

5.3: U.S. Counternarcotics Strategy and Support within the scope of Afghan Justice Sector Assistance and Coordination Mechanisms

Summary

This chapter provides an overview of the United States Government’s counternarcotics strategy and support provided to the Government of the Islamic Republic of Afghanistan on counternarcotics efforts within the scope of justice sector assistance including assistance to the Ministry of Counter Narcotics, the Counter Narcotics Justice Center, and the Ministry of Interior. This chapter also reviews the major coordination mechanisms for counternarcotics efforts including the Afghanistan Threat Finance Cell, the Joint Narcotics Analysis Center, the Interagency Operations Coordinating Center, the Combined Joint Interagency Task Force-Nexus, as well as the Operations Development Working Group, the Strategic Effects Council and Strategic Effects Board.

Introduction

In the *Enduring Strategic Partnership Agreement between The United States of America and The Islamic Republic of Afghanistan* (Strategic Partnership Agreement), the U.S. Government and the Government of Afghanistan confirmed the importance of counternarcotics efforts stating:¹

[The] Parties affirm that the production, trafficking, and consumption of illicit narcotics poses a major threat to ensuring security and the formation of a licit Afghan economy, as well as to regional security and a healthy world. [The Parties] are determined to cooperate in Afghanistan, the region, and the world to eliminate this threat.

The U.S. further expressed its commitment to helping the Government of Afghanistan “break the narcotics-insurgency nexus and further connect its people to their government” in the U.S.

¹ Enduring Strategic Partnership Agreement between The United States of America and the Islamic Republic of Afghanistan (May 2, 2012)(hereinafter Strategic Partnership Agreement), III. Advancing Long-Term Security, para. 8, p. 4: <http://www.whitehouse.gov/sites/default/files/2012.06.01u.s.-afghanistanspassignedtext.pdf>.

Counternarcotics Strategy for Afghanistan (CN Strategy).² The CN Strategy is part of the U.S. Government’s ‘whole of government’ approach to assisting the Government of Afghanistan “in sustaining security and stability gains.”³ In line with the CN Strategy, the U.S. has initiated programs in support of Afghanistan’s counternarcotics efforts. This chapter provides an overview of the CN Strategy and the counternarcotics support provided to the Government of Afghanistan within the scope of justice sector assistance. This chapter concludes with a review of the coordination mechanisms created to improve coordination between the military and civilian law enforcement agencies involved in counternarcotics efforts.

U.S. Counternarcotics Strategy for Afghanistan

The U.S. Department of Defense (DOD) policy and rules of engagement changed to allow military involvement in counternarcotics efforts as a result of the recognition of the ties between the insurgency and drugs. The U.S. CN Strategy has similarly evolved to support the overarching counterinsurgency campaign. Strategically, the CN Strategy is aligned with the Strategic Partnership Agreement, the U.S. Afghanistan-Pakistan Strategy, and the U.S. Agricultural Assistance Strategy for Afghanistan.⁴

The CN Strategy is further designed to support the Government of Afghanistan’s National Drug Control Strategy (NDCS).⁵ The CN Strategy “focuses on Afghan capacity, the interdiction of drugs, and providing licit alternatives to poppy.”⁶ It also addresses “supply and demand reduction, stopping drug traffickers, public information campaigns, and regional and international cooperation.”⁷

² U.S. Counternarcotics Strategy for Afghanistan, published January 2013 (hereinafter U.S. CN Strategy), p.1; provided by the Department of State, Bureau of International Narcotics and Law Enforcement Affairs, Afghanistan/Pakistan Office (INL/AP).

³ Ibid.

⁴ Ibid.

⁵ Ibid. Afghanistan adopted a new National Drug Control Strategy (NDCS) in October 2013, however, at the time of this writing an English copy was not available. See Chapter 5.1: Afghanistan’s Counternarcotics Policy and Legal Framework.

⁶ Ibid.

⁷ Ibid.

There are two overarching goals and nine objectives in the CN Strategy:⁸

Goals
<ol style="list-style-type: none">1. Strengthen the Afghan government’s capacity to combat the drug trade as a critical element of securing and sustaining transition in broader stability and security matters.2. Counter the link between narcotics and the insurgency and disrupt drug-related funding to the insurgency through and beyond the security transition.
Objectives
<ol style="list-style-type: none">1. Transition to a more capable, accountable, effective, sustainable, and self-reliant Afghan counternarcotics security forces.2. Disrupt and dismantle narcotics-insurgent nexus targets.3. Support sustainable agricultural development and licit alternatives to poppy, in line with the objectives set forth in national and provincial development strategies.4. Support National and Sub-national supply reduction efforts.5. Build a more capable, accountable, effective, sustainable, and self-reliant Afghan Ministry of Counter Narcotics.6. Support Afghan-led law enforcement investigations and prosecutions of significant narcotics traffickers. Align law enforcement, justice, and targeted financial measures programs.7. Continue to support [the Government of Afghanistan’s] demand reduction and treatment programs.8. Work with international organizations and Afghanistan’s regional neighbors to further disrupt the insurgency-narcotics network beyond Afghan borders and prevent their safe-havens.9. Support Afghan-led CN strategic communications.

⁸ See Ibid.

U.S. Government Assistance to Afghan Counternarcotics Efforts

In keeping with the U.S. and Afghan strategic frameworks, the U.S. has initiated programs in support of Afghanistan’s counternarcotics efforts. U.S. counternarcotics assistance extends into a multitude of sectors including agricultural programs, public health programs, banking and financial programs, as well as customs and border control programs. These efforts are led by the United States Agency for International Development (USAID), the Department of State’s Bureau of International Narcotics and Law Enforcement Affairs (INL), the Department of Justice (DOJ), particularly the Drug Enforcement Administration (DEA), and the DOD. The focus of this chapter is on U.S. counternarcotics support within the scope of justice sector assistance.⁹ Specifically, this chapter limits its review to U.S. programs “that are intended to enhance the Afghan judicial system as it relates to counternarcotics, train prosecutors, and build the infrastructure necessary to indict, arrest, try, convict, and incarcerate drug traffickers.”¹⁰

The Ministry of Counter Narcotics

As discussed in Chapter 5.2, the Ministry of Counter Narcotics (MCN) is the lead ministry for all counternarcotics affairs, and is responsible for coordinating and evaluating the implementation of the Counter Narcotics Drug Law (CN Law) and the NDCS.¹¹ The MCN, however, “has few resources, no enforcement mechanism, and limited capacity. [The] MCN depends heavily on the support of other implementing government agencies as well as the international community to execute and fund counternarcotics policy initiatives.”¹²

Because of its lead role for counternarcotics efforts, the U.S. has identified building the MCN’s institutional capacity as one of its counternarcotics strategic objectives.¹³ “INL’s efforts to build capacity at the MCN began in 2010, with results including an infusion of Afghan and expatriate mentors and action officers. Additional material and capacity building assistance are in process, including information technology assistance and a vehicle acquisition that will enable [the] MCN’s provincial offices [to better] perform their core functions. A key element of [the] MCN’s mandate is the development of a National Drug Control Strategy.”¹⁴

⁹ For example, this chapter does not cover U.S. support to alternative livelihood projects.

¹⁰ Congressional Research Service (CRS) Report RS41484, Afghanistan: U.S. Rule of Law and Justice Sector Assistance, by Liana Sun Wyler and Kenneth Katzman (Nov. 9, 2010)(hereinafter CRS ROL Report), p. 37: <http://fpc.state.gov/documents/organization/152606.pdf>.

¹¹ The Islamic Republic of Afghanistan, Law on Campaign against Intoxicants, Drugs and their Control, Official Gazette No. 1025, 24 June 2010, English translation prepared by the Criminal Justice Task Force, (hereinafter CN Law), Art. 4.; *see also* Government of the Islamic Republic of Afghanistan, Ministry of Counter Narcotics, About MCN: <http://mcn.gov.af/en/page/1835>. *See* Chapter 5.2 for an overview of the MCN.

¹² U.S. Department of State, Bureau of International Narcotics and Law Enforcement Affairs (INL), 2012 International Narcotics Control Strategy Paper (hereinafter 2012 INCSR), March 7, 2012, Afghanistan: www.state.gov/j/inl/rls/nrcrpt/2012/vol1/184098.htm.

¹³ U.S. CN Strategy, *supra* note 2 **Error! Bookmark not defined.**, Objective 5, p. 7.

¹⁴ U.S. Department of State, Bureau of International Narcotics and Law Enforcement Affairs’ Counternarcotics Programs in Afghanistan, Fact Sheet, May 4, 2012 (hereinafter INL CN Fact Sheet): <http://www.state.gov/j/inl/rls/fs/189317.htm>. *See* Chapter 5.2 for a discussion of the NDCS.

Although outside the scope of criminal justice assistance, it is important to note a few other U.S. counternarcotics assistance programs facilitated through the MCN. INL funds the MCN's Counternarcotics Public Information Program (CNPI) focusing on discouraging poppy cultivation and addressing drug demand reduction.¹⁵ CNPI funding is provided through the Colombo Plan Drug Advisory Program as well as by grants to media companies, NGOs and Afghan Government organizations.¹⁶ In support of supply reduction efforts, the U.S. funds two MCN programs - the Good Performers Initiative (GPI) and the Governor Led Eradication (GLE) program.¹⁷ The U.S. also supports demand reduction drug treatment centers throughout the country. A brief overview of the GPI, GLE program, and support to drug treatment centers is provided in Appendix A.

Counter Narcotics Justice Center

The DOJ's Senior Legal Advisors Office, through an Interagency Agreement with and funding from INL, mentors the judges on the Narcotics Tribunal, as well as the prosecutors and investigators of the Criminal Justice Task Force located at the Counter Narcotics Justice Center (CNJC).¹⁸ INL also funds the U.S. Marshals Service Special Operations Group (USMS SOG), which provides training and mentoring to the Ministry of Interior's (MOI's) Afghan Judicial Security Unit (JSU). The JSU is responsible for providing static and mobile security for judges at the CNJC, in addition to the Supreme Court and the Anti-Corruption Tribunal in Kabul.¹⁹ INL further provides for the maintenance and operations of the CNJC.²⁰

DOJ advisors "provide basic legal training through formal seminars and classroom teaching. Advisors more effectively teach through day-to-day, hands-on guidance as Afghan Government prosecutors prepare and present criminal cases to Afghan courts. The training and mentoring DOJ advisors provide builds the capacity of Afghan prosecutors and investigators in the advanced and specialized investigation techniques necessary to successfully investigate and prosecute complex drug trafficking organizations, high-level public corruption and terrorist financing organizations."²¹ DOJ works in coordination with the United Kingdom of Great Britain (U.K.) who also supports and mentors the personnel at the CJTF.

¹⁵ 2012 INCSR, *supra* note 12.

¹⁶ INL CN Fact Sheet, *supra* note 14.

¹⁷ 2012 INCSR, *supra* note 12.

¹⁸ See INL CN Fact Sheet, *supra* note 14. See also Embassy of the United States Kabul, Afghanistan, About Us, Offices, United States Department of Justice (hereinafter U.S. Embassy Kabul, DOJ): <http://kabul.usembassy.gov/doj.html>.

¹⁹ See U.S. Marshals Service, Fact Sheets, Special Operations Group: <http://www.justice.gov/marshals/duties/factsheets/tod-1209.html>; additional information provided by INL/AP.

²⁰ See INL CN Fact Sheet, *supra* note 14.

²¹ U.S. Embassy Kabul, DOJ, *supra* note 18.

Ministry of Interior Counter Narcotics Police of Afghanistan

As discussed in Chapter 5.2, the Counter Narcotics Police of Afghanistan (CNPA) was established in 2003 as a specialized unit within the Afghan National Police (ANP) under the MOI and has specially vetted units including the National Interdiction Unit (NIU), the Sensitive Investigative Unit (SIU), and the Technical Investigative Unit (TIU).²² Several U.S. agencies partner to build the capacity of the CNPA including DEA, DOD, DOJ, and INL.²³

CNPA Training

The ANP receive six weeks of training at the policy academy provided by the NATO Training Mission-Afghanistan (NTM-A) and the Combined Security Transition Command-Afghanistan (CSTC-A). The CNPA attend an additional five-week training course at the Counter Narcotics Training Academy (CNTA). The CNTA is supported financially by the DOD, The European Union, and France.²⁴ The five-week CNPA training course is provided by DOD contractors. The CNTA receives additional training support from the U.S. Customs and Border Protection, the Border Management Task Force (discussed below), the United Nations Office on Drugs and Crime (UNODC), and China. The NTM-A and CSTC-A also provide supplemental training through the CNTA.

Outside the CNTA, additional training support to the NIU, SIU, and TIU is provided by the DEA and the DOD through the Regional Training Team (RTT).²⁵ The RTT comprises 20 DOD contract trainers supervised by DEA's Office of International Training.²⁶ The RTT originally focused on providing the basic seven-week training course for NIU recruits.²⁷ The RTT's goal, however, grow into developing a cadre of Afghan CNPA instructors capable of conducting all basic, sustainment, and advanced training for the NIU, SIU, and CNPA.²⁸ The NIU has 12 officers dedicated to the training cadre who provided 100 percent of the NIU basic training

²² See Chapter 5.2 for a description of the NIU, SIU, and TIU.

²³ INL CN Fact Sheet, *supra* note 14.

²⁴ The European Union funded program Provincial Governance Program supports the CNTA, which is administered by the International Organization for Migration (IOM). See IOM, "Kabul Counter-Narcotics Training Academy Doubles Capacity with EU, French Funding" Press Briefing notes, July 6, 2010: <https://www.iom.int/cms/en/sites/iom/home/news-and-views/press-briefing-notes/pbn-2010/pbn-listing/kabul-counternarcotics-training-academy.html>.

²⁵ U.S. Department of Justice, Statement of Thomas M. Harrigan Assistant Administrator and Chief of Operations, Drug Enforcement Administration, Before the Senate Caucus on International Narcotics Control, United States Senate, "Counternarcotics Efforts in Afghanistan," July 20, 2011 (hereinafter DEA Statement/US Senate Caucus on International Narcotics Control), p. 8: http://www.justice.gov/dea/pr/speeches-testimony/2012-2009/110720_herrigan_hearing.PDF.

²⁶ *Ibid.*

²⁷ See Chapter 5.2 for more information on NIU Training program.

²⁸ DEA Statement/US Senate Caucus on International Narcotics Control, *supra* note 25, p. 8. Training responsibility for other Afghan ministries with counternarcotics responsibilities, including the Afghan National Customs Academy and the Afghan Advanced Border Management Course, were fully transitioned in 2012. See DOD Progress Report Toward Security and Stability in Afghanistan, December 2012 (hereinafter DOD Report December 2012), p. 127: http://www.defense.gov/news/1230_Report_final.pdf.

course held in February 2012.²⁹ The SIU currently has eight trainers dedicated to the training cadre.³⁰ As the Afghan trainers begin to take more responsibility, the RTT has shifted to teaching more specialized courses.

CNPA Capacity Building

The CNPA receives support from the DOD, with the assistance of the DOJ Criminal Division's International Criminal Investigative Training Assistance Program (ICITAP), to build its organizational capacity. Assistance is concentrated on basic skills, counternarcotics tactics, leadership, policy development, and administration.³¹ Specifically, the DOD is funding the CNPA Development Unit (CDU).³² The CDU is focused on improving the MOI management processes as well as the work of the provincial CNPA units. The CDU and the NTM-A Senior Police Advisor for Counternarcotics "aided the CNPA in completing its Ministerial Development Plan, a roadmap for CNPA development and transition of greater security responsibility to CNPA at the 2014 transition."³³ CSTC-A provides additional capacity building support through advisers to the MOI Deputy Minister for Counter Narcotics and the MOI Chief of Border Police along with other MOI departments. INL and the DOD both provide operations and maintenance support to the CNPA facilities.

The CNPA vetted units receive specialized assistance. The DOD supported the Government of Afghanistan in establishing the Tactical Operations Center (TOC) and the Intelligence Fusion Center (IFC). The NIU, SIU, and TIU, however, receive the greatest sustained support. INL, the DEA, and the DOD provide capacity building support to the NIU, SIU, and TIU by "combining training, equipment, and infrastructure with mentoring and operational interaction with DEA enforcement and intelligence groups, and training teams."³⁴ INL provides on-going operations and maintenance, including life support, mentoring, and capacity building for the vetted units. The DOD has provided infrastructure, equipment, mentors, and training support. Specifically, the DOD maintains and upgrades the platform for the judicial wire intercept program as well as a platform for a consolidated heroin database. The DOD has also constructed a sensitive compartmented information facility (SCIF) for the DEA in Kabul. "[The] DEA provides leadership and guidance on developing and conducting investigations and operations, as well as, advice on organizational structure and inter-agency issues."³⁵

²⁹ Ibid, DOD Report December 2012, p. 126.

³⁰ Ibid.

³¹ U.S. Department of Justice, ICITAP, Our Programs, Asia and Pacific, Afghanistan: <http://www.justice.gov/criminal/icitap/programs/asia-pacific.html>; see also DOD Report December 2012, *supra* note 28, p. 123:

³² Ibid, DOD Report December 2012, p. 123.

³³ Ibid.

³⁴ DEA Statement/US Senate Caucus on International Narcotics Control, *supra* note 25, p.6.

³⁵ Ibid, p.3.

The NIU receives additional support from the DEA’s Foreign-deployed Advisory Support Teams (FAST).³⁶ FAST consists of five 10-man teams that rotate to Afghanistan every 120 days partnering with the NIU to “identify, target, disrupt, and dismantle [Drug Trafficking Organizations].”³⁷ FAST coordinates with U.S. Special Forces operations targeting narcotics operations linked to the insurgency.

The SIU and TIU receive additional support from the DEA’s Special Operations Division (SOD).³⁸ “The long-term development, establishment, and maintenance of high-level Confidential Sources (CS), is one of the primary objectives of SOD’s enforcement groups.”³⁹ SOD also directs investigations with the goal of:⁴⁰

indictment, extradition of fugitives to the United States, and prosecution utilizing the extra-territorial statues Title 21 U.S.C. 959, which prohibits the manufacture or distribution controlled substances with the knowledge that those substances are destined for the United States; and Title 21 U.S.C. 960a, which targets narco-terrorists who aid and support terrorists or foreign terrorist organizations.

Five international drug traffickers from Afghanistan have been transferred to the United States for prosecution as a result of SOD’s investigations.⁴¹ As mentioned in Chapter 5.2, the NIU, SIU, and TIU are considered operationally capable.⁴²

Border Police and Customs

A significant amount of support is provided to the Afghan Border and Customs Police and Customs Department, which are beyond the scope of this chapter. It is, however, important to broadly introduce some of the larger assistance components that support the overall counternarcotics effort.

The Kabul Border Management Task Force (BMTF) “is an interagency initiative between the DOD and the Department of Homeland Security” (DHS) to assist the Afghan Government “in developing professional Customs and border security forces and creating a viable border management strategy.”⁴³ The BMTF provides training and advice to the Afghan Border Police, Customs Police and Customs Department as well as mentoring at key border crossings to their Afghan counterparts.⁴⁴ The DOD has also provided specialized training on interdiction and anti-trafficking to the Border and Customs Police and has refurbished border facilities. The U.S. also

³⁶ Ibid, p. 7.

³⁷ Ibid.

³⁸ Ibid.

³⁹ Ibid.

⁴⁰ Ibid.

⁴¹ Ibid, p. 8.

⁴² Ibid, p. 7.

⁴³ DOD Report December 2012, *supra* note 28, p. 127.

⁴⁴ Ibid.

supports the Afghan National Customs Academy (ANCA) and the Afghan Advanced Border Management Academy (AABMC). The ANCA provides an eight-week course on customs practices. The AABMC provides advanced training at the management level for all agencies with border authority. In 2012, instructor responsibility for both the ANCA and the AABMC was transferred from DOD contract trainers to the Afghans.⁴⁵

Ministry of Defense-Afghan Special Mission Wing

Counternarcotics missions are supported by the DEA's aviation division, the DOD, INL's Air Wing, and the Afghan Special Mission Wing (SMW).⁴⁶ The SMW's mission has been expanded to include not only counternarcotics support, but also counterterrorism and other special operations.⁴⁷ The DOD provides funding support to the SMW as well as training for the Afghan pilots and crew members.⁴⁸ An embedded training team is tasked with training and mentoring the SMW's "key leadership and personnel to acquire and sustain quality standards in aviation operations and maintenance to prepare the unit to provide tactical aviation support to law enforcement and counterterrorism missions."⁴⁹ The SMW was originally under the MOI CNPA, but the unit has been officially transferred and aligned with the Ministry of Defense and the Afghan National Army Special Operations Command.⁵⁰

Coordination Efforts

Several coordination mechanisms have been established to improve operational and tactical operations as well as information sharing between the military (U.S. and Coalition) and civilian law enforcement agencies involved in counternarcotics efforts. This section provides an overview of the larger mechanisms including the Afghanistan Threat Finance Cell, the Joint Narcotics Analysis Center, the Interagency Operations Coordinating Center (IOCC), the Combined Joint Interagency Task Force (CJIATF) Nexus, as well as the Operations Development Working Group, the Strategic Effects Council, and Strategic Effects Board. In 2013, the International Security Assistance Force (ISAF) realigned the command and control structure for all counter threat network commands placing CJIATF-Nexus, CJIATF-*Shafafiyat*, Task Force 2010, the IOCC, and the Afghan Threat Finance Cell under a newly established CJIATF-Afghanistan.⁵¹

⁴⁵ Ibid.

⁴⁶ DEA Statement/US Senate Caucus on International Narcotics Control, *supra* note 25, p. 12; *see also* DOD Report December 2012, *supra* note 28, p. 125. The SMW was previously the Air Interdiction Unit (AIU).

⁴⁷ DOD Report December 2012, *supra* note 28, p. 125.

⁴⁸ Ibid.

⁴⁹ Ibid.

⁵⁰ Update provided by INL/AP February 2012.

⁵¹ DOD Progress Report Toward Security and Stability in Afghanistan, July 2013, p. 144: http://www.defense.gov/pubs/Section_1230_Report_July_2013.pdf.

Afghanistan Threat Finance Cell

The Afghanistan Threat Finance Cell (ATFC) is an intelligence-gathering organization targeting insurgent financing. Although it is not focused specifically on counternarcotics efforts, it plays an important counternarcotics role due to the financial support the drug trade provides insurgent groups. The ATFC is also not formally a coordinating body, but involves cooperative efforts by a number of different organizations; therefore, it is included in this section.

The ATFC is a U.S. National Security Staff-mandated organization led by the DEA with a mandate “to identify and disrupt the financial and material support networks that fuel the insurgency and other terrorist organizations.”⁵² The DEA ATFC director is supported by two co-deputies assigned to the DOD and the Department of Treasury.⁵³ Additional U.S. support is provided by the DHS and the Department of State.⁵⁴ The ATFC “consists of DOD service and combat support agency personnel, Treasury analysts, law enforcement agents, and coalition partners” including the U.K., Canada, and Australia.⁵⁵

“The threat finance networks in Afghanistan consist of mutually-beneficial relationships between the insurgency, narcotics traffickers, unscrupulous members of the financial and commercial sector, and corrupt public officials. These relationships create the networks that the ATFC targets.”⁵⁶ The ATFC is “not just an intelligence fusion cell... it has become a major hub for terrorist and illicit finance intelligence collection, analysis and dissemination that is made available not solely for law enforcement, but for the intelligence, military and diplomatic communities as well.”⁵⁷ The ATFC operates “in close coordination with ISAF regional commands, the [International Joint Command], and [Special Operations Forces] to ensure counter-threat finance efforts are integrated with military planning cycles and operations to disrupt insurgent funding.”⁵⁸ The ATFC also works closely with the Afghan personnel from the NIU, SIU, and SIU-Financial Investigation Team (SIU-FIT) as well as the Criminal Justice Task Force on investigations and operations focused on prosecuting narcotics trafficking.⁵⁹ The mentorship of the Afghan SIU-FIT has resulted in the SIU-FIT “conducting investigations without ATFC involvement, but with the ATFC leadership – at the Afghans’ request – reviewing the work periodically.”⁶⁰ The ATFC also has a close working relationship with the Joint Narcotics Analysis Center, discussed below, and “has conducted intelligence exchanges with this organization.”⁶¹

⁵² DEA Statement/US Senate Caucus on International Narcotics Control, *supra* note 25, p. 4.

⁵³ *Ibid.*

⁵⁴ *Ibid.*

⁵⁵ DOD Report December 2012, *supra* note 28, p. 126.

⁵⁶ DEA Statement/US Senate Caucus on International Narcotics Control, *supra* note 25, p. 5.

⁵⁷ *Ibid.*

⁵⁸ DOD Report December 2012, *supra* note 28, p. 128.

⁵⁹ *Ibid.*

⁶⁰ DEA Statement/US Senate Caucus on International Narcotics Control, *supra* note 25, p. 5.

⁶¹ *Ibid.*

Joint Narcotics Analysis Center

The Joint Narcotics Analysis Center (JNAC) was established in March 2006 as a mechanism for the U.K. and U.S. intelligence agencies to analyze drug trafficking networks and coordinate efforts to combat and prosecute cases in Afghanistan. The JNAC is based in London at the U.K.'s Ministry of Defense. JNAC representatives include U.K. intelligence, military, and Serious Organised Crime Agency (SOCA) personnel as well as personnel from the U.S. intelligence, military, Department of State, Department of Treasury, and DEA.

The JNAC is considered a strategic-level body that:⁶²

provides strategic and operational-level decision makers with analysis on the narcotics trade in Afghanistan and the surrounding region. JNAC is an effective model of interagency and international collaboration and partnership with an important international stakeholder. The JNAC provides reach back support for organizations in Afghanistan and improved collaboration across a wide spectrum of counternarcotics partnerships.

Interagency Operations and Coordination Center

At the operational level, the Interagency Operations and Coordination Center (IOCC) “provides intelligence and operational support to law enforcement [counternarcotics] operations in Afghanistan.”⁶³ The IOCC is considered “the central [counternarcotics] cell for developing an understanding of how the Afghan and regional narcotics trade support the insurgency and drive corruption.”⁶⁴

The IOCC is led by a director and a deputy director, with those positions rotating annually between the DEA and the U.K.'s SOCA.⁶⁵ Other agencies represented at the IOCC include U.S. Customs and Border Protection as well as U.S. and U.K. military and intelligence agencies. The IOCC analytical staff also serves as staff for the Combined Joint Interagency Task Force (CJIATF) *Shafafiyat*. CJIATF-*Shafafiyat* was established to lead ISAF anti-corruption initiatives and neutralize criminal patronage networks (see Chapter 4.4: UN, ISAF, and EU Support to Afghanistan Anti-corruption Efforts for more information on CJIATF-*Shafafiyat*).⁶⁶

⁶² Statement for the Record William F. Wechsler Deputy Assistant Secretary of Defense Counternarcotics and Global Threats Before the Senate Caucus on International Narcotics Control “Counternarcotics Efforts in Afghanistan” July 20, 2011 (hereinafter DASD Statement/Senate Caucus on International Narcotics Control), pp. 5-6: <http://drugcaucus.senate.gov/hearing-7-20-11/DASD%20Wechsler%20Statement%20-%2020%20Jul%2011.pdf>.

⁶³ DOD Report December 2012, *supra* note 28, p. 127.

⁶⁴ *Ibid*.

⁶⁵ DEA Statement/US Senate Caucus on International Narcotics Control, *supra* note 25, p. 9; see also DOD Report December 2012, *supra* note 28, p. 127.

⁶⁶ DOD Report on Progress Toward Security and Stability in Afghanistan, April 2011, p. 78: <http://www.defense.gov/news/1231rpt.pdf>. See Chapter 1.4 for an overview of ISAF's rule of law engagement in Afghanistan.

The IOCC’s objective is to assist the CNPA “to arrest and pursue significant traffickers and key associates within the Afghan judicial framework.”⁶⁷ In coordination with ISAF, CJIATF-*Shafafiyat* and CJIATF-Nexus (discussed below), “the IOCC enables law enforcement to conduct operations in a predominantly military environment and brings together skill sets necessary to conduct an effective Civilian Military campaign aimed at breaking the narcotics-insurgent-corruption nexus.”⁶⁸ The IOCC, in coordination with the Operations Development Working Group and the Strategic Effects Council (discussed below), identifies strategic targets and prioritizes networks to be pursued. The IOCC has expanded its intelligence-gathering beyond opiates to include information on hashish and precursor chemicals.

CJIATF-Nexus

CJIATF-Nexus is an ISAF organization funded by the DOD to “provide tactical support to military and law enforcement organizations to counter narcotics threats and corruption in partnership with host-nation forces.”⁶⁹ “CJIATF-Nexus specifically targets network functions (e.g., safe havens, movement, communications, and finance) rather than individual narco-traffickers to disrupt network resiliency.”⁷⁰ While the IOCC focuses on providing operational and strategic guidance, CJIATF-Nexus is focused on providing tactical intelligence to ISAF, the DEA, the IOCC, and CJIATF-*Shafafiyat*. “CJIATF-Nexus, in coordination with other ISAF and interagency elements, has contributed to the integration of law enforcement and military operations in support of enduring counternarcotics efforts.”⁷¹ CJIATF-Nexus includes representatives from defense agencies including DOD military and civilian personnel, and the international law enforcement community including the DEA, the FBI, and SOCA.

⁶⁷ DEA Statement/US Senate Caucus on International Narcotics Control, *supra* note 25, p. 9.

⁶⁸ DASD Statement/Senate Caucus on International Narcotics Control, *supra* note 62, p. 6; *see also* DOD Report December 2012, *supra* note 28, p. 127.

⁶⁹ DASD Statement/Senate Caucus on International Narcotics Control, *supra* note 62, p. 6.

⁷⁰ DOD Report December 2012, *supra* note 28, p. 127.

⁷¹ DOD Progress Report Toward Security and Stability in Afghanistan, October 2011, p. 89: http://www.defense.gov/pubs/pdfs/October_2011_Section_1230_Report.pdf.

Operations Development Working Group, Strategic Effects Council, and Strategic Effects Board

“In May 2011, ISAF, in coordination with the U.S. Embassy Kabul, U.K. Embassy Kabul, and other [counternarcotics] stakeholders, created a Strategic Effects Process.”⁷² The three-level process is intended to synchronize and prioritize counternarcotics and organized crime efforts in support of the counterinsurgency strategy.⁷³ The process is further meant to deconflict and apportion resources.⁷⁴ The Strategic Effects Board (SEB) directs the process at the highest level and includes the U.S. and U.K. ambassadors, the ISAF commander, and the senior civilian representative of NATO. The next level is the Strategic Effects Council (SEC) including, among others, the U.S. Coordinating Director for Development and Economic Affairs, the U.K. Deputy Chief of Mission, ISAF Deputy Commander for Operations, the DEA regional director, the SOCA country manager, and a representative from CJIATF-*Shafafiyat*. The next level of the process is with the Operations Development Working Group (ODWG). The ODWG meets regularly with participation from Coalition members involved in counternarcotics efforts. The ODWG targets the narcotics networks for investigation and future action as necessary.⁷⁵ The IOCC chairs the ODWB.⁷⁶ The SEC provides guidance when needed or if the ODWG cannot reach an agreement. The SEC also defines and sets priorities for the IOCC. Issues are forwarded to the SEB when necessary.

⁷² Ibid, p. 114.

⁷³ Ibid.

⁷⁴ Ibid.

⁷⁵ Ibid.

⁷⁶ Ibid.

Resources

- Enduring Strategic Partnership Agreement between The United States of America and the Islamic Republic of Afghanistan, May 2, 2012:
<http://www.whitehouse.gov/sites/default/files/2012.06.01u.s.-afghanistanspassignedtext.pdf>.
- U.S. Counternarcotics Strategy for Afghanistan, published January 2013, provided by Department of State, Bureau of International Narcotics and Law Enforcement Affairs, Afghanistan/Pakistan Office.
- U.S. Department of State, Bureau of International Narcotics and Law Enforcement Affairs, 2012 International Narcotics Control Strategy Paper (INCSR), March 7, 2012, Afghanistan:
www.state.gov/j/inl/rls/nrcrpt/2012/vol1/184098.htm.
- U.S. Department of State, Bureau of International Narcotics and Law Enforcement Affairs' Counternarcotics Programs in Afghanistan, Fact Sheet, May 4, 2012:
<http://www.state.gov/j/inl/rls/fs/189317.htm>.
- U.S. Department of Justice, Statement of Thomas M. Harrigan Assistant Administrator and Chief of Operations, Drug Enforcement Administration, Before the Senate Caucus on International Narcotics Control, United States Senate, "Counternarcotics Efforts in Afghanistan," July 20, 2011: http://www.justice.gov/dea/pr/speeches-testimony/2012-2009/110720_herrigan_hearing.PDF.
- Statement for the Record William F. Wechsler Deputy Assistant Secretary of Defense Counternarcotics and Global Threats Before the Senate Caucus on International Narcotics Control "Counternarcotics Efforts in Afghanistan" July 20, 2011:
<http://drugcaucus.senate.gov/hearing-7-20-11/DASD%20Wechsler%20Statement%20-%2020%20Jul%2011.pdf>.
- Congressional Research Service (CRS) Report RS41484, Afghanistan: U.S. Rule of Law and Justice Sector Assistance, by Liana Sun Wyler and Kenneth Katzman, Nov. 9, 2010:
<http://fpc.state.gov/documents/organization/152606.pdf>.

Other Resources

- Embassy of the United States Kabul, Afghanistan, About Us, Offices, United States Department of Justice (hereinafter U.S. Embassy Kabul, DOJ):
<http://kabul.usembassy.gov/doj.html>.
- U.S. Department of Justice, ICITAP, Our Programs, Asia and Pacific, Afghanistan:
<http://www.justice.gov/criminal/icitap/programs/asia-pacific.html>.
- U.S. Marshals Service, Fact Sheets, Special Operations Group:
<http://www.justice.gov/marshals/duties/factsheets/tod-1209.html>.
- Government of the Islamic Republic of Afghanistan, Ministry of Counter Narcotics, About MCN: <http://mcn.gov.af/en/page/1835>.

- U.S. Counternarcotics Strategy for Afghanistan, Compiled by the Coordinator for Counternarcotics and Justice Reform in Afghanistan, Ambassador Thomas A. Schweich, U.S. Department of State, August 2007:
<http://merln.ndu.edu/archivepdf/afghanistan/State/90671.pdf>.
- Counter-Narcotic Strategy in Afghanistan: Internal Implications and External Lessons, A Thesis, by Maseh Zarif, B.B.A, Georgetown University, Washington, D.C., December 1, 2008:
<http://repository.library.georgetown.edu/bitstream/handle/10822/553422/zarifMaseh.pdf?sequence=1>.

Appendix A: Overview of the Governor Led Eradication Program, Good Performers Initiative, and Drug Treatment Centers.

Governor Led Eradication Program

One of the main projects overseen by the MCN is the Governor Led Eradication (GLE) program. The 2006 NDCS called “for targeted eradication in areas where it is assessed that opportunities for alternative livelihoods exist. The assessment is made against a range of socio-economic indicators based on a wide range of data-sets. Governors were requested to carry out eradication within target zones. The target zones were demarcated by MCN supported by the U.K. Government under the programme ‘Survey, Monitoring, Training and Verification (SMTV).’”⁷⁷ Eradication is led by the governors and verified by the MCN jointly with the UNODC.⁷⁸ In 2013, 15 out of 18 provinces were verified poppy free.⁷⁹ Governor-led eradication decreased by 24 percent compared to the same 18 provinces verified in 2012.⁸⁰ “The decrease in eradication is due in part to increasing security concerns; however, the numbers are still well above levels of eradication in 2010 and 2011.”⁸¹ Although the U.S. CN Strategy de-emphasizes eradication and focuses more on interdiction, the U.S. financially supports Afghan led eradication programs in target areas verified by the UNODC.⁸²

According to the DOD, the “MCN believes that GLE is most effective when paired with an Alternative Livelihood (AL) campaign designed to give subsistence farmers a viable alternative to growing poppy. Evidence from the Helmand Food Zone Program and elsewhere suggests that targeted AL in combination with GLE is more likely to result in sustainable conversion from poppy to licit cultivation.”⁸³ In 2012, the MCN proposed several Food Zone Programs modeled after the successful elements of the Helmand Food Zone.⁸⁴ USAID and INL provided funding for the Kandahar Food Zone Program.⁸⁵

Good Performers Initiative

The MCN implements the Good Performers Initiative (GPI) with funding from INL.⁸⁶ The GPI was launched in 2007 by President’s Order No. 99, “with the purpose of delivering timely, high-

⁷⁷ The Islamic Republic of Afghanistan, Ministry of Counter Narcotics and United Nations Office on Drugs and Crime (UNODC), Afghanistan: Poppy Eradication Verification, September 2012 Final Report, p. 6:

http://mcn.gov.af/Content/files/Eradication%20Verification%20September_2012_Report_FINAL-small%20size.pdf.

⁷⁸ Ibid.

⁷⁹ United Nations Office on Drugs and Crime (UNODC) Afghanistan: Opium Survey, Summary Findings, November 2013 (hereinafter 2013 Opium Survey), p. 18: http://www.unodc.org/documents/crop-monitoring/Afghanistan/Afghan_report_Summary_Findings_2013.pdf.

⁸⁰ Ibid.

⁸¹ INL Governor-Led Eradication, Fact Sheet, January 2014

⁸² Ibid.

⁸³ DOD Report December 2012, *supra* note 28, p. 123.

⁸⁴ Ibid.

⁸⁵ Ibid.

⁸⁶ INL Good Performers Initiative, Fact Sheet, January 2014.

impact development assistance to provinces leading the fight against poppy cultivation in Afghanistan.”⁸⁷ The GPI financially rewards provinces that meet annual counternarcotics goals including achieving either poppy free status, reducing poppy cultivation by at least 10 percent, or demonstrating other commendable counternarcotics progress.⁸⁸ The MCN works with the Provincial Development Committees and the Governors’ offices to design and implement development projects with GPI funding.⁸⁹ “The GPI Program offers governors a concrete way to demonstrate to their constituents the benefits of reducing poppy cultivation and gives local communities a stake in reduction and maintaining the decline.”⁹⁰ In 2012, the U.S. reported that since the program’s inception, the U.S. has committed more than US \$128 million in GPI awards.⁹¹ That same year, the U.S. agreed to transfer \$30 million “on budget” to the GPI program.⁹² “‘On budget’ assistance refers to a process of delivering donor assistance directly through the Afghan Government. [This is] the first “on budget” agreement for counternarcotics programs that has been signed by the Afghan and U.S. Governments.”⁹³ The MCN reports 144 projects, with a total cost of US \$57.4 million, were completed in 2013 through the GPI program.⁹⁴ The projects included the construction of schools, universities, roads, bridges, health clinics, hospitals, irrigation structures, and the provision of farm machineries.⁹⁵

Drug Treatment Centers

In 2011, the United Nations Office on Drugs and Crime (UNODC) reported: “Overall opiate use increased from 1.4% in 2005 to 2.7% of the population aged 15-64 in Afghanistan in 2009. Opium use in Afghanistan increased between 2005 and 2009 by more than 50% to 1.9% of the population and heroin use increased by 140% to 1% of the population – and is thus now higher than in Europe.”⁹⁶ “A 2012 INL-supported urban drug use survey conservatively estimated that

⁸⁷ DOS/INL, U.S. and Afghanistan Announce \$19.2 Million in Good Performers Initiative Awards for Provincial Counternarcotics Achievements, Media Note, December 3, 2011:

<http://www.state.gov/r/pa/prs/ps/2011/12/178146.htm>.

⁸⁸ INL CN Fact Sheet, *supra* note 14; *see also* 2012 INCSR, *supra* note 12. GPI awards are calculated based on final poppy cultivation figures from the annual Afghanistan Opium Survey published by the UN Office on Drugs and Crime (UNODC).

⁸⁹ *Ibid.* *See* Preface Chapter, Subnational Governance, Provincial Governance for a review of the Provincial Development Committees.

⁹⁰ Islamic Republic of Afghanistan, Ministry of Counter Narcotics, Projects, GPI: <http://mcn.gov.af/en/page/6260> (accessed February 4, 2013).

⁹¹ Embassy of the United States, Kabul, Afghanistan, U.S. and Afghanistan Sign Agreement for \$30 million in “On Budget” Counternarcotics Support for the Good Performers Initiative, June 18, 2012: <http://kabul.usembassy.gov/counternarcotics.html>.

⁹² *Ibid.*

⁹³ *Ibid.*

⁹⁴ MCN, GPI Implemented 144 Infrastructure Projects and More Yet to Be Completed (accessed February 29, 2014): <http://www.mcn-gpi.gov.af/en/component/content/article/47-gpi-implemented-144-infrastructure-projects-and-more-yet-to-be-completed>.

⁹⁵ *Ibid.*

⁹⁶ UNODC, World Drug Report 2011, p. 48: http://www.unodc.org/documents/data-and-analysis/WDR2011/World_Drug_Report_2011_ebook.pdf.

Afghanistan has between 1.3-1.6 million drug users.”⁹⁷ The Afghan Government has established 50 residential drug treatment centers throughout the country.⁹⁸ The centers have the capacity to support from 10 to 60 persons; however, this is insufficient to care for the estimated 780,000 men, women, and children in need of treatment.⁹⁹ The Afghan government relies, “almost exclusively, on international community funding to build, equip, and operate drug treatment centers.”¹⁰⁰ “INL-sponsored drug treatment centers provide outreach, residential, outpatient, home-based and village-based assistance to more than 15,000 persons per year, along with vocational and recovery support. INL is the largest donor to [drug demand reduction] services, funding 76 substance abuse treatment programs, including 9 inpatient drug treatment centers for women and their drug addicted children.”¹⁰¹ INL also supported an awareness program on the dangers of drug addiction for over 500 mullahs including how to conduct community *shuras* on the topic.¹⁰² As a result, “mullahs have opened outreach centers in their mosques and are now a major source of referral of addicts into treatment.”¹⁰³

⁹⁷ INL Drug Demand Reduction, Fact Sheet, January 2014. “Results from a rural survey will be released in 2014.”

Ibid.

⁹⁸ 2012 INCSR, *supra* note 12.

⁹⁹ Ibid.

¹⁰⁰ Ibid.

¹⁰¹ INL Drug Demand Reduction, Fact Sheet, January 2014.

¹⁰² Ibid.

¹⁰³ INL CN Fact Sheet, *supra* note 14.