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European Union Committee

8th Report of Session 2010–11

The EU's Afghan Police Mission

Report with Evidence

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- Q refers to a question in oral evidence
APM refers to written evidence as listed in Appendix 2

SUMMARY

The mission

EUPOL entered the field in 2007, six years after the initial invasion of Afghanistan. It grew out of a German-led mission which was not capable of reaching the goals which had been set.

Given the fundamental importance of civil structures for Afghanistan and civilian policing in particular, the need for a police training mission was obvious. It remains clear that this was an area where the EU could make a leading contribution.

It may not have been the EU's fault that the mission was late but this was compounded by a low degree of commitment by the EU to providing staff; problems in the Afghan police of illiteracy, corruption and desertion; and the overall security situation in the country. There is a real risk that the EU will fail in an area where it should show leadership.

In future missions the EU must decide whether it wants to make a serious contribution to solving civilian and police matters. If it does, the EU should ensure that such missions are at a level that has a significant effect on outcomes. Earlier participation is essential (paragraphs 5–7, 20–37, 61, 73–83).

Levels of staffing

The planned size of the EU mission of 400 was always too small to make a major difference to civilian outcomes in Afghanistan, and compares badly to the American and NATO commitment to the broader police training effort.

However, even this target has never been met, with numbers in the high 200s being typical. Apart from the lack of EU commitment that this demonstrates to allies, it also means that the mission cannot extend across important parts of Afghanistan.

The fact that the level of EUPOL staff has been significantly lower than planned means that EUPOL illustrates EU weakness rather than strength. There is still time to correct this for the remainder of the mission.

To retain any credibility, the proper level of staffing must be met. However, if this cannot be achieved within a reasonable timeframe, the EU should as a last resort revise EUPOL's mandate (paragraphs 5, 7, 73–83, 91, 92, 94, Box 2).

Size does count

The size of the EUPOL mission—in both people and budget—is relatively small compared with the NATO-led coalition's commitment to police training. This has affected the relationship. The Committee believes that this also has the wider effect of bringing EU Common Security and Defence Policy missions as a whole into disrepute.

In terms of civilian policing, the EU has provided a unique and vital capability for the stabilisation of Afghanistan society. We welcome this, and applaud the work undertaken by EUPOL staff under such challenging conditions. The problem remains the level of that capability (paragraphs 7, 59–70, 78, 79, Box 2).

The nature of policing

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 US 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.

Given the unique contribution of EUPOL in this critical area it is once again evident that the original mission should have been undertaken with a much greater level of commitment or not undertaken at all (paragraphs 51–58, 81).

Multiple European missions

Although EUPOL took over from the previous German-led police mission, the resulting level of resourcing remained inadequate and there are still a number of bi-lateral European policing missions running concurrently, such as those run by Germany, the Netherlands, Denmark and Italy.

There should be a single adequately resourced European policing mission, not a plethora of multi-lateral and bi-lateral missions. We have concerns that the number of missions reduces the effectiveness of the overall effort (paragraphs 16, 17, 60, 62).

The EU and NATO—no formal relationship

In Afghanistan there is no formal agreement between the EU/EUPOL and NATO because Afghanistan is not seen as a 'Berlin Plus' operation. We were given evidence that this lack of a formal agreement prejudiced the lives of EUPOL staff in the field. This is not just inefficient; it is clearly unacceptable.

A renewed political effort to secure a formal EU/NATO agreement in Afghanistan must be made and we trust that the Government will put a major effort into taking this forward. Only the Taliban benefit from the lack of such an agreement (paragraphs 59, 65–70).

Numbers versus quality

From our evidence it is apparent that great stress is laid by the NATO-led coalition on the number of police, rather than quality (as is also true of army training). Training courses tend to be short (six weeks) and emphasise the need to meet numerical targets. While numbers are important, so also is quality; and six weeks of training is not enough. The huge rate at which trained police very quickly leave the service needs to be recognised—we heard in our evidence of a staff attrition rate, at one point, of 75%.

The drive for numbers for an Afghan police force needs to be accompanied by greater attention to the quality of training and to the high turnover of those once trained (paragraphs 20–23, 26–31, 51).

Practicalities—reading, rations and relocation

The practical difficulties facing EUPOL should not be underestimated. The situation in the Afghan police is dire. The illiteracy rate amongst police recruits is as high as 70%. Police officers who cannot read are not able to process evidence, read instructions, or write reports. There is currently no coherent strategy for reducing illiteracy in the police and literate Afghans are often for preference recruited into the Afghan army and paramilitary police forces. Paying police and ensuring that the money is not “lost” before it reaches the police on the ground has also been a great challenge. Police officers located away from their home areas tend to leave and migrate back to their own provinces.

Greater emphasis needs to be paid to the most basic of policing skills, not least reading and writing. Attention is also needed to the conditions in which police work, their general welfare and the location to which they are posted (paragraphs 24–25, 28–31, 57).

Judicial systems—getting convictions

There is limited point in civilian style policing if the judicial system itself does not work, or is not being developed simultaneously. It seems to us that a key part of EUPOL’s mission is that of coordination with the judicial system, prosecutors in particular. However, work in this area also has had very limited impact. Too often, it would seem, crimes are not prosecuted because of corruption within the judicial organisations. This undermines EUPOL’s fundamental mission of training a force capable of investigation followed by prosecution.

Any EU policing mission must be inextricably linked to the wider judicial system. Over the remainder of the mission greater attention must be paid to this link, and corruption must be attacked throughout the Afghan judicial system (paragraphs 46–50).

Command and control—the role of Brussels

We were impressed by the commitment to the success of the mission by individuals in Brussels, but there are evident flaws. Firstly, equipment procurement processes held up the start of the mission beyond reasonable timescales. We applaud the principle of competitive tendering. However, this means that all equipment for a mission, such as EUPOL, has to be purchased new through normal procurement processes. It is inappropriate for a situation such as Afghanistan and must lead to wonderment by other allies. It was also clear that too often decision-making in Brussels was not quick enough, and was at a level too detailed, for EUPOL to be effective. Although we understand a number of these issues have been resolved it remains a key area of concern.

The procurement rules for such operations, and the inability to make use of Member State equipment and assets, must be revisited. There must also be a division of decision-making between Brussels and the field that works well operationally so that Heads of Mission on the ground have enough authority to make decisions of an operational nature. In any case, when decisions are made in Brussels—as some will have to be—they should be made in a timely manner (paragraphs 77, 84–90, Box 3).

Conflicting timescales

The work that EUPOL is able to do is generally of good quality and meets real needs in terms of civilian policing. Nevertheless, although the EUPOL mission is only extended currently until May 2013, it is quite clear from all our witnesses that the job will take at least 5 to 10 years longer. Yet the deadlines for military withdrawal are 2014–15.

We find it difficult to understand how the work of EUPOL can continue and its investment in the police force be realised without a major reduction in, or cessation of, the insurgency. Clearly this depends upon what follows military withdrawal, but the omens are not—on any reasonable assessment—at all favourable.

Before any further extensions of the mission are decided, the wider security environment must be considered. There must be a question—and perhaps more than a question—whether the arrangements associated with the deadlines for military withdrawal could render EUPOL ineffective and will risk the lives of serving police officers for no future effect (paragraphs 64, 96–105).

Overall assessment

Although EUPOL is probably more challenged than any other EU civilian mission, the work it does is more valuable than that of many other multinational missions in Afghanistan. It has very dedicated staff who believe in the mission's objectives, and who also believe that they can be achieved, but over many more years. In one or two individual project areas such as 'City Policing' there have been real successes.

But the mission was 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.

This was an opportunity for Europe to pull its weight in Afghanistan in a discipline and skills area where it had great expertise. In this, despite the dedication and risks taken by those on the ground, the EU's Member States have not yet succeeded. Not only was the resource allocation of 400 staff in practice woefully inadequate for this important task, the fact that even those numbers have never been met has undermined the reputation of the mission.

As military withdrawal deadlines approach, the dedication of much more resources will be necessary if the mission is to be able to achieve its aims.

This has been a troubled mission undertaking a vital task in the reconstruction of Afghanistan. Despite achieving local successes, overall there is a strong risk of failure.

The EU's Afghan Police Mission

CHAPTER 1: THE MISSION'S MANDATE

Introduction

1. The EU's Police Mission in Afghanistan (EUPOL) began in 2007, some six years after the initial US military intervention. The problems it faced were immense: a lack of security, a multiplicity of other international players, a government struggling to assert itself, a barely existent police force and justice system, illiteracy and corruption. The situation has changed very little.
2. This report examines the mandate, activities and effectiveness of the EU Police Mission in Afghanistan as well as the key challenges facing it and how to address them, including training, illiteracy, the attrition rate in the police, differing concepts of policing, international coordination and the relationship between the Mission and Brussels. Our recommendations on the way forward address a number of the problems above.
3. This report was prepared by the Sub-Committee on Foreign Affairs, Defence and Development Policy whose members are listed in Appendix 1. Those from whom we took evidence are listed in Appendix 2. We are grateful to them all.
4. **We make this report to the House for debate.**

Mission origins and composition

5. Alistair Burt MP (Parliamentary Under-Secretary of State, Foreign and Commonwealth Office) set out the origins of the EU's Police Mission in Afghanistan (EUPOL). The 2006 Afghanistan Compact, launched at the London conference in January 2006, provided the framework for co-operation between the newly elected government of Afghanistan and the international community¹. The UK Government supported the launch of two fact-finding missions to Afghanistan in late 2006, on the basis of which a mandate for EUPOL was agreed in June 2007. This built on and broadened the efforts of an earlier German police project that had been operating since 2002². We were told by Dr Ronja Kempin (German Institute for International and Security Affairs (SWP), Berlin) that the German Police Project Office (GPPO) had made important progress but "funds and personnel were not enough to achieve the goals that had been set". Despite German successes in training, the German approach "would have taken years to reach the goal of training 62,000 police officers". This led to the formation of EUPOL, which had a more strategic approach for building a functioning national police force and a country-wide remit³.

¹ The Compact, following the establishment of the Afghan parliament in December 2005, signalled a change in approach towards greater partnership between donors and the Afghan Government, thus emphasising Afghan ownership of the process. It called for increased donor coordination and focused on previously marginalised areas, including police and rule-of-law reform.

² Q 106

³ Appendix 3

6. EUPOL, established under Council Joint Action 2007/369/CFSP, started operations on 15 June 2007. In May 2010, the Council of the EU decided to extend its mandate for three years until 31 May 2013. The common costs of the operation, such as accommodation, communications and transport in Afghanistan, are €54.6 million for the 12 months until 31 May 2011. Individual Member States contribute the costs of deploying their secondees to the Mission⁴.
7. The original mandated strength of the mission was 200 international staff. The Minister told us that in May 2008 the EU had agreed to “work towards” the deployment of 400 staff⁵. However, the current Mission strength falls short of this at 306 international seconded and contracted staff⁶ of whom 14 are seconded from the UK which is in the process of recruiting an additional five secondees. The UK secondees are currently serving or retired policemen but in the past the UK has also seconded civilian rule of law experts⁷. The Mission consists of 168 police officers, 49 rule of law experts and 89 civilian experts, deployed as follows:
- 217 at the EUPOL Headquarters in Kabul (including five assigned to the International Police Coordinating Board, (IPCB) Secretariat);
 - 85 operating outside the capital, spread across 13 Provinces;
 - Four providing support within the Mission Support Element in Brussels.

In addition, 176 Afghan nationals assist the Mission.

Due to the high turnaround of officers on the ground, exact staff numbers are fluid, with numbers in the high 200s being typical⁸. But currently the following seconded personnel have been provided to EUPOL from 22 EU Member States plus Canada, Croatia, New Zealand and Norway (figures for 29 November 2010, see Table 1 below).

TABLE 1

Number of seconded staff by participating country (see footnote 4)

Country	No. of Secondees	Country	No. of Secondees
Finland	37	Austria	5
Germany	36	Belgium	4
Netherlands	23	Estonia	4
Sweden	19	Lithuania	4
Denmark	15	Czech Republic	3
UK	14	New Zealand	3

⁴ All the costs of contracted staff are paid from the CFSP budget (part of Heading 4 of the EU budget). The CFSP budget covers the costs of a daily allowance for seconded staff as well as costs while they are deployed (headquarters, administration, communication). Member States pay the salaries of their seconded staff, the costs of pre-deployment training, personal and medical insurance, equipment and travel costs to and from deployment.

⁵ Q 106

⁶ Figures provided by the FCO, correct as at 29 November 2010.

⁷ Information provided by the FCO.

⁸ Q 68

Italy	13	Poland	3
Norway	11	Spain	3
Romania	11	Latvia	2
France	8	Slovakia	2
Hungary	8	Bulgaria	1
Ireland	8	Croatia	1
Canada	7	Greece	1
Total number of seconded staff: 246			
An additional 60 international contracted staff make up the mission			

8. EUPOL is deployed at central (Kabul), regional and provincial levels, through the Provincial Reconstruction Teams (PRTs) (see Box 1 below). The UK has EUPOL personnel in two areas: 10 in Kabul and four in Helmand.
9. On 15 July 2010 Brigadier General Jukka Savolainen, formerly a senior official in the Finnish Ministry of the Interior, took over as Head of Mission. EUPOL has recently agreed a Status of Mission Agreement with the Afghan Government, which provides a firm legal footing for EUPOL in Afghanistan, as well as setting out privileges and immunities for EUPOL personnel⁹. Unlike the EU's rule of law Mission in Kosovo, EUPOL does not have executive powers, such as the power of arrest and detention.

Mandate and strategic objectives

10. EUPOL's objective is to:

“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 Union, Member States and other international actors. Furthermore, 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 respect for human rights.”¹⁰
11. The Mission's tasks are¹¹:
 - to assist the Government of Afghanistan in coherently implementing its strategy towards sustainable and effective civilian policing arrangements, especially with regard to the Afghan Uniformed Civilian Police and the Afghan Anti-Crime Police, as stipulated in the National Police Strategy;
 - to improve cohesion and coordination among international actors;
 - to work on strategy development, while placing an emphasis on work towards a joint overall strategy of the international community in police reform and to enhance cooperation with key partners in police reform and

⁹ APM 1–3

¹⁰ Council Decision 2010/279/CFSP, Article 2, 18 May 2010.

¹¹ Council Decision 2010/279/CFSP, Article 3, 18 May 2010.

training, including with NATO-led mission ISAF and the NATO Training Mission and other contributors;

- to support linkages between the police and the wider rule of law.
12. Our request to the FCO for access to EUPOL operational documents was refused because they are classified as “EU Restricted”, but an EU fact sheet on EUPOL outlines the six strategic priorities which the Mission agreed in June 2009 for operational purposes:
 - (i) Develop police command, control and communications for the Ministry of Interior and the Afghan National Police;
 - (ii) Develop intelligence-led policing;
 - (iii) Build the capabilities of the Criminal Investigations Department;
 - (iv) Develop anti-corruption capacities;
 - (v) Improve cooperation and coordination between the police and the judiciary, with a particular emphasis on prosecutors;
 - (vi) Mainstream gender issues and human rights within the Ministry of Interior and the Afghan National Police.
 13. The EU implements these priorities by advising and mentoring the Ministry of the Interior on overall police strategy; undertaking projects such as the City Policing and Justice Project; and by organising training courses for senior and mid-ranking Afghan police officers. EUPOL also plays a key role in advising senior Afghan police officers, including Provincial Chiefs of Police. EUPOL is in contact with the Provincial Chiefs of Police in all provinces where there is a EUPOL presence, though the nature of EUPOL’s role in each varies. In addition to Kabul, EUPOL is currently present in 12 out of the 27 provinces: Bamyan, Chackcharan, Faizabad, Herat, Kandahar, Mazar e Sharif, Pol e Alam, Kunduz, Helmand, Maymanah, Pol e Kumri and Tarankot¹².

¹² See map at Appendix 5

CHAPTER 2: THE OPERATING ENVIRONMENT

The security and development context

14. The subject of this report is the EU's police mission. However, it is not the EU's sole contribution to restoring Afghanistan; see Box 1 below. In this chapter we consider the challenging environment in which the mission operates.
15. Our witnesses commented that the building of the police and justice sector formed part of the overall security and development efforts in Afghanistan. Problems in the latter necessarily affected the former. As Kees Klompenhouwer (EU Civilian Operation Commander) remarked: "the absence of a peace settlement is already a complicating factor in implementing our mandate"¹³. Fatima Ayub (Open Society Foundation) argued that there were competing and incoherent visions of development in Afghanistan. Donors were spending aid bilaterally on projects and through channels of their choice, rather than the Afghan government taking the lead. Furthermore, all this was "unfolding in a battlefield"¹⁴.

BOX 1

EU Support for Afghanistan

Over the period 2002–2010 the EU collectively and its Member States individually have together contributed around €8 billion in aid to Afghanistan, including for the Afghan National Police, justice sector reform and border management. Approximately 30 % of EU aid provided between 2002 and June 2009 has been channelled through multi-donor trust funds that provide a substantial part of the Afghan government's core budget. Overall, the EU has contributed €545 million to trust funds. The EU is the single largest contributor to the Law and Order Trust Fund for Afghanistan (LOTFA) which pays for the running costs of the Afghan National Police. The EU Delegation has provided some €225 million to the Trust Fund to date.

The EU has played an active role in supporting counter-narcotics efforts, including the Counter Narcotics Trust Fund to which it contributed €15 million. The EU has provided €20.5 million to the Project for Alternative Livelihoods implemented by the German office for technical cooperation (GTZ). EU Member States are actively involved in the field of rural development which is critical for the provision of sustainable alternative livelihoods for farmers involved in opium poppy cultivation.

European involvement also takes the form of Provincial Reconstruction Teams, run by individual nations as part of NATO's presence in Afghanistan. There are 27 PRTs of which some 7 are led by an EU Member State¹⁵.

¹³ Q 164

¹⁴ Q 3

¹⁵ HC Defence Committee evidence, OPA 07, 30 September 2010, <http://www.parliament.uk/business/committees/committees-archive/defence-committee/>

Training and mentoring the Afghan National Police (ANP)

16. Since 2001, there have been a number of international missions aimed at supporting policing in Afghanistan. They include EUPOL, NATO, the UN, the US, national bilateral missions and private contractors. Over time, the NATO Training Mission (NTM-A) and the EU Police Mission have developed, and a number of bilateral missions have been subsumed into these multilateral missions. Remaining bilateral missions are also strongly encouraged to coordinate their work with the multilateral missions, primarily the NTM-A and EUPOL, as well as with the Afghan Ministry of the Interior, which is responsible for the police. As a result, the lines between bilateral and multilateral contributions are not always easily distinguishable. For example, the UK leads on the Helmand Police Training Centre, but it also involves Denmark and the US, and the Centre will be transferred to NTM-A command in 2011.
17. Bilateral police missions by EU Member States are run by Germany, the Netherlands, Italy and Denmark. The German Police Project Team (GPPT), with over 200 staff, makes a significant contribution, delivering police training at all levels. The GPPT works in close coordination with EUPOL and NTM-A in Kabul and northern Afghanistan, with training sites in Mazar-e-Sharif, Kunduz and Feyazabad. It also delivers training for officers and senior NCOs at the Afghan National Police Academy in Kabul.

BOX 2

International Police Training Missions in Afghanistan, including the NATO Mission (NTM-A)

The largest police training operation in Afghanistan is conducted by the NATO Training Mission-Afghanistan (NTM-A). The US Combined Security Transition Command-Afghanistan (CSTC-A), previously the most significant bilateral police training mission, was brought under the command of NTM-A in 2009.

NATO's mandate includes the training and development of the Afghan National Army (ANA) and the Afghan National Police (ANP) via the NATO Training Mission Afghanistan (NTM-A). This is by far the largest training mission in Afghanistan, with an annual budget of US\$9.5 billion. The British Embassy in Kabul advise that NTM-A spends approximately US\$3.5 billion a year of this sum on ANP development. This spend is likely to increase each year, as the mission takes on responsibility for bilateral projects.

NTM-A's training curriculum is designed mainly by military officers or military police with input from civilian advisers. The curriculum is delivered through a mixture of contracted (retired) civilian police officers, police officers or military officers. The "Basic Six" (six week) training programme provides basic training for frontline policing on which EUPOL can build. The basic training in some instances, for example at the Helmand Police Training Centre, includes modules on the laws of Afghanistan, the role and ethics of police in society and human rights¹⁶.

The United Nations Assistance Mission in Afghanistan (UNAMA) provides some training for the ANP, specifically on human rights, and mentoring for ANP and Ministry of Interior officials on building capacity in payroll and

¹⁶ Information provided by the FCO.

human resources functions. The UN also has police advisers in its offices in different areas of Afghanistan and the UN Development Program runs a project in Kabul Province developing community policing within the ANP. This is tightly coordinated with the work of NTM-A and EUPOL.

Several individual non-EU nations provide direct bilateral support to special units in the Afghan policing system, such as those responsible for counter-terrorism and counter-narcotics. For example, Canada provides 48 civilian and 40 military police trainers and mentors supporting ANP reform across Afghanistan. The military trainers focus on security and the civilian police focus on criminal investigation and leadership. They are based at the Kandahar Provisional Reconstruction Team where they have a certified police training academy. Canada delivers a programme called Kandahar Model Police Project, with Canadian police embedded in district police stations and accompanying ANP foot patrols. Turkey has established a bilateral training project in Jowzjan focusing on counter-narcotics training, in addition to basic ANP training. It also works with NTM-A to design and deliver an officer training course¹⁷.

The Afghan National Police (ANP)

18. There are four main elements to the 96,000-strong Afghan National Police. A degree of flexibility exists in their remits and the way in which they are deployed:
 - The Afghan National Civil Order Police (ANCOP) and the Afghan Border Police, who are undergoing training as paramilitary police, for counter-insurgency operations. EUPOL is not involved directly in training these forces as it is not its area of expertise.
 - The Afghan Uniformed Civilian Police and the Afghan Anti-Crime Police who undertake criminal investigations. EUPOL has taken the lead on training and mentoring these two elements.
 - In addition, a local auxiliary force with a guard role, constitutes a fifth element (see paragraphs 38–42 below).

Police traditions

19. We asked our witnesses whether there had been a tradition of policing in Afghanistan. Fatima Ayub commented that between World War 2 and the Soviet invasion in 1979 there had been a civil order police in the gendarmerie tradition¹⁸. Karen Pierce (UK Special Representative for Afghanistan and Pakistan, FCO) told us that in the past the police had been used more as an instrument of the local warlord than as a manifestation of the authority of the state. For that reason, there was still “a fair bit of corruption in certain provinces” and the people did not trust the police¹⁹. Dr Kempin told us that the GPPO had repaired civilian structures that had been “almost completely wiped out under the mujahedin and the Taliban.” Traditional ranks in the ANP had been slimmed down to create a homogenous leadership structure and leading posts had been filled according to professional criteria.

¹⁷ APM 7

¹⁸ Q 15

¹⁹ Q 110

Arrangements had been made to ensure that police were paid regularly and a police academy set up in Kabul for mid- and high-ranking officers²⁰.

The problems

20. The Minister recognised that “we are working from a very low base in a variety of different institutions across Afghanistan”, but he highlighted the “extraordinary commitment that people are making in order to produce the change, which is absolutely vital”. The United Kingdom’s objective was not based on military conquest but on making the country secure. Progress was being made and the UK was working to strengthen police vetting procedures. The new Afghan Minister of the Interior had made a positive start towards achieving six key objectives seeking to tackle the most pressing issues affecting police reform: training; leadership; fighting corruption; reforming structure; equipment and living conditions; and punishment and reward. Efforts were being made to tackle the issues, both at ministry level and through the EU’s work²¹.
21. Chief Superintendent Nigel Thomas (former member of the EUPOL mission and interim Head of Mission from May to July 2010) told us that many people within the police wanted to serve the community. However, the police suffered from numerous and serious problems including a high attrition rate, illiteracy and corruption. They lacked the capability to conduct the most basic community policing tasks, including forensic science and investigation techniques using intelligence and information. Moreover, the police were resented by the public. The police did not interface with the public and generally did not conduct patrols. They were trained to maintain security, including manning checkpoints and installations and acting as a static guard force, rather than a police force accessible to the public who would investigate crimes and undertake basic and fundamental policing. There was a “complete lack of investigation of crimes”²².
22. Dr Kempin described the parlous state of the police when EUPOL was formed: country police stations in a desolate state with widespread shortages of modern firearms, munitions, vehicles, fuel and communication systems; police so poorly paid that they had been unable to feed their families, making many prone to corruption or entanglement in criminal activities, such as charging arbitrary “taxes” at checkpoints. Accusations of torture and other human rights violations had undermined the integrity of the force, as had arrangements allowing suspects to buy their way out of custody. Lack of central attention to police experience or training, leading to lawlessness and trade in police posts, and Interior Ministry officials involved in the drugs trade misusing their power contributed further to the problems²³. Kees Klompenhouwer told us “the situation of the Afghan police is dire”²⁴.
23. We found that a further problem was the lack of an experienced middle-ranking level of leadership in the Afghan police. The Minister acknowledged that experience could not be invented. It was not possible suddenly to have “officers who are native to Afghanistan with 20 years’ civilian background

²⁰ Appendix 3

²¹ Q 110

²² QQ 50–52, 57

²³ Appendix 3

²⁴ Q 140

experience.” Finding the leaders for the future was as important as ensuring that basic front-line officers had the skills they needed to do the job. Mentoring played an important role in finding potential leaders. Karen Pierce added that the training programmes allowed for the police equivalent of an army non-commissioned officer, as well as that of army officers. However, it was very difficult to get qualified personnel to fill these positions²⁵.

Illiteracy, drug-taking and human rights

24. Literacy is a prime requirement for civilian policing in order to take down evidence, keep proper records, read a map or a number plate or the serial number of a gun. Fatima Ayub underlined the challenges posed when trying to ensure police could interview witnesses and document what they found²⁶. Nigel Thomas told us that the illiteracy rate in the police of around 70% was a major obstacle to developing a community policing system in Afghanistan. The military were taking all the best and literate officers into ANCOP and the border police, leaving all the illiterate officers for the uniform police and the Criminal Investigation Department. There was no effective education strategy for the ANP that he was aware of.²⁷ It was essential that the development of a civilian police force should be supported by other non-governmental organisation activity to improve literacy skills. Drug-taking was also a problem; but it fluctuated throughout the country, and an American survey had suggested that the level was not as high as anticipated²⁸.
25. **The lack of literacy in the Afghan police is a fundamental problem hindering its development. The EU, the Afghan government and international players should make a major investment in the literacy of police officers and new recruits. This will enable them better to pursue community policing, including criminal investigations, and is the most tractable of the issues surveyed here. So far there has been insufficient focus on literacy in the Afghan police and we call on the Government and the EU to increase funding and other support for this crucial area.**
26. We asked witnesses specifically about the attitude to and use of torture. Nigel Thomas told us that it had been part of the culture of Afghan society in the recent past, though he had been surprised at the engagement and interest of the Afghan police in human rights. He had seen reports of abuses from around the country but EUPOL was working with the Afghan police to ensure that any abuses were investigated and dealt with, which had been part of his role in advising the Minister of the Interior. EUPOL was developing human rights structures in the ANP which were acceptable to Afghanistan²⁹.
27. **We support EUPOL’s mandate to mainstream human rights in its work and urge EUPOL to continue to support the Afghan Ministry of the Interior’s efforts to eliminate torture from the system and to investigate allegations of abuses.**

²⁵ Q 113

²⁶ Q 16

²⁷ QQ 60, 61

²⁸ QQ 58, 86

²⁹ QQ 96–97

Attrition rate

28. Nigel Thomas told us that the high attrition rate in the police was a major problem. On paper, the strength of the ANP was 96,000. The target had been to reach 111,000 by October 2010 and 134,000 by October 2011. However, reaching these targets was “very difficult”, given that, at one point an attrition rate of 75% had been reached. The reasons for this were varied but included the high mortality and injury rate, the lack of leave, welfare or shift patterns, and cultural factors such as deployment far from families in a country where family was particularly important. Tajiks in the north, who had expected to be policing their own community, tended to depart if they found themselves posted to Marjah and operating in the Pashtun heartlands. A policeman could be expected to remain at a checkpoint for a week, having travelled over a dangerous road to reach it. In Mr Thomas’s opinion shift patterns, leave and welfare support should be developed to mitigate this problem³⁰.
29. Fatima Ayub spoke of the physical dangers confronting the police. Afghans saw clearly that the police were the front line against the insurgency and were dying at a much faster rate than army or coalition forces. This in part accounted for the attrition rate, as people were reluctant to expose themselves to such risks³¹.
30. We were told by Nigel Thomas that pay was now less of a problem than it had been in the past. Rates for a basic ANCOP patrolman had increased from US\$80 a month in 2008 to around \$220 a month for ANCOP in more dangerous areas. (The annual Afghan GDP per capita in 2008 was US\$466³².) However, actual pay to police on the ground was often less than the nominal sum, and funds intended for the three meals a day in the package were often also skimmed away. Some action had been taken to reduce corruption: an American system of payment by crediting bank accounts through mobile phones had been a “massively positive step forward” enabling the police to gain access to their money, though there were associated problems since not everyone had a bank account and there had been instances where the Chief of Police had taken the SIM cards and collected the salaries from the bank³³.
31. The attrition rate is an extremely serious problem for the Afghan police and poses a major challenge to EUPOL’s effort to deliver sustainable improvements. We salute the courage of the Afghan police who are often the first target for insurgents. **EUPOL should urge the Afghan Ministry of the Interior to pay greater attention to the causes of the attrition rate in the police, including high mortality and injury, the lack of leave, welfare or shift patterns, and cultural factors such as deployment far from families and home territory. This should also be built into EUPOL’s own strategy.**

Corruption, organised crime, infiltration

32. Corruption is a pervasive problem in the Afghan National Police, as in other aspects of the current Afghan society, with money being skimmed off at all levels. Fatima Ayub said that petty corruption included the payment of

³⁰ QQ 57, 59, 62

³¹ Q 40

³² Source UN data for 2008, <http://data.un.org/CountryProfile.aspx>

³³ QQ 59, 62, 80, 81

bribes to the police to investigate a crime or issue a permit. She pointed out that the police were the public face of the government in remote districts and were consequently important to the reputation of the government itself³⁴.

33. Nigel Thomas commented that “from the top to the bottom of the organisation, corruption is a problem.” At the top corruption was linked to organised crime; at the lowest level, money was extorted from the public at checkpoints. The weakness of the legal system was a further difficulty in combating corruption³⁵. Bribery and corruption connected to the narcotics trade were inevitable and it was known that certain police chiefs had been implicated³⁶.
34. However, EUPOL was heavily involved in the development of an emerging anti-corruption strategy. The Inspector-General’s Department within the Ministry of the Interior had been set up as part of this. It had established covert anti-corruption teams with support from EUPOL, the US-led coalition (CSTC-A) and the UK to start investigating and arresting the perpetrators. “It’s a big, long challenge, but you have to start somewhere”³⁷.
35. We asked our witnesses about infiltration of the police by the Taliban or Al Qaeda. Fatima Ayub thought that the prime concern should be the need to ensure quality in policing, rather than the lesser concern of infiltration by the Taliban. There was anecdotal evidence of individuals being police by day and Taliban by night, but this raised again the broader problem of not being able to ensure the background and professionalism of recruits. An effort had been made to institute a vetting process for chiefs of police and police officers at district levels but it had become highly politicised and had been unsuccessful³⁸.
36. Nigel Thomas thought it was inevitable that there would be sleepers in the force because of the easy access into an organisation desperate for recruits. He cited three incidents when western soldiers had been killed by police in an organisation of almost 100,000³⁹. Rooting out sleepers was a challenge as it was very difficult to carry out any meaningful vetting process⁴⁰.
37. Corruption continues to permeate the Afghan National Police at all levels, despite the efforts of the Afghan Ministry of the Interior and the international community to eradicate it. **We urge the EU to redouble its efforts to combat corruption in the police, without which the rule of law will be impossible and the Afghan government’s reputation with the people will be further damaged. Establishing a robust financial management system, including an effective chain of payments to ensure that police officers are paid in full and on time, should be a priority, since a well-paid officer is less likely to take a bribe.**

The local auxiliary police

38. Karen Pierce told us that there had been a debate within the International Security Assistance Force (ISAF) about the benefits and risks of setting up a

³⁴ QQ 5, 6

³⁵ Q 52

³⁶ Q 84

³⁷ Q 52

³⁸ QQ 16–20

³⁹ Since this evidence was given, there have been reports that 6 Americans were shot by Afghan policemen in December 2010, with further incidents in January 2011.

⁴⁰ Q 83–84

local auxiliary police. In the end ISAF, the international community and the Afghan government had decided that the “balance of advantage” lay in setting up such a force. This was partly to provide jobs for former insurgents—low-level fighters earning \$10 a day—and to provide a community home for them; and partly because of the lack of capacity of the Afghan National Police. These forces would come under the authority of the Ministry of the Interior and were answerable to the district police chiefs. Ms Pierce sought to assure us that the auxiliary police were not in a position where they could be suborned by the local warlords. The plan was to build up the local police to around 10,000 personnel. It was envisaged that this force might last for two to five years, depending on the growth rate of the national police⁴¹.

39. Kees Klompenhouwer was cautious in his assessment of the auxiliary police force: “it is very much in the hands of our American friends” and outside the scope of EUPOL’s mandate. Command and control were the obvious issues which would need to be addressed, and were the responsibility the Minister of the Interior; arrangements were in place for vetting and coaching this force. The professional policemen in EUPOL were concerned that the new recruits should act in accordance with “certain standards”⁴².
40. Nigel Thomas described the function of the auxiliary police as akin to a guard and security function, aimed initially at relieving the ANP from guard duties. He did not feel that EUPOL should engage in it and “... as a civilian police officer, I would want to distance myself from it”. There were both benefits and potential pitfalls in arming a significant number of people across the country and it would have to be robustly managed⁴³.
41. Fatima Ayub expressed strong opposition to the establishment of the auxiliary police. Thousands of people were involved and had been threatening voters during parliamentary elections. “If the EU wants to challenge something more vocally in that respect, I am sure that it would be welcome. Afghans are terrified because these militia operate with no accountability to anyone.” The Americans had started the programme but it was being expanded across the country. Funds came from the PRTs. “I cannot stress enough that this is a very destructive trend ... competing with the legitimate forces and institutions ...”⁴⁴
42. We are concerned about the creation of the local auxiliary police in Afghanistan, which aims to fulfil a guard role. This poses a serious risk that armed groups outside formal structures could challenge the authority of the state, collude with local warlords, use their firearms improperly, instil fear in the population, and engage in corruption or the drug trade. The inadequacy of management structures and discipline in the auxiliary police are also worrying. **The EU should take up with the Afghan Ministry of the Interior and the Americans the potential threat to stability in Afghanistan which will be posed by the newly created auxiliary police if effective command and control are not exercised by the Afghan Ministry of the Interior.**

⁴¹ Q 127

⁴² Q 163

⁴³ QQ 88–90

⁴⁴ QQ 38–39

Women and gender issues

43. EUPOL's priority number six is to "mainstream gender and human rights aspects within the Ministry of Interior and the Afghan National Police", (see paragraph 12). Fatima Ayub told us that NTM-A and EUPOL were both aware of the need to train women police, for more reasons than just gender balance. Where there were gender-specific crimes such as domestic violence and rape in Afghanistan, women would probably be needed to investigate them. The NTM-A training programme had recently graduated the first set of women police lieutenants⁴⁵.
44. Nigel Thomas told us that EUPOL was developing a training centre for women officers in Bamyan. The build programme and curriculum development would take 18 months. After this, EUPOL would have to bring in trainers, train them and work on Afghan ownership of the project⁴⁶.
45. **EUPOL is right to include as a priority the training of women in its programme to mainstream gender issues and human rights within the Ministry of the Interior and the Afghan National Police, and we welcome the establishment of a training centre for women police officers in Bamyan.**

Building police links with the judiciary

46. EUPOL's role includes improving "cooperation and coordination between the police and the judiciary with particular emphasis on prosecutors" (5th priority, see paragraph 12). The Minister described the work as: "first, developing the investigative capacity of the ANP to facilitate better trials; secondly, mentoring the Minister of the Interior and his legal adviser and working with and mentoring some Afghan prosecutors; thirdly, running courses for the Attorney-General's staff; fourthly, working with the Ministry of the Interior (MoI) and the police to advance human rights issues." Other projects included setting up a legal library in Herat and a full reference library and archive for the MoI in Kabul. Mobile anti-corruption teams had also been set up⁴⁷.
47. Fatima Ayub criticised the failings in justice sector reform: "the most neglected area of the international effort from 2002 onwards". She believed that the same neglect applied to the EU's attitude to the justice sector⁴⁸. She commented that the critical failure for EUPOL, and for security sector reform as a whole, was that they had been unable to look at the problem holistically: "you can train the best police in the world but it will not matter if you do not have a judiciary that can prosecute crimes" or "if they cannot actually arrest high-level government officials for crimes ... or for corruption"⁴⁹.
48. Kees Klompenhouwer told us that a justice strategy was in place, but while EUPOL was co-operating with part of the criminal justice system, it had no ownership of it. Training had been given on standard operating procedures

⁴⁵ Q 45

⁴⁶ Q 74

⁴⁷ Q 123

⁴⁸ Q 28

⁴⁹ Q 27

which were to be applied by police and prosecutors investigating a case⁵⁰. Nigel Thomas said that corruption was widespread, in particular because prosecutors were only paid US \$50 per month. He also commented that the judiciary was a problematic area but was improving⁵¹.

49. Beyond EUPOL's mandate, the EU collectively and Member States individually have made a significant contribution to the justice sector and furthering the rule of law in Afghanistan (see Box 1 above). Karen Pierce told us that in the south the UK funded what were called "traditional justice programmes" in an attempt to introduce an element of dispute mediation so that local communities did not have to rely on the Taliban for this. Others funded these programmes elsewhere in Helmand. However, the clarity and speed of Taliban decisions held certain attractions for Afghans who did not want to wait for government decisions, which could be fairer, but took time. This was an ongoing problem⁵².
50. The Afghan judiciary has received insufficient attention from the EU and the international community since 2001. Determined efforts are needed to build capacity and eliminate corruption in the judiciary, without which progress on police reform risks being unproductive. **EUPOL should continue to work with the Ministry of the Interior to ensure that those arrested can be properly brought to trial. A greater effort must also be made to tackle corruption in the Ministry of Justice.**

⁵⁰ QQ 139, 160

⁵¹ Q 67

⁵² Q 124

CHAPTER 3: INTERNATIONAL COOPERATION AND THE ROLE OF THE POLICE

Different perceptions of policing

51. The evidence we heard highlighted a problem of differing perceptions of the role of the police by different actors and hence a difference in the purpose of training. We were told that the US and NATO's prime concern was rapidly to build an anti-insurgency force where numbers and speed were important, using a basic six-week NTM-A training course (which mainly covered the use of firearms). EUPOL on the other hand aimed to form a force which would undertake a traditional policing role over the longer term. As Nigel Thomas put it, "if you are going to develop an organisation ... you can't just run [the recruits] through the six week training programme". The basic police training had been shrunk from eight weeks to six. Eight weeks was deemed to be too long because it was taking too long to get the police onto the ground. "Anybody who has a police training background would know that six weeks is not sufficient to train a police officer". EUPOL's long-term development programme was incompatible with the military imperative of getting "feet on the ground"⁵³.
52. Dr Ronja Kempin confirmed that US-trained paramilitary personnel were needed in many areas of the country for counter-insurgency operations. However, it could not be in the interests of EUPOL's objectives that the majority of Afghan police officers were trained by military officers who had no policing background. She attributed the problems to the failure by EUPOL to earn the support of the US government. This prevented it from developing a comprehensive training strategy encompassing the Afghan border police, uniformed patrols and criminal investigators⁵⁴.
53. Fatima Ayub agreed that the NATO-led coalition was essentially building up the police as a counter-insurgency force, "as the US forces put it, putting boots on the ground, such that you have someone in the line of fire against the insurgents" instead of training recruits to protect the population and uphold the rule of law, which should be the purpose of the police. This was the "core of the problem". She recommended reform of the civil service structure for the police, including recruitment, promotion and pay scales. It was important to put in place mechanisms for accountability and quality control within the Ministry of Interior. The "nominal idea" was that EUPOL, due to its presence in the provinces, would be able to extend the basic NTM-A six week training of new recruits, through advice and mentoring. In her view this was "not working out tremendously well"⁵⁵.
54. The Foreign and Commonwealth Office told us that initially a force had been needed to complement the task of the army in maintaining security. "Of necessity, that had to be a force that was less related to our concept of civilian policing and perhaps kept order more by force of arms than by anything else". Within the military strategy of "clear, hold and build", there were specific roles for the Afghan police coming in after the International Security Assistance Force (ISAF) and the Afghan National Army. However,

⁵³ QQ 56, 74

⁵⁴ Appendix 3

⁵⁵ QQ 3, 16

this approach had to change towards the development of a civilian policing structure that gathered its intelligence locally and, crucially, secured people's confidence⁵⁶.

55. Chief Superintendent Nigel Thomas also told us that EUPOL's role had developed over time. It had had some "very difficult" times to begin with resulting in initial uncertainty about EUPOL's core mandate. However, more recently the Mission's role in developing Afghanistan's capacity to conduct civilian policing had been clarified (see paragraph 12). He thought that civilian policing was achievable in some parts of the country, but elsewhere the police were fighting a war and were in some cases being deployed alongside the coalition forces because the Afghan National Army was not available. "The danger is that things get implemented piecemeal based on personal relationships and operating in certain locations, rather than an overarching strategy"⁵⁷.
56. Nigel Thomas said it was now important to ensure that EUPOL's mandate was fully understood by other actors in Afghanistan⁵⁸. Co-operation between the police and the army was still a "difficult problem". The Afghan Minister of the Interior had tried to ensure that the Afghan Ministry of Defence took responsibility for certain security issues but in the end the police were always brought into inappropriate tasks. He stressed that it was important to have a "clear, defined role for the military and the police with an understanding of ... timescales and agreement at that top strategic level"⁵⁹. Kees Klompenhouwer added that, as a junior player, the EU was subject to pressure to do things other than those which were mandated, such as involvement in basic training for which the Mission was not well equipped⁶⁰.
57. EUPOL's mandate focuses on civilian police training at the strategic level while NATO provides large-scale but basic counter-insurgency training to the police. However, these roles are frequently confused and this lack of clarity detracts from the effectiveness of the Afghan National Police. **The EU should work through EUPOL to ensure that police training focuses on the civilian policing role of resolving crimes, maintaining contact with the local population and upholding the rule of law. EU representatives should persuade the Afghan government that it is in their own interests for the police to be allowed to focus on good civilian police training, at least in areas where there is sufficient security for them to operate, since the police are the face of the government in the majority of the country.**
58. **Fighting the insurgency should primarily be the responsibility of NATO forces and, increasingly, the Afghan National Army. However, because coordination between the Afghan police and army is a difficult problem, the police are being left to fight the Taliban in some areas and community policing is being neglected. The EU must seek the cooperation of the Afghan Ministry of Defence, NATO and the US to prevent the police being used as a substitute for the Afghan army in the counter-insurgency struggle.**

⁵⁶ Q 111

⁵⁷ Q 63

⁵⁸ QQ 49, 101

⁵⁹ QQ 77, 87

⁶⁰ QQ 16, 64, 149

EUPOL's relations with other actors

59. The proliferation of international actors has caused some difficulties for EUPOL. Nigel Thomas commented that his first two months in Afghanistan were spent “trying to deal with this international partner issue rather than getting on with my day job of mentoring the Minister.” The lack of a formal dialogue with NATO was also a hindrance⁶¹.
60. Fatima Ayub said that EU Member States ran bilateral police training, in addition to EUPOL and the multinational mission led by the US and NATO⁶². She was critical of the fact that at any one time since 2002 there had been at least two competing tracks of police training⁶³. Kees Klompenhouwer told us that the bilateral police projects of some Member States were either integrated with the national military posture or with a NATO or American operation. Integration was needed at the top and his key objective was “to turn a complicated situation into one where we can find mutual understanding and support.” However, it was difficult for EUPOL, a latecomer in Afghanistan, to turn the clock back as they had not started with a blank page⁶⁴.
61. The EU's involvement in assisting the establishment of the police and justice sector came some years after the initial western military intervention in 2001. **The lesson to be learnt for the EU and the international community is that, in any future intervention in failing or failed states, a strategy for early civilian involvement is essential in building effective police and justice systems. If the EU decides that it wants to make a serious contribution to solving civilian and police matters, it should ensure that such missions are at a level that has a significant effect on outcomes.**
62. **We understand the problems of integrating with operations run bilaterally by EU Member States before EUPOL was created. However, we believe that EUPOL's impact would be increased if the bilateral operations were to be incorporated into the EU's joint effort. There should be a single adequately resourced European policing mission, rather than a plethora of multi-lateral and bi-lateral missions. The EU should continue to create a more unified European approach to police reform, by integrating the separate Member State bilateral operations into EUPOL where possible.**
63. In order to tackle the problems of coordination, an International Police Coordination Board (IPCB) was established in 2007, chaired by the Minister of the Interior with EUPOL. The IPCB coordinates the support of international actors for Afghan police reform⁶⁵. The Afghan Minister of the Interior has recently agreed that EUPOL should coordinate the development of two pillars of the Afghan National Police, namely the Civilian Police and the Anti-crime Police⁶⁶.

⁶¹ QQ 64–66

⁶² NATO Training Mission Afghanistan (NTM-A) / Combined Security Transition Command Afghanistan (CSTC-A).

⁶³ Q 3

⁶⁴ Q 171

⁶⁵ The United States has recently set up a new, smaller body, the Ministerial Implementation Committee (MIC), mainly to coordinate the 15 different operational US agencies in Afghanistan, on which the EU is also represented.

⁶⁶ QQ 154, 155

64. The Foreign and Commonwealth Office said that the work of EUPOL, the US and NATO were “complementary, not in conflict”. Kees Klompenhouwer underlined EUPOL’s close coordination with NATO. While each organisation had different capabilities, they both sought to take a united approach to police training and reform⁶⁷. NATO valued the contribution of EUPOL to building up civilian policing, but it was not clear how EUPOL should be integrated into the wider picture, especially as the timescales⁶⁸ for the military and civilian strategies were incompatible⁶⁹.

Cooperation with NATO on the security of EUPOL personnel

65. We understand from the FCO that so far there have been no casualties in the EUPOL mission; that the Terms and Conditions of mission contracts include evacuation and insurance cover; and that pre-deployment briefing for secondees, who are volunteers, addresses issues such as living, working and moving around in country, and the overall security situation. The *per diem* allowances for staff in missions have an element reflecting risk and hardship. A review was held in early 2009 which led to staff in Afghanistan being paid a higher risk allowance.
66. However, members of the mission do run risks in performing their tasks and we heard that the lack of a formal relationship between the EU and NATO caused problems for EUPOL. Kees Klompenhouwer told us that there was no formal cooperation agreement between the NATO forces in Afghanistan and EUPOL on the security of EUPOL personnel. At present there was only a very limited agreement in place covering NATO assistance to EUPOL in case of an emergency. In addition EUPOL participated in the “blue tracking system” which allows NATO aircraft to identify EUPOL vehicles on the ground to prevent friendly-fire incidents, but this was also narrow in scope. He believed that the lack of a formal NATO/EU agreement on security “constitutes an additional risk”⁷⁰.
67. Ronja Kempin also said that, before EUPOL staff came under the shield of a PRT (see Box 1), the EU and the respective lead nation had to conclude a bilateral technical agreement. In the south and east, this was blocked by Turkey which refused to agree to any deepening of the EU-NATO relationship beyond the Berlin Plus agreement⁷¹ until the Cyprus question was resolved. This made it impossible to conclude a general agreement between the EU and NATO/ISAF on the protection of EUPOL staff. There was also a problem with the refusal by the US military to protect the members of the EU mission⁷². The Government told us that they did not consider the lack of a broad formal agreement between NATO forces in Afghanistan and EUPOL was putting the lives of EUPOL personnel at greater risk. EUPOL’s own life support arrangements, including protection from Private Security firms, fully met the UK Duty of Care standards and those of the EU Council Security Office. EUPOL did not rely in any way on military support for protection⁷³.

⁶⁷ QQ 111, 172

⁶⁸ EUPOL’s mandate has currently been extended until 2013; ISAF is due to pull out by 2015.

⁶⁹ Q 74

⁷⁰ QQ 156–9

⁷¹ The 2002 Berlin Plus Agreement stated that NATO would make available to the EU its collective assets and capabilities when needed. This agreement is not applicable in the case of EUPOL Afghanistan.

⁷² Appendix 3

⁷³ APM 3–6

68. We have since been told by EUPOL that in practice the overall working relationship between EUPOL and NATO is improving. The Europe Minister in a letter on 10 January⁷⁴ told us that ISAF has approved a revised version of its Operation Plan, with new language on security support to non-NATO actors which allows ISAF forces to go beyond limited support *in extremis* and to carry out deliberate planning and operations in support of EUPOL activity.
69. **Despite this new evidence, we still believe that the lack of a formal cooperation agreement between the NATO forces in Afghanistan and EUPOL on the security of EUPOL personnel has increased the risk to the lives of EUPOL personnel, including British citizens. This is unacceptable. A renewed political effort to secure a formal EU-NATO agreement in Afghanistan must be made. Only the Taliban benefit from the lack of such an agreement. The Government should continue to raise this at the highest level within the EU and NATO. For the same reasons, the Government should also continue to make strong representations to EU and NATO representatives in Afghanistan about the need to ensure safeguards to personnel on the ground.**

The Afghan government decree on private security contractors

70. More recently a further problem has been created by the Afghan government's August 2010 decree banning Private Security Contractors (PSCs)⁷⁵. Kees Klompenhouwer (EU Civilian Operations Commander) expressed his concern that the decree could have a detrimental impact on EUPOL's ability to operate securely. The situation particularly affected Kabul, where a PSC was employed to protect EUPOL's compound and provide protection for VIPs and unarmed EUPOL personnel. In the provinces the decree would have an indirect impact because security for EUPOL was provided by the PRT lead nation. The EU, NATO and the US were seeking a waiver from the decree for their operations⁷⁶.
71. The Afghan government's decree banning the operations of Private Security Contractors in Afghanistan will seriously damage EUPOL's ability to operate securely, especially in Kabul. **We urge the Government and the EU to continue their efforts to obtain a waiver under the decree on banning the use of private security contractors. If this does not prove possible they should urgently seek alternative security arrangements, in close consultation with NATO and the US, using protection from the western military forces in the field.**

⁷⁴ APM 8

⁷⁵ APM 6

⁷⁶ QQ 168, 169

CHAPTER 4: EUPOL'S ADMINISTRATION

72. In this chapter we consider administrative issues: staffing, resourcing and control.

Understaffing

73. Understaffing is a major issue for EUPOL. The current strength of the mission is 306, well short of its mandated strength of 400 (see paragraph 7 above). We found that the FCO's view on staffing numbers differed from that of other witnesses. The Minister wondered where the target of 400 members had come from and spoke of the need for good quality over numbers: "rather 13 really good people doing the job than 19 just because you have agreed to provide a quota." Karen Pierce also argued that it was more important to focus on excellence, rather than numbers which might risk compromising on quality. "The key thing is to get good people"⁷⁷.
74. However, the view that staff numbers were not important was not widely shared. Ronja Kempin believed that the mission was still significantly understaffed and still unable to expand its activities to the whole territory. The slowness of Member States to provide sufficient personnel was "incomprehensible". If EU Member States wished to exert a greater influence on the reform of the security sector, they would have to boost the mission's staffing and funding considerably. She told us that Francesc Vendrell, when EU Special Representative for Afghanistan (2002–2008), had called for the mission to supply at least two thousand advisers and trainers, but his recommendation had not been taken up. She questioned therefore whether Member States had ever really set out to improve the state of the ANP⁷⁸. Fatima Ayub reported that she had met the head of NTM-A, Lieutenant-General Caldwell, who had expressed concern over EUPOL's ability to play a more serious role because of its capacity and staffing levels⁷⁹.
75. Mr Klompenhouwer said that "since we are operating at 75% of our planned capability, obviously that has implications, we can deliver less". The UK had provided 12 good British police officers as well as justice experts but "more help from the UK would be quite welcome"⁸⁰. He was doing everything possible to lobby Member States to provide the policemen and magistrates needed. The Minister told us that it was not easy to recruit people for the mission⁸¹.
76. Nigel Thomas believed that people "operating at the right level with the right skills" could make a big difference, but thought that understaffing was a concern. He differentiated between police officers, civilian rule of law experts and logistics support staff. Taking into account a reduction of one third for leave requirement, this amounted to a very limited presence of police officers on the ground in some parts of the country⁸².

⁷⁷ QQ 108, 109

⁷⁸ Appendix 3

⁷⁹ Q 29

⁸⁰ 10 contracted staff are also UK nationals.

⁸¹ QQ 109, 152, 172

⁸² Q 68

Accommodation problems

77. Kees Klompenhouwer described the difficulty in finding accommodation for EUPOL personnel, especially in the provinces where EUPOL depended on the PRT lead nations. Occasionally EUPOL had been provided with staff but nowhere to accommodate them. Nigel Thomas also raised accommodation as a problem. National caveats on deployment were further obstacles. Some countries would only deploy officers to certain locations; only three countries (including the UK) would deploy staff in Helmand. He also cited competition with national missions (problems with sparing staff for EUPOL) and budgetary issues (each Member State had a limit to how much it was prepared to deploy). Logistical support was also a problem as civilian rule of law experts could not drive around without military protection. Nevertheless, some progress on accommodation had been made in the course of 2010⁸³.
78. **In terms of civilian policing, the EU has provided a unique and vital capability for the stabilisation of Afghanistan society. We welcome this and applaud the work undertaken by EUPOL staff under very challenging conditions. However, the level of that capability remains a problem.**
79. **The planned size of the EU mission of 400 was always too small to make a major difference to civilian outcomes in Afghanistan. This compares badly to the American and NATO commitment to the broader police training effort and has affected the relationship. We believe that this also has the wider effect of bringing EU Common Security and Defence Policy missions as a whole into disrepute.**
80. **The reputational problem is compounded by the EUs' failure to reach even the limited target of 400 personnel and the mission is severely understaffed. We do not accept the Government's view that the high quality of EUPOL staff obviates the need to reach the target complement. In all such missions EU Member States must meet their commitments in terms of numbers of personnel. The EU should ensure that the mission has a full complement of staff in order to retain credibility. Without this, the EU demonstrates weakness rather than strength.**
81. **The low degree of EU commitment to providing staff, combined with problems of illiteracy, corruption and desertion in the Afghan police and the overall security situation, means that there is a real risk that the EU will fail in an area where it should show leadership. We consider that the original mission should have been undertaken with a much greater level of commitment or not undertaken at all.**
82. **We believe that there is still time to reach the full complement of staff for the remainder of the mission. However, if this cannot be achieved within a reasonable timeframe, the EU should as a last resort revise EUPOL's mandate.**
83. **The UK's current contribution of 14 secondees and 10 contracted staff to the mission compares poorly with other EU Member States, for example Finland with 37 staff. The Government should aim to increase the numbers of personnel the UK provides to EUPOL, focusing on seconded police or rule of law experts, rather than administrative**

⁸³ QQ 68, 172

staff. They should also urge other Member States to make similar efforts to take their share of the burden.

The Brussels-Mission relationship

84. We asked our witnesses about the relationship between Brussels and the Mission on the ground (see Box 3 below). Nigel Thomas criticised the decision-making process in Brussels for its slowness of response which did not fit the “phenomenal” pace of change in Afghanistan. If a decision lay outside the Operational Plan or core strategic objectives, or political issues were involved, the Head had to liaise with Brussels through the Civilian Planning and Conduct Capability (CPCC)⁸⁴ and the political forums where it would “get bogged down”. “Some of the impact of the decision-making and the processes adopted in the CPCC really did hamper our ability to operate on the ground”. This had contributed to the decision of the previous Head of Mission to leave. He described the bureaucracy of the system as stifling and urged the EU to provide the Head of Mission with the autonomy needed to respond to the rapidly changing circumstances on the ground⁸⁵. James Kariuki (European Correspondent and Head of Europe Global Group, Foreign and Commonwealth Office) said that the Government believed that EUPOL could fulfil its objectives provided that there was improvement on “the kind of delays in decision-making that we have seen in Brussels in the past”⁸⁶.

BOX 3

EUPOL Command and Control Arrangements

The Political and Security Committee (PSC) exercises political control and strategic direction of the Mission, under the responsibility of the Council of the European Union.

The Civilian Planning and Conduct Capability (CPCC), based in Brussels, is the permanent structure responsible for the operational conduct of civilian Common Security and Defence Policy (CSDP) operations under the PSC and under the overall authority of the High Representative. The CPCC ensures the effective planning and conduct of civilian CSDP crisis management operations, as well as the proper implementation of all mission-related tasks. It is headed by Kees Klompenhouwer in Brussels as the EU’s Civilian Operation Commander.

The EU Committee for Civilian Aspects of Crisis Management (CivCom) monitors the correct execution of the operation.

The (EUPOL) Head of Mission in Kabul exercises command of the mission on the ground and works closely with the double-hatted EU Special Representative/Head of Delegation, Ambassador Vygaudas Usackas. This double-hatting has been formalised under the Lisbon Treaty and Ambassador Usackas is now a member of the European External Action Service.

85. Kees Klompenhouwer, Head of the CPCC, agreed that the Head of Mission should have leeway in making judgements on the tactical situation on the

⁸⁴ See Box 3

⁸⁵ QQ 68, 104

⁸⁶ Q 110

ground where “he is the master and we will follow his advice.” However, the situation in EU Member States’ capitals had to be taken into account, as well as the situation on the ground. Member State governments, which were making available the resources, had to be convinced that the mandate was being delivered. He commented that the turnover in mission leadership recently had led to Brussels taking a greater role in mission management than before⁸⁷.

86. Cumbersome political consultation processes in Brussels and with Member States has led to problems for the Head of Mission. **We urge the EU to look at whether the Head of Mission could be granted more autonomy to enable him to respond more easily to rapidly changing circumstances on the ground. In addition the EU and Member States should examine whether a speedier system for reaching decisions can be created in Brussels when a need for an urgent political decision arises.**

Budget flexibility and procurement

87. We were told by Ronja Kempin that the start of EUPOL had been delayed by EU bureaucracy. Under EU law, individual Member States could not supply missions with equipment such as vehicles and computers. Supplies and services had to be put out to tender “with the order going to the lowest bidders regardless when they are able to deliver”⁸⁸. Kees Klompenhouwer told us that there had been a “false start” to the launch of the mission due to logistical delays, including in procurement. Subsequently the mission was adequately funded and allowed some flexibility to adapt. Equipment and armoured cars had been provided, as was accommodation in Kabul though not always in the provinces (see paragraph 77 above). He called on the EU to provide the Mission with greater flexibility to move expenditure between budget lines and increase the overall Mission budget to take account of developments such as the provision of additional staff⁸⁹.
88. Nigel Thomas told us that only a small part of the budget was used to fund EUPOL’s projects. Consequently EUPOL had to ask for funds from the Americans to enable them to launch small projects quickly. This stifled the mission’s ability to operate at times but the Americans gave significant help. However, he commented that, from a UK perspective, he had had everything he needed to do his job in Afghanistan⁹⁰.
89. **The UK should raise with other EU Member States whether greater flexibility could be created within the mission’s overall budget, consistent with oversight and accountability to Member States.**
90. **Procurement rules for such operations, and the inability to make use of Member State equipment and assets, must also be revisited.**

⁸⁷ Q 149

⁸⁸ Appendix 3

⁸⁹ QQ 137, 152, 172–3

⁹⁰ Q 69

CHAPTER 5: THE WAY AHEAD

Retrenchment and re-focus

91. Kees Klompenhouwer told us that in the light of the difficulties of deployment in the provinces, principally because of problems with security and the need for protection, Member States agreed to the CPCC's proposal in the spring of 2010 to reduce the Mission's presence from 16 to 13 provinces. "We have to focus on those areas where we can deliver ... We have to be realistic ... the security situation clearly does not allow us to work properly in certain districts where there is active contact with the enemy." Member States were involved in politically sensitive discussions on whether a further reduction might be necessary to concentrate and deliver in a select number of locations⁹¹.
92. Mr Klompenhouwer said that the new focus was to help deliver security in the cities. To this end EUPOL was focusing on 13 cities, implementing a City Police and Justice Programme (CPJP). The aim was to ensure that the police on the ground knew how to investigate a crime, organise checkpoints and deal with incidents. Nigel Thomas elaborated: the CPJP had some 15 training courses giving basic leadership skills, basic patrol officer skills, basic skills in what they should look at and do as police officers and "putting a very basic intelligence model around it". The minimum timescale for implementing the Programme was two years in a smaller location, with Kabul taking four to five years with potentially a further four or five years to build the infrastructure behind the Programme⁹².
93. Kees Klompenhouwer told us that in the spring of 2010 NATO commanders and the EU had decided to develop a police staff college in Kabul to provide a higher cadre of senior Afghan leaders who could steer the "still undisciplined and illiterate police force" forward to consolidate the progress achieved and take it further. If this was not done, the current efforts would not be sustainable and transition to Afghan ownership would not be possible. EUPOL would provide the content and project organisation at the college, with NATO assisting the selection of participants and the logistical support. The EU was asking nations to provide staff and was hopeful that they would respond positively. The Minister also commented on the importance of finding the leaders for the future; it would take time to bring them on⁹³.
94. Current discussions among Member States about withdrawal from some provinces suggest that the Mission is in flux. **We agree that it is sensible to concentrate resources in areas where the Mission is able to operate securely and we applaud the City Police and Justice Programme which seeks to deliver civilian policing in major cities. However, the EU should make efforts to move back into the provinces and expand its coverage when the Mission is up to strength and the security situation permits so as to achieve consistent civilian policing throughout the country.**
95. **The Government should make efforts to recruit UK staff for the new police staff college in Kabul for senior Afghan leaders and encourage other Member States to be equally supportive.**

⁹¹ QQ 146–148

⁹² QQ 73, 74, 141

⁹³ QQ 115, 140, 144, 145

Withdrawal—timetables

96. Faced with the intention by the international community to withdraw military forces in 2014–2015, the EU will need to address the question of the future of EUPOL. Our witnesses agreed that the EU should not give up on Afghanistan, and that commitment and time were needed. Fatima Ayub rejected the “very dangerous mindset,” which was becoming more prevalent, that “that country is just a basket case” where little could be done⁹⁴. The answer to the problems in Afghanistan “is not to turn tail and run ... a better future is possible. There is not something that condemns Afghanistan eternally to war and violence.” The question of what would happen to the police had to be included in the broader question of what would happen in Afghanistan in five year’s time. There was nothing wrong with the strategic vision: “what the EU has articulated that it wants from Afghanistan is what most Afghans want”, but she envisaged a timetable of “maybe 50 years rather than five”⁹⁵.
97. The Minister said that “the country’s future is based on a process of making the country secure”. He also expressed commitment to the task: “no-one can offer any promise or guarantee, but we know that we have to go on doing it. There is not an alternative. We cannot back out and say that it is too difficult.” The Government judged that by 2015 the work of the international combat forces would have ensured that they could be withdrawn because the Afghan army would be able to continue the security efforts. Some form of army training would need to continue and the work of engaging civilians, NGOs and others supporting the future of Afghanistan would also go on. “The Government involvement, whether it is individual bilateral Government relationships or through the European Union and other international groupings, ... with Afghanistan ... will clearly go on post-2015”⁹⁶.
98. The Minister commented that it would take time to eliminate problems, such as corruption, from the Afghan justice system and it “will not be completed in a couple of years. It is an ongoing process”. It would not necessarily resemble UK or US systems, but it had to be consistent with basic principles, accessible to people who should not be afraid of it and who “know that it is fair, free and available to them”⁹⁷.
99. The Minister commented that a peace and reconciliation process had to be part of the future of Afghanistan, requiring a renunciation of violence and an acceptance of the Afghan Government and governance structure. Thereafter it would be for the Afghans themselves to work out their future: there should be an environment conducive to ensuring that the work EUPOL was engaged in, and the process of civilianising the police, was helped by the peace process⁹⁸.
100. Kees Klompenhouwer spoke of the need for “a sustained effort over a long period” to solve the problems in the Afghan police. He agreed that the mission should be looking forward beyond the military timeline to continuing

⁹⁴ Q 22

⁹⁵ QQ 23, 25–26, 46

⁹⁶ QQ 125, 126

⁹⁷ Q 123

⁹⁸ Q 125

the function of EUPOL after NATO forces had withdrawn. The mission's key contribution would take more than the three years currently available under the mandate⁹⁹.

101. Nigel Thomas commented that police training was a long-term development programme; people were wrestling with how EUPOL training would fit in with the military timescales after the military withdrawal. The development of a civilian policing structure was reliant on "a certain level of permissiveness to operate with the country;" if security fell apart, it would not be possible to have a traditional police force. A high-level commitment to EUPOL was needed from outside Afghanistan. For the future EUPOL should maintain its strategic objectives. Within the EU at the top level it was important that this should be "mandated, understood and left to the people on the ground", who were committed and had "a real desire to deliver." The international community was struggling to envisage how the transition process to Afghan ownership should proceed¹⁰⁰.
102. **The EU should consider the level of development in security sector reform at which it should aim. This discussion will need to acknowledge that the Afghan civilian police will not look like a western police force, and corruption is unlikely to be eliminated entirely, but EUPOL must help to deliver a reasonable level of civil order and justice to Afghanistan's long-suffering people.**
103. **The challenges EUPOL faces are considerable. Without a major reduction in, or cessation of, the insurgency, there will not be an environment in which civilian policing can develop, and there is a danger that a vacuum may develop in law and order and security. Even with such conditions—and an expansion of militarily secure areas—EUPOL will not be able to complete its task either in the remaining two and a half years of its extension, or within the timetable set by the international community for the withdrawal of combat forces.**
104. **There is a danger that the deadlines for military withdrawal could expose the mission staff to increased danger and that they will be unable to operate effectively, risking lives of serving police officers for no future effect. The wider security environment will need to be taken into consideration before any further extensions of the mission are decided.**
105. **This has been a troubled mission undertaking a vital task in the reconstruction of Afghanistan. Despite achieving local successes, overall there is a strong risk of failure.**

⁹⁹ QQ 140, 142, 161, 167

¹⁰⁰ QQ 63, 74, 92, 101, 104

CHAPTER 6: CONCLUSIONS AND RECOMMENDATIONS

Chapter 2: The Operating Environment

Illiteracy, drug-taking and human rights

106. The lack of literacy in the Afghan police is a fundamental problem hindering its development. The EU, the Afghan government and international players should make a major investment in the literacy of police officers and new recruits. This will enable them better to pursue community policing, including criminal investigations and is the most tractable of the issues surveyed here. So far there has been insufficient focus on literacy in the Afghan police and we call on the Government and the EU to increase funding and other support for this crucial area (paragraph 25).
107. We support EUPOL's mandate to mainstream human rights in its work and urge EUPOL to continue to support the Afghan Ministry of the Interior's efforts to eliminate torture from the system and to investigate allegations of abuses (paragraph 27).

Attrition rate

108. EUPOL should urge the Afghan Ministry of the Interior to pay greater attention to the causes of the attrition rate in the police, including high mortality and injury, the lack of leave, welfare or shift patterns, and cultural factors such as deployment far from families and home territory. This should also be built into EUPOL's own strategy (paragraph 31).

Corruption, organised crime, infiltration

109. We urge the EU to redouble its efforts to combat corruption in the police, without which the rule of law will be impossible and the Afghan government's reputation with the people will be further damaged. Establishing a robust financial management system, including an effective chain of payments to ensure that police officers are paid in full and on time, should be a priority, since a well-paid officer is less likely to take a bribe (paragraph 37).

The local auxiliary police

110. The EU should take up with the Afghan Ministry of the Interior and the Americans the potential threat to stability in Afghanistan which will be posed by the newly created auxiliary police if effective command and control are not exercised by the Afghan Ministry of the Interior (paragraph 42).

Women and gender issues

111. EUPOL is right to include as a priority the training of women in its programme to mainstream gender issues and human rights within the Ministry of the Interior and the Afghan National Police, and we welcome the establishment of a training centre for women police officers in Bamyán (paragraph 45).

Building police links with the judiciary

112. EUPOL should continue to work with the Ministry of the Interior to ensure that those arrested can be properly brought to trial. A greater effort must also be made to tackle corruption in the Ministry of Justice (paragraph 50).

Chapter 3: International Cooperation and the Role of the Police

Different perceptions of policing

113. The EU should work through EUPOL to ensure that police training focuses on the civilian policing role of resolving crimes, maintaining contact with the local population and upholding the rule of law. EU representatives should persuade the Afghan government that it is in their own interests for the police to be allowed to focus on good civilian policing, at least in areas where there is sufficient security for them to operate, since the police are the face of the government in the majority of the country (paragraph 57).
114. Fighting the insurgency should primarily be the responsibility of NATO forces and, increasingly, the Afghan National Army. However, because coordination between the Afghan police and army is a difficult problem, the police are being left to fight the Taliban in some areas and community policing is being neglected. The EU must seek the cooperation of the Afghan Ministry of Defence, NATO and the US to prevent the police being used as a substitute for the Afghan army in the counter-insurgency struggle (paragraph 58).

EUPOL's relations with other actors

115. The lesson to be learnt for the EU and the international community is that, in any future intervention in failing or failed states, a strategy for early civilian involvement is essential in building effective police and justice systems. If the EU decides that it wants to make a serious contribution to solving civilian and police matters, it should ensure that such missions are at a level that has a significant effect on outcomes (paragraph 61).
116. We understand the problems of integrating with operations run bilaterally by EU Member States before EUPOL was created. However, we believe that EUPOL's impact would be increased if the bilateral operations were to be incorporated into the EU's joint effort. There should be a single adequately resourced European policing mission, rather than a plethora of multi-lateral and bi-lateral missions. The EU should continue to create a more unified European approach to police reform, by integrating the separate Member State bilateral operations into EUPOL where possible (paragraph 62).

Cooperation with NATO on the security of EUPOL personnel

117. Despite this new evidence, we still believe that the lack of a formal cooperation agreement between the NATO forces in Afghanistan and EUPOL on the security of EUPOL personnel has increased the risk to the lives of EUPOL personnel, including British citizens. This is unacceptable. A renewed political effort to secure a formal EU-NATO agreement in Afghanistan must be made. Only the Taliban benefit from the lack of such an agreement. The Government should continue to raise this at the highest level within the EU and NATO. For the same reasons, the Government should also continue to make strong representations to EU and NATO representatives in Afghanistan, about the need to ensure safeguards to personnel on the ground (paragraph 69).

The Afghan government decree on private security contractors

118. We urge the Government and the EU to continue their efforts to obtain a waiver under the decree on banning the use of private security contractors. If

this does not prove possible they should urgently seek alternative security arrangements, in close consultation with NATO and the US, using protection from the western military forces in the field (paragraph 71).

Chapter 4: EUPOL's administration

Understaffing

119. In terms of civilian policing, the EU has provided a unique and vital capability for the stabilisation of Afghanistan society. We welcome this and applaud the work undertaken by EUPOL staff under very challenging conditions. However, the level of that capability remains a problem. (paragraph 78)
120. The planned size of the EU mission of 400 was always too small to make a major difference to civilian outcomes in Afghanistan. This compares badly to the American and NATO commitment to the broader police training effort and has affected the relationship. We believe that this also has the wider effect of bringing the EU Common Security and Defence Policy missions as a whole into disrepute (paragraph 79).
121. The reputational problem is compounded by the EUs' failure to reach even the limited target of 400 personnel and the mission is severely understaffed. We do not accept the Government's view that the high quality of EUPOL staff obviates the need to reach the target complement. In all such missions EU Member States must meet their commitments in terms of numbers of personnel. The EU should ensure that the mission has a full complement of staff in order to retain credibility. Without this, the EU demonstrates weakness rather than strength (paragraph 80).
122. The low degree of EU commitment to providing staff, combined with problems of illiteracy, corruption and desertion in the Afghan police and the overall security situation, means that there is a real risk that the EU will fail in an area where it should show leadership. We consider that the original mission should have been undertaken with a much greater level of commitment or not undertaken at all (paragraph 81).
123. We believe that there is still time to reach the full complement of staff for the remainder of the mission. However, if this cannot be achieved within a reasonable timeframe, the EU should as a last resort revise EUPOL's mandate (paragraph 82).
124. The Government should aim to increase the numbers of personnel the UK provides to EUPOL, focusing on seconded police or rule of law experts, rather than administrative staff. They should also urge other Member States to make similar efforts to take their share of the burden (paragraph 83).

The Brussels-Mission relationship

125. We urge the EU to look at whether the Head of Mission could be granted more autonomy to enable him to respond more easily to rapidly changing circumstances on the ground. In addition the EU and Member States should examine whether a speedier system for reaching decisions can be created in Brussels when a need for an urgent political decision arises. Procurement rules for such operations, and the inability to make use of Member State equipment and assets, must also be revisited (paragraph 84).

Budget flexibility and procurement

126. The UK should raise with other EU Member States whether greater flexibility could be created within the mission's overall budget, consistent with oversight and accountability to Member States (paragraph 89).
127. Procurement rules for such operations, and the inability to make use of Member State equipment and assets, must also be revisited (paragraph 90).

Chapter 5: The Way Ahead*Retrenchment and re-focus*

128. We agree that it is sensible to concentrate resources in areas where the Mission is able to operate securely and we applaud the City Police and Justice Programme which seeks to deliver civilian policing in major cities. However, the EU should make efforts to move back into the provinces and expand its coverage when the Mission is up to strength and the security situation permits so as to achieve consistent civilian policing throughout the country (paragraph 94).
129. The Government should make efforts to recruit UK staff for the new police staff college in Kabul for senior Afghan leaders and encourage other Member States to be equally supportive (paragraph 95).

Withdrawal-timetables

130. The EU should consider the level of development in security sector reform at which it should aim. This discussion will need to acknowledge that the Afghan civilian police will not look like a western police force, and corruption is unlikely to be eliminated entirely, but EUPOL must help to deliver a reasonable level of civil order and justice to Afghanistan's long-suffering people (paragraph 102).
131. The challenges EUPOL faces are considerable. Without a major reduction in, or cessation of, the insurgency, there will not be an environment in which civilian policing can develop, and there is a danger that a vacuum may develop in law and order and security. Even with such conditions—and an expansion of militarily secure areas—EUPOL will not be able to complete its task either in the remaining two and a half years of its extension, or within the timetable set by the international community for the withdrawal of combat forces. (paragraph 103).
132. There is a danger that the deadlines for military withdrawal could expose the mission staff to increased danger and that they will be unable to operate effectively, risking lives of serving police officers for no future effect. The wider security environment will need to be taken into consideration before any further extensions of the mission are decided. (paragraph 104).
133. This has been a troubled mission undertaking a vital task in the reconstruction of Afghanistan. Despite achieving local successes, overall there is a strong risk of failure (paragraph 105).

APPENDIX 1: FOREIGN AFFAIRS, DEFENCE AND DEVELOPMENT POLICY (EU SUB-COMMITTEE C)

The Members of the Sub-Committee which conducted this inquiry were:

Baroness Bonham-Carter of Yarnbury
 Lord Inge
 Lord Jay of Ewelme
 Lord Jones
 Lord Jopling
 Lord Lamont of Lerwick
 Lord Radice
 Lord Selkirk of Douglas
 Lord Sewel
 Lord Teverson (Chairman)
 Lord Trimble
 Lord Williams of Elvel

Declaration of Interests

Lord Inge

Member Council IISS

Advisor to Aegis

Lord Lamont of Lerwick

Category 1: Directorships

Chairman, Small Companies Dividend Trust

Chairman, Jupiter Adria plc

Director, Balli Group plc (Steel and commodity trading house)

Director, Compagnie Internationale de Participations Bancaires at Financieres (Investment Company) (partly paid through Fintrade)

Director, Jupiter Second Split Trust plc

Director, RAB Capital plc

Director, Phorm Inc (personalisation technologies)

Director, Stanhope Gate Developments

Category 2: Remunerated employment

Adviser, North American Foreclosure and Distressed Opportunities Fund LLP

Consultant, Consensus Business Group (formerly Rotch Property)

Member, Advisory Board, MerchantBridge & Co (investment company)

Member, Advisory Board, Hermitage Global Fund

Member, Advisory Board, Pasco Risk Management Limited

Category 10: Non-financial interests (a)

Chairman, British-Iranian Chamber of Commerce

Category 10: Non-financial interests (c)

Member, Advisory Board, Iran Heritage Foundation

Lord Jay of Ewelme

Chair, Merlin (a charity which runs medical projects in Afghanistan)

Lord Radice

Member of Board, Policy Network

Lord Selkirk of Douglas

Former Home Affairs Minister for Scotland for 7 years between 1987–1997 (a past interest)

A full list of Members' interests can be found in the register of Lords' interests <http://www.publications.parliament.uk/pa/ld/ldreg.htm>

APPENDIX 2: LIST OF WITNESSES

Oral Evidence

14 October 2010

Ms Fatima Ayub, Open Society Foundation

21 October 2010

Chief Superintendent Nigel Thomas, Former Interim Head of the EU's Afghan Police Mission

28 October 2010

Foreign and Commonwealth Office

Written Evidence, APM 1

Written Evidence, APM 2

Written Evidence, APM 3

Written Evidence, APM 4

Written Evidence, APM 5

Written Evidence, APM 6

Written Evidence, APM 7

Written Evidence, APM 8

4 November 2010

Mr Kees Klompenhouwer, Head of EU Civilian Missions

Written Evidence

Dr Ronja Kempin, Head of EU External Relations, German Institute for International and Security Affairs (SWP), Berlin (Appendix 3)

APPENDIX 3: MEMORANDUM BY DR RONJA KEMPIN, HEAD OF EU EXTERNAL RELATIONS, GERMAN INSTITUTE FOR INTERNATIONAL AND SECURITY AFFAIRS (SWP), BERLIN

Let me start my written evidence with some words on my background: Since January 2003, I am a researcher at The German Institute for International and Security Affairs of the Stiftung Wissenschaft und Politik (SWP), where I currently head the Research Division “EU External Relations”. The SWP is an independent scientific establishment that conducts practically oriented research on the basis of which it advises the Bundestag (the German parliament) and the federal government on foreign and security policy issues. The analyses and publications produced by SWP researchers and their participation in national and international debates on key issues help to shape politicians’ opinion in their respective domains. SWP was set up in 1962 by private initiative in Ebenhausen, near Munich, and given the legal status of a foundation. Late in 2000 its headquarters moved to Berlin, which has been SWP’s new home since January 2001. Since January 1965, when the Bundestag unanimously backed the establishment of an independent research centre, the Institute has been federally funded. SWP has eight Research Divisions employing more than 60 scholars. My work on EUPOL Afghanistan started in June 2007, when Germany handed responsibility for transforming the Afghan National Police (ANP) into an effective civil police force to the EU. Since then, I did not only publish on EUPOL Afghanistan, but also advised the German Ministry of the Interior as well as the Ministry of Foreign Affairs on strengthening the impact of the EU police mission in Afghanistan. In 2009, I conducted a major research study entitled: “The EU as a Strategic Actor in the Realm of Security and Defence? A Systematic Assessment of ESDP Missions and Operations”. The project’s main focus were the decision making processes in Brussels and the attendance of the EU’s mission and operations in Brussels as well as in the Member States. Our aim was to identify key weaknesses in the EU’s operational performances that need to be addressed.

I will start my witness by assessing the effectiveness of the EU police mission in Afghanistan.

EUPOL Afghanistan started its work on 15 June 2007. It took over responsibility from Germany, which had already supported the Afghan police once before, back in the 1960s and 1970s. When reconstruction in Afghanistan began in 2002, Berlin again took on this task at the request of the Afghan transitional government and the United Nations. The German Police Project Office (GPPO) made important progress repairing civilian structures that had been almost completely wiped out under the mujahedin and the Taliban. The ANP was reformed organisationally by slimming down the traditional ranks in favour of an effective homogeneous leadership structure and leading posts were filled according to criteria of professionalism. Arrangements were also made to ensure that police were paid regularly. Finally, the German government set up a police academy in Kabul to train middle- and high-ranking officers. From 2002 to 2007 Berlin provided €12 million annually for police-building in Afghanistan. On average there were forty police officers from Germany’s national and state forces working at GPPO in Kabul and its outposts in Mazar-e-Sharif, Kundus, Faizabad and Herat, but the funds and personnel were not enough to achieve the goals that had been set in January 2006: At that time, the international community agreed to set up a “fully constituted, professional, functional and ethnically balanced Afghan National Police and Afghan Border Police with a combined force of up to 62,000”

by the end of 2010. Although Germany succeeded in training about five thousand middle- and high-ranking police officers at the police academy in Kabul and providing short training courses for another fourteen thousand, the German approach would have taken years to reach the goal of training 62,000 police officers. Berlin's resources did not stretch to either train the urgently needed uniformed police on the ground nor to reform the Afghan Ministry of Interior Affairs, which is responsible for the ANP. Therefore, Germany's ruling elite used its EU Council Presidency in the first half of 2007 to put the build-up of the ANP on a broader footing: It proposed to set up an EU police mission, designed to expand and intensify the existing German efforts. The EU was particularly well-suited to be the vehicle for Germany's reform efforts because the Member States had already agreed in November 2005 to provide "funds and expert assistance" in order to "develop a national police and border police force". Thus, in October 2006 the Political and Security Committee (PSC) sent an EU assessment mission to Afghanistan. It recommended "that the EU could consider contributing further to support the police sector through a police mission." At the end of November 2006 the PSC sent a fact-finding mission to Afghanistan. In this context Berlin was quickly able to win the approval of its EU partners for a civilian ESDP mission: On 12 February 2007 the Council of the European Union adopted the Crisis Management Concept (CMC) for a police mission in Afghanistan and the Concept of Operations (CONOPS) was approved on 23 April 2007. On 16 May 2007 the Afghan government invited the EU to send a police mission and within two weeks the General Affairs and External Relations Council had adopted the Joint Action establishing a police mission (EUPOL Afghanistan), which began its work on the ground just a fortnight later.

EUPOL Afghanistan was set up to assist "the establishment under Afghan ownership of sustainable and effective civilian policing arrangements" and thus help stabilise the security situation on the ground. Brussels initially proposed sending 195 police and legal experts under a non-executive mandate. From the CFSP budget €44 million were provided to fund EUPOL Afghanistan until the end of March 2008 and bring the mission to full operational capacity. The deployment was initially set for three years with the mission's size and tasks to be reviewed every six months; in May 2008 the defence ministers decided that the contingent would be expanded to four hundred over the following twelve months in response to the difficult circumstances under which its mission was operating.

Once EUPOL had achieved full operational capacity in Afghanistan it was mandated to fulfil the following four tasks:

- (1) To help the Afghan government draw up a comprehensive police-building strategy, focusing on the development of a national policing plan and a methodical approach for criminal investigations and border management.
- (2) To support the Afghan government in implementing this strategy coherently.
- (3) To connect the simultaneous processes of rebuilding the ANP with the establishment of rule of law structures by conducting training with selected members of the interior and justice ministries and the prosecution service as well as with the police.
- (4) To improve cooperation between the different international actors involved in police-building. In order to achieve this purpose, Germany has handed its leadership of the secretariat of the International Police

Coordination Board (IPCB) to the EU. The IPCB was created in October 2006 at the suggestion of Germany and the United States to strengthen international networking and cooperation in the police sector. The secretariat's job is to coordinate the operational measures (training, mentoring, logistics, reporting) designed to help turn the ANP into an effective civilian institution.

The mandate of EUPOL Afghanistan is thus very strategic and conceptual; in contrast to the German reform efforts, training measures play only a subsidiary role. Whereas the GPPO concerned itself primarily with training high- and middle-ranking police officers, the EU seeks to work out a general strategy for building a functioning national police force. Under the terms of its mandate, the European experts should work in the country's capital, in its five regional police headquarters (Mazar-e-Sharif, Herat, Kandahar, Gardez, Kabul) and at the level of the thirty-four provinces. Whereas in the past the work of the forty German police and legal advisers was concentrated on Kabul and the northern provinces, EUPOL Afghanistan's mandate provided as well for mission staff to work in the volatile southern and eastern provinces. There they were to assist members of the ANP and the Afghan interior ministry in setting up a police force committed to democratic principles and human rights. While EUPOL Afghanistan operated at the central, regional and provincial levels, the country's approximately four hundred districts, the lowest administrative level, were explicitly excluded from the mandate. As will be shown later on, the decision to focus exclusively on the top administrative levels and thus on the high-ranking police offices will prove to be insufficient.

All in all, one has to state that the EU's police mission in Afghanistan for at least three and a half years had hardly any impact on transforming the ANP into an effective police force. Four reasons hampered the success of the mission:

1. A situation in disarray

When the mission began its work in June 2007 the ANP was—for all the German and American efforts—far from being an effective functioning police force. Many of the country police stations were in a desolate state with widespread shortages of modern firearms, munitions, vehicles, fuel and communication systems. The police were so poorly paid that they were unable to feed their families, making many prone to corruption or entanglement in criminal activities, such as charging arbitrary “taxes” at checkpoints. Moreover, members of the police force have been accused of torture and other human rights violations, while arrangements allowing suspects to buy their way out of custody further undermined the integrity of the force. At the governmental level too, the situation was in disarray. President Karzai's government has the right to appoint police officers and other civil servants in the thirty-four provinces and nearly four hundred districts. All too often the central government legalised militias run by influential warlords by turning them into official local police forces. Those, responsible in Kabul cared little that the militias possessed neither police experience nor training, so that police recruited in this way often acted according to their own “laws”. Last, but not least, the trade in police posts also contributed to delegitimise the Afghan police. Interior ministry officials, most of whom are involved in the drugs trade, misused their power to knowingly sell police stations to tribal leaders and drug barons, who were thus able to ensure that their drug transports could pass unhampered through particular regions. Therefore, it comes as no surprise that the Afghan population regarded the ANP as part of the country's security problem rather than as a means to resolving it.

2. Understaffed Mission with no support from the EU member states

The EU has found itself unable to fix these grave problems through the work of EUPOL Afghanistan. But the reasons for the mission's lack of success to date also include home-grown problems within the EU. It is still significantly understaffed, and still unable to expand its activities to the whole territory of the Afghan state. The mission was supposed to grow in three phases. First, an EU planning team was set up to create the mission's structures and prepare the way for its personnel to take up their work smoothly (20 May to 29 June 2007). Then the leading positions were to be filled, the EUPOL offices and staff equipped and 128 police officers from EU Member States and other countries integrated into the mission (30 June to 14 November 2007). Finally, the mission was to be fully operational and present everywhere in the country by the end of March 2008. However, the last two deadlines were missed by a considerable distance. It was months before the participating states began sending personnel to Afghanistan. The size stated in the mandate—195 experts—was not achieved until 26 February 2009, in other words, almost two years after the EU intervention began. Today, the EU police mission comprises 285 experts. This number is as well far below the mission's size which has been enlarged to 400 police advisers and legal experts in May 2008.

The mission is thus a very good illustration of one of the EU's great weaknesses in foreign and security policy: member states plainly find it difficult to keep their promises and place their own personnel at the service of the mission. Only fifteen of the twenty-seven Member States are taking part in EUPOL Afghanistan—and of these only Germany, the United Kingdom, Denmark, the Netherlands, Spain and Italy have managed to contribute more than ten experts apiece. In order just to reach the named figure of 285 EU staff on the ground, more than fourteen calls for contributions were needed. The slowness of Member States to provide EUPOL Afghanistan with sufficient personnel is especially incomprehensible when one remembers that in April 2009 Paris declared to lead the future NATO Training Mission Afghanistan (NTM-A)—which also aims to train the ANP—and was immediately willing to send 150 French gendarmes to Afghanistan as part of that mission; forces it never placed at the disposal of the EU police mission.

3. Slowness of EU bureaucracy

EU bureaucracy also considerably delayed the start of EUPOL Afghanistan's work. Under EU law the individual Member States cannot supply missions with equipment such as vehicles and computers. Supplies and services have to be put out to tender, with the order going to the lowest bidders regardless of when they are able to deliver. The grave shortage of qualified personnel leaves EUPOL Afghanistan hardly able to critically support the work of the interior ministry or the regional police chiefs, or to influence the building, training and conduct of the ANP at the critical junctures. It also means that expanding training measures into the provinces (as stipulated by the mandate) is almost impossible. By March 2009 EUPOL was active in half of the thirty-four provinces, with the bulk of its staff stationed in the Kabul area (140 persons) and the rest (about 70) distributed throughout the northern and western provinces. EUPOL's severely limited ability to operate in the country's regions did not make it any easier to support the Afghan government in country-wide implementation of police reforms (again, as required by the mandate). EUPOL staff in the provinces enjoys the protection of the local Provincial Reconstruction Teams (PRTs), which are part of NATO's International Security Assistance Force (ISAF). Before EUPOL staff comes under the shield of a PRT the EU and the respective lead nation have to conclude a bilateral technical agreement, but in the south and east this was blocked by

Ankara. Although a full member of NATO, Turkey refuses to agree to any deepening of the EU-NATO relationship beyond the Berlin Plus agreement until the Cyprus question is resolved, which means it is impossible to conclude a general agreement between the EU and NATO/ISAF on the protection of EUPOL staff. The American militaries' refusal to protect the members of the EU mission is also an issue here.

4. Reservations in Washington

From the outset Washington was in doubt about the EU police-building initiative. In view of the immense challenge of reconstituting a civilian police force dedicated to democratic principles in a land of the size and ethnic diversity of Afghanistan, US leaders felt that the EU mission was too small. The United States has more than three thousand police trainers in Afghanistan and at the end of March 2009 deployed another four thousand advisers to speed up training of the security forces. Financially too, the EU's commitment is dwarfed by that of the Americans: Whereas in 2010/2011 the twenty-seven EU member states are spending €54.6 million on training the ANP, the United States is investing about €700 million (\$1.1 billion)—more than ten times as much. Disappointed at its European allies' lack of vigour, Washington refuses to this day to extend the protection of the American armed forces to EUPOL staff, and has joined Turkey in obstructing an agreement between the EU and NATO/ISAF. Washington considers the activities of the EU staff in the restive southern provinces to be too peripheral for it to be worth risking its own soldiers for their protection.

Beyond that Washington also refuses to support the EU mission in coordinating the respective training efforts. One of EUPOL's most important goals is to improve the cooperation between international actors in the field of police-building. The instrument for this is the secretariat of the International Police Coordination Board (IPCB, see above), which includes the most important police-building donors and high-ranking representatives of the Afghan interior ministry. Even though the United States has set-up this body by themselves in 2006, this does not prevent Washington from refusing to recognise the body. Unless and until Brussels makes a more substantial contribution in this field, the Americans, who bear well over 90 % of the burden of police-building in Afghanistan, are not going to tolerate Europeans telling them which training measures to conduct and asking to coordinate them. Consequently the Americans send only a single representative to the meetings of the IPCB secretariat and ignore its decisions, which rather undermine its authority. Washington sees this drastic measure as the most effective way to prod its European partners into considerably stepping up their police-building efforts.

Most of the enumerated weaknesses have also been realised in Brussels. When in May 2010 the Member States decided to extend EUPOL Afghanistan's mandate for another three years, they tried to tackle the missions' problems and to adopt new approaches especially with regard to the training of policemen and -women. In this vein, the so called City Police and Justice Program focuses on the build-up of a metropolitan police; the training of the Anti-Crime Police is meant to strengthen the civilian nature of the ANP. However, the mission still faces a number of challenges.

- The first one is certainly the extremely low rate of literate police officers: Less than 30% of all ANP members are able to read and write. This high level of illiteracy not only makes it extremely difficult for the police officers to digest the theoretical contents of their education and training measures. They are also unable to take reports of crimes or to fine for

speeding or parking violation. Without implementation of substantial educational programmes, the international community will never reach its goal of building sustainable policing structures in the country.

- Second, the attrition rates within the ANP are high: 2/3 of the trained police officers quit their service only a few weeks after the end of their formation. Various reasons can be held responsible for this alarming figure: Oftentimes, police officers are not allowed to police their own community but are sent to culturally different regions. Also, the ANP faces extremely high casualties and thus prevents potential officers from joining the force. In 2009, an estimated number of 639 police officers lost their lives in action (compared to 292 members of the Afghan National Army). Third, even though the monthly wages of the ANP officers has been raised to 200\$ in 2010, a trained police officer can still earn at least 300\$ working for a Taleban or a mujahedin commander.
- Corruption is still endemic in Afghanistan. EUPOL Afghanistan was heavily involved in developing an anti-corruption strategy. The mission is very active in identifying people—from the top to the bottom of the ANP and the Ministry of the Interior—who are corrupt. However, putting these individuals through a legal process is quasi-impossible, as the judicial system of the country is still in its infancy. Also, as I already mentioned in the beginning, the government of President Karzai still uses its right to appoint police officers and other civil servants in the thirty-four provinces and nearly four hundred districts to either legalise militias run by influential warlords or to strengthen the political influence of members of his family that are known for their involvement in drug-trafficking.

These challenges have to be addressed not only by EUPOL Afghanistan, but by all international actors involved in the reconstruction of the country. The EU nevertheless has to substantially increase its training capabilities in Afghanistan—otherwise Afghanistan will not possess a civilian policing element when the international community withdraws its military forces. When the text of EUPOL Afghanistan's mandate was being drafted, there was already criticism of the mission's meagre personnel resources. Francesc Vendrell, then EU Special Representative for Afghanistan (EUSR), called for the mission to supply at least two thousand advisers and trainers. In view of the desolate condition of the Afghan police and the widespread corruption in and around the police service, he said, the upper limit of two hundred would have to increase tenfold if noticeable headway shall be made. But his recommendation fell on deaf ears in Brussels, which raises the question whether the EU Member States actually ever really set out to improve the state of the ANP. The hesitancy of the chosen EU approach is also reflected in the way the mission was designed: from the beginning it was only targeting on changing the structural framework of policing while remaining blind to the country's almost total lack of functioning uniformed police on the ground. When EUPOL Afghanistan failed to make satisfactory progress and there was no debate about the mission's course, certain important EU Member States, for example the UK and the Netherlands, turned their backs increasingly openly. Since the end of 2008 they have been pulling their police advisers and legal experts out of EUPOL and working with the Americans instead. In the course of 2007 the Pentagon's central command for Afghanistan (Combined Security Transition Command-Afghanistan, CSTC-A) developed what is so far the most comprehensive programme for training and building the ANP: Focused District Development (FDD). Set up to cover the previously neglected district level, it provides two months training in regional centres for every police unit in each of the almost four

hundred districts. While a unit is in training, the police work in its district will be conducted by the newly created and especially well trained Afghan National Civilian Order Police (ANCOP). After training has been completed the police units will return to their home districts, where they will be supported by a Police Mentoring Team (generally composed of civil police trainers, military police and interpreters) which provides ongoing training and advises the police units in their daily work. The complete cycle of the FDD programme amounts to about ten months, comprising assessment of the district, the actual training and post-training support. An initial evaluation found the programme to produce solid and lasting results. The UK and the Netherlands are now participating exclusively in the American FDD programme. Since January 2009 Germany has also been training police at district level under the FDD scheme and intends to model its national police projects—currently running under the auspices of EUPOL Afghanistan—ever more strongly on that example.

There is no doubt: FDD has its merits! The US government has realised that ordinary police officers are desperately needed. This is why prominent EU states joined them in their effort to train these forces. But the FDD-curriculum, exclusively designed by CSTC-A, does not train civilian police officers but paramilitary forces that can be aligned to counter-insurgency operations. I do not criticise this programme—in large parts of the country, policemen are involved in heavy combat and thus need the provided survival skills. However, it cannot be in Europe's interest that the large majority of Afghan police officers are trained and mentored by military officers that do not themselves possess of a policing background.

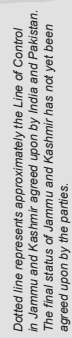
As a sort of conclusion, let me state the following: In June 2007 the Member States of the EU declared themselves willing to join together to build the Afghan police force. The civil EUPOL Afghanistan mission pursued ambitious goals: it was supposed to develop a national policing plan and thus generate viable police structures. And it was supposed to coordinate international efforts to create an Afghan police force dedicated to the principles of democracy and rule of law. Those goals are still far off. The civilian intervention of EUPOL Afghanistan is increasingly turning out to be a litmus test of the EU's credibility in the field of security. To this day the EU Member States have failed to deploy the full contingent, nor were they able to keep their promise to have a presence across the whole country. Their activities are still concentrated primarily on the capital Kabul and the northern provinces. But above all, the EU has failed to earn the support of the Americans. Without active American cooperation the Europeans have no chance of developing a comprehensive training strategy encompassing border police, uniformed patrols and criminal investigators. And without the protection of the US forces the mission is unable to work at all in the volatile south. The EU will not receive their support until it tangibly enhances the impact of EUPOL Afghanistan. If the Member States of the EU wish to exert a greater influence on the reform of the security sector in Afghanistan, they will have to considerably boost the ESDP mission's staff and funding. EUPOL Afghanistan is still significantly below its upper limit of four hundred staff and the European financial contribution is but a fraction of the American. These defects need to be remedied swiftly. EUPOL Afghanistan must also be put in a position to better train police forces at district level. The success of FDD demonstrates just how urgently Afghanistan needs capable police in the districts as well. But those in the EU Council Secretariat and the PSC, responsible for the political control and strategic direction of EUPOL Afghanistan, should also spend some time and energy in identifying gaps left open by the Americans and give the mission the job of filling them. In that way it could meaningfully complement the American efforts, all by strengthening the civilian character of the ANP.

APPENDIX 4: GLOSSARY OF TERMS AND ABBREVIATIONS

ADJU	Afghan Drugs and Justice Unit
ANCOP	Afghan National Civil Order Police
ANA	Afghan National Army
ANP	Afghan National Police
CivCom	EU Committee for Civilian Aspects of Crisis Management
CFSP	Common Foreign and Security Policy
CPCC	Civilian Planning and Conduct Capability
CPJP	City Police and Justice Programme
CSDP	Common Security and Defence Policy
CSTC-A	Combined Security Transition Command-Afghanistan
DfID	Department for International Development
EU	European Union
EUPOL	European Union Police Mission in Afghanistan
FCO	Foreign and Commonwealth Office
FDD	Focussed District Development Programme
GIRoA	Government of the Islamic Republic of Afghanistan
GPPO	German Police Project Office
GPPT	German Police Project Team
GTZ	German Office for Technical Cooperation
HPTC	Helmand Police Training Centre
IPCB	International Police Coordination Board
ISAF	International Security Assistance Force
LOFTA	Law and Order Trust Fund for Afghanistan
MFA	Afghanistan Ministry of Foreign Affairs
MICC	Ministry of Interior Coordination Cell
MoI	Ministry of the Interior
NATO	North Atlantic Treaty Organisation
NCO	Non-Commissioned Officer
NGO	Non-Governmental Organisation
NTM-A	NATO Training Mission Afghanistan
PRTs	Provincial Reconstruction Teams
PSCs	Private Security Contractors
PSC	Political and Security Committee
SOMA	Status of Mission Agreement (of EUPOL in Afghanistan)

SWP	Stiftung Wissenschaft und Politik (German Institute for International and Security Affairs, Berlin)
UN	United Nations
UNAMA	United Nations Assistance Mission in Afghanistan
UNDP	United Nations Development Programme
US	United States

EUPOL Afghanistan



Minutes of Evidence

TAKEN BEFORE THE SELECT COMMITTEE ON THE EUROPEAN UNION
SUB-COMMITTEE C (FOREIGN AFFAIRS, DEFENCE
AND DEVELOPMENT POLICY)

THURSDAY 14 OCTOBER 2010

Present	Lord Teverson (Chairman)	Lord Radice
	Baroness Bonham-Carter of Yarnbury	Lord Selkirk of Douglas
	Lord Jay of Ewelme	Lord Sewel
	Lord Jopling	Lord Williams of Elvel

Examination of Witness

Witness: FATIMA AYUB, [Open Society Foundation].

Q1 The Chairman: Can I welcome you to this Committee? I shall give you some quick background. Can I help you in any way?

Fatima Ayub: I was wondering whether I should be sitting closer to the microphone now that I think about it. I will move over a little.

The Chairman: I am sure it will be fine. Don't worry about it. Thank you for coming here. This is our first evidence session as part of a new inquiry. We are looking at the European Union's police mission in Afghanistan. It is clearly an area of great importance at the moment and a focus of attention in Afghanistan generally. We are trying to look at the effectiveness of that force and what recommendations we might pass on to our own Government and to the European Union, the Commission and the Council, and Baroness Ashton's organisation, in terms of recommendations. The session this morning is recorded. It is a public session and will be webcast. We will record it and send you a copy of the transcript so that you can check it for accuracy before it is finally published. I think you have had a copy of the questions. As I mentioned to you, we are particularly interested in issues around corruption, infiltration and literacy that affect security. Some of those questions will come from members of the committee as we go through. I suspect that the session will last something like an hour, but we will see how we do. We will try not to detain you too much longer than that. First of all, we would be interested to hear very briefly a little about you and the organisation that you represent. If you wanted to give a short opening statement of some kind we would be happy to hear that before we move on to the questions, but you certainly do not have to.

Fatima Ayub: Thank you, my Lord Chairman. Good morning to all the members of the Committee. I would like to thank you for taking an interest in what is a supremely important topic in Afghanistan. I worked in Afghanistan for three years between 2006

and 2009 with an organisation called the International Center for Transitional Justice, which looks at how in post-conflict or post-authoritarian states one can rebuild institutions to ensure that there is not an ongoing legacy of impunity from the conflict built into the state again. More simply put, it means how do you ensure that states do not continue abusing their citizens? Within that framework, looking at security sector reform issues is critical. I refer to security sector reform as taking a holistic approach to reforming the army, the police, the intelligence services and the judiciary. So there is a technical aspect looking at reform in terms of how many people you have in these institutions and are they well trained to do their job and do they have enough money to do their job. There is also a normative aspect to this work. It involves trying to ensure that these institutions understand that they are there for the protection and promotion of the rule of law. The second aspect, what I call the normative aspect, is what has been serially neglected in Afghanistan. I currently work for an organisation called Open Society Foundations. I am based here in our London office and I work with our international advocacy team and I cover our portfolio of work on South Asia and the Middle East. However, I would like to stress that today, my comments to you will be in a personal capacity because some of them may be a little more controversial than some would be comfortable with.

The Chairman: We hope so.

Fatima Ayub: One can only hope. Having said that, I will cut my opening comments there and then we can go into the questions.

Q2 The Chairman: Thank you very much. Perhaps I could start off with a very general question. Could you set the scene by explaining to us the context of the European police mission in Afghanistan? I recognise that you are not an expert in that particular area and

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it is the broader context that we are particularly interested in. But how is the European police mission operating within an international context and within what is happening in Afghanistan nationally?

Fatima Ayub: Okay. I think we can begin with a timeline. I think that that is probably most helpful. It is not a very long timeline, beginning in 2002. As a consequence of the agreements made at Bonn, with the new transitional authority in Afghanistan, major international stakeholders and donors basically divided up the task list in Afghanistan, so different Governments became responsible for building up and developing different sectors. By way of example, the British at the time were responsible for counternarcotics policy; the Italians were responsible for justice sector reform; the Americans were responsible for a number of things, but largely military development; and the Germans were at the time cast as the lead nation for police reform. The Germans had a history of working on police reform in Afghanistan. They had been there in the 1950s and 1960s and had been doing this in an on-and-off capacity for many years. The Germans dedicated their efforts to re-establishing a police academy, and between 2002 and 2007 they focused on training police in Kabul and in the northern area of the country. They spent about €70 million over the five years. They set up training programmes that would train police for between one and three years, depending on what their role would be, and they tried to take an approach whereby they were training trainers, as it were. They were not trying to train the entire police force; rather, they were going to focus on the people who would then become a sustainable part of the police as an institution.

Q3 The Chairman: So that we can put it in context, could you just give us the size of the national police force in Afghanistan?

Fatima Ayub: I think we are currently looking at a force of about 72,000. The numbers come and go because the police have a very high attrition rate, but I am going to put the figure at about 72,000. The aim is, by 2014, to build up the number to about 135,000, so I would like you to keep those numbers in mind when we talk about the rest of the context. Coming back to the timeline, in 2006 the international community agreed to what was generally referred to as the Afghanistan compact, which was meant to centralise the role of the Afghan Government and state buildings, and to try to harmonise and co-ordinate all the international efforts in a way that would facilitate the sustainable growth of Afghan institutions. As such, they dropped the lead nation approach and from that point forward EUPOL was established. It came into force in 2007 and will run until May 2013. You have three strains when it comes to police reform in Afghanistan. You have the work

that the Germans have done; you now have EUPOL; and, alongside this, since 2002 you have also had the American training mission operating under CSTC-Alpha, and it is now a double-hatted mission. So you have the US command and NATO command working together on army and police training through the NATO training mission—NTMA. So, I think that what we need to look at in the context of security sector reform, if we are just looking at the technical aspect, is that at a minimum you had at any one time two competing tracks of police training. For example, just to give you a picture of where we are now, the basic police training for Afghanistan is provided by NTMA. The training is for six weeks to train police who you then stick into the field. The nominal idea is that EUPOL, because of its ability to reach down into the provinces, will then be able to continue training and mentoring the forces that were originally trained by NTMA. This is not working out tremendously well for a number of reasons, and I shall elaborate as we go on. So, with regard to police reform, essentially we are trying to build up a police force that will fight insurgency. This, I would argue, is at the core of the problem when we are looking at police reform in Afghanistan. I would put to you the proposition that the fundamental purpose of having a police force is to protect the population and uphold the rule of law. This is the fundamental purpose of having a police force. When you are robbed, when your house is raided, if something happens to your family or if something happens in terms of your relationship with the Government, you need to have someone to complain to. For us, that tends to be the police—that is our notion of the purpose that the police serve. That is not the purpose that they are serving in Afghanistan; that is a fundamental point to underscore. So that is just to give you a picture of how police reform is fleshing out. I would like to place that within the broader picture. Since 2002, there have been competing and sort of incoherent visions of what development, writ large, in Afghanistan should look like. Part of this was exacerbated by the approach taken after Bonn, where you had different countries trying to rebuild different sectors when really what you needed was a comprehensive approach to statebuilding. There was an effort to redress the balance in 2006 with the Afghanistan Compact, but the fact of the matter is that that compact aimed to give decision-making powers to Afghan Government ministries and institutions, such that donors would all be able to channel their funds into one central location. The Government could then develop their budgets with mentoring and support from their international partners and then be able to spend and build their own capacity. This has not happened. By and large, because of concerns about corruption and so forth, most nations are still giving aid bilaterally. They are either giving it to

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contractors to run projects or they give it to whatever ministry they feel particularly comfortable working with at that time. What has this meant for Afghanistan? It has meant that statebuilding has been, more or less, a chaotic process and that there has been no real strategic vision for that process in Afghanistan. All of this is, obviously, unfolding in a battlefield, because Afghanistan is a country that is profoundly in conflict. There is a war in Afghanistan; the insurgency is growing in size and scale, and I put it to you that the real problem is that the insurgency obviously wants to contest the legitimacy of the Afghan Government and it wants to do it in a radical and violent way. At the same time, the Government really does not need any help in being delegitimized, so what you have is a situation whereby now, the international community is supporting a government in Afghanistan that has tremendous problems with its own reform and whose power is not uncontested in most parts of the country. I know that I am painting what is, in many ways, a grim picture. I understand that, but there has been a consistent neglect of some of the big-picture issues in Afghanistan. We are going to have to look at very different questions now than, "Well, are we putting enough money into police reform?", when it's more, "What does police reform matter in the broader context of the current Government that you have?". How do you reform those institutions?

The Chairman: Okay, I think that gives us a very comprehensive and challenging view forward. Lord Jopling, perhaps I could ask you to take us forward.

Q4 Lord Jopling: I think it might be helpful to take a step back from EUPOL at this stage. We would like to hear from you how you see the current security situation overall in Afghanistan—and to what extent that might have changed following the parliamentary elections—and have an assessment from you as to what you see the influence and role of regional powers, such as Pakistan and Iran, are to the internal situation in Afghanistan at this time. If we could just look at the background, before we engage in more detail about EUPOL.

Fatima Ayub: Absolutely. The security situation in Afghanistan, to put it in a straightforward way, is not good. The insurgency has spread, as I was saying, in size and scale at a fairly steady rate into almost all parts of the country, where it was once contained to the south and the east. There is a tremendous fear at the level of local populations about what the spread of insecurity means. There is also—this is important to stress—a corresponding anger towards the international military forces, because when you look at, for example, the number of civilian casualties and the proportion of those caused by international forces versus those caused by the insurgency, the number caused by the international forces is actually

falling but the proportion caused by the insurgency is rising and, as a whole, numbers of casualties are rising. This is tremendously alienating to Afghan communities. Not only is there a tremendous amount of discontent with, and mistrust of, the Government and a dislike of the insurgency, there is also rapidly growing resentment against the international military forces. None of this comes together to make an encouraging picture. Looking at the security situation at a deeper level, the push is now obviously to try to transfer control of the security forces to the Afghan Government by 2014. That is also producing unsustainable pressures on the Afghan Government, and changing the tone of the conflict. On your question about how security will change after the parliamentary elections, it is too early to tell: the results of the election have not been declared. However, if the outcome of the presidential elections is anything to go by, we can count on security getting worse. The legitimacy of the Karzai Government is being doubly contested because of the levels of fraud in the presidential election, which were not honestly addressed. We suspect that we will see a similar pattern off the back of the parliamentary elections. On your question about regional powers, it is important to look at the roles of countries such as Iran and Pakistan on two levels. There are tremendous social, economic and cultural links with both Iran and Pakistan, if for no other reason than the presence of huge numbers of the Afghan diaspora there. Iran and India, for example, have several consulates in the country; there are tremendous trade links; and the cultural influences are very porous, as you know—they have been there for thousands of years. However, to be clear, if I had to focus on any particular country as critical to security in Afghanistan, it would be Pakistan, not Iran. Iran has the capacity to play a spoiler role in the provinces of Afghanistan that it borders, but it has nothing like the capacity of Pakistan. Pakistan's strategic interests in Afghanistan have remained the same over the past 30 years: they want a Government who are hostile to India and friendly to Pakistan. Whatever that Government look like, whether they are good for the people of Afghanistan or whether the Afghan people actually want them, it is a question of whatever works for Pakistan. You have seen that in the way that parts of the Pakistani intelligence establishment have continued to support insurgents. Certainly, when the time comes for a negotiated settlement between the insurgent groups and the Government of Afghanistan, Pakistan wants a seat at that table, if not to be actually brokering that settlement. Pakistan has a tremendous spoiler capacity, so its interests need to be taken into account more seriously and honestly than has happened until 2010.

Q5 Lord Sewel: Some commentators say that the Afghan police force is part of the problem rather than part of the solution, and particularly focus on the

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issue of corruption. How serious is corruption in the police force? How does it affect the police's effectiveness at the community level?

Fatima Ayub: I was not expecting the question, so I cannot give you figures. I would like to come back to you with that.

The Chairman: I should have said that if there is anything that you want to give us as written evidence subsequently, you are welcome to do so. It will be included within the report.

Fatima Ayub: Thank you. Corruption needs to be looked at on two levels in Afghanistan. One is petty corruption: the Afghan who needs the police to investigate a crime or issue a permit for something, or whatever. You have to pay the equivalent of \$10 or \$20, which is a lot of money for Afghans. The other is the level of widespread institutional corruption, which comes from the way in which aid is dispersed in Afghanistan. That is a much bigger problem, which needs to be tackled seriously. Let me tell you what I mean by that. I do not know whether I mentioned it but it is something I would like to mention. We talked about how Governments are still giving their aid bilaterally to the Government, and they are giving it through contractors to implement projects and so forth. There is very little oversight on how that money is spent. There has been a tremendous amount of noise about this in Washington, for example, because people are starting to realise that billions and billions of dollars are going missing; it is not just little amounts here and there that you expect will get lost or whatever but billions of dollars are going astray. So addressing that, donors need to put in effective oversight mechanisms and say, "Okay, where is the money going that we are giving to Afghan institutions? What are our contractors doing with it? What are the ministries doing with it?" For example, in a place like Kandahar, where the Government consist of Hamad Karzai's brother, Ahmed Wali Karzai, every single contract, whether for building a road or building a school or for protecting the US base there, not only does a cut go to Ahmed Wali Karzai but a cut will also go to the Taliban. That is serious. That is what we need to be worried about because everyone is trying to—

Q6 Lord Sewel: That is clearly a major issue. It is not the same as police corruption.

Fatima Ayub: I would like to stress that we are looking at two levels of corruption. Petty corruption, yes, is a huge problem. It erodes the confidence of the Afghan people that their Government and institutions are there to serve them and to protect them. It is particularly bad for the police to practise corruption, because they are the public face of the Government in those remote districts where you do not really have strong health or education sectors. If it is a remote area, it is really just the police who hold the line for

the Government. If they are inflicting themselves on the population, as it were, by extracting small bribes even, that will not place tremendous faith in the rest of the Government. It is hugely damaging in terms of perception. There was a very good survey done by an organisation called Integrity Watch Afghanistan and I would like to share that report with Members, if that is useful. It showed how pervasive even that level of petty corruption is, how damaging Afghans find it and how it has eroded trust in the government institutions. There is that level of petty corruption and then there is the higher level of corruption which Afghans are aware of. It is not just us discussing what happens to aid flows: people see it. People who had, for example, no money five years ago are now millionaires. Afghans in communities see that and say, "How did that happen?" There is only one place, or perhaps two, in Afghanistan where that much money comes from: it is either the drugs trade or the aid flow. The conclusions are pretty obvious.

The Chairman: Did you want to follow that up any further, Lord Sewel? Are you sufficiently depressed?

Lord Sewel: It has reinforced a point.

Q7 Lord Jay of Ewelme: Can I follow that up? I was fascinated by what you said about part of the money for these contracts going to Karzai's brother and part going to the Taliban. Is there any kind of collusion or any kind of co-operation between the two? How do they work out who gets what? We think of them as being separate but are they in fact working together in some way?

Fatima Ayub: I do not know that I would say that they are colluding. In fact, I would say that probably Ahmed Wali Karzai is the nemesis of many a Taliban leader, whether it is the Quetta Shura or local leaders within Kandahar. What you need to look at is not the issue of collusion but why we do not know where money goes. Why do we not know that? It is a pretty basic question. How can we not account for the dollars that pour into Afghanistan? That is a broader failure of the aid environment in Afghanistan. I have painted a very distressing picture and I think we are right to be distressed, but it is important to ask what we, as donors, need to do to change that environment, and that just means better accountability.

Q8 Lord Williams of Elvel: You mentioned the narcotics business. Is this part of police corruption? Do the police get involved in trading narcotics?

Fatima Ayub: That is a difficult question to answer. Parts of the police are entirely possibly implicated in the narcotics trade, and it probably happens at the level of the border police. That is probably where it is most serious. There is, again, no real monitoring of that issue. Again, money in Afghanistan comes from two places: aid flows and narcotics. If people are

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getting visibly rich, they're getting rich from one of those two sources. It's hard to make definite links, but there is certainly something. It is just that clarifying those levels is something that no one has looked at, like how bad that issue is.

Q9 Lord Sewel: One of the arguments I have heard is that the support that the Taliban have in local areas is often a product of reaction to the hostility that local people have for the Afghan police force and the level of corruption, because whatever the Taliban are, they seem to be less corrupt, at least to a degree, than the police force, particularly in delivering summary justice. In a way, people would much prefer the summary justice that the Taliban administer than going through the police and the local so-called judicial system. Is there anything in that argument?

Fatima Ayub: I think we have to take it on a case-by-case basis. Let me tell you what I mean by that. A tremendous amount of the politicking in Afghanistan is done at very local levels, levels that neither you nor I will ever really see. It may be that sometimes people dislike and contest the authority of the police because they are actually predatory, and that has been known to happen. It may be that people dislike and contest the police because the police chief is not from their area, and they seem to think that he is an outsider; they do not respect his authority. It may be that people contest the police because the police were involved in the civil war and committed serious atrocities either among the population there or elsewhere. It may be that, on occasion, members of the insurgency do provide an alternative in terms of resolving disputes at local levels. I would have to say that a lot of Afghans—most Afghans, I would say—are very wary of the kind of “justice” that the Taliban will mete out, because it is summary and it is pretty arbitrary, and there is no appeals process, as it were.

Lord Sewel: Up to the House of Lords.

Fatima Ayub: I do not mean in that sense; I mean in the sense that in Afghanistan, when you want a dispute resolved, it is kind of a talking process. People will come together, the elders of families or of tribes will come together, and mediate whatever the problem is, even if it is murder. However, with the Taliban it is rule by diktat. It is like, we will resolve this, and if you do not like our resolution of the problem, there is no further discussion. That is not welcome to Afghans, who have built on this culture of mediating their disputes by talking through them and, essentially, coming to a consensus on a problem. So I would be wary of saying that people support the Taliban simply because they do not like the police; I think that there are much more complicated dynamics at work there.

The Chairman: I think we need to start moving on through.

Q10 Lord Jay of Ewelme: Perhaps we could just move forward a little bit in time. If you could just say a little bit about what you see as the current timetable for the withdrawal of US, NATO and British forces, and what effect you think that withdrawal, when it happens, or indeed the prospect of withdrawal, will have on the operations of EUPOL, which require, at least in theory, a relatively stable environment, though the environment you have painted so far cannot be described as relatively stable, I think.

Fatima Ayub: I will tell you what I guess withdrawal timetables to be, because these are always subject to whatever the political climate happens to be in place in London or in Washington at a particular time. I suspect that by 2014, more or less, there will be a significant drawdown of NATO combat operations in Afghanistan. I would hope that there would be a de facto transfer of authority to the Afghan security forces. The implications of the outcome of a withdrawal are very serious, but it is both easy and difficult to predict. We can predict in a glib way that if withdrawal happens at a rate which leaves a security vacuum, et cetera, you can pretty much assume that there will be, not a government takeover, but an insurgent takeover in those areas. The insurgents have taken over in many places already, so it is not necessarily a question of a wave of insurgents taking over the whole country. The insurgents are essentially present almost everywhere.

Q11 Lord Jay of Ewelme: Is the prospect of withdrawal having an impact now? Are people looking not at the present situation but what it may become, and making the arrangements they need to get on with whatever comes afterwards?

Fatima Ayub: Yes, I think that is a fair point. Certainly, Afghans have accepted in their minds that there is going to be a drawdown in the next two to three years. They probably assume that that will happen. They correspondingly assume that the Government will not be able to extend its writ of authority to fill the vacuum that the withdrawal will leave, and that there will be a protracted period of conflict if there is not a serious effort to negotiate a peace settlement between the Karzai administration and the insurgency.

Q12 Lord Jay of Ewelme: As for the police, does this mean that whoever is in charge of the police or individual police operations are themselves thinking about who will be running them in a few years' time? Are they beginning to develop different kinds of links with people?

Fatima Ayub: I think that question is probably going through the minds of the army and the ministry of defence more than the police at this point. There were definitely contentions about the Army Chief of Staff, a gentleman by the name of Bismillah Khan, who was

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incredibly influential and powerful. He was moved out of that post by President Karzai after the elections. That was seen as a signal that Karzai was wondering what role the military would play should the time of withdrawal come, and whether he would survive that transition. I think that Karzai is doing everything in his power to ensure that he does survive. At the core, at Kabul level, he at least commands the loyalty of the ministries. What does this mean for police reform? What does it mean for all the development processes in Afghanistan? It is a serious question. I contend that the most serious mistake made in the development process in Afghanistan is assuming that you could do it quickly and that you could do it on the cheap. That is not to say that we should be pumping more money into Afghanistan. Exactly the reverse. My first recommendation would be to put in better systems to monitor where money goes and then work out systems whereby the civilian aid effort can continue in Afghanistan, so that if you have an international military drawdown you do not then create such hostile conditions that all the efforts made in the past eight or nine years go to waste.

Q13 The Chairman: But you think there is a possible route there? That it is not impossible? Briefly, that is what we are trying to get at.

Fatima Ayub: I think it will entirely depend on the way in which withdrawal happens. That is what I am trying to say. If the withdrawal is done in such a way that it does not deal with the political realities in Afghanistan, if it does not look to build a sustainable peace settlement between the Karzai Government and the various insurgent forces, you will have a civil war in Afghanistan. I do not think that anyone contests that.

Q14 Lord Jay of Ewelme: Can you see, knowing Afghanistan as you do, circumstances in which arrangements will be put in place so that after withdrawal there could be some kind of police operation that would continue?

Fatima Ayub: I do not think that question is being seriously entertained, no. Coming back to this question of strategic vision, I do not think people quite understand what they want Afghanistan to look like in five years' or 10 years' time. That question deserves serious thought. It is not a doll's house. You cannot put things in and take things out and it will be fine. You have to give serious thought to those questions. Unfortunately, that is not happening. The question for the international community at this point is how we withdraw, not how do we withdraw and ensure that Afghanistan will be stable and peaceful and that there will be sustainable development there.

Q15 The Chairman: I think at that point we will have to move on because that takes us to a much broader canvas. Before I ask Lord Selkirk to ask the next question, can I just ask about the history before the Russian invasion and before Afghanistan fell apart in all sorts of ways? Was there a tradition of a having a national police force? Was there what we would understand as a civil police force?

Fatima Ayub: Yes, there were what are effectively today being called the civil order police, in the tradition of a gendarme. There was a tradition of having that. Again, mostly that began in the mid-20th century. So there was not a historical tradition of policing, but certainly people understood police; what they did and what their purpose was.

The Chairman: That is fine. Thank you.

Q16 Lord Selkirk of Douglas: May I ask to what extent the Afghan national police force is an effective force for the protection of Afghan citizens? What challenges do they face, and what extent do these pose an obstacle to the EU's efforts to build up the Afghan police? Associated with it is the whole issue of infiltration. How big a problem is it? Is it being properly and professionally dealt with or does it remain a great issue?

Fatima Ayub: Those are several very big questions and I will try to answer them succinctly. Your first question was about whether the police force is doing its job in terms of protecting Afghans. As I said at the beginning, the role of a police force is to uphold the rule of law. To put it simply, the police in Afghanistan do not fulfil that role. Some of that comes down to fairly basic issues. Lord Chairman, you flagged the issue of literacy at the beginning. A tremendous number of the police are illiterate. At least half are illiterate. You can imagine what challenges that poses when you are trying to ensure that the police can investigate a crime, are able to interview witnesses and document what they find. In terms of basic policing that presents enormous challenges. There is of course the issue of petty corruption, which again influences the way that Afghans see the police forces. I would like to come to some systemic issues that need addressing. This has to do with the issue of promoting quantity over quality in building the police forces in Afghanistan. The rationale for building up the police is not seen as a holistic way of improving the rule of law in Afghanistan. It is literally, as the US forces put it, putting boots on the ground, such that you have someone in the line of fire against the insurgents. Strategically, the police are already not fulfilling the purpose that they are meant to be fulfilling. When we talk about reversing the trend of quantity over quality, the issue is one of reforming the civil service structure for the police. I mean how police are hired, how they are promoted, what their pay scales are. These issues are not really

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being dealt with in Afghanistan. There was an effort to try to deal with them and to institute a vetting process for the police—for the chiefs of police and for police at district levels—but it did not really go anywhere because it became a highly politicised process. Influential people in the Government wanted their hour serving as police chiefs and it became an internal war in that sense. So what the takeaway should be for the EU or the UK or for anyone who is funding police reform is to give serious consideration to how you want mechanisms for accountability and quality control within the Ministry of Interior.

Q17 Lord Selkirk of Douglas: May I ask a further question? Am I not correct in thinking that in the past, before the recent conflict took place, there were religious police or police who acted ostensibly in a religious capacity? Did all that stop as soon as the major conflict—

Fatima Ayub: Are you referring to how the Taliban did their policing? They essentially followed the model of having vice police and prosecuting people for what they thought were religiously immoral violations. That was a pretty short-lived period and it did not go further back than that.

Q18 Lord Selkirk of Douglas: That is not the problem now.

Fatima Ayub: No, I do not think that is the problem. To answer your further question about infiltration, again, I do not think that infiltration should be the key concern. The key concern again points back to the issue of ensuring quality over quantity. If you are trying to pull literally another 70,000 people into the police force over the next four years and you are losing them at the rate of about 10% a year, how much quality can you really ensure? So I think that we need to rethink that timescale.

Q19 The Chairman: Sorry, could you just repeat the attrition or turnover rate?

Fatima Ayub: It is about 10%. That is the figure that I have read.

The Chairman: I was sure I had read numbers significantly larger than that, but you think—

Fatima Ayub: I think that it is safe to say 10%.

Lord Radice: 10% a year?

Fatima Ayub: Yes. I think that the drive to recruit has lowered standards, but while you have incidents of police or army forces attacking coalition forces, again, I think that that is a fringe issue. The fundamental issue is that you have no mechanisms for quality control, and that is what you need to be worried about.

Q20 The Chairman: So, you are saying that on the infiltration side there is not a really big problem of people being a member of the police force during the day and a member of the Taliban during the night. I know that that is a terribly simplistic question.

Fatima Ayub: It is not a simplistic question. You can certainly find anecdotal evidence to that effect, but I think that, again, it is reflective of the broader problem of not being able to ensure the background and professionalism of the people who are being taken on as police recruits.

The Chairman: Thank you. I am going to leave Question 5 because—I am sorry, Lord Williams.

Q21 Lord Williams of Elvel: You mentioned illiteracy. Is there no literacy test in the recruitment of police, and is there any teaching programme on literacy?

Fatima Ayub: Simply put, no. It is not a requirement to be literate to serve in the police or the army.

The Chairman: I am going to pass through Question 5 because, first, it has been partly answered and, secondly, we will come to part of it later. Perhaps I could ask Lord Radice to come in.

Q22 Lord Radice: I have rather a vague question that I am not sure is very satisfactory because I think that it ought to be turned the other way round. I was going to ask to what extent the European police mission is contributing to the EU's foreign policy objectives in Afghanistan. From what we have been hearing from you, the foreign policy objectives of the EU in Afghanistan seem to be fairly unrealistic, to be honest. They are: creating a stable Afghan state, protection of human rights, security, development and economic growth. We are looking at this relatively narrow project of the European Union police mission in Afghanistan almost in isolation. From what you have been saying to us, the general situation is so dire that many of these technical issues which we have been concerned with are really very secondary. Maybe we need to look again at our objectives in Afghanistan. Having listened to you, this is the conclusion that I have come to, and I wonder if I have got it all wrong.

Fatima Ayub: One of two things will have to be revised: either the timetables for international engagement in Afghanistan—I do not just mean on a military level; I mean on a development level—or the expectations. To expect that you will have a stable and democratic Afghan state, fully functioning with efficient ministries, economic growth and all the rest of it in five or 10 years' time was never wise to begin with, but that was essentially the mindset with which the international community, certainly the US, set out in Afghanistan. There were plenty of people who contested that view and said that you cannot force this process and that you need to prepare for it

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adequately in terms of time and resources. I do not want to leave this Committee with the impression that nothing can be done in Afghanistan. It is a very dangerous mindset—one that is becoming a bit more prevalent in many places—that that country is just a basket case, we do not understand what is going on there, it was mismanaged from the get-go and there is very little that can be done to reverse it. That is not by any means the impression that I want to leave you with.

Q23 Lord Radice: So what is the impression you want to leave us with?

Fatima Ayub: It is important to be serious about the context in Afghanistan, about how serious the insecurity and the instability are, about how difficult it will be to reform the Afghan Government and how time-consuming and sensitive it will be to ensure that there is a stable peace settlement in Afghanistan. These are serious questions. That is not to say that they cannot be done, but almost from the get-go, from 2002 onwards, there was a studied lack of political will when it came to dealing with difficult issues in Afghanistan. The impression I would like to leave you with is that, yes, there are challenges, but there are things that can be done on the part of the international community and on the part of the Afghan Government to make a difference. On an optimistic day, that is what I will tell you. Again, looking at the strategic vision, I think there is nothing wrong with it. What the EU has articulated that it wants from Afghanistan is what most Afghans want, but you are looking at maybe 50 years rather than five. The military engagement will not last that long but, coming back to the point I was making earlier, the way in which the international community, NATO and ISAF manage the withdrawal of international forces will make all the difference in the world to whether you can stabilise Afghanistan enough so that development activity can continue or whether you leave it in such a way that you create civil war. The entire difference lies in that.

Q24 Lord Radice: Sorry, can I just be certain? What you are saying is that the peace settlement is key to this? The peace negotiations?

Fatima Ayub: Yes, I think that is fair to say.

Q25 Lord Radice: Are you saying that those should start pretty soon?

Fatima Ayub: Yes. I think it is essential to look for a comprehensive settlement in Afghanistan, which will not emerge overnight—it will not happen at a nice conference in Bonn, for example. It will probably take at least a year or two to get to a high-level settlement, and it needs to be one that is just and fair and takes into account the views of Afghans themselves, who are notoriously absent from most of

these conversations. Really, at this point, what happens in the future will rest on that. I do not think that we can avoid the broader question of what will happen in Afghanistan in five years and still talk about what will happen to the police, what will happen to education and so on.

Q26 Lord Radice: Are you also saying that any settlement has to involve the Afghans and the neighbours of Afghanistan, in particular Pakistan and India?

Fatima Ayub: Yes, I think it is widely acknowledged that it will not just be a settlement in terms of the Afghan Government and the insurgent groups, but also in the interests of Afghanistan's neighbours.

Q27 Lord Williams of Elvel: You said that in your view the police did not have a role in trying to enforce the rule of law. Does this mean, in your view, that EUPOL is not actually fulfilling its mandate at all?

Fatima Ayub: I think this question is better answered by looking at the spectrum of issues around security sector reform. I do not want to spend too much time looking at this issue, but, for example, you can train the best police in the world but it will not matter if you do not have a judiciary that can prosecute crimes. You can have the best police force in the world but it will not matter if they cannot actually arrest high-level government officials for crimes that they are committing or for corruption, or what have you. Taking a holistic view, I think that the critical failure for EUPOL, and for security sector reform as a whole, is that there has been an inability to look at these issues all together. In holding out hope for a more stable political environment, if you can develop the vision that we will develop the police and the judiciary and we will develop the intelligence services and the capacity of the courts and so on, side by side, that will make more of a difference. Again, that is a longer-term process; it cannot be forced within a week or a month or a year. EUPOL's explicit objectives are in playing a role in co-ordination and cohesion of the various police, training and reform efforts going on in supporting the rule of law. They are falling short on those efforts, and we should not avoid the fact that much of that has to do with the way in which the US also manages police reform, which is, "We have the money, we have more money than you do, so we will give it to whoever we wish and we will structure the training however we wish to suit our military vision in some way". There needs to be a consensus between the major international stakeholders about what reform of the security sector should look like.

Q28 Lord Williams of Elvel: Do you think that the EU itself has a coherent strategy for the justice sector?

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Fatima Ayub: I will come back to you on that question. I will just say that justice sector reform was the most neglected area of the international effort from 2002 onwards, so it is still trying to play catch-up. I suspect that if we were to delve into the EU's support of the justice sector we would find pretty much the same picture.

Q29 The Chairman: Just a variation on this question: when you look at the figures which you allude to yourself, the American effort absolutely swamps the European effort in the area of policing. In some of the literature that you look at, you can see that the liaison between the two is very difficult because of the Turkish position, which is always a problem between the EU and NATO-led operations. So there is little communication and I understand that the United States forces almost will not protect EUPOL because they just see it almost as an irrelevance and so small that, in the more difficult areas of the country, they are not willing to risk their own armed forces to protect EUPOL operations. Does EUPOL actually figure on anybody's radar? It does on ours because we are European and we have UK nationals out there doing quite dangerous jobs in reality, but do the Afghan Government and the American armed forces notice that we are there?

Fatima Ayub: I met Lieutenant-General Caldwell, who is the head of NTMA, a few months back, and their concern in terms of the EUPOL playing a more serious role has to do with capacity and staffing. At the last check, I think that EUPOL has easily 100 positions open around the country. This is a problem; why can't there be adequate staffing? The staffing issue is a problem across the international agencies.

Q30 The Chairman: Is that seen by the real powers in Afghanistan, the people that really run Afghanistan, apart from, you could say, the Taliban or the local law lords? I mean warlords. I wish they were law lords; that might be slightly better. Does it figure at all in anyone's equation? Or is it just seen that, "The EU is doing a bit of good and let them get on with it, but we'll get on with real life ourselves"? That is what I am trying to understand.

Fatima Ayub: I mentioned that the co-ordination between NTMA and EUPOL suggests that there is an expectation that EUPOL will undertake longer-term training for Afghan police who undergo basic training at NTMA, but I think, given the size of EUPOL, that that is not really going to happen at a nationwide level. We should not undersell what the EU can contribute; certainly the Germans tried to put a lot of effort into the longer-term thinking behind police reform and police training.

Q31 The Chairman: What you are saying, in a way, is that in some ways the quality issues were better in the EU side but the capacity was not actually anywhere near what it needed to be to punch its weight.

Fatima Ayub: Just to be blunt here, the goal is to increase the size of the police force; it is not to ensure that the police are actually fulfilling the job of police. Increasing the size is what NTMA is pushing for, and Caldwell has a pretty specific mandate to get the force up to 135,000 by 2014. That is what he has been tasked with, and that is what I think he is going to do. Again, this is a political question, a policy question: who is going to challenge that view of police training? Is the EU challenging it in a vocal enough way? I suspect not.

The Chairman: We have pretty well covered questions 8 and 9, as Lord Jopling reminds me.

Q32 Baroness Bonham-Carter of Yarnbury: Before I get on to my actual question, you just mentioned 100 positions not filled. Are those European positions?

Fatima Ayub: Yes

Baroness Bonham-Carter of Yarnbury: That is a lot.

Fatima Ayub: It is a lot.

Q33 Baroness Bonham-Carter of Yarnbury: Why do you think that is?

Fatima Ayub: I think people do not want to go to Afghanistan.

Q34 Lord Radice: Before you leave that point, how many positions are we filling?

The Chairman: I think, to be honest, we will come on to that next week. I know some of the background to this, and perhaps it is not quite as straightforward as people not wanting to go out. There are a number of other issues as well, and this is probably better dealt with next week.

Q35 Baroness Bonham-Carter of Yarnbury: Sorry. Getting on to my main question, then, how do you assess EUPOL's relationship with the Afghan Government? There was a good relationship, wasn't there, with the previous Interior Minister. I know he has now been replaced by General Bismillah Khan. How has this affected things?

Fatima Ayub: I think there was somewhat too much of an optimistic view taken of Hanif Atmar, the previous Minister of the Interior. Again, just by the sheer size and scale of the US training effort, that relationship takes priority for the Afghan Government. The people that they are trying to please are the Americans.

Q36 Baroness Bonham-Carter of Yarnbury: What about at regional level? You mentioned the dominant role of President Karzai's brother, but in the same

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area there is a pretty good governor, isn't there—Governor Mangal, am I right?

Fatima Ayub: Governor Mangal is in Helmand.

Q37 Baroness Bonham-Carter of Yarnbury: To what degree does EUPOL have relationships through the governors?

Fatima Ayub: You need the good co-operation of the governors of the provinces to be able to do your work well. I am trying to answer this question in a meaningful way. I do not think those relationships are as important for the Afghan Government as their relationship with the Americans. The Americans have created that environment. There has not necessarily been an ideal environment of co-operation. Again, if you are not playing the same role, how do you at least play complementary roles? I do not know that that happens at local level, but I would not be best placed to comment.

Q38 Baroness Bonham-Carter of Yarnbury: Finally, what is EUPOL's relationship with other international actors on the Afghan scene, such as private security contractors? It may be, again, that that is not your area.

Fatima Ayub: I do want to say something about this, because it is very serious. It is an issue that I fear will come back to haunt this sector if we do not pay attention to it. Since 2006-07, there has been a fairly serious push to arm and equip informal policing forces in Afghanistan. I do not know to what extent the committee is following that trend. It manifests itself under a variety of different names, sometimes called the national auxiliary police, sometimes the public protection programme, sometimes the public protection force, the local defence initiative, the village stability initiative or the Afghan local police. These are variations on a theme, but it basically boils down to: if we cannot train people, if we cannot get them to training centres, we can go out there, pay them, give them money and weapons, and have them act as informal policing forces.

Q39 Baroness Bonham-Carter of Yarnbury: Who is doing this?

Fatima Ayub: Right now, it is largely the American Special Forces, but there is a push to expand the programme across the whole country. The funds for these militias come from the PRTs. So whatever national PRT is managing the province will be paying out to these militias. I cannot stress enough that this is a very destructive trend. It is competing with the legitimate forces and institutions that you are trying to create in parallel. The legacy of these kinds of militia across the country is not good. We saw what happened in the aftermath of war with Soviet Russia, for example, when there was exactly the same idea:

arm informal groups and factions to fight a guerrilla war against the occupation. Subsequently, those groups turned on each other and started vying for control of the country. How this lesson is not self-evident I do not know, but in any case here we are. That trend needs to be taken very seriously. I am talking about thousands of people, not a couple of hundred. The people who were empowered under these informal policing structures have been threatening voters in the course of the recent parliamentary elections and attacking polling stations. That is just one example. We need to be careful about what kind of precedent we set on that in Pakistan. If the EU wants to challenge something more vocally in that respect, I am sure that it would be welcome. Afghans are terrified, because these militia operate with no accountability to anyone.

Q40 Baroness Bonham-Carter of Yarnbury: Can I just ask one supplementary question? You were talking about recruitment and the fact there seems to be a drive to achieve a certain target number. To what degree is there a problem with recruitment in that Afghan police are targets? To what degree is there intimidation among Afghans not to do this job?

Fatima Ayub: I think there is less an issue of intimidation and more an issue that Afghans are very clearly seeing that the police are the front line against the insurgency, and that police are dying at a much faster rate than army or coalition forces, or whoever. That in part accounts for the attrition rate that you see for the police forces. I don't think there is enough money in the world that you could pay someone to say, "You will probably be killed doing this job, especially if you are in one of the more dangerous provinces". It is not even just the police. I want to highlight this trend because it is very important. In certain provinces where the insurgency is very strong, any affiliation with the Government or any word of support—it does not even have to be active, so you do not actually have to have police officers or other government officials sitting in the area—is walking around with a target on your back. Even people who are not necessarily upholding the more illegitimate practices of the Government, people who are genuinely concerned about their communities or provinces, have a right to be frightened. We saw, most recently, a governor killed. That is one of the highest level targets that the Taliban have got in a while. It is very serious. In Kandahar, this year alone hundreds of tribal elders have been assassinated for not wanting to affiliate themselves with the insurgency or indeed with the government.

The Chairman: Okay, I have a couple of quick supplementaries. On that side, shall we have Lord Sewel, then Lord Selkirk, briefly?

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Q41 Lord Sewel: I wonder what your judgment is of the Ministry of Interior. Surely, some say that it is just a centre of corruption itself.

Fatima Ayub: I do not think it is fair to say that it is a centre of corruption. Probably, all of the Government Ministries suffer from the same levels of endemic corruption that follow from a lack of accountability for what is done with money. It is just easier to do it if you have guns. Again, it comes back to this question of quality control. Can you set up an ombudsman to look at what happens to funding in the Ministries? Will there be, for example, the creation of a police commissioner to look at it, so that you have someone apart from the Minister of the Interior controlling who is hiring, firing, et cetera, so that it does not become a political decision because the Minister himself is obviously very close to the President. Those are the kind of structural changes that you need to look at for the Ministry of Interior.

Q42 Lord Sewel: What would you hazard would be the life expectancy of anybody doing that job?

Fatima Ayub: If they were in Kabul, I think they would be okay. Do not send them to Kandahar—but again, it has to be taken seriously as a broader part of reform. It cannot be a one-off effort: “Well, we’ll hire this guy and maybe he’ll fix the problem for us”. It really has to be taken as a systemic issue.

Q43 Lord Selkirk of Douglas: Do you think there will or should be greater co-operation between the Afghan police and the Afghan army? I had in mind such episodes as the mass jail breakout in Lashkar Gah. There are mass breakouts periodically. Also, after withdrawal, do you foresee police training as a continuing problem for many years to come? Finally, when you mentioned quality control mechanisms, is lack of literacy a problem?

The Chairman: Can we go for a couple of sentences on each of those?

Fatima Ayub: I am sorry: can I have the first part of the question again?

Lord Selkirk of Douglas: On greater co-operation between police and army.

Fatima Ayub: I think that would be a challenge at best. In terms of sharing information and intelligence, I am not sure to what extent that co-operation already happens. I know that in Helmand, for example, UK forces who are operating there and serving as mentors for the army are certainly encouraging more co-operation. I am sure that can only be a good thing, especially because even if you have a peace settlement in Afghanistan pockets of insurgency will continue to exist, so you will need good levels of information-sharing and intelligence-sharing. I am not really going to comment so extensively on that. I am sorry, I am losing my train of thought; what was the second question?

Lord Selkirk of Douglas: Training after withdrawal.

Fatima Ayub: Again, I do not think there is something particularly strange or weird about Afghanistan that has made so many problems so obvious. There is a kind of fatalistic way of looking at Afghanistan, as if, “There’s something about those people. They don’t like government, or centralised government”, or whatever the problem is. I do not think that that is the way to look at this issue. There is a need to recognise the mistakes that were made and to address them, and to do so in a longer-term timeframe. You can train policemen in Afghanistan, it is no miracle, but the question is whether you are first going to invest time in teaching them to read and then actually to do the work of policing rather than acting as cannon fodder for the insurgency.

Q44 The Chairman: We have a general sweeping-up question, but we have covered this broadly. I am going to challenge you with one other question that I want to address briefly, so let me put it first. I begin with a factual query. Is 100% of the Afghan national police force male?

Fatima Ayub: No.

Q45 The Chairman: Could you tell us a little bit about that dimension? Clearly, the values of the European Union are those of equality of human rights and gender issues. Regarding Afghanistan, we always say that violence is a male issue and never think much about female issues except maybe in terms of education and the Taliban. Is there something we should keep in mind in this context?

Fatima Ayub: NTMA and EUPOL are both aware of the need to train women police for more reasons than just gender balance. In a place like Afghanistan where there are gender-specific crimes—domestic violence, rape and so on—you are probably going to need women to investigate them. There is an awareness of that dimension. Recently, the NTMA training programme graduated the first set of female police lieutenants, so there is clearly an awareness of the need for women within the police structure. But, again, I think that that is a secondary question when we look at the bigger picture and at what is essential. However, people are aware of the need to train female police.

Q46 The Chairman: That is fine. My final challenge, after having gone through this for an hour and ten minutes, is to put it that if we walk away from this meeting, we would risk doing what you have asked us not to do, which is to say, “I will go to the Foreign Minister, the Ministry of Defence and the Commission and say, ‘Let’s give up on this. I do not want my A-team UK nationals out there doing something impossible, and by the way, the Afghan nationals we are training are equally important and

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are likely to be targets, so why are we putting them in that role?"'. Could you to summarise why we should not come to that conclusion and list three simple recommendations to try to put the ship on the right course in the short term? We know that this is a long-term issue and that there has been far too much short-termism, but what are the first steps down the road?

Fatima Ayub: Okay, fear not, help is at hand—maybe optimistically. What I would stress in summary is that the answer to the problems in Afghanistan is not to turn tail and run. After eight years, at a minimum if nothing else, we have to recognise the sacrifices that have been made here and those that have been made by the Afghan people. We also have to recognise that a better future is possible. There is not something that condemns Afghanistan eternally to war and violence. I would put that front and centre. The second part is that you have to think again about what you want Afghanistan to look like in five or 10 years' time and then think of a way of getting there. Again, I stress that what is crucial to this is whether there is a comprehensive and just settlement. Here I emphasise the "just" part—just peace throughout Afghanistan. That will enable an environment for more stable state building to continue, which is critical. Because this is about police reform and EUPOL, I would like to make my recommendations in the section specific to that. We come back again to the issue of a shared strategic vision. If the EU is, rightly, out to train police who will do the job of policing, but it is fighting against a wave of American political thinking that says, "No, train as many as possible and get them into the field so that they can help us fight the insurgency", it will never be able to develop a proper police force. There is an imminent need to develop a shared strategic vision between the major international stakeholders regarding that focus on police reform. The second is, as I mentioned, do not treat police reform as an issue in isolation; see it as part of the broader issues around security sector reform. Do pay corresponding attention to the justice sector. Ensure that police are being trained to gather evidence and investigate crimes, and that when they go to present evidence in a court they know how to do so. Teach them to do the job of policing in a more comprehensive way. The next important thing, which I have repeated a few times, is to prioritise quality

over quantity. This is the single most important thing that will matter for police reform. Ensure that there are fair pay skills within the police; ensure that the promotion process is clear and transparent; institute a vetting process to remove people who are problematic; and ensure that this takes place throughout the entire structure of the police. As a last point, ensure that it is fiscally sustainable. The Afghan Government has a fairly limited budget and 93% of its budget comes from aid. The way in which the security sector is currently being developed will demand at least 30% of Afghanistan's GDP, if you calculate that the security forces need to be fully operational in five years' time. That is not sustainable. Fair thought needs to be given to that. Taken together, those issues are not inconsiderable challenges, but there are real solutions. We have to move to a framework where there is better co-operation, not just in rhetoric but in practice. But all of this will hinge on the question of what Afghanistan will look like in five years' time and whether we can facilitate a better future in that way.

Q47 The Chairman: The other issue that you stressed is the way of setting up these private police forces.

Fatima Ayub: Do not fund informal militias or informal police forces.

The Chairman: Thank you very much indeed for having put so much energy, work and knowledge into the session. It is easy for us just to ask the questions and there are eight or nine of us and one of you. Thank you for giving us your expertise and your experience. As I said, we will send you a transcript of this session; if we have recorded it inaccurately in any way, please let us know. If there is any further information that you would like to provide us with, we would welcome that. We do not take pre-published evidence or things that have already been published into evidence, but if there are further things that you want to record, please do that. I thank you for starting our sessions on Afghanistan policing and security in a very provocative manner, in terms of the issues that we now have to tackle and the solutions that we have to come up with.

Fatima Ayub: Thank you for having me. I would like to stress again that the picture is serious but not hopeless, and it should be treated as such. Thank you again.

THURSDAY 21 OCTOBER 2010

Present	Lord Sewel (in Chair)	Lord Lamont of Lerwick
	Baroness Bonham-Carter of Yarnbury	Lord Radice
	Lord Inge	Lord Selkirk of Douglas
	Lord Jones	Lord Trimble
	Lord Jopling	Lord Williams of Elvel

Examination of Witness

Witness: CHIEF SUPERINTENDENT NIGEL THOMAS, [Former Interim Head of the EU's Afghan Police Mission].

Q48 The Chairman: Thank you very much indeed for finding time to come and help us with this inquiry. We are at a relatively early stage in it, so it is particularly valuable to us to be able to hear what you have to say. So, thank you very much.

Nigel Thomas: My Lord Chairman, thank you very much for the invite and I am delighted to be here.

The Chairman: I have to go over this—the formal bit. This is a formal evidence-taking session of the Select Committee. There will be a transcript; that will be made available to you and you can correct any errors that have crept in. It is being webcast; that does mean theoretically that somebody could be listening—some poor soul. We have never had any evidence that that is the case, but it is a theoretical possibility. Would you like to start with a brief opening statement explaining, perhaps, who you are and your background?

Nigel Thomas: No problem. Obviously, my name is Nigel Thomas. I have been a UK police officer for 26 and a half years now. I have performed a number of senior roles within my force and worked on various things at national level. Two years ago I decided to make a big change in terms of what I wanted to contribute to policing and went out to Afghanistan, originally performing a mentoring role to the Deputy Minister of the Interior, effectively the Police Minister for Afghanistan, and the Minister of the Interior, because of how the role functioned. Subsequently I performed three other roles moving up the Mission, until ultimately leaving having performed the role of Head of Mission. I think that gave me a very good insight, initially spending every day for six months at the Ministry of the Interior. I had the opportunity of attending all the meetings that the Minister and Deputy Minister would undertake in relation to policing and seeing how the Ministry operated at a national level in terms of development of the Afghan National Police and peripheral issues. I then moved into more of the operational end of running the Mission, which involved much more travel around the country and actually seeing the ANP in an operational context on the ground. So, I think all

in all it gave me a good strategic picture of how they were operating at Government level and the operational realities of what was happening in the ANP out on the ground and how we, as an organisation to develop civilian policing, could operate and contribute to that context. So, I think in a nutshell that would be my opening summary.

Q49 The Chairman: We will follow up most of that in the course of the questions. Thank you very much. I wonder if I could start with a general question: can you tell us why the EU Police Mission is there, what it is doing and has it been successful?

Nigel Thomas: Okay. I think I would probably start off by saying—and there is no secret to this—that the Mission had some very difficult times in its early few years and I think there were a number of factors in relation to that. I joined the Mission at the time a new Head of Mission went out there with a clear remit to project the Mission forward and start delivering some tangible outcomes in terms of the civilian policing piece. Perhaps a little naively, from my own perspective, walking into the Ministry of the Interior on my first day and expecting to go and see the Deputy Minister and start to provide civilian policing advice, I thought I would be the only one there sitting alongside him. There are a plethora of other organisations and, indeed, there were seven organisations mentoring within the Ministry of the Interior, all with a slightly different scope on what they wanted to achieve. We sat down as a senior management team in the Mission and it was clear our role was to develop the civilian policing element. That was our strategy from the outset and that is what we developed over an 18-month period, and I think we were pretty successful. A lot of it involved politicking with the military, the international forces—because of the size, the budget that they held there—and trying to impress on them the importance of this word, ‘transition’, which they constantly used, by saying, ‘Well, what are you going to transition to?’ You have to implement a civilian policing model that will work for Afghanistan alongside your counter-insurgency strategy, because

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when you pull out in 18 months/two years/three years, you cannot just leave a void. You have to have done the training, developed the leadership, given all that support. Over that period of time we came to an agreement of what the EUPOL footprint would be; we started developing programmes of activity and it was really encouraging times, but that does not happen overnight and I think the expectation sometimes on the Mission is, 'Deliver this by tomorrow,' and certainly the military timelines were very different from our timelines in terms of how you culturally change an organisation at a national level, which is not an overnight thing to achieve.

Q50 The Chairman: When I have been to Afghanistan, the comment I have often heard is that the Afghan police force are part of the problem rather than part of the solution.

Nigel Thomas: I think culturally and how they have been structured, and really largely ignored at the expense of the Afghan National Army, inevitably there were going to be problems. There are, and we can be quite candid and open and honest because they recognise them themselves. I think from my experiences, there are a lot of people within that organisation who do have a desire to serve the community and develop a civilian policing context. Within that, we need to develop systems, structures, processes and leadership skills that will eradicate those problems. Clearly, there are people within that organisation who have to be removed to make it successful.

Q51 The Chairman: I think we will look in detail at some of the problems as we go through the questions, but just a definitional point: when you talk about a 'civilian policing role', is that the policing role that perhaps we are familiar with in this country or is it a different role?

Nigel Thomas: I think there has to be a compromise because of the security situation and the context that they are operating in out there, but historically they have become resented by the public, not accepted by the public, and that will fundamentally have to change. There is a complete lack of investigation of crimes; we know that there are corruption issues; they have a lack of capability around even the most basic forensic and investigation techniques; they do not interface with the public, allowing the public to access or report crimes or issues; they generally don't patrol. The way they are trained at the moment is in a security context: manning checkpoints and basically a static guard force rather than a police force that is accessible to the public, who will investigate crimes and carry out basic, fundamental policing processes using intelligence and information to manage their activity, which they simply don't do at the moment.

Q52 Lord Radice: You said there were clearly people who had to be removed. What did you mean by that and who are you talking about?

Nigel Thomas: From the top to the bottom of the organisation, corruption is a problem. That is accepted out there. There are considerable moves to start developing an anti-corruption strategy, which EUPOL were heavily involved with and have driven forward in terms of identifying individuals who are corrupt and putting them through the legal process. Now, obviously, with the immaturity of the legal system out there, that's a challenge in its own right, but that has started to happen. At the bottom level, there are checkpoints being conducted where money is extorted from the public. At the top levels there is money being skimmed off through various means and guises, as well as other corrupt activities linked into the criminal fraternity. So, there are good people there carrying out good work, and indeed the Inspector-General's department within the MOI, as part of the anti-corruption strategy, has set up covert anti-corruption teams with support from EUPOL, CSTC-A and bilaterally from the UK to start investigating these people, arresting them and getting them removed from the organisation. It's a big, long challenge, but you have to start somewhere.

Q53 Lord Jopling: You have given us helpful and interesting information about the background. Could you tell us how well EUPOL gets on with some of the other organisations that it has to deal with, for instance, the International Police Coordination Board Secretariat? What are the relations with the United States' presence and with ISAF? Could you tell us how EUPOL gets on with the regional command teams and with the provincial reconstruction teams, and also with the UN Assistance Mission in Afghanistan? There are a lot of questions there, but I think it would be helpful if you could briefly tell us how good or bad the relations are with those other organisations that are operating in Afghanistan.

Nigel Thomas: Okay. As I said in my opening statement, one of the critical issues for us was to identify EUPOL's footprint within Afghanistan. There is no secret that CSTC-A, and now CSTC-A NTM-A since NTM-A came into the country, hold the big purse strings. They have the majority of resources out in the country and they were driving forward a lot of the reform within the police through the Ministerial Development Board, and we realised you have to build that collaboration and co-operation, and get them to understand the benefits of getting our civilian policing expertise running alongside their own programmes of activity. We invested our time and commitment heavily in that and, ultimately, became co-chairs of that Ministerial Development Board. Within that we sorted out agreements to develop the

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civilian police, the CID—the traditional policing things where our expertise comes forward. I can remember my first days in Kabul, where the interaction was negligible at that time. The relationships have developed significantly, but they required constant investment. Some of the challenges with that relate to the military pace of life, the expectations around their timelines and not necessarily aligned to how you change an organisation in terms of policing. Often, if things did not fit their timeline—if you were not there to explain, to deal with the issues and to manage those expectations—there is a danger of being left behind and marginalised. That was constantly the threat out there in terms of our activity with that. So, I would say invariably there was recognition of what EUPOL could deliver in terms of developing this transitional piece. However, we all know that given EUPOL's size and budget there were challenges in terms of how big that footprint could be and where we could best get the leverage from that limited resource that we had out there. The IPCB situation improved while I was out there. One of the challenges with the police coordination is that there are many interested parties contributing to the overall picture. As I left, one of the big issues was getting the Afghans to engage more in the process and lead on it, and start taking that away. So, there was a move to look with CSTC-A, with the IPCB, with the Ministry of the Interior and all the bilateral activity, at starting to further gel that co-ordination activity. It had a bit of a way to go, but the IPCB was much maligned when I got there. I think it improved in its coherence as time went on, but again, getting the Afghans at times to take ownership has been a challenge because they were often—frequently and probably consistently for many years, with the budgets and resources that were available from the international community—quite happy to sit in the background and let everything be pushed for them rather than grasping it and pushing it forward themselves and taking ownership for a lot of the issues.

Q54 The Chairman: The activities of EUPOL are pretty much focused on Kabul, aren't they? Is there a great deal of activity at the provincial level with the provincial government?

Nigel Thomas: When I started out in the Mission we were based in Kabul and 17 provinces out of 34. In those 17 provinces there was quite a difference in the resource levels that were placed there and there were various reasons for that. I subsequently wrote a paper, which was accepted in part, about rationalising the PRTs. We were located in 17, but if you had two people in a particular location, you had the rotation for leave, you had all the security issues in terms of being able to move, and what they were delivering was probably marginal. I felt that at times it was hindering

the image of the Mission because the military could move at will, could do things and having two people there would have a negative impact on how the Mission was viewed. So, we rationalised down to 13 locations—in my view still too many. If you have five people in a location, with leave rotations and security issues, while they can deliver some things, the viability of what they can deliver is limited. I think the Mission should focus on some of the successes like the city policing projects, which took packages of going into locations and developing a policing model with sufficient resources, and supporting that through training and mentoring. That is where you are going to enable the change to happen, but you need a critical mass of staff to enable that to happen.

Q55 Lord Jopling: May we see the paper, please?

Nigel Thomas: You can, yes. I will have to ask the Mission to send it to me, but certainly. It was a paper that went through CPCC and PSC in Brussels, so it is fully available.

Lord Jopling: Thank you very much.

Q56 Lord Lamont of Lerwick: Thank you very much for coming. Our previous witness said that the Afghan police are primarily being trained by the US as a counter-insurgency force rather than a body delivering community policing and resolving crime issues. Do you think that is right? Secondly, I think you touched on this, do NATO and the US take any notice of EUPOL? Lastly, has the Mission been able to influence the Afghan Government to reform the way in which the police are recruited and run?

Nigel Thomas: Could you just repeat the first part of the question please?

Lord Lamont of Lerwick: Yes, I'm sorry. It was—

The Chairman: Our questions tend to be essays.

Lord Lamont of Lerwick: But for once it's not the fault of the Member. The first part was whether the police are being trained as a counter-insurgency force. That was the first one.

Nigel Thomas: Okay. In answer to that question, I think the training varies. Ostensibly you have four key elements to the police out there. You have the ANCO, which is the Afghan National Civil Order Police, the Afghan Border Police. They are primarily being trained as paramilitary police. No question of it—they are fighting forces very closely aligned to counter-insurgency operations. EUPOL have deliberately stepped back from any close involvement in that because it is not where our expertise is. You then have the Afghan Uniformed Civilian Police and the Afghan Anti-Crime Police, which is basically the criminal investigation functions that EUPOL have taken the lead on in terms of the civilian piece. The basic police training though has been shrunk from eight weeks to six weeks, and basically the eight weeks was deemed to be too long because it was taking too

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long to get people out on the ground. There is this big drive to get numbers and feet out on the ground. Anybody who has a police training background would know that six weeks is not sufficient to train a police officer. Beyond that, the big issue is they are being trained in survival skills. 95 per cent of what they get within that six-week training programme is survival skills. It is being able to go out, defend a checkpoint, defend themselves, use their weapons, understand some basic military tactics. They are not being trained to be civilian police officers. EUPOL's role within that obviously is to look at opportunities where we can develop the civilian policing context post that initial training. Within the city police projects, that subsequent training—designed to give them basic police intelligence-gathering skills, basic police command and control skills, basic police investigation skills—is the model that we can work on if we have this critical mass in certain locations. There needs to be a link into the military in terms of the ISAF forces out on the ground in terms of their police mentoring team and their POMLTs because they are going out on the ground to mentor as well. This is where some of the problems arise in terms of the lack of synergy at the top strategic levels of understanding how each organisation fits into that process. That is missing. We did a lot of work with the military in terms of how the POMLTs were being deployed, giving them our programmes of activity around mentoring basic police skills, but it is a critical problem out there, because the vast majority of the mentors out there are military with a military background and not a policing background. So, you have this dilemma that a lot of the police officers at a middle and senior level are being mentored by military personnel without a policing background, and there is a lack of understanding of how to deliver those policing elements. That is why, for me, EUPOL's role in finding that fit within the country is absolutely critical to develop those skills and those basic policing concepts. In terms of the Government, yes, I think quite categorically, Minister Atmar before he left signed up to EUPOL taking the lead on the anti-crime police development and the civilian police development. He asked for a strategic review and proposals for implementation of plans, which both have been delivered by the Mission. Some of the tensions there are what we would want to happen as a civilian policing organisation and what the military want to happen in terms of the security situation. Then you start getting into a bit of conflict around the implementation, and those were some of the issues that we were wrestling with when I departed the Mission a month and a half ago.

Q57 Baroness Bonham-Carter of Yarnbury: You mentioned that training was reduced from eight weeks to six weeks because of the desire to hit

numbers. In evidence last week we were told that there was an aim to build up from 72,000 to 135,000 by 2014 and there was a suggestion, maybe, that quantity was the target rather than quality of police recruits. I just wondered if you had a view on that.

Nigel Thomas: I do. I have a slight contention with the figures. When I came out of the Mission in August, I think the national figures, on paper, were 96,000. The target was to reach 111,000 by October this year and 134,000 by October next year. Now, the reality of that on the ground is in terms of the attrition rates that are being suffered. ANCOP, as what was seen as the prime policing element out there, at one point earlier this year was suffering a 75 per cent attrition rate; for every four people they recruited, three were leaving. So, when you look at the numbers under the surface of retaining and training, reaching those targets will be very, very difficult. That is probably the polite way of saying it. Of course, within that, what are you going to get at the end of it after six weeks' training? It depends province to province about the illiteracy rate, but as a general level it is about 70 per cent. Although if you went somewhere like Bamyan, which is quite a unique area, it is as low as 11 per cent, but you are working between—

Q58 The Chairman: Sorry, is the literacy rate 70 per cent or is that the illiteracy rate?

Nigel Thomas: Illiteracy. So, 70 per cent of your police will be illiterate. You will have potentially an underlying drugs problem depending on where you are in the country. That creates all sorts of problems in developing the organisation, and this is why any development of a civilian police force must align, in my view, to other non-governmental organisation activity around developing the literacy skills that will enable them to operate in the barest context really, because we are talking of a very base country here in terms of what they have in infrastructure, skills, etc.

Q59 Lord Jones: Is it possible to ask at this point, please, what sort of payment are these men and women obtaining and what bearing does it have on the retention level and how does it compare with payment, say, in other activities in daily life?

Nigel Thomas: Okay. When I first started out in 2008 the monthly wage was \$80 for a basic patrolman. There has been a continual rise in the wages to try and stop the attrition problem, and I think the figures for ANCOP, who had a slightly elevated rate of pay anyway because they were being deployed into very dangerous areas in a high-risk environment, I believe had gone up to \$220 a month by the time I left. So, it was a massive increase over 18 months to two years. It did not necessarily stop the attrition problem, though, because there were a lot of other cultural influences that were not taken into consideration. As an example, if you recruited Tajiks up in the north and put them

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into the police, their expectation might be that they would be policing their own community, and when they found themselves being posted down to Marjah and fighting in Pashtun heartlands, it didn't take long for them to think, 'This is not what I want to be doing,' and of course you hit attrition problems then. So, there were a whole range of factors that had to be taken in and slowly the attrition rate started to improve once all those had been considered, but money is certainly not the be-all and end-all.

Q60 Lord Williams of Elvel: I don't quite understand how a policeman could operate if he cannot read or write. He can't report crimes; he can't read the newspaper; how can anybody be a policeman without literacy?

Lord Lamont of Lerwick: He can't read the number on his revolver either.

Lord Inge: His registration number.

Nigel Thomas: Of course that is a major issue. We looked at some critical things you have to do in terms of developing a civilian police force. You have to be able to take a report of a crime. You have to be able to potentially take a statement so the evidence is documented. You have to be able to fill in certain forms like an intelligence report or a crime report—whatever it might be. In the short term, critical roles have to have literate officers who can perform that function. So, if for example out on a checkpoint a vehicle is stopped, it might well be that the officer has to ring in to an intelligence officer and relay that information verbally, and the intelligence officer will be literate and will be able to write it down and process that information and intelligence. That is really the only route you can go at the moment, but it does cause huge difficulties. Therefore, our contention is that if you are a CID officer who is going out, taking a report of a crime, having to investigate it, taking evidence from people, it is critical that they are literate to enable them to do that. We had issues, and it still is an issue, that the military were taking all the best officers and all the literate officers into ANCOP and the border police, leaving all the illiterate officers, invariably, for the uniform police and CID where effectively, we would argue, they are needed more than they are as a paramilitary organisation. That is a big factor and a big hindrance in enabling them to develop. So, it goes back to the point: in the short term there are some basic, fundamental issues that can be implemented to make it work in a very basic context, but medium to long term it has to run alongside an education strategy as well.

Q61 Lord Williams of Elvel: Is there an education strategy that is working?

Nigel Thomas: Not that I have seen, I think is the best way to answer that.

Q62 Lord Trimble: I wanted just to focus further on this attrition rate, because if you are having a very high attrition rate then you are not going to get an effective force coming into existence. You have mentioned some of the factors that have led to this attrition rate and I also get the impression there are a lot of other factors that are causing the attrition. I wondered if you could go further on what are the causes of the attrition rate and how we then bear down on that.

Nigel Thomas: There are indeed many factors involved in the attrition and I think, initially, money was an issue. Cultural issues are an issue. The level of training in terms of their loyalty to the organisation is an issue. Whole factors within the police over there are just incomprehensible to a Western police service. There were no shift patterns. So, you would be expected to stand or go to a checkpoint for a week. There are examples where police officers would jump into a police ranger truck, six or seven of them, and they would drive along a road that potentially has been subject to numerous IED attacks. They would relieve six or seven colleagues at a checkpoint that had been there for a week dug in to a particular location, who would then drive the ranger truck back, and then be subject of frequent attacks from insurgents. That, for me, is not the role of a police officer and if I was put in their position, I don't know if I would want to stay there for too long either. So, we need to develop simple things like shift patterns and leave, allowing them to get back to their families. There are basic problems. They are provided three meals a day as part of their package—it is not just their wages, but they get three meals a day—but of course with some of the corruption, the money for the food was being skimmed away, they were ending up with either no food or very poor quality. It may well be that before some of the anti-corruption initiative issues were put in they were paid in cash, but the cash never got to them. They would then have to go out and run checkpoints on the roads to take money off the public. So, there are a whole range of factors, with very little welfare support for them and very little consideration about their own personal lives. They were just put in all those different positions, potentially with a lack of money. People are not going to stay in those circumstances, and there are cultural considerations, because family is very important out there.

The Chairman: It is all going remarkably well, isn't it?

Q63 Lord Inge: Thank you. I apologise for being late, my Lord Chairman. What you have said does not surprise me. Do you think your concerns, which are very real and very relevant, are understood by not only the Kabul Government but also by General Petraeus and others? General Petraeus will not succeed, or they won't succeed, without the police force playing a key part in that success story?

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Nigel Thomas: There is an understanding, and I think there is a desire to change. I think what is a struggle at the moment is trying to rationalise how this change takes place; how this transition process happens. For large parts of the country at the moment they are fighting a war; for other parts of the country, civilian policing is achievable. For me, you have to target those locations where you can start to embed new systems structures, which will then roll out across the country. As an example, I flew up to Kunduz in the north and spoke with the PRT commander. The day I was there, there was a big insurgent attack about four kilometres from the base, and as we were talking he was trying to manage the situation. The coalition forces had deployed; no Afghan National Army deployed, so of course they deployed the ANP, because of the circumstances, alongside the coalition forces. So, there is a dilemma there because they want to fight the insurgency but a big thing at the top level for me is there is a lack of clarity about the role of the police, the role of the army, the relationship between the MOD and the MOI and defining this, planning out that route and then implementing it. The danger is that things get implemented piecemeal based on personal relationships and operating in certain locations, rather than an overarching strategy. From a military perspective, everyone will talk out there of the value of EUPOL in the civilian policing context, but I think people are wrestling with how it fits into the picture and where it happens within the timescales, because our timescales would not fit in with the military timescales potentially.

Q64 Lord Inge: Can I follow that point? So when the top group meets—the people directing this campaign—are the head of police training and the head of the Afghan Police sitting among that group?
Nigel Thomas: There is dialogue and discussion, but I would not say there is one forum where that is regularly the case.

Q65 Lord Inge: In other words, I would expect him or her—more likely to be a him in Afghanistan—to be a regular attendee at these meetings.

Nigel Thomas: I would say there is dialogue that takes place, but there is not a formalised structure at that level.

Lord Inge: To me, that's very important.

The Chairman: That was 'yes', wasn't it?

Nigel Thomas: Yes.

The Chairman: It's okay. It's just that nods don't get into the transcript.

Q66 Lord Jones: When you took up your post, did you go there with other British police officers who worked to you? How in all of this did you cope with

your frustration with the professional problems that you encountered? How did you take a problem; how did you take a disagreement? To whom would you go? How did you cope, indeed?

Nigel Thomas: The first thing is I deployed out there on my own, although there were British police officers already deployed out there and they worked for me virtually from day one. It would probably be better to give an example. Going into the Ministry of the Interior, the CSTC-A mentor to the Minister did not like other organisations having access to the Minister without CSTC-A co-ordinating it. There were some very challenging issues for me as a mentor working within that environment. My first two months there were spent there trying to deal with this international partner issue rather than getting on with my day job of mentoring the Minister. It got resolved eventually, but those were some of the problems that the Mission was experiencing at that time because of how it was viewed. I think even for 12 months afterwards, with the rotation of the military being normally a 12-month period, there were a lot of legacy issues about how the Mission had previously been viewed that we were constantly trying to deal with and demonstrate that the Mission was moving forward in a different way now. That became accepted and we had a lot of support, but you would still get the sniping in the background and some of that was valid simply because the resource levels that we had could not match, and were never intended to match, what the military were doing.

Q67 Lord Jones: Has sufficient attention been paid by the EU and others to building up an effective judiciary in the country and combating corruption? The Committee is very interested in the scale and the nature of corruption. And there is a second question: what success has the Mission had in advising the Afghan Government with regard to constructing an evidence-based system of investigation with fair trials?

Nigel Thomas: Okay, the judiciary part of the question. It's improving; it is problematic though and of course in developing the police, EUPOL are and were heavily involved in developing the criminal investigation side of things, so working both at a provincial and district level developing basic investigative skills through to the national level Major Crime Taskforce. Whenever you get somebody to the point then that you are going to hand them over to the prosecutor, you could start to hit problems. So, you start to develop basic policing skills, basic investigative skills, basic evidence gathering that potentially gives you enough evidence to prosecute a case in court. However, the prosecutors in some districts are being paid as little as \$50 a month, so again they are rife with corruption because it is very easy to pay them off, and we know it happened. There were

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cases, when I was there, where it was clear that the prosecutors, or the family indeed through the prosecutors, had basically dropped the case and it would disappear off the radar. In terms of the structures that are being put in place, there are some excellent pieces of work going on bilaterally—EUPOL's involvement and the US—at a national level in developing some excellent processes involving the Major Crime Taskforce, who are your investigative arm, passing it into the judiciary, but it is having to be done in a sterile environment at the moment to avoid all of these corruption issues. But it is a model that is working and is moving forward. Again, there is a long way to go with it. I think I have touched on the corruption issues—that they are problematic, we know they have happened and there are cases that I have seen out there. When you talk about evidence-based investigations, it is basic. You cannot compare it to Western standards, but it is a starting point and they are starting to understand what they need to do in terms of documentation and processes of gathering evidence. One day I was in the Deputy Minister's office in the Ministry when there was a huge suicide bomb that killed a large number of people. I was privy to seeing the activity that went on in terms of the lack of command and control, and the lack of co-ordination—even the most basic coordination at what was a major crime scene. In a Western country that might have been sealed off for four or five days for examination and evidence-gathering, but none of that happened. We were asked to go and review it, which we did, and we found out that five different organisations had been to the scene, walked over it, no preservation. Each one of them had removed bits of evidence and taken it back to their organisation with absolutely no co-ordination. That was the start point that we were working with when we went in then and started working with the organised crime directorate at a national level—the Major Crimes Taskforce—at implementing basic evidence-gathering techniques, basic command and control at the scene to cordon it off, allowing only certain people in. It was starting from scratch, really, and that was how much the ANP had been ignored in the time that the international community had been out there.

Q68 Baroness Bonham-Carter of Yarnbury: I want to ask you about the operational challenges faced by EUPOL and I'm afraid I have rather a list here.

Nigel Thomas: I'll make a note then.

Baroness Bonham-Carter of Yarnbury: First of all, I want to ask about staffing levels. Again, last week we heard that there are 100 EUPOL positions open. I wondered if you could tell us why this is. About decision-making in Brussels: how timely they are and the co-ordination with Member States, and the communication between Brussels and the Head of Mission on the ground. Then the autonomy of the

Head of Mission on the ground and then budget issues and the level and type of equipment provided. That's probably enough.

Nigel Thomas: If we start off with staffing levels. The agreed staffing level for the Mission is 400. In my time there it never climbed above 300 and I believe at the moment it has dropped somewhere down to nearer 250. Putting the staffing level into context, which I think is important, while it is a policing mission, you have to differentiate that there are police officers, there are civilian rule of law experts and there is a whole logistical support element supporting the Mission. I would say the rough estimate for police officers on any consistent level was about 160 in the Mission at any one time. When you look back at my initial statement about deployment to 17 provinces, and bearing in mind a significant majority of those police officers were based in Kabul, when you do the mathematics then of taking a third off for a leave requirement you start looking at how thin the police officer element are on the ground. That is not to say that people operating at the right level with the right skills levels cannot make a big difference out there, because they can, and I firmly believe that. So, within that 100 shortfall, shall we say, there were a mixture of some police officers, some civilian rule of law experts and a few of the logistical support, but usually they were pretty much filled. Now, there is a variety of reasons why we could never get up to that 400 ceiling. Some of that was simply that the logistical infrastructure was not in place to deploy them. For example, you would have a PRT where on our deployment plan it would say, 'Right, we're deploying 15 people to this location,' but we only had two pieces of accommodation within that PRT, so you could only deploy two people there because neither the bed space nor the logistical support was there for them. There were also issues around national caveats, in that certain countries will only deploy officers to certain locations within the country. In places like Helmand for example, while not particularly a problem because of the UK's approach, only three countries will deploy staff there. That is indicative of a number of other locations around the country, and in certain cases the PRT will only allow people from that country to be deployed there. So, you had a whole range of different dynamics in terms of trying to manage getting the staff in but fitting them into various locations. Then we had difficulties around the rule of law experts because they are all civilians. As police officers, we are all armed when we go out, and in certain locations we could drive ourselves around, so we would go out without any need for military protection and we would drive ourselves around. The civilians could not because they were not armed, so they were reliant on either military protection or EUPOL officers protecting them. So again, they could not be deployed into certain provinces because of that

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lack of infrastructure. And of course there were budgetary issues and each member state had a level at which it was prepared to deploy. That was an impact as well. So, I think all those issues combined in terms of countries having bilateral activities going where police officers were deployed and they would deploy an element to EUPOL. It is an ongoing problem. We made a lot of effort in terms of visiting all the PRTs where there were shortfalls, and just before I left we got agreement in the last five locations to up the level of accommodation to what we required, so we will now see whether the Member States will start deploying people to those locations. That has started to happen and a few different countries are deploying. Decision making and Brussels: not good, would be my instant answer to that simply because the pace of change out in Afghanistan is phenomenal. You are on the ground, you are going to meetings. The military have the budget there on the ground, they have the decision-making capability on the ground and they can move forward virtually instantly. It might require a quick conference call with Washington or whatever it might be, but the reality is we would be asked, 'Right, EUPOL. Can you do this?' Now, if it is outside of the O Plan or our core strategic objectives or there were political issues involved with it, there was a requirement that the Head of Mission should liaise back with Brussels through CPCC and then into the political forums. It would get bogged down. Often you would put papers in very quickly; it would take weeks if not months, and sometimes you would get no reply at all and you have lost the moment then. That really does hamper the Head of Mission's autonomy on the ground and the ability to operate. I have to say, some of the impact of the decision making and the processes adopted in the CPCC really did hamper our ability to operate on the ground, and I know it was a frustration of the previous Head of Mission and certainly part of his decision to leave. I know it has been an issue in other missions as well, so it has to be resolved to enable things to operate effectively on the ground. It needs to be facilitation and support, not constraint and restriction, for me, which is how it seems to work at the moment.

Q69 Baroness Bonham-Carter of Yarnbury: And, just finally, the budgetary issues you mentioned.

Nigel Thomas: Okay. There is a budget for the Mission. Head of Mission gets it put into his own bank account. It is the only time in my life I will probably have 55 million in a bank account in my own name, but there we go. A very, very, very small part of that is used to fund projects. One of the complaints we had was if we want to initiate something we were relying on going to the Americans, invariably, with a begging bowl and saying, 'We want to do this; can you give us some money and perhaps some resources to do it?' We have been given a small pot of money to do that, but

it is funding smaller initiatives that enable us to get things off the ground quickly which is important, but it still stifles our ability to operate at times. This is where I would go back to saying the relationship—and some of it was about the people—with the Americans was very important. They significantly funded some pieces of activity that we were undertaking, or they would move their activity to marry up with what we were doing, and that for me was some really positive activity out there. Equipment for the officers out there, etc: it is very much down to the Member State what you get provided with, and it differs from every nation really. From a UK perspective, all I could say is I had everything I needed to do my job out there.

Q70 Lord Williams of Elvel: As far as operations are concerned and training Afghan officers, you mentioned that this was a prime EUPOL function. Do EUPOL trainers speak the relevant languages? If not, how do they communicate with the Afghan officers?

Nigel Thomas: Invariably, it is all done through interpreters. There is a team of interpreters employed by the Mission. It works very well and I think the strategy for EUPOL in terms of its training delivery was, and I think always has to be, done through a train-the-trainer programme. We have a limited number of officers in the training; you have to get the Afghans self-sufficient and get them to own it, so you train their people. That is done through a process where the Afghan trainer will sit alongside the EUPOL trainer initially, learn the courses, and learn the curricula. It is all delivered through interpreters and then the roles are reversed; the Afghans will deliver it with basically the EUPOL officers then mentoring to ensure their capability. That is part of our policing project as well. You train the Afghans to deliver it, so they get the Afghan ownership and then you mentor them to make sure that it is implemented effectively. That is another fundamental issue out in Afghanistan, as it is anywhere: without going that extra step and embedding that training in the workplace it gets lost very quickly. That is an important part of the city police projects or the City Police and Justice Programmes as they are called now: to deliver the training in the classroom, but get out there and work alongside them and embed with them. Of course, there are challenges with that because of the security situation in certain locations.

Q71 The Chairman: Can you just pause for a moment and imagine that, like somebody else recently, we are on a journey where 1 is a totally non-functioning police force and 10 is an effective, model civilian police force. Where are we on that journey between 1 and 10?

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Nigel Thomas: It does vary according to where you are, how well they have been trained, where they are going to be deployed, but I would say if you wrapped everything together, possibly 1.5 to 2.

Q72 Lord Lamont of Lerwick: It is terribly easy to be completely negative when one hears everything. One does not want to be completely negative, but when one hears a description of the amount of lawlessness, it makes one realise: a) why the Taliban had an appeal initially; and b) why systems of tribal justice and rather harsh Sharia law are so widely supported there. Wouldn't it have been better simply to have concentrated on building up the police merely in metropolitan areas?

Nigel Thomas: Well, this is what the City Police and Justice Programme is designed to do. It is to embed maybe 15 EUPOL mentors and trainers in smaller locations, and in the larger locations up to 30, and basically that is where you are going to get the big hit in terms of developing a civilian policing model. We did it to a degree in Kabul; it's still ongoing. It is probably a three- or four-year process to get them to a 5 or 6. Now, we have to look at the environment in terms of the neighbouring countries and what you would expect for a police force in that location, and I do not think we ever went in with the intention of comparing them to the UK or German or Dutch police forces. It was for the context they are operating in. With all the issues we have spoken about, that is where we are going to make a difference. Out in the more lawless areas, then maybe the border police and ANCOP operate in more of a gendarmerie-type context; that is the balance and mix that you have to strike. Certainly, in the big cities I never really felt threatened. I was happy to go and drive round in my own vehicle there, and while of course there is a threat there, because you cannot get complacent in a country like that, you could and can operate in those locations. That is my firm belief and my firm belief of where EUPOL will make a difference if we stick to where we are going and we stick to our guns, and do not start chopping with our strategic objectives.

Q73 Lord Trimble: I just want to make sure I understood what you were saying there, that on the Lord Chairman's 1 to 10 scale, you think Kabul is approaching a 5 to 6. Is that what you were saying?

Nigel Thomas: Kabul might be on a 4. There is still a long way to go; it is still in terms of the investigation processes, in terms of the community engagement. Some of the things the project dealt with in the early days sound very basic. If a police officer was standing on a checkpoint and a suspect vehicle went through that checkpoint they had no means of conveying that to their command and control setup to decide, 'What should we do about it?' or to relay that information to the next checkpoint down the road to stop the vehicle.

So, we were talking basic command and control structures, basic intelligence flow structures of a very rudimentary nature. Those sorts of things have started to be implemented. They didn't brief; they didn't debrief. Basic things that we just take as a standard expectation were things that they did not have any concept of. So, we worked in all 17 districts within Kabul developing these basic skills. Of course, 18 months is not a long time to do that with a significant police force there. The next steps will be working with the anti-crime project, with the CID officers about taking them through an investigative process, what they should be looking for in terms of evidence. For me, it is like a Lego set. You start with the basic building blocks. The City Police and Justice Programme has about 15 training courses that give them basic leadership skills, basic patrol officer skills, basic skills in what they should be looking at and doing as police officers, and putting a very basic intelligence model around it. The minimum time for implementation of that is two years in a smaller location. Kabul is probably going to be four or five to get those rudimentary elements in place, and then you are going to start picking off getting to six, maybe seven if you are going to invest another four or five years of getting that infrastructure behind it. You have to consider the context of where you are operating. I will be careful what I say here, but some of the early mistakes that were made were, 'Right, we'll develop this really high-tech IT system to gather intelligence,' and then two years later, after significant sums of money had been spent, you go out to a district police station, which is basically four walls of rubble, and say, 'Where do we plug it in?' Of course, you have to start at the basic level and operate in that context. I think nobody got their heads around at what level you need to start those basic Lego bricks and build them upwards.

Q74 The Chairman: The timelines you have indicated now to Lord Trimble and Lord Lamont about training and how to build up are totally incompatible with the timelines in which the military is operating.

Nigel Thomas: That was a point I made at the beginning. There are two trains of activity running here and there has to be an acceptance that if you are going to develop an organisation from that level of activity, you can't just run them through the six-week training programme. Don't get me wrong—there is large support for the development of leadership training, EUPOL is developing a staff college, they are developing another training centre for female officers up in Bamiyan—there is recognition, but the build programme for that and the curriculum development is 18 months. Then you have to get the trainers in, train them and get the Afghans to own it. You cannot run that alongside the military quantity issues and

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getting the feet on the ground. This is a long-term development programme, if you want to commit to it.

Q75 Lord Selkirk of Douglas: Lord Chairman, I think you have already touched on the questions that I wished to ask, but I would like to ask about political challenges facing EUPOL, first of all in relation to co-ordination with the EU Special Representative in Afghanistan who is also the head of the Commission delegation, and secondly, the relations with the Government at central and provincial level, not just on issues like corruption but also organised crime and the drug trade.

Nigel Thomas: When the new EU Special Representative came in and I sat down with him in the first few days of him coming into office it was like a breath of fresh air, and EUPOL got invited to the Heads of Mission meeting to brief on our activity and start engaging not on an ad hoc basis with the Ambassadors to the country but in a more formalised way and being accountable for what we were doing. We were doing it with people who were on the ground and understood the daily context of what was happening there. For me, that process worked well and needed to be exploited for the future. So, in terms of how that relationship initiated, and assuming that will continue, I think that is an important way forward because it really does tie EUPOL in in a more formalised structure to activity on the ground, with the political members who are there and understand the context, the pace of life and what is happening, and the decision-making that is happening within the Ministry almost on a daily basis. I apologise, but I have lost the second part of your question.

Q76 Lord Selkirk of Douglas: You have already spoken about corruption, but in relations with the Afghan Government and also at a provincial level, can you say how prevalent organised crime and the illicit drug trade are?

Nigel Thomas: Well, the illicit drug trade and organised crime are prevalent around the country. Obviously in certain locations the drug trade is far more because of where the main poppy growing areas are, but clearly there are transit routes through Tajikistan and Uzbekistan, so it does cut right across the country. There are examples I could cite without going into specific details of police chiefs that undoubtedly have links to local criminality, because that is the way that they are able to keep the peace in that particular location. That will undoubtedly have to change over a period of time, but for the communities there, that sort of relationship works for them and the police chief would not go in and do an intervention against certain individuals because they know what the consequences are going to be. Those are things that will have to change and undoubtedly

will with the commitment, but again it is going to be a slow and in certain cases painful process.

Q77 Lord Selkirk of Douglas: In relation to political and operational challenges, are steps being taken to build up co-operation between the Afghan army and police steadily? And is the police's casualty rate gradually coming down?

Nigel Thomas: The co-operation between the police and the army is still a difficult problem, and there is the Kunduz example of where the police end up fighting alongside the coalition forces and not the ANA. There were other issues about national security where, in my view, the army should have been involved, but they refused to deal with the issues. I remember sitting in Minister Atmar's office, and some of the problems he had in trying to engage with the MOD to get them to take on responsibility for certain security issues, but it always ended up defaulting back to the police. That is an ongoing issue that is important and needs to be resolved—the role of the police and the role of the army—and then that will dictate how you develop the police in the future as well. So, it is a problem that has festered and it does need to be resolved at the highest government levels. The ANA need to take on a more proactive role and relieve the ANP from some of the more militaristic duties that they are performing.

Q78 Lord Selkirk of Douglas: Can you say a word about the casualty rate and whether that has remained constant?

Nigel Thomas: I would say I probably saw no chance or maybe, in more recent times, it was growing slightly, but it varied day to day. You might have in extreme cases 15 a day; you might have seven a day being killed and numerous ones being injured to quite a significant extent, much higher than the ANA casualty rate. I think the numbers for this year are about 1,500 and when I first went out there it was 1,200, so possibly slightly rising, from memory.

Q79 Lord Selkirk of Douglas: But it is not preventing recruiting? Recruiting is going up all the time?

Nigel Thomas: Well, it is, but there comes a critical point. With the ANA looking to recruit so many and the ANP looking to recruit so many, where do you get these people from? That comes back to your quality issues and, combined with the attrition issues and all those things, just trying to push the number through without any quality behind it; that is where EUPOL can deliver that quality and develop people.

Q80 Lord Lamont of Lerwick: Can I ask a question about how they get paid? Do they get paid in cash and is it paid through a senior officer, and does the senior officer often steal some of the money? Do they hoard it until they choose to go home, and they have to go

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home and have to go on leave in order to take the money safely home? Is this a problem?

Nigel Thomas: It was a problem and, of course, pay and large sums of money will always be a problem initially. I can remember sitting on the Minister's morning meeting and there were two incidents I remember where the paymaster went from Kabul with his stack of \$90,000 to go to a particular province and pay the officers and never arrived, surprisingly. There were other instances, and it was quite common knowledge, where the money would go out, it would get skimmed at each level and by the time it got down to the frontline officer there might be some left or there might be none left. The Americans implemented a very good scheme of payment by mobile phone. Each officer was given a mobile phone and there was a system, and I don't know the details of the technology, but basically their bank account was credited through a mobile phone, but then—

Q81 Lord Lamont of Lerwick: Presumably lots of them don't have bank accounts. It takes a degree of literacy to operate it.

Nigel Thomas: Well, that was a requirement, but we heard of instances where the Chief of Police had taken the SIM cards off all his officers and he would go along to the bank to get the money, but the system did start ironing out a lot of the corrupt issues. Of course, there are always ways and means of getting around it, but it was a massively positive step forward and at least people were starting to get access to their money, which in the past in certain locations had not been happening.

Q82 Lord Inge: Then how do you stop corruption if it starts right at the head of Government?

Nigel Thomas: I think it is finding the right people with the right support to start implementing practices and procedures that will eradicate it. Some initiatives were undertaken: in one week in Kabul we arrested 27 police officers taking bribes on checkpoints. That was the level of activity. There are individuals I have worked with out there at a high level in the MOI whom I would trust implicitly that have implemented the processes and systems. Of course, I heard two days ago that one individual had been moved to another job. What the rationale behind that was I don't know because in my view it was a very successful and trusted person, but of course that is a massive problem. The right people in the right places have to be appointed, and make sure that it is then driven downwards right across the organisation.

Q83 Lord Williams of Elvel: You have, I think, dealt with the literacy problem and I think we have probably dealt with the relatively high attrition rate, unless you have anything more to say about attrition. If you have little more to say, could we move on to

possible infiltration of the police force by the Taliban or Al-Qaeda? From there could we go back to the drug trade/narcotics and see whether this is rife within the police force itself, both in helping the drug trade and, indeed, taking the narcotics themselves?

Nigel Thomas: On the infiltration issue, on paper, just before I left there were almost 100,000 officers in the Afghan police. There was a tragic incident in Helmand where five soldiers were killed. I was aware of two other similar incidents where Americans were killed. So, undoubtedly it happens. There might be sleepers within the organisation; I think it is inevitable there are, but when you look at an organisation of 100,000 people and you can count those incidents in that sort of environment on one hand then I do not think that is a bad outcome, personally. You have to accept that there will be infiltration because of the easy access into an organisation desperate for numbers—it will be there. Rooting them out is a challenge.

Q84 Lord Williams of Elvel: Are there vetting procedures at all?

Nigel Thomas: Again, there is an American-led initiative, Personnel Asset Inventory, that is starting to document all the Afghan National Police officers and starting to use biometric technology. Of course, the current state is: what do you benchmark that vetting against when you have no records or no understanding of who people are other than on a very basic family or tribal level? So, it is very difficult to carry out any meaningful vetting process that we would operate in. I think it is a start point to start documenting and getting that baseline, but it is going to be an issue for some time to come.

Q85 Lord Williams of Elvel: And about the narcotics?

Nigel Thomas: The figure quoted is that 95 per cent of the world's opium is produced in Afghanistan. Inevitably is in those high-level activity areas in relation to the narcotics trade there will be bribery, there will be corruption, there will be people paid to allow shipments to go or to stay out of the way, or even be involved in the process itself. We know that certain police chief roles have been purchased in the past, and that may be through the drug trade purchasing the position to enable somebody to facilitate it. I have seen various intelligence reports while I have been out there that would indicate there are people involved in it. Again, it's an inevitability.

Q86 Lord Williams of Elvel: And is drug taking itself a problem inside the police?

Nigel Thomas: It is. It's interesting because on an anecdotal level everybody talked about significant opium/heroin use and cannabis use. Again, the Americans did an initiative to drug test officers and the results in terms of positive testing were far, far lower than everybody anticipated. I have to say this is

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from memory some time ago: I think it was around maybe 20 per cent had drug problems in some of the high-profile areas. Whether those tests were completely accurate because of the oversight of them, etc, might be another issue, but yes, it is a problem; it is on levels that we could not comprehend in any Western police force, but I think it fluctuates widely across the country in terms of what they are taking and what level the problem is.

Q87 Lord Jopling: Chief Superintendent, I am sure I speak for an awful lot of people in saying that I have massive admiration for people like you who have gone to try and deal with this dreadful problem. I have sat often on Select Committees in this building for 46 years, and I do not think I have ever sat through such a litany of gloom as the one that you frankly and helpfully have put before us. One only has to repeat some of the things you have said: lack of investigation, corruption, no patrolling, desertion, poor relations with Brussels, not grasping the issues, inadequate training, no shift patterns, high attrition rates, infiltration by the Taliban, Al-Qaeda and the drug trade and so on. Of course, EUPOL have done some positive, constructive things, but just tell us is this really, at the end of the day, 'mission impossible'?

Nigel Thomas: No, it's not, would be my instant answer to that. I think when you look at when the international community went into Afghanistan and you look at the investment that was made in the Afghan National Army at the time, it gives an indication of where you can take an organisation over that period of time. I think the problem is the ANP, and it is recognised within Afghanistan, were totally ignored and they were left to stand on checkpoints and guard buildings. So, can we expect that they have been progressed to any level similar to the ANA? No, we can't. That is where we are at the moment two years down the line of significant investment. That is not to detract from certain pockets of bilateral activity that have been going on, EUPOL and CSTC-A, NTM-A that have achieved significant outcomes in the context of that environment. For me, it is sticking to where we are now, understanding the footprint of what we can deliver and starting to develop these people who want to be developed. I have been out to police training centres in places like Bamyan, and the commitment and enthusiasm of the senior police officers, the local Governor and the PRT, you can see the opportunity for success out there. Going back to the opportunities in these built-up areas where there is a level of security that is permissive enough to make it happen, yes it can be, but we have to stick to our guns, have a clear, defined role for the military and the police with an understanding of those timescales and agreement at that top strategic level. No, it's not 'mission impossible' and I think significant steps can be made

within the context of that country. That's where I would come back to.

Q88 Lord Trimble: Our previous witness told us that in the last three to four years there has been a fairly serious push to arm and equip informal policing forces in Afghanistan, and this goes on under a number of names such as National Auxiliary Police, Public Protection Force, local defence initiatives, village stability initiatives. Is this the case? Do you have a view about it?

Nigel Thomas: Before my time, the Auxiliary Police were set up—some people use the term 'militia'; I wouldn't use it myself. This was basically locals being armed to protect key infrastructure. There were various reasons why it did not work, but it was revisited again probably about 18 months ago supported by the Americans and Minister Atmar. A pilot project, which was then called the Afghan Public Protection Force, was set up in Wardak province where locals who were vetted—I will use the term 'vetted' in a wide context—by the local elders were then recruited into it to guard key infrastructure. I was party to a number of the discussions that Minister Atmar was having and his thought processes about the fact that it would potentially start to relieve the ANP from guard duties and enable them to go more into a policing function, although I think that context drifted away after a period of time. Obviously, in terms of reconciliation, there are opportunities there. Unfortunately my understanding is the latest terminology for this fifth pillar of the national police strategy—because it is built into the national police strategy out there—is 'police' and I would want to step back from that. I do not think it's policing; it's a guard and security function, which I think now links into the debate around the private security companies, etc. So, it is not a police role. It is not a police function. For me, it is more of a guard function and, as a civilian police officer, I would want to distance myself from it.

Q89 Lord Trimble: Do you think that this guard function is a valid function? Can it have a positive contribution to this or are you not comfortable with that at all?

Nigel Thomas: I think for me the jury is out on it at the moment. I think there are potential benefits in it, but there are a lot of potential pitfalls in arming a significant number of people across the country. It would have to be robustly managed and—

Q90 Lord Trimble: Is there any management of it?

Nigel Thomas: Well, there is a command structure that was designed for it, but I have not been involved or have not gone out there to look at it because it was not something that I felt as a Mission we should engage in.

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Q91 Lord Williams of Elvel: Thank you. You just recently mentioned the word, ‘governor’. Professionally, as a mentor, did you very often see many governors? How helpful were they? Were they free of corruption? Were they onside with you?

Nigel Thomas: I think in the areas that we were deployed, the relationships would vary from location to location depending on the individual. I met the Governor of Bamyan on several occasions—a highly committed individual. She is the only female Governor in the country, highly respected by the people and very, very engaged in supporting us to build the training centre, to give us the land, to give us all the support we needed. We would meet with governors across the country; we were always made to feel welcome; each had their own agenda, clearly, and each was subject to various levels of security threat, etc, in how they were operating. It was variable, though, I would say in terms of individual relationships and how the EUPOL heads in the PRT were able to get access and to drive any business that needed to be done, but it was more in relation to our relationships with the provincial police chief rather than to the Governor, although we could get access.

Q92 Lord Radice: I have been very impressed by what you have just said: that you don’t think EUPOL is ‘mission impossible’. We were getting the impression from the evidence we have taken from you, and indeed from the evidence we took before, that maybe it was ‘mission impossible’, but obviously you have been on the ground, you have the view, so we take that into account. Obviously, in normal circumstances, building up an efficient, effective police force in Afghanistan is going to be very difficult. You have a powerful insurgency, indeed a virtual civil war, going on at the same time. Is it possible to carry out significant improvements in building up the police force without some kind of peace settlement in Afghanistan? What do you feel about that?

Nigel Thomas: Of course, the overriding security situation is going to be instrumental in whether a civilian policing system could operate out there. If everything fell apart in terms of the security, then you are not going to be able to have that traditional police force, so the development of a civilian policing structure out there is absolutely reliant on a certain level of permissiveness to operate within the country. I think that is an inevitability in my view, otherwise you revert to—and in certain locations it is happening—a conflict zone, and we have to accept that, so the security situation is a massive influence over the ability to operate a civilian policing force out there in any sort of context that we would expect.

Q93 The Chairman: Now we know what Obama’s timeframe is, say that leads to a withdrawal where basically the country goes into, euphemistically, ‘a

heavily devolved structure’. You are going to get a bit of the country under the control of the Taliban—Helmand will be under the control of the Taliban—other areas will be under the control of traditional warlords and you will have a bit around Kabul that will be the residual central Government. What happens to the police force then?

Nigel Thomas: I think you have to go with the mindset that you have to have a national police force with national standards of a level pertinent to that country, and there would have to be an expectation that they would be accepted in terms of what they would do—investigating crimes, supporting the public and dealing with all the basic issues that we would expect. You can’t start chopping things up and saying, ‘Well, in this location they are going to operate in this context.’ While there will have to be an element of flexibility, you cannot start developing these individual models down to that level. You have to go for a national police force and national standards that are accepted across the country. That might be, and probably will be, at a very basic level, certainly for the foreseeable future, and then it will develop and grow as the country does.

Q94 Lord Williams of Elvel: What happens in regions that are at the moment virtually controlled by the Taliban because they, in a sense, run their own policing operation?

Lord Lamont of Lerwick: That was the appeal of the Taliban, wasn’t it?

Nigel Thomas: The police operate in the context that they operate around the rest of the country and they still are based on a security force of going out, manning checkpoints. They do the same functions, effectively, because that is how they have been trained and, obviously, the risks in certain locations are far higher than other locations. I go back to the example of Bamyan because it is undoubtedly the most permissive part of the country. The police will go out, they will walk through the bazaars, and they will talk to the people. They can’t necessarily do that in Helmand because of the danger levels, although in Kandahar where the Canadians and the EUPOL team are running the city police project, they go out on foot patrol with the police and they walk through the town. There is a risk level to it, but it can be done. It can be done, but it is about getting them culturally to accept why and how they should be doing it. The Canadian police officers that are attached to the EUPOL mission, with their bilateral colleagues, will go out on foot patrol with them and start mentoring them through this process. That is in Kandahar, so if you can do it there you can do it anywhere.

Q95 Baroness Bonham-Carter of Yarnbury: You keep mentioning Bamyan and I am interested that, looking at the map, it is right in the middle. So, presumably there is less opportunity for infiltration?

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Nigel Thomas: It is, but there are a number of factors that make it very safe. It is predominantly Hazara. A number of atrocities happened under the Taliban and, obviously linked to the blowing up of the Buddhas and a large number of people killed, there is a vehement dislike of the Taliban there. So, with the Governor's position, the excellent training that is delivered there, plus its geographic location—it's on the old spice route; one road in, one road out—there is a whole range of factors that allow that permissiveness. That's not to say there are not other places around the country where the same models can be applied.

Q96 Lord Selkirk of Douglas: As far as is known, is the use of torture ruled out at every level?

Nigel Thomas: Is it ruled out?

Lord Selkirk of Douglas: Yes.

Nigel Thomas: I would have to say no because of having seen reports within the Minister's meeting in the morning. I think inevitably on a human rights basis and again with what the Mission is trying to do, it has been part of the culture of the society and been accepted in the past. The engagement of the Afghan police in the human rights side of things surprised me; they were extremely interested in it and extremely engaged in it. Why? I don't know, but I wasn't expecting that so much because of what the country has gone through. Going into those training courses and seeing what's being delivered and the engagement, it is really that sort of thing that gives you hope. Of course, there are pockets of things that happen around the country and interrogation techniques that are used that of course would be abhorrent anywhere else. Those sorts of things are part of that ongoing cultural change and organisational change that is required, but it takes time.

Q97 The Chairman: I think we just need to get the wording correct here. Can I check? I think you are saying that there has been and there might well still be incidents of torture going on, but clearly that is not something that EUPOL would accept within its policing remit.

Nigel Thomas: Absolutely. Sorry, I shall clarify: there have been incidents that I have seen in terms of reporting from round the country where abuses have taken place. Of course, EUPOL's stance is to develop human rights and gender structures within the Afghan National Police that are acceptable to that country, and of course, that any abuses are investigated and dealt with, and that was part of my role in advising the Minister, etc.

Q98 Lord Lamont of Lerwick: In answer to Lord Trimble's questions about militia, you touched on the role of private contractors and I understand there has been a decree promulgated that would ban them. Yet

I think EUPOL itself has protection from private contractors, so maybe you could say a word about that issue.

Nigel Thomas: Yes, EUPOL has a contract that, due to its size, is normally renewed annually. We had three different companies providing private security in the time that I was there. That private security consists of a static guard force on the compound that is occupied in Kabul, which comprises both Western and other nationalities, and is an armed force of about 30 to 35. Then there is a further requirement for close protection, primarily for unarmed civilians to move around, but it can also be provided for police officers who don't self-drive. So, yes there is a reliance in terms of operation effectiveness, particularly in Kabul, on private security companies. It makes movement in Kabul very easy at the moment, whereas if you go out to a PRT where there is a high security threat you are reliant upon the military, and that is a big problem in terms of operating in some of the PRTs in high-threat locations because it is not that easy to move around, and it does affect the work capability.

Q99 Lord Lamont of Lerwick: So does this decree make any sense?

Nigel Thomas: I suppose without the knowledge of exactly what is going to replace the private security companies and enable organisations to function out there—it will affect the whole range of organisations, including embassies and non-governmental organisations—it does not on the face of it create a solution as to how people will operate out there in the current environment. Without that I couldn't answer the question, really, beyond that.

Q100 Lord Inge: I touched on this in my earlier question, but to run a successful campaign, which you are very much a key part of, you need co-ordination at the top and your voice being heard at the top. I have a feeling, from the way you have been answering questions, that that is not happening. You are not getting that co-ordination between the military, the political, the police and everything else.

Nigel Thomas: I think on a local level we have pretty much got to a point where was a good understanding of how we fitted in. The Ministerial Development Board, which was developing the police service on a national level, understood where the civilian policing element was. I am not so sure whether, at the higher strategic levels, that was imprinted in terms of a longer-term vision. That really needs to be done so EUPOL's footprint is mandated within all organisations and understood within all organisations, and everybody can move on happily with that. Some of the operational problems as a Head of Mission that you encounter with it go back to the military pace in terms of the quantity, getting the numbers, dealing with very logistical and core issues rather than the

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development and the cultural development of an organisation, which inevitably takes longer. That is where the friction constantly happens, and it is problem for EUPOL with the numbers and the leave rotations. It can cause frustrations with the military because they don't see—

Q101 Lord Inge: I'm not just thinking about the military; I am thinking it is much wider.

Nigel Thomas: Indeed, and I think that is something that needs to be fixed now and focused on. I think EUPOL has its place; people out in the Mission understand where that is, and that needs to be mandated at the highest levels, and then people can move forward. I think in the past the Mission has been pulled around a little bit; it's, 'We'll do this. No, let's change. Let's do that.' It has been finding its feet really, and for us it was about saying, 'Here's our footprint; here's our expertise; here's key areas of business that our civilian police expertise and our rule of law expertise fits. Let's move forward with it.' That was really my drive in terms of the Head of Mission and the relationships in-country. I fully agree outside of country at the highest level that needs to be mandated now and we move forward, but there has to be a commitment to it and it is not going to be delivered in 18 months.

Q102 Lord Inge: And do you ever have anybody from the police attend General Petraeus' meetings?

Nigel Thomas: We have had meetings with General Petraeus. We have officers that are embedded within ISAF as liaison officers. I would frequently meet with the strategic partnering general there to manage the business and dynamics between the operational ISAF elements. CSTC-A, NTM-A I've met with three or four times a week because that is where our business was and that was vital.

Q103 Lord Inge: Do you think they understand. You see, we military men are a bit thick.

Nigel Thomas: It was variable, I would say. The key people knew the value of EUPOL. Sometimes when it dropped down to a lower operational level, the dynamics are very difficult to manage and I think those are some of the issues and the challenges on the ground for the people out there developing projects, etc. Within CSTC-A I think there were something like

70 colonels alone operating. All had bits of business to deliver and our mentors were trying to work alongside them; they are operating at a different pace and that is where we found the dynamics of it. At the Ministerial Development Board there was large agreement in terms of how we would move forward. You would then get into the operational detail and you might get a little bit of conflict there, but the friction would start to rub and we would be constantly trying to manoeuvre around those operational problems. That is why the Head of Mission needs that autonomy to make the decisions on the ground, obviously within the parameters of the strategic objectives and mandate of the Mission.

Q104 The Chairman: Chief Superintendent, we have had a long morning. Thank you very much indeed. It has been quite a remarkable session. Thank you. I have one final question. On the basis of the whole experience in Afghanistan, and now with a little bit of distance and perspective, if you had the opportunity to make three recommendations to the EU to improve the effectiveness of EUPOL, what would those three recommendations be?

Nigel Thomas: Allow the Head of Mission the freedom and the autonomy to deliver on the ground. It is vital that the Head of Mission is not stifled by the bureaucracy of the system, and that had been problematic and I believe is still problematic. That would be point one. Stick with the current strategic objectives: we have found a footprint to operate in; we have found where our civilian policing expertise is valued; we have to continually market it and it is important that within the EU at that top level that is mandated, understood and left to the people on the ground. I have never worked with such a committed bunch of people from 22 member states and four third-party contributing countries. It is sometimes hard out there when you hear the criticism, but people on the ground have a real desire to deliver, so give them that support and they will deliver. I have been honest today about the issues out there, but I think we have to be honest about what has happened, the mistakes that have been made and move forward because a lot can be achieved there, with the caveat that the security situation has to be permissive enough to let civilian police officers operate.

The Chairman: Thank you very much indeed.

THURSDAY 28 OCTOBER 2010

Present	Lord Teverson (Chairman) Baroness Bonham-Carter of Yarnbury Lord Inge Lord Jay of Ewelme	Lord Jopling Lord Lamont of Lerwick Lord Radice Lord Selkirk of Douglas Also present: Lord Roper
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Examination of Witnesses

Witnesses: ALISTAIR BURT MP, [Parliamentary Under-Secretary of State], KAREN PIERCE, [Director for South Asia and Afghanistan and Special Representative for Afghanistan and Pakistan], and JAMES KARIUKI, [European Correspondent and Head of Europe Global Group, Foreign and Commonwealth Office].

Q105 The Chairman: Minister, I welcome you to this committee. It is your first appearance before us and I welcome you, and your entourage, even more on that basis. Perhaps I could just go through the housekeeping rules, as it were. This session is being webcast and recorded as a public evidence session. We will be delivering a transcript to you so that, if we have made mistakes, you are able to feed back and tell us where we have made those errors. I understand that you can be here until around Noon; we will certainly make sure to finish by that time. It may be slightly before. I understand that you do not wish to make an opening statement but to include a few other items in your response to our first question. That works very well for us, but perhaps you might like to introduce your colleagues. We certainly know James well, but it would be useful for the committee if you could do that. We will then start the process, unless you have any other questions at this stage.

Alistair Burt: No, Chairman. Thank you very much indeed for the welcome and thank you for the work that the committee is doing on this particular topic. I am Alistair Burt, the Parliamentary Under-Secretary at the FCO with responsibility for, among other areas, South Asia. I have not yet been to Afghanistan; I had been hoping to go this month. Unfortunately, that was postponed due to parliamentary business down the corridor, but I am going to go in the very early part of the New Year. Accordingly, for information about what happens on the ground, I thought that it would be convenient for the committee if I was supported by two colleagues with extensive experience; Karen Pierce, who is the director for South Asia and Afghanistan—she is very much involved on the ground with policy and with its effectiveness out there—and James Kariuki, who deals with our European issues in relation to this particular topic at the FCO, and who has experience of the relationships between EUPOL and Brussels, and of the strategic network that is putting it together. I hope that, with this combination, we can answer as many of your questions as we can.

Q106 The Chairman: Yes, good—and please, whoever wants to field or share the answers we obviously leave very much up to you. This is actually the third evidence session we have had on the Afghan EUPOL mission. We have one other session next week by videoconference to Brussels, if that puts it in context. Minister, if I could start with this, what is the sequence of events that led to the setting up of the European police mission in Afghanistan? How successful do you feel that the mission is proving to date and what do you see as its strengths and weaknesses?

Alistair Burt: Let me answer, if I may, with a brief word about the sequence of events, then something about the rounded nature of the venture as I see it. We can go into more detail on strengths and weaknesses after that, if we may. The Afghanistan compact, launched at the London conference in January 2006, provided the common framework for co-operation between the newly elected Government of Afghanistan and the international community. Following this, a key United Kingdom aim was to bring greater EU engagement into Afghanistan, which is of course our key foreign policy priority. Member State expertise in policing and the wider rule of law offered a potential niche for EU engagement, and the UK supported the launch of two fact-finding missions to Afghanistan in late 2006. On the basis of their findings, a mandate for EUPOL was agreed in June 2007. This built on and broadened out the efforts of the German police project that had been operating since 2002. Having said that about sequence, may I take the opportunity to fill out the second part of your question on how it is going and our feelings about it? We judge that the EU police mission in Afghanistan has the potential to make a significant and clear difference to civilian-led reform of the Afghan national police. This is essential to the long-term stability and security of Afghanistan. Despite improvements in the past two years, for a variety of reasons the mission is not delivering on its potential. EUPOL Afghanistan's objective is to contribute to the

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establishment, under Afghan ownership, of sustainable and effective civilian policing arrangements which will ensure appropriate interaction with the wider criminal justice system. An effective and accountable community police service is a prerequisite for stability in Afghanistan and transition to Afghan ownership of security. We have to be realistic about the scale of the task on police reform. Afghanistan had no real policing infrastructure in 2001; in that, it was in common with a variety of other institutions that might be expected but, in Afghanistan, are just not there and are being built up from a very low level. The process of police reform was therefore starting from a very low base. In a country ravaged by war and with dispersed power bases around the country, international expertise is essential to bringing about a cultural shift in the Afghan national police to instil the basics of community policing. In the longer term, and as transition takes place, the Afghans must have access to fair and effective civilian policing to cement the rule of law and prevent the development of alternative structures for justice and governance. EUPOL Afghanistan's strength is that its personnel have the strategic-level civilian policing expertise required to shape the overall direction of the ANP towards being a community-based police force. Its efforts to support reform at the national, regional and provincial level should complement the large-scale training efforts led by NATO and the United States. The planned increase in the size of the ANP must be accompanied by improvements in quality, which will only be achieved through appropriate mentoring, monitoring and advice for senior and middle-ranking Afghan officials. This is EUPOL's core purpose. Crucially, EUPOL brings EU resources into Afghanistan in support of a key UK foreign and security policy objective. The UK nominally covers 13.8 per cent of the common costs, provides about 5 per cent of the seconded staff and EUPOL draws in expertise from countries that would be unlikely to contribute on a bilateral basis: for example, Belgium, Bulgaria, Hungary, Ireland, Slovakia and Spain all provide personnel to the mission. EUPOL was slow to deliver after it deployed in June 2007. This was the EU's first experience of deploying into such an insecure environment and its command, communications and logistics procedures were severely stretched by the challenges faced there. The environment also posed difficulties for Member States being asked to deploy policemen into Afghanistan for the first time and, as a result, the mission was constantly understaffed. This led to a focus on the quantity of personnel at the expense of quality. In hindsight, this has not been helped by an EU agreement in May 2008 to work towards the deployment of 400 international staff. In short, hamstrung by poor strategic direction from the top and lacking the capabilities to deliver properly,

communicate and move around the country, in its first year the mission delivered few concrete outcomes. However, since autumn 2008 there has been an improvement. A new, activist head of mission—the Danish policeman, Kai Vittrup—coincided with the appointment as Interior Minister of Hanif Atmar, who saw the importance of a reformed ANP to Afghanistan's future security. Numbers of EUPOL personnel crept up, key partners saw the value that EUPOL's civilian expertise could add and, with heavy lobbying from us, six focused strategic priorities were agreed for the mission. Atmar handed EUPOL the lead on reforming two of the five pillars of Afghanistan's police strategy, as well as a key role in tackling corruption in the ANP. In May 2010, the mission was extended for three further years and a new head of mission appointed. We still have real concerns about EUPOL's delivery. While it has made some gains in Kabul, particularly through the successful city policing project, and laid the ground work for greater intelligence capacity within the ANP, it still struggles to deliver in the provinces or to navigate its way through the intensely political environment of Afghanistan. It has yet really to establish a foothold in the debate over the strategic direction of the ANP, or to marshal its civilian expertise in such a way as to make a sustained contribution to reform. However, with stability in its mandate and tasks and with concentration on the six key priorities that have been set out—and a relentless focus on delivering them—we think that we now have the basis for future success. If you would like a little more information on strengths on the ground, I will ask Karen Pierce if she would deal with that.

Karen Pierce: Thank you very much, Mr Chairman. First, to echo the Minister, there is a big rule of law gap across the board in Afghanistan. It has not had very effective institutions as a whole and does not have very effective rule of law institutions. Policing is a key part of that and therefore anything that we, as the UK, can do to help plug that rule of law gap we have tended to take in a number of fora. EUPOL is one of those manifestations but its role has not been that of an executive force. It is not there to help the Afghan national police arrest people; there are other mechanisms for that. It is very much there as an enabler—to train the trainers—so it has a long-term purpose rather than a short-term operational one. In pursuit of that goal, it has managed the specialised training of 11,000 policemen, which amounts to some 50,000 hours of mentoring. It has developed 125 sets of curricula, which breaks down into almost double that number of individual police plans so, as I say, it is very much enabling the Afghan police to develop their own capacities. It also deals with some concrete projects, the chief of which has been a city police and justice project for the city of Kabul. That has been instrumental in enabling the Afghan national security

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forces to take over the lead responsibility for Kabul's security from ISAF and the international community. If you, Mr Chairman, have followed the plans for the NATO summit in Lisbon next month, you will know that transition to an Afghan national security lead is one of the main plans for that summit—to set out that process. If you like, the star turn in that transition process is Kabul. One reason that we have been able to do that in Kabul is because of the success of the local police being trained by EUPOL to be able to hold parts of that city. In that, they have been able to draw quite successfully on some experiences of the Met Police: notably in terms of a ring of steel, which the Kabul police have largely copied. They were very effective in preventing major security incidents during the peace Jirga that took place in May and the Kabul conference that took place in July, so we would think of that as a good success. This police and justice project has spread out across Afghanistan. It is now across the country in provinces such as Balkh, Baghlan, Bamiyan and even Helmand, as well as Herat.

The Chairman: We pretty much need to get into the questioning. If you could summarise where you have got to, what would probably be most useful for us is to come back on some of these more detailed things during the questioning. That makes it a little bit more interactive. Could we do it that way?

Karen Pierce: That is absolutely fine.

The Chairman: But please do conclude in a suitable manner.

Karen Pierce: The point I want to stress is that it is long term and they are enabling the Afghan police to train themselves. They have a niche role, in which they are performing reasonably effectively and hitting the things that we want them to. In terms of an expanded role, that is slightly less so.

The Chairman: Fine, thank you very much. Minister, forgive me; I forgot to mention to you that we have with us Lord Roper, who chairs the EU Committee of which this is a sub-committee. He was very keen to listen to the evidence today. Lord Lamont, perhaps we can move on to the operational side.

Q107 Lord Lamont of Lerwick: Thank you very much for the opening statements. Moving on to the operational challenges faced by EUPOL, could you comment particularly on staffing levels, timely decision-making in Brussels—we got an impression in previous sessions that there had been some quite severe problems there—adequate funding for mission projects and support from the UK and other member states for EUPOL on the ground? You obviously touched on that in your last statement.

Alistair Burt: A key challenge for EUPOL is that, in a crowded field, it is a relatively small player concentrating on longer-term reform of the ANP and its overall civilian policing network. In order to be

successful, it has had to influence the direction of the larger, predominantly military efforts of the US and NATO. It also has to navigate a very difficult political environment of international engagement in Afghanistan and convince others that it can operationally deliver in support of wider international efforts. As I think you have already heard from previous witnesses, and from us, getting the right level of strategic co-operation between the various different elements has been a key part of what we are doing. There is evidence that, operationally, it is becoming more successful because we have really been able to get into the structures and make them work a lot better than they did at the beginning.

Q108 Lord Lamont of Lerwick: Could I just interrupt there? If I heard correctly, a figure was mentioned of having trained 11,000. Did I hear that correctly? It seems an extraordinarily small number in the context of the size of the overall force, and if you add on what we now know about desertion numbers it would add up to a handful of policemen.

Karen Pierce: They are training trainers rather than raw recruits, so it is cascading. It is 11,000; we wish it were more but, as Lord Lamont says, when you think of the structural problems that the police forces in Afghanistan face, including literacy, we have to find the right middle-ranking police chiefs to train. We think that 11,000 is a respectable target.

Alistair Burt: Might I ask Karen Pierce to deal with the staffing level issues and James Kariuki to deal with the relationship with Brussels?

Karen Pierce: At the moment, there are some 267 personnel in EUPOL. The mandated target in Brussels is 400, so 267 is obviously short of that, but in fact we are quite pleased with the quality of those 267 and would rather have good quality staff than hit the 400 target. It may be that, going forward, we need to actually revise that 400 target, because it is based not on operational tasking but on a figure that the EU alighted on when it first set up the mission. The key thing is to get good people. It is fully staffed in Kabul, which is important, and it reports to the EU Special Representative, Vygaudas Usackas, a former Lithuanian Foreign Minister. He has also brought some of that new energy that the Minister referred to. We work very closely, mainly with the Finns and Germans; they are the two member states most interested in EUPOL. A Finn will now take over as the lead of the mission and a deputy, who is a Brit, will be drawn from the NATO training mission so that he will be able to ensure compatibility between what the NATO mission does in this area and what EUPOL does.

Q109 Baroness Bonham-Carter of Yarnbury: It is just that in our previous evidence, we were told that the shortfall of numbers in EUPOL was a problem and

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that it was actually due to a lack of people to protect EUPOL personnel and to various other causes. Are you saying that it is actually all right, because the quality is so high? We had heard that there was the need for more people.

The Chairman: If I could just back that up, the evidence that we had is that given that the mission includes logistics people, justice people and police people, if you wanted to get out into the provinces the problem had been that you were down to two individuals there. That was just not credible in any way when you needed a core of five, so numbers did matter at the end of the day. I think that was the exact point.

Karen Pierce: Numbers matter when you talk about force protection. That is absolutely right, and to get the people out into the provinces is an area that EUPOL now needs to spend more time on, having effectively got where it needed to in Kabul. In terms of its actual numbers, I stand by what I said, if I may; better to have 267 who are good trainers than 400 of rather questionable quality. Getting out into the field and getting your force protection right to be able to do that is a problem we have—and not just with EUPOL. It is intensifying because of the problem that we have run into with President Karzai with the private security companies. However, it is a good point; they need to get out into the provinces, but we do not need to tie ourselves to that 400 figure.

Alistair Burt: From my point of view, when I started to look at this I was not really sure where the 400 number had come from. I am rather against the idea of plucking a number out of the air and driving people towards it; rather 13 really good people doing the job than 19 just because you have agreed to provide a quota. My understanding is that that is the way it is worked through. Certainly, if you are to have 400 really good people, that is quite different but you start by working out how many people you need to do the job, then go out and find them. It is also true that it is not easy to recruit people to get out there, for all sorts of reasons. We have issues in trying to get people seconded from the individual police authorities in the UK, and there are security issues in people going into a place such as Afghanistan, but that is also being worked on. There is a good effort being made to make police officers around the country more aware of the opportunities that are available to police officers for their own training and development, or for the time that they can spend after they have retired. I think that the previous evidence you had from Chief Superintendent Thomas touched on some of that as well. It is getting the right people, rather than just the number that somebody originally thought of.

The Chairman: We need to move back to the rest of Lord Lamont's question, but one thing that has come over strongly to me in all the evidence is that the whole of Afghanistan is completely driven by

numbers. That is one of the big issues. Mr Kariuki, would you like to continue with Lord Lamont's question?

James Kariuki: Sure. The question was about decision making in Brussels and, as you know from your work on the wider Brussels and EU structures, that is an evolving process. The decision-making structures related to crisis management operations are still evolving. The management body for civilian missions was not exactly established until 2007, so the capacity for managing those missions is still pretty weak, but this is an evolving process. Heads of mission in the structure are financially accountable to the Commission, but accountable to the Council—the Foreign Affairs Council and the PSC—for political objectives, so you have that tension between financial reporting lines and political decision-making. That is one of the things that the double-hatting of the high representative and the EAS structures are meant to resolve, but that process is obviously still bedding down. In the medium term, as these structures bed down, we hope to see a system whereby EU institutions and Brussels set the strategic direction while heads of missions on the ground are empowered to deliver against the strategic objectives, and where the accountability lies with the middle level of Civil Planning and Conduct Capability—the CPCC. You're looking there at strategic decision-making, accountability and decision-making on the ground. Obviously, the better that this mission is functioning, the less interference you would expect to see from Brussels, but it is work in progress.

Lord Lamont of Lerwick: I think we heard last time, did we not, about long delays and about decisions just not really being made?

The Chairman: I think we will come back to that further later on. Perhaps we could leave that to one of the other questions, where we will come back and explore that further.

Q110 Lord Jopling: Minister, let us turn from EUPOL to its client, the Afghan National Police. The evidence that we have had, like what we read in the press, is really a litany of despair: corruption, illiteracy and desertion; the hopelessly rudimentary training that we heard about last week; a lack of equipment and poor infrastructure; and links with organised crime and the drug trade. How severe are those problems in different parts of the Afghan police and the Ministry of Interior? What can the EU do to overcome those problems? If we bear in mind the fact that May 2013, which is only 30 months away, has been quoted as something of a deadline, what can EUPOL realistically achieve by the end of its current mandate? To sum it up, given that Mikhail Gorbachev has said this week that military success is impossible, is it not tempting to say that the EUPOL mission is "Mission Impossible" as well?

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Alistair Burt: It is tempting to say that, but it would not be helpful and I am not necessarily certain that it would be right. I will answer on the policy basis behind the question and then ask for detailed responses from those who have been closer to the issue on the ground. First, as a Minister, let me say that I am not content with how things have been done up to this date. I do not want to leave the committee in any doubt about that. In giving the explanation of where EUPOL has been and how it has got to its present state, I do not think that a Minister could possibly be complacent and just say, "That is the inevitable story, but there we are and it is all very difficult". When I go out to Afghanistan in the early part of next year, I will seek evidence of improvement on the ground on all the issues that we have covered today, including structural difficulties and how decisions are made, to ensure that those who are operating there have the necessary structures to make decisions and to ensure that the improvements that we are talking about actually take place. That said, I recognise that we are working from a very low base in a variety of different institutions across Afghanistan. The police are no different in that respect. It is perfectly correct that the committee will have found from the evidence that it has taken that the difficulties present in the police force include corruption, illiteracy and poor training. However, there was not anything there beforehand—there was nothing to deteriorate from, as there was just no police force. However, those issues demonstrate the extraordinary commitment that people are making in order to produce the change, which is absolutely vital. As a policy objective for the United Kingdom, although we appreciate that Mikhail Gorbachev's comments are born from Russia's bitter experience in Afghanistan and from the lessons of history, there was never an attempt at any stage to suggest that the future of Afghanistan is based on some form of military conquest. Rather, the country's future is based on a process of making the country secure. That is why our military forces need to be active in doing the extraordinary job that they do. However, having made the place secure, we need to ensure that people locally can build on the gains that have been made, ensure that their own people are safe and resist the pressure from those who would change their world in a manner to which they have given no consent. We need to ensure the progress of the country, and that needs to be Afghan-led. The police mission is about ensuring that, when the security forces move on from the position where they have had to establish order, there is a civil policing side that can take over with a policing system that bears some relationship to what we understand as policing. The police need to work with the consent of the people, gather information from people and deliver on the ground what a police force is meant to do. That is the process that is under way. There is no question that

that is difficult, but the determination in the Ministry of Interior and throughout other ministries of the Afghan Government is to confront those challenges. We argue that progress is being made. We are working to strengthen police vetting procedures. The new Minister of the Interior has made a positive start towards achieving his six key objectives that seek to tackle the most pressing issues affecting police reform. Those objectives are: training; leadership; fighting corruption; reforming structure; equipment and living conditions; and punishment and reward. While acknowledging the low base and the problems that exist, we believe that efforts are being made to tackle the issues, both at ministry level and through our own work. Perhaps Karen Pierce and James Kariuki can provide further detailed information.

Karen Pierce: Thank you very much, Minister. One point to make is that EUPOL is not the only instrument that we have working with the Afghan National Police. The NATO training mission has a strong police component. In addition, individual countries such as Turkey also provide funding and, in some cases, trainers. Therefore, the work on developing the Afghan National Police is a bigger project than just the EUPOL mission. However, as has been said both by the Minister and by Lord Jopling, there are some fundamental problems with the police that stem from a generation of conflict and poverty. In many provinces, the police were originally used more as an instrument of the local warlord than as a manifestation of the authority of the state. For that reason, there is still a fair bit of corruption in certain provinces and the people do not trust the police. To help to overcome that, one project that we have worked on in Helmand provides a corruption hotline whereby people can report abuse by the police. That has been quite successful and has led to a number of convictions. Some good work has also been done to rotate out of particular districts police chiefs who are known to be associated with the local warlord. Those police chiefs have been replaced with someone from another district. In a few cases where the first police chief has gone on to a different district, he has proved to be quite effective. Therefore, there is good reason to see that some of the training is working. However, that will be a long-term project. The numbers are good. As the Minister said, the numbers are on target. The police have been supplemented by local community policemen in a project run by the NATO training mission. NATO has now decided that it will bring more people through its training system and then send them back to the provinces. There was some debate as to whether to recruit locally and deploy federally, but NATO has now taken the view that it will do that. The training standards are going up all the time.

Alistair Burt: Perhaps James Kariuki will comment on whether the 2013 deadline means that we face a mission impossible.

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James Kariuki: As Karen Pierce commented, the EUPOL mission is not the whole of the effort but a niche contribution in a specific area. We believe that EUPOL can fulfil its objectives in the time available provided that the mission sticks to those objectives and avoids mission creep and provided that we improve on the kind of delays in decision-making that we have seen in Brussels in the past. We need to keep focused on things such as the comprehensive anti-corruption strategy—that really matters—and we need to work closely with the inspector-general in the Ministry of Interior to make that happen. Those are the kinds of things on which we think that we can see progress. That will happen if EUPOL sticks to its mission and if it is not overloaded with expectations.

Alistair Burt: Let me just round off on that. In a way, the mission can be seen as a microcosm of Afghanistan policy as a whole. We have very tough objectives that have been agreed with the Government of Afghanistan. We know where we want to get to, in that we want the country to be stabilised. No one can offer any promise or guarantee, but we know that we have to go on doing it. There is not an alternative. We cannot back out and say that it is too difficult. We have lessons of what happens from walking away from a conflict in Afghanistan, so we are not going to do that. We will give all the resources that we can to make the progress that we have described. This mission is just a microcosm of what is happening in other aspects of civilian governance.

The Chairman: Thank you, Minister. We will come to conflicts of timescale later on.

Q111 Lord Jay of Ewelme: I want to ask about the relationship between EUPOL and the work that is being done by the US and NATO, which has been touched on a bit in the discussion so far. Our understanding is that the Afghan police are being primarily trained by the US and NATO as a counterinsurgency force rather than as a body that delivers community policing. How does that approach fit in with EUPOL's approach, which seems rather more of a traditional policing operation? In his introduction, the Minister said that each approach should complement the other. Do the two approaches complement each other, or is there a conflict between them? If there is, how can that conflict be resolved? I suppose that one possibility would be for the Afghan National Army to take on full responsibility for counterinsurgency and for the police to undertake the civilian policing role that we would all understand. Is that the way that you see it going, Minister?

Alistair Burt: I understand that the Afghan National Police comprises five pillars: the Afghan uniform police, which is the national force; the Afghan national civil order police, which is more like a gendarmerie and provides responses such as counterterrorist

activity; the Afghan border police, which ensures freedom of movement and is engaged at airports; the Afghan anti-crime police, which provides specialist police expertise; and the Afghan local police, which Karen Pierce mentioned in relation to the building up of local intelligence and local knowledge. The structure is complex, but different activities are involved. Where I understand the EUPOL mission fits in with the US and NATO efforts is in the transition process. The need at first was to establish a force that could complement the work of the army in keeping order and ensuring that the place is secure. Of necessity, that had to be a force that was less related to our concept of civilian policing and perhaps kept order more by force of arms than by anything else. However, that cannot hold and cannot stay. That has got to change and move towards a civilian policing structure that gathers its intelligence locally and, crucially, secures the confidence of the people. As Karen Pierce mentioned, the police were not trusted and there was not a national concept of trusting the police. Again, that has to change. One cannot see a long-term future where the relationship between the police and the people is that uncomfortable. Therefore, the work of EUPOL complements what has already been achieved through the US and NATO and will take the police on to the next stage of their role. Once the police have fulfilled that objective of understanding how to keep order, there is then the question of how to secure the confidence of the people and how to develop from there. That is where we see the work developing. It is complementary, not in conflict. Is there anything that you would add?

Karen Pierce: I think that that is exactly right, Minister. It is fair to say that, given the security situation, the focus has been more on the gendarmerie end of the spectrum. Within the military strategy of clear, hold and build, there are specific roles for the Afghan police coming in after ISAF and the Afghan National Army. As the Minister said, there are also units of the Afghan police whose job it is to do more what we would think of as a traditional policing role.

Q112 Lord Jay of Ewelme: Clearly, we would not want the EU-provided trainers to be training police to do things that were in conflict with what they were being asked or told to do by the US or NATO. Are we clear that there isn't a conflict there?

Alistair Burt: No, I don't think there is. Perhaps I could just illustrate it by saying a little about the basic six training programme and giving the committee details of some of its elements. That might be reassuring. The basic six training programme provides basic training for front-line policing and is an important first step. For example, at the Helmand police training centre, 30 per cent of basic patrolman training is focused on civilian policing, with modules including the laws of Afghanistan, the roles and ethics of police

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in society and human rights. It is very important that what might be termed soft power—the other aspects of policing that make it relevant and realistic to people, which includes an understanding of human rights and building gender structures into a situation where that has been neglected, but is a hugely important tool in securing stability and confidence for the future—is built into the training programmes. That is not covered by the US and NATO. It would not be done unless the EU civilian policing role was delivering and taking place.

Q113 Lord Inge: Thank you for that detailed report. This is about training basic policemen. But there seems to be a real gap—certainly this has not come through to me at the moment—on how you are producing the leaders who are going to take on this very challenging role. I am not just talking about the officers; I am talking about what I would call the corporals, the sergeants, the sergeant-majors and all those people. There seems to be a complete void on how you suddenly produce them.

Karen Pierce: It is a fair point. I have been there and seen the training in person, and had to lobby Interior Minister Atmar to try to appoint the right middle-ranking people. The training programmes allow for, if you like, the police equivalent of an NCO as well as the police equivalent of officers. There is a gap in what we would think of as CID-type training, in investigative police work and in prosecutorial work. That is all part of our rule of law strategy, with which the Embassy and SOCA are trying to expand Afghan national capacity. To be honest, the answer is that we just need to keep on doing more of what we are doing and work with the Ministry of the Interior to vet suitable candidates who can then be deployed back down to the provinces, but also rely on—

Q114 Lord Inge: Producing that level of leadership requires experience. What I am getting at is how you produce that.

Karen Pierce: It's a catch-22, especially given some of the unpromising material we have had to work with and the suspicion in which they are, in some cases rightly, held by the local community. One thing that the NATO training missions has put a lot of effort into is the vetting of the local police. That has been increased, particularly following some of the incidents in which Afghan national police recruits were responsible for—

Q115 Lord Inge: But vetting does not produce experience.

Karen Pierce: No, you are absolutely right. It is very hard to get qualified personnel, but we have to start somewhere.

Alistair Burt: We should add into that that the process of what experienced officers are doing involves them in talent-spotting and picking out those who could benefit from appropriate training and mentoring. We should not minimise the importance and impact of the mentoring process, which involves finding those who can be brought on. Experience can't be invented. You can't suddenly have in the field officers who are native to Afghanistan with 20 years' civilian-background experience. Inevitably, you have to look for those who, with some concentrated work, have the ability, the feel and the capability of developing those leadership qualities. That is specifically looked for, but as Karen Pierce mentioned, it is going to take time to bring them on. Finding the leaders for the future is clearly as important as ensuring that your basic front-line officers have the skills that they need to do the job.

The Chairman: I think we need to move on from there.

Q116 Lord Selkirk of Douglas: Why does the EU police mission in Afghanistan not have a formal agreement with NATO? Do you envisage this leading to practical problems? What action do you propose to tackle this issue?

Alistair Burt: The short answer is that this is more of a problem in theory than in practice, but let me outline why that agreement could not be made in the first place. The political disagreement between Turkey and Cyprus has prevented agreement between the two organisations to put in place a formal agreement on ISAF support to EUPOL. In both the EU and NATO, the UK has been working to find practical workarounds, mindful of the political sensitivities on all sides, in order to improve EU-NATO co-ordination in Afghanistan and on a range of other issues. Baroness Ashton, as High Representative, is seized of the issue, as is Secretary-General Rasmussen. Recently, there have been some small steps in both organisations, with agreement in both the latest EUPOL and ISAF mandates for co-operation. That is the basic technical background of why there hasn't been an agreement. My understanding is that this is not creating serious problems on the ground, but James has the perspective on this.

James Kariuki: To give you an example of a gap, there is not a formal life support facilitation from ISAF for EUPOL, which you might have under a formal agreement. EUPOL has its own arrangements in place, which include close protection from private firms. A formal agreement with NATO would help to improve that kind of co-ordination at a strategic level, but arrangements are made on the ground. So there are problems that result from this. But in the absence of a formal agreement, we have been pushing quite hard in the EU and NATO for success on greater informal co-operation with the NATO mission. So,

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for example, in December 2009, EUPOL signed a co-ordination agreement with a section of the NATO mission leading on training. That established a collaborative training programme to be rolled out for community policing. So there are ways in which this can be done at working level practically in the absence of a political-level agreement, which is a much bigger problem to overcome.

Q117 Lord Selkirk of Douglas: I should like to follow that up, just to make it clear, which I hope it is, that EUPOL is opposed to the use of torture and if there have been any incidents, EUPOL has opposed that practice.

Alistair Burt: Absolutely, as are we all. It is absolutely no part of this Government's position to support or condone the use of torture in any way. EUPOL will deliver that policy, as you would expect anything connected with the British Government to do.

Q118 The Chairman: Can I follow on from that? Clearly, we are all on the same side on this and it is not in any way in question, but how do you practically do that? If EUPOL, an officer or someone in the justice side comes across an instance where there is evidence of torture, what are the rules on the ground for what should be done?

Karen Pierce: I don't have the exact rules of engagement with me, I'm afraid, but we could write to the Committee on the institutional framework. What would happen in practice is that they would probably report up their chain and either the local head or the EU Mission in Kabul would probably go and take this up with the Minister of the Interior. By analogy, if we get allegations of torture linked to the army side, we would follow roughly that procedure through our Ambassador to the army and the intelligence services. So Usackas, who is a very active EUSR, would take that straight up with the Minister of the Interior. The problems with the policing side have lain more in corruption and a rather nasty intimidation of local people rather than questions of torture of people in custody, but the EU would rightly attach a good deal of importance to it and would be ready to take it up firmly.

Q119 The Chairman: Thank you very much. I would like to move on and follow up Lord Lamont's question around the liaison with Brussels. First of all, I think it is fair to say that last week Superintendent Thomas made it very clear that the new double-hatted appointment of the EUSR had been very successful, had worked far better and was a great improvement on what was there before. But clearly, one of the frustrations is that when things were fast-moving on the ground and something needed to be decided that was not necessarily within the EUPOL chief's authority, a report was quickly written—or

sometimes not at all—and it took a long time for answers to come back. With a fast-moving situation, this got in the way of making the mission successful. I don't think he was Brussels-bashing as such, and that is not particularly what we are trying to do here, but I am interested from the point of view of the UK, as a member of the Council, in how you think this can be resolved. Or is it just politically impossible with 27 member states to make a decision that might have a political implication in Afghanistan?

Alistair Burt: Again, I am going to ask James to say something about this structurally. My perspective on this, in reading through the work, is that it should not really be about the mandate, which is quite broad. What should happen on the ground is that the person who has been given day-to-day responsibility by the EU, whether it is through the Commission or through the Council, must have a mandate that is sufficiently broad to make quick decisions, to be able to get on with the job and to know that the structure will support him. I understand the point that Chief Superintendent Thomas has made. It is disappointing that there is a sense that the mandate does not quite deliver that. I would have thought that it could and should. Plainly, there is history here. With the changes in structure that we have already mentioned, it is part of our job to try and see that the changes that are currently being made will deliver positively on that concern mentioned by Chief Superintendent Thomas.

James Kariuki: To follow up on that, we had quite a lot of sympathy with the evidence presented by Chief Superintendent Thomas in this area. It is all about getting the balance right between control by Brussels—both by the Member States in the Council and by the Brussels management systems—and giving the Head of Mission flexibility in-country. We are fierce champions of intergovernmentalism in the CFSP area, and we would not want to weaken that. It is very clear that there has to be oversight at the level of the Council for the political direction of the work, but equally we don't believe in 27 Member States or Brussels bureaucrats micromanaging the detailed work of the mission. But there is a bit of a vicious circle here. If the mission is not really delivering, everyone piles in and starts trying to micromanage. You have to get out of that vicious circle, start delivering against the objectives, give the Head of Mission the freedom to operate and then step back in Brussels and ensure that you are giving strategic direction at the Council and holding the Head of Mission to account through the management board.

Q120 The Chairman: That is interesting. So you think that that interference or that lack of crisp decision-making further up is due to concerns about previous failure or sub-performance? With increasing confidence, should that go down?

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James Kariuki: There is certainly an element of that. When people are not satisfied with the results on the ground, they delve deeper into it. That has tended to be the dynamic in the PSC in Brussels.

Q121 The Chairman: Did you feel that in fact the remit of the mission leader on the ground is sufficient, but there may be some caution at that level? Is that the issue?

James Kariuki: I think we now feel that the objectives are clearer and that remit is there, so we would like a little bit of backing off in Brussels. But they have to be accountable.

Alistair Burt: Perhaps I could say that it is highly likely that one of the outcomes of the work that you are doing in the Committee is to give me a list of one or two things that you would like me, as Minister, to do. This is one of them. As some colleagues will know, I tend to be a little kinder towards the European Union than some of my colleagues. It is not its job to mess up. At the end of the day, the whole purpose of this seems to me to be to build a structure that supports an individual on the ground who has been given the responsibility and the task to do the job. The structure should support that and not get in the way. James' points are entirely correct. Because of the way in which performance has been handled in the past, there is perhaps a tendency to want to over-manage or micromanage. That is not acceptable if the job is being done effectively. One of the things I will be looking at particularly when I go to Afghanistan is to ask very clearly how this is working on the ground and whether those charged with the maximum responsibility are able to deliver, because the structure must not get in the way and the Government's position will be to clear away any obstacles that are so doing.

Q122 Lord Jopling: Minister, I wonder if you could give us your assessment of how well the various co-ordination mechanisms are working. I am thinking particularly of the international police co-ordination board. Going back to what you said earlier, with regard to co-ordination between NATO and the US on the one hand and EUPOL on the other, we rather get the feeling that they don't take too much notice of EUPOL. I know that there is a tension between NATO and the European Union. The point you made earlier about the Turkey/Greece Cyprus problem is always trotted out. It is a fair point to make when one is often talking about lack of co-operation between the EU and NATO, but not always and I would not have thought that it ought to be mentioned as far as Afghanistan is concerned. Again with regard to co-ordination, how successful do you think the mission and other international bodies have been in assisting the Afghan

Government to develop a viable police strategy? Is that emerging? It will have to emerge from the Afghans with their consent.

Alistair Burt: Again, I think the Committee will be better informed if Karen Pierce gives a perspective on the ground, but let me say what I believe about the role of EUPOL in this work of co-ordination. The International Police Co-ordination Board plays an important role in co-ordinating international efforts. It is made up of contributors to police training and development, including EUPOL, the US, the UK and other NATO members and is chaired by the Minister of the Interior. It provides a forum for the collaboration of all partners. Our sense is that the performance of the board continues to improve, and I think Chief Superintendent Thomas gave an indication of that as well. We will continue our support for it. EUPOL plays a central role in this. It provides six personnel who constitute the Board's secretariat. The board was restructured in 2009 to provide greater clarity and direction for international policing efforts and, to some extent, seek to deal with some of the structural issues that you have just referred to. As for how practice on the ground is improving and changing, I shall leave it to Ms Pierce.

Karen Pierce: Thank you. There has been a generic problem with international co-ordination with the Afghans across the board. It is one of the things that has started to be much improved this year, with the triumvirate of Steffan de Mistura, the new UN head, Mark Sedwill, the new NATO Senior Civilian Representative, and Usackas, the new EU Special Representative. The police co-ordination hasn't been immune from that lack of effectiveness, but equally has started to improve as the general level of effectiveness has improved. I have been in the NATO training mission with General Caldwell, who made clear from about a year ago that he was going to absorb the EUPOL structures into the overall NATO training plan. In his organograms there is a proper line through EUPOL officers into the broader plans of the NATO training mission, so it is fully integrated and interoperable. As I was saying earlier, a British officer who has been in the NATO training mission will now be the deputy head of EUPOL, which will ensure that that co-ordination stays. NTMA looks to the EU particularly to do things like curriculum and training for the police staff college. As the Minister said earlier, that is not an area that NATO itself gets into. Out on the ground there are a few joint initiatives, particularly in places such as Mazar-e-Sharif, there are joint ISAF and EUPOL training courses and there is something very similar going on in Helmand. At district level and at the central level in Kabul, I think it works reasonably well. From what I have seen, the institutional questions that bedevil Brussels don't usually bedevil co-ordination in the field. I would say that was a general point, which I have also seen in the

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Balkans. On the whole, both sides try very hard to overcome the institutional arrangements. It is one reason why the issue that James was answering on earlier is of interest to PSC members, because some of them tend to feel that possibly the leaders of EUPOL are not giving sufficient attention in the field to some of the institutional niceties. At the moment I think we have the balance right.

Q123 Baroness Bonham-Carter of Yarnbury: I want to move on to a slightly wider question. You have mentioned on a couple of occasions a rule of law gap. Has sufficient attention been paid by the EU and others to building up an effective judiciary in Afghanistan and through that to combating corruption?

Alistair Burt: The short answer is that attention is certainly being paid to it, but the problem is unbelievably deep. Let's not kid ourselves about how deeply corruption affects the system in Afghanistan, for all sorts of reasons that will be known to the Committee through its broad understanding of how things work over there and the particular history and circumstances of Afghanistan. It is an immense task to clear this out of the system, to make sure that people understand the damage that it does in a position where it has been a source of income and funding and accordingly it is all very well to tell people that it must not happen, but if it reduces the amount of money in their pocket, what is going to replace that? It therefore takes time to work it all through, but it is hugely important. It is vital to making sure that this works through in the judiciary, but they must see it reflected elsewhere in the Government of Afghanistan. You cannot have a situation where the judiciary are told that one rule applies to them, but they see another rule applying to other people in other parts of the Government. That is why it is so important institutionally to tackle corruption at all levels, right across the board, but it is difficult. In terms of practical activity that is being done, in several different ways EUPOL is making a contribution to building up an effective judiciary and combating corruption: first, developing the investigative capacity of the ANP to facilitate better trials; secondly, mentoring the Minister of the Interior and his legal adviser and working with and mentoring some Afghan prosecutors; thirdly, running courses for the Attorney-General's staff; fourthly, working with the Ministry of the Interior and the police to advance human rights issues; and other projects include setting up a legal library in Herat and a full library archive for the MoI in Kabul, so that they have something else to rely on apart from their nous and their feel about what may or may not be right. We also have mobile anti-corruption teams that have been set up. This all provides support to the UK effort made in this area.

Again, I am happy for colleagues on the ground to chip in at this stage. Much as I mentioned earlier, that this could be seen as a microcosm of what is being attempted in Afghanistan as a whole, so it must be true of looking at corruption, rule of law issues and judicial issues. With the right sort of development and in time, these things will be squeezed out of the system and it will be able to function in a manner that we would all find familiar, but it will take time. In much the same way as we are keen on saying that the governance of Afghanistan ultimately will not necessarily be a system of English parish councils or an American, Jeffersonian democracy, so rule of law issues may not pass a strict test set down by any of us in this building, but it has to be consistent with basic principles, it has to be accessible to people, they should not be afraid of those who are delivering justice and they have to know that it is fair, free and available to them. That work will take time. It will not be completed in a couple of years. It is an ongoing process, but as I indicated earlier, we either do this work and improve things or we step back and shrug our shoulders and say that it is hopeless. I don't think that is a valid testament to all the work and sacrifice that has gone on in Afghanistan. This is really important, and EUPOL makes a significant contribution.

Q124 Baroness Bonham-Carter of Yarnbury: Are you also working through the traditional system that exists? I mean the system of mediation through elders and so on.

Karen Pierce: Yes, we are, but the Taliban have a lot of control over that particular area. They are a very effective form of dispute resolution. However fair that actual result is, it is at least an answer. There is a lot of evidence in the south that local communities who don't particularly look to the future—their lives are a lot about subsistence living and getting through day to day—would much rather have a clear answer from the Taliban than wait for a government official to look at the case and weigh both sides up in what we might think of as a fairer system. So, overcoming the effect of that is quite important, but we fund in the south—and other people fund elsewhere in Helmand—what we call traditional justice programmes to try to get that element of dispute mediation so that local communities do not have to rely on Taliban justice. But we can't disguise from the Committee that it is an ongoing problem that we need to keep paying attention to. There are two things at the macro level that it might be helpful for the Committee to know. There is a criminal justice taskforce, which is a multi-departmental Afghan venture bringing investigation, prosecution and judicial activity together with detentions, particularly on narcotics. That is an attempt to force some of this all together. There is an Afghan national policing strategy, which I think answers the question from Lord Jopling earlier, where

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again, these things are looked at in more detail. We have been providing mentors and helping to devise that national policing strategy. So, gradually the framework is coming together, but its execution in the districts is still a challenge.

The Chairman: Just to comment on English parish councils, as someone who has to attend them fairly regularly, I would not want to impose them on Afghanistan.

Alistair Burt: I think I have 54 in my constituency, and for the avoidance of doubt, I think mine are wonderful.

The Chairman: That is the difference between me being here unelected and you being elected.

Alistair Burt: I could not possibly comment.

Q125 Lord Radice: In his excellent evidence to us last week, Chief Superintendent Thomas explained that building up the police and justice system is going to take at least five to 10 years. He also said that a good—or, in the jargon, permissive—security environment is an essential prerequisite for this work. That leads to a couple of questions. Is the planned withdrawal of international military forces from Afghanistan compatible with this timeline of five to 10 years for police reform? Secondly, is it essential that we have a negotiation of an inclusive peace settlement between all the Afghan protagonists to allow the building up of a police force and the rule of law? What does the Government feel about this?

Alistair Burt: These are two central policy questions and I am happy to take them and restate the Government's position in relation to 2015 and beyond. As was indicated earlier in answer to the comment about Mikhail Gorbachev, it was never envisaged that there is a military solution to Afghanistan. There is a process by which the country needs to be made sufficiently secure so that Afghans themselves are then able to take the major share of ensuring that that security is built upon and their people are safe to have a form of Government of their choice and to ensure that they can police themselves and that normal life can develop and prosper. It is the Government's judgment that by 2015 the work of our extraordinary combat forces and the 48 nations, I believe, engaged in the international effort will have ensured that combat forces can be withdrawn, because the Afghan army will be in a position to continue the security efforts and ensure that the rest of the work can go on. However, it is not a signal for everybody to leave. As was mentioned earlier, that lesson has been learnt. The United Kingdom certainly envisages that some form of training may need to go on involving the army, but much more importantly, the work that we are talking about now, which engages civilians, NGOs and others in supporting the future of Afghanistan, will also go on. I am sure that Superintendent Thomas is absolutely right that it will take time to develop

standards up to a minimum level required, but it is not necessary that the current combat structure needs to stay in place for that to happen. Again, I reiterate the position that we believe that it will be clear by 2015 that that force can be disengaged, but there will be other forms of security provided by Afghans themselves that enable this important work to go on. On the second part of the question, about peace processes and the like, the Kabul conference in July indicated that Afghanistan was becoming increasingly capable of managing its own affairs, looking towards the future and taking the decisions that it needs to take. A peace and reconciliation process has to be part of that future. Clear guidelines have been laid out for who might be involved. It requires a renunciation of violence and an acceptance of Afghan Government and governance structure. Then it is for the Afghans themselves to talk to those who will be part of that future. Whatever may be the outcome of that, and whether it is done by treaty negotiation, local bargaining or local agreement is not for us to say, but there should be an environment that is conducive to ensuring that the work that EUPOL is engaged in and the process of civilianising the police is bound to be helped by the conclusion of a peace process and the like, so that the two are complementary. The United Kingdom Government is giving every support to the Afghan Government as it goes about this crucial part of its job. It has to be Afghan-led. It is Afghan-led and supported, but it will ultimately make a significant difference to the way in which those who represent the Afghan Government are perceived at local level. That must help the policing of the area, but if you put into that the work that will have been done by that stage by EUPOL and the efforts that they are making, that should be a much more secure base for the future of Afghanistan's civilian policing than if this work had not been done or was not being done.

Q126 The Chairman: In terms of timescales, one of the issues on NATO and the EU is that the NATO view is quite short-term now in certain ways, but quite rightly, as Karen Pierce was talking about in terms of quality, the EU is a mission that wants to build up this thing, and sees it over a much longer timescale. That is one of the conflicts and possible contradictions that this Committee is going to be looking at.

Alistair Burt: Okay. I will ask Karen Pierce for a view in a second. I hope it isn't. The various groups and organisations involved in Afghanistan will have a clear view about their role, but I think it is helpful for us to see them all in the round. You are absolutely right. The Government involvement, whether it is individual bilateral Government relationships or through the European Union and other international groupings, will have a relationship with Afghanistan that will clearly go on post-2015. It seems to me that

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the thing to do is to fit the 2015 NATO strategy into what the rest of the work is going to involve as it carries on beyond that. I don't see them necessarily in conflict, in that many of the same partners are clearly involved. The two organisations have different objectives, but the same heads of state have been making decisions about carrying on the necessary work to rebuild Afghanistan. Exactly the same heads of state are having to make the difficult decision about the deployment of combat troops and at what stage they come back, so they ought to be able to resolve that conflict.

Q127 Lord Jay of Ewelme: This is a rather more detailed question. Some of our previous witnesses have questioned the wisdom of funding private militias or auxiliary police in Afghanistan. I wondered whether you thought that the creation of informal militias could or does complicate EUPOL's efforts to build up a single professional Afghan police force. Is there a risk of unhealthy competition between police forces?

Alistair Burt: As a very brief policy point, I would want to state that no private militias are being set up or funded, but I appreciate that on the ground it is slightly more complex, and I'd like to ask Karen Pierce if she would deal with this from her experience.

Karen Pierce: There was quite a debate within ISAF about whether it was sensible to set up local auxiliary police. For the reasons that you say, there are pros and cons in doing so and some risks. In the end, partly but not exclusively to provide jobs for people reintegrating from the insurgency—the low-level fighters who do it for \$10 a day—and provide a community home for them, if you like, and partly because of the gaps in experience and other things of the Afghan national police, it was decided in ISAF, the international community and the Afghan Government that the balance of advantage lay in setting up the Afghan local police. To try to mitigate the risk you mentioned, they will come under the authority of the Ministry of the Interior and they are answerable to the district police chiefs. They are not in a position where they could be suborned or used by the local warlords, which was the situation prior to NATO deploying there in 2003. I can go on, if you like, to give a couple of figures. The plans are to build that local police force up to around 10,000. At the moment it is envisaged that such a structure might last for two to five years, depending on the growth rate of the federal police.

Q128 Lord Jay of Ewelme: Are they armed?

Karen Pierce: May I check and write to you about that? I am not sure. I suspect that nearly everybody in Afghanistan is armed, so I bet they are, but I will check.

Lord Inge: It would be very unusual if they weren't.

Q129 Lord Selkirk of Douglas: The Afghan Government has recently promulgated a decree banning private security contractors from operating in Afghanistan. Is there not a distinct possibility that President Karzai is deliberately bringing this subject to a head? If the contractors currently protecting EUPOL were forced to leave, would there not be serious implications for the security and freedom of movement for EUPOL personnel? What action should the EU take to address this problem?

Alistair Burt: This is a very live issue, which I am again going to ask Karen Pierce to speak on. We are well aware of the security implications of the decree. We understand what is behind it, but negotiations are continuing, probably as we speak, in relation to the issue, because the implications are quite serious, despite the assurances that we have been given.

Karen Pierce: That's right. It is very much ongoing in negotiations now in Kabul. President Karzai has now asked Ashraf Ghani, who was the architect of the Kabul conference and is one of his key advisers and a former finance Minister, to develop a scheme with international representatives in Kabul to ensure that all those people who need to be protected by PSCs can be protected, while ensuring that over time some of the problems with these companies are ironed out and that jobs transfer to the local Afghan community. It is a problem that we need to watch very carefully.

Q130 Lord Selkirk of Douglas: In view of past and recent experience, is it not the case that great care will have to be taken by EUPOL in present and future arrangements?

Karen Pierce: Yes, and not just EUPOL. A number of international organisations and development agencies will need to have access to proper force protection to do their jobs.

Q131 Lord Jopling: I am just looking for the evidence that we had two weeks ago from Fatima Ayub of the Open Society Foundation. When asked this question, she said that a certain amount of protection was provided by the Afghan national army, but they gave priority to their own people rather than to the international bodies. Is that a continuing problem and is that a most dangerous situation?

Karen Pierce: I would not characterise that as a problem. We are training the Afghan national army to do certain operational things. It is more use to us if they carry out those operational matters than if they are diverted into force protection when, at least until recently, we have been confident that we could call on the services of some good private security companies. So our efforts going forward will be focused on agreeing with the Afghan authorities how best to regulate the private security companies rather than asking for national army figures to be diverted into force protection. We think that is a good balance,

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provided that we can get the right answers out of the Afghan authorities on the PSCs.

Q132 Lord Jopling: I was really meaning if we can't get a change in view by President Karzai. The Afghan national army are giving priority to other things than protecting the international bodies. Is this not opening the doorway to the Taliban?

Alistair Burt: While the negotiations are taking place, we are well seized of the concerns that you are expressing. This is being discussed very actively.

Karen Pierce: One of the points that has been made to the Afghans is that there will be very serious consequences if we cannot get a sensible way forward on PSCs, so our energy is into that.

Q133 The Chairman: Perhaps I could conclude by asking a more fundamental question. I think we probably all agree that these civil missions and building up Afghan civil structures is really important and, to quote your words, we were never going to win militarily. Isn't it then rather tragic in a way that this mission only started in 2007 and really got going in 2008? Clearly, you had no responsibility personally at the time, but I would be interested in your reflections on that.

Alistair Burt: Again, I think that the history of engagement with Afghanistan might show that this is just one of a number of areas where perhaps—this is easy to say in hindsight—if different decisions had been taken earlier, the history might have been a little different. A number of inquiries and conversations that have taken place have already heard stories of how we might have done things differently in Afghanistan at an earlier stage: we might have built up

the forces earlier, etc. From reading through this and looking back, I think this is not much different. It took time to realise suddenly what we were engaged in. If you look at some of the books and the conversations that are coming out, for instance Bob Woodward's recent book *Obama's Wars*, and look at the decisions the Americans were having to confront a couple of years ago as they realised a step change was needed in the attitude to Afghanistan in terms of the military opportunities and of the civilian reconstruction, you can see that a number of decisions were changed at that time. However, the important thing is what is happening now. Our responsibility and my responsibility is to look at the history that has been uncovered about EUPOL's structure and how it has worked, first to ensure that it is delivering now and there is a correct structure in place for it to do the job that it needs to do, and secondly, in a wider EU context, to make sure that some of the things that have been done up to now that haven't worked aren't repeated anywhere else and that lessons are learnt. That is a clear responsibility of mine and for us in the Foreign and Commonwealth Office to make sure that we have made our case to others that we should not do this in the future. We should learn what we have done. Now we should concentrate our attention on the mission as it is set up and we make sure it delivers on its priorities and objectives and we work absolutely consistently and solidly for that.

The Chairman: That is a good upbeat note on which to end. Minister, I thank you very much, and Mr Kariuki and Ms Pierce for your contributions. We intend to bring our considerations to an end so that by the end of the year we hope to have some form of report. Thank you and we will send you copies of the evidence.

Memorandum by the Foreign & Commonwealth Office (APM 1)

You expressed concerns about the resignation on 6 June of the Interior Minister, Mohammed Hanif Atmar, and Security Minister, Amrullah Saleh, and in particular the impact of this on EUPOL and the wider policing system in Afghanistan.

Both Ministers resigned following a security incident (a rocket attack) during the Consultative Peace Jirga on 2 to 4 June. On 28 June the Afghan Parliament held a series of votes on a number of vacant Government Cabinet positions. General Bismullah Khan was appointed new Interior Minister and has taken office. Major General Rahmatullah Nabil has subsequently been appointed as the new Head of the National Directorate of Security. While the establishment of the Cabinet is a matter for the Afghan authorities, we are pleased that the applicable procedures have been followed and that the new Minister of the Interior has extensive experience in the security sector.

It is our assessment that the implications of these appointments for both the EUPOL mission and the policing system more broadly will not be significant. It will be important for EUPOL to establish good cooperation with the new Interior Minister. However, it should be noted that the work of the National Directorate of Security does not have a direct link with policing and so impact will be minimal.

The UK Government has already established a strong relationship with the new Minister of the Interior and has urged that he drive forward essential reform and development of the Afghan National Police. HMA Kabul made an introductory call on the Minister on Tuesday 13 July to discuss the Ministers' priorities. Good progress has been made since January this year, with a strong growth in ANP numbers and the development

of an Afghan-owned National Police Strategy. This sets clear and challenging long term goals for the ANP as well as initial plans for how to achieve them.

The central issue now for the Afghan policing system is to ensure that this strategy is implemented and monitored by the Ministry of Interior. For EUPOL, ensuring the continuity of programmes and the way forward, as agreed with former Minister Atmar, will be key to delivering concrete outcomes and demonstrating progress to both Afghan and international partners. We are encouraged by Minister Bismullah Khan's early commitment to implement the existing Police Strategy, behind which the major police training missions (including EUPOL) are aligned, and to focus on delivering change.

Both EUPOL and the UK recognise the importance of strengthening the quality and leadership capability of the ANP and Ministry of the Interior. These have already been highlighted by Minister Bismullah Khan as fundamental to sustainable ANP development and a key area for investment. EUPOL is also keen to develop further its anti-corruption work as part of wider governance efforts, another area highlighted by the Minister as one of his priorities for police reform. We look forward to seeing these commitments formalised at the forthcoming Kabul Conference.

As you will be aware, the Government of Afghanistan is considering whether to ratify the Status of Mission Agreement through their Parliament, which has delayed the Council Decision reaching Ministers for agreement at Council. We will forward the final text of the Agreement as soon as it becomes available.

20 July 2010

Supplementary memorandum by the Foreign & Commonwealth Office (APM 2)

I am writing with regard to the Council Decision to sign and conclude the agreement between the European Union and the Islamic Republic of Afghanistan on the Status of Mission Agreement (SOMA) of the European Union Police Mission (EUPOL) in Afghanistan.

In my Explanatory Memorandum of 30 July, I noted that a Decision on the conclusion of the SOMA for EUPOL Afghanistan would be required before the Parliamentary Elections on 18 September. In order for this agreement to be in place by that date, I will have to agree to this Decision at the General Affairs Council on 13 September. I regret that there has not been sufficient opportunity for your Sub-Committee C to consider this document, which I consider important to the success of the Common Security and Defence Policy Mission in Afghanistan.

The Decision agrees to and concludes the SOMA for EUPOL Afghanistan. Negotiations between the EU and Afghanistan have been ongoing for three years and currently the Afghanistan Ministry of Foreign Affairs (MFA) is ready to sign the SOMA. There is no guarantee that this will continue to be their position, particularly should key personnel change as a result of the elections. The SOMA places the presence and status of the Mission on a legal footing, and provides the Mission with full acknowledgement of all the Afghan authorities, who will then grant the Mission agreed privileges and immunities. It is important that the legal rights of the officers working for this Mission are properly established, especially in light of the recent Presidential Decree abolishing armed guards in armoured vehicles.

For these reasons, it is my intention to agree to this document and override scrutiny in this case.

10 September 2010

Supplementary memorandum by the Foreign & Commonwealth Office (APM 3)

You expressed concerns about the non-ratification of the Agreement by the Afghan Parliament, and in particular the possibility that the Agreement will be perceived as lacking legitimacy in the eyes of some Afghan authorities.

The Constitution of the Islamic Republic of Afghanistan does not require the SOMA to be ratified by the Afghan Parliament. The Government of the Islamic Republic of Afghanistan (GIROA) itself judged a signature by the Ministry of Foreign Affairs sufficient to conclude the Agreement and that there is no legal requirement for ratification. It is the UK's considered view that there are no grounds for the legitimacy of the Agreement to be questioned by Afghan authorities in practice due to non-ratification. The General Secretary of the Council in Brussels concurs that ratification is not necessary. On the contrary, the existence of the SOMA will clarify the status of EUPOL in the eyes of all authorities, as well as setting out privileges and immunities for EUPOL officers.

You also expressed concerns about the capacity of the GIROA to provide adequate security for the EUPOL mission. To this end, you asked to what extent EUPOL is operating in insecure areas, and whether the UK Government foresees a role for international military forces in ensuring the security of EUPOL.

Whilst there are risks to UK personnel working in Afghanistan, the UK takes its Duty of Care obligations very seriously. As such, I outline below the security arrangements provided for UK personnel deployed to EUPOL Afghanistan.

I would firstly like to clarify the meaning of Paragraph 1 in Article 9 of the SOMA which states that “the Host State, by its own means, and taking into account its capacity, shall assume full responsibility for the security of EUPOL Afghanistan personnel”. Article 9 should be read in its entirety, along with Paragraph 2, which states that “the Host State shall take all necessary measures for the protection, safety and security of EUPOL AFGHANISTAN and EUPOL AFGHANISTAN personnel. Any specific provisions proposed by the Host State shall be agreed with the Head of Mission before their implementation”. The significance of this section is that, by signing up to it, the GIROA has an obligation to facilitate and support EUPOL security; it does not mean that GIROA will directly provide this security (or indeed become the sole security provider). With the signing of the SOMA, the security arrangements provided by EUPOL will not change. They will continue to be delivered as they are now but there will be an additional obligation on the part of GIROA to support EUPOL security provision—formally allowing the mission, and the FCO, to exercise its Duty of Care.

In response to your specific questions above: the majority of EUPOL officers are based in Kabul, though at present 73 are operating outside the capital, spread across 12 provinces. The UK has EUPOL personnel in two areas: Kabul and Helmand.

All UK police officers and civilians seconded to EUPOL are currently deployed under Foreign and Commonwealth Office Duty of Care standards. This specifies and ensures that all staff are provided with a baseline level of security, including protected (hard cover) accommodation, Close Protection and B6 armoured vehicles for road moves, as stipulated by Estates and Security Directorate (ESD) and enforced by Overseas Security Managers. Some of these security protection requirements are provided by EUPOL, rather than UK, as long as we are satisfied that they can provide an equivalent level of care to ourselves. We continue to monitor EUPOL procedures to ensure these standards are maintained.

Military teams and assets will, on occasion, provide security support to EUPOL personnel, but this would be a local and informal arrangement. The UK ensures that other arrangements are in place to meet FCO Duty of Care and does not depend on assistance from international military forces. This will remain the case following adoption of the SOMA.

21 September 2010

Supplementary memorandum by the Foreign & Commonwealth Office (APM 4)

You asked for further clarity on the “local and informal arrangement” for military teams to provide security support to UK police officers and civilians seconded to EUPOL. In particular, you raised concerns that the arrangement is not sufficient to provide adequate security for these UK personnel.

EUPOL personnel do not rely on military support for protection. Security arrangements are provided by private security companies (PSCs): G4S in Helmand and Hart in Kabul. In Helmand, the military may assist by providing transport for EUPOL personnel. This occurs on average two to three times a year on the rare occasions when the vehicles of the PSC are operationally prioritised to other locations. When such occasions arise, no Duty of Care standards are compromised. All EUPOL movement in Helmand is risk assessed in line with UK Duty of Care standards. EUPOL personnel travel with Close Protection, and any transport provided meets a baseline level of B6 armoured vehicles or greater for road moves.

I hope this answers your concerns on this point.

22 October 2010

Supplementary memorandum by the Foreign & Commonwealth Office (APM 5)

Further to the evidence I gave to the Sub-Committee last week. I agree with your sentiment that the relationship between EU and NATO, particularly between the NATO Training Mission in Afghanistan (NTM-A) and the EU Police Mission (EUPOL) in country, is central to the success of reforming the Afghan National Police. Unfortunately, the arrangements for EU and NATO engagement in Bosnia and Herzegovina do not provide a precedent for EU-NATO co-operation in Afghanistan.

There are two EU-led missions in Bosnia and Herzegovina, the military mission—EUFOR Althea—and the civilian mission, the EU Police Mission in Bosnia. As both missions are commanded by the EU (the military one under the Berlin Plus arrangements), there are no formal barriers to co-operation. In contrast, the missions in Afghanistan are commanded by two separate organisations: NATO commands both ISAF and NTM-A, and the EU commands EUPOL.

However, EUFOR Althea in Bosnia and Herzegovina does draw on NATO assets. The basis for this arrangement is a much wider agreement, finalised in 2002, that NATO would make available to the EU its collective assets and capabilities when needed as part of the so-called “Berlin Plus” arrangements. This agreement is not applicable in the case of EUPOL Afghanistan. The issue in Afghanistan is not the need for NATO assets in support of an EU-commanded military operation, but rather, the need for a specific formal agreement for co-operation between an EU civilian mission and the NATO civilian and military missions in country.

The Treaty of Nice in 2001 set out the basic tenets of the EU-NATO relationship. Post-Nice negotiations between the EU and NATO threw up difficulties over implementation of the Berlin Plus arrangements. To secure Turkish agreement, the EU found a formula that would exclude Cyprus, if/when it acceded to the EU as a still-divided island, from the Berlin Plus arrangements. However, in the corresponding decision agreed in NATO, Turkey secured language that excluded Cyprus not only from Berlin Plus but also from “EU/NATO strategic co-operation.”

This has resulted in a stalemate in which the two organisations can only meet formally at the political level to discuss Berlin Plus operations (currently only Operation Althea in Bosnia and Herzegovina) where Cyprus is, by common agreement, excluded. Cyprus retaliates against this discrimination by blocking the Administrative Arrangement that should have been established between the European Defence Agency (EDA) and Turkey. As Cyprus does not participate in the Berlin Plus-based EU-NATO Capability Group (the only forum where the two institutions exchange information on capabilities), Cyprus and Greece have further obstructed closer co-operation on capability development.

These disagreements form the backdrop to the difficulties in reaching a formal agreement between NATO and the EU for co-operation in Afghanistan, though some co-ordination of operations at a practical level in theatre is taking place and has in fact improved. We will continue to push for further formal moves in this direction in both organisations.

5 November 2010

Supplementary memorandum by the Foreign & Commonwealth Office (APM 6)

You expressed concerns about the Afghan Government’s decision to ban Private Security Companies (PSCs), and in particular the possibility that this could have a detrimental impact on EUPOL’s ability to operate securely, especially in Kabul.

Since the signing of Presidential Decree 62 on 17 August 2010, which ordered the disbanding of PSCs from Afghanistan by 17 December, the International Community has been engaged with the Government of Afghanistan over its implementation. On 16 November 2010, agreement was reached between President Karzai, the Ministry of Interior and International Community on a phased approach to the implementation of the Decree.

The agreement states that PSCs protecting embassies, diplomatic missions and multilateral organisations, including EUPOL, will fall outside the remit of the decree and can therefore continue to operate. On development projects, there will be a gradual and orderly transfer of PSC activity to Afghan control, but no timelines have been imposed. Illegal PSCs, registered PSCs with outstanding legal issues and all PSCs linked to senior officials of Afghanistan are due to be dissolved by 17 December. The precise arrangements for the protection of diplomatic and other international missions such as EUPOL are still being negotiated with the Government of Afghanistan. As such, we will continue to work closely with the British Embassy, Kabul to monitor progress and assess any potential impact on EUPOL.

You also expressed concern about the lack of a formal cooperation agreement between NATO forces in Afghanistan and EUPOL. You recommend that the Government should make strong representations to the parties concerned, with a view to lifting the obstacles to a NATO-EU agreement, and also requested that the Government raise the matter with the EU High Representative, Baroness Ashton, at the earliest possible opportunity.

The Minister responsible for Afghanistan, Alistair Burt, explained the current situation in his letter to the Committee of 5 November. Whilst the relationship between EU and NATO, particularly between the NATO Training Mission in Afghanistan (NTM-A) and the EU Police Mission (EUPOL) in country, is central to the

success of reforming the Afghan National Police, I would not support the assertion that the lack of a broad formal agreement between the two is putting the lives of EUPOL personnel at greater risk. EUPOL has its own life support arrangements in place, including close protection from Private Security firms, which fully meet the UK Duty of Care standards and the standards of the EU Council Security Office. EUPOL does not rely in any way on military support for protection. The clarification of the PSC Decree on 16 November provides assurances for the future of the security provision of EUPOL personnel.

29 November 2010

Supplementary memorandum by the Foreign & Commonwealth Office (APM 7)

You requested information from Afghan Drugs and Justice Unit (ADJU) on bilateral police missions operating in Afghanistan.

It is difficult to provide an accurate and exhaustive list of bilateral police missions operating in Afghanistan, mainly because the lines between bilateral and multilateral contributions are not easily distinguishable. However, this is a piece of work the international community is currently undertaking.

There have been a number of bilateral efforts to support policing in Afghanistan since 2001. As the International Security Assistance Force (ISAF) presence, NATO Training Mission-Afghanistan (NTM-A) and EU Policing Mission (EUPOL) have developed over time, a number of bilateral missions have been subsumed into the multilateral missions.

Moreover, bilateral missions in Afghanistan are strongly encouraged to coordinate their work with the Afghan Ministry of the Interior and multilateral missions, primarily NTM-A and EUPOL. It is also common for countries to build on the specific work of their contingent in multilateral missions, such as augmenting their ISAF commitments, or delivering supporting projects that add to the expertise they provide through EUPOL.

This is why bilateral and multilateral efforts cannot easily be distinguished. For example, the UK leads on the Helmand Police Training Centre, but it also involves Denmark and the US, and the centre will be transferred to NTM-A command in 2011. In addition, the most significant bilateral contribution—the US Combined Security Transition Command—Afghanistan (CSTC-A)—was brought under the command of NTM-A in 2009.

Improvements have been made, and continue to be made, in the coordination of international efforts since the formation of the International Police Coordination Board (IPCB) in 2007. It is made up of contributors to police training and development, including ISAF/NTMA, EUPOL, the US, the UK and other international donors, and is chaired by the Minister of Interior. More recently, the creation of the Ministry of Interior Coordination Cell (MICC) supplements the pivotal role of the IPCB by improving practical coordination between the MOI and donors' institutional reform efforts, and coordination within the MOI itself.

However, it is worth noting those countries which have a significant bilateral police mission.

Germany makes a significant bilateral contribution to police development in Afghanistan. The German Police Project Team (GPPT) currently consists of over 200 staff delivering police training at all levels. The GPPT is working in close coordination with EUPOL and NTM-A in Kabul and northern Afghanistan, with training sites in Mazar-e-Sharif, Kunduz and Feyazabad. It also delivers training for Officers and senior NCOs at the Afghan National Police Academy in Kabul.

Canada has 48 civilian and 40 military police trainers and mentors supporting ANP reform across Afghanistan. While the military focus on security, the civilian police focus on criminal investigation and leadership and are based at Kandahar Provincial Reconstruction Team (PRT), where they have a certified police training academy. Canada deliver a program called Kandahar Model Police Project, with Canadian police embedded in district police stations and accompanying ANP foot patrols.

UK military and civilians are working together to train and mentor the ANP across Helmand province. The UK-led Helmand Police Training Centre (HPTC) in Lashkar Gah is providing basic training to new recruits and leadership training for junior officers. The HPTC will soon become a Regional Training Centre (RTC) under command of the NTM-A. In addition, the UK mentors senior police Chiefs in the districts and is leading the development of investigative capability across the province. We are also supporting the Provincial Chief of Police in developing a policing plan and engage with the community.

Several nations provide direct bilateral support to special units in the Afghan policing system, such as Counter Terrorism and Counter Narcotics. For example, Turkey's bilateral effort in Jowzjan focuses on Counter-Narcotics training, in addition to basic Afghan National Police (ANP) training. But it is now also working with NTM-A to design and deliver an Officer training course.

You also requested information regarding whether or not the United Nations (UN) are delivering any police training or mentoring.

The UN Mission in Afghanistan provides some training for the ANP, specifically on human rights (where the UN provides training for Afghan government officials across the board). As part of the United Nations Development Programme (UNDP)-administered Law and Order Trust Fund Afghanistan (LOTFA), the UN provides training and mentoring for ANP and Ministry of Interior officials, concentrating on building capacity in payroll and Human Resources functions. Also as part of LOTFA, UNDP is currently running a project in Kabul Province developing community policing within the ANP, which is tightly coordinated with the work of NTM-A and EUPOL. The United Nations Assistance Mission to Afghanistan (UNAMA) has several serving police advisors deployed to its offices around the country.

31 December 2010

Supplementary memorandum by the Foreign of Commonwealth Office (APM 8)

You express continued concern about the lack of a formal cooperation agreement in Afghanistan between NATO forces and EUPOL. You reference evidence provided to the Inquiry by Head of EU Civilian Missions, Kees Klompenhouwer. Mr Klompenhouwer stated that EUPOL has only an informal agreement with NATO for *in extremis* assistance that might be provided within means and capabilities, and his belief that this lack of a formal security agreement constitutes an additional risk for EUPOL personnel.

As you are aware, the principal obstacle to the conclusion of formal agreements between NATO and the EU is the ongoing issue involving Cyprus, Greece and Turkey (as explained in Mr Burt's letter to the Committee of 5 November). This is not an issue of policing in Afghanistan, it is much broader. But it is one we take seriously and continue to work hard to overcome and, where necessary, work around. Ministers regularly press this issue both in bilateral meetings with European, US and Canadian counterparts and in NATO and EU meetings. Indeed, as a result of the efforts of the UK and our international partners, on 12 October, the International Security Assistance Force (ISAF) approved a revised version of their Operational Plan (OPLAN). This contains new language on support to non-NATO actors: "NATO/ISAF may provide security support to international actors who are working to achieve the shared goal of capacity building of the ANSF". The new text, in contrast to previous versions, omits the caveat "*in extremis*". This is a considerable step forward, formally allowing ISAF forces to go beyond limited *in extremis* support, and actually carry out deliberate planning and operations in support of EUPOL activity. I welcome this step forward for EU-NATO cooperation in Afghanistan, and assure you that the Government will continue to encourage the efforts of the NATO Secretary General and EU High Representative to improve cooperation between the two organisations.

However, I would like to reaffirm my position that, even without this positive development, the lives of EUPOL personnel would not be at additional risk. EUPOL does not rely in any way on military support for protection, whether from NATO, the UK, or any other international partner. Even in the event of a situation requiring evacuation, personnel evacuation would be effected by a private security company. It is also the case that working relationships on the ground are, arguably, more important than the existence or not of a formal agreement. We are working hard with EUPOL and the NATO Training Mission in Afghanistan (NTM-A) to ensure that there are good levels of cooperation between these missions in theatre. For example, a EUPOL Liaison Officer is assigned to NTM-A HQ, and the new Deputy Head of Mission at EUPOL (UK civilian officer Geoff Cooper) was previously the Senior Civilian Police Adviser at NTM-A, which further increases the links between NTM-A and EUPOL.

I would be very happy to discuss these matters further with you in person, should you still have concerns regarding security of EUPOL personnel in Afghanistan.

10 January 2010

 THURSDAY 4 NOVEMBER 2010

Present	Lord Teverson (Chairman) Baroness Bonham-Carter of Yarnbury Lord Inge Lord Jopling Lord Radice	Lord Selkirk of Douglas Lord Sewel Lord Trimble Lord Williams of Elvel
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 Examination of Witness

 Witness: KEES KLOMPENHOUWER [Head of EU Civilian Missions].

Q134 The Chairman: Mr Klompenhouwer, thank you for being available today on this video system.
Kees Klompenhouwer: It is a pleasure and an honour for me to be interviewed by you.

Q135 The Chairman: Thank you very much. I hope you think so at the end. I am sure you will. This is, I think, the fourth of the evidence sessions that we have taken on EUPOL in Afghanistan. Clearly, it is a very important mission. I know it is very high in your own mind and in terms of management in Brussels. Perhaps I could just go through some of the housekeeping side. This is a public evidence session. We will be taking a transcript and that will be sent to you so that if there are any errors in it you will be able to correct them. This is the last of our evidence sessions. After this we will write our report, which we hope to publish around the end of the year. Clearly this is an important evidence session because you and Brussels play an important part in this mission. You have seen a copy of the questions and there will obviously be supplementaries to them. Would you like to introduce yourself to the committee? I do not know how many of us you can see but there are eight or nine of us. Would you like to make an opening statement or go straight to the questions? After that long diatribe, I hand over to you.

Kees Klompenhouwer: Thank you very much. I can see three of you, so if I am not responding correctly to the ones I do not see, I apologise. My name is Kees Klompenhouwer; I am Dutch and I have been the civilian operations commander since 2008. It is maybe important to explain why we have such a thing as a civilian operations commander. It is the result of a decision by the Member States and Mr Solana, the High Representative. Since we were having more and more complex civilian missions, there was a need for a mechanism to command and control it from Brussels to enable the Political and Security Committee and the High Representative to give a steer on those operations and ensure delivery of the mandate. That is why this institution has been created.

Q136 The Chairman: Thank you very much. When individual colleagues ask questions, I am sure the camera will point at them, so you will know who is—I was going to say “firing the bullets” but that is probably not the phrase to use on this occasion. One of the things that has concerned us throughout this inquiry is how successful the mission has been generally in Afghanistan. What are the key aspects of its mandate, approach and operational tasks? Obviously, this mission already has quite a long history, even though it did not start so long ago. Could you give us a little of that context, looking at success to date, where some of the main problems have been and what EUPOL has had to pick up from what preceded it?

Kees Klompenhouwer: The mission was started in 2007. The history of that is that in 2002, at the Berlin conference, it was agreed that there would be one lead nation developing the Afghan police, and that was Germany. In 2007 it was decided that the efforts to support the development of the Afghan national police should be broadened by creating this European police mission. So, that is how it started. It started with a very broad mandate to create sustainable policing arrangements under Afghan ownership, which had also to maintain links with the criminal justice sector. At that point in time, the idea was that, since it was a broader mission, encompassing more Member States, its role should be mainly to give strategic advice and co-ordination. That is how it started in 2007, with a very wide strategic mandate. 2007 was also a difficult year because there was a bit of a false start due to logistical problems.

Q137 The Chairman: Perhaps you could explain briefly what those logistical problems were to give us a flavour of the challenges there.

Kees Klompenhouwer: They were essentially problems relating to accommodation, because building accommodation takes some time and the people were already there. There was also the question of the supply of armoured vehicles and the EU procurement rules. They require a certain amount of time and a

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certain procedure. All that was not in place because the mission was launched rather in a hurry. These things were not in place when people arrived; that was the false start that I referred to.

The Chairman: Thank you very much. Do you want to continue?

Kees Klompenhouwer: In 2008, it was decided that this mission should not just do management consultancy, if I may put it that way, but start to focus on tactical delivery. It meant that we had to start thinking about certain strategic priorities and how to implement them. This led us to the idea that we should secure the cities by providing certain good policing practices on the ground, which obviously did not exist at that time. At that point in 2008 it was also decided to double the size of the mission. The authorised strength was 200 and in 2008, to step up the mission, the authorised strength was increased to 400. Since then we have been going through successive stages of further focusing of the mission, which was necessary because Afghan priorities were developing. We also had to accommodate international partners, particularly, in the beginning, the United States, which had a huge training mission—CSTC-A—and, later, the NATO mission. This has led us to focus our activities more and more on very concrete projects. One of the results that I can report is that since last year we have trained around 11,000 Afghans. We focus on middle and senior level cadres of the police and the justice sector. We have developed the city police projects and started implementing them. We have also developed our action in relation to the criminal justice sector, notably in helping to develop the office of the Attorney-General and work in anti-corruption. I am prepared to elaborate on all these things if you so wish.

Q138 The Chairman: We will probably do that as we go through, but perhaps I could come back to a small technical point, which I found particularly interesting: the problem of the procurement of equipment and the procedures for having to buy equipment. Does all of that slow down such missions as they try to get themselves ready? Is that a generic problem and one that affects all EU missions?

Kees Klompenhouwer: That is right. Obviously, with colleagues on the European Commission, we have been considering the means to overcome this. To tell you the truth, when we launched the Georgia mission in 2008 in three weeks, which was something of a record, the equipment was provided by Member States. We still had not been able to sort this out. The solution that was invented, a framework contract with a private contractor, did not work because the private contractor could not deliver in time. We are now considering other options, such as warehousing, to make sure that we are able to deliver the equipment in time.

Q139 The Chairman: The beginning of my question was around successes. I wonder whether you could give me bullet points for the three most successful achievements so far, to start on a positive note.

Kees Klompenhouwer: We have helped to develop the Afghan police strategy, which has now been established. It was agreed in March 2010. That is a coherent vision of the Afghans and the international community about what to do with the police. That is very important. Also, we have contributed to co-ordinating the international efforts through the International Police Co-ordination Board, on which EUPOL had a secretariat. In the second stage we have shared that with the United States to strengthen it. This has been moving forward on the strategic level. We have been developing the whole area of civilian policing and criminal investigations. A lot of training has been done in that area. Notably also, we have achieved some very practical results in the criminal justice system. We have delivered standard operating procedures, which are to be applied by the police and prosecutors when they investigate a case. We have also given training on that to a number of people. Also very importantly, we have made progress in our work on anti-corruption. That is to say, we are working on specific anti-corruption cases, together with the Attorney-General's office. Within that office, a special anti-corruption unit has been created. I think we have been investigating 65 cases, of which 14 have led to prosecution. Apart from that we have also started to address corruption at a regional level by forming six anti-corruption teams to enable progression of anti-corruption work at the regional level. These are examples of concrete results.

The Chairman: Lord Jopling wants to follow up that area.

Q140 Lord Jopling: You talked about the successes, most of which are in what EUPOL has done to complete its task. You did not say too much about what successes there have been on the ground as far as your customer, the Afghan police itself, is concerned. This Committee has held a number of evidence sessions and what we have heard has been more than depressing. We have heard descriptions of the Afghan police featuring corruption, illiteracy, desertion, inadequate training and lack of equipment; and of links between the Afghan police and organised crime, the drugs trade and, most worrying of all, the Taliban itself. Some of us are tempted to come to the conclusion that EUPOL is involved with a sort of mission impossible and the whole thing is going to end in tears. Discuss.

Kees Klompenhouwer: Thank you very much, my Lord, for that challenging question. Indeed, the situation of the Afghan police is dire. It is also a huge problem. It is a Least Developed Country and a very corrupt one. It has also had 30 years of war, which

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has caused the illiteracy that you referred to. Of course, one cannot imagine that these problems can be solved in a few years. You need a sustained effort over a long period. We are addressing this problem with our colleagues on the ground: the Americans with their CSTC-A programme and now NATO with its training programme. At the same time, there is a counterinsurgency going on, which also complicates the picture. Work is being progressed in a way that tries to focus on the strengths of EUPOL, in civilian policing. It does not have a counterinsurgency role, nor the capability and size to do that part of the job, which is for NATO, essentially. The basic training of the big numbers of rank and file police officers is done by the Americans and NATO. The Americans are also developing literacy programmes, because even the basic six-week training that they give does not hold much water if people cannot count or communicate properly what they have seen. This is a fundamental problem that requires a lot of resources and sustained effort. As EUPOL, we come in at the top of the pyramid. We are giving specialised training and leadership training to make sure that all the efforts that are now taking place on the ground hang together; and that, with NATO, we create something sustainable. For that you need a cadre of senior leaders who can steer this still undisciplined and illiterate police force forward to consolidate the progress that we achieve and take it further. It is a key element of transition. If we do not do that, the efforts that are now taking place will not be sustainable and transition cannot take place. Yes, it is a difficult task but there is little alternative if we want to succeed in transition.

Q141 Lord Selkirk of Douglas: How have the strategic priorities and approach of EUPOL changed over the last two years, based on lessons which have been learnt in the field?

Kees Klompenhouwer: Indeed, they have changed. As I indicated at the beginning, the mandate was very broad and focused on strategic advice at a ministerial level. Our new focus now is to help deliver security in the cities. We are focusing on 13 cities where we are implementing this city police and justice programme. This is very much a practical approach to make sure that the police on the ground know how to investigate a crime, how to run and organise checkpoints, and how to deal with incidents; that is not the case today.

Q142 Lord Selkirk of Douglas: May I follow that up with a very quick question? You mentioned sustainability and implied that this process would be over a prolonged period. Am I correct in this interpretation of your remarks: that, in order to be successful, the EUPOL mission and its programme must be sustained over a prolonged period?

Kees Klompenhouwer: That is right. For the time being, we have a mandate for three years, which stands until 2013. Obviously, a political and security assessment will have to take place at some point to see where we are, but that conclusion is right. It requires a sustained effort over a longer period.

The Chairman: We might come back to that particular theme in a little bit.

Q143 Lord Inge: The previous witnesses we have had have drawn attention to the difference in approach between NATO and the police mission, and have suggested that the police mission depends on quality and—as a retired soldier I find the second part of this a bit difficult—NATO depends on quantity. What is your reaction to that?

Kees Klompenhouwer: I have heard those qualifications, too. I find them, in a way, not very helpful. NATO is providing quality as well, just as EUPOL is providing a certain quality that is focused on specific civilian policing. It is not because we do different things that one is higher or lower in quality than the other. 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. I would prefer that form of words.

Q144 Lord Inge: Thank you for that. Could you also say whether the length of time we have allowed for this training is enough, and what changes you would like to see in that training?

Kees Klompenhouwer: The point about the length of time is really also an issue of the availability of the Afghans to be trained. We cannot just set theoretical standards. Of course we would like to have longer periods of time but we only have senior Afghan police leaders available for a limited period, such as one or two months, but not much longer. They have pressing tasks to do. Our challenge is to make sure that we compress a curriculum of training that helps them forward in that amount of time. We have been discussing a lot with our international partners about the curricula that need to be developed for those purposes. We have agreed these curricula with our partners, and EUPOL has played a leading role in their development. We are in agreement with our international partners on what the training should consist of. There is no disparity. The idea that we should provide leadership training is also shared by NATO and by General Petraeus. This spring, we have agreed with the NATO commanders on the ground that we should develop together a staff college in Kabul for senior Afghan leaders to provide the higher cadre that I was referring to earlier. This is a joint project where EUPOL will provide the content and the project organisation, and NATO will provide the participants and the logistical support.

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Q145 Baroness Bonham-Carter of Yarnbury: I wanted to ask about the fact that the EUPOL mission is understaffed. We have heard different views from previous witnesses about whether fewer members of higher quality staff is okay, versus the argument that numbers matter and a critical mass is needed for the mission to work well. The fact that there is a shortfall of roughly 100 people means that there is a problem. I wondered what your views on this were.

Kees Klompenhouwer: Since we are operating at 75% of our planned capability, obviously that has implications; we can deliver less. It is not just a question of putting people there. It is also a question of finding accommodation for them. This has been a particular problem in the provinces, where we depend on the various lead nations of the PRTs to provide that accommodation. That has been a difficulty; sometimes we had the people but it was impossible to get the accommodation. Those are two problems that need resolving. In the plans that we are preparing right now and the recent call for contributions that we issued, we were going to put a special emphasis on this Kabul staff college that I referred to. We are asking the nations to provide people, particularly in Kabul, to do this. We have the accommodation for them and we are making everything ready so that when they come they can deliver their job effectively. On the basis of increased co-operation from NATO and the support that we get from it, we are hopeful that we will be able to convince nations to provide the people. That, of course, is the crucial factor.

Q146 Baroness Bonham-Carter of Yarnbury: Does that mean you are abandoning certain provinces?

Kees Klompenhouwer: In the spring, the Member States decided to agree with our proposal to decrease our presence in the provinces from 16 to 13. It could be that we have to propose decreasing that number even further, to be able to concentrate and deliver in a select number of locations. That is what is being considered at the moment by the Member States. It is also a politically sensitive issue because, for some Member States, it is important to be able to wave the EUPOL flag. It is not as if we can unilaterally decide that certain contributions from Member States should no longer be considered.

Q147 Baroness Bonham-Carter of Yarnbury: But presumably you would prefer that this wasn't happening and that you did not have to remove yourself from these provinces?

Kees Klompenhouwer: Could you rephrase the question, please? I am not sure that I understood it properly.

Baroness Bonham-Carter of Yarnbury: Are you concerned about this strategy of withdrawing from certain provinces?

Kees Klompenhouwer: My philosophy is that we have to do what we can, and focus on those areas where we can deliver.

Q148 The Chairman: Perhaps I could just follow that up and ask, if you could get the full mission there—it is a sign of failure before you start if you don't get the number of people that you advertise should be there—would you then still be out in those other provinces? All of us here would think that any solution for Afghanistan must extend outside the major cities, and must clearly go into the country as a whole.

Kees Klompenhouwer: We have to be realistic, in the sense that the security situation clearly does not allow us to work properly in certain districts where there is active contact with the enemy. There are provinces where the security situation is less hostile, where we can operate without military support. This is a smaller number of provinces than we have today. That is what I propose to focus on.

Q149 Lord Sewel: A couple of weeks ago we took evidence from Chief Superintendent Nigel Thomas, the former interim head of mission. At the end of his evidence, we asked him, if he had the opportunity to make three recommendations to the EU to improve the effectiveness of EUPOL, what would they be? He said straight away, "Allow the head of mission the freedom and the autonomy to deliver on the ground. It is vital that the head of mission is not stifled by the bureaucracy of the system and that has been problematic, and I believe it is still problematic". Do you think that that is a fair criticism?

Kees Klompenhouwer: I think that we have to look at both sides of the coin: on the one hand, the situation in theatre and on the other the situation in the capitals. Both perspectives need to be taken into account because our capitals are making available the means and resources. They have to be convinced that there is delivery on the mandate. That is why the capital is actively involved. That was very much the case in Kabul. It was a shifting strategic environment, a sort of moving target, if you will. There was intense communication between the capital and the theatre on how to react, with the scarce resources at their disposal, in the best possible way to those shifting strategic constraints. One should not confuse intensive communication with micromanagement. The head of mission should have a lot of leeway, in my philosophy, to find the best possible approach that fits the situation on the ground. At the same time, we also have to be aware that the EU, as a junior player, is subject to a lot of pressure to do things other than what is in the mandate, such as to get involved in basic training, for which the mission is not well

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equipped. In fact, that would lead to straying away from our comparative advantage and lowering our standards. These are things on which there must be clarity between the capital that mandates the mission and those who are executing it on the ground. But my basic philosophy remains that the head of mission should have a lot of leeway in making judgments on the tactical situation on the ground. In that, he is the master and we will follow his advice.

Q150 Lord Sewel: You have said “should have” a number of times. Is that actually the case?

Kees Klompenhouwer: I think that is very much the case. In this particular situation, one has to take into account the turnover we have had in leadership. We have had some leadership gaps, and this has required Brussels to become more active than we would normally be. So it was not entirely a normal situation that we were facing.

Q151 Lord Sewel: You have used the phrase “intensive communication”. I start shuddering with fear when I hear phrases like that. Doesn’t that inevitably slow down the decision-making process for the man on the ground?

Kees Klompenhouwer: I’m not sure. If the information is passing well, that should not be an obstacle. In fact, it should help to provide the head of mission with the resources that he needs. It shouldn’t slow down decision-making at all. It should give him a lever in his negotiations on the ground to achieve what he wants to achieve and ensure that he is properly resourced.

Q152 Lord Sewel: Is the mission properly resourced? Does it have the right equipment for the job? Is it adequately funded?

Kees Klompenhouwer: I think it is adequately funded, yes. The available budget is enough and allows us some flexibility to adapt when we need to do that. This, by the way, also requires consultations in committees in Brussels, where we try to be helpful to get the mission’s priorities through. The equipment is there. The armoured cars are there. The accommodation in Kabul is in place. As I said, in certain provinces there are gaps in accommodation. As far as the staffing is concerned, we are doing everything possible to lobby Member States to provide the policemen and magistrates that we need.

Q153 The Chairman: If I could just follow up on one thing there, clearly Afghanistan is high-profile in comparison with probably any other mission that the EU is involved in. There are a lot of political issues around which Member States can do what where. Do you find, as an individual in charge of all this, that when it comes to Afghanistan and EUPOL you have to consult the Member States much more regularly

than you would on other missions, and that therefore that makes the whole thing politically more difficult to handle and maybe slows up decisions? Is it unusual in that way, or is that not the case?

Kees Klompenhouwer: We do intensive consultations with the Member States on all missions. The Member States are the masters of the missions, because we are doing the foreign and security policy of the EU.

Q154 The Chairman: I understand that. What I am trying to get to—I am looking for a short answer—is whether this one is much more sensitive than the others and therefore you have to consult a lot more. Or is that just not the case, and they’re all like this?

Kees Klompenhouwer: I don’t think that’s really the case, but it is clear that this mission is very challenging and under a lot of pressure.

Q155 The Chairman: Thank you. We will move on. I wanted to ask you to comment on EUPOL’s relationship with the Afghan Government and with other actors involved in the International Police Co-ordination Board. We have a plethora of organisations, initials and acronyms in Afghanistan. How does all that work? It can’t make your life easy.

Kees Klompenhouwer: Indeed. There are a lot of players on the ground and EUPOL is only one of them. They are assembled in the International Police Co-ordination Board, which is chaired by the Minister of the Interior. EUPOL, together with the Americans, is providing the secretariat for that board, and that is the place where strategic decisions on the police, such as the strength of the police, their tasks and their pillars, are being taken. That is a decision-making body at a rather strategic level, and co-ordination takes place at that level. In order to increase co-ordination at the operational, technical level, there have been proposals by our American colleagues to create another organ with another acronym, the MIC—the Ministerial Implementation Committee—and this would have a much more restricted attendance. It would include only the key players—EUPOL would also be a part of it—and that is where the more granular decisions would be taken on the actual follow-up of the strategic decisions. These are relatively good mechanisms. These are being supplemented by frequent consultations bilaterally and trilaterally with the Minister, with NATO, with the Americans. We have a very close partnership. I should also report that, thanks to the Treaty of Lisbon, we now have an EU special representative in place who can also play a very active role in co-ordinating the various EU Member States on the ground. He is being very supportive to the mission and making sure that the action of the EU Member States and EU institutions are better integrated.

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Q156 The Chairman: We have had good reports of that previously. Just one last thing on co-ordination. NATO is clearly such an important force in Afghanistan. I ask very starkly: does the issue around Turkey, which often arises in terms of co-ordination, get in the way in terms of real co-ordination that affects the missions and co-ordination between those two organisations?

Kees Klompenhouwer: Both would be helped if we had a broad agreement on the political level on the co-operation between the EU and NATO. Our co-operation in Brussels is limited because of these political sensitivities that you refer to. Our co-operation on the ground therefore has to take place within certain bounds. We have to be careful not to ruffle any feathers, so that limits the scope of the co-operation that we can achieve on the ground, but I can assure you that the commanders on the ground are very much committed to making this work. There are certain limitations, though, and I think we could do more together if this political mortgage was to be lifted.

The Chairman: That is very useful.

Q157 Lord Sewel: Can you give us some examples of where these difficulties have meant that co-operation has not been optimal? You said we could do more if the political difficulties and sensitivities between NATO and the EU were resolved. Can you give us some examples?

Kees Klompenhouwer: One stark example is security. We do not have a security agreement with NATO, which creates some risks for the people on the ground. We only have an informal agreement for in extremis assistance that might be provided within means and capabilities. We also have an identification system, the blue tracking system, which is a one-way system that allows NATO to recognise EUPOL on the ground as not being hostile, but that is also very limited in its application. So, particularly in the field of security, which is uppermost in our minds, we could better organise things if we were enabled to do so.

Q158 Lord Sewel: So it constitutes a significant additional risk?

Kees Klompenhouwer: It constitutes an additional risk, yes.

Q159 Lord Inge: Could I follow up on that? It is a very serious point. You are saying to us that the co-operation on security and key issues like that between NATO and the European Union has many weaknesses in it, and we ought to be working hard to get that liaison and co-operation working better?

Kees Klompenhouwer: Indeed, that's what I am saying.

Q160 Lord Williams of Elvel: You said earlier on that there was a strategic vision for EUPOL and the role of the international community in the police and justice sector. Then, in answer to another question, you said that EUPOL would possibly withdraw further from some provinces. Where is your strategic vision if you have to withdraw further from provinces? What endgame are you looking at? When can you say, "Hooray, we've done a marvellous job, and this is the point at which we leave"?

Kees Klompenhouwer: Let me first of all correct the impression that maybe I gave. There is a police strategy in place and separate from that there is a justice strategy in place. EUPOL as such has no ownership of that justice strategy. We are co-operating only with part of the justice system—the criminal justice system. I am focusing on the police strategy, which was agreed by Minister Atmar, Minister of the Interior, in March this year, so it is still topical. The new Minister of the Interior has expressed a number of priorities that are in line with the strategy and with our priorities, so we are on track as far as that is concerned. I think the issue of the provinces is very much related to the evolution of the situation on the ground. I assume that the transition will succeed and allow us to consolidate the work done so far. That would then allow us to take further steps based on an assessment that we have to make at some point on where we are on the transition. It is very difficult to go beyond that.

Q161 Lord Williams of Elvel: Thank you, but if you are under-resourced it is going to be rather difficult to realise your strategy, isn't it?

Kees Klompenhouwer: We have been very careful in delineating what our task is, which is civilian policing and the link with the criminal justice sector. We have never pretended that we can change the situation on the ground. That is not our mandate. Our key contribution is in helping to make the transition possible by providing sustainable police structures, by providing structures, capabilities and know-how that can transform the police from the state that they are in now into a police force that is not seen as an enemy of the people.

Q162 Lord Williams of Elvel: How long do you think that will take?

Kees Klompenhouwer: That will probably take more than the three years that we now have available in our mandate. Certainly.

Q163 Lord Trimble: An earlier witness told us that recently there has been a fairly serious push to arm and equip informal policing forces in Afghanistan, and that they go sometimes under names such as

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“auxiliary police” and “public protection force”. Do you have a view on this?

Kees Klompenhouwer: This is something that is being created outside the scope of EUPOL’s work, so I have to be measured in my comments on it. The obvious issues are those such as command and control and discipline. I understand that these police forces are under the command of the Minister of the Interior and that certain arrangements are in place for vetting and coaching these forces, but this is outside the scope of EUPOL’s mandate. It is very much in the hands of our American friends, so I will refrain from commenting too much on it. The only comment I will offer is that of course the professional policemen in our mission are concerned that these new recruits should act in accordance with certain standards.

Q164 Lord Radice: When Chief Superintendent Thomas came before us, he said that building up the police and justice systems was going to take at least five years, and perhaps up to 10 years. As we know, the international forces are committed to withdrawing by 2015. Do you think it will be possible to get the sustained improvements in the police and security sector without a comprehensive peace settlement? I realise this is taking you into wider strategic issues, but that is the context in which you are trying to do your work.

Kees Klompenhouwer: Certainly, the absence of a peace settlement is already a complicating factor in implementing our mandate, since security is not permissive in many provinces, and because the focus of international efforts is very much on counterinsurgency—fighting opposing forces—rather than on policing. So a lot of resources and energy are going to this struggle. We would obviously have more room to progress if there were some kind of settlement. So yes, that is a very important factor.

Q165 Lord Sewel: One thing that is obviously clear is that there is a hell of a lot left to do, isn’t there? When we spoke to Superintendent Thomas, we asked him to place the Afghan police force on a continuum between one and 10, where one was a totally non-functioning police force and 10 was an effective, fit for purpose, model civilian police force. He thought that, at the moment, the Afghan force was somewhere between 1.5 and 2 on that continuum. Even if we don’t agree that it is quite as bad as that, there seems to be a total incompatibility between the military timeline of NATO and the police training timeline which, as you have indicated, goes way beyond the three-year period to five or perhaps 10 years. NATO forces, in terms of being able to provide a security framework, are on a much shorter timeframe than that. Isn’t there a danger that you will have chaos and crisis staring you in the face 18 months down the road? Just to be optimistic.

Kees Klompenhouwer: I think you raise a very important point. Every time I do a public performance, I raise the issue of timelines. While we cannot rewrite history, if you call in civilians to fix something that takes a lot of time half way through your military intervention, it is a bit late. The lesson that I have learnt from this is that if you want to do something like civilian policing, you have to come in at the earliest stage of the intervention and not half way through, for the simple reason that you need so much time to achieve your objective. This is true for the police; it is even starker for the judiciary. Developing a judiciary always takes even more time than developing a police force. We see that also in Kosovo, where we are. It is the same phenomenon, but on a different scale, of course, because Kosovo is not at the bottom place where Afghanistan is in terms of development. For me, the lesson is that civilians have to be in place at the beginning of a military intervention and not half way through. We came in as a late player in 2007 and we need time to progress the job properly. That is absolutely true—and that is the dilemma.

Q166 Lord Sewel: The military timeframe at the moment does not give you that opportunity, does it?

Kees Klompenhouwer: I think it will depend very much on the transition point and how it will look. Will it be sufficiently stable to allow us to go forward? To me, that is the critical issue.

Q167 Lord Trimble: Perhaps I could offer you a different perspective on the issue of timelines. You said earlier—and I understand why—that you are focusing on a reduced number of provinces because your function is developing a civilian policing force that can function only in an area where there is security. It cannot function in those provinces where there is still fighting going on. So really, you should be looking forward beyond the military timeline. You should not be bound by it. Presumably the objective is that the military timeline will bite when it has delivered security in the rest of Afghanistan, and that you should look forward to your function continuing after NATO forces have withdrawn and when there is increasing security throughout the country so that you can come in afterwards. You are not on the military timeline: you ought to be on a different one.

Kees Klompenhouwer: That is how I see it.

The Chairman: We have agreement there.

Q168 Lord Inge: This is the final question from me. You know that the Afghan Government has issued a decree banning private security companies from the country. I admit that I advise a private security company, but that is not what worries me. Does this not mean that you will not get protection for the

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police training mission and the development of all those things that are associated with it if those private security companies are withdrawn? What would have to replace them to protect the police? Would it be the military or would they be protected by other means?

Kees Klompenhouwer: This is a critical issue. We were quite worried when the decree of President Karzai came out in August. Since then, a lot of discussion has taken place in which we have participated, together with our NATO and American friends, in order to obtain a waiver from this decree for our operations. We are discussing with the Ministry of the Interior about the implementation of the decree. We do not have a full reassurance yet that we will have this waiver, but that is the goal we are working towards.

Q169 The Chairman: I suppose the question is whether it is achievable. When does the time for negotiating this problem run out? Is this likely to be a situation where you will run out of tarmac because the decree will come in and there will not be an alternative? Is this a crisis for the mission?

Kees Klompenhouwer: If the decree were to be implemented without modification, it could be a critical issue, particularly for our operations in Kabul, where we have a private security company doing the static protection of the compound, and also doing VIP protection and protection of unarmed civilians that we have in our mission. In the PRTs it is not as direct—I would not say less critical—because there we depend on the lead nation in the PRT, and on the arrangements that the host nation has made. There could be an indirect effect where the lead nation's ability to protect would be negatively affected by the decree, which would reduce the resources available to the lead nation of the PRT to protect us. So there could be a snowballing effect there as well. In Kabul it is a critical issue. That is why we are working very hard in order to obtain the waiver.

Q170 Lord Inge: Presumably, therefore, you are discussing the “what if” scenario. In my view, it would be a disaster if the police training mission had no protection and was withdrawn. Are you having discussions with General Petraeus about replacing that security and seeing whether the military can help?

Kees Klompenhouwer: That is not yet on the table, because we are hopeful that we will get the waiver. There are two possibilities. We may have to do the protection ourselves in Kabul, but that would require Member States to provide us with the police and the means to do it. That is one option. The other is to seek support, either directly from the Americans or

from NATO—but I presume they, too, would be considerably stretched because the decree would affect many of their operations as well.

Q171 The Chairman: Perhaps I could ask one other question that has come up during our inquiry. One thing that has surprised me is that, despite having a EUPOL mission—which it seems logical for Europe as a whole to provide to Afghanistan—there are also still a number of bilateral European Member State operations in the police and judicial areas. Does that confuse matters? I find that very difficult to understand. Does it not make the whole thing counterproductive? Would it not be much better if everything to do with the civilian police training mission and the prosecution service was centred around EUPOL?

Kees Klompenhouwer: Theoretically, I would of course agree with you fully. However, the reality is that the bilateral police projects of some Member States are either integrated with the national military posture or integrated with a NATO or American effort. We need to do the integration at the top. That is what we are working on—to be as integrated as possible with NATO and US bilateral efforts. Also, we work very closely with the two Member States that have bilateral police missions, and they are quite helpful. I mentioned that at Kabul staff college we are being supported by NATO and by the German police project. This is quite helpful. We try to turn a complicated situation into one where we can find mutual understanding and support. For the moment, that is my key objective. Again, we were a latecomer in theatre. We came only in 2007. Others were there before us. So it is very difficult to turn back the clock. But if we were given the opportunity to start with a blank sheet of paper, I agree that we would make arrangements that were much more integrated than those we have today.

Q172 The Chairman: That is very useful, because part of our report must consider lessons that have been learnt. We are at the end of the formal questions. Is there anything that you feel we have left out, or that perhaps you would like us to take into consideration when it comes to lessons learnt or other important areas that we have not covered?

Kees Klompenhouwer: I would like to highlight again the fact that our priorities are closely co-ordinated with NATO, so there is no discrepancy. I want to strongly make the point that we should not think in terms of either/or. We bring different capabilities to work on the ground and we are trying to get this as united as possible. I also want to make the point that we are achieving concrete results, in spite of all the difficulties. I plead for extra time and resources to implement the new priorities that we have agreed with NATO. Since I am talking to a British audience,

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I would like to address the UK, which has given us 12 good British police officers, and also justice experts, to help us do our work. More help from the UK would be quite welcome. An issue that we have not touched on, but which is of some importance, is that of contracted staff. Member States today do not allow us to contract staff to fill the gaps that we have. This is an issue that I submit for further consideration. Finally, I know that there is parliamentary scrutiny in the UK of the budget of our mission. I issue a plea for having a good look at the EUPOL budget of €54 million from the perspective of flexibility. We need to be able to adjust to an evolving environment on the ground and not be tied down.

Q173 The Chairman: Do you mean that the budget lines are very detailed and that you are unable to move between budget lines?

Kees Klompenhouwer: That's right, but also the envelope of the budget must have some room, for instance for accommodating extra people if we get them. We have to pay their per diems and make sure they have accommodation and everything, which of course has an impact on the budget.

The Chairman: Mr Klompenhouwer, thank you very much indeed. We suspect that, with this mission, you probably have one of the most difficult jobs in Brussels. As you say, it started very late in comparison with everything else that happened in Afghanistan. Thank you very much indeed for the evidence that you have given, for giving us the benefit of trying out this new technology and, not least, for conducting it in English. We are very grateful and I'm sure that the report will be an interesting read for all of us. Thank you.

Kees Klompenhouwer: Thank you, my Lords, it was my pleasure.

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