Police-Building in Afghanistan: A Case Study of Civil Security Reform

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Despite considerable effort and large sums of money spent over five years of police reform in Afghanistan, the investment has yet to yield significant results. Among the reasons outlined in this article are the failure to distinguish clearly between the different roles of the police and the military in contributing to security sector reform; a lack of strategic vision and effective planning; and a failure to capitalise on the insights, best practices and lessons learned from the last 30 years of police reform in the West. Finally, recommendations are made for remedying current problems and re-directing reform to achieve greater effectiveness.

After five years of police reform in Afghanistan, it is generally recognised that no significant improvement in the quality of policing has materialized. Donor countries contributing to police reform have not faltered in their commitment; ample if not generous resources have been made available; and the professionalism and competence of the international police engaged in the reform is generally of a high quality. One might then ask why has police reform been so elusive? Before exploring this question it is important to understand the various facets of the notion of 'security'. While the more apparent reasons to explain why police reform has so far fallen short of expectations are discussed later in this article, it is possible that failure to appreciate the full meaning of security is the true genesis of the difficulties, because it has led to a confusion of purpose and a dissipation of effort.

In conflict and post-conflict environments, security usually means cessation of fighting, incapacitation of belligerents, restoration of legitimate government and the protection of national sovereignty. Beyond this, however, social stability and security for citizens in post-conflict and even peaceful environments require civil security. Civil security is founded on the rule of law and encompasses law enforcement, the prevention of crime, the protection of human rights in homes and public places, and the creation and maintenance of orderly communities. Civil security is needed to allow civil society to flourish.

Civil security and state security are complementary, but state security concerns rise and fall with the level of threat against a nation, while civil security must always be present to ensure the rule of law and 'to keep the peace'. While state security is generally protected by military forces and intelligence agencies, civil security is the preserve of civilian police. While there is some blurring at the line of demarcation, as a general principle, police do not fight wars, and national armies are not used against civilian populations.

Until the beginning of the 1990s, security sector reform in conflict and post-conflict situations was largely a military preserve. But the necessity of restoring civil security to protect civilians, or what is called peacebuilding, brought the realization that police had a role to play in post-conflict operations. Despite the theory, however, state security and a military focus continue to dominate security sector reform and its rhetoric. This means that the range of solutions and capabilities that police can bring to peacebuilding is not fully appreciated, sometimes even by the police themselves. It is therefore not surprising that the police contribution to peacebuilding in Afghanistan has not achieved its potential, and it is this dynamic which underlies the reasons discussed below for the slow pace of Afghan police reform.

A Brief History of Policing in Afghanistan

During the relatively progressive 1960s and 1970s, there was a national civilian police force in Afghanistan. It was built on the European policing model and received training from both West and East Germany.[1] During the Soviet period which followed, the Ministry of Interior, which was responsible for the police, became the focus of a power struggle between the Parchami and Khalq factions of the ruling Peoples Democratic Party of Afghanistan (PDPA).[2] To contain the powerful Khalq Interior Minister, the PDPA leader, Babrak Kamal, severed the Intelligence Department from the Ministry and created the the Khedamat-e-Atlaat-e-Dawlati (KhaD) or State Information Services under an influential Pacharmi supporter. The KhaD became a strong instrument of state control, trained by the KGB, with its own army division and responsibilities for internal intelligence, arrests and interrogations of political suspects, subversion of border tribes, assassinations and counter-intelligence. While left with only a criminal investigation and policing role, the Ministry of Interior grew in size to outnumber the army and had its own light infantry force, which engaged in armed clashes with the KhaD.[3] Thus the police were militarised, and their disintegration and deterioration as a civil institution began.

After the withdrawal of the Soviet army in 1989, an attempt was made to establish a new police force, and a training academy was built in Kabul by the Germans.[4] But the experiment ended when the post-jihad mujahideen brought civil war to Kabul. From then on, with the exception of the 'Vice and Virtue Police' employed by the Taliban, no organized civilian police force operated until 2002.

At the beginning of the reconstruction period in 2002, there were 50–70,000 police, consisting of some professional police trained before the civil war and a vast number of untrained and largely illiterate mujahideen and conscripted soldiers. They lacked discipline, formal policies and procedures, facilities, equipment, uniforms and public trust. There was also an ethnic imbalance since most of the senior police posts were held by Tajik Afghans. Provincial and local police commanders owed allegiances to local military commanders, and central control was virtually non-existent. Moreover, there was no clear chain of command to the Minister of Interior. In March 2003, an Amnesty International investigator reported that it was unclear who was responsible for the direction of the police, since at least five senior ranking officials appeared to claim overall leadership responsibility.[5]

The jihad against the former Soviet Union and the civil war had exacerbated ethnic tensions and encouraged the rise of many regional commanders with their own militias. These became a powerful counterweight to centralized government and remained a source of continuing instability. Many of the police, including provincial police chiefs, were more loyal to the militia commanders than they were to the Interior Ministry, not least because the warlords had access to more money than the government. Pay for the lower ranks equivalent to US$16–24 a month (money that well into 2003 was not paid regularly),[6] encouraged corruption, secondary employment and the sale of loyalty at all levels. In the south and the north-east many local commanders remained engaged in poppy and opium production, often to finance the continuation of their opposition to the central government or for factional fighting. This meant that there were strong factional, criminal and corrupt elements intermingled among the police at all levels. Such was the state of the police which the Afghan Interim Authority inherited after the fall of the Taliban.

Police-building from 2002 to mid-2006

Given the earlier police associations between Afghanistan and Germany, the Afghan Interim Authority requested Germany to take the lead in the reform of the police.[7] In January 2002, very soon after the signing of the Bonn Agreement, German police undertook a fact-finding mission to Afghanistan. They presented their findings to a group of 18 nations and 11 international organisations at a meeting in Berlin in February 2002. Germany pledged E10 million for renovation of the police academy, reconstruction of police stations in Kabul, the provision of police vehicles, training instructors, help with police reorganisation and coordination of donor activities related to policing. At a second donor meeting in March 2002, Germany presented its plan. The first team of German police officers arrived in Kabul in mid-March and police training at the refurbished Academy began soon thereafter.[8]

Another important milestone was the establishment of the Law and Order Trust Fund for Afghanistan in 2002. It was a mechanism managed by the UN Development Program (UNDP) for channelling multilateral aid to the police. Its objectives were to cover the recurrent salaries of the police; procure non-lethal equipment; rehabilitate police facilities, train police and strengthen law-enforcement capacity across the country. In early 2006, recognizing that Germany and the United States were supporting all training costs, the training pillar was converted to gender support. The choice of gender seems to have been a pragmatic move to attract donor money known to be available for gender projects.

Until the establishment of the trust fund, only 10 per cent of all estimated operational police costs could be met from the Afghan Interim Administration Fund. Salary costs were the first priority and have remained so, for without the support of LOTFA the Interior Ministry would be unable to sustain regular salary payments. Even so, the fund has never been completely solvent because pledged aid has been late or has not arrived at all. For example, in July 2003, the Minister of Finance reported to a police donor group that despite a minimum requirement of US $117,834,325 to fund planned changes, only $44,430,894 had been committed.[9] Given the financial limitations, therefore, only the salary pillar has ever been completely funded.

While some had expressed interest in UN support for police-building in Afghanistan, nomination of Germany as 'lead nation' was the preferred option. Nevertheless, the UN Assistance Mission to Afghanistan (UNAMA) created a small unit of four police advisers to

support police-building efforts. But the impact of the UN on Afghan police reform came more in the guise of support for the presidential and parliamentary elections. As part of security planning for the elections in 2004 and 2005, the Security Unit of the UNDP Joint Electoral Management Board (JEMB) provided training, operational planning, vehicles, firearms and other equipment to support the responsibility of the Afghan National Police for elections security. Thus the elections provided an opportunity for the Afghan National Police to obtain professional experience and develop expertise which did not originate with the police aid programme.[10]

The International Security Assistance Force (ISAF) in Kabul also considered local police training a part of its role. As a military force, however, the ISAF did not have the appropriate expertise to train police. Its contribution has therefore been largely confined to practical, on-the-job security training during its joint patrols with the Afghan National Police. The ISAF has been extended to other parts of the country through the mechanism of military-civilian provincial reconstruction teams (PRTs). This has allowed the countries providing personnel and finances for a PRT to include a few civilian police to advise local police on security programmes and, in some cases, to provide operational training such as use of firearms.[11] Given the small number of police attached to the PRTs, however, and the tactical nature of their activities, their impact is largely local and unlikely to affect the overall reform of the Afghan National Police.

While the initial international response to the need for police reform in Afghanistan was rapid and decisive, by the end of 2002 and during 2003 there were criticisms of continuing dominance by local commanders, human rights abuses, incompetence and corruption, under-funding and charges that little reform was taking place.[12] These criticisms were not without foundation, although there were less visible administrative and organisational changes taking place within the Interior Ministry.

In January 2003, Ali Ahmad Jalali, a Pashtun Afghan-American journalist and former military officer was appointed as Minister of Interior. In July of 2003, he announced his plan for the next stage of ministry reform. Volunteers were to be recruited to replace conscripted soldiers and to create a 50,000-member police force. Some 30–40,000 of them would be trained in centres established by the United States in Kabul and eight other provinces. A 2,600-member national highway police was being formed and there would also be a quick reaction

force, a 12,000-member border police force and national units for counter-narcotics and counter-terrorism. In addition, a human rights unit had been created within the ministry. He pointed out some of the obstacles to success, however: the police organisation was top-heavy with officers; the salary of the lower-level police was only 800 Afghanis ($16 per month); and, while a new salary scale had been approved, there were insufficient funds to implement it. In the Minister's view, the biggest problem was resources, and most of the reform would depend on international assistance.[13]

The plans were made possible by significant contributions from the United States. It provided $24.6 million for a new training centre in Kabul and a further $160 million for building seven other regional centres to train the 50,000 lower-level police over a three-year period. The training concentrated on basic policing techniques and emphasized human rights. Illiterate police were given four weeks of training. Those with some education received eight weeks of training. An in-service transitional training course was also introduced to ensure that existing police received some recent practical and human rights training. American police trainers were contracted to do the work through the American *Dyncorp* company.[14]

Despite this apparent giant step forward, by the time of the Berlin Conference for donors in March–April 2004, the Ministry of Interior was confessing that progress had been slower than expected over the past year.[15] The reasons cited were lack of coordination among donor states and the Afghan government, shortfalls in donor contributions, corruption at all levels in the ministry and the police, and deteriorating security conditions. Apart from the US initiative, police reform seemed to be losing momentum. The only innovation presented at the Berlin Conference was a set of guiding principles for the existing reform process. These principles were first designed to achieve full security in Kabul before extending it to the rest of the country; to develop a fully professional police force and promote it as a symbol of national identity; to improve morale, discipline and human rights; to emphasise law enforcement for economic activities; and to address the threats of narcotics and terrorism.

In addition to the guiding principles, the ministry proposed a 'renewed commitment and common strategic vision'. It would include accelerating ministry restructuring so that there was a functioning command structure, even more emphasis on police training and reform of the intelligence service. Administratively, an electronic payroll system and expenditure

management controls to curb administrative corruption would be introduced, police infrastructure would be 'urgently' rehabilitated, and uniforms and equipment including weapons and radios provided.

After two years of experience, the proposed new programmes were hardly new or visionary. While the shortfall in contributions undoubtedly slowed progress, lack of coordination was perhaps even more significant. The ministry annex to the Berlin report stated that Germany and the United States had developed parallel reform schemes. There was a German senior adviser 'embedded' in the ministry for administrative reform but the Minister had also acquired an American adviser during the course of 2003. The United States had also undertaken rationalization of the ministry chain of command, senior management training, and the introduction of a computerized identification card system incorporating photograph and fingerprint data. While the Germans had spent $3 million on the Academy and other amounts on other projects including $460,000 on ministry reform, the United States was spending millions more, although not necessarily any more strategically. Evidently, two different approaches to police-building were developing. One cautious and rational, building on what already existed and extending outwards, and the other bold and sweeping, attempting to tackle a number of pressing problems all at the same time. Both approaches had their merits and their flaws, but were philosophically conflicting and introduced a wedge into what was in any case a rather fragile partnership.

The declaration following the Berlin Conference affirmed generally the desirability of multi-year aid commitments, the continued rebuilding of the national police and army, and the reform of the Ministry of Interior. Drug control measures, however, seemed of more concern to donors than police reform.[16] Nor did the Afghan National Priority Programs or the Afghanistan Development Forum of 2004, which concentrated on moving from stabilization to economic development, push the police-building agenda forward. A separate conference in Doha, organized by the governments of Germany, Afghanistan and Qatar was needed to rally financial support for Afghan police-building. It was attended by the countries of the Middle East, countries neighbouring Afghanistan and countries already involved in the Afghan police-building effort. A second similar conference to discuss cooperation on counter-narcotics was held in Doha in 2006.

In 2005, the US government gave its Defence Department responsibility for support to the Afghan police and made even more funds available. This gave considerable impetus to

reform, and the organisational restructuring was revisited and revised. Together with German and American representatives, the ministry developed a new tashkiel, which is a comprehensive organisational and functional structure including personnel deployment and budget allocations. The major changes were the clustering of provincial police commands under five higher regional commands; the rationalization of specialist police units under a new command structure; a reduction in the number of field grade and general officers who outnumbered sergeants in a ratio of 3:2; pay increases; and, the stabilization of the personnel establishment at 62,000.[17] The pay of the lowest levels was increased to the equivalent of $70 a month, but increases for other ranks were deferred until the reduction in size of the highest layers was achieved. The restructuring was ready to be launched in the summer of 2005 but was delayed as the Minister awaited a propitious moment for an announcement, and contemplated his own future. He eventually resigned to return to the United States so it was left to the then Acting Minister, Abdul Zarar Moqbel, to oversee the implementation of the changes.

The most ambitious part of the plan was the reduction of 15,000 officers to 6,000 and an increase in the number of sergeants and constables. To start the process, the generals were required to submit to a review of their education, variety and depth of experience, personal history and character. This was followed by a written examination and board interview. Candidates for the top 31 general positions went through the process first. Their names were submitted to the president for approval, and they were appointed by late 2005. The same process then began in early 2006 for the next layer of 86 brigadier generals, to be repeated through each layer of the organisation. Those who are deprived of their rank may apply for the rank below, be retired with compensation or a pension, or be employed in a non-police capacity. The intention is that by the use of the merit principle, the incompetent and the corrupt can be purged and the quality of the police improved. A concomitant part of the strategy has been the engagement of a large number of police, some from Germany but mainly the United States, to mentor key Afghan police commanders to develop their leadership competencies.

What remains an unspoken question is whether the merit principle will survive in the face of the ethnic and factional realities that prevail in the Ministry of Interior. Out of 30 of the newly appointed top generals,[18] 13 are Pashtun, 14 Tajik, two Hazara and one Uzbek. While this is a much more equitable distribution than in 2002 when most of the commanders were Tajik,

based on population ratios Tajiks are still over-represented and Pashtuns under-represented in the higher levels of the police. Moreover, local warlords still exert influence on the leadership level of the police,[19] and the merit principle has not altogether purged the higher ranks of corruption, nepotism and placements.

The Influence of Counter-Narcotics Efforts on Police-building

From the fall of the Taliban, opium production has been a leitmotif of police reform, other security sector initiatives and many development programmes. It is regarded as a threat to stability and a means of establishing parallel power structures to the government. Production by mid-2006 was said to be 52 per cent of the licit Afghan GDP.[20] Counter-narcotics strategies have thus tended at times to overshadow police reform and divert donor attention from police reform. A Ministry of Counter-Narcotics was created in December 2004. It has its own Cabinet sub-committee, and a trust fund, for which Australia and New Zealand provided the seed money and to which the European Union contributed E15 million at the end of 2005. The Ministry of Counter-Narcotics is a policy-making body and not responsible for programme management. Its counter-narcotics strategy contains eight approaches to the drug problem:

- Building institutions
- Information campaign
- Alternative livelihoods
- Interdiction and law enforcement
- Criminal justice
- Eradication
- Demand reduction and treatment of addicts; and
- Regional co-operation.

The Afghan National Police remain responsible for a number of these strategies. Despite available funding and training to deal with narcotics problems, the responsibility places enormous pressure on an organisation that, in mid-2006, barely functioned adequately. More attention to police reform would, in time, enable the police to do a better job of drug interdiction and investigation.

Judging by the relative attention given to police reform and to counter-narcotics in international policy circles, however, the latter evidently outweighs the former in urgency and importance.

The Gender Factor in Police-building

Both the international community and the Ministry of Interior declare gender a priority, but neither have given it priority attention despite a government policy to 'gender mainstream' across all ministries. The Afghan Ministry of Women's Affairs oversees the policy. According to some observers, the condition and security of Afghan women has not improved appreciably since the fall of the Taliban.[21] Data being collected on the incidence of violence against women support this conclusion.

Only a few minor changes in gender matters have occurred in the ministry, and even these may not have happened if they had not been funded by the international community. Moreover, gender reform has been following a parallel track with the broader police restructuring, rather than forming part of it. Germany has built a secure female residence at the Police Academy with 120 beds and nursery facilities; Canada funds a gender adviser for the Ministry of Interior; and Norwegian police deliver in-service training to police women. US police advisers, with some support from UN agencies, set up a small family violence unit in one of the police stations in Kabul to give police women experience and to serve female victims of crime. Owing to lack of funding the experiment was very modest, but has served as a model for similar units to be established or planned for other Kabul police stations and other cities in Afghanistan.[22]

There are 160–180 women in the police, about one third of 1 per cent. Most of them were recruited before the civil war and, despite claims to the contrary in the media, only a handful have been recruited and trained since the fall of the Taliban. Policing is considered a low-status occupation, so not quite respectable for women. Recruitment, therefore, is a challenge. Mobility and security problems for women also hinder recruitment, although the fact that the recruitment programme is ill-planned and lack-lustre has also probably affected the outcome.

Recruitment and the expansion of the role and responsibilities of policewomen are a challenge, first, because there has been no significant allocation of resources to gender programmes[24] and, second, because there is no political will or ability in the Ministry to bring about the changes needed. Despite their particular applicability to the security sector, such international decisions on gender as the UN Convention on the *Elimination of Discrimination*

against Women (CEDAW), or Security Council Resolution 1325 on Women, Peace and Security, go unheeded in the Afghan police-building environment.

Gender is a cross-cutting theme in the Afghanistan Compact approved at the 2006 London Conference on Afghanistan. With the support of UN agencies, the Ministry of Women's Affairs is developing a National Action Plan for the Women of Afghanistan (NAPWA) to address the gender element of the Compact. There are proposals in the NAPWA calling for 30 per cent of the police and army to be women. The percentage is unrealistic, given experience elsewhere. Apart from Scandinavia and Eastern Europe, few western police services approach that percentage after 30 years of recruiting women. Nevertheless, it is necessary to attract more women into Afghan policing since Islamic practices inhibit policemen managing female complainants, victims or suspects.

Conclusion of the Bonn Agreement

The Afghanistan Compact is the successor to the Bonn Agreement, which was concluded in December 2005. The Afghan National Development Strategy (ANDS) is the plan and management framework for achieving the objectives of the Compact. The ANDS is a sophisticated strategy with a clear vision and three priority 'pillars':

- Security;
- Governance, rule of law and human rights, and;
- Economic and social development.

There are five cross-cutting themes, including counter narcotics and gender.

Both the Compact and the ANDS make it clear that the first priority of the police and other elements of the security sector is to establish national security and enforce laws against terrorists and the approximate 1,800 identified illegal armed groups tied to local power holders. The next security priority is to stem the drug problem. Only then will civil security be considered.

Achievements in Police-building

Police-building efforts of donor countries have produced some tangible results. The most evident has been the investment in training. The training infrastructure now available throughout the country is particularly valuable for the future. The rehabilitation of the National Police Academy and the building of the women's residence have provided ample space and basic equipment to train the officer and mid-level police cadres. The Academy has graduated many non-commissioned officers and its first class of fully-trained officer-level recruits. In mid-2006 there were about 1,500 officers and non-commissioned cadets at various phases in their three-year and six-month training programmes.

The training of mainly low-level constables in the regional training centres has also been productive. Between 2003 and 31 May 2006, 81,279 recruits and existing police had received induction, transition, highway, border police and other types of training.[25] The constables acquired non-military police uniforms and basic equipment, training in human rights principles, and pay which had been almost tripled since 2002. Whether the pay increases will prevent corruption is another matter, since the amount is still less than the Afghan National Army personnel receive, and insufficient to support a family.

Specialist courses in investigation, traffic and border control are beginning to show results. While traffic flow in Kabul remains problematic owing to overloaded streets, traffic blocks for security purposes and the lack of traffic lights, traffic control has nevertheless improved. Traffic police displayed growing competence, and traffic signs appeared. There were also improvements at airports where the introduction of computerised immigration and passport examination brought more order to immigration processing and security screening. There is also anecdotal evidence to suggest that the public was beginning to place more trust in the police, although it is still tentative and not strengthened by the petty abuse of power that can be witnessed daily on the streets of any Afghan city. Women are going to police stations in Kabul and Mazar-e-Sharif to report acts of violence to the new police family violence units, and police are sometimes approached on the streets for help.[26] Even so, investigative skills are still not strongly developed, and corruption remains endemic among police investigators and prosecutors, which makes a mockery of the rule of law in the very profession where it should be most observed.

Perhaps the most successful police-building achievements have been in the organisational and administrative areas. While structural and administrative changes have yet to be fully implemented and have suffered setbacks, they show some promise. A rational structure that encourages standard responses and enables delegation of authority and accountability is a necessary foundation for a police organisation. Many police facilities have been re-built and, although not yet sufficient, much equipment has been made available to police stations and special units.

Weaknesses in Police-building Efforts

Despite the described successes, police-building efforts have suffered significant problems. Given the urgency attached to mounting peacebuilding missions, flaws in their strategies are probably inevitable. The problems evident in the policing sector in Afghanistan, however, suggest that the police-building response from the international community has fallen into some classic traps, particularly in terms of the attention, knowledge and implementation gaps documented by Otwin Marenin.[27]

The Attention Gap

Marenin's attention gap refers to the frequent failure in security sector reform to differentiate the police from the military and other security sector roles. He says:

> "*Much of the discussion of SSR has focused on the military and intelligence sector, with the police, and other criminal justice and support activities nominally included under the security sector, yet little discussed as a separate and distinct policy issue ... the neglect of policing, the major coercive force people confront and experience in most countries in their daily lives, has led to conceptions of what is needed to assure reforms ...sustainability and oversight which can be inconsistent with the nature and dynamics of policing or be misleading about what needs to be done in reforms*".[28]

This dynamic is evident after five years of experience in the Afghanistan security sector, and in the latest policy documents on security sector reform in Afghanistan. The new Afghanistan Compact mentions good governance, justice, the rule of law, the ISAF, the US-led Operation Enduring Freedom and provincial reconstruction teams, but not the police as components of the security sector. Moreover, there is no mention of human security, of civil order,

suppression of crime, crime prevention or of services to individuals and communities.
A significant example of the blurred distinction between the two roles in Afghanistan was the assumption by the US Defence Department of the management of the US police reform effort in 2005. The military personnel of the *Combined Security Transition Command Afghanistan* (CSTC-A)[29] thus started working with German police representatives on the reconstruction of the Afghan National Police. While this infused considerable drive into what appeared to be a languishing initiative, there has been little demonstration that military leaders have understood the separate nature of policing. For example, after the intervention of the military, an earlier reorganisation plan with eight policing regions reflecting the various ethnic populations in the country was resolved into five regions, crossing ethnic lines to conform to the military command structure. Organisational convenience over-ruled community considerations.

US responsibility for reform of the *Afghan National Army* appears to be having considerable success but has not been put to the same tests as the police. Police and police posts are attacked more often than military targets by insurgents and factional fighters, and there are more police killed and wounded than there are Afghan military casualties.

Afghan military accompany international military missions, but police posts appear to be left to protect themselves against attacks. Consequently, the police are forced into assuming a military role to defend national security rather than maintaining civil security. Earlier attempts to assert the civilian nature of police have thus been almost submerged and have resulted in confusion for police and population alike.

A prevalent view, even among some international police, is that Afghanistan is unready for civilian policing and holds that the police must remain a military force while insecurity lasts. This contradicts actions taken so far to sever the police from the military, to provide them with non-military uniforms and to deploy international civilian police advisers. More significantly, it assumes that security can only be assured by military means, and that providing policing and social services to civil populations does not contribute to the restoration of peace and stability. If such a view were to prevail, only military solutions for security sector reform would be considered, and Afghanistan would be caught in a vicious circle of using force against force without employing other approaches to secure stability and peace. A multi-faceted approach to ending insurgency and terrorism is likely to yield more results than a military approach alone.

TABLE 1: AFGHAN MILITARY COMPARED TO AFGHAN POLICE CASUALTIES

Period	Military killed or wounded	Police killed or wounded
21 March 2002–20 March 2003	9	39
20 March 2003–20 March 2004	92	75
21 March 2004–21 March 2005	138	183
21 March 2005–20 October 2005	226	266

Source: US Office of Strategic Cooperation Afghanistan (OSC-A).

The Knowledge Gap

With respect to the knowledge gap, Marenin argues that security sector reform frequently ignores the 'exciting' body of knowledge on the structure, nature, practices and cultures of policing.[30] In the last 20 to 30 years in many developed, emerging and developing countries, police organisations have undergone a ferment of change and reform. Thus there is considerable knowledge and experience available to adapt to police organisations in post-conflict societies. In general, however, such accumulated knowledge and experience is not being tapped in Afghanistan.

Most of those involved in police sector reform in Afghanistan have only operational experience. Operational knowledge and experience are essential for transferring policing techniques but on their own are not sufficient to achieve reform. Management and administrative knowledge, skills and experience are needed, which operational police do not necessarily possess. There are few international advisers in the Afghanistan police sector with knowledge and experience of strategic and corporate planning, management of organisational change, human resource management, development of police policies and procedures or monitoring and evaluation of police performance.

Training is one example of the knowledge gap. It is largely developed and delivered by operational police. They know their metier functional roles and responsibilities but are not experienced trainers and have received little or no guidance from a professional trainer. The achievement of training objectives, such as knowledge transfer and competency development, are thus sabotaged by ineffective training methods, poor learning materials,

bad examples and sometimes outdated information. It takes extraordinary motivation for an Afghan police officer to learn anything from sitting on a hard seat in a classroom that is too hot in the summer and too cold in the winter, listening for several hours a day to an instructor speaking an unintelligible language, which has to be translated by, often untrained, interpreters uncertain of police terminology, without the support of words written in the local language on the board, good training materials or any sort of audio-visual support. The inexperienced trainers make little use of proven adult learning techniques such as group discussions, scenarios, role playing and analysis of case histories, which promote participation, learning and retention of information. In such circumstances, it is a moot point whether donor resources spent on training are achieving an optimal effect.

Similarly, the idea of teaming international police mentors with the occupants of key police command positions to build capacity is undermined by mentors lacking the necessary command and leadership experience to give sound guidance to their protégées. Curt Griffiths et al. argue that little is done to build local capacity or effect meaningful change when experts appear for a fleeting period or are not current in their field, lack appropriate knowledge and skills and have little or no understanding of the cultural, political, social or economic context in which they are attempting to provide assistance.[31]

In addition to training and mentoring, ensuring that police conform to the rule of law requires a framework of mechanisms that ensure transparency and accountability to the civil authority and to citizens. The mechanisms used around the world include well-drafted police laws, civilian oversight bodies, public complaints systems, ombudsmen, internal policies and procedures, codes of conduct and ethics, police station visitors and videotape recordings of interrogations. All of these structure conduct and performance and serve as yardsticks for discipline. A start was made with the 2005 Afghan police law, which sets out the powers delegated to the police and the limits placed on their use.[32] But there is still a lack of international expertise in Afghanistan for examining accountability mechanisms for their suitability and adaptability to the Afghan situation.

At the root of the knowledge gap is the difficulty of obtaining and deploying police or former police with the necessary qualifications.[33] While it must be acknowledged that there are some excellent police advisers in Afghanistan, it should also be recognized that the police who are engaged are frequently the police who are available rather than the most

appropriate police. Active duty police cannot be spared in large numbers because they leave police duties undone in their own countries. As for contracted police advisers, they are drawn from a pool of applicants of varying quality. Few among them may have the required qualificationos to fill the need, so less well-qualified candidates are chosen to make up the numbers. The use of non-sworn personnel is often eschewed, and there are few in Afghanistan, despite their often being more knowledgeable and experienced than sworn officers in certain aspects of policing.

The Implementation Gap

The implementation gap is concerned with such problems as lack of attention to the practicalities of implementation, lack of a common view, coordination and the translation of policy into practice. Marenin observes that:

> "*While policy may make perfect sense when devised at headquarters, it does not permeate down to the field officers charged with implementation. ... The SSR discourse is replete with buzz words without specificity, with short hand concepts such as political will, local ownership, capacity building, institutionalisation, civil society, even the notion of state. Not that these are not relevant concepts, they surely are; but their meaning is subject to a variety of interpretations*".[34]

He could have added the lack of planning that translates policy into action. The halting advance of police-building in Afghanistan may well be owing to inadequate planning in the early stages. There was no evidence of strategic thinking in choosing rehabilitation of the police academy, and training officer and non-commissioned ranks, while initially ignoring the mainly illiterate and conscripted soldiers who have more contact with ordinary Afghans. The international policing intervention had no vision, objectives, milestones or direction. Despite the ANDS and the present restructuring initiative, the situation remains the same today. The international police-building effort lacks strategic direction.

An example is the exclusion of gender considerations from the restructuring programme. Despite the restructuring including such matters as facilities, training, uniforms, equipment and the tashkiel, the presence of women in the organisation and the need to recruit more and engage them in meaningful work has not been taken into consideration. It is to be hoped that there are toilet facilities for both female police and clients in the new police stations. Already the new tashkiel is proving an obstacle to the advancement of women in the police.

It does not provide for more female positions or responsibilities, it lacks flexibility to move positions and their incumbents from one unit to another and, since agreement on its composition was difficult to obtain, there is now reluctance to change it.

The lack of vision and forethought has also led to advisers being used almost exclusively for training and, to a lesser extent, mentoring. In the absence of planning, creative thinking and knowledge, training has become by default a false panacea. More training appears to be the solution for all problems of police-building, from human rights violations to organisational leadership and drug trafficking; yet, as Griffiths et al. observe, training in itself rarely produces appreciable results.[35] Training is only one element of a range of developmental experiences that police should undergo during their careers. Perhaps the reason for emphasizing training is that the number of courses provided and students trained can be counted to justify financial and human resource expenditures. The quality and impact of training is less measurable and seems of less concern to the police reformers.

The desire to have short-term, tangible results may be why there is more emphasis on what can be called the hardware of police-building rather than the software. The soft part of police reform includes such matters as developing internal and external mechanisms for governing police conduct and performance, identifying and remedying leadership weaknesses, dismantling systemic barriers to women in the police, or transforming a dysfunctional police culture. It can also be said that the hardware part of police-building, such as the provision of equipment, the building of facilities, or organisational restructuring, is easier to accomplish than soft police building. For example, it is easier to lecture on human rights in the classroom than to devise policies, procedures and disciplinary rules that ensure police observe human rights in action.

Gaps in implementation have also led to lack of coordination and the circumstance where two different systems of policing are being promoted in different strata of the same organisation. The European system is observed by the German and Norwegian police at the officer and non-commissioned officer level, while the US and other police advisers are imparting common law policing principles at the constable level. There are both legal and political differences between the two systems. Generally, the European policing system serves the state; the common law policing system serves local communities. Not finding a way to reconcile such disjunctions may be creating future problems for the Afghan National Police.

Despite use of coordination mechanisms such as meetings or joint statements, the reality is that there are a number of stovepipes or different solitudes operating in isolation from each other in the police donor community. This, as others have observed, is the outcome of naming a lead nation. Each donor group tends to promote the policies and priorities of its own government rather than crossing the divide to work with other donor groups to achieve what is best for the Afghan police and people. A well-thought-out strategic plan at an early phase in the intervention, built on an examination of the realities of policing in Afghanistan and including contributions from all the stakeholders, might have avoided some of the tensions and obstacles to success that have arisen. It could also have identified the kinds of expertise needed to take a comprehensive, knowledge-based approach to the role of police in the security sector. This would have made better use of resources and perhaps even have been more cost effective than the present approach. Despite the sense of urgency and the desire for quick results, it is likely that police building will take longer than intended, cost more and have fewer clear outcomes than expected. Also, given the present direction, it is not likely to improve human security or the quality of community life appreciably in the near future.

Finally, after nearly five years of police-building activity, there has yet to be a comprehensive evaluation of performance or the impact of police building activities. If there had been a continuing evaluation function, the present problems might have been avoided or ameliorated. Even now, an evaluation could identify the matters needing adjustment and lead to a more coherent and effective police-building programme.

The Kabul Riots as an Emblem of Police Reform Failure

On 29 May 2006, a US military vehicle apparently lost braking power and crashed into an early-morning traffic jam in the northern outskirts of Kabul. The accident triggered violent rioting in Kabul. Mobs smashed, burned and looted buildings, vehicles and police posts, and uttered threats against the international community. A number of Afghans were killed and many more injured.[36] The police were unable to cope with the disorder. It was reported that some ran away, while others took off their uniforms and joined the riot. While the rioters were numbered in the hundreds rather than the thousands, the disturbance was said to have been the worst since the fall of the Taliban in 2001.

Some analysts interpreted the violence as a manifestation of widespread disaffection with the Afghan government and its international supporters. Others believed it to be the work of opportunistic criminals and trouble makers. A few commented on the poor performance of the police, but none said the riots were a failure of international police reform efforts. Yet, the ineffectual police response suggests that the gaps in attention, knowledge and implementation discussed above, and the failure of vision and practical reform know-how, were ultimately responsible for the failure of the police to contain the riot and to maintain order.

Despite nearly five years of expensive reform efforts, and in a country almost continuously in a state of disturbance, it is startling to discover that Afghan police are inadequately trained in maintaining order and crowd control. Such control usually begins with the least coercive means and increases if needed. The Kabul rioters took two hours to reach the centre of the city from the outskirts, yet no efforts were made during that time to close off streets to divert the demonstrators from the main areas of the city. Police had little protective gear and no pepper spray, water cannon or tear gas, although some had guns, which are the last rather than the first resort for controlling mobs.[37] There appears to have been no intelligence, no contingency plan and no leadership.

Given that controlling civil disorder is a basic police responsibility even in peaceful countries, and that ample training resources are available in Afghanistan, it is a mystery that there have been no sustained efforts to train Afghan police in order maintenance and riot control. Possibly the presence of ISAF has induced complacency but, in democracies at least, the maintenance of order by military means can be only a temporary measure used in extraordinary circumstances. That in the last five years there has been little attention paid to preparing Afghan police to take back the order function from the military is another indication of the lack of clear vision, as well as confusion about military and police roles.

The riots also underlined other police reform failures. After order was restored, the government announced numerous changes in police command. Ostensibly, the changes were a response to the riot but, in fact, were already planned and a major part of the on-going reform discussed above. The international police reformers found to their dismay, however, that the list of 86 names they had helped compile using the merit-based screening process had been substantially revised after submission to the President's Office for approval. Many of the new names on the list were those of men lacking the basic

educational qualification or with dubious records, such as the new police chief of Kabul who replaced a man of equally unacceptable background.[38] Thus the main reform effort of the last five years ended in near failure, and there is no other reform effort of comparable importance to offset it.

Conclusion

Reform efforts are producing some changes for the better, but there is a lack of coherence in the reforms. Moreover, opportunities are being lost because of the muddle that exists. The first matter requiring attention is deciding whether the Afghan National Police is a civilian or a military force. If the latter, then it might well be asked how Afghans can be assured that they are living in a democracy when a police ethos exists that favours suppression of disorder by force rather than maintaining order by peaceful means. If the Afghan National Police is to be a civilian or even a quasi-military organisation, then this should be the focus of reform efforts. In addition, the mixed message inherent in the US military having responsibility for police reform assistance might be resolved by managing the reform at arm's length and through the agency of experienced senior police executives or managers. There are many former police executives in the United States and other western countries. The US Department of Defence could further the cause of police reform in Afghanistan by tapping such resources.

Next, there is an urgent need for comprehensive planning. The approval of the Afghanistan Compact and the development of plans within the framework of the ANDS provide new opportunities to re-think the policing element in security sector reform. A strategic plan with a vision and clear objectives, based on consultation with all the stakeholders, could provide the direction, comprehensiveness and coherence needed for cost-effective police building. Moreover, the plan would have a higher chance of success if planned and implemented by multi-disciplinary teams including police, civilian practitioners and academics. Despite their practical resourcefulness, operational police do not usually possess the range of competencies and specialist experience required for designing and managing multi-layered reform packages. Good planning could thus optimise intangible resources such as imagination, intellectual capacity and sensitivity to ensure that tangible resources such as people, equipment and money are used to better effect.

The strategic plan should also promote an agreed-upon common policing model adapted to

the Afghan policing context. The community policing model could well meet the requirement. It is capable of changing the police culture, enabling police to operate within a democratic framework according to the rule of law, and giving equal weight to the needs of women and children. It can also build the capacity of police as effective problem-solvers and preservers of civil security and order. While it has emerged from a common law system of policing, it is not incompatible with the European system and might be a means for reconciling the two. The agreed-upon policing model could be the foundation for all reform practices. Police policies and procedures could be derived from it, training could be based on it, and even human resource and financial policies could be influenced by it. All police reform activities would thus acquire a coherence they now lack.

Finally, the international police reform efforts require evaluation with a view to using the findings for future decision-making and planning. If this can be done in a constructive manner, without trying to assign blame, police reform could be realigned and efforts concentrated to achieve more decisive results.

In summary, police reform efforts should be directed towards making the Afghan National Police less militaristic and more responsive to community needs, more ethical and respectful of human rights, operationally and managerially more competent, gender-balanced to serve all of the population, well-equipped and trained, transparent and open to external oversight. With present international attention and resources concentrated on the Afghan police, a timely modification of the current approach could still make this goal achievable. Continuing along the present path, however, is unlikely to result in the degree of success needed to assure the Afghan people of stable, orderly communities and of a police force that serves their interests.

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13. See for example, Human Rights News, "*Afghanistan's Bonn Agreement One Year Later: A Catalogue of Missed Opportunities*", Human Rights Watch World Report, Dec. 2002, (www.hrw.org/backgrounder/asia/afghanistan/bonn1yr-bck.htm); Claude Rochon, Serge Barbeau, Franc¸ois Hummell and Tonita Murray, "*Mission to Support Police Reform in Afghanistan*", unpublished report, Ottawa: Canadian International Development Agency, 2003; International Crisis Group, "*Peacebuilding in Afghanistan*", Asia Report No.64, 29 Sept. 2003; and United States Institute of Peace, "*Establishing the Rule of Law in Afghanistan*", Special Report No.117, Mar. 2004.
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34. This matter is discussed in some detail with respect to both the deployment of serving police officer and the contracting of retired police officers in Serafino (n.14 above).
35. Marenin (see n.27 above), p.20.
36. Griffiths, Dandurand and Chin (n.31 above).
37. There was wide news-media coverage of the Kabul riots and contradictory reports of the number of deaths and injuries. A week after the riots, there were reports of about 20 people dead, 140 injured and 250 arrested.
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