

8.5: International Support to the Afghan National Police

Summary

This chapter reviews the major international police assistance missions since 2001 as well as the International Police Coordination Board, and the Law and Order Trust Fund.

Introduction

The Bonn Agreement in 2001 established a framework to re-build the state of Afghanistan.¹ Annex I of the Bonn Agreement called for an international military force to provide security in Kabul.² UN Security Council Resolution 1386 created the International Security Assistance Forces Afghanistan (ISAF).³ ISAF's original mandate was for six months and was limited to providing security in the capital.⁴ The Bonn Agreement recognized that the responsibility for providing security throughout the country resided with the Afghans.⁵ The Bonn Agreement did “not prescribe any role for the United Nations in the area of policing.”⁶ Moreover, the UN resolution creating ISAF did not authorize an UN police mission.⁷ ISAF was intended as “a temporary measure to provide the confidence, time and breathing room required” for Afghanistan to create its own army, police force, and judicial system.⁸

The Bonn Agreement asked Afghanistan's international partners “to assist in the reintegration of the mujahidin into the new Afghan security and armed forces.”⁹ Consequently, many powerful regional commanders who fought against the Taliban were incorporated into the transitional government, “including as commanders in the police service and in other high ranking positions. Such commanders [] brought loyal Mujahideen with them into government, incorporating them

¹ Agreement on Provisional Arrangements in Afghanistan Pending the Re-Establishment of Permanent Government Institutions (Bonn Agreement), 5 December 2001, II: <http://www.un.org/News/dh/latest/afghan/afghan-agree.htm>; see also Chapter 2.5: Legal Traditions and the Afghan Model.

² Ibid, Annex I.

³ See United Nations (UN) Security Council Resolution 1386, December 20, 2001: <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N01/708/55/PDF/N0170855.pdf?OpenElement>.

⁴ Ibid.

⁵ Bonn Agreement, *supra* note 1, Annex I, para.1.

⁶ The Situation in Afghanistan and its Implications for International Peace and Security, UN Security Council, Report of the Secretary-General, Fifty-sixth session of the General Assembly, agenda item 43, 18 Mar. 2002, A/56/875-S/2002/278 (hereinafter UN Security Council Report A/56/875-S/2002/278), p. 11, para. 72: <http://www.afghanistan-un.org/wp-content/uploads/2010/11/S20022781.pdf>.

⁷ See UN Security Council Resolution 1386, *supra* note 3.

⁸ UN Security Council Report A/56/875-S/2002/278, *supra* note 6, p. 9.

⁹ Bonn Agreement, *supra* note 1, Annex III, para. 4.

directly into the police and other security forces.”¹⁰ “Rank and file of local police forces were subsequently packed with fighters from private militias.”¹¹ Because loyalties rested with the regional commanders and not with the central government, the transitional government had no control outside of Kabul.¹²

In an attempt to meet this challenge, the Interim Afghan Administration presented its Security Sector Reform (SSR) agenda at a donors’ conference in Geneva in 2002. The international community divided the SSR into five pillars – army, police, justice, counternarcotics, and demobilization, disarmament, and reintegration. A donor country was designated to take the lead in reforming each pillar. Due to Germany’s historic relationship with the Afghan police, Germany was requested as the lead nation for Afghan police reform. Donor nations in general agreed to support the establishment of a multiethnic, sustainable, and nationwide 62,000-member professional police force. The end-strength goal for the ANP has increased over the years to the current goal of 157,000.

In 2003, the United States initiated its own bi-lateral police assistance program. In 2007, the European Union took over the role of key partner from Germany “in order to bring together the contributions to police reform in Afghanistan under one institutional umbrella.”¹³ ISAF eventually incorporated a significant police assistance mission of its own and the U.S. program merged under it into one unified command. Since 2002, other coalition partners have provided bilateral police assistance that varies in size. This chapter provides an abbreviated overview of the larger ANP reform efforts supported by the international community including the Law and Order Trust Fund Afghanistan (LOTFA), which was established to manage multilateral aid to the ANP, and the International Police Coordination Board (IPCB), which was established as the main coordination body for institutional and police reform within the wider rule of law context.¹⁴

¹⁰ Amnesty International, *Afghanistan Police Reconstruction Essential for the Protection of Human Rights*, 12 March 2003, p. 5: <http://www.amnesty.org/en/library/asset/ASA11/003/2003/en/3dbda90b-d753-11dd-b024-21932cd2170d/asa110032003en.pdf>.

¹¹ Royal United Services Institute & Foreign Policy Research Institute, *Reforming the Afghan National Police*, Sept. 2009, pp. 6-7: http://www.rusi.org/downloads/assets/ANP_Nov09.pdf.

¹² See *Afghanistan Police Reconstruction Essential for the Protection of Human Rights*, supra note 10; see also The United States Institute of Peace (USIP), *The Future of Afghanistan*, by J Alexander Thier editor, 2009: <http://www.usip.org/sites/default/files/resources/foa.pdf>.

¹³ GTZ, *Creating Security Support to Police Reform in Afghanistan*, May 2010. The Afghanistan Compact, successor to the Bonn Agreement, put an end to the lead nation approach introducing former lead nations as key partners.

¹⁴ International Police Coordination Board (IPCB) Fact Sheet, November 11, 2013: <http://ipcb.files.wordpress.com/2013/11/ipcb-fact-sheet-11-2013.pdf>.

Germany

“At an international donor meeting in Tokyo in January 2002, the German government agreed, at the request of the Interim Administration, to act as the lead government assisting the reconstruction of the Afghan police force.”¹⁵ The following month at a donor meeting in Berlin, the German government presented its report from a fact-finding mission and pledged 10 million euros to support the Afghan police.¹⁶ The money was designated for “training, including the provision of 11 instructors, the renovation of the police academy and reconstruction of police stations in Kabul.”¹⁷ Germany also donated 50 police vehicles at that time.¹⁸

At a second donor meeting in Berlin held on March 14-15, 2002, “Germany presented an overall plan for the training of and support for reform of the Afghan police. A list of urgent requirements was distributed, and delegations were asked to respond with specific contributions.”¹⁹ The first team of German police officers arrived in Kabul immediately following the donor meeting.²⁰ The German Coordination Office officially opened in Kabul on March 18, 2002.²¹ The initial German Police Project had five main focal areas:²²

- 1) advising on the structure and organization of the police;
- 2) training at the re-established Police Academy;
- 3) reconstruction projects;
- 4) equipment support including the provision of vehicles and crime scene equipment; and
- 5) coordinating the activities of other donor governments for police reform.

Priority was given to reconstructing of the Police Academy and developing the curriculum for officer training. The Germans formally re-opened the Kabul Police Academy in August 2002 with 1,500 enrolled cadets.²³ The initial training plan offered a one-year course for non-commissioned officers, and a three-year course for commissioned officers.²⁴ The Police Academy graduated its first class of 251 police officers in 2005.²⁵

¹⁵ *Afghanistan Police Reconstruction Essential for the Protection of Human Rights*, *supra* note 10, p. 17.

¹⁶ UN Security Council Report A/56/875-S/2002/278), *supra* note 6, p. 11, para. 68.

¹⁷ *Ibid.*

¹⁸ *Ibid.*

¹⁹ *Ibid.*, p. 11, para. 69.

²⁰ *Ibid.*

²¹ *Ibid.*

²² See *Afghanistan Police Reconstruction Essential for the Protection of Human Rights*, *supra* note 10, p. 17.

²³ *Ibid.*

²⁴ *Ibid.*; see also U.S. Government Accountability Office(GAO) Report to the Committee on International Relations, House of Representatives, *Afghanistan Security: Efforts to Establish Army and Police Have Made Progress, but Future Plans Need to Be Better Defined*, GAO-05-575, June 2005 (hereinafter GAO-05-575), pp.20-21: <http://www.gao.gov/assets/250/246956.pdf>.

²⁵ Inspectors General U.S. Department of State and U.S. Department of Defense, *Interagency Assessment of Afghanistan Police Training and Readiness*, November 2006 (hereinafter OIG Interagency Assessment), p. 20: <http://oig.state.gov/documents/organization/76103.pdf>.

Germany's police program has developed and expanded over the years. Germany's assistance includes constructing training facilities, providing police equipment, training and mentoring, and supporting Afghan police salaries.²⁶ Germany's initial fact-finding mission determined that 80 percent of Afghanistan's police infrastructure had been destroyed.²⁷ In addition to rebuilding the Kabul Police Academy, Germany has funded the construction of a police academy branch campus in Mazar-i-Sharif, Balkh Province, which "offers an additional 600 training slots for the mid-level police ranks."²⁸ Additional police training centers have been constructed in Mazar-i-Sharif (separate from the police academy branch), Kunduz, and Faizabad.²⁹ Jointly with Canada, Germany constructed a Border Police Facility at the Kabul Police Academy.³⁰ Other infrastructure support includes a provincial police headquarters in Faizabad, a traffic police headquarters in Kabul, an Afghan National Civil Order Police (ANCOP) police headquarters in Kabul, a Border Police department at Kabul International Airport, and various police stations.³¹

The police training centers can accommodate up to 2,000 people.³² To support the centers, Germany has provided up to 200 police officers "to provide basic and advanced training for the ANP."³³ As of October 2012, "roughly 56,000 Afghan police officers have completed basic and advanced training."³⁴ The ANP were also provided equipment to effectively do their jobs including "body protection equipment for riot police" and "forensic kits for detectives."³⁵

²⁶ See Federal Republic of Germany, Ministry of Foreign Affairs, German involvement in the reconstruction of the Afghan police: http://www.auswaertiges-amt.de/DE/Aussenpolitik/RegionaleSchwerpunkte/AfghanistanZentralasien/Polizeiaufbau-dt-Engagement_node.html.

²⁷ GAO-05-575, *supra* note 24, p. 23.

²⁸ See Federal Republic of Germany, Federal Ministry of Interior, *Germany's Role in Training the Afghan Police*, 2013: http://www.bmi.bund.de/EN/Topics/Security/International-Cooperation/afghanistan/afghanistan_node.html. The police academy branch opened on November 12, 2011.

²⁹ See Federal Republic of Germany, Ministry of Foreign Affairs, German involvement in the reconstruction of the Afghan police: http://www.auswaertiges-amt.de/DE/Aussenpolitik/RegionaleSchwerpunkte/AfghanistanZentralasien/Polizeiaufbau-dt-Engagement_node.html

³⁰ *Ibid.*

³¹ *Ibid.*; see also GIZ, A Trained Police Force Guarantees Rights: <http://www.giz.de/en/worldwide/14642.html>.

³² Federal Republic of Germany, Ministry of Foreign Affairs, German involvement in the reconstruction of the Afghan police: http://www.auswaertiges-amt.de/DE/Aussenpolitik/RegionaleSchwerpunkte/AfghanistanZentralasien/Polizeiaufbau-dt-Engagement_node.html.

³³ See Federal Republic of Germany, Federal Ministry of Interior, *Germany's Role in Training the Afghan Police*, 2013: http://www.bmi.bund.de/EN/Topics/Security/International-Cooperation/afghanistan/afghanistan_node.html.

³⁴ *Ibid.*

³⁵ Federal Republic of Germany, Ministry of Foreign Affairs, German involvement in the reconstruction of the Afghan police: http://www.auswaertiges-amt.de/DE/Aussenpolitik/RegionaleSchwerpunkte/AfghanistanZentralasien/Polizeiaufbau-dt-Engagement_node.html.

On behalf of the German Federal Foreign Office, Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) in cooperation with the European Union Police Mission in Afghanistan (EUPOL) and in partnership with the Afghan Ministry of Interior (MOI) compiled the “*Basics of Afghan Law and Criminal Justice: A Manual for the Afghan Police and Legal Professionals*.”³⁶ GIZ and EUPOL are implementing 40 two-week training courses based on the manual “to improve cooperation between the Afghan criminal investigation police and public prosecutors and bring this cooperation into line with the law.”³⁷ More than 350 people have attended the joint police and prosecutor training.³⁸ An additional 1,000 police and prosecutors are expected to be reached in future joint trainings.³⁹

Literacy classes are also provided for all police officers in the northern region of Afghanistan.⁴⁰ The program is a six-month “night school.”⁴¹ According to the German Ministry of Foreign Affairs, as of October 2012, about 11,500 police officers have participated in the literacy program.⁴² GIZ reports that “more than 7,220 police officers, including women, have successfully completed literacy courses.”⁴³

“During the transition process, Germany is gradually shifting its focus from active participation in training to mentoring.”⁴⁴ The Police Training Center in Faizabad was handed over to the Afghans on July 2, 2012.⁴⁵ The training center in Kunduz is expected to be handed over by the end of 2014.⁴⁶ The training center in Mazer-i-Sharif was closed as part of the over-all plan to

³⁶ See GIZ Promotion of the Rule of Law in Afghanistan (accessed June 5, 2012): <http://www.giz.de/themen/en/17058.htm>. The manual is available online at: <http://www.auswaertiges-amt.de/cae/servlet/contentblob/343976/publicationFile/3727/Polizei-Legal-Manual.pdf>; and also at http://www.inprol.org/files/GTZBasicsOfAfghanLaw_Eng.pdf.

³⁷ GIZ, A Trained Police Force Guarantees Rights: <http://www.giz.de/en/worldwide/14642.html>.

³⁸ Ibid.

³⁹ Ibid.

⁴⁰ Ibid; see also Federal Republic of Germany, Ministry of Foreign Affairs, German involvement in the reconstruction of the Afghan police: http://www.auswaertiges-amt.de/DE/Aussenpolitik/RegionaleSchwerpunkte/AfghanistanZentralasien/Polizeiaufbau-dt-Engagement_node.html. Germany initiated its literacy program in August 2008.

⁴¹ See Federal Republic of Germany, Ministry of Foreign Affairs, German involvement in the reconstruction of the Afghan police: http://www.auswaertiges-amt.de/DE/Aussenpolitik/RegionaleSchwerpunkte/AfghanistanZentralasien/Polizeiaufbau-dt-Engagement_node.html.

⁴² Ibid.

⁴³ GIZ, A Trained Police Force Guarantees Rights: <http://www.giz.de/en/worldwide/14642.html>.

⁴⁴ Federal Republic of Germany, Federal Ministry of Interior, *Germany's Role in Training the Afghan Police*, 2013: http://www.bmi.bund.de/EN/Topics/Security/International-Cooperation/afghanistan/afghanistan_node.html.

⁴⁵ Federal Republic of Germany, Ministry of Foreign Affairs, German involvement in the reconstruction of the Afghan police: http://www.auswaertiges-amt.de/DE/Aussenpolitik/RegionaleSchwerpunkte/AfghanistanZentralasien/Polizeiaufbau-dt-Engagement_node.html.

⁴⁶ Ibid.

transition police training to the MOI.⁴⁷ To further support the training transition, Germany helped develop the curriculum for a “train the trainers” (ToT) program, which is the model ToT program now used by the MOI nationwide.⁴⁸ The ToT program began in February 2011, and as of October 2012, 1,167 Afghans have graduated from the program.⁴⁹

In addition to its on-going bilateral efforts, Germany provides the largest contingency of police officers and civil experts to EUPOL.⁵⁰ Financially, Germany has expended more than 300 million euros between 2002 and 2011, 77 million euros in 2013, and approximately 30 million euros in 2013 towards ANP reform.⁵¹

The German police program has been criticized for failing to prioritize strengthening the institutional capacity of the MOI. In 2003, only one advisor was provided to the MOI.⁵² In addition, the time-intensive training program at the academy was viewed as too slow and too focused on officers.⁵³ The German police program would take years for the ANP to reach its initial end-strength goal of 62,000.⁵⁴ Germany, however, “viewed its role as one of advising and consulting with other donors and the Afghan government rather than as the major implementer or funding source for the police sector.”⁵⁵

⁴⁷ See U.S. Department of Defense Report on Progress Toward Security and Stability in Afghanistan, December 2012 (hereinafter DOD Progress Report Dec. 2012), p. 68: http://www.defense.gov/news/1230_Report_final.pdf. NTM-A and MOI signed a Training Center transition plan in June 2012, which consolidates or closes 31 training sites leaving 13 permanent training centers. See U.S. Department of Defense Report on Progress Toward Security and Stability in Afghanistan, July 2013 (hereinafter DOD Progress Report July 2013), p. 80: http://www.defense.gov/pubs/Section_1230_Report_July_2013.pdf.

⁴⁸ Federal Republic of Germany, Federal Ministry of Interior, *Germany's Role in Training the Afghan Police*, 2013: http://www.bmi.bund.de/EN/Topics/Security/International-Cooperation/afghanistan/afghanistan_node.html.

⁴⁹ Ibid.

⁵⁰ See Federal Republic of Germany, Ministry of Foreign Affairs, EUPOL Afghanistan http://www.auswaertiges-amt.de/DE/Aussenpolitik/RegionaleSchwerpunkte/AfghanistanZentralasien/Polizeiaufbau-EUPOL_node.html.

Germany has provided up to 60 police officers and civilian experts to EUPOL since 2007.

⁵¹ See Federal Republic of Germany, Ministry of Foreign Affairs, German involvement in the reconstruction of the Afghan police: http://www.auswaertiges-amt.de/DE/Aussenpolitik/RegionaleSchwerpunkte/AfghanistanZentralasien/Polizeiaufbau-dt-Engagement_node.html.

⁵² United States Institute of Peace (USIP) Special Report 227, *Afghanistan's Police: The Weak Link in Security Sector Reform*, by Robert M. Perito, August 2009, p. 3: http://www.usip.org/sites/default/files/afghanistan_police_0.pdf.

⁵³ See GAO-05-575, *supra* note 24, p. 19.

⁵⁴ See The EU's Afghan Police Mission, House of Lords, European Union Committee, 8th Report of Session 2010–11, 16 February 2011 (hereinafter EU's Afghan Police Mission), p. 9, para. 5: <http://www.publications.parliament.uk/pa/ld201011/ldselect/ldcom/87/87.pdf>.

⁵⁵ GAO-05-575, *supra* note 24, p. 26.

EUPOL

The European Union Police Mission to Afghanistan (EUPOL) formally replaced Germany as the key partner for police assistance in June 2007.⁵⁶ Germany's "funds and personnel were not enough to achieve the goals that had been set."⁵⁷ EUPOL's mission "built on and broadened the efforts" of the German project.⁵⁸ EUPOL's Mission Statement provides:⁵⁹

EUPOL Afghanistan shall significantly contribute to the establishment under Afghan ownership of sustainable and effective civilian policing arrangements, which will ensure appropriate interaction with the wider criminal justice system, in keeping with the policy advice and institution building work of the Community, Member States and other international actors. Further the Mission will support the reform process towards a trusted and efficient police service, which works in accordance with international standards, within the framework of the rule of law and respects human rights.

The original mission provided for 200 international staff.⁶⁰ This was increased to 400 in 2008.⁶¹ In February 2014, staffing levels were approximately 350 international and 200 local staff, coming from 24 member states as well as Canada.⁶²

EUPOL has always differentiated its mission from other police missions. "The EUPOL mission is unique in Afghanistan in terms of trying to build up a civilian policing capability—a force that relates to the Afghan people as they live their difficult lives, investigates crimes and brings cases to court. The majority of U.S. and NATO police training is about guarding installations and counter-insurgency, rather than civilian policing as we in the west would understand it. That is why the EUPOL police mission is so important to the future of Afghanistan's development."⁶³

⁵⁶ See EUPOL Afghanistan, About Us: <http://www.eupol-afg.eu/?q=about-us> (accessed January 8, 2013); see also COUNCIL JOINT ACTION 2007/369/CFSP of 30 May 2007 on establishment of the European Union Police Mission in Afghanistan: <http://www.eupol-afg.eu/sites/default/files/lb11en.pdf>.

⁵⁷ EU's Afghan Police Mission, *supra* note 54, p. 9, para. 5.

⁵⁸ *Ibid.*

⁵⁹ COUNCIL JOINT ACTION 2007/369/CFSP of 30 May 2007 on establishment of the European Union Police Mission in Afghanistan: <http://81.17.241.206/sites/default/files/lb11en.pdf>

⁶⁰ See EU's Afghan Police Mission, *supra* note 54, p. 10, para. 7.

⁶¹ *Ibid.*

⁶² See EUPOL Afghanistan, About Us: <http://www.eupol-afg.eu/?q=about-us> (accessed February 28, 2014).

⁶³ EU's Afghan Police Mission, *supra* note 54, p. 6. "It is obviously the case that CSTC-A, the Americans and NATO provide for the high volume of basic training in basic skills. It is EUPOL's mandate to provide for the more specialised and leadership skills." *Ibid.*, p. 48, Q143.

As outlined in Chapter 1.4, EUPOL has identified three focal areas: 1) institutional reform of the MOI; 2) professionalizing the ANP; and 3) connecting police to justice reform. In these three focal areas, EUPOL has identified six strategic objectives:⁶⁴

1. Develop police command, control and communications for the Ministry of Interior and the Afghan National Police
2. Develop intelligence-led policing
3. Build the capabilities of the Criminal Investigations Department
4. Develop anti-corruption capacities
5. Improve cooperation and coordination between Police and Judiciary, with a particular emphasis on prosecutors
6. Mainstream gender and Human Rights aspects within the Ministry of Interior and Afghan National Police.

To accomplish the objectives, EUPOL Afghanistan has a Police Component, a Police Training Component, a Rule of Law Component, and a Field Component. The Rule of Law Component is discussed in Chapter 1.4: The International Community and Rule of Law Implementers in Afghanistan. The Police/Police Training Components focus on monitoring, mentoring, training, and advising the ANP and mentoring/advising the Ministry of Interior.⁶⁵

EUPOL Advisors are located in Kabul and 12 provinces.⁶⁶ “EUPOL experts advise the leadership of the Ministry of the Interior and [sic] how to build-up and command an effective Afghan Police.”⁶⁷ As of October 2013, EUPOL has developed “over 260 different police plans/policies which constitute a firm strategic and operational framework to the overall police reform process.”⁶⁸

ANP training is primarily conducted in Kabul at the Kabul Police Academy.⁶⁹ EUPOL currently uses the Afghan Border Police facility at the Academy and the Central Training Center while it

⁶⁴ EUPOL Afghanistan, About Us (accessed January 9, 2014): <http://81.17.241.206/?q=node/4>; see also European Commission Country Strategy Paper, Islamic Republic of Afghanistan 2007-2013:

http://eeas.europa.eu/delegations/afghanistan/documents/eu_afghanistan/csp_afg_07-13_en.pdf. The EU expects to have a new strategy defining the EU’s strategic engagement with Afghanistan post-2014 ready for endorsement by mid-2014. See Chapter 1.4: The International Community and Rule of Law Implementers in Afghanistan.

⁶⁵ EUPOL Afghanistan, About US: <http://www.eupol-afg.eu/?q=about-us> (accessed January 8, 2013).

⁶⁶ EUPOL Afghanistan, Field Component: <http://www.eupol-afg.eu/?q=City-Police-and-Justice-Programme-%28CPJP%29>.

⁶⁷ EU Police Mission in Afghanistan, EUPOL Afghanistan Factsheet, October 2013: http://www.eupol-afg.eu/sites/default/files/FACTSHEET%20EUPOL%20Afghanistan_EN_October2013_Kabul.pdf.

⁶⁸ Ibid.

⁶⁹ EUPOL Afghanistan, Training Component: <http://www.eupol-afg.eu/?q=police-training>.

constructs a Police Staff College and Crime Management College.⁷⁰ The Police Staff College and Crime Management College train senior leaders of the ANP and detectives.⁷¹ Since July 2010, “over 5,500 current and future senior leaders, 2600 detectives attended at least one of the 30 courses offered, and over 2600 students successfully completed Train the trainer courses.”⁷²

EUPOL’s community policing project “helps to reform police districts into models for a more effective and more community oriented policing.”⁷³ EUPOL officers in Kabul and the provinces provide daily mentoring to their ANP colleagues.⁷⁴ The goal of the project is to:⁷⁵

- Build an easily approachable police service;
- Gain the trust of the public;
- Develop intelligence led policing with existing Afghan police models, and a functional police command, control and communications system; and
- Strengthen the cooperation between the police and the judiciary.

EUPOL’s police mission has been criticized for being “too late, too slow to get off the ground once the decision was made, and too small to achieve its aim; or perhaps, worst, too small to receive respect from other actors.”⁷⁶ EUPOL’s program faced challenges from the beginning. By the fall of 2007:⁷⁷

EUPOL was already mired in controversy. The first EUPOL commander resigned after three months, as the result of a dispute with the EU’s special envoy to Afghanistan. EUPOL had difficulty in establishing working relations with the NATO-led ISAF. European publics were unenthusiastic about their forces serving in Afghanistan. There was also a problem with differing goals for the program among member states. European police were slow to deploy, with many EU member states balking at honoring commitments for personnel. Although EUPOL’s authorized strength was 400 members, it had only 218 police officers on the ground by May 2009.

⁷⁰ Ibid. The Police Staff College and Crime Management College were expected to be open in January 2014, however, no updated information could be found at the time of this writing.

⁷¹ Ibid.

⁷² Ibid.

⁷³ EUPOL Afghanistan Factsheet, October 2013: http://www.eupol-afg.eu/sites/default/files/FACTSHEET%20EUPOL%20Afghanistan_EN_October2013_Kabul.pdf.

⁷⁴ EUPOL Afghanistan, Police Component, Community Policing: <http://www.eupol-afg.eu/?q=The%20EUPOL%20Pilot%20project%20for%20Kabul%20Police%20District%203>.

⁷⁵ Ibid.

⁷⁶ EU’s Afghan Police Mission, *supra* note 54, p. 8.

⁷⁷ USIP *Afghanistan’s Police: The Weak Link in Security Sector Reform*, *supra* note 52, p. 10.

Throughout its mission, EUPOL has been unable to reach full staffing strength. Staff numbers are typically in the high 200s.⁷⁸ The establishment of the NATO Training Mission-Afghanistan (NTM-A) in November 2009 further complicated EUPOL's role. The NTM-A "offered the promise of NATO military protection for European police but required that they serve within a military command structure."⁷⁹ The small staffing numbers have limited EUPOL's reach. The European Union Committee stated that it would take five to ten years past the expected end of mission date of May 2013 for EUPOL to complete its job.⁸⁰ Moreover, its small scale made it difficult for EUPOL to take the lead and integrate bilateral police missions run by EU Member States. As a result there is no "single adequately resourced European policing mission."⁸¹ Compounding the problem was, and is, the divergent objectives of the international community in building up the police force. The International Police Coordination Board, discussed later, was established "to tackle the problems of coordination."⁸²

United States of America

Prior to the establishment of EUPOL's police mission, the United States recognized the limitations of the German police program. Accordingly, in 2003 the U.S. Department of State Bureau of International Narcotics and Law Enforcement Affairs (INL) initiated a police training program for active police personnel in an effort to meet the goal of providing entry-level training for 62,000 police by December 2005. INL contracted DynCorp Aerospace Technology "to train and equip the police, advise the Ministry of Interior, and provide infrastructure assistance, including constructing several police training centers."⁸³ The first training center, the Central Training Center (CTC), was established in Kabul in May 2003.⁸⁴ By June 2006, seven Regional Training Centers (RTCs) were established throughout the country.⁸⁵ "The Department of Justice's International Criminal Investigative Training Assistance Program developed the curriculums, which include such topics as crime investigation, operational police skills, and human rights."⁸⁶

Initially, training at the CTC was provided by three U.S. and six international instructors along with Afghan staff.⁸⁷ Afghan staff who completed a three-week instructor development course

⁷⁸ EU's Afghan Police Mission, *supra* note 54, p. 10, para. 7.

⁷⁹ *Ibid.*, p. 11.

⁸⁰ *Ibid.*

⁸¹ *Ibid.*, p. 25, para. 62.

⁸² *Ibid.*, p. 25, para. 63.

⁸³ GAO-05-575, *supra* note 24, p. 8.

⁸⁴ See OIG Interagency Assessment, *supra* note 25, p. 7.

⁸⁵ *Ibid.* The Department of Defense Office of Military Cooperation Afghanistan (OMC-A) established in May 2002, provided equipment and infrastructure assistance including funding for the construction of the Central Training Center and the seven Regional Training Centers.

⁸⁶ GAO-05-575, *supra* note 24, p. 21.

⁸⁷ USIP *Afghanistan's Police: The Weak Link in Security Sector Reform*, *supra* note 52, p. 4

provided instruction at the CTC with oversight by the international advisors.⁸⁸ “The program offered three core courses based upon a curriculum that was used at the Police Service School in Kosovo. The courses included an eight-week course in basic police skills for literate, non-commissioned officers and patrolmen, a five-week course for illiterate patrolmen, and a fifteen-day Transition Integration Program for policemen with extensive experience.”⁸⁹ “Highway and border police receive[d] 2 weeks of additional specialized training.”⁹⁰

The U.S. police program also provided U.S. advisors to the MOI. By the end of 2004, 30 DynCorp advisors were working with the MOI and helped draft a reform program.⁹¹ The program addressed the organizational structure of the police including rank and salary reform, as well as the establishment of an internal affairs unit “responsible for disciplining corrupt or underachieving officers throughout the police force.”⁹² In addition to the training and mentoring components, the U.S. equipped the ANP, “both with individual equipment (e.g., uniforms and handguns) and unit equipment (e.g., vehicles and communications equipment).”⁹³

In April 2005, responsibility for directing the U.S. police program was transferred from the Department of State/INL to the Department of Defense Combined Security Transition Command-Afghanistan (CSTC-A).⁹⁴ CSTC-A became, and continues to be, the lead U.S. agency responsible for the development of the both the ANA and ANP.⁹⁵ Most U.S. funding to support the Afghanistan National Security Forces (ANSF) is appropriated thru the Afghanistan Security Forces Fund (ASFF) and provided to CSTC-A.⁹⁶

CSTC-A’s 2008 Campaign Plan for developing the ANSF was divided into three phases: Phase I focused on fielding and generating the forces; Phase II focused on development; and Phase III focused on transitioning the forces to the Afghan Government.⁹⁷ CSTC-A’s police support

⁸⁸ GAO-05-575, *supra* note 24, p. 20.

⁸⁹ USIP *Afghanistan’s Police: The Weak Link in Security Sector Reform*, *supra* note 52, p. 4.

⁹⁰ GAO-05-575, *supra* note 24, p. 20.

⁹¹ *Ibid.*, p. 25.

⁹² *Ibid.*

⁹³ OIG Interagency Assessment, *supra* note 25, p. 7.

⁹⁴ *Ibid.*, p. 8. Responsibility for policy guidance remained with the Chief of Mission in Afghanistan. In 2006, DOD assumed responsibility for funding the ANP program, but INL in Washington retained contract management authority through reimbursable agreements with DOD. In August 2009, DOD and DOS agreed to transfer all responsibility for the ANP program to DOD. By April 30, 2011, DOD assumed “the majority of contract oversight and administration responsibilities for the ANP training program.” Joint Audit by the Inspectors General of Department of State and Department of Defense, *DOD and DOS Need Better Procedures to Monitor and Expend DOD Funds For the Afghan National Police Training Program*, July 7, 2011, pp 2-3 & 4:

<http://oig.state.gov/documents/organization/168029.pdf>.

⁹⁵ U.S. Special Inspector General Afghanistan Reconstruction (SIGAR) Quarterly Report to Congress April 30, 2013, p. 81: <http://www.sigar.mil/pdf/quarterlyreports/2013-10-30qr.pdf>.

⁹⁶ *Ibid.*

⁹⁷ See United States Plan for Sustaining the Afghan National Security Forces, Report to Congress in accordance with the 2008 National Defense Authorization Act (Section 1231, Public Law 110-181), June 2008, p. 7:

program was originally formed with two departments – the Police Reform Directorate and the Task Force Police Directorate (TF-Police).⁹⁸ TF-Police was charged with training the ANP “to enable them to perform the full spectrum of traditional law enforcement roles, as well as counterinsurgency operations.”⁹⁹ The Police Reform Directorate was responsible for reforming the MOI.¹⁰⁰

The U.S. program greatly accelerated the number of Afghan police that received entry-level training and by December 2005, 63,581 policemen had completed training.¹⁰¹ A report in November 2006, however, found that only 30,395 ANP personnel who had been trained and equipped were capable of carrying out their police functions.¹⁰² The report noted that one of the obstacles to establishing a fully professional ANP was the lack of a field training program.¹⁰³ In an attempt to address this gap, CSTC-A initiated the Focused District Development (FDD) Program in November 2007.

The FDD Program trains all of the Afghan Uniform Police (AUP) serving in a single district together at an RTC or the CTC. The Afghan National Civil Order Police replace the district AUP during the eight-week training program. There are three different levels of training – new entrants, advanced, and officer leader and management training. The FDD Program also includes “biometric processing and identification cards issue, pay records establishment, full equipping, leader reinforcement training, and continual ethics reinforcement.” The AUP are mentored during the training by a Police Mentoring Team (PMT). The PMT returns to the district with the AUP in order to provide continued on-the-job training and mentoring. When the AUP are validated as reformed, which is proficiency-driven not time-driven, the PMT shifts to an over watch mode.¹⁰⁴

The FDD Program became the “cornerstone reform program for the ANP.”¹⁰⁵ Shortages in PMTs and training personnel, however, impeded the expansion of the program. In 2009, the DOD reported that even with full manning levels, it would take three years to complete the FDD Program.¹⁰⁶ The international community recognized the success of the program and by August

http://www.defense.gov/pubs/united_states_plan_for_sustaining_the_afghanistan_national_security_forces_123_1.pdf.

⁹⁸ OIG Interagency Assessment, *supra* note 25, p. 17.

⁹⁹ *Ibid.*

¹⁰⁰ *Ibid.*, p. 18.

¹⁰¹ *Ibid.*, p. 15.

¹⁰² *Ibid.*

¹⁰³ *Ibid.*, p. 1.

¹⁰⁴ See United States Plan for Sustaining the Afghan National Security Forces, *supra* note 97, p. 23.

¹⁰⁵ U.S. Department of Defense Report on Progress Toward Security and Stability in Afghanistan, Oct. 2009 (hereinafter DOD Progress Report OCT 2009), p. 29: http://www.defense.gov/pubs/pdfs/October_2009.pdf.

¹⁰⁶ U.S. Department of Defense Report on Progress Toward Security and Stability in Afghanistan, June 2009 (hereinafter DOD Progress Report June 2009), p. 37:

http://www.defense.gov/pubs/pdfs/1230_June%20AD2009Final.pdf.

2009, 14 NATO Police Operational Mentoring and Liaison Teams (POMLTs) were supporting FDD efforts.¹⁰⁷ But progress remained slow and by April 2010, only 83 of the 365 ANP districts had completed the FDD Program.¹⁰⁸

In November 2009, NATO established the NATO Training Mission-Afghanistan (NTM-A) that “merged with [...] CSTC-A into one integrated command under a dual-hatted commander.”¹⁰⁹ “NTM-A/CSTC-A contracts with DynCorp International to provide training, mentoring, and support services at multiple training sites around the country.”¹¹⁰ NTM-A is more fully discussed below.

The U.S. is the largest donor for ANP reform assistance. As of December 31, 2013, the United States has disbursed nearly US \$14.92 billion of ASFF funds to build, train, and sustain the ANP.¹¹¹ ASFF monies are further allocated to support: sustainment, equipment and transportation, infrastructure, and training and operations.¹¹²

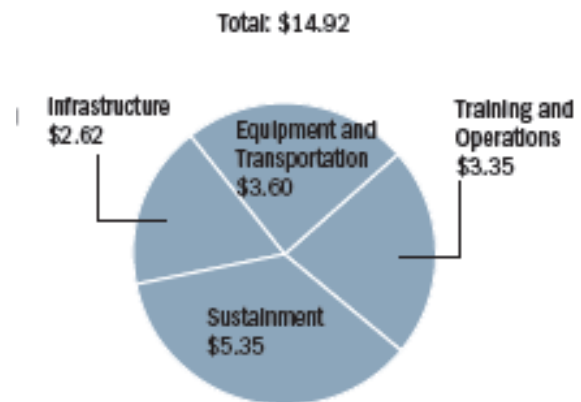
Sustainment

The largest portion of ASFF funds is for ANP sustainment. As of December 31, 2013, the U.S. disbursed US\$5.3 billion in ASFF funds for ANP sustainment purposes, including the purchase of ammunition.¹¹³

Equipment and Transportation

As of December 31, 2013, the U.S. obligated and disbursed US\$3.6 billion ASFF funds to provide equipment and transportation support to the ANP.¹¹⁴ “Most of these funds were used to purchase weapons and related equipment, vehicles, and communication equipment.”¹¹⁵

**ASFF DISBURSEMENTS FOR THE ANP
BY SUB-ACTIVITY GROUP,
FY 2005–DEC 31, 2013 (\$ BILLIONS)**



¹⁰⁷ DOD Progress Report, OCT 2009, *supra* note 105, p. 29.

¹⁰⁸ U.S. Department of Defense Report on Progress Toward Security and Stability in Afghanistan, April 2010, p. 122: http://www.defense.gov/pubs/pdfs/report_final_secdef_04_26_10.pdf.

¹⁰⁹ U.S. Army, NATO Training Mission-Afghanistan, January 28, 2010: http://www.army.mil/article/33702/NATO_Training_Mission_Afghanistan/.

¹¹⁰ SIGAR Quarterly Report October 30, 2013, p. 100 : <http://www.sigar.mil/pdf/quarterlyreports/2013-10-30qr.pdf>

¹¹¹ SIGAR Quarterly Report January 30, 2014, p. 73: <http://www.sigar.mil/pdf/quarterlyreports/2014Jan30QR.pdf>.

¹¹² *Ibid.*

¹¹³ *Ibid.*; See also SIGAR October 2013, *supra* note 110, p. 98.

¹¹⁴ See SIGAR January 2014, *supra* note 111, p. 73; see also SIGAR October 2013, *supra* note 110, p. 98.

¹¹⁵ SIGAR October 2013, *supra* note 110, p. 98.

Infrastructure

As of December 31, 2013, the U.S. disbursed \$2.62 billion of the \$3.4 billion ASFF funds obligated for ANP infrastructure support.¹¹⁶ In sum, 574 projects were completed; 165 were on-going; and 17 projects were planned.¹¹⁷ Recent infrastructure projects included the police training centers in Kandahar and Herat, administration facilities for the MOI headquarters, and a patrol station in Helmand for ANCOP.¹¹⁸

Training and Operations

As of December 31, 2013, the U.S. obligated US\$3.4 billion and disbursed US\$3.35 billion of ASFF funds to provide ANP and MOI training and operations support.¹¹⁹ The NTM-A/CSTC-A contract is valued at \$1.21 billion and “provides 373 mentors and trainers as well as approximately 1,225 support personnel at regional training centers and in mobile support teams.”¹²⁰ Since 2010, the U.S. has funded 3 literacy contracts with a maximum cost of \$200 million.¹²¹ Pursuant to these contracts 649 literacy trainers were being provided to the ANP as of August 31, 2013.¹²² “Ongoing funding of the current literacy contracts through December 2014 was scheduled to shift from ASFF to the NATO Trust Fund on October 1, 2013.”¹²³

Salaries and Incentives

“From 2008 through September 30, 2013, the U.S. government provided \$907 million through the ASFF to pay ANP salaries, food, and incentives (extra pay for personnel engaged in combat or employed in specialty fields).”¹²⁴ Additionally, from 2002 through December 2013, the U.S. provided US\$1.21 billion to the Law and Order Trust Fund for Afghanistan (LOTFA), discussed below.¹²⁵ This funding is in addition to the salary support from the ASFF fund.

As the ANP reaches its end-strength goal, the U.S. police assistance program is shifting from force-generation to professionalizing the force and developing the ANP enabling forces. The long term success of the ANP is dependent upon a self-sufficient and fully capable MOI. “Key areas of influence for police professionalization are the development of the MOI, the institutionalization of training, the enablement of sustainment functions and the promotion of international cooperation.”¹²⁶ CSTC-A’s Ministerial Advisory Group (MAG) supports the MOI

¹¹⁶ Ibid, p. 99; see also SIGAR January 2014, *supra* note 111, p. 73.

¹¹⁷ SIGAR October 2013, *supra* note 110, p. 98.

¹¹⁸ Ibid; see also SIGAR April 2013, *supra* note 95, p. 102.

¹¹⁹ SIGAR January 2014, *supra* note 111, p. 73; see also SIGAR October 2013, *supra* note 110, p. 98.

¹²⁰ SIGAR October 2013, *supra* note 110, p. 100. The ASFF-funded contract is a two-year base contract with a one year option under the DOD’s Foreign Military Sales case system. See SIGAR April 2013, *supra* note 95, p. 102.

¹²¹ SIGAR October 2013, *supra* note 110, p. 100.

¹²² Ibid.

¹²³ Ibid, p. 101.

¹²⁴ Ibid, p. 98.

¹²⁵ SIGAR January 2014, *supra* note 111, p. 81.

¹²⁶ DOD Progress Report July 2013, *supra* note 47, p. 17.

and has “liaison personnel embedded in Afghan ministries to help build enduring sustainment capabilities in planning, budgeting, and acquisition.”¹²⁷

The U.S. program has been criticized for focusing too much on force generation instead of force readiness. Specifically, the U.S. program has been accused of creating a paramilitary police force focused on counterinsurgency skills with little to no traditional law enforcement skills.¹²⁸ The initial focus on force generation has also delayed the “development of enablers – in particular logistics capabilities.”¹²⁹ The U.S. and ISAF made the strategic decision to prioritize force generation based on the premise that until security conditions permit a conventional police force the ANP must prioritize combating the insurgency. Future support by the U.S. military to the ANP, through the NATO-led mission to train, advise and assist the ANSF, will be addressed in the U.S.-Afghanistan Bilateral Security Agreement (BSA).¹³⁰ At the time of this writing, the BSA was not concluded. U.S. civilian support to the ANP during the “Decade of Transformation” remains unclear.

NATO Training Mission –Afghanistan/ISAF

The NATO Training Mission-Afghanistan (NTM-A) was established in November 2009 to oversee training for and equipping of the Afghan National Army and the Afghan National Police.¹³¹ As of October 2013, 25 nations contributed to the mission.¹³² The NTM-A was launched at the same time as the establishment of ISAF’s Joint Command (IJC).¹³³ The commanding general of the NTM-A reports to the Commander of ISAF through the IJC.

The NTM-A “brings together NATO and national institutional training efforts under one umbrella.”¹³⁴ “NTM-A’s key task is to train the Afghan security forces, including ‘training the trainers’, so that, under effective Afghan civilian control, the Afghan forces are fully capable of tackling security challenges on a sustainable and irreversible basis.”¹³⁵ “NTM-A focuses on

¹²⁷ U.S. Department of Defense Report on Progress Toward Security and Stability in Afghanistan, November 2013 (hereinafter DOD Progress Report NOV 2013), p. 81:

http://www.defense.gov/pubs/October_1230_Report_Master_Nov7.pdf.

¹²⁸ See EU’s Afghan Police Mission, *supra* note 54, p. 23, para. 51-52.

¹²⁹ U.S. Department of Defense Report on Progress Toward Security and Stability in Afghanistan, April 2012, p. 35:

http://www.defense.gov/pubs/pdfs/Report_Final_SecDef_04_27_12.pdf.

¹³⁰ See DOD Progress Report July 2013, *supra* note 47, p. 17.

¹³¹ See ISAF, NATO Training Mission-Afghanistan: <http://www.isaf.nato.int/subordinate-commands/nato-training-mission-afghanistan/index.php>.

¹³² Afghanistan National Security Forces (ANSF), NATO Media Backgrounder, October 2013:

http://www.nato.int/nato_static/assets/pdf/pdf_2013_10/20131018_131022-MediaBackgrounder_ANSF_en.pdf.

¹³³ NATO Developing of Afghan Security Forces, NATO’s Training Mission –Afghanistan:

http://www.nato.int/cps/en/natolive/topics_92726.htm.

¹³⁴ Afghanistan National Security Forces (ANSF), NATO Media Backgrounder, October 2013:

http://www.nato.int/nato_static/assets/pdf/pdf_2013_10/20131018_131022-MediaBackgrounder_ANSF_en.pdf.

¹³⁵ NATO Developing of Afghan Security Forces, NATO’s Training Mission –Afghanistan:

http://www.nato.int/cps/en/natolive/topics_92726.htm.

training the initial recruits and building the institutional training capability of the Afghan national security forces.”¹³⁶ “The IJC is responsible for developing fielded ANSF units through advice and assistance.”¹³⁷ Originally, advising and mentoring “was carried out by NATO’s Operational Mentoring and Liaison Teams (OMLTs) and Police OMLTs (POMLTs). These have gradually evolved into Military Advisory Teams (MATs) and Police Advisory Teams (PATs). The Operation Co-ordination Centres Advisory Teams (OCCATs) are key elements in the support of ANSF commanders in coordinating the employment of forces in their area, and are the means through which ISAF support may be requested. All these teams are now more generically named Security Force Assistance Advisor Teams (SFA-AT).”¹³⁸

ISAF is shifting its focus from force generation to developing sustainable Afghan security institutions.¹³⁹ To that end, ISAF developed the ANSF Sustainability Framework. The framework identifies five operational pillars which are “key to long-term sustainability:” 1) leadership; 2) command and control; 3) sustainment and logistics; 4) combined arms integration; and 5) training.¹⁴⁰ “Improving ANSF capability across these functions is now the main focus of the ANSF development effort.”¹⁴¹ As mentioned in Chapter 8.3, the NTM-A and the MOI signed a training center transition plan, consolidating training to 13 permanent training centers under the authority of the ANP Training General Command (ANPTGC).¹⁴² ISAF’s support to the ANP is focused on sustainment and logistics.¹⁴³ “Currently, the MOI is not prepared to sustain its security operations without coalition assistance.”¹⁴⁴

The Ministerial Advisory Groups (MAGs) to the MOI and MOD have started to reorganize to support the Sustainability Framework’s strategic pillars and enabling functions.¹⁴⁵ “The shift in advisory focus from developing the MOI operational capacity to sustainment capacity has been a challenging one. Progress is being made, but Afghanistan must develop additional capabilities in order to ensure the long-term sustainability of the entire police force.”¹⁴⁶

ISAF’s mission will conclude at the end of 2014, but NATO has committed to “training, advising and assisting the Afghan national security forces after 2014. The post-2014 mission will be called ‘Resolute Support’ and will not be a combat mission. It will be smaller in size and

¹³⁶ Ibid.

¹³⁷ Ibid.

¹³⁸ Afghanistan National Security Forces (ANSF), NATO Media Backgrounder, October 2013:

http://www.nato.int/nato_static/assets/pdf/pdf_2013_10/20131018_131022-MediaBackgrounder_ANSF_en.pdf.

As of October 2013, the following nations are contributing to PATs: Croatia, Denmark, Finland, France, Germany, Italy, Lithuania, the Netherlands, Poland, Spain, Turkey, the United Kingdom and the United States

¹³⁹ See DOD Progress Report NOV 2013, *supra* note 127, pp. 12 and 34.

¹⁴⁰ Ibid, pp. 34 and 75.

¹⁴¹ Ibid, p. 34.

¹⁴² See DOD Progress Report July 2013, *supra* note 47, p. 80.

¹⁴³ DOD Progress Report NOV 2013, *supra* note 127, p. 40.

¹⁴⁴ Ibid.

¹⁴⁵ Ibid, pp. 36-37.

¹⁴⁶ Ibid, p. 40.

will focus on national and institutional-level training and the higher levels of army and police commands across Afghanistan.”¹⁴⁷ “Most of the 28 NATO nations continue to await political decisions before making any final announcements for contributions to the post-2014 NATO RESOLUTE SUPPORT mission. . . . NATO is expected to finalize their request for forces at a Force Management Conference in spring 2014. It is premature to speculate on final troop commitments until the RESOLUTE SUPPORT mission plan is published, and nations are formally asked to contribute.”¹⁴⁸

International Police Coordination Board

Coordination between the police programs has been slow to develop. Germany’s initial strategy paper in 2003, proposing ways to rebuild the police sector “was not widely circulated and was not adopted by other donors, including the United States.”¹⁴⁹ In 2006, the international community held a conference in Dubai, United Arab Emirates to address coordination of police reform efforts in Afghanistan.¹⁵⁰ The participants noted:¹⁵¹

So far the single nations and organisations involved in various kinds of law and enforcement reconstruction are mainly following their own national guidelines. With this understanding, the resources of manpower and money are partially wasted because of so many overlapping activities and partly because of unsynchronized operational infrastructures. All efforts need to be gathered and concentrated into one single strategy in order to achieve the goal of an independent Afghan National Police force. One strategy would and should generate the benefits of a useful amount of synergy which can accelerate future activities of stabilization.

The conference attendees created the International Police Coordination Board (IPCB) with a mandate to serve as the main coordination body “to direct, coordinate, and prioritize” international police reform efforts in Afghanistan.¹⁵² The IPCB is chaired by the Afghan Minister of Interior and is currently comprised of 13 member states and 10 organizations that are actively engaged in police and rule of law reform efforts in Afghanistan.¹⁵³ The IPCB’s mission statement provides:¹⁵⁴

¹⁴⁷ NATO-ISAF’s Mission in Afghanistan, ISAF Mission Evolution: http://www.nato.int/cps/en/SID-81EA0569-2EBFC3EA/natolive/topics_69366.htm.

¹⁴⁸ DOD Report on Progress NOV 2013, *supra* note 127, p. 13.

¹⁴⁹ GAO-05-575, *supra* note 24, p. 26.

¹⁵⁰ Report of Dubai II Conference, October 1-5, 2006: <http://ipcb.files.wordpress.com/2012/01/dubai-ii-concluding-document.pdf>.

¹⁵¹ *Ibid.*

¹⁵² International Police Coordination Board (IPCB), About: <http://ipcb.wordpress.com/about/>.

¹⁵³ IPCB, Members: <http://ipcb.wordpress.com/ipcb-board-meetings/membership/>.

¹⁵⁴ IPCB, About: <http://ipcb.wordpress.com/about/>.

The international community assists the Islamic Republic of Afghanistan in a common effort to reform the Afghan National Police, in accordance with the vision and priorities of the Afghan Ministry of Interior, into a credible, respected, professional, increasingly government-funded police service that is committed to the rule of law, is supportive of the government of Afghanistan and its people, and acts consistently in accordance with established principles of international law and national regulations.

Until recently, the IPCB was not viewed as an effective coordination body, lacking resources and operational authority. In September 2009, coordination between the various police programs remained “haphazard.”¹⁵⁵ No unified, integrated vision for the ANP existed and the police programs were still guided by their own national strategies.¹⁵⁶ The role of the IPCB, however, was reinvigorated at the Chicago NATO Summit in 2012, as the coordinating body for police reform post-2014.¹⁵⁷ In November 2013, a new omnibus agreement and mandate was agreed upon to build the capacity of the MOI to internally manage international donor assistance.¹⁵⁸ IPCB members agreed that a “unified and common approach to Police Advising, Mentoring, Assisting and Training Programs is required, including the sharing of information on each member’s police development and reform programs.”¹⁵⁹ To that end, the IPCB-Secretariat manages a Police Reform Database, which tracks police reform training efforts.¹⁶⁰ “The Database also contains a comprehensive library that includes lesson plans, student rosters, and other informative documents.”¹⁶¹

The development of the National Police Strategy, National Police Plan, and 10-Year Vision for the ANP should provide the coherent plan that the international community can collectively support. Moving forward, the IPCB will require funding and resource support from the international community to successfully assist the MOI to meet its vision of the ANP.

¹⁵⁵ *Reforming the Afghan National Police*, *supra* note 11, p. 95.

¹⁵⁶ *Ibid*, p. 92.

¹⁵⁷ See Chicago Summit Declaration on Afghanistan, 21 May 2012 p. 4, para. 19: <http://ipcb.files.wordpress.com/2013/08/chicago-summit-2012.pdf>.

¹⁵⁸ See IPCB Omnibus Agreement and Mandate: <http://ipcb.files.wordpress.com/2013/11/omnibus-agreement-and-mandate-nov-2013.pdf>.

¹⁵⁹ *Ibid*, Memorandum of Agreement, p. 2, para. 6.

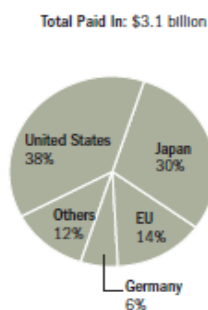
¹⁶⁰ IPCB, Police Reform Database: <http://ipcb.wordpress.com/ipcb-database/>.

¹⁶¹ *Ibid*.

Law and Order Trust Fund for Afghanistan (LOTFA)

“The Afghan government does not have the revenue to pay its police.”¹⁶²

DONORS' CONTRIBUTIONS TO THE LOTFA
SINCE 2002, AS OF SEPTEMBER 30, 2013
(PERCENT)



Notes: Numbers have been rounded. EC/EU = European Commission/European Union. "Others" includes 18 donors.
Sources: UNDP, "LOTFA Phase VI Quarterly Progress Report Q3/2013," 12/31/2013, pp. 80-81; SIGAR analysis of UNDP's quarterly and annual LOTFA reports, 1/22/2014.

In 2002, the international community established the Law and Order Trust Fund for Afghanistan (LOTFA), which is administered by the United Nations Development Programme (UNDP).¹⁶³ LOTFA contributions pay the salaries of the ANP and uniformed personnel of the General Directorate of Prisons and Detention Centers (GDPDC), and for “nonlethal equipment, facilities, recruitment, training, and institutional development.”¹⁶⁴ As of September 30, 2013, donors have pledged US \$3.18 billion and paid in US \$3.17 billion.¹⁶⁵ In December 2013, the Republic of Korea contributed an additional US \$50 million to LOTFA.¹⁶⁶

From April through December 2013 (Phase-VI Extension), LOTFA activities were clustered around three distinct Pillars:¹⁶⁷

1. **Payment of Salaries.** LOTFA works with the Ministry of Interior (MoI) to provide timely and accountable salary payment for the Afghan National Police (ANP) and Central Prisons Department (CPD) uniformed personnel. Within this Practice Area, LOTFA also funds police infrastructure projects, contributing to improvement of working conditions and ANP welfare.
2. **Ministerial Reform.** The project works directly with the MoI to build capacities among leadership and management both at the policy and operational level, and to promote gender equality among Afghan National Police and MoI staff.

¹⁶² OIG Interagency Assessment, *supra* note 25, p. 6.

¹⁶³ See UNDP, Law and Order Trust Fund Afghanistan:

http://www.af.undp.org/content/afghanistan/en/home/operations/projects/crisis_prevention_and_recovery/lotfa/.

¹⁶⁴ OIG Interagency Assessment, *supra* note 25, p. 6; see *ibid*.

¹⁶⁵ SIGAR January 2014, *supra* note 111, p. 81.

¹⁶⁶ See UNDP Press Release, *US \$ 50 Million Republic of Korea Support to UNDP for Police and Security Sector Development in Afghanistan*, 21 December 2013:

<http://www.af.undp.org/content/afghanistan/en/home/presscenter/pressreleases/2013/12/21/us-50m-republic-of-korea-contribution/>

¹⁶⁷ UNDP, Law and Order Trust Fund Afghanistan:

http://www.af.undp.org/content/afghanistan/en/home/operations/projects/crisis_prevention_and_recovery/lotfa/.

3. **Professionalization of Police.** Through the Police-e-Mardumi initiative, LOTFA works with community leaders, communities, and local councils to engage police and the community proactively on a regular basis, in an attempt to share information and common concerns.

In 2014, the LOTFA pillars “will shift from ad hoc programming and material support so as to align more directly with policies and strategies of the MOI.”¹⁶⁸ Pillar 1 will continue to manage the remuneration to police and GDPDC uniformed personnel. “Anticipating the transition of payroll management to the MOI, Pillar 1 will focus on building MOI capacity to use, manage, and maintain the payroll system, while also ensuring that the software itself is made robust and professional. In the meantime, training and systems development will continue to be provided to the MOI and Ministry of Finance (MOF).”¹⁶⁹ Ministerial reform (Pillar 2) “will encompass: policy development and evaluation, including development of operational procedures; support to improve key ministerial processes essential to ensure efficient and effective allocation and management of MOI assets; technical assistance for structural change of MOI systems. Greater emphasis will be on policies associated [with] human resources planning and management, including policies and regulatory framework to guide and discipline police literacy and professionalization.”¹⁷⁰ Pillar 3 will expand its community policing component to “civilian policing and police professionalization in all capacities of on-the-ground policing agencies. Expansion of community-policing partnerships will be another feature of Pillar 3 work for 2014 by scaling-up Civil Society Organizations (CSO)-based projects meant to build conditions of mutual trust and confidence between the police and communities.”¹⁷¹

¹⁶⁸ UNDP Jobs, (Deputy) Programme Manger UNDP-LOTFA Project:
https://jobs.undp.org/cj_view_job.cfm?cur_job_id=42920.

¹⁶⁹ Ibid.

¹⁷⁰ Ibid.

¹⁷¹ Ibid.

Resources

- Agreement on Provisional Arrangements in Afghanistan Pending the Re-Establishment of Permanent Government Institutions (Bonn Agreement), 5 December 2001, II: <http://www.un.org/News/dh/latest/afghan/afghan-agree.htm>.
- United Nations (UN) Security Council Resolution 1386, December 20, 2001: <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N01/708/55/PDF/N0170855.pdf?OpenElement>.
- The Situation in Afghanistan and its Implications for International Peace and Security, UN Security Council, Report of the Secretary-General, Fifty-sixth session of the General Assembly, agenda item 43, 18 Mar. 2002, A/56/875–S/2002/278: <http://www.afghanistan-un.org/wp-content/uploads/2010/11/S20022781.pdf>.
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- Federal Republic of Germany, Ministry of Foreign Affairs, German involvement in the reconstruction of the Afghan police: http://www.auswaertiges-amt.de/DE/Aussenpolitik/RegionaleSchwerpunkte/AfghanistanZentralasien/Polizeiaufbau-dt-Engagement_node.html
- Federal Republic of Germany, Ministry of Foreign Affairs, EUPOL Afghanistan http://www.auswaertiges-amt.de/DE/Aussenpolitik/RegionaleSchwerpunkte/AfghanistanZentralasien/Polizeiaufbau-EUPOL_node.html
- GIZ, A Trained Police Force Guarantees Rights: <http://www.giz.de/en/worldwide/14642.html>
- GIZ Promotion of the Rule of Law in Afghanistan (accessed June 5, 2012): <http://www.giz.de/themen/en/17058.htm>.

- U.S. Department of Defense Report on Progress Toward Security and Stability in Afghanistan, November 2013:
http://www.defense.gov/pubs/October_1230_Report_Master_Nov7.pdf.
- U.S. Department of Defense Report on Progress Toward Security and Stability in Afghanistan, July 2013:
http://www.defense.gov/pubs/Section_1230_Report_July_2013.pdf.
- U.S. Department of Defense Report on Progress Toward Security and Stability in Afghanistan, December 2012: http://www.defense.gov/news/1230_Report_final.pdf.
- U.S. Department of Defense Report on Progress Toward Security and Stability in Afghanistan, April 2012:
http://www.defense.gov/pubs/pdfs/Report_Final_SecDef_04_27_12.pdf.
- U.S. Department of Defense Report on Progress Toward Security and Stability in Afghanistan, April 2010:
http://www.defense.gov/pubs/pdfs/report_final_secdef_04_26_10.pdf
- U.S. Department of Defense Report on Progress Toward Security and Stability in Afghanistan, Oct. 2009: http://www.defense.gov/pubs/pdfs/October_2009.pdf.
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