

Militarized versus civilian policing: problems of reforming the Afghan national police

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Militarized versus Civilian Policing: Problems of Reforming the Afghan National Police

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Summary

It is difficult to establish the right relationship between military and civilian elements when reforming the police forces in conflict and post-conflict regions. Principles of civilian and democratic Security Sector Reform (SSR) emphasize the need to separate the military and the police. Nevertheless, everyday reality in many places does not allow the realization of this ideal type. The police must adopt a robust stance in order to close security gaps and proceed against well organized armed criminals or insurgents. In the context of police-building and police reform in fragile states, this means that the police must be as civilian as possible and as military as necessary – with regard to their equipment, approach, structure and duties. The rapid militarization of the police can cause problems. It can lead to a rift between the police and the public which prevents the development of a relationship of trust that is so important for police work.

External actors in Afghanistan are in the process of transferring the responsibility for security to Afghan institutions. By the end of 2014, the Afghan security forces are to combat insurgency and protect the state and its citizens. Donors are therefore investing huge sums, not only in training and equipping the Afghan National Army (ANA), but also in building the Afghan National Police (ANP).

This report studies the transition from civilian to military-dominated police-building in Afghanistan. From 2002, Germany was the lead nation responsible for coordinating international assistance for police-building. The German police programme in Afghanistan was designed as a sustainable project with a civilian approach. However, Germany only invested relatively little funds in the building and reform of the ANP. This reflected the initially rather limited involvement of the international community as a whole in Afghanistan. The United States' Afghanistan policy relied on cooperation with the warlords as well as on the military regime in Pakistan. This policy served to strengthen the armed opposition forces. Once it became clear that the building of the ANP was not progressing quickly enough, the USA de facto assumed the lead role in police-building in Afghanistan. This meant a change of paradigm from a civilian-based police reform to a military-based police reform. Militarization was accelerated by the US-dominated change of strategy in favour of counterinsurgency in 2009.

The report refers to the problems of the dominance of military elements in building the ANP. It is not clear whether the militarization of the ANP has significantly improved the chances of survival for members of the Afghan police. What is certain is that militarization cannot solve the problem of the weak legitimacy of the Afghan state. There is still a lack of trust between the public and the police, especially as the ANP is inadequately equipped to prevent or solve crimes. Moreover, the possible long-term consequences of militarization are problematic: It is easier to militarize the police now than it will be to drive out the spirit of militarization at a later date. The militarization of the ANP is therefore at the best ineffective and at the worst counterproductive. Only a police force which the people trust can be effective.

Apart from describing the shift away from a civilian police model and studying the reasons for this transition, the report also has a normative aim: It emphasizes the need for advancing civilian police-building. The preconditions for this in Afghanistan are everything but ideal. The argument that police reform – and SSR in general – must take

second place to strengthening the ANP is wrong, however. After all, it was precisely the neglect of police reform that contributed to the deterioration of the security situation in the first place. Police reform can only be sustainable if it is linked to reforms in police administrative structures and supervisory authorities. The rapid, militarized build-up of the police can only create stability in the short term, if at all. The regular police force – the Afghan Uniformed Civilian Police (AUCP) – should concentrate on preventing and solving crime. Admittedly, in Afghanistan this calls for certain military elements in training and equipment so that the police are able to protect themselves from attacks. However, only an understanding of civilian police work can establish an atmosphere of trust between the public and the police.

Various steps are necessary to realign police reform in Afghanistan. Civilian police experts, not soldiers, should dominate the strategic approach to police reform. Furthermore, measures must be taken to tackle the shortage of civilian instructors, partners and mentors as quickly as possible. It is also important to support the ANP in the long term. The two to three-year project cycles that are normal for international cooperation are usually not sufficient for sustainable police reform, among other things because they do not give local stakeholders sufficient planning security. Many further steps are necessary to improve police work in Afghanistan. These include the reform of the Ministry of Interior Affairs, the clear demarcation of areas of responsibility vis-à-vis other security players, and closer intermeshing with the justice sector. Furthermore, the difficult balancing act between (military) self-defence and the openness of the police towards the public requires regional adjustments. These must be accompanied by training contents and police work that are in touch with the people, as well as by literacy campaigns.

This report does not call for a new police strategy but for a gradual realignment of the reform of the Afghan police that will serve the needs of the Afghan people better than efforts to militarize the police.

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1. Introduction

Afghanistan is to take over full responsibility for its own security from the end of 2014. International donors stress that the right conditions must be established before the withdrawal of international combat forces. One central precondition is that the Afghan security forces should have sufficient capacity. International donors are therefore investing huge sums in the build-up of the Afghan National Army (ANA) and the Afghan National Police (ANP).

The ANP continues to be in a sorry state. There are countless reports of corruption, crime and violations of human rights. Further problems include illiteracy, desertion, drug addiction, the misappropriation of wages by superior officers, sales of own equipment to criminals and insurgents, mismanagement within the Ministry of Interior Affairs in Kabul, and the small number of women within the ANP (e.g. Perito 2009 and ICG 2007). Against this background, international support for the ANP is both crucial and difficult.

This report investigates the problems faced by international players in establishing the right relationship between military and civilian elements in building up the ANP. The normative principles of Security Sector Reform (SSR) emphasize the need for the separation of the military and police. However, it is difficult to achieve this ideal type, particularly in high-risk environments where military elements may be needed to close security gaps. Civilian elements are just as important, however, to gain the confidence of the public and to reduce the risk of the disproportionate use of force. The rapid militarization of the police risks creating a rift between the police and the public that makes it impossible to achieve the relationship of trust that is so important for police work. The police must therefore be as civilian as possible and should only be as military as is necessary.

This report has three objectives. First of all, it sets out to describe the transition from civilian to military-dominated police-building. The German police programme, which began in Afghanistan in 2002, was designed as a long-term project with a civilian approach. However, the Federal Government and the *Länder* only invested little funding in building the ANP and Germany's political influence was also limited. This low-level of involvement reflected a general reticence on the part of international donors to support Afghanistan. This reserve together with other factors assisted the insurgents. Once the consequences of having an ANP that either had no real presence or was involved in criminal activities became clear, the USA de facto took over the lead role in police-building. This represented a paradigm change from a tentative but civilian-oriented police reform to a military police-building exercise. The pace of this transition has increased since the announcement of the counterinsurgency strategy (COIN) by the USA in 2009.

The report's second objective is to identify the problems caused by the dominance of military elements in building the ANP. There are few clear indications that the militarization of the ANP will significantly improve the chances of survival of its members. On the other hand, militarization makes it difficult for the police to heal the rift with the public. Furthermore, it is easier to militarize the police now than it will be to drive out the spirit of militarization in the future. The militarization of the ANP is

therefore at the best ineffective and at the worst counterproductive. Only a police force which people trust can be effective (Bayley 2005). Finally, the police need the support of the people. In Afghanistan, however, it is not sufficiently realized that effectiveness and legitimacy go hand-in-hand.

Thirdly, this report also has a political content: It stresses the need to promote civilian police-building. The conditions for this in Afghanistan are anything but ideal. The argument that police reform must take second place to strengthening the ANP is wrong, however. After all, it was precisely the neglect of police reform that contributed to the deterioration of the security situation in the first place. Technical capacity building can only be sustainable if it is linked to long-term reforms of police administrative structures and supervisory authorities. The rapid build-up of the police can, if at all, only create stability in the short term. International stakeholders should support the main pillar of the ANP, the regular police force – the Afghan Uniformed Civilian Police (AUCP) – in a way that the AUCP can gain public confidence.

A lot has already been written about police-building in Afghanistan. Most authors take a look at the desolate state of the ANP. Some have also written about international police work in Afghanistan, whereby the emphasis is on the USA. This report, in contrast, deals in detail with the involvement of the German police in Afghanistan.

This analysis is also relevant from the point of view of policy advice. Donor states want to withdraw from Afghanistan as quickly as possible. By supplying police forces and militias with arms to provide cover for this retreat, donors risk failing to achieve even their minimum goals – such as the avoidance of a full-blown civil war in a heavily armed Afghanistan and the presence of international terrorist groups in the country. More ambitious objectives such as protecting Afghans from their own state and from non-state groups cannot possibly be achieved without incisive reforms and a civilian-oriented police force. This report contributes towards raising awareness of the problems of a lack of balance between military and civilian elements in international police assistance.¹

There are some things which this report cannot do, however. It does not provide a comprehensive account of international involvement in police-building in Afghanistan. Many donor states have supported the ANP; but this report concentrates on Germany and the USA. Nor does the report attempt to explain the change of paradigm towards military-dominated police-building. It describes the conditions which determine the balance between military and civilian elements of foreign police assistance: namely, the practices of the main donor states and the local conditions for reform in Afghanistan. These conditions would have to be broken down into detail to obtain a precise explanation.² The problem of the poor availability of data also prevents a comprehensive explanation for the change of paradigm. This is due to lack of data collection activities,

1 It also opposes the tendency of external players to place responsibility for the lack of progress on the Afghans alone.

2 The police-building activities of the donor states are determined by national strategic cultures and material capacities which cannot be discussed here in detail.

particularly at the beginning of the intervention, to security regulations and to the problems of access to some parts of the country.

The report is based on secondary literature and official documents as well as on background talks with representatives of German institutions. The talks took place at various venues in Germany in 2010 and in Kabul and Mazar-e Sharif in October 2010. The text also refers to talks with representatives of international and Afghan institutions, which were conducted in Kabul and East and South Afghanistan in 2009. The sources of much of this information are quoted anonymously as the persons concerned were not officially authorized to provide information, were expressing their personal opinions, or could suffer harm if their names were published.³

The second section explains the significance of SSR and police reform in post-conflict states. The third section describes the international police activities in Afghanistan in the first years following the collapse of the Taliban. The fourth section describes the transition towards military police-building efforts from 2005 onwards. The fifth section shows how the USA made the ANP an important element of its counterinsurgency programme in 2009 and 2010. Section six contains conclusions and recommendations for police reform in Afghanistan.

2. Security Sector Reform and police reform

2.1 Security Sector Reform

SSR sets out to establish a security sector which provides security in a way that is effective, efficient, constitutional and democratically legitimized. The concept of SSR originated in the 1990s and was the result of various developments (Hänggi 2009). For example, the collapse of the Warsaw Pact provided opportunities for the democratization of former communist states. A further stimulus for SSR was the development of the concept of human security, which attached at least as much importance to the security of individuals as to that of states. Another important factor was the debate on the mutual conditionality of development and security, which emphasized that development is not possible without a minimum of security.

A further factor is the increase in intra-state wars since the end of the East-West conflict. These wars are characterized by asymmetric warfare, the problem of distinguishing between combatants and civilians, by ethnic and religious cleavages, criminalization and the collapse of state institutions. Following the termination of these intra-state wars it is therefore important to strengthen or rebuild the state and its institutions. The most important fields of SSR are the reform of the military, police,

3 Direct quotes from people who are cited anonymously are used as little as possible in order to keep the number of statements which cannot be verified by the reader as small as possible. However, the authors do use such quotes in certain cases as they give an impression of the atmosphere in Afghanistan and are important in view of the lack of data available.

justice authorities and intelligence services. Further activities on whose progress SSR depends are the control of small arms and light weapons, mine-clearing operations and initiatives to establish transitional justice.

The pertinent SSR literature and international organizations advocate principles such as transparency, professionalism, efficiency, appropriateness (of means and resources), democratic legitimacy and local ownership. However, the implementation of these principles in post-conflict states often varies considerably (Scheye 2010). Apart from practical problems, this is frequently due to a lack of conceptual clarity. For example, it is often difficult to identify which of the many security stakeholders deserve priority. Mistaken sequencing harbours the risk that marginalized groups will feel that they have been treated unjustly. Furthermore, there is the danger of regarding SSR as a purely technical task and thereby neglecting the political content of the reforms. In addition, SSR is based on a Western concept of the state and security. It can hardly be applied in a non-Western environment without encountering problems.

SSR stakeholders such as donor states or the United Nations must therefore improvise. All important stakeholders must be involved in SSR processes. SSR stakeholders have recognized the danger of underestimating the political content of SSR (OECD 2007: 28), where ignorance of local contexts often prevents them from adopting a sensitive approach. The problem of the incompatibility of SSR principles with local conditions can only be solved through local ownership: Local, non-international stakeholders must be the significant driving force behind security sector reform.

2.2 Police reform and militarization

The quality of police work has a significant influence on the legitimacy of a state. The police are in daily contact with the public and are therefore more visible than soldiers, for example. Only public trust in the police provides the preconditions for the latter to establish human security effectively. However, the police are frequently unable to protect citizens against crime and violence, particularly after war when the police often are even the source of insecurity. The general principles applying for SSR should also guide police reform. According to the Organisation for Economic Co-operation and Development (OECD), which played a leading role in devising the concept of SSR, the police are a service provider for the public (OECD 2007: 172). They are subject to the law and accountable to the public. Their tasks must therefore be clearly identifiable and verifiable. The police should prevent crime by working closely with the public (an approach commonly labelled as community policing).

The principle of a civilian police force implies the separation of police and military duties. Police who are trained and equipped to work close to the public and to use a minimum of force have better opportunities for building confidence and for obtaining information. The military, on the other hand, is the institution which uses the maximum degree of force. It usually has little everyday contact with the civilian population due to being stationed in barracks. The disproportionate and excessive use of force can in turn provoke violent counter-reactions and thus precipitate a spiral of escalation. Furthermore, the police, unlike the military, can secure and present evidence that can be used in court.

The separation of police and military duties is particularly important in countries which have experienced an intra-state conflict. The police forces in such states are often militarized, biased and responsible for violations of human rights. The demilitarization and democratic control of the police are therefore essential factors for ensuring that the latter are accepted by the majority of the population. A civilian approach and a clear separation of duties are preconditions for winning trust.

However, the separation of police and military duties is difficult in these countries due to gaps in security. On the national side, these gaps occur because police forces in post-conflict states do not provide effective and unbiased security, as in Bosnia-Herzegovina for example. In other cases, there are no longer any official security forces – Kosovo is a good example of this type of situation. Furthermore, international players very often do not send members of their own civilian police forces until months after the end of a war and then in insufficient numbers. In addition, international police forces do not always have the capabilities necessary to take effective action against presumed war criminals, criminal groups, illegal intelligence services, paramilitary intra-state (in)security forces or even violent demonstrators.

This means that international military forces are under pressure to perform police and police-like duties. Civilian and military decision-makers, however, are afraid of negative effects on the fighting strength and moral of their soldiers. As security gaps undermine the stabilization of fragile states, the military become a quasi-police force. In the meantime, Western armed forces are learning to use non-lethal weapons when training for missions abroad so that in the event of potentially violent demonstrations they do not only have the choice between retreating or using firearms.

Likewise, there has also been a militarization of the police as several indicators show (Kraska 2007: 504). Material indicators are military weapons and technology; cultural indicators are military-like language and a military style; organizational indicators are the establishment of military-like commando structures; and operational indicators are the participation of police forces in high-risk missions. International players may encourage the militarization of the police in peace operations in two ways. First of all, they may send in their own robust police forces such as gendarmerie, Formed Police Units (FPU), or Special Weapons and Tactics (SWAT) units. Secondly, international stakeholders may encourage the militarization of the police in post-conflict states through militarized training and armaments programmes.

This means that the functional need to close security gaps clashes with the principle of civilian police work. By encouraging militarization, international stakeholders reduce the risk of security gaps. The price may be high, however, if militarization overshadows civilian police work – for example public confidence could be lost as a result of the disproportionate use of force or poor crime detection results due to neglect of police skills. The militarization of the police also sends out conflicting signals to the public and thus risks undermining the credibility of the reform efforts.

These grey areas vary considerably and there is no sure formula for achieving the correct balance between civilian and military elements in international police assistance work. SSR guidelines allow the donor states leeway when providing international police assistance.⁴ The standard work on SSR, an OECD handbook published in 2007, does not go so far as to advocate the separation of police and military duties (which is a crucial principle of German security policy). It does, however, demand a clear separation of the duties of the security forces, their democratic control and a civilian, community-oriented police force (OECD 2007).

2.3 International police assistance: civilian or military?

The relationship between civilian and military elements in police-building efforts involving international donors in post-conflict states depends on many factors (cf. Table 1). These can be divided into two groups: the preferences and practices of external stakeholders in police-building, and the conditions in the post-conflict country.

Table 1: Conditions for the relationship between civilian and military elements in police-building

| Preferences and practices of external stakeholders | Conditions in the post-conflict country |
|--|--|
| <ul style="list-style-type: none"> • Overall concept of international intervention • Coordination • Power relationships of institutions | <ul style="list-style-type: none"> • Security situation • Quality of government leadership • Police traditions • Economic and societal situation |

As far as the first group of conditions is concerned, an important issue is whether the international stakeholders are focusing on short-term increases in security or the long-term establishment of democratically controlled institutions. For example, the United States' coercive counter-narcotics strategy in Latin America has strengthened repressive armed forces, has merely combated the symptoms of violence, has aggravated violence in some regions, and has thus contributed to the continuation of conditions which apparently make a military form of police-building necessary (Youngers/Rosin 2005). Problems of coordination also influence the course of police-building. The lack of coordination between stakeholders who wish to promote civilian police-building and

⁴ This leeway also reflects the differences in the security cultures and police traditions of both the intervening states and the fragile states.

rule of law may open up security gaps or lead to the predominance of the military. This was the case, for example, in Bosnia-Herzegovina in 2004 and 2005 when the European Union Police Mission was unable to take action against organized crime and the EU military force took over this task (Friesendorf 2010: Chapter 3).

It is also important which external stakeholders dominate police-building. The strategic cultures of individual states and the professional identities and structures of their security forces strongly influence their strategies in multilateral operations.⁵ The police are more likely to become militarized if external armed forces are the main driver of local police-building work. One such example is Iraq, where US soldiers strengthened the military capacities of the Iraqi police. Civilian institutions, on the other hand, encourage civilian police work. For example, the Organization for Security and Cooperation in Europe (OSCE) succeeded in establishing a civilian-oriented police force in Kosovo. The dominance of the military is partly due to the shortage of police available for missions abroad.

Apart from the preferences of the main donors, conditions in the post-conflict state itself also influence the relationship between civilian and military elements in police-building. The most important factor in this respect is the security situation (Bayley/Perito 2010: 71-72). Civilian police are overtaxed if the post-conflict situation escalates and once again becomes an armed conflict. In Burundi, for instance, police units were drawn into military conflicts during the civil war. The ensuing militarization of the police resulted in the police force, which on paper was civilian-oriented, being provided with military weapons, training and uniforms. Civilian police forces operating in small units in both Bosnia and Kosovo had very limited success in tackling spoilers of peace. Soldiers and gendarmes therefore had to operate in the grey areas between police and military duties themselves as well as by militarizing units of the host state's police forces.

Government leadership also influences the approach to police work. Poor government leadership encourages donors to seek pragmatic solutions, often under the exclusion of local stakeholders, who should, in fact, be acting as a driver for the reform efforts. For example, the European Union Rule of Law Mission in Kosovo (EULEX), like the United Nations' precursor mission, has executive competencies in the field of criminal prosecution. This is due not least to the lack of confidence in the Kosovo government.

Police traditions are just as important. External reforms can at the best only take effect slowly in cases where a country does not have a tradition of democratically controlled police work. In some African states, the police served to uphold the rule of power elites and were a significant means of controlling members of the opposition and securing the regime. Breaking with this tradition and subjecting the police to democratic controls remains difficult. During the communist period, police forces in South East Europe worked professionally but were not subject to controls in a democratic-liberal sense. Institutional cultures can only be changed slowly. The state of the police also has an

5 This is due not least to the fact that both SSR norms and international law allow a great deal of leeway when defining police-military fields of competence and that donor states only surrender limited competencies to international organizations for the deployment of 'their' police and soldiers.

influence on the chances of police reform. If this state is desolate, this is a bad omen for attempts to introduce sustainable police reform; there is a great temptation to aim at short-term, measurable results.

The conditions in Afghanistan were not conducive to the building of a civilian police force even in the early years of the international intervention. In the meantime, the obstacles to civilian police reform have become ever greater and the militarization of the ANP increasingly evident (cf. table 2).⁶ This situation is due particularly to the geographical expansion and intensification of the insurgency.

Table 2: Obstacles to civilian police reform in Afghanistan

| Preferences and practices of external stakeholders | Conditions in Afghanistan |
|---|---|
| <ul style="list-style-type: none"> • Neglect of public order and rule of law • Coordination problems • Dominance of the Pentagon | <ul style="list-style-type: none"> • Lack of security, war • Poor government leadership • Absence of a tradition of civilian police work • Desolate state of the police |

The three following sections describe the transition towards military-oriented police-building and study the problematic consequences of abandoning civilian police reform.

3. Police reform after the fall of the Taliban

From the military point of view, the USA's response to the attacks of 11 September 2001 was successful in Afghanistan: The Taliban regime was defeated within just a few weeks. The USA relied on its supremacy in the air, the deployment of special forces, and cooperation with the Northern Alliance. It soon emerged, however – as was also the case later in Iraq – that it is easier to destroy a (quasi-)state than to build a functioning state.

At the beginning of 2002, the international donors decided in favour of a lead nations approach in order to stabilize Afghanistan and reform and establish the Afghan security sector. Germany assumed responsibility for coordinating international assistance for building the ANP. The problems with this lead nations approach soon became evident. For example, police reform required close coordination with judicial and defence reform as well as with drugs control and the demobilization, disarmament

⁶ Cf. also Friesendorf (2011).

and reintegration of former combatants. There was, however, a serious lack of coordination between these sectors and the lead nations involved.

The biggest problem was the inadequate provision of funds. The strategy of ensuring stability with limited financial and personnel means (“light footprint strategy”) reflected the preferences of the Bush administration, which was opposed to “nation-building”. This strategy denied Afghanistan the necessary help for self-help. After over two decades of war, the political, economic and social situation in the country was catastrophic. The interim-government under President Hamid Karzai depended almost exclusively on international donors, who at the beginning of the international intervention, at least, were investing too little (Jones 2009).

Many Afghans supported the presence of international forces in their country because they had only considered the Taliban as a necessary evil to counter the rule of the warlords. It soon became evident, however, that the international stakeholders were not able to fill the power vacuum following the collapse of the Taliban. The warlords knew how to take advantage of the initial chaos to assume control of territories, institutions and people. But the international stakeholders also bear responsibility for security gaps. The International Security Assistance Force (ISAF) was originally a small force, and it was only after October 2003 that ISAF, which had been under NATO command since August 2003, gradually extended its presence to cover the whole of Afghanistan. Equally problematic was the fact that the international troops did not perform any police-like functions. In interpreting the ISAF mandate, they ignored the lessons learned from experiences in the Balkans, namely that the military must also take on police duties during the initial phase when there is scarcely any international or national police presence (Friesendorf 2010).

The American-led Operation Enduring Freedom (OEF), which was conducted in parallel with ISAF, was even more problematic. The Bush administration was fixated on the hunt for al-Qaeda. The OEF therefore supported local potentates who helped with this task. Many of them had little backing from the local population, however (Chayes 2006). Support from Pakistan’s military government also proved counter-productive in some respects because Pakistan provided the Taliban with safe havens to which they could retreat and thus undermined the international effort. On the whole, US strategists considered Afghanistan to be less important than Iraq. This indifference led to a drop in Afghan support for the international presence, particularly in the South and the East of the country. The Pashtuns, who comprise the largest population group in Afghanistan, accounting for almost 40 percent of the population, had in any case always had reservations about the post-Taliban order with its strong representation of Tajiks. These grievances served to nurture the insurgency.

Armed groups with quasi-police roles hardly helped to guarantee public order. Instead of civilian police, there were militias who operated on a military basis under the control of the local potentates. This situation was the result of Afghanistan’s recent history. In the turmoil of the 1970s, Mohammed Daoud Khan had used the police against members of the opposition. The police were subjected to strong military influences during the war in the 1980s – for example, the Ministry of Interior Affairs had armoured units. The police were dissolved or fought for rival warlords during the years of civil war in the early

1990s. The Taliban established a morals police which helped them to enforce their harsh interpretation of Islam.

In other words, the police were hardly in a position to gain public confidence following the collapse of the Taliban. Many 'members of the police force' demanded money from the local population, consumed drugs, were involved with local warlords and violated human rights. Moreover, few of them could even read licence plates or identification papers.

The international stakeholders were thus not able to reform an existing police force. On the contrary, it was a question of establishing completely new police structures. Here the international donors were assisted by a nucleus of former police officers, many of whom had undergone training in the Soviet Union, the Federal Republic of Germany or the German Democratic Republic. Their work was often most professional in the sense that they provided effective protection for the regime. But they only had a rudimentary understanding of civilian, community-oriented police work. The high rate of illiteracy among the Afghan police was a particular problem. Loyalty was a further huge obstacle to police reform: Many Afghan police were under the control of local potentates who had integrated their militias into the police. Another problem was the fact that many members of parliament or government authorities were involved in crime and corruption.⁷ Civil society was weak and therefore hardly able to control the ANP.

3.1 The beginning of German police assistance

Against the background of these difficulties, international SSR attempts appear all too optimistic in retrospect. The German Federal Government saw itself obliged to engage in Afghanistan in order to demonstrate solidarity with the USA. Germany was thereby able to profit from its traditionally good relations with Afghanistan. However, the Federal Government underestimated the situation in Afghanistan and raised unrealistic expectations with regard to police reform.

The first German police advisors arrived in March 2002 and opened the German Coordination Office. The German police programme (originally German Police Project Office, later renamed German Police Project Team, GPPT) began its work in 2002. Germany initially concentrated its attention on refurbishing the Kabul National Police Academy and on training commissioned officers (*saran*) and non-commissioned officers (*satanman*). Commissioned officers underwent three years of training; non-commissioned officers one year. 1,500 commissioned officers and 500 non-commissioned officers began training in August 2002 (Perito 2009: 3). The Federal Government hoped that the intensive training of senior and middle ranks would later enable the Afghans to take over police training themselves.

Despite making a certain amount of progress, the German police programme was just a drop in the ocean. It was limited to Kabul and later to certain districts in North

7 "How can corruption be combated if there is so much corruption within the attorney-general's office?" This rhetorical question was posed by a UN staff member during a conversation in Kabul, July 2009.

Afghanistan. The situation was further compounded by disregard for the reform of the Ministry of Interior Affairs. Germany's financial stake in building the ANP amounted to 13 million Euros in 2002 (Deutscher Bundestag 2010: 6). In 2003, it invested 12.5 million Euros in the build-up of the ANP; 10.4 million in 2004; and 10.3 million in 2005 (Deutscher Bundestag 2010: 6). Germany began training the ANP with nine instructors and short-term experts in 2003. In 2004, there were 25 experts, and in 2005, 37 short-term experts (Deutscher Bundestag 2007: 3).⁸ There were also permanent members of staff stationed in Afghanistan. Their number rose from 16 in 2002 to 40 (2003), 59 (2004) and 73 (2005).⁹ By the beginning of 2006, Germany had trained 3,600 Afghan commissioned and non-commissioned police officers – against the background of an estimated overall ANP force of 50,000 (Deutscher Bundestag 2006: 2).¹⁰

3.2 The USA's involvement in police reform

As Germany was not training the lower ranks of the ANP, the patrolmen (*satunkai*), these did not undergo any form of training until the USA finally closed the gap. The USA had been worried from an early stage about the slow progress of the German programme. Washington therefore began its own police programme in 2003. A year later, the USA was already investing approximately 224 million dollars in the ANP (United States Government Accountability Office 2008: 5). Germany was still officially the lead nation, but de facto the USA dominated police-building in Afghanistan due to its massive input of funds.

The USA concentrated its efforts primarily on the Afghan Uniformed Police (AUP), which represented the major part of the ANP. A police training centre was built in Kabul for this purpose, which served as the prototype for seven regional training centres (Perito 2009: 4). Apart from the AUP, there were further specialized elements of the ANP (whose structures and titles changed over the years). The Criminal Investigation Department was intended to solve crimes. It was the task of the Afghan Border Police to secure border regions against smugglers and insurgents. From the point of view of the USA, the border police were an additional force in the fight against insurgents, even if they were considered particularly corrupt. The Counter-Narcotics Police of Afghanistan conducted operations against the drugs industry and received support from British and US police

8 The sources regarding the number of police personnel usually do not differentiate precisely between long-term experts, instructors and short-term experts. The task of the long-term experts is coordination rather than training. Instructors are definitely involved in training the ANP. This is not necessarily the case with short-term experts. The authors are grateful to Jörn Meyer for this information.

9 Number of permanent staff over the entire year. I.e. the number of permanent staff at any given time is usually considerably lower; cf. Deutscher Bundestag (2007: 3).

10 The actual size of the ANP was only guesswork. The number of Afghan police was unclear even in 2005. It is only since 2009 that international stakeholders have tried to systematically determine the actual strength of the ANP. This was difficult because police chiefs often overestimated the numbers of their staff in order to rake in their pay ("ghost police").

officers and special forces.¹¹ The anti-terror units of the ANP were a further player in high-risk operations. The Afghan National Civil Order Police (ANCOP) also played a particularly important role. Their gendarmes were supposed to be able to perform police work at demonstrations as robustly as necessary but in a way which would de-escalate the situation as far as possible. Over the years, this original task has been supplanted by that of safeguarding high-risk areas.

Germany, the USA and other donor states supported the ANP by providing training, equipment and information, whereby an important role was played by Provincial Reconstruction Teams (PRT). This support was often not coordinated with the Ministry of Interior Affairs in Kabul or other international partners, but adapted to meet local requirements.¹²

The United States' dominant role in building up the police was uncontested. Responsibility for the police programme was in the hands of the State Department or its Bureau of International Narcotics and Law Enforcement Affairs (INL), which in turn commissioned DynCorp, a private security company. DynCorp mainly employed retired members of the US police or soldiers for its police-building work in Afghanistan. Few of them were professional instructors. Many of the Afghan translators required for the training programme, which was held in English, were poorly trained and unfamiliar with police terminology (Perito 2009: 4).

The immediate objective of this intensified police training programme was to protect the Afghan presidential elections in October 2004. For this purpose, DynCorp established a "train the trainer" programme, under which more than 800 Afghan police were trained as instructors within three weeks. These new instructors then trained Afghan patrolmen. Training for new recruits lasted eight weeks compared with just two weeks for recruits with previous experience. Specialized elements of the ANP received additional training. The fact that over 20,000 Afghan police underwent training prior to the presidential elections was thus largely due to the USA (United States Government Accountability Office 2005: 19).¹³

11 Conversation with a UN staff member, Kabul, October 2010.

12 According to a civilian NATO employee, the coordination of the PRTs was almost impossible because they only received instructions from the capitals of those states which had troops in Afghanistan. Presentation, ISAF Headquarters, 27 September 2009.

13 As with all other figures regarding the number of trained police in Afghanistan, caution is called for here. The figures say nothing about how many police were trained for the first time or underwent repeated training. Many may well have undergone repeated training as their personal details were not recorded systematically (which was difficult as many Afghans only used their first name and had no identity papers; police training was attractive for these people because they received board and lodging whilst undergoing training). Furthermore, many members of the police were still hardly fit for employment even after training and stayed away from work. For many years, there was no database with information about which member of the police had undergone which form of training in Afghanistan as a whole.

4. Expansion of police assistance and militarization of the ANP

The parliamentary elections of September 2005 were accompanied by many attacks. There was now no longer any doubt about the existence of an insurgency. This increased the pressure on Germany. Nevertheless, the Federal Government and the *Länder* did not significantly increase the funds available for police-building. As in the initial years, Germany continued to train the higher police ranks. The German budget for building the ANP amounted to 15.9 million Euros in 2006 and 11 million Euros in 2007. It was then raised to 34.5 million in 2008 and to 53.7 million Euros per year in 2009 (Deutscher Bundestag 2010: 6). But there was still no substantial increase in the number of German police personnel in Afghanistan.

4.1 The beginning of the European Union Police Mission Afghanistan (EUPOL)

The most significant change on the European side was the beginning of the European Union Police Mission (EUPOL) in Afghanistan in 2007. The mission was essentially a German initiative. The Federal Government wanted to reduce the pressure from the USA by transferring responsibility to the EU (Germany had only 43 permanent members of staff in Afghanistan at the beginning of the EUPOL mission). EUPOL's main task was to advise high-ranking officials at the Afghan Ministry of Interior Affairs as well as ANP officers at strategic level. The EU set out to have 195 international EUPOL staff in Afghanistan by the end of March 2008; EUPOL's budget of 43.6 million Euros was paid out of the budget of the Common Foreign and Security Policy for the period from the end of May 2007 to the end of March 2008 (Deutscher Bundestag 2007: 3-5). However, these targets were not reached: In March 2008, there were only 95 police experts in Afghanistan instead of the planned 195 (Deutscher Bundestag 2008b: 4). The EUPOL mission also included German police experts who worked in parallel to their colleagues in the German Police Project Team (GPPT), which continued to operate.

The majority of EU states favoured a civilian police model. However, the problems of the mission soon came to light: In many cases, individual EU Member States tried to change EUPOL's mandate; the EU did not achieve the goals stated in the mandate; the heterogeneity of the mission led to internal friction; the worsening security situation limited the freedom of movement of EUPOL staff; and there were problems coordinating EUPOL with ISAF, GPPT and other international stakeholders (Gross 2009).

4.2 The militarization of the police

In the course of time, the role of EUPOL, GPPT and other donor states was increasingly overshadowed by that of the USA. The US Defense Department already took over from the State Department as the main player in training and restructuring the ANP in April 2005. The State Department continued to be responsible for managing the contracts for police training as well as for the mentoring of the ANP leadership. Officially, there was a separation of tasks: The Pentagon provided funding, personnel and infrastructure,

asserted political pressure and established contacts with the Afghan Ministry of Interior Affairs, whereas EUPOL provided the civilian police expertise.¹⁴ In practical terms, however, the Pentagon now determined the strategy for police reform because it provided the most funding and the most personnel.

The main stakeholders at the Pentagon were the Office of Security Cooperation – Afghanistan, which was renamed Combined Security Transition Command – Afghanistan (CSTC-A) in 2006. This institution was entrusted with training both the ANP and the ANA. When referring to the ANP and the ANA, the Pentagon spoke of the “Afghan security forces” – a term which semantically already implies a fuzzy division of duties between the military and the police. In 2005, the State Department provided funds of 424.5 million dollars, even more than the Pentagon, which was investing 200 million dollars in the ANP. In 2006, however, the funds provided by the State Department only amounted to 58.5 million dollars, whereas the Pentagon spent over a billion dollars (Deutscher Bundestag 2008b: 7). In 2007, the Pentagon took over all the costs. That year the costs incurred by the USA for building the ANP amounted to approximately 2.7 billion dollars. Altogether, the USA invested approximately 6.2 billion dollars in training and equipping the ANP between 2002 and 2008 (United States Government Accountability Office 2008: 11). A member of the German police described Germany’s replacement by the USA as lead nation as follows: “It was as if Liechtenstein were to open a police academy in the Balkans and then we Germans were to come along”.¹⁵

The United State’s engagement produced mixed results; for instance, an official report in November 2006 stated that the American police programme had insufficient means and personnel.¹⁶ But there were also successes. For example, the USA asserted itself against the Afghan government and ensured a reduction in the number of officers compared with the number of subordinates. This made it possible to reduce costs and increase effectiveness. The handwriting of the Pentagon/CSTC-A is clearest in the accelerated training of ANP members. It is claimed that just under 150,000 ANP members were trained between 2003 and 2008 (Legon 2009).

The militarization of the ANP can be illustrated by the indicators mentioned in section 2. As far as material indicators were concerned, the USA in particular supplied military weapons such as AK-47 assault rifles, machine guns and grenade launchers. From the cultural point of view, international stakeholders strengthened the ANP’s military identity since many instructors, partners and mentors were active or former soldiers and their approach and language were thus military-like.¹⁷ From the organizational point of view, the USA adapted the ANP’s commando and logistical structure to that of the ANA (Murray 2007: 118). Finally, from the operational point of view, regular units of the ANP continued to take part in high-risk missions. In some

14 Conversations with EUPOL staff and a British diplomat, Kabul, July 2009.

15 Conversation, Kabul National Police Academy, October 2010.

16 Inspectors General, U.S. Department of State and U.S. Department of Defense (2006).

17 Socialization effects are particularly strong in the case of partnering and mentoring, as instructors and trainees work and live together.

cases, the ANP participated in offensive combat operations against the Taliban. The only difference between the ANA and the ANP was often the fact that the former operated more professionally.¹⁸

Washington considered the widespread presence of the ANP to be necessary in order to prevent armed opposition forces from taking over control of the people. This notion complied with the Afghan practice (which in turn dated back to Soviet reforms) of having as many police stations and control points as possible throughout the country.¹⁹ The USA – and increasingly also the Europeans – argued that this broad-based deployment of the ANP necessitated help towards self-protection; that is to say, militarization. Indeed opponents of the government were killing and wounding more and more Afghan police. An estimated 1,290 police were killed in 2008. Many died in attacks on remote roadblocks or police stations.

4.3 The Focused District Development (FDD) Programme

From the end of 2007, the international stakeholders concentrated on the Focused District Development (FDD) Programme. This involved an evaluation following which the entire Afghan Uniformed Police (AUP) in a given district was withdrawn and subject to eight weeks of training at the Police Training Center (PTC). During this period, the Afghan National Civil Order Police (ANCOP) took over the duties of the AUP.²⁰ Upon completion of training, the police returned to their district where they received post-training support from international mentors and partners. The latter were organized in Police Mentor Teams (PMT) and Police Operational Mentoring and Liaison Teams (POMLT).²¹ Apart from providing assistance in terms of training and equipment, the international partners also helped the ANP by improving infrastructure, particularly the construction of police stations.

The training courses put the main emphasis on military skills such as the handling of weapons, the establishment of roadblocks and the identification of improvised explosive devices (IED). Approximately seven of the eight weeks of police training were devoted to learning military skills. Only approximately one week remained for learning about such matters as Afghanistan's constitution, the conduct of criminal proceedings or human rights (Chilton et al. 2009: 60; Bayley/Perito 2010: 23). The civilian content of the basic police training was reduced further with effect from November 2008. Military-type

18 Cf. eye-witness account in Beattie (2008: 222).

19 For example, approx. 11,000 police were present in around 700 places in North Afghanistan in 2009. Talks with a Bundeswehr officer, Berlin, 2 July 2010.

20 The ANCOP was more popular with the Afghans than the AUP. The higher quality of the ANCOP's work was due to the relatively strict admission criteria and a training course lasting 16 weeks. Furthermore, the ANCOP was recruited and deployed on a national basis and was therefore less susceptible to local corruption. Cf. ICG (2008: 5).

21 The USA mainly supplied POMLT, the Europeans PMT.

training replaced lessons on community-oriented police work, domestic violence and women's rights (Cordesman 2010: 113).

The main programme for basic police training was the so-called "Basic 8" (eight stands for the number of weeks of training), which was drawn up by private security firms. This curriculum also contains many elements of civilian police work. However, the international stakeholders adapted the curriculum to meet their own respective requirements and strategic cultures. Furthermore, elements such as recognizing false identity papers could not be taught due to illiteracy among many police trainees. The result was the militarization of ANP training, particularly in high-risk regions, and a confusing proliferation of syllabuses, not only for the specialized elements of the ANP but also for the AUP.

4.4 The reform of the Ministry of Interior Affairs

The reform of the Ministry of Interior Affairs also proved to be difficult. Ministerial reform was a huge task due to the presence of people in the Ministry who had no interest in democratically controlled police work and were alleged to be involved in corruption and organized crime (the most lucrative source of income was drug trafficking) (Wilder 2007). An electronic pay system was introduced to stem corruption and prevent senior officers from withholding the wages of their subordinates (Perito 2009: 12). Further problems were mismanagement and failure to delegate tasks to subordinates (a problem which reflected both the Soviet legacy as well as traditional Afghan hierarchization). There was no separation of ministerial and police duties at the Ministry of Interior Affairs: The Minister was *de facto* the country's head of police. He made up to 50 decisions per day, many of which were not implemented.²²

The USA's dominance in the field of ministerial reform was obvious. In 2006 there were almost one hundred American police for every European police officer.²³ Efforts to strengthen police competencies were insufficient, however. One official at the Ministry of Interior Affairs said: "When I say that I need weapons they [the international stakeholders] bring thousands. When I say that I need criminal investigation equipment, they don't know what to do."²⁴

International stakeholders were thus more concerned about the slow progress of the build-up of the ANP than about the lack of civilian police elements, for example in the Focused District Development Programme (FDD). After all, a training cycle – involving evaluation, the eight-week training programme and mentoring – took a year and was only able to reach an average of around 70 members of the police in a district. This was due in part to the limited strength of the Afghan National Civil Order Police (ANCOP) which only had a few thousand members. Furthermore, the ANCOP had a high attrition rate as

22 Conversation with EUPOL staff member, Kabul, September 2009.

23 Conversation with EUPOL staff member, Kabul, October 2010.

24 Quoted in: ICG (2008: 9-10).

it had a high operations pace and was deployed in the most dangerous districts. A further reason for the slow progress of FDD was the shortage of international partners and mentors. Although DynCorp managed to provide 540 of the proposed 551 police mentors, the USA was only able to provide 746 of the 2,358 military mentors intended for training the ANP and working in the FDD Programme (particularly to provide security during the mentoring phase) (United States Government Accountability Office 2008: 34).

In mid-2008, it was estimated that the number of ANP members had risen to approximately 80,000. However, not a single ANP unit was graded fully capable; two thirds even received the worst marks possible (United States Government Accountability Office 2008: 32). What is more, according to a report by the British Foreign Office in 2008, 60 percent of the Afghan police stationed in Helmand took drugs.²⁵

5. The police and counterinsurgency

2009 marked the official beginning of the fight against insurgency in Afghanistan (counterinsurgency, COIN). General Petraeus and other US strategists had developed the COIN strategy in Iraq. ISAF Commander-in-Chief General McChrystal now also implemented COIN in Afghanistan under President Obama. The main focus was to provide improved protection for the civilian population and strengthen the Afghan state. A more efficient ANP was an important element in this effort.

As a result, international stakeholders increased their investments in the ANP with effect from 2009. This trend continued in 2010. At the London Afghanistan Conference in January 2010, the international donors decided to transfer responsibility for security to the Afghan government by 2014. One aim was to enlarge the ANP to a total of 134,000 members by autumn 2011. In December 2010, the Federal Government announced that the ANP had a strength of 113,000 members (Bundesregierung 2010: 26). This enlargement was primarily due to the increase in US soldiers available for training purposes. However, the emphasis was on quantity rather than quality. The general responsible for police-building stated that more civilian instructors and mentors were necessary.²⁶

The shortage of civilian police expertise had consequences. Speaking in 2009, a member of EUPOL staff estimated the ability of the ANP to conduct intelligence-led policing as “non-existent”.²⁷ A year later, a UN official stated that even members of the police working in highly sensitive positions in the field of crime detection were often illiterate.²⁸ The fact that they remained in office despite their incompetence reflected

25 Australian Broadcasting Corporation News, “60 pc of Helmand Police use drugs”, 18 February 2009.

26 Interview with Major General Stuart Beare, NTM-A, Kabul, 6 October 2010. See also Deb Riechmann, “NATO: 740 trainers still needed for Afghan forces”, *Associated Press*, February 13, 2011.

27 Conversation, Kabul, July 2009.

28 Conversation, Kabul, October 2010.

Afghan clientelism, on the one hand,²⁹ but also the discrepancies in international police assistance, on the other. This was also shown by little things. For example, the military proposed new police uniforms which looked more like soldiers' uniforms. The few civilian police who were present at the coordination meetings were hardly able to raise their concerns in view of the larger numbers of military representatives.³⁰

5.1 German efforts

In 2010, Germany increased its expenditure on the GPPT to around 50 million Euros per year. Added to this was the German contribution to the Law and Order Trust Fund for Afghanistan totalling 30 million Euros for 2010, from which ANP wages are paid (Bundesregierung 2010: 29). Furthermore, German contributions to the EU also went directly or indirectly to help build the ANP. At the London Afghanistan Conference in January 2010, the Federal Government announced an additional increase in German police-building personnel, raising numbers to 260; 200 police experts were to work for the GPPT, 60 for EUPOL. The renewed prioritization of the bilateral programme, which had begun as early as mid-2008, showed that the Federal Government did not consider EUPOL to be sufficiently effective.

Since the beginning of 2009, Germany was also involved in the FDD programmes in the area of Regional Command North, which was under German command. The Federal Government made 45 members of the military police available for this purpose.³¹ It was their task to teach members of the ANP military skills and to protect members of the German police outside the camp. This police training led to what must probably be considered the closest military-police cooperation in the history of the Federal Republic. According to one member of the German police, this "close cooperation between the police and the Bundeswehr is absolutely new. Normally the BMVg [Federal Ministry of Defence] and the BMI [Federal Ministry of the Interior] avoid each other."³²

Despite this unusually close cooperation, the BMVg, BMI and the Federal Foreign Office (AA) attempted to maintain the precept of separating the military and police.³³ Accordingly, members of the military police and civilian police assumed responsibility for training "in clearly defined, non-interchangeable functions".³⁴ Members of the military

29 Powerful relatives often prevent a person's dismissal. Conversation with a member of UNDP staff, Kabul, July 2009.

30 Conversation with an officer of NTM-A, Kabul, October 2010.

31 Military police have been supporting the training of the Afghan police in North Afghanistan since April 2007. Further members of the military police worked as bodyguards, as military police within the field camps and on compiling evidence following attacks on the Bundeswehr.

32 Conversation, Kabul, 5 October 2010.

33 It is not clear in how far the precept of separating the military and police, which limits the possibilities of deploying the Bundeswehr in Germany, also applies to missions abroad. In practice, however, this precept is also the guiding principle abroad. For instance, the Bundeswehr cannot easily be placed under police command.

34 Interview at the German Federal Ministry of Defence, Berlin, 29 October 2010.

police trained members of the Afghan police force in the fields of weapons and firing, unarmed combat, checkpoint training (including searches of vehicles and persons) as well as security duties. The primacy of the police applied in the case of partnering and mentoring: For example, members of the police were responsible for negotiating with district chiefs of police, whereas the military police concentrated on security tasks.³⁵ The GPPT was specifically only a partner to NATO. One high-ranking representative of the GPPT emphasized: “We are not under the command of the military”.³⁶ The GPPT also kept its distance with regard to the gendarmes of the ANCOP. The BMI prohibited the training of members of the ANCOP after the force was officially classified as a gendarmerie, that is to say a paramilitary unit.³⁷ The fact that Germany did not supply any weapons to the ANP was also characteristic of the German approach. Furthermore, as far as teaching content was concerned, Germany tried to prevent police training from become mere crash courses – the BMI professed to focus ANP training on civilian police skills and the protection of human rights.³⁸ All in all therefore, Germany continued to support the “principle of sustainability”.³⁹

Nevertheless, despite this caution, the FDD Programme was difficult for the Germans. German police and police unions described police operations outside the fortified military camps and the Police Training Centers as the most dangerous operations undertaken by German police. The police were therefore equipped with military weapons, bullet-proof vests and helmets (Ritter 2010: 17), and only their blue uniforms distinguished them from members of the military police. On visits to ANP districts, there were often five Bundeswehr soldiers for every one member of the German police.

The poor security situation made it more difficult to recruit German police to take part in the programme. The police saw the main risk in partnering, which was a key element of FDD. One German policeman said: “FDD means going to die.”⁴⁰ The GdP (one of the German police trade unions) stressed that the German police could not be sent into war.⁴¹ German police and officials at the ministries emphasized repeatedly: “We are not soldiers.”⁴² The risks involved deterred many capable members of the German police from applying to take part in the mission. This is certainly one of the reasons why only 165

35 Own observations in a district in the Balkh province, mid-October 2010.

36 Interview with Police Director Dr. Lars Gerdes, Kabul, 6 October 2010.

37 Conversation with a member of the GPPT, Afghanistan, October 2010.

38 Conversations with members of the German military police, Hannover, June 2010, and with members of staff at the BMI, Berlin, 9 December 2010.

39 Interview with Police Director Markus Bierschenk, Head of the GPPT at the Kabul National Police Academy, 11 October 2010.

40 Quoted in: Deutsche Polizisten fürchten Afghanistan-Desaster, *Spiegel Online*, 1 April 2010, www.spiegel.de/politik/ausland/0,1518,686968,00.html (10.01.2011).

41 Press release by the Federal Executive Committee of the German Police Trade Union (GdP), 10 February 2010, [www.gdp.de/id/p100204/\\$file/p100204AghanistانبewaffneterKonflikt.pdf](http://www.gdp.de/id/p100204/$file/p100204AghanistانبewaffneterKonflikt.pdf) (10.01.2011).

42 A police officer at the Federal Ministry of the Interior, telephone conversation, September 2010.

German police were involved in the GPPT in October 2010, once again well below the target of 200.⁴³

The poor security situation also limited the radius of the German police in Afghanistan. They were only able to go out on day tours as they had to spend the nights in the field camps. This reduced the number of districts visited to those in the vicinity of field camps – and to those in the – by Afghan standards – relatively secure provinces of Balkh, Takhar and Badakhshan; Germany was not involved in FDD in the embattled province of Kunduz. In other words, Germany was not actively engaged throughout North Afghanistan. It was even less visibly present in Afghanistan as a whole.

The difficulties with the German police programme were obvious – even in the relatively safe districts. Speaking to the chief of police in a district that had already undergone the one-year training and partnering programme, the Head of the Police Mentoring Team learned that over a dozen of the roughly 90 members of the AUP who had been trained by Germany were no longer turning up for work. Further members of the police force had been assigned as bodyguards to the provincial governor and were thus no longer available to the district.⁴⁴

These and further obstacles caused many members of the German police to despair of police-building. The members of the GPPT saw the strict security precautions and the presence of the many military police as being necessary but also as an obstacle to establishing contacts with the Afghan people. One member of the GPPT said: “I cannot perform any effective police work when I’m sitting in an armoured vehicle.”⁴⁵

5.2 Forcing the pace of involvement and the shift in the EUPOL Mission

Whereas the German Police Project Team (GPPT) sought to work effectively under difficult conditions and with relatively few means, EUPOL was faced with greater problems. Many members of staff spoke of a failed mission.⁴⁶ With only 280 international members of staff in autumn 2010, the mission was still a long way from achieving its target of 400.⁴⁷ One positive aspect was that EUPOL extended its presence to a larger number of provinces and was able to provide an important impetus for police reform and police training in those areas. EUPOL staff were, however, extremely dependent on the military. EUPOL received assistance if ISAF had sufficient free capacity to protect EUPOL

43 Apart from the poor security situation, recruitment was made difficult by the fact that many members of the *Länder* police still did not profit career-wise from taking part in a mission abroad. The high allowances for foreign missions and hazardous duties could not compensate for these obstacles. For many senior police officers in Germany, the absence of members of their staff led to considerable planning problems, not least as a result of cuts in the budgets of the *Länder* police in recent years. The Federal Police (Bundespolizei), on the other hand, created more career incentives and their budget was increased.

44 Own observations in a district in the province of Balkh, October 2010.

45 Conversation, Kabul, October 2010.

46 Conversations with members of EUPOL, Kabul, July and October 2009 and October 2010. See also House of Lords (2011).

47 Interview with Harald Händel, EUPOL spokesman, Kabul, 5 October 2010.

staff in their operations outside the field camps. But this was not always the case, creating security hazards for EUPOL staff (House of Lords 2011).

The Combined Security Transition Command – Afghanistan (CSTC-A) demanded that EUPOL participate in critical areas such as combating and investigating drug trafficking and terrorism. EUPOL, however, did not have sufficient funds or staff and was sceptical about counterinsurgency. The mission concentrated therefore on the Afghan Uniformed Civilian Police (AUCP) and the Criminal Investigation Department (CID).

The EU Member States were also sceptical about EUPOL and the mission was therefore under pressure to produce measurable successes. One element was its presence in a larger number of provinces, another its participation in ANP basic training. EUPOL staff members were responsible for training members of the Afghan police over a three-week period under the City Police and Justice Programme. This training for members of the Afghan police, approximately 90 percent of whom were illiterate, focused on practical skills such as searching for weapons and explosives at roadblocks.⁴⁸ Such military-like training at tactical level would have been unthinkable in 2007 when EUPOL set out with the aim of conducting a civilian-oriented reform of the ANP through mentoring at strategic level.

Nevertheless, not even this increased training effort was able to help EUPOL to strengthen its profile. This is shown by the fact that high-ranking representatives of the Afghan Ministry of Interior Affairs often confused the GPPT and EUPOL, or thought that they were one and the same thing.⁴⁹ EUPOL therefore had difficulties in achieving even its minimum goal and creating its own niche vis-à-vis NATO.

5.3 The ANP and counterinsurgency

The ANP became an integral part of counterinsurgency efforts from 2009 onwards. This was due to the poor security situation and the expansion of the armed conflict to parts of the country which had hitherto been peaceful. The police were a favourite victim of attacks because they were seen as soft targets compared with soldiers and were stationed in small numbers at remote police outposts. More and more international stakeholders argued therefore that the ANP needed robust help for self-help. The COIN strategy supplied the conceptual framework for providing this help. According to this strategy, counterinsurgency must focus on the population. The police are important if the state is to win the race against insurgents to gain the confidence of the people. Police work is thereby often subordinated to the military goal (Killkullen 2009: 112). Consequently, the US-led Counterinsurgency Academy near Kabul also trained members of the AUP.⁵⁰

48 Observations during police training in October 2010 in Kabul; Examination of the syllabus.

49 Interview with a member of EUPOL, Kabul, October 2010.

50 Conversation with US instructor, COIN Academy, 3 October 2009.

The USA's counterinsurgency strategy differentiated between the elements "clear", "hold", "build" and "transfer": clearing areas of insurgents, holding areas, rebuilding them, and transferring responsibility to the Afghans. The ANP is mainly important in the phases of holding onto an area. It is also expected to protect rebuilding activities and later work independently to ensure security.

In implementing this strategy, the USA and the Afghan Government concentrated on certain particularly important districts, so-called "key terrain districts". These 80 or so districts are strategically important because they form major population or economic centres, have important infrastructures and are located on main trunk roads. The ANP was to demonstrate state presence in order to prevent the return of insurgents after they had been expelled from a district.

This presence in dangerous districts called for the police to be able to switch quickly between police and military mode. Planners, instructors, partners and mentors concentrated on improving the ANP's skills in the fields of mobility, use of firearms, and communication (US Department of Defense 2010: 122). Eight weeks of basic training allowed no time for strengthening civilian police capabilities, although instructors did try to identify basic problems such as drug consumption, and included the protection of human rights and the proportionality of means in all elements of training. ANP wages were also increased in order to make offers of payment from the Taliban less attractive. Progress was particularly marked in the ANCOP, where the number of police quitting the service prematurely sank significantly because members of the police received more money and were able to spend more time with their families.⁵¹ The donors also increased their investments in literacy courses. For example the German Technical Cooperation (GTZ, since 1 January 2011 GIZ (German International Cooperation)), working on behalf of the German Foreign Office, planned the launch of literacy containers and literacy courses for the ANP in 100 districts in North Afghanistan.⁵²

Nevertheless, the priority of military skills and the pressure to increase the size of the ANP as quickly as possible thwarted these attempts at improvements. The fact that only around five percent of ANP members did not complete FDD training successfully indicates that the focus was on quantity rather than quality (Cordesman 2010: 104). Hardly anyone failed even ANCOP training.⁵³ The instructors were under pressure to produce results although some members of the ANCOP were hardly able to read or write (officially a precondition for applying).

5.4 The implementation of the new strategy in 2010

The donors further accelerated police-building in the course of 2010. In autumn 2010, members of the ANP were being trained at 38 locations in Afghanistan. Many police

51 Interview with Major General Stuart Beare, NTM-A, Kabul, 6 October 2010.

52 Interview with Dr. Jochen Salow, GTZ, Kabul, 10 October 2010.

53 Conversations with Carabinieri instructors, Central Training Center, Kabul, October 2010.

training centres were located at or in the vicinity of Provincial Reconstruction Teams. The NATO Training Mission – Afghanistan (NTM-A) was now the main stakeholder in building the ANP and ANA. This mission united all international training components except those of the EU. The Combined Security Transition Command – Afghanistan (CSTC-A) continued to exist as part of the NTM-A. The Integrated Joint Command was responsible for building the ANP and the ANA at operational level. Tremendous funding was available: The NTM-A provided approximately one billion US dollars per month for training, equipping and paying the Afghan security forces (Bundesregierung 2010: 20). While much of the funding was destined for the ANA, NTM-A spent around 3,5 billion US dollars annually on police-building (House of Lords 2011: 14), or around 300 million US dollars a month. In autumn 2010, approximately 950 members of the NTM-A were responsible for this task.⁵⁴ Although there was an almost equal ratio of civilian to military personnel, many of the civilian staff had a military background and the military had a considerable influence on the approach to police-building.⁵⁵ Furthermore, over 2,000 members of staff came from just two US institutions, namely the CSTC-A (approx. 1,500) and the Bureau of International Narcotics and Law Enforcement Affairs (528, all recruited by DynCorp); almost all the members of the CSTC-A were soldiers (Deutscher Bundestag 2010: 3).

Both the primacy of the military and the imbalance of funding were partially caused by the Afghan government itself. In autumn 2010, approximately half the higher ranking staff at the Ministry of Interior Affairs were military officers, not least because Interior Minister Bismillah Khan Mohammadi, the successor to Hanif Atmar, was a former ANA chief of general staff who had brought former combatants to the Ministry with him. These officers had expertise in military rather than police matters.⁵⁶ Their dominance was also evident during the reform of the Ministry of Interior Affairs: In autumn 2010, there were approximately 230 international mentors and advisers at the Ministry.⁵⁷ The most important role was played by about 25 mentors who advised the Minister, the four Vice-Ministers and the heads of the directorates-general. Almost all of these mentors were officers, most of them colonels from the USA.⁵⁸ The predominance of military mentors was also obvious at the subordinate level, where around 25 private contractors were responsible for reforming the Ministry in addition to US officers. These contractors were almost all former US officers. Europe only supplied a small fraction of the mentors. The reforms were steered by the Ministerial Development Board (MDB), which was founded at the beginning of 2009 and at the end of 2010 was dominated by the USA with little

54 Interview with Major General Stuart Beare, NTM-A, Kabul, 6 October 2010.

55 Admittedly, the basic decisions were taken in the NATO bodies which are controlled by the NATO Member States. The civilian control of the armed forces thus remained intact, at least at the highest level.

56 Conversation with a European mentor at the Ministry of Interior Affairs, Kabul, October 2010.

57 Interview with Major General Stuart Beare, NTM-A, Kabul, 6 October 2010.

58 Conversation with a European mentor at the Ministry of Interior Affairs, Kabul, October 2010.

Afghan participation.⁵⁹ By March 2011, the number of foreign advisers had grown to 282, appearing to outnumber the Afghan officials who were being mentored. Of these 282 foreign advisers, 120 were contractors from DynCorp and MPRI, 119 were United States military and civilian officials, and 43 came from other countries.⁶⁰

The Pentagon demanded that its staff involved the international partners. In actual practice, however, this often merely meant that the Europeans were allowed to see power point presentations on decisions that had already been taken. Coordination problems became evident not least in the International Police Coordination Board (IPCB), which had been set up in 2006.⁶¹ Initially the CSTC-A had agreed to contribute twelve US officials to the IPCB, which did not happen, however. Furthermore, Interior Minister Hanif Atmar (who had to resign in summer 2010) merely regarded the IPCB as a forum where donors coordinated their positions rather than made decisions,⁶² and disregarded it accordingly. A new coordination agency was established with the support of the USA in autumn 2010, the Ministry of Interior Coordination Cell – Police. The international partner here was the NTM-A. NATO not only provided the major share of funding but also the necessary infrastructure. Despite complex commando structures and frequently different positions on the part of the Member States, the military organization was better coordinated than civilian stakeholders. This now meant that the Minister of Interior Affairs only had to deal with a *single* partner.

The dominance of the military was accompanied by a focus on measurable results. In 2010, the NTM-A reduced basic police training from eight to six weeks.⁶³ ANP officer training at the Kabul National Police Academy, *the* German showcase project – was reduced from three years to six months. According to a member of the German police team: “We were against it; but the fact is that more Afghan police are needed. We therefore gave in to the NTM-A and to the Americans.”⁶⁴ In autumn 2010, the USA also changed the FDD concept: Due to the shortage of international military and police personnel, the intensive partnering phase that followed basic training was not to be performed systematically by partnering teams, but by rotating teams (Provincial Response Companies). This speeded up a programme which had been rather slow in the past: By March 2010, only 83 of a total of 365 police districts had completed FDD training (US Department of Defense 2010: 122). The risk with the shorter training period, however, was that the police would once again slip back into their old habits and take advantage of

59 In order to improve coordination, the Canadian Embassy, with British support, called into being an Institutional Reform Working Group (IRWG). It was still not clear in early 2011 whether the IRWG will achieve its objectives.

60 Saeed Shah, “Afghans rely heavily on foreign advisers as transition looms”, in: *McClatchy Newspapers*, March 8, 2011.

61 This paragraph is based on conversations with members of EUPOL, NTM-A and the German Embassy, Kabul, October 2010.

62 This applied rather at the highest level, the Joint Coordination and Monitoring Board (JCMB), than at working level.

63 NATO emphasized that the number of training hours remained the same.

64 Conversation, Kabul, October 2010.

the local population rather than protect them. One German police instructor claimed that the USA was training the Afghan police only to subsequently once again leave them to their own devices.⁶⁵ Germany stuck to the original FDD concept because the Federal Government and the German police regarded FDD as pointless without intensive follow-up measures.⁶⁶

The focus on quantity instead of quality was also acknowledged by NATO itself. A report by the NTM-A commander Lieutenant General William Caldwell, which was presented at the NATO summit in Lisbon in November 2010, states that even at the end of 2009 the large majority of the ANP “did not know the law they were responsible to enforce”. He added: “Not unexpectedly, most Afghans have come to view the ANP as lawless armed men, rather than trusted law enforcement officials.”⁶⁷ Surveys confirm this negative image in part: 35 percent of the Afghans interviewed had a negative impression of the work of the local police (ABC News/BBC/ARD/Washington Post 2010).⁶⁸ Focusing training on quantity thus hardly seems to be the right way to solve the continuing problems of the ANP.

The shortage of instructors continues to be a huge problem. There is often a shortage of civilian police staff for training operations as well as for the partnering and mentoring operations of the Police Operational Mentoring and Liaison Teams (POMLT) and Police Mentor Teams (PMT). Moreover, the civilian police staff were not capable of teaching many of the robust, military skills required. ISAF filled the gaps with soldiers so that the POMLT was comprised almost exclusively of soldiers.⁶⁹ ISAF was forced to improvise as the soldiers, in turn, knew little about civilian police work and there was a shortage of police instructors. Accordingly, states dispatched their military police and soldiers with police experience (such as the US National Guard). Different national structures and practices meant that this stopgap solution served rather to thwart the introduction of uniform training standards.

The greatest hopes for teaching the ANP robust skills were placed on the gendarmerie forces. Italian carabinieri, French gendarmes and similar forces from other states worked both on a bilateral basis and within the framework of the European Gendarmerie Force, which was subordinate to the NTM-A in Afghanistan. The carabinieri at the Central Training Center (CTC) in Kabul, the ANCOP’s main training centre, emphasized the advantages of their training methods compared to those of DynCorp, which they described as having a “civilian mentality”. The carabinieri taught the ANP to shoot whilst

65 Conversation, Kabul, October 2010.

66 Conversations with representatives of GPPT, Kabul and Mazar, October 2010.

67 Quoted from Kim Sengupta, Jonathan Owen and Brian Brady, “Afghan police corruption hits NATO pullout”, in: *The Independent*, November 21, 2010.

68 Similarly, The Asia Foundation 2010.

69 The PMLTs of a Forward Operation Base in the province of Kandahar for example consisted exclusively of soldiers. Conversation with a Canadian officer at the Forward Operation Base, September 2009. More civilian police worked in the PMTs – for example in the German PMTs.

running and wearing a bullet-proof vest and helmet, to react when under fire from demonstrators, and to use machine guns and grenade launchers.⁷⁰

The close cooperation between the police and military had consequences not only at strategic but also at tactical and operational level. Official documents limited the role of the ANP. Accordingly, the police strategy of March 2010 distinguished between the duties of the various elements of the ANP. Whereas the ANCOP and other specialized ANP elements were intended to conduct high-risk operations, the AUP was to engage in crime prevention and detection work.⁷¹ This role was expressed in the renaming of the AUP to become the Afghan Uniformed Civilian Police (AUCP). In practice, however, the AUCP was still involved in offensive operations; that is to say, in the first phase of counterinsurgency (“clear”).⁷² For example, in summer 2010, US soldiers accompanied the regular AUP in embattled districts in the province of Kunduz.⁷³ For many ISAF and ANA officers, the distinction between the various elements of the ANP was academic: they simply took those police that they were able to get.

One considerable challenge remains that of evaluating progress in police-building. NATO’s mantra was that the basic police training programme made the ANP more capable of survival and more trustworthy. This point is debatable among other things because the Ministry of Interior Affairs sent many trained members of the district police to other regions in Afghanistan. Planning staff did not receive any information about their whereabouts and were therefore not able to say whether training had made the ANP more capable of survival and more trustworthy.⁷⁴ EUPOL, for example, wanted to retrain 350 Afghan police they had trained in 2009 so that these could secure polling stations for the September 2010 parliamentary elections. The Ministry of Interior Affairs, however, knew nothing about the whereabouts of these police because it had failed to introduce registration mechanisms for the ANP.⁷⁵ The practice of self-assessment also made an evaluation more difficult. In summer 2010, one US supervisory body criticized the tendency of international planners and instructors to evaluate the abilities of Afghan units

70 Own observation of police training at the CTC and the Kabul Military Training Center (KMTC), October 2010. The image of DynCorp in Afghanistan did not therefore correspond to the military bias which is associated with security firms – soldiers and gendarmes criticized the civilian approach of DynCorp’s training programmes. There was also scepticism regarding the suitability of many employees of security firms for the tasks in Afghanistan and criticism regarding their lack of supervision.

71 Afghan Ministry of Interior Affairs (2010).

72 One ISAF General spoke of the AUP as “light infantry”. Presentation, Kandahar Air Field, September 2009.

73 James Dao, “In Mission with Afghan Police, Issues of Trust”, *New York Times*, August 11, 2010. The target for ANP training in Regional Command North could not have been achieved without the deployment of an additional 5,000 US soldiers to RC North. Conversation with a Bundeswehr officer, Berlin, July 2010.

74 Conversation with a member of the GPPT, Camp Marmal, Mazar, October 2010.

75 Conversation with a European mentor at the Ministry of Interior Affairs, Kabul, October 2010.

in their care too optimistically: Many ANP units that received the highest marks were already in a state of disintegration only shortly after the international partners left.⁷⁶

Despite its brief duration, basic police training did improve the fighting strength of the ANP. However, the deployment of the ANP in high-risk districts thwarted this positive effect. At the beginning of 2010, the ANP was present in all 34 provinces in Afghanistan. The risk was considered medium-high in six of these provinces and very high in a further ten. A senior ANP officer had already said in 2008 “The ANP is being trained to go into war and to die.”⁷⁷ 1,500 members of the police were killed in 2009 (Bundesregierung 2010). The numbers in 2010 were slightly lower, but there were still 1,292 fatalities.⁷⁸

5.5 Overlapping competencies

The militarization of the regular ANP was just one component of a growing police-military grey area. Since the NATO summit in Budapest in 2008, ISAF has been conducting operations against armed non-state actors in the grey areas of drug trafficking, insurgency and IED production.⁷⁹ Furthermore, the police authorities and intelligence services of the donor states have increased their presence in Afghanistan over the years. As already mentioned, on the Afghan side there were various components within the ANP which were militarized. The ANA continued to take part in operations in all phases of the counterinsurgency programme, among other things also because there were not enough members of the police. The demarcation of tasks between the various elements of the ANP and between the ANA and ANP was still unclear even in autumn 2010.⁸⁰

The auxiliary police were one of the most controversial phenomena of the Afghan security sector. Over the years, there were several initiatives to use militia-type police to enforce security at local level. The most important of these were the Afghan National Auxiliary Police, the Community Defense Initiative and the Afghan Public Protection Programme. General Petraeus strengthened the most comprehensive militia programme, the Afghan Local Police. This programme was inspired by the “Sons of Iraq” programme,⁸¹ under which the USA supported militias in Iraq. In Afghanistan, as in

76 Office of the Special Inspector General for Afghanistan Reconstruction (2010).

77 Quoted from ICG (2008: 8).

78 Xinhua, 1,292 Afghan police killed in 2010, www.chinadaily.com.cn/world/2011-01/02/content_11786771.htm (10.01.2011).

79 Conversations with NATO officers, Kandahar, September 2009.

80 Conversation with a British advisor to the Afghan Government, Kabul, 4 October 2010.

81 Presentation by General Petraeus, ISAF HQ, Kabul, 9 October 2010. International stakeholders justified militia-type structures by referring to Afghan traditions such the *Arbakai*. However, this analogy fails to reflect the change in traditional tribal structures due to decades of war and the difficulty of steering local dynamics. Admittedly traditional mechanisms play an important role in solving conflicts at local level. Accordingly, many Afghans have more confidence in local *shuras* in investigating and punishing minor crimes or in conflicts involving property issues than in the police and judicial authorities (The Asia Foundation 2009: 85-97). Local *shuras*, however, like the traditional militias, are often under pressure

Iraq, US special units partnered these militias. Using quasi-private forces to strengthen state security forces involves considerable risks. The EU Special Envoy emphasized therefore: “We are not participating in this.”⁸² But this protest was too guarded to dissuade the USA from its plan. Germany therefore even had to come to terms with the presence of the Afghan Local Police in the area of Regional Command North, despite reports of offences by the militias against the local population.⁸³

5.6 Community-oriented police work

The question of the legitimacy of the state is central to efforts to stabilize Afghanistan. The effectiveness and legitimacy of police work are two sides of the same coin (Bayley 2005). Paradoxically, this is why the advocates of community-oriented police work are the better counterinsurgents because they can gain the trust of the local population which in turn is important for obtaining information. What is more, community-oriented police work is possible even in Afghanistan and even in areas of Afghanistan where war prevails.

Whereas international stakeholders tended primarily to want to quickly increase the size of the ANP, there were also programmes which aimed for community orientation. For example, approximately 400 members of the police were trained in the principles of community policing under the German Rule of Law Programme in 2009 and 2010, and information campaigns and roundtables were organized (Bundesregierung 2010: 29). In some districts, NGOs also taught the ANP about human rights and violence against women. However, these projects were only short-term as most of them did not have long-term funding, were based on personal contacts and were not part of an overall strategy.⁸⁴ Accordingly, neither the Afghan Ministry of Interior Affairs nor the international institutions kept a list of all projects.

In late 2010, officers of the NTM-A therefore tried to collect information about community-oriented police projects and to support such projects – many people within the NTM-A were certainly aware of the limits of military programmes. The NTM-A wanted to improve communication between the police and the local councils. For example, citizens would be able to demand from the police that they drove more slowly in the vicinity of schools, and the police would inform school students about the danger of improvised bombs.⁸⁵

from insurgent and criminal groups. They cannot therefore systematically replace the civilian police, particularly not in cases involving serious crimes. International stakeholders and Afghan ministries have made too little effort to separate the competencies of traditional institutions from those of official institutions and to codify these in law.

82 Interview with Ambassador Vygaudas Ušackas, Kabul, 9 October 2010.

83 Cf. for example Ahmadi (2010).

84 Conversation with an officer from the NTM-A, Kabul, 11 October 2010.

85 Conversation with an officer from the NTM-A, Kabul, 11 October 2010.

In these efforts, the officers found a partner in the United Nations Development Programme (UNDP), which was able to refer to successful projects of its own.⁸⁶ The UNDP police projects focused on districts which were relatively secure due to the disarmament of illegal armed groups and the presence of sub-national government structures. But the UNDP also encouraged a close exchange between the ANP and the local population even in districts in relatively insecure provinces such as Nangahar. This exchange not only strengthened state legitimacy; it also produced direct advantages with regard to security because the ANP obtained more information about suspicious persons and finds of IEDs. Many steps towards confidence-building are simple; such as making the entrance areas of police stations more attractive. Community-oriented police work creates trust. Militarization and the ensuing isolation of the police from the public, on the other hand, are problematic.

6. Conclusions

Ideal-typically, the reform of the security sector in post-conflict states is linear. First of all, the military takes over police duties, particularly if the security situation is poor. The transition to a civilian police model then follows in the course of time. This report outlines the conditions which prevented the implementation of this model in Afghanistan. International donors failed to help to establish public order and rule of law in the decisive initial years and to coordinate their approaches. The lack of commitment to building a civilian police force served not least to strengthen the dominance of the Pentagon. On the Afghan side, the escalation of the armed conflict, poor government leadership, the absence of a tradition of civilian police work and the desolate state of the police encouraged the military bias of police reform.

The situation is further aggravated by the fact that the handover of responsibility for security to the Afghan government by 2014 significantly limits the donors' scope for action. They will now focus even more on short-term stability instead of on human security and the fight against crime.⁸⁷ Furthermore, the weaknesses of earlier strategy decisions to create a strong central state and establish President Karzai as a central ruler are becoming increasingly obvious. Thus, the Karzai government has little interest in effective criminal prosecution work.⁸⁸

It is therefore rather unlikely that there will be a transition from a military to a civilian police model once the security situation has improved. After all, examples in other countries show that it is difficult to reverse the militarization of the police (Herzog 2001). The question lingers of whether the police should remain a civilian force or should

86 Interview with a member of UNDP, Kabul, 9 October 2010.

87 The West is partly dependent on the warlords, for example for securing NATO transport routes.

88 According to reports, Karzai wanted to reduce the powers of the law enforcement authorities which investigate the crimes of politicians and businessmen. Cf. Matthew Rosenberg, "Afghanistan Money Probe Hits Close to the President", *Wall Street Journal*, 12 August 2010.

combat the insurgency as quickly as possible and provide cover for the announced withdrawal of the foreign forces. A clear answer appears to be emerging following the change of course in 2009. The international community is investing huge funds in getting more “boots on the ground” to establish the conditions for withdrawal. The police are part of counterinsurgency efforts and are being trained for this task.

Admittedly, military elements are necessary to support the ANP. The police would not be able to defend themselves against well armed and well organized insurgent and criminal groups without military equipment and basic military skills. Nevertheless, the police must be as civilian-oriented as possible and as military-oriented as necessary – with regard to their equipment, presence, structure and duties. The long-term protection of the civilian population – a central element of counterinsurgency – demands a balance between the military and civilian elements of police-building.

It is now a matter of correcting the imbalance and strengthening the civilian approach to police reform. It would be difficult to argue that the militarization of the police has made Afghanistan more secure – in 2010, Afghanistan was less secure than ever since the end of the Taliban’s reign. Furthermore, there is also the danger of creating problems for the future. A heavily armed Afghanistan, where warlords control local police units or auxiliary police, and a militarized police force which does not enjoy the confidence of the public are ingredients for an explosive situation for many years to come.

It is still not too late to rectify the imbalance between the civilian and military elements in building the ANP. It is particularly important to support the ANP in the long term. Institutional reforms need time. Even the reforms in the Balkans have only been modestly successful, despite the relatively straightforward situation in the region and the massive international support provided. Establishing sustainable police reform in Afghanistan is a task which will take generations. External stakeholders will probably still be in Afghanistan after the end of combat operations at the beginning of 2015. It is important to already start to rethink the programming of projects. Sustainable police reform usually requires more than the customary two to three-year programme cycles of international cooperation, among other things because of the lack of planning certainty for local stakeholders. One can hardly expect the Afghan police to defend the new order if they cannot be certain that they will receive long-term support.

Furthermore, it should be civilian police experts and not soldiers who dominate the strategic approach of police reform. In particular, measures should be taken to strengthen the civilian police responsibilities of the AUCP, which unlike the specialized ANP elements should not serve as a force multiplier for counterinsurgency. Foreign donors, in Afghanistan and elsewhere, should not create the impression that the regular police are going to war (Bayley/ Perito 2010: 95). A more civilian approach to police reform, on the other hand, means that the problems caused by the lack of instructors, partners and mentors must be tackled as soon as possible. This, in turn, demands more career incentives to sign up for missions abroad.

The reorientation of the current strategy should begin by taking stock of all police programmes. Also important are independent evaluations of what has already been achieved and of the remaining problems. Success should not be defined on the basis of measurable output indicators such as the number of police training days alone. More

decisive factors are the confidence of the civilian population and improvements in the security situation.

Many further steps are necessary to improve police work in Afghanistan. The reform of the Ministry of Interior Affairs calls for modern management methods to improve the efficiency of the Ministry's work. By the same token, areas of responsibility should be clearly defined between the police and other security players and between the police and the Ministry of Interior Affairs. A clear legal framework and its corresponding implementation are essential. Effective police work depends not only on the Ministry of Interior Affairs but also on an efficient justice sector.⁸⁹ International donors have neglected the judiciary and the penal system for all too long.

These reforms are not only of a technical nature but are also political processes. They require measures to strengthen pro-reform forces within Afghanistan – both inside and outside the government – if they are to be sustainable and self-supporting. Cooperation with warlords and other stakeholders whose power is derived from the barrel of a gun can only produce security in the short term, if at all. What is important is democratic control of the ANP and a strong civil society.

The difficult balancing act between (military) self-protection and openness towards the public requires regional adjustments. It would be problematic to withdraw the regular police from all the high-risk provinces. But even there, the AUCP can be stationed in the safest districts. The question of how to enforce the distinction between self-protection and a community-oriented police force should depend on the local security situation and local societal structures. Instructors can improvise; for example, by training police from a high-risk district in a safer neighbouring district. Elements of military training are necessary for self-protection purposes and for tasks such as setting up checkpoints or identifying IEDs. This military training must, however, be accompanied by training in community-oriented police work and literacy campaigns.

All this does not call for a new police strategy but for a gradual reorientation of ANP reform that takes into account the needs of the Afghan people. Militarization increases the risk of a renewed need for intervention at a later date. Moreover: It is a question of the security of 30 million people in Afghanistan; people to whom Western governments have made huge promises.

89 Cf. Krempel (2010) for the build-up of the Afghan judicial system.

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Acronyms

| | |
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| AA | Federal Foreign Office |
| ANA | Afghan National Army |
| ANCOP | Afghan National Civil Order Police |
| ANP | Afghan National Police |
| AUCP | Afghan Uniformed Civilian Police |
| AUP | Afghan Uniformed Police |
| BMI | Federal Ministry of the Interior |
| BMVg | Federal Ministry of Defence |
| BMZ | Federal Ministry for Economic Cooperation and Development |
| BRD | Federal Republic of Germany |
| BT | Federal Parliament |
| CID | Criminal Investigation Department |
| COIN | Counterinsurgency |
| CSTC-A | Combined Security Transition Command - Afghanistan |
| CTC | Central Training Center |
| DDR | German Democratic Republic |
| EUPOL | European Union Police Mission |
| FDD | Focused District Development |
| GAO | Government Accountability Office |
| GPPT | German Police Project Team |
| GTZ | German Technical Cooperation |
| IED | Improvised Explosive Device |
| INL | Bureau of International Narcotics and Law Enforcement Affairs |
| IPCB | International Police Coordination Board |
| IRWG | Institutional Reform Working Group |
| ISAF | International Security Assistance Force |
| KMTC | Kabul Military Training Center |
| MDB | Ministerial Development Board |
| MICC-P | Ministry of the Interior Coordination Cell - Police |

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| NATO | North Atlantic Treaty Organization |
| NDS | National Directorate of Security |
| NGO | Non-governmental Organization |
| NTM-A | NATO Training Mission - Afghanistan |
| OECD | Organisation for Economic Co-operation and Development |
| OEF | Operation Enduring Freedom |
| OSCE | Organization for Security and Co-operation in Europe |
| PMT | Police Mentoring Team |
| POMLT | Police Operational Mentoring and Liaison Team |
| PRT | Provincial Reconstruction Team |
| PTC | Police Training Center |
| SSR | Security Sector Reform |
| UNDP | United Nations Development Programme |
| UNODC | United Nations Office on Drugs and Crime |
| USA | United States of America |

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