

away from the insurgency and thus gradually reduce the level of violence, but as long as there is no inclusive peace and reconciliation process in place, reintegration efforts simply do not make sense. Furthermore, victims of past atrocities have reservations that the APRP might result in impunity for their tormentors. The overwhelming majority of Afghans want peace, but not at any cost. Perpetrators must be brought to justice, and victims have to be provided with full redress. In particular, any serious initiative for peace and reconciliation must also acknowledge the immense suffering of women during the Afghan war. In the run-up to the international Kabul conference in July 2010, Afghan women's rights activists demanded that "Women's rights and achievements should not be compromised in any peace negotiations or accords" and called for "rigorous monitoring and redress"²⁸. Regarding the APRP, a fair proportion of the funding provided through the Peace and Reintegration Trust Fund should ensure that financial incentives for communities to support reintegration are used to support women's empowerment and development.

Besides bringing justice to the victims of past and ongoing human rights violations, it is imperative to resolve the root causes of conflict. Violence in Afghanistan does not always follow a genuine political agenda. Quite often it stems from local disputes over land and water or inter-community differences.

²⁸ Statement by the Afghan Women's Movement from First Women's Council to the Kabul Conference, 17-18 July 2010, http://www.peacewomen.org/portal_initiative_initiative.php?id=378.

A range of factors such as natural disasters, refugee flows, corruption, or abuse of power can aggravate those quarrels and turn them into systematic violence. Decades of war have severely damaged the social fabric of the country, so traditional mechanisms for the resolution of disputes, such as community or tribal councils of elders, have become dysfunctional.

However, peaceful means of conflict resolution and prevention have been widely neglected by donor countries and the Afghan government so far. The Afghan National Development Strategy (ANDS), launched at the international donor conference in Paris in June 2008, just cursorily mentions peace building, but does not identify it as its own field of action. Given the fact that existing initiatives in Afghanistan have often proved to be effective at mediating local conflicts and helping to restore social cohesion, donors should provide much greater support for successful programmes such as the elected Community Development Councils (CDCs) under the National Solidarity Programme (NSP). What's more, in order to upgrade peaceful conflict resolution within Afghan development politics, a national strategy for peace building should be established. The upcoming renewal of the Afghanistan Compact would be a good opportunity for donors and the Afghan government to make up for what they have missed for far too long.²⁹

²⁹ Matt Waldman, "Community Peacebuilding in Afghanistan - The Case for a National Strategy", Oxfam International Research Report, February 2008, <http://www.oxfam.de/publikationen/community-peacebuilding-afghanistan-%E2%80%93-case-national-strategy>.

Towards a comprehensive approach? The EU's contribution to Security Sector Reform (SSR) in Afghanistan

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Abstract: This article analyzes the EU's contribution to Security Sector Reform (SSR) in Afghanistan. It places EU efforts, particularly those aimed at reforming the Afghan National Police (ANP), in the context of the broader international engagement in Afghanistan and the pursuit of a comprehensive approach that aligns civilian and military efforts. It argues that establishing a working division of labor and coordination between the NATO training mission NTM-A and EUPOL Afghanistan presents a significant challenge. The institutional actors engaged in reforming Afghanistan's security sector have not yet succeeded in building a comprehensive approach in Afghanistan's reconstruction.

Keywords: SSR, EUPOL Afghanistan, police reform, comprehensive approach
SSR, EUPOL Afghanistan, Polizeireform, umfassender Ansatz

1. Introduction

Security Sector Reform (SSR) – that is, strengthening and reforming those institutions that are key to establishing and maintaining the rule of law under local ownership, accountability and democratic control – constitutes both an

integral and an essential element of post-conflict reconstruction. In the context of the international engagement in Afghanistan, improving security, governance and the rule of law is a crucial element for the transition towards Afghan ownership of its security institutions. It is also a primary condition for the eventual reduction of military commitments on the part of the US and its allies. Finally, SSR efforts represent an important component of the implementation of a comprehensive

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approach that seeks to align the contributions of various civilian and military actors in pursuit of reconstruction.

The EU has been a key donor in Afghanistan since international reconstruction efforts began in 2001. It holds expertise in aspects of SSR on account of its crisis missions through the Common Security and Defense Policy (CSDP), its political instruments as well as its financial contributions through the European Commission. The EU has contributed to the reform of the Afghan police and to a lesser extent also the justice sector since 2007, and has recently begun to focus on building up administrative capacity at the central and subnational level to improve governance. Despite these contributions, gaining visibility and maximizing the EU's political and operational impact has been a challenge. This has been due in part to institutional incoherence but also to shortfalls in personnel and mission design as far as EUPOL Afghanistan, the EU police training mission, is concerned. An overwhelming US and NATO political and operational lead that, in light of the current security situation in Afghanistan, prioritizes a military rather than a civilian role for the police, has further threatened to marginalize the EU's contribution to SSR in Afghanistan.

At the same time, the EU can make an important contribution to reforming the Afghan police sector in particular on account of its knowledge base and experience in civilian police reform. In light of the EU's recent institutional improvements and a stronger focus on aspects of SSR on the part of the international community, the EU brings value added to Afghan SSR. In order to arrive at a working EU-NATO relationship in Afghanistan, as well as efforts towards realizing a comprehensive approach that aligns civilian and military efforts, however, EUPOL and the broader EU contribution requires greater political and operational recognition in the international field.

A concerted international effort is becoming increasingly important in light of plans for a gradual transition towards civilian and, more importantly, Afghan ownership in the provision of security and the rule of law. At the same time, weaknesses in governance, including high levels of corruption, show that accountability and democratic oversight of the country's security forces cannot be ensured. This illustrates not just the severe challenges facing the international community in Afghanistan but also the need for strengthening governance and accountability alongside the large-scale training of the Afghan security forces, which is currently the main focus of training efforts.

This article elaborates on the points raised above, first considering the role of SSR in post-conflict reconstruction in general and in the contemporary political setting in Afghanistan in particular. It then evaluates in detail the EU's contribution to SSR in Afghanistan and considers the extent to which this contribution is coordinated with and integrated in broader reform efforts led by the US and NATO. The final section of this article considers the importance of a political in addition to an operational space for the EU to maximize its impact – and, conversely, for the US, NATO but also the Afghan government to maximize the utility of EU efforts. The article concludes that the international community is still far from

realizing a comprehensive approach when it comes to SSR in Afghanistan.

2. The role of SSR in managing transitions and attaining a comprehensive approach

Over the course of the past two decades, state failure has become a key concern for policy makers across the Atlantic. The attacks on 11 September 2001 and the war on terror reinforced the conceptual connection between weak states, transnational terrorism and international security. Preventing state failure has since moved to the top of the agenda for international crisis management. It is also listed as one of the key threats facing Europe in the 2003 European Security Strategy (Council of the European Union 2003), and the EU has since deployed a number of civilian crisis missions in various post-conflict settings.

Some of the main challenges in state-building include restoring the use of force to government authorities as well as (re-)building and strengthening those institutions crucial for the establishment and maintenance of the rule of law. In this context, SSR has become a key activity in improving governance in post-conflict societies. Beyond the reform of individual security institutions such as the police, defense, intelligence and justice sectors, SSR also emphasizes strengthening accountability and control mechanisms over a state's security forces. According to the OECD, whose guidelines on SSR the EU has adopted, SSR aims to develop a security environment that is based on development, rule of law, and good governance, and one that highlights the importance of local ownership as well as accountability of security sectors (see OECD Development Assistance Committee 2007).

In its emphasis on the alignment and coordination of efforts, and the interconnectedness between civilian and military instruments and institutions that are necessary to promote stability, governance and the rule of law, the concept of SSR resonates with that of the 'comprehensive approach'. The concept, which was adopted by NATO at the 2008 summit in Budapest and which has since been sought by the EU as well as other international organizations, seeks to align military, political and developmental actors and instruments (see NATO 2008). For NATO, an organization that does not have civilian instruments at its disposal, attaining a comprehensive approach relies on partnerships with other international institutions as well as non-governmental organization, and more generally coordination with civilian actors; whereas the EU, which can look to a complete civil-military 'toolbox', has been challenged by the need for internal coordination of its various instruments (see Gross 2008; Jakobsen 2008). When it comes to EU-NATO relations, civil-military cooperation is hampered by the absence of a formal agreement that would permit institutionalized cooperation, and this negatively impacts efforts at implementing a comprehensive approach.

SSR and post-conflict reconstruction more generally in Afghanistan are made challenging by a variety of factors that include conflicting organizational priorities and

implementation practices; inter-institutional competition and incoherence; an overwhelming military lead in reconstruction efforts; an unstable and deteriorating conflict setting; but also the lack of a coherent political strategy. The 2009 US strategic review has placed an emphasis on counterinsurgency (COIN) and on initiating a transition process to civilian oversight and Afghan ownership. In the COIN 'clear-hold-build' sequence, improving governance for the provision of security functions and a working rule of law is central to the stabilization but also the long-term pacification of the country (see ISAF 2009). As a result, aspects of SSR – namely the reform of the ANA and the ANP – have moved to the center of reconstruction efforts.

The 2010 Kabul Conference accordingly highlighted the goal of placing oversight of the Afghan National Security Forces (ANSF) under Afghan control by 2014 (see NATO 2010), and emphasized the alignment of broader international efforts with the political priorities set by the Afghan government in Kabul. Nevertheless, the ongoing militarization of US and NATO engagement in Afghanistan and a near-exclusive focus on a security function of the police has pushed the civilian aspects of SSR into the background; while the well-documented weaknesses in Afghan governance as well as the often tenuous relationship between the US and the Afghan leadership (see Woodward 2010) continue to put the attainment of accountability, transparency and the broader rule of law into question.

3. Reform efforts to date: The state of play

While the international community has placed an increasing emphasis on SSR, governance and the rule of law, a number of factors negatively affect reform efforts. These include a history of fragmentation of international efforts at rebuilding Afghanistan's security sector and different levels of attention paid to its individual components. Whereas the reform of the Afghan National Army (ANA) and of the ANP has received increased attention, this has not necessarily been the case for other parts of the security sector. Although increasing efforts have been undertaken towards reforming the justice sector and towards strengthening the link between the police and judiciary through prosecutor training and a focus on prison reform, these efforts have been overshadowed by a focus on reforming the ANA and the ANP.

When it comes to police reform, a low starting point at reform efforts has been exacerbated by weaknesses in governance, including a culture of corruption in the police force that continues to make the establishment of a professional police force difficult. Poverty and high rates of illiteracy but also low public esteem, internal ethnic tensions, a high rate of attrition, and conflicting loyalties continue to complicate the task of police training (see International Crisis Group 2007). Police reform takes place in a security environment where the police are increasingly called upon to play a counter-insurgency role. The deteriorating security situation has also influenced decisions over the envisioned size of the ANSF. Whereas the size of the ANP at the beginning of reform efforts was an estimated 50,000, by the time of writing this number had progressively increased to 109,000. Currently, the ANP overall target strength

by October 2011 is 134,000 (see Afghanistan Conflict Monitor 2010). Decisions to enlarge the ANP over a relatively short period places a strain on training efforts both in terms of the quantity of police to be trained and in terms of ensuring quality of training efforts undertaken. The high casualty rate of ANP officers reinforces a vicious circle that makes vetting, recruiting and maintaining qualified staff exceedingly difficult (see NATO 2010).

The emphasis on a counterinsurgency role of the police along with decisions to enlarge the overall size of the ANP also has implications for the priority afforded to the development of a civilian police component. A civilian role of the police – as well as civilian training efforts – has been pushed into the background as a result. This reinforces pre-existing patterns of the Afghan police operating as a quasi-military force and as a coercive element of the state rather than as a civilian police force tasked with protecting Afghan citizens. In a securitized setting such as Afghanistan, civilian police training efforts are all the more important in the pursuit of SSR as originally defined.

Despite these increasing efforts at training Afghan police, reforming the ANP continues to lag behind that of the ANA. Still, police reform has become progressively more targeted also on account of an increased commitment and strategic approach on the part of the Ministry of the Interior (MoI), the ministry responsible for police reform. In March 2010 Hanif Atmar, then-Minister of the Interior, signed the Afghan National Police Strategy that outlines specific policy objectives for the ANP (see Islamic Republic of Afghanistan 2010). The strategy specifies the five different pillars into which the police are organized, as well as the specific tasks for which they are responsible. This has helped target reform efforts, in particular specifying the tasks for EUPOL Afghanistan that is discussed in the following section.

Still, the large number of institutional actors engaging in police reform contributes to the fragmentation of efforts. The US' increasing focus on police reform along with significant resources expended in pursuit of it have translated into a de facto US lead in this area. At present, the key provider in police reform is ISAF through the US' Combined Security Transition Command Afghanistan (CSTC-A) and through the NATO Training Mission Afghanistan (NTM-A) that was launched in 2009. EUPOL Afghanistan, the EU police mission launched in 2007, assumes a more specialized role. Finally, the UN represents a main institutional actor engaged in police reform besides NATO, the US and the EU. The UN Law and Order Trust Fund (LOTFA) pays for police-related costs that include salaries and institutional development as well as maintenance and operations of police facilities (UNDP 2008), and thus underwrites reform efforts. The UN also has a political coordinating role in police reform through its Joint Monitoring and Coordination Board (JCMB). The ongoing institutionalized fragmentation of reconstruction tasks in the security sector and the unequal contributions made to individual reform efforts by various donors in a deteriorating security situation have made the task of coordination a tall order and skewed the emphasis towards the ANA and ANP.

4. The EU in Afghanistan: An overview

Within the broader international presence outlined in the previous section, the EU contributes to reconstruction and aspects of SSR through a variety of measures in addition to its police mission, EUPOL Afghanistan. Since the beginning of international engagement in 2001 the EU has been involved in Afghanistan in political and economic terms, and it has been a key donor in Afghanistan's reconstruction. Between 2002 and 2009 the EU has committed EUR 1.65 billion (European Commission 2009) in key areas such as rural development, governance, and health. For its current funding period, the EU has identified governance and the rule of law as a priority sector and has committed EUR 200 million in the 2010-13 period to justice and the rule of law.

As part of this commitment the EU supports LOTFA as well as UN trust funds that support justice programs. Most recently, and in order to address the lack of administrative capacity in the Afghan civil service, the EU has begun to focus on capacity building and on supporting civil service training. The EU is politically represented in the field through the office of the EU Special Representative (EUSR), a position that is currently held by Ambassador Vygaudas Usackas, a former Lithuanian foreign minister (European Voice 2010).

Since the ratification of the Lisbon Treaty the EUSR simultaneously functions as Head of the Commission Delegation, thereby streamlining the EU's financial and political competences. The physical merger of the two offices has facilitated intra-EU cooperation and alignment of institutional practices in the field, including in the area of police and the broader rule of law (derived from interview with EU official, July 2010). The EUSR provides political guidance, coordination and information to the member states, and liaises with local government. These activities lend additional political weight but also reinforce the EU's financial and operational contributions to Afghan SSR. These activities, together with a staffing increase following the implementation of the EU External Action Service (EEAS), stand to improve intra-European coordination and as a consequence also the EU's overall impact in Afghanistan's reconstruction.

5. EUPOL Afghanistan: The EU's contribution to police reform

EUPOL Afghanistan, the civilian police mission launched in June 2007, constitutes the main element of EU contribution of SSR. The mission's current mandate runs through 31 May 2013. EUPOL Afghanistan's main tasks are to 'significantly contribute to the establishment under Afghan ownership of suitable and effective civilian policing arrangements, which will ensure appropriate interaction with the wider criminal justice system under Afghan ownership. The mission will support the reform process towards a trusted and efficient police service, which works in accordance with international standards, within the framework of the rule of law and respects human rights' (Council of the European Union 2007). Overall authority over the mission rests with High Representative for

Foreign Affairs and Security Policy Catherine Ashton. The Political and Security Committee (PSC) provides political control and strategic directions, whereas the Civilian Planning and Conduct Capability (CPCC) Brussels oversees the mission at the operational level.

EUPOL's authorized strength is 400, and EUPOL staff is deployed in Kabul, the individual regional commands and the provinces. The mission is currently headed by Brigadier General Jukka Savolainen of Finland. EUPOL is a non-executive mission that focuses on mentoring, advising and training at the strategic level in the Ministry of the Interior (MoI) as well as police commanders and upper ranking officials. EUPOL initially built on previous efforts by the German Police Project Office (GPPO), which had focused on long-term training, but expanded on these efforts by focusing also on strategy development through work with the MoI. Besides subsuming individual national efforts under the EU umbrella, EUPOL's added value also lies in its expertise in civilian policing and the broader rule of law – an expertise that neither NTM-A nor CSTC-A possess.

However, shortfalls in staffing and frequent changes of the Head of Mission meant that EUPOL got off to a difficult start. In light of these realities, mission design had to be re-adjusted and EUPOL has subsequently fine-tuned its aims and objectives. This was helped by guidance from the Afghan MoI, which indicated a set of priorities for EUPOL Afghanistan. These included the implementation of an anti-corruption strategy but also an emphasis on intelligence-led policing. While EUPOL already performed some of these tasks, these specifications nevertheless facilitated the targeting of EUPOL activities as well as their implementation (see Peral 2009). EUPOL has since focused on six overall objectives, and the mission mandate is now more flexible to allow EUPOL to work on the district level. Through the Kabul City Project EUPOL is currently working to improve policing standards in the capital, and aims to introduce similar projects in other key cities. The mission also provides training in criminal investigation techniques, and has taken the lead in developing the training curricula for the civilian police and the anti-crime police (European Union 2010). The establishment of the Anti-Corruption Prosecutor's Office also goes some way in addressing the link between the police and the justice sectors.

By mid-2010 mission strength was 278 internationals, with 185 deployed at EUPOL Headquarters in Kabul, 89 in the regions, and 4 providing support within the Mission Support Element in Kabul (EUPOL 2010). Shortfalls in personnel thus continue to affect the mission, even if the objectives and aims of EUPOL have been readjusted to better reflect EUPOL's capabilities. The fact that individual EU member states continue to conduct separate bi-lateral police programs further diminishes EUPOL's visibility. The GPPO not only continues to operate but also has increased in size since 2007; and the countries that make up the European Gendarmerie Force (EGF) have committed this particular resource to NTM-A rather than the EU. Given the structural design of CSDP missions in general, the EUSR is not part of EUPOL's formal chain of command. The political and the financial arm of the EU have now been merged, but EUPOL neither has its own financial resources nor a formal channel for its political representation in the field and in Brussels. While the EUSR is to deliver 'local guidance' and can highlight EUPOL's

contribution in various political settings, this constitutes an informal rather than a formal role. This structural disconnect affects the EU's functions in various coordination boards, for instance. While the EUSR participates in the JCMB, EUPOL is presented at the IPCB. Both mechanisms deal with the rule of law, however, and the unequal representation has implications for EUPOL as well as the broader EU presence.

Constraints inherent in the EU-NATO relationship remain a considerable challenge for police reform in Afghanistan. Initially, restrictions in the EU-NATO relationship delayed the deployment of EUPOL staff beyond Kabul: in the absence of a formal EU-NATO agreement, individual bilateral agreements between EUPOL and lead nations of Provincial Reconstruction Teams (PRTs) were required. This not only slowed down EUPOL's deployment, but precluded it altogether in the case of the US and Turkey. The fact that NATO has assumed a key role in police training through NTM-A also requires the two organizations to coordinate their activities on the ground.

A de facto division of labor between the missions exists. Whereas NATO supports reform at the district level and below to increase operational capability, EUPOL maintains a focus on civilian policing and police training and standards at the strategic level. Establishing coordination has been helped by good personal contact in the field between respective heads of missions and the acceptance that EUPOL can provide added value in key areas. But, the generally good contacts at the senior level in both organizations in Brussels as well as Kabul are not necessarily replicated at the working level. Fine-tuning the process of EUPOL-NTM-A coordination, therefore, remains work in progress.

6. Aligning efforts: Towards a comprehensive approach?

The EU's engagement in Afghanistan covers a range of contributions towards aspects of SSR. The EU's presence in Afghanistan has also become more targeted since the ratification of the Lisbon Treaty and the extension and amendment of EUPOL's mandate. In the area of police reform EUPOL has also profited from specific requests for contributing its expertise from the Afghan government. There is a notable difference between the focus on basic non-police specific skills on the part of CSTC-A and now NTM-A, and that of policing tasks, mentoring and advising that is emphasized by the EU. The focus on basic training is unsurprising given the current security environment. However, it means that NATO and the US on the one hand and the EU on the other work towards two different models of policing: the former focus exclusively on short-term basic training provided by military instructors; whereas the latter, on a much smaller scale, seeks to provide assistance in civilian policing and in reforming the rule of law with a focus on longer-term policing needs. Given its size, EUPOL is unlikely to make a strategic impact, but it can continue to focus and take the lead on specific areas in police reform where it has expertise.

A working division of labor, and coordination between the two efforts, is a precondition for a comprehensive approach, understood as the alignment of the activities by individual institutional actors. Although such a division of labor has evolved, more needs to be done to maximize EUPOL's impact and its alignment with NATO. Besides an operational challenge this is also a matter of political alignment. In light of civilian training needs of the ANP, EUPOL's expertise in long-term civilian policing ought to be included in political and operational considerations in the pursuit of police reform. Importantly, this process should entail consultations of the EUSR but also EUPOL in the decision over the broader political direction in reconstruction, including the transition process towards greater civilian leadership, where the EU has a sizeable role to play. Maximizing EUPOL's impact is not only a question of aligning internal EU efforts in pursuit of a comprehensive approach, but also one of external recognition by the Afghan government as well as NATO and the US, and of inclusion of the EU in setting political and operational priorities. This would also go some way towards the realization of a comprehensive approach that emphasizes the alignment of civilian and military efforts undertaken by NATO and the EU, respectively.

Provided that the EU and NATO along with the US can coordinate their training activities as well as their political priorities, a comprehensive approach understood as the alignment of efforts is attainable. Neither the US nor NATO have the civilian expertise needed for aspects of police reform. At the same time, EUPOL cannot hope to field a large training mission but will continue to engage in specialized training. Mutual recognition of respective added values regardless of size must therefore count as a precondition for comprehensiveness and improved alignment.

7. Conclusion: The way ahead

This article has analyzed the contributions of the EU to Afghan SSR, with a particular emphasis on police reform. It has argued that raising unrealistic expectations as to the EU's ability to contribute to police reform has affected EUPOL in particular but also the credibility and visibility for broader EU efforts in Afghan SSR. At the same time, EUPOL has improved its programs and operations – and in light of the need for support of civilian policing the mission's specific expertise represents value added on its own terms. Besides EUPOL, the EU also has a significant role to play in economic development and governance and in strengthening other parts of the security sector including justice reform. This makes the EU an important player in Afghanistan.

Given the Afghan security environment, the weakness in governance but also waning public support for international engagement that lends considerable political urgency to a speedy transition, the challenge for the EU is three-fold. First, it has to increase its political weight, and highlight its specific contributions to police reform. Second, it should, together with NATO, work on a better division of labor and on improved recognition of its capabilities on the strategic as well as the operational level. Finally, the EU and NATO should

continue efforts to align their efforts with those of the Afghan government, and their political demands towards it.

Although there are some positive signs, the current political and security situation in Afghanistan is not encouraging. Decisions to enlarge to overall size of the ANSF necessitate the intensification of training efforts. The stakes are made higher by decisions to bring a transition process under way in the midst of a growing insurgency and political uncertainties inherent in the ongoing process of reconciliation and the search for a political solution to the conflict. Given this particular context, the task of SSR as well as the pursuit of a comprehensive approach have been made all the more urgent.

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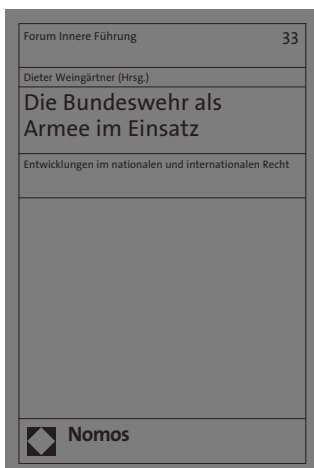
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