

# Police reform

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## Introduction

Almost continually Afghanistan has had a national police force which, centrally controlled, served the interests of the government in a repressive manner. Dependent on the signature of the regime, the role and realisation of its task differed. Where in the nineteen-sixties and seventies the emphasis lay mainly on the continuation of the established power, in the subsequent period it was broadened to also realise the communist ambitions. In the Taliban period the communist ambitions were replaced by a striving to realise the conservative reading of the *Shari'a*.

The armed police organisation along military lines, however, has never shown itself to be strong or effective. Corruption, abuse of power and lack of trust from the population increased the problem of ensuring law and order from Kabul even to the remotest corners of the country.

In predominantly tribal areas the *Arbakee* proved to be an effective instrument. This tribal police stood close to the population, but did not play a role in many western eyes, as they did not have a permanent character and used methods of coercion for which there were no (legal) regulations.

This contribution aims to provide an answer to the question what efforts the international community, including the Netherlands, is making in the realisation of an adequate level of security and police reform in the present-day Afghanistan. In doing so, the article investigates the extent to which activities of these international organisations are consistent and contribute to the result intended.

It begins with a description of the activities that have been carried out since 2002, in which these efforts and the international actors involved in them are considered in context. Also, the vision on the Afghan police and the organisation the Afghan government deems necessary will be discussed. Besides, the plans for the construction and reform of the police force will be addressed, after which a first balance will be drawn up of six years of police reform. The article is concluded with a number of observations.

## The start

After the US-led coalition had put an end to the Taliban regime, all Afghan political parties (except the Taliban) agreed to the terms of the Bonn Agreement, and on 5 December 2001 an interim government under Hamid Karzai was elected. The subsequent adoption of Security Council Resolution 1386 on 20 December 2001 opened the way for ISAF, one of whose tasks was to support the interim government in the construction and reform of the Afghan security sector. Police reform was one element in the programme for the Security Sector Reform (SSR).

At the end of 2001 and the beginning of 2002 the situation in the Afghan police force was far from positive. While in early 2002 there were still 50,000 to 70,000 police officers, the long civil war had demanded its toll.<sup>2</sup> The often under-staffed police stations in the provinces and districts came under the influence of the faction leaders and their militias. The influence of the factions within the Northern Alliance was increased during the first year of the interim government by the then minister of the Interior, with former militia members being appointed in senior positions within the force. Most of these fighters had not had any police training or experience,<sup>3</sup> whereas some had been trained in the communist period. The police force lacked discipline, formal policies and regulations, salary, facilities, materiel, uniforms, and (most of all) trust from the public. The ethnic composition of the largely illiterate police force was unbalanced at the start of the reconstruction, with many senior police functions being in the hands of Tajiks.<sup>4</sup>

The situation in the Afghan police force was further exacerbated in the early period by a wide-spread corruption inside the force as well as at the Ministry of the Interior (MOI), and the strong ties between the police and world of crime.<sup>5</sup> The interim government of Afghanistan inherited a police force which needed to be built up entirely from scratch.<sup>6</sup>

### *The foreign actors involved*

Shortly after the installation of the Afghan interim government a first international donor conference was held in Tokyo. Apart from the Afghan interim government, also Japan, the United States, the EU and Saudi-Arabia took part in the talks. In the closing statement the importance of security was acknowledged.<sup>7</sup>

In the spring of 2002 two donor conferences specifically devoted to the reconstruction of the security sector were held in Geneva under the auspices of the G8. In the conference in April the donor countries reached an agreement on the build-up of the security sector in Afghanistan. The countries chose a 'five-pillar' approach, in which each

of the pillars would be the responsibility of one country. Thus, the US took the lead in the build-up of the Afghan National Army (ANA), Japan in the disarmament, demobilisation and reintegration programme, the UK in the anti-drugs campaign, Italy in the reform of the juridical system, and Germany in the build-up of the Afghan National Police (ANP).<sup>8</sup>

Shortly after the signing of the Bonn Agreement, Germany sent a fact-finding mission, the results of which were presented in a first donor conference in February 2002 in Berlin. Germany announced it was prepared to rehabilitate the Kabul police academy and police stations for 10 million euros, to provide vehicles, train the trainers, help with the reorganisation of the police and realise the coordination of the donor activities related to police reform. During a second donor conference in March Germany presented its plans.<sup>9</sup> In the same month the ministers of the MOI and the Federal Republic of Germany signed an agreement, in which the tasks of the *Projektgruppe Polizeiaufbau Afghanistan* – German Police Project Office (GPPO) were laid down. These tasks were the following:

- advising in the building up of an Afghan police force committed to the rule of law and the protection of human rights;
- assisting with the training and education of police recruits;
- assisting with the setting up of a police academy;
- implementing bilateral aid in the build-up of police funds;
- coordinating the international support in the build-up of the Afghan police force.<sup>10</sup>

Together with the MOI the objectives for the new police organisations were established.<sup>11</sup> The plans for the new ANP encompassed a build-up in three phases, the first of which would be the creation of a deployable police force in the capital. In the second phase the police was to expand to the provinces. In this way a regularly paid, ethnically balanced and professionally trained and deployable police force would be formed, under Afghan responsibility. During the last phase Germany's role was to gradually become less prominent. In the middle of March 2002 the first team of German police officers arrived in Kabul to begin work.

On the request of the Interim government and the United Nations Development Program (UNDP) a Law and Order Trust Fund for Afghanistan (LOFTA) was established in order to enable the police to return to operation in the entire country. LOFTA covers the police-related expenditure of the government and the costs of project activities undertaken in cooperation with the MOI, with the following prioritisation:

1. allowances and salaries of police officers;
2. purchase, operation and maintenance of non-lethal police equipment;
3. repair, rehabilitation, operation and maintenance of police department premises;
4. gender mainstreaming; and
5. institutional development.<sup>12</sup>

On 24 September 2002 the Police Academy in Kabul could open its gates again and a three-year police officer course and a one-year training programme for NCOs was begun.<sup>13</sup> In August 2005 the first 251 police officers graduated, and with that the first step of the plan to begin training the backbone of a new, national ANP committed to constitutional principles was realised.<sup>14</sup>

### **The US assumes a more prominent position**

In early 2003 it became clear that the training of police officers had not had enough attention up to that moment. This lack of attention for the training of police officers and the pace at which the German programme was executed prompted the US to become increasingly involved in the police build-up and reform in Afghanistan. The Americans wanted to have a sufficient presence of the ANP before the presidential elections of 2004. They made available \$24 million for the establishment of a Central Training Centre (CTC) in Kabul, in order to train police officers fast, and in May 2003 the CTC could begin its training. Initially, the programme was controlled from the Bureau of International Narcotics and Law Enforcement Affairs (INL) at the US Embassy. For the realisation of the programme, which had been designed in cooperation with the Afghan government and Germany, the US mainly depended on third parties, and the private company DynCorp was hired. Fairly soon after this company had started training in Kabul seven Regional Training Centres were set up, and the training of police officers all over the country was begun. In the course of 2004 the White House and the Department of Defense voiced their increasing concern about the failing effort of the American State Department. Donald Rumsfeld, Secretary of Defense, indicated he was worried that the efforts undertaken by the US and NATO with regard to counter-insurgency were undermined by the police reform.<sup>15</sup> A combined decision of the American State Department and the Department of Defense finally caused the training programme to reside with the Combined Security Transition Command – Afghanistan (CSTC-A).

Although the US is not the leading country in the police reform, the Americans invested \$2.1 billion in financial aid and personnel in the build-up of the ANP between 2002 and 2006.<sup>16</sup> In comparison, the GPPO spent \$70 million on police reform in Afghanistan in the same period. By the end of 2008 CSTC-A had about 2,500 people involved in the police reform and some 550 DynCorp staff had been hired by INL.<sup>17</sup>

Since June 2007 the GPPO has been incorporated in the EU police mission (EUPOL-AFGHANISTAN), which by now counts 228 specialists, most of whom are police officers, mainly stationed at the Kabul Headquarters.<sup>18</sup>

The volume of the contribution of the UN to Afghanistan has been limited so far, a small group of police officers advising on the police reform to the Special Representative in Kabul. The influence of this advisory group has mainly been restricted to lending support during the presidential and parliamentary elections in 2004 and 2005. Thus, the UN did the training, and assisted in the operational planning, and the purchasing of vehicles, fire arms and other materiel, so that the ANP was able to meet its responsibility for the security surrounding the elections.

Apart from the international actors, some twenty countries are involved in the police reforms, with small-scale police projects, in which civilian and military police are active in their Provincial Reconstruction Team (PRT) capacity.

#### **Reform coordination and an incident in Kabul**

During the conference of 1 February 2006 in London the Afghan government together with the international community made new agreements on reconstruction in the 'Afghanistan Compact'. This agreement is a reflection of the blueprint that the Karzai government presented in the interim Afghan National Development Strategy (ANDS) at the London conference.<sup>19</sup> In both documents the reconstruction in three pillars is sketched: security, good governance and human rights, and economic and social development. The targets for security are a national stabilisation, an increase in the maintenance of the law and improvement of the individual security of every Afghan. The Compact provides the framework for the efforts of the international community for the period up to 2011. In order to guarantee compliance with the agreement, the Joint Coordination and Monitoring Board (JCMB), in which the Netherlands also participates, was established. In the mean time, the Board has also incorporated the International Police Coordination Board (IPCB).<sup>20</sup> This commission is a German and US initiative, which came about during a meeting of police advisers in Dubai in April 2006. Events later that year ensured that all 'stakeholders' in the police reform in Afghanistan joined the initiative during a second meeting in Dubai in October 2006. The objective of IPCB is to improve the coordination of the efforts with regard to the police domain and to bring about a synergy between the different (national) programmes within the police reform.

The growing awareness that the efforts in the area of police reforms had not borne much fruit yet, turned into the realisation that they had actually failed after an inci-

dent on 29 May 2006. During the morning rush hour in a road accident involving an American convoy, in which five Afghan civilians had been killed, serious riots broke out in Kabul.<sup>21</sup> Several hundreds of protesters marched on the administrative centre of the city and directed their anger at the buildings of the international organisations, guest houses, restaurants and government buildings. Some twenty people were killed, almost two hundred were wounded and the damage was considerable, the ANP not being able to stop the demonstrators. Several police officers took off their uniforms and joined the protestors, while their manner of operating clearly showed that they were neither trained for this kind of situations, nor that they had water cannon, tear gas and stand-by equipment at their disposal. Having no other option, the police officers used fire arms to disperse the crowd. This led to an escalation of the violence in many cases. The demonstration showed the frustration among certain sections of the population with the lack of progress in the police reform, on the one hand, and the inability of the ANP to control the demonstrations, on the other. The demonstrators held the government and the foreigners responsible for it.<sup>22</sup>

### **Focused District Development programme**

The disappointing results did not remain unnoticed. In spite of the efforts in the area of training, the US, Germany, other coalition partners and the Afghan government, found that building up and developing an effective, efficient and self-sustaining police force costs time and that the ANP can be an answer to the need for internal security. The joint report of the American State Department and the Department of Defense, which was published at the end of 2006, even stated that the level of the ANP is “far from adequate”. In the report it was emphasised that the mentor programme, following the training, must be extended and that the management of the various programmes within the police reform needed an overhaul.<sup>23</sup>

Together with the Afghan government and other international actors the CSTC-A took the initiative in 2007 for the Focused District Development (FDD) programme, which is aimed at training the ANP per district, reorganising it and mentoring it. The programme mainly focuses on the uniformed police, which have to gain the trust of the population and at the same time see after the national interests. Through the ISAF Regional Commands the resources and the training and subsequent mentorship are concentrated and organised on the district level. This is done by using the various programmes the RTC provides and by employing the Provincial Reconstruction Teams (PRTs). The FDD programme starts with an assessment of the police district by the District Assessment and Reform Team, which consists of a Provincial Mentor team, representatives of the MOI and other ministries, and - in some cases - other international actors. The assessment leads to a physical examination and selection of new leaders, the drawing up of

the materiel lists and facilities, mapping the relation between the police and local leaders, and the professionalism. At the end of 2007 a start was made with the first seven districts.<sup>24</sup>

### *The 'blueprint' for the ANP*

After the above description of the development of the international support for the police reform over the years, the manner in which the ANP must be shaped will be addressed. This is done by means of a description of the positioning and the long-term objectives for the ANP, the police organisation and the strength, the composition and the various training programmes.

### **Role and position of the ANP**

The basis for the ANP was laid down in the Afghan Police law of 2005. Article 2 of this law places the ANP under the responsibility of the MOI, and charges it with the maintenance of public order and security,<sup>25</sup> where public security is explained as a situation in which the legal system, freedom, human dignity and the physical and materiel safety are guaranteed. The law, which mainly concerns the tasks and authorities of the police, does not provide clarity with regard to the positioning of the ANP, a vision on the future ANP, the policing method to be employed and the core values for the police.

The ANDS, published in 2006, indicates that Afghanistan is striving towards the creation of an affordable, professional, national police which operates within the constraints of internationally accepted legal standards, with respect for human rights. The ANDS further states that the police must be able to protect the local population from terrorists and illegal armed resistance and must be able to enforce the rule of law in the entire country. The ANP falls under the direction and control of the MOI, while at the same time it will remain responsive to the needs of the local communities.<sup>26</sup> In 2008 the ICPB phrased the vision for the ANP in a background paper as follows:<sup>27</sup>

*ensures security and prevents crime and disorder, including terrorism and armed anti-Government activity, by enforcing the law to protect the rights, values and humanity of all people, in a professional, non-discriminatory, accountable and trustworthy manner. The ANP improves security together with the community.*

The paper further gives direction to the development and attitude of the police. Thus, taking into account the law, it has to respect the principles of Islam and ethnic and gender values. The document concludes by mentioning a number of core values for the ANP: professional and disciplined; honest and brave; objective and impartial, loyal to the profession and the constitution; accountable; transparent; efficient, and close to

the population. Although there is no actual Afghan vision on the police, a picture is beginning to emerge of a centrally controlled police force which has to strengthen the authority from Kabul in the country, keep order and peace and maintain the law. This ANP must be in contact with the local population and gain their trust and, moreover, live up to the basic principles of a democratic police (wherever possible).

### **Organisation and strength**

The organisation of the ANP has a departmental part and a nationally organised, executive part. Within the MOI the deputy ministers for Security and Police and Counter-Narcotics are responsible for the political management of all police activity. The deputy minister for Security and Police has a national command centre in his staff and controls six departments.<sup>28</sup> Article 3 of the Police Law stipulates that the actual police work is carried out in contingents and units in the capital, the provinces and the districts. In order to better coordinate the security measures by means of a parallel structure (with the ANA) and to decrease the span of control for the ministry, the region was introduced as a new level in 2006. The Afghan government does not have a comparable level, with the exception of the ANA.

The ANP is built up of several types of police units, the largest of which is the Afghan uniformed police (AUP), responsible for the execution of the daily tasks of the police in districts and provinces. Another police unit is the Afghan border police (ABP), which sees to the security along the borders and on the international airports. The responsibility of the Afghan National Civil Order Police (ANCOP) is the maintenance of public order in the large cities and it serves as a quick-reaction force for the AUP. From 2006-autumn 2008 the Afghan National Auxiliary Police (ANAP) existed. This unit, which has since then been incorporated into the AUP, was mainly intended as a 'quick-fix' in order to deal with the Taliban attacks. Finally, the ANP also encompasses the Afghan Highway Police (AHP) and the counter-narcotics police of Afghanistan (CNPA). The AHP, which is responsible for the security on the main highways, was formally disbanded in mid-2006 because of the corruption inside the force and its ineffectiveness. The personnel, 3,400 men, were reorganised over the AUP and the ABP.<sup>29</sup> In early 2009 some elements of the AHP still appear to be active and to function adequately.<sup>30</sup> The Stand-by Police and the Customs Police were also disbanded. The CNAP, with its 2,264 personnel, comes directly under the Deputy Minister for Counter-Narcotics Affairs and is responsible for investigation and maintenance of the narcotics legislation. It incorporates, amongst others, a unit that takes care of the destruction of narcotics or the raw materials.<sup>31</sup>

A final point in this context concerns the strength of the ANP. On the basis of earlier calculations by the GPPO, the personnel ceiling (*tashkeel*) for the ANP was set at



62,000 by the Afghan government in November 2005.<sup>32</sup> This ceiling was to reflect a balance between the security need of the county and the ability to bear the costs on a sustained basis. In April 2007 the JCMB decided on a temporary increase of the *tashkeel* to 82,000.<sup>33</sup>

### **Composition**

A proportionate representation of the various ethnic entities and an active gender policy form the two spearheads in the further development of Afghanistan,<sup>34</sup> and for that reason they are also relevant for the ANP. One of the challenges within the police reforms is the lack of women in the ANP. According to the UN, in the autumn of 2008 there were approximately 483 female police officers working inside the force and a number were being trained.<sup>35</sup> The importance of participation of women in the ANP is both a practical and an ideological one. Thus, a larger number of women officers within the ANP will be able to foster or facilitate the contact between Afghan women and the police, and as a result, issues such as forced marriages and rape can be discovered more easily and dealt with in criminal proceedings. Apart from that a larger number of police women is in line with the Afghan ambition of creating a greater or more proportionate representation of women on the labour market.

A larger participation of women within the ANP seems to flounder for four reasons. Thus, Murray indicates that, first of all, the means are lacking to implement the gender policy and that the political will or power is absent to bring about those changes.<sup>36</sup> The deteriorating security situation and the increase in attacks of insurgents on police women, such as the fatal attack on lieutenant colonel Malalai Kakar in September 2008, and resistance from the Afghan society and ANP, too, form a barrier for women to apply for a job within the police force.<sup>37</sup>

### **Education and training**

The ANP is composed of police patrolmen, NCOs and officers, a composition which is historically determined and it is unclear whether these categories – each with their own required school background, education and training – will be continued.<sup>38</sup> For the level of patrolman, there is no formal school background requirement. They follow a basic training programme of eight weeks in the CTC in Kabul or in one of the regional RTCs. An important part of the training is devoted to skills and drills, firearms and shooting training (pistol and rifle), physical training and tactics. Less than half of the training time is spent on matters such as values and norms, the constitution, penal law and law of criminal procedure, human rights, the use of force, and practical things such as traffic and police techniques.<sup>39</sup> It is not clear whether the use of force and firearms is also dealt with during shooting training. In the mean time, the basic course has

been extended with a second eight-week course. While the firearms training and the police station defence take two to eight weeks, most of the classes are concerned with expanding the professionalism of the ANP.<sup>40</sup> The four-months training for ANCOP, a gendarmerie-like force, is applauded in Afghanistan as well as by the international community. The force – which is well equipped and salaried – is intended to react quickly to situations of unrest, riots and national emergencies and is taking over places at the AUP on a temporary basis.<sup>41</sup>

The aspirant NCO must have nine years of education under his belt prior to the start of his education at the Police Academy in Kabul. The education which lasted one year until recently, was brought back to four and a half months in 2008.<sup>42</sup> In order to qualify as an aspirant officer a candidate must have followed education for twelve years. Once he has been admitted, he has to go through a three-year course.

#### *Dutch contribution to the police reform*

While the Dutch contribution to the stabilisation and further reconstruction of Afghanistan already dated as far back as 2002, the direct involvement in the reform of the ANP did not begin until the period in which a contribution was made through the PRT Baghlan. This contribution got a further impulse within the PRT Uruzgan and was expanded with the deployment of the EUPOL mission in mid-2007, when a number of Royal Netherlands Marechaussee (KMar) officers working within the staff of Regional Command- South (RC-(S)) were assigned to carry out activities related to the reform of ANP. Below, the PRT Baghlan, the PRT Uruzgan and EUPOL periods will be described.

#### **PRT Baghlan**

After the Dutch government had decided at the end of June 2004 to become the lead nation of a PRT in the northern province of Baghlan, a base camp was set up in Pol-e Khomri on 1 October of the same year.<sup>43</sup> The Dutch PRT was active, among other things, in the areas of stability and security and the security sector reform. The KMar also made up part of the mission, which was to last until 1 October 2006.

The ANP in this province consisted of about 1,000 AUP and 300 AHP officers. They were mostly built around former militias, had a military attitude and had a strict single-headed leadership. Both forces had a strong military culture, a high degree of illiteracy and, in view of the KMar functionaries, little know-how of police work.<sup>44</sup> The ANP had an extremely weak infrastructure and the local police units lacked resources, such as vehicles, radios, walkie-talkies, uniforms and specific police means. Initially, the KMar contribution was limited to making available one police liaison officer, whose task it

was to advise the PRT on police matters and maintain contact with the AUP and AHP commanders in the province, the district chiefs and fellow liaison officers.<sup>45</sup> From the third rotation the KMar contribution was expanded with four trainers, who over a period of two years took some 300 patrolmen through basic training, teaching them, amongst others, approaching techniques, suspects' rights, traffic and investigative techniques in two-week basic courses.<sup>46</sup> As the training was hampered by the trainees' illiteracy, they also received language courses along with the training in police skills. At the same time local trainers were educated and lesson plans translated into *Dahri* and *Pashtun*. On top of that, the PRT built a police post and installed several radios and relay stations, enabling the local police commanders to communicate with their posts.<sup>47</sup>

The KMar officers maintained contact with their international colleagues and representatives of DynCorps, who were responsible for paying the salaries to the ANP personnel. Sollie's survey shows that the activities falling within the police reform were very fragmented.<sup>48</sup> Instructors of the several PRTs met in Kabul once every three months, during which presentations were given on the progress. KMar trainers in the mission indicated that the differences between the various PRTs were great and that there was hardly any direction, with every region operating on its own initiative. On 1 October 2006 Hungary took over the task in Baghlan.

### **PRT Uruzgan**

Even before the tasks of the PRT Baghlan were taken over, Task Force Uruzgan (TFU) became operational,<sup>49</sup> a task force consisting of approximately 1,300 personnel, working from the provincial capital of Tarin Kowt ('Camp Holland') and in Deh Rawod ('Camp Hadrian'). The core of the TFU is made up of the PRT, and its tasks are roughly comparable to the ones of the PRT Baghlan. The mandate of the mission was extended with two years until 1 August 2010.

The TFU is one of the forces falling under command of RC-(S), whose area of operation encompasses the southern provinces of Helmand, Kandahar, Uruzgan and Zabul. Just like any other region, RC-(S) has an Afghanistan Regional Security Integration Command (ARSIC), which consists of a Regional Police Advisory Command (RPAC) and a Regional Corps Advisory Command (RCAC).<sup>50</sup> The RPAC is responsible for the implementation of the FDD plan and organises the training, mentoring and monitoring of all ANP units, the RCAC being its counterpart for the ANA. The RPAC, which comes under final responsibility of the CSTC-A in Kabul, has at its disposal one RTC, trainers and a number of Police Mentoring Teams (PMTs) or Police Operational Mentoring Liaison Teams (POMLTs).<sup>51</sup> Within RC-(S) there are several PMTs active.<sup>52</sup>

One of the spearheads for the PRT is the build-up and reform of the ANP, and to that end the KMar is cooperating with its colleagues of the US (CSTC-A, DynCorps), EUPOL, Australia and Afghanistan. The most important element of the work is giving advice to the local police and giving practical training. Apart from that, the PRT also provides the equipment for the police officers, and a number of police stations and posts have been built. Moreover, an OCCP, a provincial operational coordination centre, has been established in order to facilitate the coordinated deployment of the various services and, by doing so, increase the security in the province.<sup>53</sup> Finally, although originally a training was planned in the RTC Kandahar, in March 2009, a provincial training centre (PTC) opened its doors in Camp Holland, the bad security situation in Uruzgan, but also the entrance requirements being the cause of the poor recruitment results in Kandahar.<sup>54</sup>

Although the task of the approximately ten-man strong KMar detachment initially came down to reforming the police that was already present (AUP and AHP) into one AUP, the bulk of the work since mid-2007 has been the training of the ANAP.<sup>55</sup> While the province has six districts, the AUP activities were mainly concentrated in Tarin Kowt and Deh Rawod, with ANAP personnel occupying checkpoints in villages and important thoroughfares.

Since October 2008 Uruzgan has also been part of the FDD. The first intake of 267 officers went to the RTC in Kandahar for a two-month training period and after successfully completing it returned to Uruzgan in December, where they were monitored by the first Dutch PMTs, consisting of KMar and infantry personnel.<sup>56</sup> They should be able to lift the professionalism of the ANP. To that end, the KMar personnel will mainly focus on the execution of police tasks, while the infantry specialists will take care of security and the teaching of self-defence tactics. In April 2009 the number of teams was expanded to two.<sup>57</sup>

The activities bound up with the police reforms in Uruzgan were initially hampered by the fact that it was virtually impossible to make agreements with the district chief of police, Mohammed Quasum.<sup>58</sup>

Apart from the problem of corruption, illiteracy and the security situation formed barriers to a quick reform of the ANP. The many courses that had to be taught and the security situation made it difficult to coach and monitor the ANP, as there was not enough time and room to do so on location, with KMar personnel only being allowed to leave the camp with force protection.<sup>59</sup> In Chora follow-up and refresher courses were given to ANP personnel for some time. Finally, the Netherlands contributes financially to the further build-up of the CNPA in Uruzgan.

### **EUPOL mission**

In June 2007 the European Union Police Mission Afghanistan (EUPOL) was launched.<sup>60</sup> As was said above, this mission builds on the GPPO and its task is to assist the Afghan government in creating a sustainable and efficient police force. In the execution of this task EUPOL focuses on monitoring, mentoring, advising and training of personnel working at the strategic level. Due to the lack of adequate security measures and means the support of the operational levels is virtually impossible.

Making available some twenty EUPOL functionaries at the IPCB, EUPOL contributes to the strategic policy development for the ANP. The bulk of the policemen sent out there is assigned to the five RPCAs, RTCs and the PRTs led by the European member states.

In the mean time, EUPOL has also become active within the RC-(S) AOR, and, moreover, at the end of 2008 coordination between RPAC and EUPOL was set up in Kandahar. Thus, the UK 'sponsors' three EUPOL functionaries who are to be accommodated at the RC-(S) headquarters. It is the intention that Canada and the Netherlands will also contribute one functionary each.<sup>61</sup>

The Netherlands has decided to contribute nine functionaries to EUPOL. They are seven KMar personnel, four of whom are stationed in Kandahar and three in Uruzgan, and two civilian experts in the field of gender and finances, who are to be posted at the EUPOL headquarters in Kabul.<sup>62</sup> The task of the KMar functionaries is to mentor and advise the local ANP leadership. They spend much time on training, working in the OCCP, and providing computer lessons by the CID advisor.<sup>63</sup> There were also five ANP officers educated to become trainers, so that they could take the training into their own hands after taking the PTC into use.<sup>64</sup> Monitoring and coaching 'patrolmen', however, is not possible, as EUPOL functionaries are only allowed to work in secure work locations and have to be moved in armoured vehicles.<sup>65</sup>

### **Six years later**

After six years of police reform and two more years to go for attaining the objectives laid down in the Compact, it is time to make up a provisional balance.<sup>66</sup> Below, the security situation in Afghanistan, the vision on the future ANP, the coherence between police reform and other reforms in the context of the rule of law, the own (financial) sustainability of the Afghan government for the planned ANP, the education and training of the ANP, the coherence of the efforts of the international community to build up and reform the ANP, and the Dutch efforts will be discussed.

### *Security situation*

As was indicated above, guaranteeing a secure environment is a necessary condition for the further development of Afghanistan. In several studies it is shown that this security is not all it should be by far or is even deteriorating, compared to the situation prior to the US intervention.<sup>67</sup> The Taliban and other insurgents seem to have gained ground, the narco-trade remains a serious problem and the corruption within the Afghan government is difficult to root out. Especially in the southern part of Afghanistan and around the capital Kabul the security situation seems to have worsened. It is obvious that this situation is bad for publicity.<sup>68</sup>

Nevertheless, one study shows that, although it has decreased over the past year, the trust in the ANP is, generally speaking, high with nearly 80 per cent of the respondents indicating they had trust in the police. It is also shown that the trust in the country is lower than in the urban areas and that it is significantly lower in the south. The respondents assess the professionalism and extent of training of the ANP to be so low that they think foreign assistance is necessary. At the same time, fear of crime and actual experiences with criminal activities in the southern provinces have increased considerably. Among the incidents mentioned are violent offences, threats of violence (30 per cent), bribe/extortion (15 per cent), and abduction (8 per cent) crimes of property, such as theft preceded by forcible entry/plundering (15 per cent), theft of livestock (13 per cent).<sup>69</sup>

Also the poppy cultivation and the production are still a source of concern. While they were booming in the first five years, they have fallen over the past year, a decrease which is the result of the pressure exerted by the governors, shuras and village elders to limit to poppy cultivation. More important causes, however, were the effects of the market: the surplus of opium, on the one hand, and the high prices of food (as a result of a drought), on the other, made it more attractive to grow other produce.<sup>70</sup> The study of the UN Office on Drugs and Crime (UNODC) reveals that the poppy cultivation and opium production are concentrated in a limited part of Afghanistan and that the southern provinces play a major role in the narco-trade. Insurgent groups have great influence in the south and organised crime can profit from the protection they receive from the insurgents.<sup>71</sup> In many instances there is also police involvement in these criminal activities.<sup>72</sup>

### *Shared vision?*

A common vision on the role of the ANP and a strategy for attaining it are of major importance for the success of the police reform in Afghanistan. In this respect, Wilder, and others with him, point at the necessity to review, together with the Afghan government, the German approach of a civilian law and order enforcing police and the

American approach, in which the police plays an important counter-insurgency role as a security force.<sup>73</sup>

Murray indicates that two different approaches had come into being, each with their own advantages, but conflicting in their philosophies. The German approach seems mainly directed at the long-term objectives of the reform, for which durable improvements of providing security and justice need to be realised. It would require a cautious and rational build-up from whatever foundation already present, in which the organisation was to be a mixture of the continental police model, within which the police is legitimised and controlled by a central government, and (aspects of) community policing. Although Germany underlined the temporary establishment of the ANAP for the vulnerable provinces, it remained steadfast in its view that the separation between the army and the police should not become blurred. The ANP was not to degenerate into a paramilitary force. The underlying values for the execution of the police function in the German vision are: professionalism, reliability, accountability (supervision and transparency), responsiveness, justice and integrity.<sup>74</sup>

The US approach is mainly directed at achieving security on the short term: activities must be mostly focused on the immediate, measurable improvement (effective counter-insurgency operations), the shoring up of the legitimate government authority by providing resources and training and police reform. The underlying values in this approach mainly come down to effectiveness, central control, courage, skilfulness and loyalty. The attention for the training of 'skills and drills', tactics and equipment derive from them. As Sherman states, these long-term and short-term approaches are at loggerheads with each other, and competing strategic objectives for the improvement of the management and increasing of security must have caused confusions with regard to the final goal of the ANP reform.<sup>75</sup>

Marenin links these differences of approach to what he calls the attention gap, referring to the failure of the SSR to distinguish the police from the armed forces and other actors.<sup>76</sup> Transferring the responsibility for the activities in the framework of the police reform to the US Department of Defense and the CSTC-A in 2005, is viewed by Murray as a further blurring of the difference between the roles of the police and armed forces in Afghanistan.<sup>77</sup>

While the establishment of the IPCB was intended to make the police reform more consistent and while it was acknowledged that a common vision on the ANP would be required, the efforts made so far have not led to such a shared vision. The set-up and execution of the FDD can be seen as a compromise solution between the German (long-

term) approach and the original approach of the USA.<sup>78</sup> It remains to be seen whether this helps to clear up the confusion about the final goal of the ANP reform.

#### *Coherence with other reforms*

The police reform cannot be viewed in isolation from the rule of law mission. Without adequate legislation and regulation, sufficient and well-trained public prosecutors and judges and a functioning prison system, any police reform is ultimately doomed to fail. In spite of this realisation, the aspects of the rule of law, individually or in their coherence, have not received the desired attention.<sup>79</sup> There are several causes for this. In this respect, Wilder points at the clinging to the various pillars within the SSR, which admittedly has led to successes within the pillars, but may well have been in the way of an integral approach of the reforms within the juridical and police organisations.<sup>80</sup>

The rule of law mission is proceeding less successfully and only little progress is made.<sup>81</sup> There are six causes for this. First of all, the juridical system is administratively complex and strongly influenced by the various factions.<sup>82</sup> It is striking that the MOI has not, or only sparingly, been involved in the changes of the juridical system. This is particularly so for the transfer of the responsibility for the investigation of criminal facts on the basis of the new constitution (article 134), which now has come to lie with the Public Prosecutor, who, however, does not have the capacity needed for it.<sup>83</sup> In the second place, a comprehensive rule of law strategy is absent, which has given specialists from various countries the opportunity to make laws and regulations on an ad hoc basis, often based on their own references rather than what Afghanistan needs.<sup>84</sup> Thirdly, it also proved to be the case that Italy had trouble coordinating the international help. In the fourth place, there appeared to be few suitable and trained judges and public prosecutors, and, fifthly, in many provinces the necessary infrastructure and resources were absent. Finally, the security of the personnel involved could not be guaranteed sufficiently.<sup>85</sup>

Over the past few years a lot has been invested in the formal juridical system, many laws and regulations have been made and the education of (new) judges, public prosecutors and prison staff has been taken up, and a lot of work has gone into ensuring salaries and the availability of an adequate infrastructure and resources.

More and more the attention is coming to lie on the question how to make the formal and (relatively informal) systems exist alongside each other, and a solution is sought in the direction of a sort of hybrid system of law that does justice to the Afghan juridical context, in which culture, the Islam and common laws have a place.<sup>86</sup>



In conclusion, it can be said that the coherence within the rule of law and between the rule of law and the police reform still needs improvement.

### *Sustainability*

One of the important points for the set-up of the ANP was the Afghan government having or being able to create sufficient financial leeway to sustain the police system.<sup>87</sup> While on the basis of GPPO calculations the *tashkeel* at the end of 2005 for the ANP had been established at 62,000, it was decided in early 2007 to increase the personnel ceiling to 82,000 in response to the deteriorating security situation. Where the *tashkeel* in 2005 had been partially based on financial feasibility, it is an open question, bearing in mind the security situation and the scale of corruption and bribery, whether the Afghan government will be able to finance the ANP when the international financial support via the LOFTA is terminated.

### *Education and training ANP*

The education and training of the ANP and the ABP was started in 2003. Several studies show a focus on training large numbers of (prospective) police officers.<sup>88</sup> Thus, the American State Department indicates that the INL has trained more than 97,000 police officers since 2003 via the CSTC-A, including 2,700 functionaries trained via the FDD programme. The Department concludes that with reaching a 78,000-strong police force, the *tashkeel* for 2010 is approaching. The focus on tangible measurable training results is rather in contrast with the progress of the reforms. The situation in which a considerable number of trained policemen quickly leaves the force, also applies to Afghanistan according to Wilder and others.<sup>89</sup>

With the exception of the officer and NCO courses, the education and training are short. Moreover, in the various courses the focus is very much on skills and drills, and the police trainees are mostly trained on the AK 47, and shooting training on heavier weapons, such as rocket launchers, is not an exception. It has been concluded that in Afghanistan, too, people need longer training and the new police officers should be monitored and coached in practice.<sup>90</sup>

Training is only one of the examples of the knowledge gap described by Marenin,<sup>91</sup> and this also holds good for Afghanistan: training courses are often designed by (former) police officers based on their practical experience. They are people whose professionalism is beyond question, but who often are inexperienced educators. Transfer of knowledge, development of competences, but also transfer of values are hardly done justice, amongst others, due to far-from-effective teaching methods.<sup>92</sup> The differences in the various (national) police practices also form an obstacle in the absence of an international

police doctrine; a fact which is even exacerbated by an abundance of courses offered by international organisations, bilateral programmes and non-governmental organisations (NGOs).<sup>93</sup> With several national PRTs and a number of bilateral programmes this situation is no different in Afghanistan, and in the absence of a shared vision on the future ANP this draws heavily on the coordinating role of the IPCB.

In summary, it can be said that the numbers of trained police functionaries are gradually increasing, but that improvements can still be made. More than at present, education and training should be geared to the long-term objectives for the ANP and ABP. Next to transfer of knowledge and development of competence, there should be more room and time to come to a transfer and development of underlying values of the future ANP and ABP.<sup>94</sup> More police expertise in combination with teaching competences are a requirement for this.

#### *Dutch contribution*

Below, the further concretisation of the Dutch contribution will be presented. It is partially based on the data that have come available through Sollié's study, the questionnaires and the ensuing correspondence with respondents.<sup>95</sup>

The Dutch contribution to the police reforms up to now has mainly concerned advising the own commander, training police functionaries and mentoring and coaching these local officials. Moreover, a lot of work has gone into the provision of a new infrastructure and resources. The respondents frequently indicate they have been on the road to discuss the progress of the SSR with PRT or TFU commanders, political advisers, and other international representatives within the police reform. A specialist of their own for the rule of law was lacking and was added to the organisation at the beginning of 2007. Although the specialist has undertaken several activities, the extension is not an unqualified success.<sup>96</sup>

With the training of 1,000 ANAP police officers the KMar made a significant training effort in Uruzgan. What is remarkable is that a considerable number of KMar personnel had little or no teaching experience. A look into the composition of the PMTs shows that a number of mentors has no police experience, and it might well be that the employment of the Dutch PMTs could lead to a widening of the attention gap observed by Marenin. Incidentally, all respondents indicate that the impression the ANP gives is one of a (para)military police, characterised by a strong hierarchy, within which decisions are taken at the central level, with no discretionary freedom for the police personnel. The activities were mostly directed at protection, security and repressive action, with frequent use of violence and firearms. Such a police force can indeed be typified as a paramilitary

police or a police along the lines of a continental police model. The respondents state that independence, justice, self-sufficiency, integrity, reliability, transparency, humanity and professionalism belong to the core values on which the future ANP should be built. Conversely, they portray a picture of the ANP in which only a few of these core values are given attention to. According to them, this is caused by the local culture, tribal influences and conflicting interests. One respondent observes that the ANP members also viewed these core values as imposed by the Afghan government or the international community. Again the attention gap emerges, prompting the question with regard to the extent to which the Dutch training and education activities have created a deeper and lasting effect. Incidentally, most respondents indicate that the Netherlands only gets little leeway for its own interpretation and that “the line is that of the US, UK, Canada, and Australia”.

With regard to the importance of the local context for the future ANP opinions concur: of course, there should be as much tie-up with the local customs and needs as possible. They differ, however, over the role and significance of the *Shari’a*, the common law and the alternative forms of settlement of disputes. It would be wise to take notice of the Afghan desire to come to a hybrid juridical system, in which the formal legal system and the informal form of settlement of disputes exist alongside each other.

In summary, the focus on structure, education and provision of infrastructure and resources prevails also in the Dutch contribution. In that respect, the Netherlands is certainly not unique,<sup>97</sup> but it should realise this, and on the basis of that realisation begin to give more attention to the formulation of a clear vision on the ANP and the strategy for attaining it. In this respect, the underlying values play a major role. Attention for the appointment and preparation of ‘reformers’ might contribute to a decrease of the confusion among the ANP personnel, and (connected with it) increase the durability of the reform activities.

## Conclusion

The security situation in Afghanistan is not yet at the required level. At the same time, the police reform in Afghanistan is no exception in the framework of global police reform in that, here, too, more attention is needed for the local context within which police reform and reform of the legal system are taking place. In Afghanistan this comes down to more attention for the legal tradition of the country where *Shari’a* and *Jirga* play an important role.

It can be said that not all reform activities are consistent with each other and that a clear vision for the ANP is absent. It is precisely this which, under pressure of violent resistance of the Taliban, caused a situation in which two conflicting strategies exist alongside each other. For the time being, the development of a civilian police focused on the population and human rights being pushed into the background of a centrally controlled robust (para)military police, seems to continue. The violent actions of the insurgents have led to many fatalities within the ANP and evoke such a reaction. On top of that, the temptation is strong to justify non-observance of human rights by police officials by pointing at the violent confrontations.

Nevertheless, in line with Bayley's observations, it must be said that observance of human rights can go together indeed with these unfavourable violent environments and will pay off in the end.<sup>98</sup> For most post-conflict states the overall objective of police reform is "to move from a model of policing based on repression and social control to a model based on prevention and investigation".<sup>99</sup>

Effective crime control and fair trial are two leading principles for the police, which must be capable of creating a secure environment in such a way that the trust of the population is strengthened. Good (and paid) salaries, working conditions, appropriate equipment and infrastructure are absolutely necessary to meet these two principles. Besides, there is still much corruption, and although this problem is acknowledged in Afghanistan and a salary system for the police is slowly emerging, further measures are required.

It must be concluded that, in spite of a modest progress, the reform of the ANP can certainly not be called a success yet. It may also be clear that it will still be hard to attain the set objectives in time. If the reform is to be durable – apart from the problem of the financial sustainability of the police – more attention has to go to a clear vision on the role and function of the police geared to the Afghan context and a related strategy for the attainment of that situation. More consistency with the rule of law and less compartmentalisation within the SSR are needed for that.

The Dutch contribution is (has been) mainly directed at the training and provision of infrastructure and resources. If the Netherlands wants to improve its contribution to the police reform, it will have to be prepared to consider increasing its share, extending its mission and improving its selection and preparation of the personnel it sends out. More than in the past it must select personnel with the ability to think at the strategic level, with knowledge of and experience in the domain of police reform and teaching. It will also have to consider which future role it sees for the ANP and how to achieve it.

## Notes

1. Colonel J.L. (Hans) Hovens (Royal Marechaussee) is an associate professor and PhD-candidate at the Military Operational Arts and Sciences section at the Netherlands Defence Academy.
2. Murray, T. (2007), 'Police-Building in Afghanistan: A Case Study of Civil Security Reform', *International Peacekeeping*, Vol 14, No 1, pp. 109-110.
3. Amnesty International (2003), *Afghanistan, police reconstruction essential for the protection of human rights*, pp. 3-4.
4. Murray (2007), pp.109-110, and Wilder, A. (2007), *Cops or Robbers? The Struggle to Reform the Afghan National Police*, Issues Paper Series, Afghan Research and Evaluation Unit, pp. 3-4.
5. Ibid., pp. 109-110.
6. Amnesty International (2003), p. 4.
7. Ministry of Foreign Affairs, Japan (2002), *Co-chairs' Summary of Conclusions – the International Conference on Reconstruction Assistance to Afghanistan, 21 and 22 January 2002*, Tokyo p.3, [http://www.mofa.go.jp/region/middle\\_e/afghanistan/mino201/summary.pdf](http://www.mofa.go.jp/region/middle_e/afghanistan/mino201/summary.pdf), accessed 20 October 2008.
8. Germany has been involved since the 1950s.
9. Murray (2007), pp. 110-111.
10. Ministry of Internal Affairs and Ministry of Foreign Affairs, Federal Republic of Germany, *Polizeiliche Aufbauhilfe in Afghanistan*, 2<sup>nd</sup> edition, Düsseldorf, December 2005, p. 8 and Wilder (2007), p. 18.
11. Plank, I. (2003), 'Mission in Afghanistan', in: *Deutsche Polizei*, 4/2003, pp. 6 -7.
12. Murray (2007), pp. 110-111; and Islamic Republic of Afghanistan and UNDP, *Law and Order Trust Fund for Afghanistan (LOFTA) Phase V*, project document, 31 Augustus 2008, <http://www.undp.org.af/WhoWeAre/UNDPinAfghanistan/Projects/ProDocs/LOFTA%20Phase%20V%20Project%20Document.pdf>, approached 17 November 2008.
13. Plank (2003).
14. Kempin, R. (2008), 'Polizeiaufbau in Afghanistan', in: Schmidt, P. (ed.), *Das internationale Engagement in Afghanistan: Strategien, Perspektiven, Konsequenzen*, Deutsches Institut für Internationale Politik und Sicherheit, Stiftung Wissenschaft und Politik, Berlin, pp. 37-42.
15. Jones, Seth G. (2008), 'The Rise of Afghanistan's Insurgency; State Failure and Jihad', *International Security*, Vol. 32, No. 4 (Spring 2008), p. 23.
16. ICG Asia Report (2007), nr 138, p. 7.

17. ICG Asia Briefing (2008), N<sup>o</sup>85, *Policing in Afghanistan: Still Searching for a Strategy*, 18 December 2008, p. 9.
18. EUPOL - Serving Afghanistan: Online Bi-weekly Newsletter, 13 May 2009 9/09, p. 9.
19. See for instance: *The Afghan Compact* (2006), [www.ands.gov.af/admin/ands/ands\\_docs/upload/UploadFolder/The%20Afghanistan%20Compact%20-%20Final%20English.pdf](http://www.ands.gov.af/admin/ands/ands_docs/upload/UploadFolder/The%20Afghanistan%20Compact%20-%20Final%20English.pdf), accessed 2 December 2008; *The Afghan National Development Strategy* (2006), [www.ands.gov.af/admin/ands/ands\\_docs/upload/UploadFolder/The%20Afghanistan%20National Development%20 Strategy%20 final%20English.pdf](http://www.ands.gov.af/admin/ands/ands_docs/upload/UploadFolder/The%20Afghanistan%20National%20Development%20Strategy%20final%20English.pdf), approached 2 December 2008; Wilder (2007), pp. 26-27.
20. Hodes, C. and Sedra, M. (2007), *The search for security in post-Taliban Afghanistan*, Adelphi papers, nr. 391, International Institute for Strategic Studies, London, p. 68.
21. See for instance: Hodes and Sedra (2007), pp. 61-62; and Letter of the Ministers of Foreign Affairs and Defence, Tweede Kamer 2005–2006, 27 925, nr. 218, The Hague, 9 June 2006.
22. Hodes and Sedra (2007), p. 62.
23. US State Department and Department of Defense (2006), Offices Inspectors General, *Interagency Assessment of Afghanistan Police Training and Readiness*, Washington D.C., p. 1.
24. ICG, Asia Briefing (2008), n<sup>o</sup> 85, pp. 12-13; *Report on Progress toward Security and Stability in Afghanistan*, Report to Congress in accordance with the 2008 National Defense Authorization Act (Section 1230, Public Law 110-181), June 2008, pp. 25-26.
25. Islamic Republic of Afghanistan, Ministry of Justice, *Police Law*, published in the Official Gazette N<sup>o</sup>: 862, Kabul, 22 September 2005.
26. *The Afghan National Development Strategy* (2006), Executive Summary, p. 6.
27. *Background Paper for Police Vision Statement*, received on 29 October 2008 from HM Embassy, Kabul.
28. Wilder (2007), p. 5.
29. Based on an interview, Wilder states that many members of the AHP refused to be transferred to the AUP or ABP and deserted taking their uniform and weapons with them. Wilder (2007), p. 13.
30. Correspondence with Captain KMar A.W. de Groot, 18 February 2009.
31. In their war against drugs the US concluded a contract with DynCorps for ten years (\$2.1 billion) in the beginning of 2007. DynCorps is deployed in Afghanistan as well.
32. See for instance: Wilder (2007), p. 7; ICG Asia Report (2007), nr 138, p.10; ICG Asia Briefing (2008), N<sup>o</sup>85, p.2. The total figure of 62,000 police officers includes the Border Police (12,000).

33. According to data from the ICG Asia Briefing (2008), N°85, December 2008, divided over Uniformed Police (44,319), Civil Order Police (5,365) and Border Police (19,970).
34. See for instance the (I)ANDS.
35. UNDP, Afghanistan Country Office, Statebuilding and Government Support Programme, Fact Sheet, August 2008, p.19. With a total strength of 82,000 the percentage of women does not exceed 0,5% for the time being.
36. Murray (2007), p. 115.
37. Wilder (2007), p. 4.
38. ICG Asia Briefing (2008), N° 85, pp. 4-5
39. (Draft) Afghanistan Police Training Mission, Basic Course Overview, revised: September 2006. Document in possession of the author.
40. Afghanistan Police Training Mission Advance Eight Week Police Course Overview, September 2007. Document in possession of the author.
41. Because the ANCOP does not have links with the local leaders, the population of some regions have asked the ANCOP to stay (ICG Asia Briefing N°85, p. 5).
42. ICG Asia Briefing (2008) N° 85, p. 4.
43. Tweede Kamer, 2003-2004, 27925, nr. 133, 28 June 2004; Klep, C., Gils, R. van (2005), *Van Korea tot Kabul: De Nederlandse militaire deelname aan vredesoperaties sinds 1945*, The Hague: SDU Publishers, pp. 452-463.
44. Sollie, H. (2008), *Opbouw en hervorming van inheemse politiekorpsen; ervaringen van de Nederlandse krijgsmacht na 1989*, master thesis University Twente, pp. 164-165.
45. Ibid., pp. 164-165. The province Baghlan has 15 districts.
46. Tweede Kamer, 2006-2007, 27925, nr. 237, 20 October 2006. Sollie (2008), p. 76.
47. Tweede Kamer, 2005-2006, 27925, nr. 213, 18 April 2006.
48. Sollie (2008), pp. 164-165.
49. On 22 December 2005 the Dutch government decided to contribute to ISAF again (Tweede Kamer, 2005-2006, 27925, nr. 193, 22 December 2005).
50. Afghan Regional Security Integration Command, Fact Sheet, CSTC-A, Public Affairs, September 2007, <http://www.cstc-a.com/mission/CSTC-A%20--ARSIC%20Fact%20Sheet%20-%20Sept%202007%20BAW.pdf>
51. The ABP is trained by the Blackwater private company, while DynCorps is mainly involved in training the ANP.
52. Correspondence with Major KMar H. Huisman, 17 November 2008.
53. Biemans, S.L. (2008), *Van Militie naar Politie; Een onderzoek naar de justitiële wederopbouw in Uruzgan*, thesis Warstudies, Breda, Netherlands Defence Academy, p. 53; Sollie (2008), p. 77.
54. Biemans (2008), p. 53; Sollie (2008).

55. Sollie (2008), pp. 164-165; Tweede Kamer, 2007-2008, 27925, nr. 287, 19 December 2007. Reported that approximately 1,000 ANAP officers were trained.
56. Ministry of Defence, *Periodiek overzicht Afghanistan*, 11 December 2008, [http://www.defensie.nl/missies/nieuws/isaf/2008/12/11/46124884/Periodiek\\_overzicht\\_Afghanistan](http://www.defensie.nl/missies/nieuws/isaf/2008/12/11/46124884/Periodiek_overzicht_Afghanistan); Ministry of Defence, *Periodiek overzicht Afghanistan*, 16 October 2008, [http://www.defensie.nl/missies/nieuws/isaf/2008/10/16/46117749/Periodiek\\_overzicht\\_Afghanistan](http://www.defensie.nl/missies/nieuws/isaf/2008/10/16/46117749/Periodiek_overzicht_Afghanistan).
57. Ministry of Defence, *Periodiek overzicht Afghanistan*, 11 December 2008.
58. Biemans (2008), p. 49.
59. Sollie (2008), pp. 164-165.
60. EU Council Joint Action 2007/369/CFSP 30 May 2007.
61. Correspondence with Major KMar H. Huisman, 17 November 2008.
62. Tweede Kamer, 2007-2008, 27925, nr. 272, 24 September 2007.
63. Correspondence with Major KMar H. Huisman, 17 November 2008, and Ministry of Defence, *Periodiek overzicht Afghanistan*, 11 September 2008, [http://www.defensie.nl/missies/nieuws/isaf/2008/09/11/46117192/Periodiek\\_overzicht\\_Afghanistan\\_CID\\_\(Criminal\\_Investigation\\_Department\)](http://www.defensie.nl/missies/nieuws/isaf/2008/09/11/46117192/Periodiek_overzicht_Afghanistan_CID_(Criminal_Investigation_Department)).
64. EUPOL - Serving Afghanistan Online Bi-weekly Newsletter, 14th January 2009, p. 2, [http://www.consilium.europa.eu/uedocs/cmsUpload/EUPOL-Serving\\_Afghanistan\\_1-09.pdf](http://www.consilium.europa.eu/uedocs/cmsUpload/EUPOL-Serving_Afghanistan_1-09.pdf).
65. Sollie (2008), pp. 77-78.
66. The Compact states that by the end of 2010 the ANP and ABP must have reached a situation in which they have “a fully constituted, professional, functional and ethnically balanced Afghan National Police and Afghan Border Police with a combined force of up to 62,000” (in the meantime 82,000) are able “to meet the security needs of the country effectively” and are ‘increasingly fiscally sustainable’.
67. See for instance: Fair, C. and Jones, S. (2009), *Securing Afghanistan; Getting on Track*, USIP, working paper; ICG Asia Briefing (2008), N° 85; Murray (2007); UN Office on Drugs and Crime (2008), *Afghanistan Opium Survey 2008*; Wilder (2007); Sherman J. (2009), ‘The Afghan National Development Strategy: The Right Plan at the Wrong Time?’, *Journal of Security Sector Management*, volume 7, number 1, February 2009.
68. ICG Asia Briefing (2008), N° 85, p. 6.
69. Asia Foundation (2008), *Afghanistan in 2008: A Survey of the Afghan People*, pp.29-34. <http://asiafoundation.org/resources/pdfs/Afghanistanin2008.pdf>, accessed 8 January 2009.
70. UN Office on Drugs and Crime (2008), p.2.
71. Ibid., pp. 2-8.
72. ICG Asia Briefing (2008), N° 85, p. 6.



73. For instance: Wilder (2007), p. 43; Murray (2007), pp. 112-113; ICG Asia Briefing (2008), N<sup>o</sup> 85; Fair and Jones (2009), p. 13.
74. Embassy Federal Republic of Germany in Kabul, *Police Reform: The German Contribution*, November 2007.
75. Sherman (2009), p.5.
76. Marenin, O. (2005), *Restoring police systems in conflict torn nations: process, problems, prospects*, Occasional Paper No. 7, Geneva Centre for the Democratic Control of the Armed Forces, Geneva.
77. Murray (2007), pp. 117-118.
78. Fair and Jones (2009), p. 13.
79. See for instance: Wilder (2007), pp. x-xi; Sherman (2009), pp. 5-6; US Department of State and Department of Defense (2006), pp. 52-53.
80. Wilder (2007), p 50.
81. For instance: Wilder (2007); Sherman (2009); World Bank (2007), *Governance Matters 2007: Worldwide Governance Indicators, 1996-2006*, Washington.
82. Miller, L. and Perito, R. (2004), *Establishing the Rule of Law in Afghanistan*, special report 117, USIP, March 2004, p. 6.
83. Wilder (2007), p. 50.
84. Wilder states that the *Police Law* (from the year 2005 or 1384) and the *Interim Penal Proceedings Law* (2004 or 1383) conflict with each other at several points and that certain provisions are not realistic considering the Afghan situation (Wilder (2007), p. 50).
85. Fair and Jones (2009), p. 17.
86. Bonn Agreement, Part II. Legal framework and judicial system, article 2; Rome Conference on the Rule of Law in Afghanistan (July 2-3, 2007) Joint Recommendations; Afghan Center for Policy and Human Development (2007).
87. The Compact stated that the ANP should be '*increasingly fiscally sustainable*'. The ANDS also gives indication in this direction.
88. See for instance: Murray (2007), pp. 116-117; Wilder (2007), pp. 29-30; US Department of State and Department of Defense (2006), US Government Accountability Office (2008), *Afghanistan Security: Further Congressional Action May Be Needed to Ensure Completion of a Detailed Plan to Develop and Sustain Capable Afghan National Security Force*, Report to Congressional Committees, GAO-08-661, June 2008; US State Department, Afghanistan Program Overview; INL Mission in Afghanistan (<http://www.state.gov/p/inl/narc/c27187.htm>).
89. Ibid, p. 31; correspondence with Major KMar Huisman, 17 November 2008; Letter to Parliament of the Minister of Foreign Affairs and Minister of Defence ('*Inzake de periodieke stand van zaken over Afghanistan*' (24 September 2007) stated that 40 percent of the trained police officers was not in active service any more.

90. Mobekk, E. (2003), *Law-enforcement: Creating and maintaining a Police Service in a Post-Conflict Society -Problems and Pitfalls*, Geneva Centre for the Democratic Control of Armed Forces, Working Paper no 127, p. 38; ICG Asia Briefing N° 85, p.13.
91. Marenin (2005); Murray (2007).
92. Murray (2007), pp. 119-120. The quality of training and education (and later on monitoring and guiding in practice) comes under pressure when performed by soldiers. Due to shortages of international police CSTC-A was forced to engage soldiers in the training of ANP (Fair and Jones (2009), p. 11).
93. Bayley (2006), *Changing the Guard: Developing Democratic Police Abroad*, New York: Oxford University Press, p. 101; Doyle, Michael H. (2007), 'Too Little, Too Late? Justice and Security reform in Bosnia and Herzegovina', in: Call, Charles T. (ed.) (2007), *Constructing Justice and Security after War*, Washington D.C.: United States Institute of Peace, p. 241.
94. Huiberts-Van Dijk and Teftedarije examined security sector reform more in detail and conclude that this reform mainly focuses on the formal structures and fails to take into account the fact that institutional reform remains incomplete without a change of informal institutions. See: Huiberts-Van Dijk, S., and A. Teftedarija (2009), *Theorizing security sector reform: the institutional approach*, European Consortium for Political Research, paper for the 5<sup>th</sup> general conference, Potsdam, 2009 (forthcoming).
95. Sollie (2008).
96. See for a more extensive review: Biemans (2008), pp. 59-63.
97. Mobekk (2003), p. 28; Bayley (2006), p. 101.
98. Bayley (2006), pp. 73-78.
99. Neild, Rachel (1998), *Police Training: Themes and Debates in Public Security Reform: A manual for civil society*, Washington D.C.: Washington Office on Latin America, p. 11.