector reform” will be used to describe the general efforts to reform local state structures which play a key role in the security of the State and its citizens (mainly army, police and justice institutions)⁶.

Opportunities

Despite those huge challenges, efforts to rebuild the Afghan security sector initially benefited from two important assets. The first one was the early general benevolence of the Afghan people and its positive disposition towards the objectives of the mission. In 2001, the Afghan society was exhausted by two decades of war and by several years of ruthless Taliban rule. At that moment, probably more than any time before in its History, the Afghan people were ready to welcome a foreign presence and influence and “most Afghans saw the presence of Western forces as a way forward to stability and development⁷”. This was an exceptional phase in a society otherwise rather prejudiced against foreign influence.

The second asset was the large support that the Afghan mission enjoyed from the main international players and the commitment of key States and international institutions (the UN, NATO and the EU). In contrast to what was to happen in Iraq, the US-led operation in Afghanistan was widely seen as justified, legitimate and worthwhile. Hence, the mission enjoyed high levels of political commitment and rather generous funding.

The problem is that the impressive amount of resources devoted by the international community to Afghanistan has only grown overtime as the mission started to be mired in difficulties and the local support had already started to recoil. In other words, the two aforementioned advantages were not synchronized in time; Afghan support for the mission was very strong in the beginning but started to erode after 2005 due to a perceived lack of results. Conversely, after having tried at first to conduct the reconstruction

civil war, the Taliban progressive conquest of most the country and the new fall of Kabul in 1996.

⁶ The term of Security Sector Reform was coined in the mid 90's. It first described policies carried out by new eastern European democracies to do away with the communist legacy and was later used to describe attempts at rebuild state security structures in post conflict situations (Bosnia, Liberia, Sierra Leone). The concept of SRR is still evolving and lessons from Afghanistan - one of the largest exercises of SRR ever attempt and one with clear political specificities – will need to be carefully learned.

For a general description of SSR, see *A Beginner's Guide to Security Sector Reform* from Global Facilitation Network for Security Sector's Reform, available at: http://www.ssrnetwork.net/documents/GFN-SSR_A_Beginners_Guide_to_SSR_v2.pdf.

⁷ Ahmed Rashid, *Descent into Chaos: The United States and the Failure of Nation Building in Pakistan, Afghanistan, and Central Asia*, Viking Adult, June 2008, p.54.

of Afghanistan at relatively low cost, the international community increased its efforts (especially in the security sector) dramatically after 2005. Popular and financial supports for the mission have thus been inversely proportional.

Any review of efforts towards the Afghan security sector should therefore take into consideration the different phases of the mission and the challenges associated with each of them. Generally speaking, the 10-years effort to rebuild Afghan security forces institutions can be divided in three main periods: during the first, the international community believed that Afghan SSR could be achieved at limited cost. In a second phase, a worsening situation resulted in a massive increase of resources. In the third and current phase, the build-up of local security institutions is vastly subordinated to the necessities of counter-insurgency and part of an exit strategy.

2002-2004: Optimism and “Light Footprint”

Early in 2002, the situation looked good for the US and its allies. With the Taliban chased out of power and al-Qaeda facilities destroyed, most of the war objectives had been reached at minimum cost⁸ for the US-led coalition. Admittedly, Osama bin Laden had not yet been captured and US forces were still fighting important resistance pockets in the South along the border with Pakistan but, by and large, the operation was deemed a success.

The situation looked like a golden opportunity to end two decades of suffering for the Afghan people. A chance to start re-building Afghan institutions and economy in order to stabilize the country, make sure the Taliban would not come back to power and prevent international terrorist networks from using the country as a safe haven.

A nagging question will run through this paper: is it possible for foreign assistance to rapidly nurture enduring stability and foster prosperity in a country and a society broken by decades of conflict and centuries of economic stagnation? In other words: is it possible for international actors to (re)build states? Of course there is probably no clear-cut answer to this broad question and it is anyway largely beyond the scope of the present paper. However, it is vital to keep in mind the fact that those questions remain open when considering the choices made by international community in trying to rebuild Afghan security institutions.

US Priorities in Afghanistan in 2002

If there was any chance to rebuild Afghan security institutions, it would have required devoting important resources over a great length of time. Unfortunately, the main members of the Bush Administration in charge of shaping US foreign policy at the time did not seem to have long term strategy for Afghanistan. For them, the 2001 operation just seemed like an unwelcome distraction from their main foreign-policy objective: the invasion of Iraq. Washington did not seem ready for an ambitious program of security sector reform in Afghanistan.

⁸ There have been only 12 reported US casualties during the entire 2001 operation that led to the fall of the Taliban regime. Information available at: <http://icasualties.org/oef/>.

This point remains a crucial one when analyzing the overall lack of success of the Afghan mission. After the fall of the Taliban regime, there were basically two courses of action for the US and their allies. On the one hand to leave the country and let the new authorities fend for themselves with minimal foreign assistance and advice (an option which had clear short-term political risk of having the Taliban return to power rapidly). On the other hand, engage decidedly in a massive long-term state building effort to try and rebuild the country's society, economy and institutions.

The inability of the Bush administration to choose clearly between those two options, and its attempt to take a medium course, was a determining factor shaping the entire mission. Up until 2005 at least, the US and the rest for the international community devoted enough resources to be pinned durably into Afghanistan but too little to have an effect on Afghan realities.

The concept of “state-building” was very popular in US decision making circles during the Clinton administration. It was seen as a way to address the issue of “failed states” considered threats to global security. The notion had fallen into disgrace, especially after the Somalia fiasco in 1993. It was considered too hazardous, long and costly and many – especially among Republicans – thought the US had no business building States. In 2000, President Bush ran for election under a platform that ruled out state building (or nation-building as it is sometimes referred to in the US) as a possible task for US foreign policy and army⁹.

The initial reluctance of the US to engage into a vast exercise of state-building in Afghanistan also resonated with the views of their Western partners which clearly lacked enthusiasm to invest massively in Afghanistan or to send troops and personnel to insecure parts of the country. Despite the fact that some European countries contributed to the Afghan mission in order to make up for their refusal to go to Iraq, it was clear that, for most of them, Afghanistan was not a foreign policy priority.

Even inside the UN, which has officially a co-ordinating role in Afghanistan and is traditionally open to the notion of “state building”, two conflicting approaches existed.

The first one, advocated among others by the former head of the UN mission during the Taliban (and future EU Special Representative) Francesc Vendrell, was in favour of a heavy involvement of the international community to dramatically overhaul Afghan power structures under a strong international mandate¹⁰. This would have entailed taking a

⁹ Future President Bush declared during the 2000 Presidential campaign: “I don't think our troops ought to be used for what's called Nation building; I think our troops ought to be used to fight and win wars”, Niall Ferguson, “The Monarchy of George II”, *Vanity Fair*, September 2004.

¹⁰ Francesc Vendrell, “What Went Wrong After Bonn” in *Viewpoints Special Edition Afghanistan 1979 – 2009: In the Grip of Conflict*, Washington, The Middle East Institute, available at: <http://www.mei.edu/>.

strong stance against prominent warlords and in favour of the establishment of new, «clean» security structures. Supporters of this approach argued that the Afghan population was ready to support the international community against former Mujahideen leaders who had largely destroyed Afghanistan.

The second group, led by the new UN envoy Lakhdar Brahimi was wary of not hurting Afghan's national feelings and recommended a much lighter role in support of an Afghan-led process (the so-called "light footprint approach"). The main argument of this group was that the Afghan people would rebel against any foreign attempt to impose Western views and ways. This argument carried a lot of weight as everyone had in mind the fate of Russians as they tried to impose their solutions to the country.

The US, which has always been the ultimate decision maker for the operation, favoured a light footprint. This approach matched the limited resources Washington was willing to devote to Afghanistan as it began to shift its political and military attention to the preparation for the war in Iraq.

NATO to the Rescue and the PRT Concept

In 2002 and 2003, the US focused its attention on Iraq; first for the military and political preparations, then for the operation itself. During this period, the number of US troops in Afghanistan was around 15.000 (compared to roughly 100.000 in 2010)¹¹.

Because the US had few troops available for Afghanistan, it was important to get its allies to contribute to the mission. In August 2003, Washington managed to have NATO take the command of ISAF and have European Allies take a rotating command of the mission. Engaging in Afghanistan was a major move for the Alliance which had never before been used outside its traditional "zone" (North Atlantic and Europe with its direct southern flank).

But ISAF was, at the time, confined to Kabul and it was believed that the "lack of reliable security structures outside of the capital were slowing the pace of reconstruction and economic development¹²". Given the general lack of troops available (even from European Allies) and the size of the country, using the PRT (Provincial Reconstruction Team) concept was a convenient way to expand out of Kabul. PRTs are small military bases located next to a provincial capital and employing a mix of military and civilian personnel. The idea was for it to serve as a secure hub from which diverse reconstruction projects could be carried out and monitored. The first PRTs were set up by the US in the South and most

¹¹ Amy Belasco, *The Cost of Iraq, Afghanistan, and Other Global War on Terror Operations Since 9/11*, Congressional Research Service Report, March 2011, available at: <http://www.fas.org/sqp/crs/natsec/RL33110.pdf>.

¹² Robert McMahon, "UN: 'Light Footprint' In Afghanistan Could Hold Lessons For Iraq", *Radio Liberty/Radio Free Europe*, April 2003, available at: <http://www.rferl.org/content/article/1102829.html>.

European Allies progressively set up PRTs in more secure regions of the North and West. In 2012, there are 26 PRTs present in nearly all Afghan provinces¹³.

PRTs were seen as convenient instrument, especially by European Allies to make up for the limited amount of available troops; the smallest of them being staffed by less than a hundred soldiers. In addition to collecting intelligence and allowing for a limited military presence, the PRTs were originally used to implement development projects. The constant temptation by military agents to launch development projects in order to stabilize local community, reduce incentive for the insurrection and win “heart and minds” is a general and important feature of military intervention in unruly societies. However, even if this seems intuitively right, it is now widely seen as a mistake, as military actors do not know “how to do development”. Hence, after long debates it was decided that PRTs should rather not deal with development projects and instead concentrate on Security Sector Reform (SSR) and governance-related projects¹⁴, a domain where they had at least some expertise and legitimacy.

So, instead of building bridges and digging wells, PRTs were told to concentrate on building police stations and justice courts (which they did in many places). The EU agreed in 2006 to make funding available for SSR projects to European PRTs.

As we will see, some heavily involved countries (e.g. the US, Germany, Italy, Canada or the UK) have used their PRTs as bases for work on police reform. But the advantages of having regional hubs for police training were offset the development of by a series of bilateral, isolated and often uncoordinated national initiatives that were not part of a general common approach or focused on the necessary institutional development.

At a time when most Afghan PRTs are scheduled to close down by the end of 2014, a final assessment of their role in the area of security sector reform is still to be made. The concept is probably a promising one in order to enable international presence in vast and insecure environments. But the real extend to which PRTs were effective in promoting SSR locally remains open to debate. For example, the fact that PRTs in Afghanistan have remained national entities and the difficulty to have them agree on standardized *modus operandi* or even on a common approach for their projects has marked the limit of the exercise.

¹³ Laurent Fromaget, Paul Haéri « Stabiliser autrement ? Les équipes provinciales de reconstruction (PRT) en Afghanistan », *Focus Stratégique*, no. 4, January 2008.

¹⁴ Oskari Eronen, “PRT Models in Afghanistan Approaches to Civil-Military Integration”, *CMC Finland Civilian Crisis Management Studies*, vol.1, no.5, 2008.

A Partial and Fragmented Security Sector Reform

Despite its undeniable leading role on the Afghan theatre, the US pursued several main approaches in order to avoid having to invest too heavily in reforming the Afghan security sector before 2005.

The first one was a continuation of the successful strategy that led to the quick fall of the Taliban: to continue to rely on warlords and mujahidin, to control the country and keep insurgents at bay. From the beginning of the military operations, the CIA had established close contacts with local armed militias and their chiefs. Most of those militias were from the North of the country, recruited among the groups which fought the Taliban between 1996 and 2001 (groups loosely tied into the “Northern Alliance”). A majority of these militiamen were therefore ethnic Tajiks. Those groups were led by well-known leaders, some of them tragically famous for their participation in the destruction of the country during the civil war. In his book, *Descent into Chaos*, Ahmed Rashid described what he calls the “warlord strategy”¹⁵. He describes how the CIA handed over substantial amounts of cash to these leaders to buy their support while the Afghan Interim Government was left with no money to pay civil servants. Ahmed Rashid’s view is that this lack of support to the emerging Afghan authorities was the seminal mistake made by the international community in Afghanistan. No one can tell for sure if, given the right support early on, President Karzai would have raised up to his task. However, it is clear that the Afghan Government was originally obliged to compromise with mighty warlords and that - later on - the absence of a strong central Afghan State was sorely missed during each following stage of the institution building.

Another way to buy the warlords’ allegiance was to let their men integrate the Afghan security structures, which they did massively, often in big groups. As a result, the nascent Afghan National Security Forces (ANSF), i.e. the Afghan National Army (ANA) and the Afghan National Police (ANP), both created in 2002, became overly populated by members of Tajik militia groups to the detriment of other Afghan ethnic groups, especially the Pashtuns. This imbalance has been (partially) corrected over time but has long constituted a major weakness for Afghan security forces. For a long time, it gave insurgents (who are predominantly ethnic Pashtuns) a key argument against the army and the police. The fact that those personnel were often hired as groups, as part of political dealings with warlords, undermined their loyalty to the Afghan State and constituted a fertile ground for corruption. This was, and still is, particularly true for the Afghan police. As an example, the Kabul city policemen are still nowadays disproportionately from the small Panjshir province.

Another strategy used by the US to keep a lid on their investment in SSR was to delegate costs and responsibilities to their allies, most of which were reluctant to contribute fighting forces to the mission anyway. In early 2002, international key stakeholders agreed to divide SSR in five pillars and designated « Lead Nations » for each one.

¹⁵ Ahmed Rashid, *Op. cit.*, p.133.

Disarmament, Demobilisation and Reintegration (DDR) was attributed to Japan; UK took on Counter Narcotic; Italy was charged with Justice Reform and Germany landed Police Reform while the US kept the leadership in Military Reform.

Having « Lead Nations » for different areas of SSR had the advantage of compelling key US allies to assume more direct responsibilities in important areas. However, it quickly became obvious that – with the exception of the US as well as the UK, for which the Afghan mission was a high priority – most of the so-called Lead Nations were not very enthusiastic about their task. Nor were they eager to commit the necessary resources. The other main problem with the “pillarisation” of SSR was that it resulted in a compartmentalization of a process which should have been dealt with as a whole.

At this point, a rapid overview of the work achieved in the five distinct pillars should prove useful. The United States decided to keep the upper hand on the build-up of the Afghan National Army (ANA). This choice was quite an obvious one for Washington, because the US had always been the main provider of military force in the country. As the main “battle space owner” the US military was eager to have an Afghan army able to work with its own troops. Moreover, its heavy military presence made it easy for the US to engage in military training. Also, back in 2002, Washington was convinced that a robust Afghan military was essential for a stable Afghan regime able to fight off a possible return of the Taliban. We will see in the following chapter how the US revised its opinion on that issue in the light of later events.

The reform of the Afghan National Army was long considered one of the few successes of Afghan SSR. Because there was no real army in the country following the fall of Najibullah, the US was able to rebuild this institution from scratch, which is probably easier than to patch-up an existing structure. Even if at the beginning, the ethnic balance was heavily tilted in favour of the Tajiks, the US was mindful to integrate an appropriate number of Pashtuns into the military. Also, the US devoted important resources to the task early on. Finally, despite the sheer size of the task, the reform of the army looks like the easiest of all fields of the Afghan SSR; there is no short supply of experienced combatants in the country, even if many of them lack the necessary discipline and skills to operate within a national army (as opposed to fighting in local militias).

The process of Disarmament, Demobilization and Reintegration (DDR) is a critical element to restore security in post-conflict environments and to reinstate the State’s monopoly over the legitimate use of force¹⁶. This process was of course essential in Afghanistan, for the country was fraught with armed groups which often challenged the State’s authority rather openly. DDR is generally a costly process because incentives need to be provided before individuals agree to lay down their weapons.

16 Yvan Conoir, Gérard Verna (dir), *DDR. Désarmer, démobiliser et réintégrer. Défis humains, enjeux globaux*, Québec, Les Presses de l’Université Laval, 2006.

Considering the financial weight of DDR, choosing Japan as a lead Nation was therefore judicious as Japan has a tradition of « cash-diplomacy », due to its constitutional restrictions regarding military deployments. However, DDR is an inherently political process. This is especially true in Afghanistan where weapons and armed groups are part of the social system (and it was all the more so ever since warlords had been co-opted as political partners). Therefore, despite Japan's nominal lead, DDR was mostly driven by the US, the UN, key international partners present in the field (e.g. UK, Canada) and by any other body capable of providing a reliable expertise (e.g. the Office of the EU Special Representative). In that context, Japan's role was very much limited to hosting meetings and signing checks.

The DDR produced some tangible results early on as some Afghans were eager to put down their weapons for a reward (or to hand over old weaponry for cash). In 2005, the DDR was replaced by DIAG (Disarmament of Illegal Armed Groups). While DDR generally is a voluntary process where people are incited to give up their weapons, DIAG was conceived as a legal obligation where armed groups needed to choose between disarmament and prosecution. The achievements of DIAG were not exactly spectacular. For two years, many meetings took place among foreigners and Afghan authorities to keep track of illegal armed groups and exert pressure on some of them with little discernible result¹⁷. The paradox of the whole process is best illustrated when pointing out that the Chair of the DIAG Steering Committee, Vice President Khalili, was widely known to personally keep up one of the largest militia of the country.

Counter Narcotics (CN) is not usually seen as part of SSR as it should rather be one of its results. However, the cultivation and trade of opiates has such severe security implications in Afghanistan that it was singled out as a specific pillar. The UK took the lead in view of its experience in this field (for example in Burma in the 90s'). The other reason for the British leadership on CN was that the UK was about to deploy troops in the South of Afghanistan, a region with massive opium production. Nevertheless, the existence of a CN pillar perfectly illustrates the difficulty to artificially divide SSR into separate 'pillars'. A CN campaign, to be effective, must involve the army (to secure the environment and back up the physical destruction of crops), the police (to disrupt networks and trading routes) and the justice system (to prosecute offenders). The creation of pillars for all these activities made the necessary coordination more difficult than it had to; creating endless opportunities for "turf tensions" and "blame games" not only among Afghan Ministries but also among foreign embassies.

CN did not need this additional layer of complexity as the issue was already loaded with many dilemmas. On the one hand, forceful opium eradication was sure to alienate the rural population in areas where the foreigners were desperate to "win hearts and minds". On the other hand,

¹⁷ Ariane Quentier, *Afghanistan, Au Coeur du Chaos*, Paris, Denoël, October 2009, provides a detailed account of her experience in working on this issue for several years. Like for A. Rashid's *Descent into Chaos*, *op.cit.*, this book's title betrays a certain notion of pessimism for the future of Afghanistan.

turning a blind eye to the drug production and trafficking meant letting the vast drug profits corrode and corrupt all state activities in the country... and help fund the insurgency.

It is very likely that Italy landed the lead role in the Afghan Justice Reform by default. Under President Berlusconi, Rome has been a staunch supporter of both US operations in Afghanistan and in Iraq. And there was need for a lead nation in this area... However, reforming the Afghan justice system was never going to be easy – some even called it a herculean task. Even when it existed back in the 1970s', the Afghan justice system was a mix of traditional justice based on the Pashtunwali (the traditional Pashtu "the code of life") and of Sharia law often interpreted by local Mullahs. Building up a new justice system based on internationally accepted (Western) standards did not only mean training thousands of personnel, it also raised the question of whether the Afghan people was willing to change its conceptions of justice deeply rooted in tradition to adopt or accommodate foreign norms. This issue is central to understand the efforts and failures to conduct SSR in Afghanistan. Suffice to say that, given the enormous task, it would be cruel to review the (lack of) achievements in the reform justice system in Afghanistan and unfair to blame the lead-Nation for it¹⁸.

Germany became the lead Nation for police reform in part because there had been some co-operation between Kabul and both East and West Germany in this field during the 1970's. Germany's lead role was also a consequence of Berlin's reluctance to take part in combat operations and its interest for soft and civilian security. Finally, the reform of the police was a vast endeavour which required important financial resources and manpower.

As for justice reform, the reform of the Afghan police is an enormous endeavor and it is crucial in order to foster governance. But it also has critical security implications. In spite of that, Germany was left dealing almost singlehandedly with this issue until 2004. The result was summed up by the German General Ammon who in a 2008 called his country's efforts to reform the Afghan police "a failure"¹⁹. This assessment, although not entirely incorrect, seems a bit unfair for Germany.

In fact, the reform of Justice and police systems should have been seen from the start as one unique undertaking because these are the two sides of a same coin and a joint prerequisites in order to uphold the rule of law. But because of the division of security sector reform into distinct pillars

¹⁸ For a detailed review of the justice reform, "Reforming Afghanistan's Broken Judiciary", *Asia Report*, no. 195, International Crisis Group, November 2010, available at: <http://www.crisisgroup.org/~media/Files/asia/south-asia/afghanistan/195%20Reforming%20Afghanistans%20Broken%20Judiciary>.

¹⁹ Judy Dempsey, "German General Breaks Silence on Afghanistan", *New York Times*, November 30, 2008, available at: <http://www.nytimes.com/2008/11/30/world/europe/30iht-germany.4.18269815.html>.

and above all because the early emphasis was put on a narrow (and short-sighted) definition of security, the two reform processes were considered separately and the justice reform received far less attention than the police reform did. As we will see, a more coherent approach of the police as part of a wider rule of law concept is only going to be tried many years later by EUPOL.

Together with justice reform, the reform of the Afghan police reform was probably the most difficult of all reform process in Afghanistan and one the efforts that received the most resources and attention from the international community. Reforming the Afghan police was both essential and problematic because of its situation at crossroads of many inter-related challenges (insecurity, corruption, absence of rule of law, etc...). In addition, the lack of clear objectives, of a coherent project and difficulties in coordination, made police reform a daunting task. The following chapter will try to take a closer look at this issue.

The lack of resources and attention devoted to Afghanistan during the 2002-2005 period is seen by many as an « original sin ». In addition to that, those limited resources were not directed toward the strengthening of the Afghan State and its institutions and initial efforts towards Security Sector Reform were fragmented by the pillar approach. As a result, sound foundations for a building new local security forces were missing when the insurgency started to develop.

2005-2009: Rising Insecurity and the Test of Police Reform

The beginning of 2005 was marked by the rise of anti government violence, especially in the South of the country. The international community realized then that the insurgency was largely nurtured by a growing sense of popular disillusion and discontent with the role of the Afghan State. The new Afghan institutions had raised a great deal of hope among Afghans who expected more justice, security and economic opportunities. Alas, these institutions, and especially the Afghan National Police (ANP), rapidly came to symbolize the new state's corruption, abuse of power and arbitrariness. After 2001, the ANP was one of the few Afghan institutions present throughout the country. In many parts of the country, police agents are actually the only state representatives the local population ever gets to see. Unfortunately, policemen do not give the State a good name, since they are often entangled in opaque networks of drug dealers, smugglers and other criminal elements.

As the security situation was visibly deteriorating, the US and other international actors decided that improving governance was a central necessity in fighting the growing insurgency. Logically, police reform was a crucial element in that agenda and, from the end of 2004 onwards, it became one of the top concerns and one of the main challenges for the international community.

Reform of the Afghan National Police

Because of the traditional weakness of the central state, Afghanistan has hardly ever had an effective national police. Improvements were made in the 1960's and 1970's and even under the pro-Soviet government, but those progresses were nullified by the subsequent civil war and the Taliban rule²⁰.

Contrary to the ANA, the ANP was not rebuilt from scratch in an orderly way. After the change of regime, there was a strong political incentive to rapidly deploy policemen throughout the country. Hence, police were hastily recruited, often among armed groups, under the direction of local leaders and with no training of any kind. Police wages were (and still

²⁰ Under the Taliban rule, public order was upheld by the Department of the Promotion of Virtue and the Prevention of Vice, but policing did not amount to much more than the repressive arm of a totalitarian State.

are) paid by the Law and Order Trust Fund for Afghanistan (LOTFA), established in 2002, run by the UN and funded by international donors. But, critically, no significant control mechanisms concerning police practices, behaviour or even numbers of personnel were set up. As a result, a large portion of the police force started to behave like a traditional Afghan militia: collecting bribes and being harsh on the population.

Faced with the task of entirely re-building a police institution, Germany had not been inactive. In 2002, Berlin set up the German Police Project Office (GPPO) and, for the following years, invested an average of 12 million euros annually into police reform. Germany rebuilt the police academy in Kabul, renovated some police stations, dispatched some advisers (17 in 2003²¹) and donated equipment. But this was a mere drop in an ocean of needs.

The US reinvests the country

Since 2001, the US had made some contributions to police reform through programs run by the State Department and implemented by private contractors (e.g. DynCorp International, MPRI). But by 2004, Washington realized that concentrating most of its resource on the ANA and very little on the ANP had been a strategic mistake²².

Alarmed by the rise of the insurgency, the US started to considerably increase its focus on police reform. In order to do so, Washington decided to rely on the huge military structure that was already training the ANA. In July 2005, Washington tasked the structure to carry out both army and police reform and renamed it Combined Security Transformation Command-Afghanistan (CSTC-A).

Owing to the massive military structure already in place and to the vast amount of resources at its disposal, the US police budget went from 5 million dollars in fiscal year 2003 to 223 million dollars in 2004. It further leaped to 837 million dollars in 2005, reaching 1,299 million dollars in 2006, and 2,701 million dollars in 2007²³! The US program included several main elements: first, the mentoring of numerous Ministry of Interior (MoI) officials by military officers; second, a general effort to develop administrative capacity of the MoI and, third, important training programs.

However, while Germany, with limited resources, had put the emphasis on traditional civilian police reform (insisting on civilian police

²¹ *Assistance for Rebuilding the Police Force in Afghanistan*, German Ministry of Foreign Affairs, available at:

http://www.bmi.bund.de/SharedDocs/Downloads/EN/Broschueren/Polizeiliche_Aufbauhilfe_in_Afghanistan_en.pdf?__blob=publicationFile.

²² Conversation with a US Diplomat, Kabul, October 2008.

²³ Impressive amount of data and figures concerning the US efforts to build up ANSF can be found in "Further Congressional Action May Be Needed to Ensure Completion of a Detailed Plan to Develop and Sustain Capable ANSF", *June 2008 Report*, US Government Accountability Office, available at: <http://www.gao.gov/new.items/d08661.pdf>.

duties and providing years-long training mostly to officers, the US adopted a more military approach. This was partially due to the fact that the program was run and staffed by US military personnel with limited knowledge on police issues. But a focus on combat training was also a result of the high casualty rate among Afghan police personnel. Indeed, because they were state agents scattered around the country and often disliked by the local population, Afghan police personnel had become a prime target for insurgents. Casualties among policemen reached 650 in 2006, 1200 in 2007 and peaked at nearly 1400 in 2009²⁴. It therefore became essential to enable the police to survive in an increasingly dangerous environment. Thus, the US focused a part of its efforts on the Afghan National Civil Order Police: the ANCOP (composed of the better educated and trained elements) in order to dispose of a mobile reaction force. CSTC-A also set up a very well-organized program of group training, the Focus District Development (FDD), in which the entire police personnel of selected districts were temporarily replaced by the ANCOP and sent together for 8 weeks of (mostly combat) training in Regional Training Centers before being reinstalled in their district with a mentoring follow-up.

Many voices raised the concern that this quasi-military approach to police reform was only part of the solution. It surely helped some of the trained police to fight more efficiently against insurgents. But the training failed to address the root cause of the problem: the incompetence, malpractice and abuse of the police, which turned ever larger parts of the population against its own State's institutions. Even the Department of Defense (DoD) realized around 2008 that programs like FDD failed to address this issue and, to use the words of a foreign expert, merely amounted to turn "thugs into better trained thugs"²⁵.

The creation of EUPOL and the Issue of Coordination

In the meantime, Germany, who had concentrated on traditional police issues like crime investigation and respect for the rule of law, found itself in an increasingly uncomfortable position. The resources it had committed for several years to police reform had been instantaneously dwarfed by one year of US "surge" in this field. As a result, Berlin became eager to pass the torch to a European Union Police Mission, the set up of which was agreed upon during Germany's EU Presidency in 2007. Alas, EUPOL had a very difficult start due to a rapid leadership turnover, logistical problems and difficulties to receive the needed number of suitable personnel²⁶. It was not before the end of 2008 that EUPOL could assert itself as a more credible partner. Even at that time it was still difficult for EUPOL to engage into large-scale training (because of the lack of personnel, facilities and because of stringent security rules for its personnel which sometimes

²⁴ Zainab Muhammadion, "600 soldiers killed this solar year", *Pajhwok Afghan News*, March 2010, available at: <http://www.pajhwok.com/en/2010/03/20/600-soldiers-killed-solar-year>.

²⁵ From an interview conducted by the author in 2008 in his capacity as political advisor for the EUSR.

²⁶ Daniel Korski, Richard Gowan, *Can the EU Rebuild Failing States? A Review of Europe's Civilian Capacities?*, European Council on Foreign Relations, October 2009, available at: http://ecfr.eu/content/entry/civilian_capacities_report_page.

prevented daily interactions with their Afghan partners). Therefore, the mission was still focusing on providing strategic advice to the Afghan Ministry of the Interior (MoI).

Between 2005 and 2008, the US and the European Union were not the only players to realize the importance of police reform for the future stability of Afghanistan. Other major countries like the UK, Italy, the Netherlands, Canada or France started to invest in this field. Because of EUPOL's difficult debut, many European countries decided to develop their cooperation on a bilateral basis with the MoI, like France, or directly in the provinces where they had PRTs (as in the case of the UK, Italy and the Netherlands). In addition, the UN and ISAF were willing to make their voices heard on the issue. Coordination (or lack thereof) started to become a critical issue and in 2007 the decision was made to set up a coordinating mechanism: the International Police Coordination Board (IPCB)

The lack of coordination quickly became manifest not only in order to define a common vision for police reform in Afghanistan but even when it came to basic information sharing on different programs run by different actors. The two first years of the IPCB as a coordination body were inconclusive, to say the least²⁷. At the time, the US DoD was over-predominant in the field of police reform. The police budget of CSTC-A was many times the amount of all other player's budgets put together. In addition, the DoD had a strategy and clear programs to implement it. Finally, CSTC-A was heavily present in the MoI with military mentors at all levels of the structure and clearly had the ear of the Minister of the time. To top it all, the IPCB was – by status – headed and staffed by Members of EUPOL (to recognize Germany's former leading role in the area which had officially been passed on to the EU Mission). The US DoD found it difficult to be “coordinated” by members of a European mission, which, at the time, was still struggling to deliver.

The situation changed at the end of 2008 as the US realized that something might have been missing from their (overly military) approach to police reform. At the same moment, EUPOL, under a new Head of Mission, the Danish Kai Vittrup, was finally starting to look like a viable partner able to promote elements of civilian policing in the current approach. Both actors decided to really use a renovated IPCB as a framework for exchange of information but also, and above all, as a place to confront and possibly reconcile their visions of the Afghan police reform.

What Role for the Afghan National Police?

Since 2005 and the rise of the insurgency the proper role of the ANP has been at the centre of lengthy debates which schematically opposed US and European visions.

²⁷ William B. Caldwell IV, Nathan K. Finney, *Building Police Capacity in Afghanistan The Challenges of a Multilateral Approach*, NDU Press, November 2010, available at: http://www.ndu.edu/press/lib/images/prism2-1/Prism_121-130_Caldwell-Finney.pdf.

The US vision of a police with solid military training in order to help fight the insurgency on the one hand, and a European vision of a civilian police more focused on traditional policing to help fight crime, uphold the rule of law and strengthen governance, on the other hand. Needless to say, this is a bit of a simplification as each part also understands the valid points made by the other. However, all in all, the polarization between the American/military and European/civilian visions of the police really structured the debate. This was illustrated – and reinforced – by the fact that the main structures for police reform were a military one for the US (CSTC-A then NTM-A) and a civilian one for the EU (EUPOL).

Civilian Police vs. Paramilitary Police²⁸

At this point, it is important to understand why the training of a civilian police is much more of a challenge than the training of a military force like the ANA. The duties of a soldier are characterized by a series of basic standardized rules and orders, which are very similar in every army. Moreover, soldiers do not normally interact with the population on a daily basis and this limits the opportunities for abuse and corruption.

The role of police personnel is more complex. For example, even rank and file policemen need to understand the basic tenets of the law in order to enforce it. A policeman must continually choose when to use force and how to best uphold the law. He (or she) has to produce and read written reports, keep files, adapt to new laws and be aware of current legislation. In other words, education levels need to be higher for rank and file police than for soldiers²⁹.

But the main challenge for the creation of a civilian/rule of law police is a cultural one. For the reasons mentioned in the introduction, Afghanistan is a country of “privatized” violence; one where carrying a weapon is traditionally a sign of social status and often a source of income. In large parts of the country, leaders are traditionally supposed to command armed groups and commanders are often *de facto* community leaders. This was true even before the country faced two decades of civil war, which destroyed all existing civilian institutions. Moreover, for a large part of the population, the very notion of “rule of law” is a novelty. The idea that armed individuals should abide by – and enforce – laws designed by civilian elected leaders still sounds peculiar to many Afghans, especially those living outside of the main urban centres. In this context, the establishment of a civilian police - modelled on those existing in developed countries - cannot be achieved by training recruits for a few weeks; it can only be attained through a long-term educational effort and could only result from a general cultural evolution of the whole Afghan society. It is doubtful that the Europeans (or any other international actor) were ready to invest heavily for

²⁸ For a very detailed paper on this issue: Cornelius Friesendorf, Jörg Krempel, *Militarized versus Civilian Policing: Problems of Reforming the Afghan National Police*, Peace Research Institute Frankfurt, Report no. 102, 2011.

²⁹ It is estimated that some 90 percent of ANA recruits are illiterate, compared to the national illiteracy rate of 75 percent and the figure are equivalent for the ANP. “Illiteracy Slows Afghan Army U.S. Pullout”, *CBS News World*, September 2009, available at: www.cbsnews.com/stories/2009/09/14/world/main5309273.shtml.

several decades in such an endeavour... even had Afghanistan been a peaceful country.

A kind of compromise was found between the two visions at the end of 2009 when it was agreed that the ANP would be divided into five pillars. The first one was the Afghan Uniformed (Civilian) Police, which constituted the bulk of the force. It was meant to be the general police and should ideally have a combined military and civilian training³⁰. The second pillar was the Anti-Crime Police where EUPOL decided to concentrate its efforts. The third pillar, Border Police, was a heavily armed branch tasked with almost military tasks. The fifth pillar was the Afghan Public Protection Force (APPF) which we will see in the next chapter.

The fourth pillar, the ANCOP/Gendarmerie, raised the most enthusiasm. The concept of an "Afghan Gendarmerie" emerged as an attempt to bridge US and European visions. Gendarmerie forces exist in France and in several other European Countries (e.g. *Guardia Civil* in Spain or *Carabinieri* in Italy). It is generally described as a branch of the army with policing functions able to act in insecure environments. Needless to say, the concept drew a lot of attention in US military circles; the Gendarmerie was meant to include the elite force of the ANCOP and become a robust police with a strong role in counter insurgency. But despite its obvious appeal, the concept of Gendarmerie force proved elusive and remains hard to implement. While a force with both civilian police training and military capacity would certainly be the best option for Afghanistan, in practice, the problem remains how to provide Afghans recruits with such a complex set of skills.

It needs to be noted that the Afghan intelligence services, the National Directorate of Security (NDS), are not part of the police force, as it is the case in some Western countries. The NDS reports directly to the President and, given its very prominent role in the fight against insurgents, it is considered a highly strategic agency by Afghans who keep it largely out of reach for most foreigners. If the US intelligences services have extended but discreet cooperation with the NDS (cooperation recently strained and limited by numerous public assertions that the NDS was involved in torture³¹) other western partners and EUPOL have no dealings with the service.

From 2009 onwards, while continuing its work towards the training of Police officers in its newly built Staff College, EUPOL started to focus more intensely its resources on rule of law aspects of police development. Over the three following years, the European mission increased its relevance by launching initiatives and mentoring programmes to improve relations between the police and the embryonic afghan justice system. This has

³⁰ In reality the MoI sometimes mentions that 70% of police have received no training at all.

³¹ Kate Clark, *The Trouble with Torture: NDS, Special Forces and the CIA*, Afghan Analyst Network, March 2012. Available at: <http://aan-afghanistan.com/index.asp?id=2628>.

probably constituted the single largest and coherent effort by the international community to tackle the issue of criminal justice as a whole in Afghanistan since 2001. But as commendable as those efforts might be, they have come very late and it would be years before they start yielding concrete results. As the focus of the international community has turned towards fighting increased level of insurgency and planning for a dramatic reduction of its presence by 2014, it remains to be seen how EUPOL will be able to continue this long-term endeavour work in an increasingly uncertain environment.

It is clear that the vision of a civilian police championed by the EU/EUPOL still fails to materialize in Afghanistan. It is easy to blame this on the late investment of internationals on police reform, on the US tropism for a fighting police or on the lack of resources devoted by the Europeans to their vision. But the main problem really is that, after 2005, Afghan moved from a situation of post-conflict to an environment of developing conflict – a context that made reform of the police an even arduous exercise.

After 2005, international efforts devoted to the reform of the Afghan police have produced some results. The mentoring of individual or groups, the work towards institutional development of the Ministry and the delivering of diverse training programs had some positive effects on the general capacity of Afghan police³². However, the blatant initial lack of capacity at all level of the institution the difficult coordination of all international initiatives and the limited resolve of the GIRoA to address issues linked to corruption and lack of accountability have limited the positive effect of those efforts. Moreover, the steady rise of the insurgency has progressively led the international community to view police reform as part of a general strategy of counter insurgency at the expense of more traditional police role. This vision, in which quantity prevails over quality, became all the more predominant after 2008, when Washington saw the building up of robust Afghan National Security Forces (ANSF) as part of an exit strategy.

³² Personal perception from several posting in Afghanistan from 2005 to 2010.

Building Security Forces as an “Exit Strategy”

At the end of 2008, the new US administration under President Obama started a review of its strategy for Afghanistan. Obama, who had been a staunch opponent to the war in Iraq, was much better disposed towards the Afghan operation, which he called “the good war”. Nevertheless, the new President was still eager to find a possible exit strategy for this inherited war. This was even more the case when the 2008 financial crisis exposed the weakness of the US economy and made the very expensive Afghan operation more difficult to bear and justify.

The US military apparatus convinced the new President that a successful exit strategy for Afghanistan should be based first on a sharp and parallel increase of US and Afghan national forces on the ground³³.

General Petraeus, who was being credited for the allegedly successful surge in Iraq, and General McChrystal, the new commander in Chief in Kabul, told the new President that the US was on the point of losing the war³⁴. They argued that a proper counter insurgency strategy would be able to turn the tide in Afghanistan. Their original plan involved growing Afghan Forces to 400,000 personnel (roughly 180,000 for the ANP and 220,000 for the ANA). In their view, this growth, combined with a surge of US troops, would allow foreign forces to weaken insurgents enough to be able to transfer security to Afghan National Security Forces (ANSF).

The Strategy to Grow ANSF: Size Matters

The build-up and growth of the ANA and ANP has been a continuing process since the time of the Afghan Interim Government in 2001. But the process took a new impetus from 2009 onwards.

³³ B. Woodward, *Obama’s Wars*, London, Simon & Schuster; September 2010, provides a vivid account of the debates and decision-making process on this issue during the first year of President Obama’s tenure.

³⁴ See the McChrystal COMISAF’s initial assessment leaked by the Washington Post: ISAF Headquarter, *Commander’s Initial Assessment*, NATO, Kabul, August 2009, available at: http://media.washingtonpost.com/wp-srv/politics/documents/Assessment_Redacted_092109.pdf?sid=ST2009092003140.

The growth of the ANA has been largely managed by the US, which, as lead Nation, took care of most of the force training (with some assistance from countries like UK and France) as well as the development of the Defense Ministry. In 2001, the original plan called for an army force of 50,000 personnel. This objective was raised to 70,000 in December 2002. In 2008, the ceiling was brought up to 86,000. In January 2010, the international community agreed on the targets of 134,000 by October 2010 and 171,600 personnel by October 2011³⁵. Because the role of the Afghan military in the fight against insurgents was clear and because the military salaries and equipment were mostly paid for by the US, the expansion of the ANA has not led to many debates among the international community.

During 2009, the US made use of the newly revitalized IPCB to convince its foreign partners of the need for an important ANP growth. The reason the US had to seek support from other players was that, unlike for the ANA, the US was not the unique stakeholder in that field. For example, the funding for police salaries is much more diverse than for the army. Europeans are a major contributor to LOTFA. This gives them a say on the growth of ANP. Also, and despite undeniable difficulties, Europeans provide a contribution in the field of training through EUPOL and bilateral programs.

Again, the Government of Afghanistan was easy to persuade since the growth was to be paid and sustained by foreign money. The agreement on the pillar structure, which preserved civilian elements in the ANP, helped Europeans to agree on a further rapid growth of the Afghan Police. In January 2010, the JCMB endorsed the decision to increase the growth target for the ANP to 109,000 by October 2010 and to 134,000 by October 2011.

Finally, 2011, the international community agreed on a target of 157,000 ANP by October 2013 as part of a 352,000 strong ANSF. However, once an agreement had been reached on the growth objectives for ANP, more difficulties cropped up; namely how to recruit, train and retain those forces. Recruitment remains one of the most difficult challenges for ANP today: the police are less paid than the military (despite recent raises), they have a worse reputation than ANA soldiers and higher casualty rates. Moreover, since the ANA is to grow at an equally fast pace, both institutions are vying for the same pool of potential recruits. Retention is also a critical issue. The attrition rate among the police is difficult to quantify with precision (along with the exact number of police in any place at any one time). Some estimations point out that, for forces placed in dangerous environment, the attrition rate (casualty and desertion) can reach over 70% per year. This was said to be the case for ANCOP

³⁵ A very complete set of figure and data on the issue of the US role in expanding the ANA can be found in: *Afghan Army Growing, but Additional Trainers Needed; Long Term Cost Not Determined*, US Government Accountability Office, January 2011, available at: <http://www.gao.gov/new.items/d1166.pdf>.

personnel³⁶ who have been over-used mainly for dangerous missions and started to desert massively.

The training of existing and future ANP personnel was to be mainly conducted by a new NATO mission set up following a decision by the April NATO Summit in Strasbourg-Kehl: the NATO Training Mission for Afghanistan (NTM-A). The US decision to involve NATO in the training of the ANP (and of the ANA) resulted from impatience with what Washington saw as a lack of commitment by European Allies for ANSF training and the hope that NATO would be a good vehicle to make its Allies increase contributions. In essence, the new organization was nothing but the former CSTC-A operating under a new NATO logo with increased contribution by non-US allies. In order to speed up the training of the ANP, the NTM-A translated the military concept of OMLT (Operational Mentor and Liaison Team) into POMLT (the “P” is for police). The first POMLTs were created back in 2007 but NTM-A’s task was to set up a lot more of those teams.

While agreeing on the growth of ANSF, the critical issue of fiscal sustainability (the ability for the Government of Afghanistan to pay for the huge ANSF the international community was setting up) was quietly overlooked. Indeed, nobody can seriously believe the Government of Afghanistan can ever muster the fiscal revenue to sustain this massive security system. This issue was “put under the rug” under the assumption that the international community would happily continue to pay for disproportionate army and police forces if this allowed its own troops to leave the country. Indeed the cost of sustaining large ANSF would only represent a fraction of the cost of keeping up western military in their current size (not to mention the political cost associated with this military presence and the casualties it entails). However, fiscal sustainability should be a key element of any attempt to build national security institutions and this issue alone raises a series of fundamental questions related to the notion of turning Afghanistan into a “rentier state” dependent on foreign money. Among these questions are: the imbalance created between a bloated security system and frail local democratic institutions; the legitimacy of a GoA under perfusion of foreign money and the question of whose interest the Afghan armed forces ultimately serve³⁷.

Before the May 2011 Chicago Summit, the US started to make plans for the sustainment of the ANSF after 2014 and the end of the transition process (when Afghans are supposed to be in charge of their own security). Sustaining the ANSF at their 2012 level (352.000, including 157.000 police) would cost 6.1 billion dollars a year (90% of which would need to be paid by international donors). Washington proposed to gradually

³⁶ Anthony H. Cordersman, *Afghan National Security Forces, What it Will Take to Implement ISAF Strategy*, Center for Strategic and International Studies, November 2010, p. 163, available at: http://csis.org/files/publication/101115_Cordersman_AfghanNationalSecurityForces_Web.pdf.

³⁷ These issues (and many other critical ones) have been brilliantly addressed in a speech entitled “The Case for a light Footprint: The International Project in Afghanistan” delivered by Astri Suhrke for the Anthony Hyman memorial lecture, University of London, March 2011, available at: <http://www.cmi.no/file/?997>.

decrease the size of the Afghan army and police force after 2014 in order to reduce those costs and decided that a force of 228,500 (including 97,500 for the ANP) and costing 4.1 billion dollars a year represent the right balance. It is very likely that the key factor to decide on the future size of ANSF will be less the security situation by 2014 and the security needs than the amount of money the US and its international partners will be willing to commit annually to pay for the Afghan troops and police.

Even if the 4.1 billion dollars a year are secured by the international community, the new plan foresees a substantial personnel reduction in the ANA and ANP and the layoff of agents freshly recruited and trained. It is remarkable that the new plan by the US involves a new considerable effort to demobilise and disarm recently recruited police and soldiers when one think of the huge difficult faced by the previous DDR exercise from 2001 to 2005.

Afghan Militia and Private Security Companies

A review of the international efforts to build security institutions in Afghanistan would not be complete without a mention of the general trend to set up, or allow the development, of parallel security structures.

Due to geo-political factors described in the introduction, there has long been a tradition for local security structures/arrangement in Afghanistan, particularly in the South where they were related to the Pashtun tribal system³⁸.

These traditions have significantly withered in the 20th century and were hit especially hard by the Soviets, which destroyed a lot of the community structures in rural areas. The weakening of those arrangements is meant to be positive in the context of a traditional SSR (where the State has to have the monopoly of force). However, in the absence of state security institutions, those traditional structures were often replaced by ad hoc armed groups. With insurgency-related insecurity spreading from 2005 onwards, the international community started to look at ways to revive traditional security organizations and use them against anti-governmental elements (AGE)³⁹.

The first attempt was made in the summer 2006, at the time where the Taliban⁴⁰ felt strong enough to regroup forces around Kandahar, the major city of the South. President Karzai proposed to the international community to recruit around 10,000 locals in order to do "community

³⁸ The famous Arbakai defined as "tribal based community policing system ground in volunteer grassroots initiatives" in Tariq Osman, *Tribal Security System (arbakai) in Southeast Afghanistan*, LSE Crisis State Research Centre Occasional Papers, December 2008.

³⁹ On this whole issue, see the very thorough paper by Mathieu Lefèvre, *Local Defense in Afghanistan: a review of government-backed initiatives*, Afghanistan Analyst Network, May 2010, available at: <http://aan-afghanistan.com/uploads/20100525MLefevre-LDIpaper.pdf>.

⁴⁰ This time we are really talking about proper Taliban.

policing” and to shoulder ANSF and foreign forces. This led to the creation of the Afghan National Auxiliary Police (ANAP). In essence the ANAP was just a collection of existing armed groups provided with uniforms and new AK-47s. The vetting and training processes for this force was hurried; the relations with the regular ANSF were unclear and the quality of the force was substandard (even by the low local criteria). The whole experience turned out to be a failure. It resulted in much criticism from locals and less than flattering media coverage⁴¹. By 2007, the ANAP had been quietly disbanded.

The second experience to raise local forces was the Afghan Public Protection Program (AP3) conducted in the Wardak province (West of Kabul) starting in 2008. This time, US Special Forces undertook a meticulous mapping of local actors in some strategic districts crossed by AGE to reach the capital. They then carefully recruited members of local groups and trained them for 4 weeks before re-instating them with close mentoring, with a view to deny AGE the use of roads. This time, the exercise was carefully designed (even micro managed) and seems to have yielded some positive results in terms of security⁴² (with diminishing level of insurgent activities in some district of the province) in part due to the involvement of some strong local leaders. However, the strength of the project (its tailored-made nature) was also a weakness as it was difficult to replicate it on a grand scale.

The lessons of the AP3 were used for a third more recent initiative, the Local Defense Initiative (LDI), which emerged slowly and started to be implemented in early 2010. In a nutshell, the LDI was to follow the principles of the AP3 with well-trained groups of US Special Forces embedded in local communities long enough to understand local dynamics and select local forces. This program is being rolled out in a number of southern districts and is a part of the wider US counter insurgency strategy.

As we review parallel security forces, it is also important to mention Private Security Companies (PSCs) who have proliferated in Afghanistan since 2001. When the GoA issued a decree to disband PSCs at the end of 2010, it was assessed that PSC's employed nearly 30.000 Afghan and foreign personnel (most of them armed) and were extensively used by all diplomatic missions, many development projects and even to protect military compounds and their logistic convoys. PSCs employed for the protection of Western employees are predominantly owned and staffed by Westerners. But many well-connected Afghans also developed important PSCs employing local staff.

PSCs handle vast amount of money. These resources are not only diverted from the official security structures but they also fuel vast

⁴¹ “There is Marijuana in their Socks; Afghanistan’s Auxiliary Police (A Desperate Remedy?)”, *The Economist*, 18 November 2006, available at: <http://www.economist.com/node/8173711>.

⁴² Assessment from a field trip the author took part in, as Head of the IPCB Secretariat, in Wardak in May 2009 with political officers from the UN and the EU.

corruption networks that are said to involve AGEs. The fact that most internationals do not trust Afghan police or army to ensure their protection and prefer to pay private companies to do so tells a lot about the poor reputation of the institutions the international community tries to build. The fifth ANP pillar (APPF), promoted by Anif Atmar, the former Interior Minister from 2009 to 2010, was conceived as an alternative to PSCs. In early 2011, plans were announced to progressively disband some PSCs and replace them by APPF.

Those initiatives are important in the context of this paper for two reasons. First, they constitute “innovative” ways to build up security structures in a country characterized by weak security institutions and a rising insurgency. Second, they represent a negation of the orthodox principles of SSR in which it is the State’s responsibility to ensure security. Those programs actually illustrate a mounting distrust between the GoA and the international community, with the latter more and more inclined to search interlocutors at the local level. It is ironic and revealing that the international community spent its first five years in Afghanistan trying to disarm private groups and the five following years re-arming them⁴³.

Also, even if the AP3 and the LDI make a lot of sense in the current counter insurgency context, they will probably prove toxic for the future of Afghanistan when or if a political settlement is found. Indeed, many Afghans recall that the same tactics were used by the Soviets and the Najibullah regime to fight the Mujahideens at the end of the 1980’s. They also have sore memories of the way many of these armed groups quickly turned against their creators and contributed to the armed chaos of the early 1990s, a situation that eventually paved the way for the rise of the Taliban.

“Shape, Clear, Hold, Build, Transfer”

The objective that lies behind the build-up of robust ANSF is ultimately to transfer security responsibilities to them by the end of 2014 and to be able to finish withdrawing foreign military forces⁴⁴.

Until 2009, the US military strategy in Afghanistan was summed up by the sequencing of four inter-related phases: “shape, clear, hold, and build”. In this scheme, foreign forces have to create the military conditions for an operation (shape), to clear insecure areas of insurgents and to hold them in order for development projects to be implemented (build)⁴⁵. The “transfer” phase was added in 2010 to reflect the objective to hand over responsibilities to the Afghan government and security forces.

⁴³ The setting up of the ANAP marks the moment when the DIAG process lost all remaining credibility.

⁴⁴ NATO Lisbon Summit Declaration, NATO, November 2010. Available at: www.nato.int/cps/en/natolive/official_texts_68828.html.

⁴⁵ For more details on the definition of the US military strategy after 2009: Anthony H. Cordesman, *Shape, Clear, Hold, Build, and Transfer: The Full Metrics of the Afghan War*, Center for Strategic and International Studies, February 2010.

The litmus test for this strategy has come in the Southern part of the country, especially in the provinces of Kandahar and Helmand, which are the birthplace and stronghold of the Taliban movement. In the summer 2010, additional US troops, received as part of a reinforcement (or surge) decided by President Obama, allowed the US and its foreign Allies to launch large-scale operations and to regain control of areas formerly ruled by the Taliban. These operations were officially carried out in close cooperation between Afghan and foreign forces (although it is difficult to assess the real part taken by ANSF in them). The campaign was an apparent success, as the Taliban could not withstand the massive firepower and decided not to resist and instead fled the operation zone (towards Pakistan) or melted into the population. Following these successful military operations, the capacity of ANSF to return to the newly controlled areas and to protect and reinstate a local administration will be crucial in defining success for the counter insurgency strategy advocated by General Petraeus.

Apart from the need to recruit, train and retain ANSFs, the transfer is made difficult by two negative trends: the steady weakening of the Afghan State's legitimacy and the mounting distrust between President Karzai and the international community. Following its triumphant election in 2004, President Karzai has lost the support of large parts of the Afghan population, which blames him for the manifest lack of economic justice and the high levels of corruption throughout the Afghan government. In 2009, President Hamid Karzai secured his re-election through pervasive electoral fraud. Relations between Karzai and the international community have deteriorated over the years. A cable from US Ambassador Eikenberry that was leaked in 2009 reports him calling Karzai "not an adequate strategic partner"⁴⁶. The different US memos published by Wikileaks.org concerning the President also illustrate a deepening distrust between the Afghan President and the US. In a context of a weak Afghan State and difficult relations between the GoA and the international community, the "transfer" of new areas to the Afghan authorities looks problematic.

One option to get around this problem is to concentrate on the local level and to build up and strengthen ad hoc state capacities locally where needed (the famous notion of "government-in-a-box" described by Gal McChrystal⁴⁷). The main weakness of this approach is that local institutions are often fragile and represent tempting targets for insurgents. Hence, in 2010 and 2012, confronted with a military force they could not match, the Taliban responded with a strategy of targeted assassination of local leaders and government agents (especially from the ANP) in Kandahar. An example of this strategy was the vast coordinated attack launched early May 2011 by the Taliban against government buildings in Kandahar (the intelligence agency headquarters and a police station). This operation

⁴⁶ Ambassador K. Eikenberry, "COIN strategy: Civilian Concerns", November 2009, Cable released by *The New York Times*, available at: <http://documents.nytimes.com/eikenberry-s-memos-on-the-strategy-in-afghanistan>.

⁴⁷ C. Christine Fair, "Obama's New "Af-Pak" Strategy: Can "Clear, Hold, Build, Transfer" Work?", *The Afghanistan Papers*, no. 6, July 2010, p.6.

illustrates the new pattern of confrontation in decisive areas where insurgents will try to hit ANSF rank and file and leadership in order to make the transfer more difficult than it already is. The important jailbreak that set free nearly 500 prisoners early May 2011 is another illustration of the difficulty of leading counter insurgency with a faulty security sector.

In conclusion, even in the Kandahar province where the military operations seem to have profoundly battered the Taliban capacities, the strategy of transferring responsibilities to ANSF is rendered difficult by the general lack of capacity among both ANA and ANP institutions and personnel and by the general weakness – and lack of popular support – of the Afghan Government. The third phase of the security transition, which foresees the hand over to Afghan forces of the most unstable part of the country, will constitute a litmus test in that regards.

Conclusion

More than ten years into the Afghan mission and as the international community has devised an exit strategy which greatly relies on ANSF capacities it is important to review a set of key lessons from the efforts to build Afghan security institutions.

The first one is the need to adopt a realistic strategy. When it embarked upon SSR in Afghanistan, the international community had no clear understanding of the mission and of the challenges it posed. The belief that State (security) institutions will naturally grow stronger if provided a stable environment and the idea that a profound security sector reform can be performed at low cost has been proved wrong in Afghanistan. There is probably no assurance that an international effort can re-build a State and mend a society broken by war, but at least it is clear that it is a major endeavour which requires very large amounts of time and resources. The building up of modern security structures abiding by international standards can only be a long-term objective. It should be pursued through a set of realistic interim short and medium-term steps and go hand in hand with improved general education and development levels.

Should there be a consensus on the amount of efforts and time needed for such an enterprise, a great deal of those efforts should be applied massively at the onset of the mission while local circumstances are still fluid and propitious. This is crucial in order to make an impression on society, to shake local inertia and address obstacles and to lay sound foundations for the project. In a mission where a multitude of foreign actors are involved, the coordination of efforts is also crucial. Assigning lead actors for different branches of the SSR can only be worthwhile if appropriate coordination mechanisms ensure that every player works according to a single plan and towards a set of shared objectives.

Finally, no SSR endeavour can be successful without a serious consolidation of the State. In a context of state-building there is a great temptation to by-pass the weak emerging State and either resort to other local actors or to set up parallel structures, sometimes managed by internationals. Even if this makes things seemingly easier at the beginning, it is a short-sighted strategy as the absence of a credible State (and local partner) will inevitably hamper SSR at a later stage of the process. This does not mean that local authorities should be given a blank check. On the contrary, the early steps of the State's institutions should be closely

supervised and monitored by international stakeholders. This is especially true as some of the local factors, which contribute to the weakness of the State (warlordism, corruption), are still effective.

The efforts towards the Afghan SSR – which really started after 2004 in a context of a rising insurgency – have yielded some results, especially with regard to the building up of the police and the army. However, while it remains to be seen if the creation up of important ANSF will allow for a peaceful withdrawal of foreign military forces, it is difficult to affirm that the result of the Afghan SSR will have long term benefice for the future of Afghanistan. The creation of disproportionate and costly local combat forces and parallel security structures combined with the weakness and lack of legitimacy of the central State do not bode well for the peaceful future of the country.

Even in the best case scenario, if Anti-Government Elements are durably weakened by the important ongoing military operations or if a political solution is found, Afghanistan will have to manage hypertrophied security entities and a weak semi-democratic government unable to uphold the rule of law. If Western military efforts fail to reduce the insurgency to manageable levels and no political solution is found, the situation may well be similar to the one that prevailed after the Soviets departed, leaving a weak government dependent on foreign subsidies and only viable as long as its political opponents were disunited.

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