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brief 28

Confronting Afghanistan's Security Dilemma

Reforming the Security Sector

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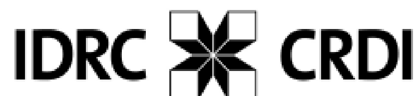

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Confronting Afghanistan's Security Dilemma

Reforming the Security Sector

Mark Sedra (ed.)

september 2003

Zusammenfassung

German Summary

Die Sicherheitssituation in Afghanistan hat sich im Jahre 2003 in alarmierender Weise verschlechtert. Selbst hochrangige afghanische Regierungsmitglieder warnen bei Besuchen im Ausland vor der derzeitigen Situation. Der afghanische Außenminister Abdullah betonte während einer Reise nach Washington im Juli 2003, dass das Land wieder zu einem „failed state" werde und von „Drogenbossen, Kriegsherren und Kräften der Dunkelheit regiert und durch Terrorismus destabilisiert wird", wenn nicht dringlich Maßnahmen ergriffen würden, um das Problem der inneren Sicherheit in Afghanistan anzugehen.

Die Gründe für den Mangel an Sicherheit sind mannigfaltig, und reichen vom Wirken mächtiger Kriegsherren (*Warlords*), dem Wiederaufleben von Gruppen, die - wie die Taliban - den gegenwärtigen Konsolidierungskurs sabotieren wollen, über den Drogenhandel und die allgemeine Kriminalität bis hin zur Einmischung von Nachbarstaaten. Die afghanische Übergangsregierung (ATA) verfügt, obwohl sie seit ihrer Einsetzung im Juni 2002 eine Reihe von bemerkenswerten Erfolgen zu verzeichnen hat, außerhalb Kabuls über kaum nennenswerte Autorität. Jenseits der Hauptstadt haben noch immer Kriegsherren, Milizen und kriminelle Banden das Sagen.

Da die internationale Staatengemeinschaft bisher nicht bereit ist, das Mandat der Friedensmission der International Security Assistance Force (ISAF) auf Gebiete außerhalb der Hauptstadt auszuweiten, konzentrieren sich die Hoffnungen auf eine Verbesserung der Situation auf die Reform des Sicherheitssektors. Die Erwartungen an eine solche Reform, deren Ziel es ist, effiziente, effektive und rechenschaftspflichtige staatliche Sicherheitseinrichtungen zu schaffen, sind jedoch übertrieben hoch und unverhältnismäßig.

Die Agenda zur Sicherheitssektorreform in Afghanistan, die formell im April 2002 auf der Geberkonferenz in Genf beschlossen wurde, basiert auf fünf Säulen:

- Militärreform
- Polizeireform
- Rechtsreform
- Entwaffnung, Demobilisierung und Reintegration (DDR) von Ex-Kombattanten
- Kampf gegen Drogen

Trotz der großen Dringlichkeit ist ihr Erfolg bis dato begrenzt. Pläne zur Reform des Militärs und der Polizei sind deutlich hinter der Zeitplanung zurück; ein Plan zur Entwaffnung, Demobilisierung und Reintegration von Ex-Kombattanten muss erst noch implementiert werden und die Rechtsreform sowie ernsthafte Maßnahmen gegen den Drogenhandel sind durch organisatorische Schwierigkeiten, schlechte Planung und einen Mangel an Initiative verzögert worden.

Der nur stockende Fortschritt ist auf zwei Hauptfaktoren zurückzuführen: Die internationalen Geber beachten und unterstützen die Reform nicht ausreichend und die institutionelle Reform der Ministerien des Inneren und der Verteidigung ist bisher nur schleppend erfolgt.
Der vorliegende *brief* versucht Möglichkeiten aufzuzeigen, wie der Prozess der Sicherheitssektorreform auf den richtigen Weg gebracht werden kann und die anvisierten Ziele erreicht werden können.

Dies war auch das Thema einer ‚E-Konferenz' mit dem Titel: *Bewertung des Fortschritts der Sicherheitssektorreform: Ein Jahr nach der Geberkonferenz von Genf.* Vom 4. bis11. Juni 2003 leitete das BICC diesen im Internet geführten Dialog, an dem sich über 100 Personen aus verschiedenen internationalen Organisationen, Nicht-Regierungsorganisationen, Forschungseinrichtungen, Vertretungen der Geberländer sowie der Übergangsregierung Afghanistans beteiligten. Drei Aspekte der Sicherheitssektorreform standen im Mittelpunkt der Konferenz: die Reform des Militärs, die Reform der Polizei und die Entwaffnung, Demobilisierung und Reintegration von Ex-Kombattanten. Die Ergebnisse dieses Dialogs bilden den Ausgangspunkt für diesen *brief*.

Die Reform des Sicherheitssektors in einem Land mit einer so langen Geschichte interner Konflikte und Kämpfe ist nicht einfach. Es ist ein Prozess, der nicht nur Zeit kostet sondern auch der unerschütterlichen Entschlossenheit aller daran beteiligten Parteien bedarf. An der zuletzt genannten Bedingung scheiterte die Reform bisher. Fehler in der allgemeinen Strategie zur Implementierung der Sicherheitssektorreform, die durch kontraproduktive Entscheidungen von Geberländern wie auch Entscheidungen der ATA noch verstärkt wurden, haben den Prozess behindert, ihn sogar manchmal völlig zum Stillstand gebracht.

1) **Ausweitung der ISAF**
Unabhängig davon, wie viel Geld und Unterstützung zur Reform des Militärs und der Polizei aufgewendet wird, wird es so lange Sicherheitsmängel geben, bis die afghanischen Sicherheitskräfte ihre volle Kapazität erreicht haben. Angesichts des derzeitigen - eher langsamen - Fortschritts in dem Ausbildungsprozess für Polizei und Armee wird dieses Defizit wohl noch drei bis fünf Jahre lang bestehen bleiben. Ohne die Stationierung internationaler Sicherheitskräfte während dieser Zeit zur Gewährleistung eines Minimums an Sicherheit im Land droht der Bonn-Prozess zu scheitern.

2) **Das afghanische Militär (AMF)**
Angesichts der derzeitigen Zahl von Absolventen der Militärausbildung für die afghanische Armee (ANA), wird es bis zu fünf Jahre dauern, bis sie ihre maximale Truppenstärke von 70.000 erreicht hat. Dies bedeutet, dass das afghanische Militär - derzeit eine Mischung verschiedenster militärischer Gruppierungen der einzelnen Stämme unter dem Kommando des Verteidigungsministeriums - länger als zuvor angenommen in seiner derzeitigen Zusammensetzung bestehen bleibt. Es ist daher wichtig, dass das Militär, das im Kampf gegen die Taliban an vorderster Stelle steht, einerseits genügend Unterstützung erhält, andererseits aber auch einer genauen Kontrolle unterzogen wird.

3) **Warlord-Ökonomien**
In vielen Fällen beruht die Macht von Warlords in Afghanistan eher auf wirtschaftlichem als auf militärischem Erfolg. Anstelle von einseitigen Bemühungen eine nationale Armee aufzubauen um Sicherheit wiederherzustellen, sollte wesentlich mehr Aufmerksamkeit darauf gerichtet werden, wie die wirtschaftlichen Fundamente der Macht der Warlords ausgemerzt und die der Karzai-Regierung gestützt werden können. Dazu muss die florierende Schattenwirtschaft, in der der Drogenhandel einen zentralen Punkt darstellt, beseitigt und der Übergang zu einer legitimen Zivilwirtschaft gefördert werden.

4) **Gender und Menschenrechte**
Von dem Status der schwächsten Gruppen in einem Staat kann man generell ableiten, wie es um die Sicherheit in einer Gesellschaft bestellt ist. In Afghanistan gehören fraglos Frauen, Kinder und Behinderte der schwächsten Gruppe an. Daher sind die Themen um Gleichberechtigung und Menschenrechte auch für die Sicherheit relevant. Aus diesem Grund ist es überaus wichtig, dass derartige Themengebiete in die Diskussion um den Wiederaufbau und die Reform des Sicherheitssektors aufgenommen werden.

5) **Ausweitung und effektivere Verteilung der wirtschaftlichen Hilfe**
Der derzeitige Umfang wirtschaftlicher Hilfe und Unterstützung für die Reform des Sicherheitssektors - und somit auch für den Prozess des Wiederaufbaus - entspricht nicht dem Ausmaß der Anforderungen. Es ist dringend erforderlich, dass mehr Unterstützung geleistet und diese effektiv eingesetzt wird. Mehr Hilfe sollte in Trustfonds umgeleitet werden, die die laufenden Ausgaben von Ministerien und Sicherheitsinstitutionen decken. Afghanistan steht derzeit vor einer akuten Haushaltslücke, die behoben werden muss. Einer der ersten Schritte bei der Einleitung von Reformen in einer Post-Conflict-Gesellschaft ist es sicherzustellen, dass Regierungsangestellte und Sicherheitskräfte ein angemessenes und regelmäßiges Einkommen erhalten.

6) **Beschleunigung und Harmonisierung des Prozesses der Sicherheitssektorreform**
Da es unwahrscheinlich ist, dass die Mission der Friedenstruppen ausgeweitet wird, ist es dringend nötig, dass die Reform des Sicherheitssektors signifikant beschleunigt wird. Dazu bedarf es jedoch einer erheblichen Verstärkung der externen Unterstützung. Darüber hinaus ist eine Harmonisierung der fünf Säulen der Sicherheitssektorreform von großer Wichtigkeit. Der Erfolg der derzeitigen Strategie steht und fällt mit dem gleichzeitigen Fortschritt in allen beteiligten Bereichen. Zögerlicher und ungleichmäßiger Fortschritt aufgrund von unausgewogener Unterstützung durch Geber hat dazu geführt, dass die Reform des Sicherheitssektors aufgehalten wurde. So hat z.B. fehlender Fortschritt im Bereich von Entwaffnung, Demobilisierung und Reintegration sowie der Justiz die Reform des Militärs und der Polizei erheblich behindert.

Die Reform des Sicherheitssektors ist das wichtigste Instrument zur Behebung des Sicherheitsproblems in Afghanistan. Um die ins Stocken geratene Reform wieder in Gang zu bringen, müssen sowohl die Geberländer wie auch die ATA schwierige Entscheidungen treffen. Diese Entscheidungen werden unausweichlich verstärkte finanzielle Verpflichtungen der Geberländer erfordern, wie auch eine stärkere Entschlossenheit zur Durchführung von Reformen durch die afghanische Regierung. Sollte dieses Vorhaben misslingen und die Unsicherheit in Afghanistan weiter zunehmen, wird der Bonn-Prozess in seiner Umsetzung weiter erheblich gefährdet.

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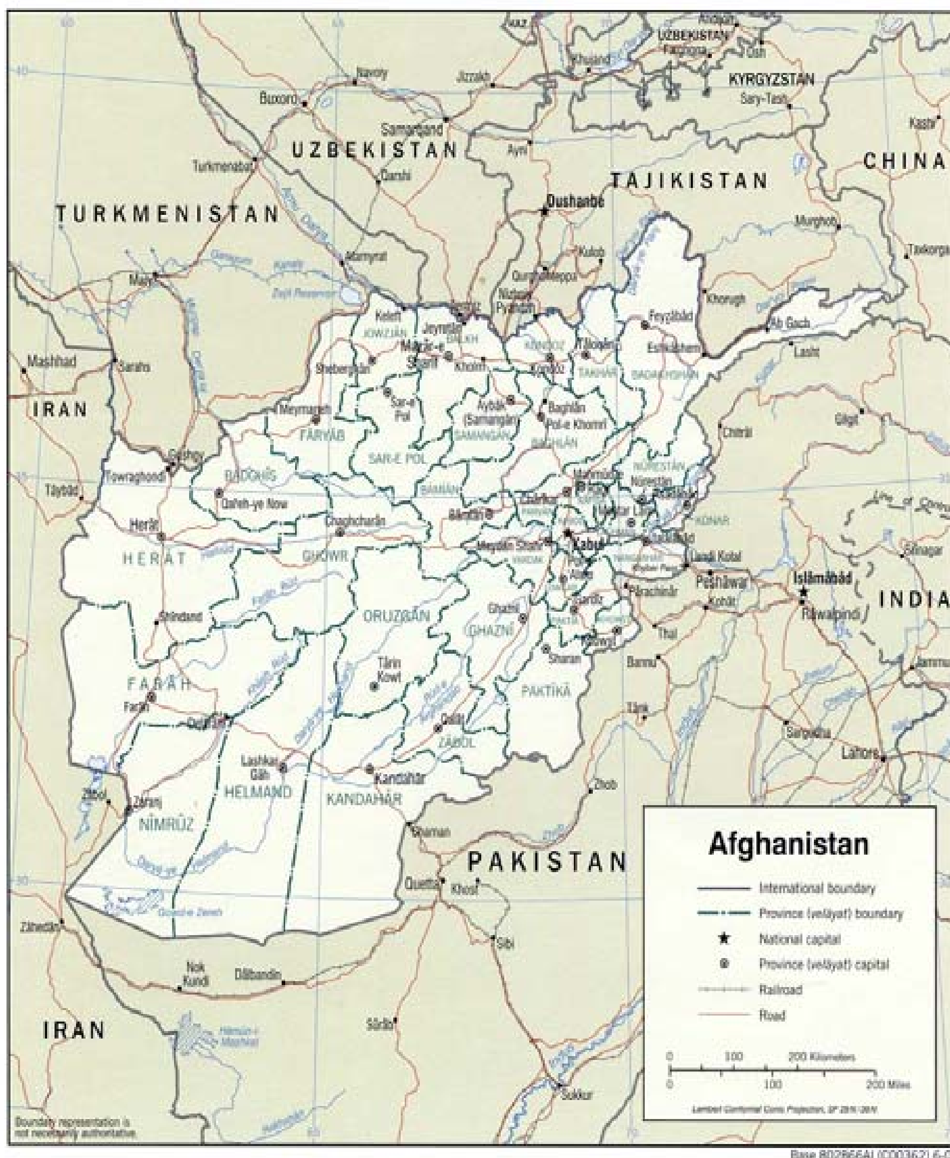

Map: U.S. Central Intelligence Agency

Background on the Bonn International Center for Conversion (BICC) and its Work on Afghanistan

The Bonn International Center for Conversion (BICC) is an independent non-profit organization dedicated to promoting the transfer of former military resources and assets to alternative civilian purposes. The transfer of resources from the military to the civilian sector represents both a social and an economic challenge, as well as offering an opportunity for the states concerned. Established in 1994 with support from the German State of North Rhine-Westphalia (NRW), BICC's expertise has broadened from its traditional base in conversion to encompass the following areas:

- Military technology, production and expenditures
- Economics, resources and conflict
- Disarmament, arms control and surplus weapons
- Small arms control
- Security sector reform
- Demobilization and development
- Base closure and redevelopment
- Current conflicts and preventive conversion

As an international think tank and clearinghouse, BICC conducts research and makes policy recommendations; offers project management and consulting services to public and private organizations at the national and international level; and collects and disseminates data and information to practitioners in a wide range of fields and institutions. BICC strives to reach researchers and practitioners as well as policy-makers, the media, and the general public by means of a variety of tools, including: its publications and annual yearbook, its library, its extensive on-line documentation services, and its internet service (www.bicc.de).

BICC Afghan Security Sector Reform Monitoring Project

In May 2002, BICC established a project to monitor the internationally-supported security sector reform process in Afghanistan, which was formally set in motion at the Geneva security donors meeting of April 2002. The aim of the project is to analyze and assess developments in regard to the five pillars of the security sector reform agenda: military reform; police reform; judicial reform; counter-narcotics; and the disarmament, demobilization and reintegration of ex-combatants (DDR). The project offers research and advisory services to international organizations, governments and non-governmental organizations. It has produced a number of articles and publications, including BICC Paper 25, titled, *Challenging the Warlord Culture: Security Sector Reform in Post-Taliban Afghanistan* and the Foreign Policy in Focus (FPIF) Special Report titled, *Afghanistan: Between War and Reconstruction: Where do we go from here?*

The e-conference aimed to further one of the wider objectives of the project, to promote dialogue among various Afghan and international stakeholders and observers on Afghan security issues.

Introduction

by Mark Sedra

"Security Sector Reform, in short, is the basic pre-requisite to recreating the nation that today's parents hope to leave to future generations."

President Hamid Karzai
30 July 2003, Kabul, Afghanistan

With the two-year anniversary of the fall of the Taliban nearly upon us, it is an opportune moment for retrospection, a time to take stock of efforts to restore security and stability to Afghanistan. According to US military officials, the security situation in Afghanistan is the best it has been in decades. In May 2003, US Secretary of Defense Donald Rumsfeld, on a state visit to Kabul, declared an end to major combat operations and a shift of attention to "stabilization and reconstruction activities". Such bold pronouncements are justified with references to the early successes of the state-building process, whether it is the voluntary return of over 2.5 million refugees from neighboring countries—the largest voluntary influx of refugees in history—the establishment of a stable central government that grows more assertive with each passing day, or the smooth introduction of a new currency, the afghani. Yet the situation on the ground appears to contradict these confident assurances. The most qualified judges of the situation, the Afghan people, continue to cite security as the paramount problem facing their country. The steady rise of insecurity in 2003 has impeded development and reconstruction activities, hindered the process to establish a constitution, and shed doubt on the viability of national elections scheduled for June 2004.

A security sector reform process was launched in 2002 to confront Afghanistan's security dilemma in a sustainable fashion. This *brief* will show that without tangible progress in this enterprise, which involves the establishment of efficient, effective, and accountable state security institutions, the wider reconstruction effort will be imperiled. The achievements of the process have been limited thus far due to a number of factors, five of which are discussed in this *brief*. First, the multi-sector support scheme devised by donor states, in which individual states have been tasked with the responsibility of supervising each pillar of the process, has proven to be flawed. The rationale behind the scheme was that by giving donors a direct stake in the process, their long-term engagement would be assured. In actuality, it has served to disjoint the process, fostering uneven progress in a strategy contingent on simultaneous movement among its constituent elements. This scheme has begun to disintegrate due to its inherent deficiencies, with the US gradually assuming de facto control over the entire process. The second obstacle relates to the security vacuum in the country and the international community's unwillingness to commit peacekeeping forces to fill it. Regardless of how rapid state security structures, which were completely decimated by the civil war, are reconstructed, there will inevitably be a security gap until state security structures reach their full capacity. During this period, an external security presence is needed to insulate the nascent central government and facilitate the reconstruction and peace-building process, a requirement clearly outlined in the Bonn Agreement. Third, growing donor fatigue coupled with the slow pace of aid delivery has deprived the process of vital funds. This *brief* argues that a substantial increase in donor support, specifically targeted at meeting the recurrent budgetary requirements of state security institutions, is a precondition for the success of the process. Fourth, planned reforms for the Afghan government, particularly the Ministry's of Defense and Interior, have yet to materialize. Such reforms must be implemented without delay, as security institutions will not be deemed acceptable by the population until they are seen as ethnically representative and free of corruption. Finally, an insufficient amount of attention has been dedicated to issues of gender and human rights, which have tremendous implications for security. These issues, long a blight on the country's international image, will take time to resolve. However, it is critical that steps to address them are taken now and integrated into the larger reconstruction and security sector reform processes. If mechanisms to protect the rights of women and prevent human rights abuses are not erected in the security sector, the reform process will only serve to perpetuate the gender-based discrimination and egregious human rights violations that have characterized the recent history of Afghanistan.

The causes of Afghan insecurity, while highly interconnected, can be broken down into five categories: warlordism; total spoiler groups; the narcotics trade; the interference of regional states; and crime. Afghanistan's warlords pose the most potent threat to the nascent political order. They are products of Afghanistan's long civil war and its decentralized political tradition and consist primarily of former mujahidin commanders who control well-armed militia groups. In the power vacuum that emerged following the collapse of the Taliban regime, they aggressively carved out mini-fiefdoms across the country. Warlords utilize ethnicity as a tool to assure the loyalty of their followers and mobilize support; however, it is power and wealth not

ethnic identity or religious zeal that drives them. They generate resources through the drug trade, aid from foreign states, taxation, and through various forms of criminal activity. Under current conditions, the central government lacks the wherewithal to forcibly eliminate the influence of the warlords. Accordingly, the Afghan central government and the international community have employed a strategy of accommodation, which aims to integrate them into the current political framework.

Afghanistan's warlords are an amorphous group whose members vary widely in power, wealth and prestige. There are perhaps five to eight warlords of significant power in Afghanistan, capable of directly challenging the central government on a military and economic basis. Paradoxically, however, it is the myriad of second tier warlords, incapable of overthrowing the central government but powerful enough to undermine its authority at the local level, who pose the more dangerous threat. First tier warlords, such as Rashid Dostum or Ismail Khan, have benefited greatly from their tacit support of, and participation in, the central government. Preserving the current political dispensation is clearly in their interest, as it provides them with the veneer of legitimacy without curbing their activities. Second tier warlords do not benefit from the status quo on a commensurate level.

While the interests of first tier warlords are easily determined, those of the second tier are much harder to isolate. This makes the task of devising a set of incentives and disincentives to integrate them into the new political system extremely difficult. They are unsuitable candidates for positions in the government due to their unpopularity among the general population—most are war criminals, guilty of grave human rights violations—and developing viable economic inducements is difficult due to the involvement of many of them in the lucrative drug trade. While force would be an option to confront some, with others it is simply unfeasible without sparking broader unrest. Different packages of incentives and disincentives will have to be devised to confront each warlord on a piecemeal basis, a task that will require intensive research on the structure of militia groups and the economic, military, and social foundations of warlordism in Afghanistan, subjects that have yet to be adequately explored.

Contrary to the assertions of some American officials, total spoiler groups such as the Taliban and former Prime Minister Gulbuddin Hekmatyar's Hizb-i Islami party are far from defeated. The Taliban, as a social and political movement, has been dealt a serious blow; however, integrated into a consortium of spoiler groups that includes Hizb-i Islami and al-Qaeda they have regrouped militarily. Their attacks on coalition forces and the Afghan government have gradually increased in intensity and sophistication over the past year, denoting a new level of motivation and organization in their guerilla resistance.

The Taliban have learned from previous setbacks and modified their military strategy to confront coalition forces, establishing mobile training camps and employing suicide tactics, an approach formerly shunned by the Taliban leadership. It is estimated that there are more then 1,000 Taliban fighters operating in small groups throughout southern Afghanistan and a comparable, if not larger, number of Hizb-i Islami fighters in the east. The recruits are predominantly drawn from the Pashtun community and range in age from 18 to 30. Pashtuns are particularly susceptible to recruitment by spoiler groups because of their growing sense of disillusionment with the current political order. Continued US military operations in Pashtun dominated areas in the south and east, human rights abuses perpetrated by rival ethnic groups against Pashtuns in the north, and a perceived lack of representation in the central government, have driven many Pashtuns into the arms of extremist groups. The Taliban have launched a propaganda campaign in the Pashtun belt to exploit growing Pashtun discontent. Pamphlets have surfaced calling on the army and police to join the hard-line Islamic movement in its campaign against President Hamid Karzai and US-led forces. The pamphlets also warned that those who failed to follow the orders of the Taliban would be killed.

A number of attacks carried out against international interests in Afghanistan, most notably the suicide attack on ISAF peacekeeping forces on 7 June 2003 that killed four German soldiers, have clearly illustrated the increased danger posed by spoiler groups. Unlike the warlords, force is the principal tool that has been used to confront these groups. However, it is not the only tool that can be employed. To undermine the total spoiler groups as well as the warlords, steps must be taken to choke off their sources of revenue, which often emanates from the narcotics trade and other criminal enterprises.

Decades of war have created a vibrant war economy in Afghanistan that has continued to flourish in the aftermath of the Taliban's defeat. This shadow economy encompasses a wide spectrum of illegitimate economic activity, including the exploitation of natural resources, such as gemstones, timber, and minerals; the drug trade; smuggling of antiquities and other contraband; and extortion. The main beneficiaries of these activities are the warlords, spoiler groups and an emerging narco-mafia.

The drug trade represents a dangerous obstacle to Afghan security. In 2002, Afghanistan returned to its position as the world's foremost producer of heroin. According to the UN Office on

Drugs and Crime (UNODC), profits from drug trafficking accounted for 20 percent of Afghanistan's GDP in 2002 (Reuters, 22 May 2003). Approximately 3-4 million people in the country depend on the drug economy for their survival. Poppy cultivation for use in opium and heroin production has been common in Afghanistan for several decades; however, a disturbing phenomenon of the past 1-2 years is the emergence of drug laboratories in the country. Whereas, poppies were previously taken outside the country to be refined into heroin, now, a large proportion of the narcotics apparatus, and the criminal networks that operate it, has shifted into Afghanistan. Afghan Finance Minister Ashraf Ghani has aptly warned that the narcotics trade is "a threat to democracy" that if left unchecked would transform Afghanistan into a narco-mafia state.

The influence and interference of neighboring states in Afghanistan is also a source of conflict and division in the country. Afghanistan's geopolitical importance has impelled regional states to surreptitiously compete for influence and pursue their interests via proxies, a tactic that has served to augment the country's fragmentation along ethnic, religious and political lines. Virtually all observers agree that regional states must cease all support for sub-state actors—individual parties, tribes, and warlords. A significant step towards this goal was achieved with the signing of the Kabul Declaration on Good-Neighborly Relations, a pledge of non-interference by Afghanistan's immediate neighbors, Pakistan, Uzbekistan, Turkmenistan, China, and Iran, on 22 December 2002. However, in spite of this declaration and previous assurances from regional states that they would respect Afghanistan's sovereignty and territorial integrity, external interference has continued unabated. The most blatant offenders in this regard are Russia, Iran, and Pakistan. Russia has provided economic and military aid to Jamiat-i Islami and particularly the dominant Panjsheri faction; Iran has strong economic, political and military ties with Ismail Khan; and elements of the Pakistani military and intelligence apparatus have allegedly provided refuge and support to their former client, the Taliban, turning a blind eye to their cross-border guerilla attacks on Coalition and ATA targets from Pakistani territory. Other states including Uzbekistan, Tajikistan, Turkmenistan, and India are also guilty of interfering in Afghan domestic affairs, but on a lesser scale.

Violence and criminality are rife throughout Afghanistan, whether it is along its highways and borders or within its towns and urban centers. Lakhdar Brahimi, in a speech at a conference on security sector reform in July 2003, stated that "skirmishes between local commanders...continue to cause civilian causalities in many parts of the country where terrorism is no longer an issue" and there are "daily reports of abuses committed by gunmen against the population—armed gangs who establish illegal checkpoints, tax farmers, intimidate, rob, rape and do so—all to often—while wielding the formal title of military commander, police or security chief" (Brahimi, 2003). While few Afghans would mourn the loss of the Taliban and the vast majority are enthusiastically supportive of the new central government and its international patrons, frustration over worsening security conditions is palpable and growing. It is not difficult to find Afghans who will explain that, although the Taliban were ruthless and oppressive, one could travel from Kabul to Kandahar without fear of bandits or a local warlord. Such perceptions, while understandable, must be vigorously confronted, and the only way to do so is to improve the security environment throughout the country.

Confronting insecurity

Processes to reconstruct post-conflict states invariably includes initiatives to reform its security sector. The concept of security sector reform is relatively new and broadly defined; it can encompass various elements depending on the context in which it is implemented. The Organization for Economic Co-operation and Development (OECD) describes the security sector as incorporating:

...the security forces and the relevant civilian bodies and processes needed to manage them and encompassing state institutions which have a formal mandate to ensure the safety of the state and its citizens against acts of violence and coercion (e.g. armed forces, the police, the intelligence service and all other institutions entrusted with police powers and executive authority); and the elected and duly appointed civil authorities responsible for control and oversight of these institutions (e.g. municipal, regional, and national parliaments and the executive branch of government) (OECD/DAC, 2001, pp. 22-24).

The fundamental objective of security sector reform "is to strengthen the ability of the sector as a whole and each of its individual parts to provide an accountable, equitable, effective, and rights respecting service" (UNDP, 2003, p. 5). If left unreformed the security sector could serve to perpetuate, rather then subdue insecurity. It is often the case in post-conflict societies that elite groups intent on utilizing state security structures to further their narrow interests dominate the security sector. Such a scenario fuels existing cycles of violence and will inevitably undermine peace-building and reconstruction processes. Another endemic problem facing the security sectors of post-conflict states is a scarcity of resources. Under-funded security and judicial institutions "are vulnerable and susceptible to corruptive influence" which will only decrease public faith in these structures and augment the

likelihood of a return to hostilities (UNDP, 2003, p. 6). The success of a state-building enterprise depends on the establishment of a well-functioning and structured security sector. The institutions that fall under its umbrella are needed to provide a basic level of safety and security for the public and facilitate a return to normalcy in the political, economic and social spheres.

To achieve the objective of creating a efficient and effective security sector, reform efforts must address four specific areas: to establish democratic oversight over all security forces; to ensure that resources are rationally and efficiently distributed within the security sector; to prepare security forces to provide the civilian population with an adequate level of security; and to clearly delineate the tasks and responsibilities of the various security forces and institutions to avoid overlap and redundancies. Each individual case will demand specific reform measures and structures; however, all should observe these underlying principles (BICC, 2003, pp. 54-55).

In Afghanistan, it is somewhat misleading to speak of reforming the security sector, as the process involves the reconstruction of virtually all state security and justice institutions. After 23 years of civil war and foreign invasion, elements of the former security and justice apparatuses have been either destroyed or are perceived to be too tainted by previous regimes to retain.

The Bonn Agreement, signed in December 2001 by Afghanistan's principal factions—except for the defeated Taliban—created an interim government and laid the foundations for a nascent security sector. The agreement, while inaugurating the state-building process, was flawed in that it transferred authority over the bulk of Afghanistan's security institutions to a particular faction of the Islamic United Front for the Salvation of Afghanistan (UF or Northern Alliance), the military force that ousted the Taliban with the assistance of the US. This faction, comprised predominantly of ethnic Tajiks emanating from the Panjsher Valley situated north of Kabul, have since consolidated their authority over these institutions, including the Ministry's of Defense and Interior, the National Security Directorate (NSD), and the Army.

The Afghan security sector reform agenda, formally established at a security donors meeting in Geneva in April 2002, is, at its core, a donor driven process. It forged an agenda with five pillars and allocated responsibility for overseeing each pillar to an individual donor state. The pillars are as follows: military reform (United States); police reform (Germany); judicial reform (Italy); counter-narcotics (Great Britain); and the disarmament, demobilization and reintegration of ex-combatants (Japan). Progress in each of these areas has been slower than anticipated. A number of factors have hindered the process, including the intransigence of the Ministry of Defense, adverse security conditions across the country, the interference of regional states, the slow pace of reconstruction and aid delivery, and growing Pashtun disaffection.

In an effort to overcome the current impasse and reenergize the security sector reform process, the Bonn International Center for Conversion (BICC) organized an e-conference on "Afghanistan: Assessing the Progress of Security Sector Reform, One Year After the Geneva Conference." The conference, which took place on 4-11 June 2003, assembled over one hundred participants representing various inter-governmental organizations, NGOs, academic institutions, donor governments and the Afghan Transitional Administration (ATA). The conference focussed on three aspects of the security sector reform process: military reform; police reform; and the disarmament, demobilization and reintegration of ex-combatants. Fourteen prominent experts and practitioners working on Afghanistan presented papers at the event. A selection of six of these conference papers and one wholly new piece are included in this *brief*.

The first paper presented in the *brief*, by Paul O'Brien and Paul Barker, the Advocacy Coordinator and Country Representative respectively for one of the largest and most respected aid organization's operating in Afghanistan, CARE International, provides an overview of the security situation from the standpoint of an international NGO.

The breakdown of security across much of the Afghanistan has compelled the UN and many NGOs to scale down their reconstruction and relief activities in various parts of the country. According to UN officials, one third of Afghanistan is currently off-limits to UN staff. An illustration of the dangers that face the UN and NGOs came on 28 March 2003 when Taliban loyalists executed a Red Cross (ICRC) worker in southern Afghanistan. Ricardo Munguia, an El Salvadorian water engineer working for the ICRC was gunned down after being singled out of a two-car ICRC convoy that had been halted by 25 Taliban militants. The act, clearly intended to send a message to internationals working in Afghanistan, sent shock waves through the aid community. It is clear that spoiler groups are deliberately targeting aid workers in an attempt to destabilize the Karzai regime.

O'Brien and Barker's paper offers the perspective of an NGO, with hundreds of employees working on development and relief projects across the country, that must grapple with risk assessments each day to carry out their work. They address a number of issues including the impact of coalition military activities under the auspices of Operation Enduring Freedom, the Provisional

Reconstruction Team (PRT) concept, and the impact of the ongoing security sector reform process. As the title of their paper, *Old Questions Needing New Answers: A Fresh Look at Security Needs in Afghanistan*, suggests, O'Brien and Barker offer a number of succinct recommendations to address insecurity. These recommendations cover a broad range of issues but dedicate particular attention to security sector reform.

Military reform

The military reform process has been a focal point of attention within the broader security sector reform framework since its inception. The US's assumption of the role of lead donor nation for the process illustrates its perceived importance. The central feature of Afghan military reform is the creation of a representative and professional Afghan National Army (ANA). The ANA training process is viewed by many as a litmus test for the entire state-building endeavor. With international donors reluctant to consider the extension of the geographical mandate of the current peace-keeping mission, the International Security Assistance Force (ISAF), beyond the capital, the expectations for the nascent national army have been raised to unrealistic levels. Dr. Antonio Giustozzi's paper on military reform addresses the dilemma of expectations versus reality regarding the ANA.

The paper begins with an examination of the Afghan army in historical context. Giustozzi shows that many of the problems that hamper the training process today are consistent with previous attempts to create a broadly representative national army, whether it is ethnic divisions or a lack of equipment and motivation. These inherent problems compelled previous regimes to rely heavily on regional and tribal militias to maintain internal security and control the borders.

Much of the current debate on military reform focuses on the ANA training program. This has distracted attention from the state of the Afghan Military Force (AMF), otherwise known as the "existing forces". Principally comprised of the militia forces that formed the UF, the AMF numbers more than 100,000 and is at the frontline of the fight against the Taliban. It is presumed that the majority of these forces will be demobilized as a part of a disarmament, demobilization and reintegration program and that the ANA will assume their security responsibilities. However, with the ANA training program behind schedule and the DDR process stalled, the AMF will undoubtedly remain a factor in Afghanistan for years to come. Giustozzi stresses the need to dedicate more attention and scrutiny to the AMF.

The ANA training program has been beset by problems which limited its output to 5,000-6,000 troops by August 2003. Giustozzi gives an overview of the current training regiment and identifies areas that have been problematic. The various criticisms that have been leveled at it, such as its short duration and the lack of basic equipment, are also deconstructed and assessed. Giustozzi identifies the principal stumbling blocks in the ANA training process as the innate resistance of the private militias to reform and the factionalization of the current government and political climate. Without increased international involvement, Giustozzi sees the prospects for the formation of a stable national army as quite bleak.

Police reform

The police reform process did not begin to receive the same level of scrutiny as that of military reform and DDR until early 2003. One of the principal reasons for the lack of attention is the modest level of success that has been achieved in this area. Assigned the task of supporting Afghan police reform, Germany's main accomplishment has been the reestablishment of the Kabul Police Academy. The Academy, which began training an initial class of 1,500 recruits in the first week of August 2002, can be considered one of the success stories of the security sector reform enterprise. However, as Mark Sedra points out in his paper, titled, *Police Reform in Afghanistan: An Overview*, far from a solution, this initiative represents only a first step towards addressing Afghanistan's policing dilemma.

Sedra provides an overview of the state of the police across the country. Lacking training, underpaid if paid at all, and devoid of basic equipment, the police are unable to provide a basic level of security to the Afghan people. The majority of police in Afghanistan are former soldiers and mujahidin fighters who bring "a militiamen's mentality" to their jobs that is not conducive for effective policing. Sedra points out that this mentality fosters corruption and human rights abuses and has contributed to the public's profound lack of trust in the police.

The various reform initiatives undertaken with international support are detailed in Sedra's paper. However, particular attention is paid to the initiatives undertaken by the Interior Ministry headed by Minister Ali Ahmad Jalali. Sedra lauds Jalali's three-pronged approach to address the current security crisis. The approach involves the establishment and deployment of a quick response unit, highway patrol, and border police. This ambitious initiative coupled with efforts to shake-up the Ministry of Interior demonstrates Jalali's resolve to advance the reform process.

In spite of the progress made in police reform, a number of imposing obstacles remain. The most serious of these obstacles is the lack of international support for the process. The Interior Ministry faces serious funding shortfalls that prevent it from meeting its

recurrent budgetary priorities, most importantly the payment of salaries for the police. The United Nations Development Programme (UNDP) established a trust fund, called the Law and Order Trust Fund for Afghanistan (LOFTA), to meet this shortfall, but donors have failed to provide it with the necessary funds.

DDR

Over the past decade, DDR has come to be viewed as a vital and indispensable component of post-war rehabilitation and reconstruction projects. A February 2000 report of the United Nations Secretary General titled, *The Role of United Nations Peacekeeping in Disarmament, Demobilization and Reintegration*, recognized that DDR "has repeatedly proved to be vital to stabilizing a post-conflict situation; to reducing the likelihood of renewed violence, either because of relapse into war or outbreaks of banditry; and to facilitating a society's transition from conflict to normalcy and development" (United Nations, 2000, p.1).

The primary purpose of DDR in the Afghan context is to demilitarize the country by disbanding all armed groups and military structures outside state control and reintegrating former combatants into civilian society. Fundamentally speaking, it aims to ensure that the state possesses a monopoly over the use of force. Severing the relationship of dependence between militiamen and the warlords, something that can only be accomplished through the provision of reintegration support and employment opportunities, is the key to the success of DDR in Afghanistan. The removal of weapons from Afghan society—it is estimated that there are between eight and ten million firearms circulating in Afghanistan today—is also a goal of a prospective DDR program, but a secondary one. The expectation that all, or even a majority, of Afghanistan's guns could be collected in the near future is simply unrealistic.

Afghanistan's DDR program is perhaps the most talked about DDR initiative in the world, despite the fact that it has yet to begin. The current program, called The Afghan New Beginnings Programme (ANBP), like previous plans, is well designed and fully funded. The main problem, as Dr Barnett Rubin points out in his paper titled, *Identifying Options and Entry Points for Disarmament, Demobilization, and Reintegration in Afghanistan*, is not technical but political. Rubin identifies several factors that have stalled the implementation of DDR in Afghanistan. Perhaps the most important factor is Panjsheri domination of the Ministry of Defense. Rubin affirms that the vast majority of Afghans perceive the Ministry of Defense under Marshall Abdul Qasim Fahim, as merely another factional army. Afghan militia groups are unwilling to submit their guns to what they view as a rival faction. Accordingly, the reform of the MoD is a precondition for the implementation of DDR. Another factor that has obstructed the process is the security vacuum that exists across the country. Persistent insecurity and the failure of the international community to deploy forces to contain it, has fostered the perception that people must acquire guns or solicit the services of local warlords and militias to safeguard their families and property.

According to Rubin, it is the mid-level commanders, or second tier warlords, that pose the most formidable challenge to a prospective DDR program. Little research has been conducted on this group to establish strategies to deal with them. It is important that they are listed and profiled to determine what incentives and disincentives can be utilized to demobilize them. Incentives could include appointments in the government, military or police; the provision of advice and support for the establishment of a private-sector enterprises; or economic inducements, such as cash payoffs or the transfer of property. Disincentives refer to options such as the use of force; recourse to legal measures such as prosecution for human rights abuses; and banishment.

Warlord economy

Confronting warlordism in Afghanistan must involve efforts to undermine the economic foundations of the warlord's power and facilitate a transition to a civilian economy. This is the subject of Dr. Frederick Starr's paper titled, *Karzai's Fiscal Foes and How to Beat Them*. Starr asserts that a campaign to combat the economic underpinnings of warlordism should be prioritized ahead of efforts to build a national army. Starr uses Defense Minister Fahim, perhaps the country's most powerful warlord, as his principal case study. Apart from maintaining a private army of tens of thousands of troops independent of his own Ministry, Fahim serves as the head of a "mafia-like" network "that extends throughout the government and economy." Fahim's power, like that of many other warlords, is predicated mainly on a financial rather then a military basis. Accordingly, an effective means to confront warlordism is to equip the Afghan central government with the economic tools to disrupt and eventually dissolve their economic networks.

With Afghanistan at the core of a vast continental network of transit trade, one of the principal sources of resources for the warlords is customs revenue from the country's seven main border points. The Afghan Finance Ministry asserts that customs revenues collected nationwide last year exceeded US$500 million, but only US$80 million was handed over to Kabul. In an attempt to address the problem, Karzai, in a speech on 18 May 2003, demanded that regional leaders fall in line and deliver customs revenue to the central government. Following this speech, twelve of Afghanistan's key governors and military commanders signed an agreement to hand over customs revenues to the central government and to stop all military interference in the

political and civil affairs of the country. This breakthrough has already begun to pay dividends as several regional governors have disclosed their financial records to the central government and begun to hand over customs revenue. Perhaps most importantly, Ismail Khan, who controls the lucrative customs post in Herat—it is alleged that this post generates up to US$1 million per day—handed over US$20 million to the Finance Ministry. This is surely a laudable achievement, however, it remains to be seen whether it signals a permanent break with previous behavior or merely a one-time gesture.

With donor fatigue increasingly discernible, it is imperative that the central government assert control over this source of revenue. However, to do so the ATA requires the concerted support of the international community, particularly the US. Starr outlines a number of concrete steps that the central government, in conjunction with the US and other major donors, can take to achieve this goal.

Transitional justice

The issues of human rights and transitional justice are central to the debate on Afghanistan's security dilemma. Countless atrocities have been committed by all of Afghanistan's factions during the long civil war, including mass rape, systemic executions, torture and indiscriminate shelling. A Human Rights Watch report, released in late July 2003, shows that these abuses continue to occur across much of the country. The report, titled, "Killing You Is a Very Easy Thing for Us," catalogues crimes committed against Afghan civilians, many by state security services, over the past year in 12 provinces of eastern and southeastern Afghanistan. The crimes include armed robbery, extortion, abduction, rape, assaults on civilians, and threats against journalists, feminists and political activists. These abuses are largely preventable if concerted action is taken by the ATA and international community to address them, but such action has not been forthcoming (Human Rights Watch, 2003).

Few Afghans have been left untouched by the egregious human rights violations perpetrated over the last quarter of a century. Many of those responsible for these acts are now part of the central government or allied with coalition forces in the war against the remnants of the Taliban and al-Qaeda. An independent commission, the Afghan Independent Human Rights Commission (AIHRC), was established to investigate these crimes and design mechanisms to redress them. However, its hands have been tied by a lack of political will among both the international community and the Afghan government to address the problem.

Transitional justice has become somewhat of a taboo subject in Afghanistan, due to concerns that powerful militia commanders and regional warlords will withdraw from the political process if the issue is pursued. The UN Secretary General's Special Representative, Lakhdar Brahimi has argued emphatically that action on transitional justice should be delayed until the government is stronger, the judiciary reformed, and the security situation stabilized. Brahimi's approach, shared by many in the donor community and the transitional administration, is rooted in the belief that under present conditions eliminating the power and influence of the warlords is impossible, thus steps that could conceivably alienate them must be avoided. It is accurate that in the absence of a countrywide peacekeeping force it is necessary to integrate the warlords into the political process; however, ignoring past crimes completely will only serve to exacerbate insecurity and undermine the legitimacy of the central government. The international community's silence on accountability for human rights has, in actuality, emboldened warlords to consolidate their power in the central government and extend their influence over elements of the Bonn process.

Ahmad Nader Nadery, a member of the AIHRC, offers an insider's appraisal of the approach, work and difficulties faced by the commission in his paper titled, *Afghans Struggle to Restore Justice in their Country*. Nadery's paper, the only piece in the *brief* that was not presented at the e-conference, offers an historical overview of the issue of human rights in Afghanistan and provides personal insight on contemporary Afghan perceptions of the issue.

The AIHRC began its work in earnest at the beginning of 2003 and has already received over fifty specific complaints concerning past abuses. Nadery stresses that the Afghan population is determined to see justice done and are growing increasingly impatient with the lack of progress made towards this goal. Included in Nadery's paper are a number of emotionally stirring personal accounts, drawn from the hundreds of interviews conducted by the AIHRC, of victims of human rights violations.

Nadery identifies several factors that have served to "obstruct the path to restoring justice". These include growing insecurity, insufficient progress to reform the judicial system, the lack of domestic and international political will, and the existence of deep family linkages between victims and abusers.

Human rights experts insist that several steps can be taken in the short-term, within the political limitations imposed by the larger political process and the adverse security situation, to begin to address the issue of transitional justice. Specifically, a countrywide consultation process to gauge public sentiments regarding the issue could be established and an international panel of inquiry, charged with assembling, analyzing and collecting new evidence regarding past abuses, formed. As Nadery points out, this process should be integrated into the security sector reform process and initiated as soon as possible.

Gender and security

The status of a society's most vulnerable groups, which in Afghanistan includes women, children and the disabled, serves as an accurate barometer of the security situation. Accordingly, it is essential that a security sector reform process target these groups. The Taliban regime's legacy of repression towards women makes the issue of women's rights particularly important in Afghanistan. Just as the Taliban's treatment of women was used as a rallying cry to generate support for the war to unseat the fundamentalist regime, the situation of women and girls is now used widely in mainstream discourse as the principal gauge of the progress of the state-building enterprise.

Sadiqa Basiri of the Afghan Women's Network (AWN), a grass roots Afghan NGO dedicated to the empowerment of Afghan women, affirms in her paper that women in Afghanistan face numerous threats; however, these problems are not so different from those faced by women in many other developing countries. Providing a historical overview of the status of women since the late nineteenth century, Basiri places the current state of women's rights into its historical, cultural, and religious context. She argues that while it is imperative that gender approaches are immersed into the state-building and security sector reform processes, the application of overt external pressure could prove to be counterproductive. The imposition of western conceptions of women's rights in a country resistant to foreign interference would undoubtedly precipitate a violent backlash.

Gender roles in Afghanistan are the byproduct of hundreds of years of history, punctuated by foreign invasion, internecine conflict, drought, and other forms of hardship. Basiri cautions, that there is "no quick fix for the status of women". The process to empower Afghanistan's women and institutionalize gender equality in Afghan society is an incremental one that must involve Afghan women, Afghan men, and the international community.

Basiri makes a number of concrete recommendations on how to address gender inequality in the short- and long-term. These recommendations include the establishment of targeted employment programs for women, the inclusion of more women in the constitutional process, the expansion of educational opportunities for women, the introduction of a legal provision guaranteeing women a set number of seats in the government, the expansion of ISAF outside Kabul, and the fulfillment of international aid pledges.

Addressing the problem

With the security situation across Afghanistan deteriorating and conventional security solutions such as the deployment of international peacekeeping forces unlikely, it is clear that innovative new approaches to the security situation are needed. The final section of this report contains a list of 36 recommendations developed during the e-conference, which are intended to provide a fresh stimulus to the debate on security sector reform.

A theme that runs like a red thread through the recommendation list and all the papers in the *brief* is that an expansion of donor support for Afghanistan is urgently needed. Current levels of international support to Afghanistan are simply not commensurate to the scale of the reconstruction and security challenges that exist. Accordingly, it is critical that donors, most notably the United States and the European Union, significantly augment their political, military and economic support to Afghanistan. At the January 2002 Tokyo donors conference, US$5.2 billion was pledged for the reconstruction of Afghanistan over a five-year period; however, the World Bank has since estimated that US$15–20 billion will be needed to carry out the process over that same span. Further illustrating this resource dilemma, the US currently spends US$11 billion per year on its military mission in Afghanistan and only US$1 billion on reconstruction aid.

A number of general lessons can be derived from the ongoing Afghan security sector reform process that can be applied to similar cases. First, a multi-sectoral donor approach can be problematic. The various elements of security sector reform are so interconnected that uneven progress, generated by an imbalance in levels of donor support, could seriously obstruct the process. For instance, in Afghanistan, the lack of progress on judicial reform and DDR has seriously impeded, and even stalled, the implementation of military and police reform. Providing a single entity, such as the UN, with authority to oversee the entire process, although still funded on a multilateral basis, may be more effective. Second, it is important that aid to the process is delivered on schedule and channeled to trust funds responsible for providing budgetary assistance to relevant ministries and the security services. As in many societies with dysfunctional security sectors, the problem often stems from an acute lack of resources that prevent it from meeting such fundamental requirements as the payment of salaries for bureaucrats and security personnel. One of the first steps in reforming a security sector is to ensure that adequate salaries are paid on a consistent basis. Third, it is virtually impossible to implement security sector reform in a security vacuum, especially in a society with a legacy of violence and turmoil such as Afghanistan. Whether it is DDR or counter-narcotics, an organized and politically neutral security force, either internal or external, is required to facilitate the process. In a country like Afghanistan, where the war produced no clear winners or losers, only a myriad of small- to large-sized factions, and where no classical peace agreement has been achieved among the country's

warring parties, this is especially imperative. The failure of the international community to commit peace-keeping troops to Afghanistan will undoubtedly be viewed in the future as a turning point in the post-Taliban era, whether it is because it precipitated the collapse of the Karzai regime or forced it to become more self-reliant and thereby more effective, is not yet clear.

One thing that is abundantly clear, however, is that if the current security situation is not addressed immediately, the substantial gains made by the Afghan government and the international community during the initial phase of the reconstruction process could be squandered. Afghan Foreign Minister Dr. Abdallah delivered a stark warning about the situation in Afghanistan on a visit to Washington in late July 2003. He affirmed that if more aid and support was not made available, Afghanistan could once again degenerate into a failed state "ruled by drug lords, warlords, by forces of darkness, unstabalized by terrorism once again." As the papers in this *brief* convey, security is the key to reconstruction and security sector reform is the key to achieving security. The consequences of the failure to exploit the current window of opportunity to rebuild and stabilize Afghanistan would be disastrous, for as Dr. Abdullah candidly stated "I'm not optimistic to say if we lose this opportunity there will be another one" (UN Wire, 16 July 2003).

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Old Questions Needing New Answers: A Fresh Look at Security Needs in Afghanistan

by Paul O'Brien and Paul Barker

This piece reflects the individual perspectives of its authors and does not necessarily represent the institutional position of CARE International.

Introduction

Is Afghanistan in a security crisis? Some say no. While there are sporadic incidents of violence and crime, occasional attacks by "extremists" against Coalition forces, and skirmishes between regional militias, US Secretary of State Donald Rumsfeld argues that most of the country is enjoying a relative peace, measured against the past 23 years of war.

Why, then, do so many Afghans and international observers believe that security remains the country's first priority? We believe there are three reasons. First, the habits of violence have a momentum of their own that cannot be arrested in one year or two. A culture of peace will need time to take hold in Afghanistan. Second, Afghanistan's security is being threatened from four different directions, each of which has the potential to unravel the current tenuous accommodation between power brokers. Third, and perhaps most troubling of all, there is not enough international will to stifle these destructive forces.

In this paper, we take a brief look at these forces, and consider domestic and international responses. Our hope is to provoke discussion and to challenge current assumptions around proposed security strategies for Afghanistan. In juggling the various dimensions of Afghanistan's security conundrum, we may end up throwing more balls in the air than we can hope to catch. But we argue, nonetheless, that someone must do precisely that. Very few would argue that the fragile peace currently holding in Afghanistan has any real chance of lasting without a cohesive security plan to get the country through the next five years.

Downhill momentum

Is Secretary Rumsfeld right to describe Afghanistan as a success on the security front? We think not. Or at least, we think his declaration of victory was premature. The legacy of 23 years of war in Afghanistan is simply too powerful. Most of the military forces that devastated Afghanistan are still here, still armed, still in power. The habits of violence do not die easily, not when so many reasons to revert to violence remain and peaceful alternatives are so few.

Measuring Afghanistan against comparable contexts, one cannot help but be pessimistic. Successful and peaceful regime change has been the exception rather than the rule. Of the sixteen contexts in which the United States has led a regime change in the last century, only four had stable democracies ten years later: West Germany and Japan (1945–49)—both of which were developed economies prior to the conflict—and Grenada (1983) and Panama (1989)—both of which have very small populations.[1] Many of the failed attempts occurred more than 50 years ago, but things have not improved with time. Of 52 post-conflict countries since 1960, the World Bank estimates the risk of relapse into violence at 50 percent. Where a valuable and exploitable resource such as heroin exists, it found the chances of relapse to be higher (Washington Post, 26 November 2002).

Violence has its own momentum, its own laws, and its own culture. Declarations of victory against violence in Afghanistan are optimistic at best. At worst, they are profoundly dangerous for they may further distract the international community from a job half done.

[1] The contexts in which regime change did not lead to stable democracies within ten years include Haiti (1994-1996), Cambodia (1973), South Vietnam (1973), Dominican Republic (1966), Dominican Republic (1916–1924), Cuba (1917–1922), Haiti (1915–1934), Nicaragua (1909–1933) (1906–1909), Panama (1903–1936), and Cuba (1898–1902). See Pei and Kasper, May 2003.

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Disaggregating the security threat

The total spoilers: Different observers view Afghanistan's security problem in different ways. For the international community, the key threat remains terrorism and "total spoilers" dedicated to regime overthrow. And that threat has exacerbated in recent months. "Taliban" sightings, and attacks on Coalition forces have increased in 2003. National and international staff of relief organizations have been targeted and killed. Schools have been burned by anti-government extremists. These incidents reflect a new and frightening pattern of violence against civilians. Although most Afghans and expatriates are glad to have left behind the oppression of the Taliban, it is worth noting that under their rule, no schools were burned—not even "illegal" girls schools—and no international aid workers were killed.

The warlord problem: President Karzai, however, may be more worried about the growing strength of the warlords. While they may not want to overthrow the regime in which they have gained so much power so quickly, they are likely to further erode the ability of President Karzai to function as a national political leader. Despite his courageous rhetoric, and steps taken in May 2003 to replace some of the weaker governors, it is far from certain that Karzai alone has the power to rein in the stronger warlords, both within and beyond his government, whose massive revenue sources allow them to support large standing armies. Inter-warlord tension is likely to grow. Control of poppy-growing villages means entitlement to considerable levies. Control of trade routes brings access to customs revenues.

The security vacuum: For ordinary Afghans trying to go about the work of rebuilding their lives, neither "total-spoilers" nor "greedy-spoilers" are the greatest security concern. Rather, they worry about the lack of any police, army or court system to protect them. They have waited in frustration for international peacekeepers to arrive. They have watched localized criminality increase dramatically since the fall of the Taliban.

Outside interference: Last but not least, Afghanistan's old nemesis—"outside interference"—is touted by many Afghans as a powerful destabilizing force. Their fears appear justified: There will be no border police in the next five years capable of controlling cross border military incursions. Pakistan's Northwest Frontier Province will remain a haven for Pashtun militants and extremist groups. Iran seems determined to stretch its influence eastwards and has supported "Emir" Ismail Khan as a security buffer. The "Stans"[2] to the north are apparently obsessed by the growth of Islamic fundamentalism and are determined to support proxy groups, often their ethnic counterparts, across the border. For them, a strong Afghanistan remains a threat (Rashid, 2002).

Together, these four destabilizing forces bring diverse security threats to Afghanistan. To date, no proposed strategy has begun to address the disaggregated nature of this problem. The Coalition focuses solely on the "total spoilers", even funding the warlords to achieve their aims. They will not engage in "green on green" fighting and are all but ignoring human rights violations. The army and police training program appears to ignore the time bound nature of the current security crisis: By the time Afghanistan has a viable national security force, it may be unable to challenge entrenched military powers. And no one appears to be challenging Afghanistan's neighbors to stop supporting the fragmentation of the country.

[2] This is a term commonly used to describe the Central Asian states neighboring Afghanistan, namely, Uzbekistan, Tajikistan, and Turkmenistan.

A cohesive security response—the domestic dimension

No one debates that Afghanistan's security must rest in Afghan hands—in the long term. A domestically led security solution is the only sustainable way of ensuring long-term stability. Yet progress appears to have been stifled on every front. Reform of the Ministries of Defense (MoD) and Interior (MoI) remains largely rhetorical; the process of disarmament, demobilization and reintegration (DDR) will not go ahead until the MoD and MoI are reformed; and regional commanders are growing in power, while the training of the national army and police force has fallen dangerously behind schedule. A national security solution still appears a decade away.

The greatest challenge to domestic security sector reform may be the multi-dimensional nature of the problem. Success depends on progress on several fronts in inter-related ways. The following section discusses progress that must be made on all these fronts.

MoD/MoI reform: In policy-making circles in Afghanistan, most people agree that MoI/MoD reform is the necessary precondition for progress on all other fronts. Of the first 100 generals appointed by the new government, 90 were Panjsheri (Manuel and Singer, 2002). In Kabul, 80 percent of the police stations are run by Panjsheris (Eurasia Insight, June 2002). As long as the senior ranks of the MoD and the MoI are populated by people from one valley in one district, these ministries will have little claim to national legitimacy.

To address this problem, however, it is important to understand the perspective of this factional enclave. They see themselves not just as Afghanistan's liberators, but ironically enough, as the guardians of Afghan pluralism. They

held firm against the Pashtun dominated Taliban when most others caved in. The Americans may have supported them in 2001, but they were the soldiers in the firing line who took Kabul and ended the Taliban era. They will be damned if they are going to give away the keys to Afghanistan's security in the name of political correctness and "representativeness".

No wonder, though, that they are widely perceived in Afghanistan as a hegemonic threat to the interests and well-being of other Afghans. No armed group, however loyal to the idea of a new Afghanistan under Karzai rule, will of its own accord participate in a disarmament process which leaves yet more military power in the hands of a small but powerful minority.

DDR: Similarly, DDR needs to be in full harmony with all other aspects of a security sector reform program. Pushing DDR without MoI/MoD reform and the creation of a credible, multi-ethnic, and non-factional professional security force will exacerbate rather than solve Afghanistan's security problems. The militias targeted for demobilization are those with nominal allegiance to the central government. If they are not at once replaced with a credible national and international security presence, the balance of power will shift in the direction of elements most violently opposed to the government. If there are not sufficient resources and programs to absorb the dissolved militia members, they could easily fall back on their skills with weapons to become part of the destabilizing forces.

The training of a national army: For the past year, the creation of a 70,000-man multi-ethnic, non-factional Afghan National Army (ANA) has been seen as a necessary precondition for the promotion of improved security in Afghanistan. But armies are structured to protect a country from foreign enemies and are blunt instruments for internal security. They are time consuming to train and expensive to arm and maintain. In the absence of clear and significant foreign enemies we question whether Afghanistan needs such a large army.

A reasonable target size for an ANA might be 20,000, a figure which could be reached in two to three years at the current pace of recruitment and training. Such a force could combat organized anti-state elements like resurgent Taliban and al-Qaeda, and work alongside international military forces to deal with any regional militias that refuse to fully engage in the DDR process.

The development of a national police: A national police force is quicker to train and cheaper to outfit and support than an army. Minister of the Interior Ali Ahmad Jalali plans a 50,000 person, multi-ethnic, national force of provincial officers, highway patrols for main transport arteries, and border police to regulate smuggling and the drug trade along the nation's porous borders. These ideas appear consistent with the nation's requirements.

But three hurdles stand in the way of developing an effective Afghan police force: It must be thoroughly professional and disciplined; its leadership must reflect the diversity of Afghanistan; and it must be open, honest and accountable to civilian authority. There are too many reports of men posing as security forces being responsible for thefts of offices, businesses, vehicles, and homes. Many Kabul residents fear the police as much as the non-uniformed criminal elements and are accordingly afraid to report crimes to their local police offices. Official crime statistics may paint a picture of calm and security in Kabul, however, low-reporting of crime arguably reflects more the culture of impunity for uniformed misdeeds than a true reflection of the incidence of crime. That impunity exists largely because the police system is currently dominated by officers from one valley of one ethnic group (Eurasia Insight, June 2002).

Filling the vacuum: the international security dimension

Just as everyone accepts the need for a domestic solution to Afghanistan's long-term security, no one disagrees that it will take years before domestic structures are capable of providing that security. In the meantime, what happens? For the past eighteen months, the international community has stuck its head in the sand on this issue.

Despite the growing strength of the destructive forces mentioned above, despite a shared consciousness of the inevitability of a return to violence without international intervention, the response by the international community has been naively optimistic in the extreme. As of today, there is still no international force—and therefore no force at all—mandated to provide security to Afghans throughout most of the country.

Three different international solutions have been mooted at various times since the fall of the Taliban: The expansion of the International Security Assistance Force (ISAF) beyond Kabul; the expansion of the mandate of the Coalition forces beyond the hunt for the remnants of al-Qaeda and the Taliban; and the use of reconstruction/security teams (currently known as Provincial Reconstruction Teams) to promote security in key strategic areas. Each of these three options is capable of making a real and important difference to security. Yet each has failed to do so. The reasons why are worth looking at in more detail.

ISAF expansion: Almost a year ago, the UN said that the expansion of the internationally mandated peacekeepers was "the issue that would not go away". Even today, it is still debated. With the transfer of ISAF control to NATO, it is

back on the burner once again, with UN Ambassador Brahimi urging the UN Security Council to reconsider its support for ISAF expansion. It remains hard to fathom that while Kosovo, Bosnia, East Timor and Croatia had more than one peacekeeper for every 100 people, Afghanistan has more than 5,000 people for every peacekeeper in the country. ISAF expansion has some key advantages over other solutions: First, ISAF is a UN mandated force that has multilateral legitimacy, having already been run by the British, Turks and Germans/Dutch before NATO. Moreover, as a peacekeeping force that has not aggressively prosecuted a war in Afghanistan, they are generally well perceived and received by most locals. They have a record of success in Kabul on which they can build. And the Bonn Agreement provides for the expansion beyond Kabul, explicitly contemplating that "such a force could, as appropriate, be progressively expanded to other urban centers and other areas." Despite this mandate, there has been no international financial and military support for such a force. The US has danced back and forth between active opposition to a force that might cause confusion with Coalition forces, and passive acquiescence (as long as others come up with the money and the soldiers). The Europeans have refused to take up the gauntlet claiming a lack of resources. As a result there has been precious little discussion of what a viable peacekeeping force might look like in terms of numbers and cost. The Stimson Center has argued that a force of 18,000 could secure major urban centers and the commercial routes between them at a cost of less than US$3 billion a year, less than a third of the cost of the war against the Taliban (Durch, 2002).

Expansion of the mandate of US-led Coalition forces: When Donald Rumsfeld announced that the US had completed phase three of the war in Afghanistan and was now moving to a stabilization phase, he did not mention who would actually ensure that stabilization. As of today, the Coalition forces in Afghanistan have no mandate to engage in security sector support. They do not disarm local militias. They do not destroy arms. They do not engage in green-on-green fighting between local militias. They do not patrol areas in order to promote security. They do not even support government troops in reining in regional warlords who refuse to accede to central control. In short, there are more than 8,000 US troops in Afghanistan with very little to do these days. It is no wonder that rumors abound of their imminent withdrawal, which would make a mockery of President Bush's promise in January 2002 that "we will help the new Afghan Government provide the security that is the foundation for peace."

One way to come through on that promise would be for these forces to engage in security sector reform more directly. The advantages are obvious. The Coalition forces are already here on the ground, thus it would be politically and economically more feasible than seeking a broad international commitment to import peacekeepers. It would also put some meat on the bones of America's promise not just to finish off al-Qaeda, but to provide security to the Afghan people, who after all, were not going to pay the price for the sins of the Taliban. Finally, it would significantly strengthen the stated aim of the PRTs, who are critically hampered by their lack of muscle.

It must be noted that such a strategy is not without risks. Afghanistan has a long and rich tradition of not welcoming foreign military troops. They may be tolerated under prevailing circumstances by a war weary population aware of the security vacuum, but their welcome wears thin when excessive force has been misdirected against Afghan civilians and when foreign soldiers have acted in culturally inappropriate ways. While such incidents continue, tolerance turns to resentment, which sows the seeds of militant anger.

The Provincial Reconstruction Teams: US forces in Afghanistan have piloted a new scheme under the unfortunate name of "Provincial Reconstruction Teams", or PRTs. The mandate of the PRTs is ever shifting and variable with location and personality. Distant planners originally envisioned PRTs as having a vital role in improving reconstruction coordination in Afghanistan, thereby duplicating the role played by UNAMA's Provincial Coordination Bodies and the Government's Consultative Group structures. More recently, the PRTs have been careful to avoid the "coordination" word. Instead they claim to be expanding the writ of the central government outside of Kabul and to be promoting a secure environment in which reconstruction can move ahead.

Much of the debate about the PRTs remains theoretical, and is little more than a distraction from more serious discussions about countrywide security. They have been operating for only six months, and as of July 2003, are operational only in four areas of Afghanistan—Kunduz, Gardez, Bamiyan and Mazar-i Sharif. Perhaps more important is the fact that they have neither the resources nor the mandate to engage seriously in either reconstruction or security. The reconstruction budget for the three US-led PRTs (Kunduz, Gardez and Bamiyan) is US$18 million dollars, less than 1/1,000th of the country's reconstruction needs.[3] Regarding security, the PRTs are limited in similar ways to the regular Coalition forces. They cannot engage directly in security incidents—theirs is an observing and negotiating role. Thus, when Secretary Rumsfeld declares, "we decided to put our efforts behind these provincial reconstruction teams...We believe that that's probably the best thing that can be done to ultimately provide security", one has to wonder if the US is seriously committed to addressing insecurity on the ground.

[3] Finance Minister Ashraf Ghani, President Karzai, and US Senator Joseph Biden have estimated Afghanistan's reconstruction needs at around US$20 billion.

The British have indicated that they will focus more on security and less on reconstruction in regard to their PRT in Mazar-i Sharif. Currently, they plan to spend more on reconstruction than any individual US-led PRT, but their commitment to focus on security remains informal and nuanced rather than clearly mandated.

It would be constructive if the PRTs could be renamed PSTs for Provincial Security (or Stabilization) Teams. If the PRTs were seen as primarily platforms for promoting security sector reform in Afghanistan, they would be welcomed rather than questioned by international aid workers. If they were a true platform for promoting SSR, they would be structured to support the deployment of newly trained national police and ANA units; they would work with other actors to support DDR initiatives; and they would work closely with their new Afghan security counterparts to deal with incidents of human rights and security abuse that arise in their respective provinces.

Old problems in need of new solutions

In the spirit of provoking debate and looking for new solutions, we recommend that the following issues be given serious consideration by those engaged in formulating security-related policies in Afghanistan:

On the domestic front:

1. ***MoD/MoI reform:*** Diplomatic efforts to reform the MoD and MoI have thus far failed. If this government is to gain nationwide legitimacy, President Karzai must have and exercise the power to run his government. We recommend that he demonstrate a clear will and capacity to lead his cabinet. This can be done through cabinet reshuffles or serious retrenchment of senior positions in the security related ministries.

2. ***DDR:*** At present, what security exists on the ground results from fragile political agreements between local warlords and local militias charged by their commanders with protecting local populations. A DDR process which moves ahead without an international security presence, and which disarms some factions but not others by relying (over optimistically) on militia leaders to disarm their troops for the "greater good of Afghanistan" risks undermining what little security does exist. We recommend, therefore, that the DDR process is put on hold until there is a serious international commitment to provide security in areas where DDR is moving ahead.

3. ***Army vs. police provided security:*** The development of a large national army has been the first choice of Afghan and international policy-makers. Considering the limited progress to date and current security needs in Afghanistan, we question whether this strategy needs a rethink and recommend that the development of a professional multi-ethnic national police force be emphasized over army training.

In terms of international support for security:

4. ***ISAF expansion:*** To date, the international community has dismissed ISAF expansion as too expensive, in part because most policy discussions have been held in "all or nothing" terms. In line with the Bonn Agreement, we urge rethinking on the possibility for iterative expansion of ISAF to key urban centers and the commercial routes between them.

5. ***Expansion of the mandate of the Coalition forces:*** Consistent with the US Pentagon's statement that the Coalition has moved from fighting the Taliban/al-Qaeda to stabilization efforts, we recommend an expansion in the explicit mandate of coalition forces to engage in (1) disarming and demobilizing local militias; (2) engaging in green-on-green fighting between local militias where civilian security is put at risk; (3) patrolling civilian areas and trade routes; and (4) assisting national security forces to rein in regional warlords who refuse to accede to central control.

6. ***PRT reconfiguration and expansion:*** The PRTs have neither the resources nor the mandate to provide either significant security protection or reconstruction, and as a result achieve little more than the veneer of engagement on both fronts. We recommend that (1) they are reconfigured to focus exclusively on security sector reform, and change their names to Provincial Security/ Stabilization teams in order to clarify their role; and (2) they are given adequate resources to provide a solid platform for security sector reform (DDR, police/army training, patrolling, peace-making and peacekeeping) in the areas where they operate.

One way to raise the stakes—tie the upcoming elections to progress on security

How can we have a serious discussion with policy-makers about security and not simply talk to ourselves? A mere eighteen months after the war, it is almost impossible to garner serious policy making attention for Afghanistan. The media have moved on. Afghanistan is already "the war before". American policy-makers in particular are keen to declare victory in Afghanistan. They need to demonstrate that regime change works.

Perhaps the only major Afghan event that will capture serious attention before the next US presidential elections in November 2004, are the national elections to be held in Afghanistan by June 2004. Peaceful democratic elections would be a huge dividend for Afghanistan and a ringing endorsement of the international community's efforts here.

Yet, without genuine security, elections will be a farce. Local warlords will use them to become stronger, not weaker. Drug lords will buy votes. Voices offering peaceful political alternatives and raising hard questions will be stifled. People will vote, if they vote at all, out of fear, not hope. And so Afghanistan will lose a huge opportunity to join the community of free and fair democracies.

Precisely because free and fair elections are so important both to Afghans and the international community, we urge that genuine security and the election process be tied together and one should not proceed without the other.

Closing thoughts

Bringing security to Afghanistan will require a serious rethink of domestic and international strategies to date. While forward progress has been made on soft issues, there has been a general unwillingness to face up to some of the more serious security threats: the local victors in the war against the Taliban will not easily give up their hold on power; the drug trade will continue to enrich and entrench the more dangerous threats to regional security; and the international community is still refusing to put enough of its soldiers in harm's way. Of course the price for taking up these challenges will be high. As was argued so often to justify the war against the Taliban, the price of allowing Afghanistan to survive as a rogue state will almost certainly be higher, both domestically and in the world at large.

Eighteen months after the end of the Taliban, discussions on Afghan security risk becoming stale. We hope this paper helps to provoke fresh discussion to support answers to a very real problem.

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Military Reform in Afghanistan

by Antonio Giustozzi

The Afghan army in historical perspective

The modern Afghan army emerged as a viable force only in the 1930s and 1940s and acquired an undisputed ability to successfully confront tribal revolts only between the second half of the 1950s and the beginning of the 1960s. Rapidly, however, the army became badly factionalized, a consequence of the lack of avenues of social promotion in Afghanistan and the tendency of sections of the intelligentsia to adopt the army as their privileged tool for seizing power. The coups of 1973 and 1978 were only the beginning of a process which not only caused the disintegration of Afghan society, but also of the army itself.

Certain characteristics of the Afghan army remained the same throughout its history, limiting its effectiveness and increasing its fragility. First and foremost, the relationship between the officers and the troops was always difficult, as exemplified by the widespread recourse to corporal punishment. More generally, the officers corps considered itself to be part of the intelligentsia of the country and like the intelligentsia had the tendency to shun the uneducated masses and to treat them with contempt.

Moreover, efforts to build a viable and effective modern army have been hampered by the low level of integration among the different regions of the country. Despite the claims of part of the Afghan intelligentsia, there is little sense of Afghan unity among the majority of the population, and even much of the intelligentsia itself does not stand up to its own standards. In an ethnically mixed unit of the army, soldiers would speak at least two and as many as four or five different languages and have different cultural backgrounds. Because the loyalty of the troops rested with their village, if not with their ethnic group or tribe, all the governments that succeeded in Afghanistan adopted the practice of posting troops far from their region of origin. While this made desertions more difficult and ensured a greater willingness of the troops to carry out the orders they were given, even when that implied harming the local population, it also made the relations with the local inhabitants more difficult. If the army became a more compliant tool in the repression of local disturbances, the likelihood that more serious confrontations would emerge that might prove difficult to contain increased.

On the other hand, the Afghan army often lacked the equipment, training and motivation to secure the national territory in times of serious internal conflict. This was largely due to the difficult geography of the country and to the lack of roads. As a result, the army always made use of militias, mainly tribal ones, to control the borders, the territory, and to bolster its numerical strength when facing an external enemy. The militias received a huge boost after 1986, as the government tried to buy consensus in the rural areas by using the same means of the mujahidin parties, offering autonomy and weapons to whoever was willing to side with it. It proved much easier to recruit militiamen than regular troops for a variety of reasons, among which the main one was the possibility for the militiamen to serve in their home territory, whereas regular army service meant to be taken elsewhere in the country. In a localized and fragmented country such as Afghanistan, regular military service is particularly unpopular and maintaining the morale of the troops has always proven difficult.

From 1978, the army started receiving large quantities of military hardware, but lacked the human resources to man them. Recruiting pilots and technicians proved particularly problematic and resulted in the waste of a great deal of equipment.

The disintegration of the army in 1992

After the PDPA came to power in 1978, several purges of the officer corps took place, which should have resulted by 1992 in an officers corps that was, at least in theory, very homogenous politically. In reality, several different tendencies persist within the Afghan army. On the one hand, a large number of officers were inclined to see themselves first and foremost as military professionals and had taken the party card only for reasons of opportunism. On the other, even within the PDPA (by then renamed Watan), factionalism was ripe. The rift between Khalqis and Parchamis continued and was still capable of reaching considerable extremes, as shown by Defense Minister Tanai's coup attempt in 1990. Also, the precariousness of the situation had pushed many officers, including some

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of high rank, to seek out agreements with the various opposition parties in order to guarantee their safe-conduct in the event of the fall of the Najibullah regime. This practice had long existed, but gained a renewed popularity beginning in 1991, as the impending demise of the Soviet Union, by far the most important source of support, appeared to promise few advantages for the regime.

The growing scarcity of resources within the regime also accentuated the conflict among army factions, this time with an ethnic twist. The resentment against Pashtun officers grew among officers belonging to ethnic minorities, while factions that appeared to have been neutralized resurfaced with renewed strength, as in the case of the followers of former President Babrak Karmal, and started exploiting these divisions to mobilize support.

These trends greatly contributed to the fragmentation of the army in 1992, after the fall of Najibullah, even if the most important factor was the disunity among the mujahidin parties themselves. The largest chunk of the regular army was taken over by the newly established Jumbesh-i Milli, led by General Dostum, formed on the basis of the militias created by the Najibullah government. Another large chunk ended up in the hands of Jamiat-i Islami, the largest jihad party, with the remaining parties finding it much more difficult to maintain the few military units that they inherited.

Private militias and the national army

By September 2001, the political vicissitudes of Afghanistan had been such that little was left of the regular army at all. Jumbesh had disintegrated after the Taliban launched their successful offensive in 1998, while in the long term Jamiat had proved unable to maintain the regular units with which it had seized control. Its battalions and regiments were in fact the old guerrilla units with a new name. Professional soldiers remained in the ranks, but mainly in the role of technicians and specialists, only rarely as officers. Those few commanders with a background in the regular army were more often former NCOs rather than former officers. Jamiat-i Islami in particular requested the help of professional officers in running the central staff and logistics of its militia army while it was in control of Kabul and tried half-heartedly to build a national army, an attempt that had already bogged down by the time the Taliban took Kabul in 1996.

Immediately after the fall of the Taliban at the end of 2001, a proliferation of armed groups took place around the country, a phenomenon strengthened by the prospects of claiming a share of power in the new interim government. There was resentment among the ranks of Jamiat in particular that late comers in the fight against the Taliban, including virtually all Pashtun commanders of some importance, should be given even a modest share of power, but soon Jamiat itself eclipsed all other factions in its recruiting drive among former Taliban militias and other groups of “dubious” political allegiance, especially in areas where it was trying to expand, like northern and central Afghanistan.

The private militias in existence in early 2002 numbered on paper as much as one million men, although the actual number of full-time militiamen in the ranks is likely to have been between one tenth and one fifth of that number. In part, these private militias were absorbed in early 2002 into a “national” army, referred to as the Afghan Military Force (AMF) by UN officers, and what we will call “transitional”, while their ultimate fate was still to be decided. While the private militias were incorporated into this very tenuous structure, in theory subjected to the control of the Ministry of Defense, in fact they remained mostly loyal to the local warlords, commanders and political parties. However, the Ministry of Defense, and specifically Minister of Defense Fahim, did and does have the means to exercise pressure over the units of the transitional army. For example, he had the power to appoint commanders and officers. Even if his decision could in practice be disregarded, it would become a political issue and could create a frontal confrontation with the Karzai administration. For example, the appointment of Hazrat Ali (an ally of Fahim) as the military commander of the 1st Army Corps (Nangrahar) towards the end of 2002 was very controversial and was clearly politically motivated, but Fahim won the confrontation and forced the other main contender, Zaman Gul (a monarchist), to abandon the fray and take refuge in Pakistan. Moreover, the Ministry of Defense pays for the food of the troops and some maintenance expenses. Although these are small sums, it must be considered that virtually all units of the AMF are well understrength and therefore significant resources can either be pocketed by the commanders or redistributed among the troops.

Being part of the transitional national army brings a number of other advantages, apart from some funding, such as an officially recognized status and the possibility of exercising power locally. Several units of the transitional army have remained in active service and have, in some cases, been issued with uniforms. They have also been charged with the task of trying to collect weapons from the population and patrolling the surrounding areas. The remaining part of the armed men belonging to the AMF/transitional army were gathered in improvised garrisons and asked to hand over their weapons in order to have them registered before being re-issued firearms.

According to an official document of the Afghan Ministry of Defense (Ministry of Defense of Afghanistan, 2002), the organizational chart is going to be modified and adapted during the registration and collection of weapons, which was scheduled to start in autumn 2002. The existence of military units would be linked to the quantity of weapons retrieved. For example, the collection of 400 to 600 weapons would result in the creation of a battalion, and so on. The idea is clearly to provide an incentive to armed formations for allowing the weapons to be collected. Units refusing to allow the collection and registration of their weapons are threatened with disbandment. A further incentive is the linking of the number of officer posts allowed to the number of collected weapons, in the measure of 8 officers per 100 weapons. However, the slow progress in implementing the collection of weapons has so far made it impossible to put this plan into practice nation-wide. There is clearly little interest on the part of the Ministry of Defense in pushing this process, because it would limit its potential for patronage.

The most critical issue in terms of establishing political control over the transitional army was the fate of the commanders of the private militias under the new system. The inflation in military ranks of the last 15 years means that the transitional army has one of the highest officer to soldier ratios in the world, estimated at 1 to 2 (Lt. Col. C. Bournac, interview, May 2003). For comparative purposes, it is worth mentioning that most armies are in the 1 to 12 or 13 range. Moreover, the qualifications of such officers are mostly weak or non-existent. There are thousands of generals in Afghanistan who have never been to the military academy and cannot read or write.

Although it seems that a final plan on how to sort this problem out has not been approved yet, there have been attempts to address it. At the beginning of March 2003, a plan became public, according to which the ranks of the commanding officers of the transitional army are to be brought in line with the type of units that they are commanding. In other terms, generals would no longer command battalions and would be replaced by colonels. Therefore, many of Afghanistan's thousands face demotion. The Ministry of Defense says that nobody will be forced to accept lower ranks, but those who do not should be transferred to other duties (i.e. no field command). A result of this policy would be undermining the power structure of the old private militias, incorporated within the transitional army. Another plan is to transfer commanders away from their strongholds for training and other purposes, again with a similar effect of weakening their hold over their units. Yet another example of this policy is the stated desire of the Ministry of Defense to appoint professional deputies to the commanders of the old private militias.[1] However, as in many other instances, by May 2003 none of these plans had entered an implementation phase.

What is the purpose of the transitional army?

The degree of military efficiency of the units of the transitional army, while remaining generally quite low, varies widely. The different units receive some funding from the Ministry of Defense for improvement works in the barracks and for maintaining their equipment. Often, the leaders of the private militias continue to invest in their former military units even after they have joined the transitional army in order to maintain their loyalty, an approach that has been quite successful. However, little of the money spent, at least by the Ministry of Defense, reaches down to the troops in terms of direct or indirect benefits; more often than not it is pocketed by the commanders. The Ministry of Defense does not pay any salaries to the troops and guarantees only a (not always regular) supply of food. As a result, the military capabilities of the Afghan transitional army are abysmally poor. Even the best units, such as some of those deployed in the north and northeast, suffer from chronic under-supplying due to embezzlement and other factors. Discipline varies between low and very low and only a few units perform regular training and patrols and exercise effective control over territory. Lack of equipment, low discipline and inefficiency mean that the operational and tactical mobility of the transitional army is very poor. Experience has shown that chasing small guerrilla units is beyond the capabilities of these troops, even when the population is thoroughly hostile to such guerrillas, as in northern Afghanistan.

Given these considerations, the question arises of what is the *raison d'être* of the transitional army, apart from being a parking area for military forces that cannot immediately be demobilized. Clearly, neither the UN, the US nor other donors are keen on the transitional army and have so far steadfastly refused to fund it. In fact, there appears to be a deliberate attempt to starve the transitional army out of resources and force its soldiers to leave its ranks and demobilize spontaneously. This is actually happening in most of the Pashtun belt, where the army had been gathered very hastily and is less motivated.

The presence of strong factional leaders in the rest of the country, however, slowed this process. Fahim and Jamiat-i Islami appear particularly keen on the transitional army, ostensibly to face the "Pakistani threat", but more realistically as a tool of patronage. Ismail Khan, Rashid Dostum and Fahim all have resources to maintain the troops affiliated to their movements, although in some cases they appear to be

[1] General Pezhanwai, quoted in RFE/RL Newsline, 5 March 2003; General Atiqullah Baryalai, quoted in New York Times, 25 January 2003; General Gulad quoted in Christian Science Monitor, 27 March 2002.

experiencing difficulties, especially where looting and imposing arbitrary taxes on the population is not an option, as in Kabul. Fahim and Jamiat-i Islami, in particular, might have overstretched themselves in trying to maintain forces much larger than those of their rivals in active service. In April, for example, 200 soldiers (belonging to units loyal to Fahim) demonstrated in favor of better pay and living conditions in front of the Ministry of Defense in Kabul.

Military patronage

The problem of how to expand and maintain government control over the countryside was faced by others before the post-Taliban regime. The communist regime, for example, after some early, unsuccessful attempts to "mobilize the revolutionary masses" and give a new lease on life to the regular army, began to shift towards a more pragmatic approach. In those days, as in 2002, it appeared that clear priority had to be given to rebuilding effective armed forces. However, it also emerged that such a task could not be separated from the more political issue of establishing a foothold among the people who were actually running most of the countryside, i.e. warlords and guerrilla commanders.

With well over 40 divisions in existence at the end of 2002, to which a large number of independent brigades, regiments and battalions is to be added, there is indeed much room for patronage in the transitional army. Significantly, the type of armed unit is not directly related to its actual size, rather it is a measure of how good the political connections of its commander are. For this reason, some brigades could well be bigger than certain divisions.

During 2002, the establishment of a division or any lesser military unit was subject to a decision of the Ministry of Defense, which promptly made good political use of this opportunity. The northeast and the area of Kabul, where private militias were largely affiliated with Jamiat-i Islami, saw an almost immediate proliferation of military units, with no less than 14 divisions and several other smaller units in existence by the end of 2002. In the north of the country too, a region characterized by a bitter rivalry between Jamiat-i Islami and Jumbesh-i Milli, military units proliferated; at the end of 2002 there were at least 10 divisions there. By contrast, the Ministry of Defense was not as generous in establishing military units in the rest of the country. The west, for example, was given just four divisions, while the south was given another four, the southeast five and the east another five. Two more divisions were established in Bamiyan province in central Afghanistan.

The establishment of patronage networks in the form of army units appears to be a key policy of the Afghan government and in particular the Ministry of Defense, a reality that becomes clear when the appointments are closely scrutinized. With the exception of the 8th Army Corps, dominated by Jumbesh-i Milli, the 4th Army Corps, dominated by Ismail Khan, and the 2nd Army Corps, dominated by Gul Agha Shirzai and his allies, the large majority of military units in the country are commanded by people politically allied to Minister of Defense Fahim. When appointing commanders affiliated with his own faction (Shura-i Nezar) or party (Jamiat-i Islami) would cause too much of an uproar, such as in the provinces demographically dominated by Pashtuns, Fahim would normally opt for Pashtun commanders belonging to factions close to Jamiat, mostly Prof. Sayyaf's Ittehad-i Islami. The few additional exceptions are some units of the 7th Army Corps, which are also under the control of Jumbesh, and some commanders who were appointed due to external pressure, such as Atiqullah Ludin, commander of 3rd Army Corps, allegedly imposed by the US. Interestingly, at the time of writing Ludin has not been able to effectively take up his position in Gardez due to the hostility of supposedly subordinate officers close to Marshal Fahim, and remains based in his home province of Logar, well outside the military region of his competence.

The influence of political considerations on the selection process meant that many of the units left out of the "transitional" army were distributed unevenly across the country. Mainly small and medium commanders with little political leverage were left out. The presence of militias outside the army structure is, according to reports, particularly prevalent in Hazarajat, but it is by no means exclusive to this area. The future status of these militias remains uncertain, as there are no clear plans for their demobilization and they should presumably have handed over their weapons in the context of the general disarmament of the population.

However, incorporation in the transitional army does not guarantee, by any means, the favor of the Ministry of Defense, since some units have patrons others than Fahim. Many units, for example, never received a request from Kabul for recruits to be sent to the central training unit of the new national army, where troops are trained by US instructors. Units "exempted" from this recruitment include some of the best units of the transitional army, such as 25 Division in Khost or 19 Division in Samangan, which are considered politically unreliable by Marshal Fahim.

A brand new army

The ultimate fate of the transitional army was not immediately clear from its inception. A debate about the shape of the future Afghan National Army (ANA) dragged on for several months, with Marshal Fahim leading the group which advocated a large, 200–250,000-man army, while the UK and the US were the chief proponents of a much smaller and more professional army of 60–70,000. It is clear that if the first option had been chosen, the transitional

army would have served as a base for the new entity. However, despite resistance by Fahim and his men, the donor countries carried the day and by December 2002 the presumed final decision had been taken to create an army of 60,000, to which a police force, a border force and an air force would be added. The new Afghan National Army (ANA) would be created almost from scratch. Initially, no input was to be allowed from the private militias, however, given the difficulties in recruiting enough men, it was later decided that a certain percentage of the personnel, provisionally put at 15 percent, could be composed of former militiamen. As a matter of fact, recruits with previous military experience represent at least half of the total. All troops would be trained from the start by foreign (chiefly American and French) instructors and the new army was intended to be completely in place by 2009.

According to this plan, the transitional army should be demobilized by that date. The demobilization process was supposed to start shortly after the training program, but as of May 2003 (a year after the start of training) no step had been taken and the capacity to begin the demobilization process was only expected to be in place by July 2003. Differences were reported between the Ministry of Defense and the UN in regard to which region would be subjected to demobilization first. Logic dictates that the Central Corps, which was receiving the newly trained troops, should start the demobilization of the old units, but the predominant opinion within the UN appears to be that starting it in the "quieter" areas of Afghanistan, such as the northeast, is the best approach. The main reason given for not starting from the Central Corps is that it would represent a legitimization of the presence of those troops in Kabul, which goes against the Bonn Agreement. In fact, the transitional army should not have a Central Corps at all. Deputy Minister Baryalai, on the other hand, suggested to start the demobilization from the southern and northern regions, where most armed forces are controlled by opponents of Marshal Fahim and Jamiat-i Islami, or, alternatively, in all regions simultaneously (Military Attaché, interview, May 2003; UNAMA Political Officer, interview, May 2003).

The smaller sized ANA that has been opted for is clearly meant to act as a counter-insurgency force with little capacity for fighting against another regular army. This is illustrated by the current plan to organize the new army, which envisions the creation of a mix of light infantry and motorized units, possibly with one motorized and seven infantry divisions or their equivalent. However, at the time of writing only the composition of the Central Corps had been agreed upon. The Central Corps will consist of two light infantry brigades of three infantry battalions each (plus artillery), one quick reaction brigade with one tank, one mechanized and one quick reaction battalion and two supply/logistics brigades (Military Attaché, interview, May 2003). The counter-insurgency, or "internal", nature of the new army's mission is also demonstrated by the type of training provided, which, for example, does not include any anti-aircraft training. Even anti-tank training plays a relatively modest role (Major John Harrell, interview, May 2003). On the other hand, training has a considerable focus on how to handle a civilian population. The technological level of the new army is deliberately kept low, mainly in order to make it sustainable in the long-term by the Afghan state, but presumably also to minimize the perceived threat it could pose to neighboring countries.

Equipment is not the main problem

Although it cannot be said that Afghanistan is short of military equipment as such, much of it is old and of dubious serviceability. Transport and communication equipment are serious concerns, as is the state of the air force, which at the time of writing could count only on a few fixed wing transport planes and a few transport and attack helicopters. Expenditures planned for the ANA in the first year is US$235 million, while a number of countries supplied hardware directly, such as light weapons, mortars, uniforms and communication sets. Russia played a leading role in the provision of supplies, delivering trucks and helicopters, in addition to spare parts for existing equipment. By no means, however, has all of this equipment been delivered to the new national army. In fact, the most important supplies went to units of the transitional army loyal to Defense Minister Fahim, including some trucks and the helicopters.

The biggest problem of the ANA, especially in the beginning, has been recruiting and keeping people in the ranks. On the surface the pay troops receive does not appear too bad by Afghan standards, especially once the proposed increase to US$70 comes into effect. However, considering that this is supposed to become a professional army and that militiamen, while on a lower salary, might be able to accumulate more jobs, earn supplemental income from criminal activities, and at the same time live close to their families, such pay levels are not attractive enough. Militiamen serving in the units recruited by the US for fighting against al-Qaeda earn a rather more substantial US$200, but the attraction of such "jobs" for the average army recruit is limited because only a few thousands such men are needed by the US and the number is not expanding.

With the prospects of relatively well paid jobs in the reconstruction business low and the transitional army being starved of funds, the pay offered by the new national army has begun to look more attractive. Among its virtues is the fact that it is paid regularly and reliably, which contrasts sharply with the situation of the transitional army. Efforts have been made during the last few months of 2002 and the initial months of 2003 to improve the living

conditions of the troops, an effort that has achieved tangible results. US sources subsequently reported that the attrition rate decreased to just over 30 percent. This rate may look high but it is not uncommon in volunteer armies. For the first few classes to graduate in 2002 the attrition rate was close to 50 percent, a remarkably negative figure for an army which actually saw virtually no fighting and was headquartered in the capital city. Several reasons have been forwarded to explain the high dropout rate among recruits. The officers in charge of the course mention a lack of understanding of the new national army among the recruits and the unwillingness of some provincial authorities to send fit soldiers, problems that had, at least in part, been sorted out by early 2003. It remains, of course, to be seen how the new army will stand the test on the battlefield, which is the ultimate measure of any army.

A hurried training program?

The training of the ANA started in spring 2002 with the units to be assigned to the National Guard and the Central Army Corps. These units, to be based in Kabul, will become the hard core and central reserve of the new national army and could be used to keep the warlords in line. They should also become a “model” for the rest of the army and presumably contribute to its training. This central force should be composed of recruits sent by the 33 provinces (200 each), in order to achieve a balanced mix of all regions and ethnic groups. By the spring of 2003, the ANA training process was lagging behind schedule by over a third, with just over 3,000 trained men. Training of NCOs was lagging further behind, having started in March 2003, and by May 2003 most units were still relying on NCOs without specific training. Similarly, the training of officers started in early 2003 and by mid-2003 most units were still staffed with officers lacking specific training.

As the French took over the training of officers, they abandoned the training of troops at the beginning of 2003, leaving the US Army completely in control of the process. Starting from the 7th Battalion, actual training was taken over by Afghan instructors, who had been trained in turn by the French and Americans. There is a sense of urgency because there is a desire to be able to field at least 9,000 trained soldiers by the planned 2004 general elections. An improvement in the speed of the training process was indeed noticeable by early 2003, as battalions were commissioned at the rate of one every five weeks as opposed to one every 6–7 weeks during 2002.

Doubts have been expressed about the insufficient length of the basic training period (10 weeks) for a professional army, even if further training courses in special topics are planned. In Western Europe and North America, professional armies consider that it takes up to a year before a soldier is battle-ready. In particular, the new troops are reported not to have been well drilled and still have problems marching together. The impression is that the training program was shortened because of a lack of time and to avoid imposing too heavy a burden on the recruits, which could have led to an even higher rate of attrition.

It is certainly the case that the quality of the recruits in the new battalions leaves something to be desired. The recruits are supposed to be between 22 and 28 years of age, but in practice it is acknowledged that they are between 16 and 40. Often, at the beginning of the training schedule troops were found to be so unfit that whole batches had to be sent back, as admitted by Deputy Minister Baryalai himself. However, the high attrition rate likely leads to a much higher qualitative level among soldiers completing the training course. Moreover, the quality of the recruits and candidate officers is reported to be steadily increasing (Lt. Col. C. Bournac, interview, May 2003). The high attrition rate is probably due to a large extent to the low average quality of the recruits, but there are also allegations of mistreatment of recruits by Afghan officers, possibly on ethnic grounds as it has predominantly affected Pashtuns. Such allegations are common in Pashtun areas. However, US officers supervising the training process deny the existence of any ethnic discrimination within the army (Major John Harrell, interview, May 2003). Some figures support the idea of fostering ethnic co-operation within the new national army. For example, of the first batch of candidates for the NCOs training course, the large majority of those selected by Afghan officers were Pashtuns (Major Stuart Carver, interview, May 2003). Allegations have emerged that some militia commanders, faced with a new national army almost completely under the control of their enemies, ordered their men to leave their army units and come back (Ahmed Rashid, Eurasianet, 29 July 2003).

Ethnic bias?

There is little doubt that the appointments within the Ministry of Defense during 2002 have been biased towards a single ethnic group, the Tajiks. Of the 38 generals chosen by Marshal Fahim in February to constitute the general staff of the army, 37 were Tajiks (like Fahim) and one was Uzbek. It is not so much a matter of ethnic discrimination as it is political favoritism. Of the 37 Tajik generals appointed, 35 were affiliated to Shura-i Nezar (The Friday Times, 22–28 March 2002). Of a total of 100 generals appointed by Fahim in early 2002, 90 belonged to Shura-i Nezar (Manuel and Singer, 2002, p. 57). Even more criticism was aroused by the fact that most of these new generals do not have a professional army background, although they all served during the civil war. While the effort to staff the army with high-ranking officers close to Shura-i Nezar is obvious, it remains to

be seen how strong their loyalty will prove to be in the future, especially in the case of officers with a background in the regular army. Some sources allege tensions between "mujahidin" generals and generals trained by the Russians (Former regular army general, interview, May 2003).

The Afghan army has been plagued by accusations of ethnic bias even during the times of the monarchy. The majority of the officers, especially before the Soviet occupation, belonged to the Pashtun majority, with a smaller number being Tajiks and very few belonging to other minorities. Reforms implemented in 1963 instituted a quota system by which the ranks of officers and NCOs were to be filled with the aim of ensuring that each ethnic group was represented in accordance to their proportionate share of the population. During the 1970s, the effect of this reform was to reduce the preponderance of Pashtun officers in the army, although they remained the majority. During the communist era, the number of non-Pashtun officers rose steadily, even if the Pashtuns remained numerous, and by the early 1990s Tajiks were over-represented in the army compared to their share of the total population. However, Tajiks tended to be concentrated in logistical and other non-combat units, with the infantry being led predominantly by Pashtun officers. The same was true of the Sarandoy (constabulary), while the armed branch of the intelligence service was characterized by a more balanced ethnic mix. The communist governments of 1980–1992 were particularly keen to make more room for officers belonging to ethnic minorities, especially Uzbeks and Hazaras, a policy that resulted in the creation of several Hazara- and Uzbek-only divisions between the late 1980s and early 1990s. This policy had the advantage of avoiding the problem of imposing Hazara and Uzbek officers on Pashtun troops, which might have caused trouble.

As far as the troops of the new national army are concerned, the problem is not as monolithic as in the case of the general staff. However, since the inception of the ANA process, the Tajiks have been over-represented, even amongst the rank-and-file troops. An estimate dating to early 2003 attributed 40 percent of the new national army to be Tajiks, 37 percent Pashtuns and the rest to other minorities (AP, 26 January 2003).[2] Some sources have reported that the ethnic imbalance that characterized the first few battalions has begun to be redressed, but there are indications that the problem was still persisting by the end of 2002. In part, this could be due to the selective recruitment mentioned above, with some Pashtun, Hazara and Uzbek divisions not being asked by the Ministry of Defense to send their quotas of recruits.

It has not been possible to definitively verify claims that Pashtun recruits have been dropping out at a rate faster than those belonging to other ethnic groups, or at least in comparison to the Tajiks, but there is some evidence of this (UN Political Officer, interview, January 2003; USA Today, 27 November 2002).[3] The causes of this phenomenon are not easily established, although it seems that in some cases the main reason is that training is provided in Dari only (no Pashto). As reported above, mistreatment of Pashtun recruits by Tajik officers is alleged. Other sources refer to complaints of Turkmen recruits about being mistreated by other soldiers because of their lack of proficiency in either Dari or Pashto (Minister Nur Mohammed Qarqin, interview, May 2003). It is worth pointing out that ethnic groups other than Pashtuns and Tajiks, such as Uzbeks, Turkmens and Hazaras, actually have a far less than proportional share of recruits than Pashtuns. There is no doubt that initially the officers of the new national army were predominantly Tajiks, at least among those who were selected for specific training courses. The 3rd batch of candidate officers, which started training in spring 2003, was the first to include a majority of Pashtuns (51 percent), indicating how the original imbalance is being addressed.

Much of the original recruitment drive for the new national army has taken place in and around Kabul, which itself favors an overrepresentation of Tajiks among the officers. The Ministry of Defense itself might have tried to favor loyal candidates (most likely Tajiks), but as the international instructors were calling for better candidate officers, it might have been forced to look for any fit candidate. After a public relations campaign, which involved deployments of ANA units in the provinces and organized visits by provincial governors and local commanders to the training base just outside Kabul, the willingness of regional power brokers to supply good candidate officers increased noticeably, mainly to the advantage of Pashtuns.

The population of the Pashtun belt looks extremely sensitive to allegations of Tajik domination of the new army and does not pay much attention to signs that the ethnic imbalance might just be a temporary phenomenon. A debate on how to address this imbalance has progressed, during which it has been suggested that at least one other training center could be established in Pashtun territory. UN officials, however, are determined to maintain a single training center in the whole of Afghanistan, something they view as a precondition for the formation of a truly national army. In any case, what really matters is the political allegiance of the superior officers rather than the make up of the rank-and-file.

The virtual monopoly of Shura-i Nezar on the top positions within the army, police, and intelligence service has attracted criticism not only from political rivals and foreign observers, but also

[2] Estimates of the share of ethnic groups out of the whole population are roughly: Pashtuns 42%, Tajiks 25%, others 33%.

[3] Evidence of a higher attrition rate among Pashtuns remains anecdotal.

from US officials. It was reported at the beginning of 2003 that Fahim was being asked to replace at least 33 senior officers within his ministry with people coming from other ethnic groups and parties, as well as to withdraw his troops from the capital and deliver the supplies he was allegedly hoarding in Panjsher (Ahmed Rashid, Eurasianet, 3 January 2003; AP, 26 January 2003). Fahim eventually felt that he had to show some compliance. In early 2003, he appointed eleven new department heads and four other officials within the Defense Ministry, all non-Tajiks replacing members of Shura-i Nezar, who were transferred to "other jobs". He also created a fourth deputy ministerial position, to which he appointed a Pashtun general, predictably affiliated to his ally, Sayyaf's Ittehad-i Islami. Of the other three deputy ministers who retained their positions, two are Tajiks and members of Shura-i Nezar and one is Uzbek (General Dostum).

A professional army?

Another issue which has been widely debated is the place that former officers of the regular army, both royal, republican and most of all communist, should play in the rebuilding of the national army. The attempts of some monarchists, including some former high-ranking officers of the royal army, to bring back to Afghanistan ex-officers from exile to help rebuild the army, do not appear likely to succeed as far as the senior ranks are concerned, and even if they did this would only add to the mass of aspiring generals. Those generals who have been appointed to the central staff of the army, first and foremost General Delaware, the chief of staff, had all been involved with the mujahidin government from 1992. At the level of the general staff, 16 of the 38 generals appointed in February 2002 came from the communist army (The Friday Times, 22–28 March 2002). Recently, voices have arisen, most notably that of General Nurulhaq Olumi, calling for a more widespread recourse to former army officers in order to build a viable transitional army along the lines of the 25th Division in Khost, but it is far from clear whether the Karzai administration will heed such calls.

Individuals with experience in the communist army abound among lower rank officers. There are estimated to be close to 20,000 former officers from the monarchist, republican and communist periods who live in foreign countries, to which those living in Afghanistan should be added. A few returned to Afghanistan during the first months of 2002, volunteering for service in the new national army, but, for the most part, appeared to have received a hostile reception, being forced to wait for months. They often complained of having been granted ranks well below those they held in the past, but this is the fate shared by a large majority of former officers that have joined the new national army. Those who continued to reside in Afghanistan during the years of the civil war received a better welcome and were more likely to receive field officer positions in the new national army. It is estimated that they represent roughly a third of those staffing the new battalions trained up to early 2003, with another third going to mujahidin field commanders, accepted mainly because of their past services, and a final third being made up of cronies and relatives of generals and politicians (AFP, 9 November 2002). However, most of the officers who served under the communists (and all those of the general staff) are there because they transferred their loyalty in 1992 to Shura-i Nezar, rather than just because of their professional skills. Since officers are selected by the Ministry of Defense this is hardly surprising.

The process set in motion by the training of the new national army might, in the long run, undermine the political control exerted by the Minister of Defense. The multinational officers who supervise the training process are keen to maintain certain standards. Some of the candidates sent for training as officers have been turned down, to the displeasure of the Ministry. The need to meet the qualitative demands of the multinational instructors led to a rapidly increasing percentage of candidates who had spent at least three years at a military academy; in the case of the 3rd batch of candidates, this percentage reached an impressive 86 (Lt. Col. C. Bournac, interview, May 2003). Clearly, professional potential is becoming more important than political cronyism.

NCOs are normally pre-selected from among the recruits by the officers themselves and then by British instructors. Quite a few NCOs have previous experience as officers in the regular army, normally during the communist period, a fact that might lead to some resentment among them (Major Stuart Carver, interview, May 2003). Even some units of the transitional army enlist significant numbers of former regular army officers. This is the case of some units of the 7th, 8th, and Central Army Corps, which absorbed them in 1992, and of the 25th and 30th Divisions, which recruited them either due to the initiative of the local divisional commander or governor. The 25th Division, for example, was established on a professional basis in Khost with local funding thanks to the efforts of the governor, Hakim Taniwal, and was quite effective in establishing some degree of government control over the restive province.

A vicious circle

The prospects for military reform in Afghanistan face two major stumbling blocks. On the one side are the interests coagulated into the private militias, which are inevitably opposed to genuine reform. It is not only the militias that represent a source of power for aspiring politicians, but also the multitudes of militiamen that make a good living out of their criminal activities; demobilization or greater discipline represent nothing more than a threat to them. On the other hand, the precarious political balance within the country is also an obstacle to military reform. A genuinely professional army might eventually become acceptable to most factions, but the problem is how to establish it and how to guarantee its professionalism and political non-alignment. If the factional leaders assume that one of them will control the new national army, they will do their best to delay the dismantling of their militias.

Short of a much greater commitment of international troops, which seems unlikely to materialize, the vicious circle of a regime which benefits from the status quo but simultaneously undermines it will be difficult to break. The pressure exerted on the Ministry of Defense by US officials and others has achieved only very modest results. The replacement of Defense Minister Fahim, with somebody more compliant would be a major political development, but is difficult to foresee. In the short term, the main role of the ANA will be political, advertising the new "multi-ethnic" regime in the provinces through its local deployments. By 2004, the new national army should be able to play a deterrent role against limited challenges by regional "warlords", but it will be a long time before it will be able to secure the whole of the country. Given these constraints, the only constructive short- and medium-term approach appears to be the reform of at least some divisions of the 2nd and 3rd Army Corps of the transitional army based in Kandahar and Gardez, chiefly through the introduction of more former regular army officers. This could be done in a matter of a few months and would improve their discipline, enhance their military effectiveness in containing the resurgence of Taliban activity along the border with Pakistan, and would, most likely, make them more acceptable in the eyes of the population.

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Police Reform in Afghanistan: An Overview

by Mark Sedra

Police reform is a vital component of peace-building and reconstruction activities in any postwar country. A professional and disciplined police force is required to maintain internal security and facilitate the transition from military to civilian life at the community level. In most post-conflict situations—and Afghanistan is no exception—it is necessary to recreate a police force, as former internal security structures were either destroyed by the conflict or viewed as too tainted by the previous political order to retain. In Afghanistan, where 23 years of civil war has destroyed virtually all state security institutions and fractured the country along ethnic and political lines, the task of recreating a police force that is professional, accountable, effective and representative of the country's ethnic diversity is daunting. The deterioration of security conditions across Afghanistan in late 2002 and early 2003, coupled with the reluctance of the international community to establish a peacekeeping presence outside the capital, has highlighted the urgent need for a professional national police force. The importance of such a force transcends considerations of security; it serves as a powerful symbol of national unity and political stability, a symbol urgently needed in a country where confidence and faith in the government is so fragile.

Police reform was identified as a vital pillar of the security sector reform agenda set at the security donors conference held in Geneva in April 2002. Appointed as the lead nation for police reform, Germany has worked assiduously to build Afghan capacity to train a modern police. However, in light of the severity of Afghanistan's security situation, the resources and expertise committed by the international community to the police training process have been incommensurate to the task at hand. The insufficiency of donor support is one of several factors outlined in this paper that has hindered police reform and should be addressed in the coming months to put the process back on track.

Climate of insecurity

Insecurity in Afghanistan has reached alarming levels in 2003, raising the specter of the collapse of the peace-building and reconstruction process. Possessing little authority outside Kabul, the Afghan Transitional Administration (ATA) lacks the wherewithal to quell growing unrest and establish the rule of law. Warlords hold sway across much of the country. Maintaining private armies and generating resources through illegitimate taxation, extortion, the narcotics trade, and other illegal activities, these figures have established mini-fiefdoms and defy the central government at will. Clashes between rival warlords and factions have been commonplace since the fall of the Taliban, killing scores of combatants and civilians. Among the most volatile factional rivalries in the country can be found in northern Afghanistan around the city of Mazar-i Sharif, where two powerful UF commanders, General Rashid Dostum and General Atta Mohammed, have been embroiled in a bitter turf war that has killed hundreds of people in the past twenty months.

Perhaps the most debilitating effect of the rise of insecurity is the curtailment of reconstruction and relief operations in some of the most impoverished parts of the country. Aid workers have been the target of a number of recent attacks, prompting UN relief agencies and NGOs to scale down their activities. In the past five months, seven Afghan mine-clearers have been shot and one killed in four separate ambushes in the south of the country; a Red Cross water engineer from El Salvador was executed when his convoy was stopped on a road in southern Kandahar province; and grenades were thrown at a UNICEF compound in the east of the country. De-mining work was subsequently halted in the south and the UN restricted vehicle movement to daylight hours and suspended travel altogether on some roads.

Policing in Afghanistan: past & present

Afghanistan last possessed a legitimate national police force during the 1960s and 1970s, during the reign of Mohammed Zahir Shah. The force was created with the help of the Federal Republic of Germany and the German Democratic Republic, who contributed resources and provided training. Police structures broke down after the Soviet invasion of Afghanistan in 1979. It was not until 1989, under the regime of President Najibullah, that efforts to establish a professional police force were resumed in earnest. In that year, the Kabul Police Academy was founded. This initiative was short lived, however, as the mujahidin's conquest of Kabul in 1992 led to the closure of the facility.

According to the ATA Interior Ministry, there are approximately 73,000 police and 12,000 border guards in Afghanistan today. One must be circumspect

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with such figures as regional governors and police chiefs tend to inflate the stated number of police under their control to secure more revenue from the central government. The police consist primarily of conscripts and former mujahidin fighters who lack any police training or even rudimentary education. Most of these figures are products of the civil war and accordingly have become accustomed to acting with impunity. A recent report by Amnesty International titled, *Afghanistan: Police reconstruction essential for the protection of human rights*, catalogues human rights violations perpetrated by police across the country since the fall of the Taliban. Although Interior Ministry officials have refuted the claim that human rights abuses are systemic and widespread within the ranks of the country's police, it is clear the force's lack of discipline and professionalism poses a major challenge to the police reform process.

According to the Amnesty International report, only 120 out of 3,000 officers in Kandahar province have received formal police training, and the bulk of that occurred over a decade ago (Amnesty International, 2003, p. 9). Such figures are emblematic of the state of policing across Afghanistan. Former mujahidin have, for the most part, been unsuccessful in making the transition from guerilla fighter to civilian policeman. Mohammed Farid Hamidi, a member of the Afghan Independent Human Rights Commission (AIHRC), affirms that mujahidin incorporated into the police "often confuse police duties with military ones." They bring a "militiamen's mentality" to the police that has alienated communities and exacerbated tension and insecurity (RFE, 22 April 2003).

Police across the country lack basic resources to pursue their jobs, including pens, paper, boots, cars and communications equipment. Police salaries are often below subsistence level or not paid at all. The average trained policemen in Afghanistan makes US$24 per month with police generals making double that amount (Christian Science Monitor, 7 January 2003). The low level of police salaries has created a fertile ground for corruption. Extortion, bribery, and thievery have become a common practice for police due to the insufficiency of their wages.

There is no established command structure or hierarchy for the police in Afghanistan. Police are often loyal to local powerbrokers as opposed to centrally appointed governors and police chiefs, as they are able to remunerate them for their services. Under such conditions the police are more inclined to promote the agendas of local commanders than act in the interest of public security and safety.

Cumulatively these factors have engendered distrust between communities and the police. Growing frustration over policing came to the fore on 1 March 2003 when hundreds of protestors took to the streets in west Kabul to demonstrate against the local police, who were accused of attempting to abduct a local woman. Although the Dasht-i Barchi district where the demonstration took place is predominantly inhabited by ethnic Hazaras, the local police are composed almost entirely of ethnic Tajiks, an imbalance that has fostered intense tension and animosity. The lack of ethnic diversity in the police is a problem throughout the country. Illustrating this fact, 12 of the 15 police stations in Kabul are headed by Panjsheri Tajiks (Eurasia Insight, 26 June 2002). Until such blatant inequities are rectified and sweeping reforms undertaken, public suspicion and distrust of the police will persist.

German support

Having been allotted the status of lead nation for police reform, the German government convened a conference in Berlin on 13 February 2002 that assembled representatives of 18 nations and 11 international organizations to discuss international support for the Afghan police. After presenting a study from a fact-finding mission it had dispatched to Kabul in January of that year, Germany pledged 10 million euros for police reform in 2002. At a subsequent meeting in Berlin on 14–15 March 2002, the German government introduced a comprehensive plan to create a national police service. Dubbed the "German Project for Support of the Police in Afghanistan", the plan delineated five areas for German action: advice on the structure and organization of the force; the rehabilitation of the Kabul Police Academy; the reconstruction of police buildings and institutions; the provision of equipment such as police vehicles; and the coordination of all other donor activities that relate to policing.

The rehabilitation of the Kabul Police Academy is the centerpiece of the German program. The first team of German police officers arrived in Kabul on 16 March 2002 to implement a train-the-trainers course for the academy's police instructors (UN Secretary General, 2002a). A total of 82 officers have since completed this program. These trainers began teaching the Academy's first class of 1,500 police recruits in the first week of August 2002 (UN Secretary General, 2002b). The pool of trainees is diverse, comprising 100 from each province, including in total 40 women. The Police Academy offers a one-year course for non-commissioned officers and a three-year course for commissioned officers.

UNDP Law & Order Trust Fund (LOTFA)

In December 2002, the United Nations Development Programme (UNDP) established a Law & Order Trust Fund (LOTFA), whose principal purpose was to cover the recurrent budgetary expenses, most importantly salaries, of the country's police. The fund is also intended to procure non-lethal equipment, to rehabilitate police facilities, and to strengthen law enforcement capacity across the country.

The establishment of the trust fund marked a watershed in the police reform process; however, it has been hindered by fund-raising difficulties. As of May 2003, only US$11 million of the US$75 million funding target had been raised.

National police training center (NPTC)

In May 2003, the ATA with support from the US established a new training facility intended to accelerate the police training process. The National Police Training Center (NPTC) provides constable-level training courses to current police and new recruits. The first trainees at the center are 40 police officers undergoing a course in police-instructor development. After completing the intensive three-week course they will be accredited as qualified instructors and will begin training the first classes of recruits. The length of a standard training course will be eight weeks and the only prerequisite for enrollment is basic literacy. In the future, all officers wishing to join the Afghan national police will have to pass through the NPTC.

The programs offered at the NPTC will include instruction on human rights, basic democratic principles, and international standards of policing. The international police training team, while led by the US who have contributed three officers, will include two officers from the UK, one from Sweden, and one from Slovenia. The NPTC will significantly expedite the police-training schedule; the center expects to produce 7,000 graduates by next year. Its establishment has introduced an important division of labor into the training scheme. The Kabul Police Academy, which offers BA and higher level programs of study, will train senior officers and commanders, while the NPTC, offering basic-level training, will be responsible for instilling the country's rank-and-file officers with a professional ethic.

The Jalali plan

On 28 January 2003, Ali Ahmad Jalali (Pashtun), a professional military officer and former military historian, was appointed as the Minister of the Interior, replacing Taj Mohammad Wardak. After being appointed by President Karzai following the Loya Jirga in June 2002, Wardak had promised to control security within six months of his term or resign. Wardak, an 80-year old naturalized American who returned to Afghanistan following the fall of the Taliban, was never able to assert his authority over the security services, let alone enact tough reforms. Jalali, a much stronger political figure, has displayed the necessary resolve and vision to bring change. He has pledged to implement comprehensive reforms in his ministry and create a police force of 50,000 and a border police of 12,000 in a 4–5 year period.

In the short-term, Jalali has introduced a plan to fill the present security vacuum and accelerate the police reform process. This plan places emphasis on three branches of the police: a Quick Response Unit, a Highway Patrol, and the Border Police. The Quick Response Unit consists of 3,000–4,000 officers based in Kabul, but capable of being rapidly deployed to any area of the country. This force has already been successfully utilized to quell crises in Khost and Zabul provinces. It is a temporary structure intended to stabilize volatile areas and act as a deterrent to violence until traditional state security structures reach their full capacity. The Highway Patrol will endeavor to secure Afghanistan's major roads and highways, which have been the target of repeated attacks from spoiler groups and bandits. Safeguarding the roads will facilitate road reconstruction and trade, greatly advancing the country's economic recovery. The Border Police are currently in the process of being retrained, restructured, and re-equipped to confront insecurity in border areas, principally caused by the drug trade and cross-border insurgency activities from Pakistan. The Interior Ministry intends to establish a presence at 75 border points in eight border regions. This presence will bolster the central government's efforts to collect customs and tax revenues, which have been channeled to the pockets of regional governors and warlords rather than the coffers of the Ministry of Finance. The Norwegian government has indicated that it will support the program to train and re-equip the Border Police.

Jalali has also begun to reform the Interior Ministry and the Afghan intelligence service known as the National Security Directorate (NSD). The NSD is currently headed by Mohammad Arif, a Panjsheri Tajik. Although Arif is officially answerable to Karzai it is widely believed that he takes orders from Defense Minister Fahim. The NSD contains 23 directorates, all of which are led by Panjsheri Tajiks. Employing more than 30,000 employees, it is the most powerful security institution in the country, and must be reformed to make it representative and accountable.

Obstacles to reform

Resources

A persistent shortfall in resources has been the principal obstacle to police reform in Afghanistan. Interior Minister Jalali has stated that US$380 million will be needed over the next 4–5 years to build a national police force. This money has been slow to materialize. Of the US$75 million requested for the LOTFA, only US$11 million has been delivered by the international donor community. The LOTFA, whose primary goal is to cover the salaries of police officers, has not proven to be attractive to donors, who tend to fund projects with tangible outputs that can be easily exhibited to their governments and constituencies. The problem is, as

Simon Chesterman notes, "that countries often want their names up in lights next to their pet programmes, sometimes administered by their own NGOs. Everyone wants to send children back to school; no one wants to pay military [or police] salaries" (Chesterman, 2002, p. 42).

The lack of resources is acute across Afghanistan. In many areas of the country, such as Bamiyan, local governors have resorted to borrowing money from local tradesmen and merchants to pay rank and file policeman (Amnesty International, p. 23). This situation is unsustainable and has already engendered a sharp rise in corruption. Even in Kabul, where last year 7,000 officers received a salary from the LOTFA, most illegal checkpoints used to extort money are erected and operated by the police. A vivid illustration of the extent of the problem of corruption and criminality in the police came in November 2002 when the curfew over Kabul, in effect since the Soviet invasion in 1978, was lifted. The crime rate in the city actually decreased following the lifting of the curfew. It appears that the police had exploited the curfew, ostensibly in place to protect the citizenry, to engage in criminal activity without public scrutiny and interference.

Police facilities across the country are in a desperate state due to the long civil war. Most are dilapidated and need to be completely rebuilt. The paucity of adequate facilities to detain prisoners has led to the use of restraints, such as leg irons and straight jackets, in a manner that contravenes international human rights norms. Also, basic equipment such as cars, radios, pencils and paper are in short supply. Donor support to the police reform process must be substantially increased. This is necessary both to expand the police training program and to pay and properly equip that force. If police are not paid an adequate salary and provided with the basic equipment needed to prosecute their duties it will be difficult to ensure that they meet international standards of policing.

Reform of the Ministry of Interior (MoI)

In spite of the strenuous efforts of Jalali to reform the Ministry of the Interior, the bulk of the senior positions in the Ministry, the police, and the National Security Directorate (NSD), remain in the hands of a narrow cadre of elites affiliated to the Panjsheri faction of the UF, headed by Defense Minister Fahim. As in most government ministries, patronage and clientalism are the main determinants of personnel decisions in the Ministry of Interior, a situation that has invariably created gross ethnic and factional imbalances in the government. To successfully implement police reform on a countrywide level, the MoI must be subjected to comprehensive reforms that will make it non-partisan, accountable, and representative of the country's ethnic make-up.

Immediately after his appointment, Jalali committed himself to reorganizing his Ministry and the security services under his control. After a number of abortive attempts to fulfill this commitment, he finally made some headway in early June 2003 when he ordered a shake-up of his Ministry. The reshuffle dissolved two departments and demoted three senior officials; however, the main casualty was Din Mohammed Jurat, who headed the Department for National Public Security. This Department was formerly responsible for security in major cities and highways across Afghanistan, and controlled four special battalions of police, totaling 5,000 men. The move effectively reduced the influence of one of the most powerful and controversial figures in Kabul. Last year, President Karzai publicly named Jurat as one of three possible suspects implicated in the murder of Aviation Minister Abdul Rahman—although he was never charged—and it was members of Jurat's police battalion that shot at student demonstrators in November 2002, killing and wounding several students. Jurat has hardly been neutralized as a political force as he will continue to control two police battalions, but now they are charged with the less controversial task of helping out in natural disasters and emergencies. The other two battalions formerly under his command will serve as reserve police. This is a modest but important step toward achieving the vital goal of full MoI reform.

Gender issues

There are currently 40 female recruits in the Kabul Police Academy, 28 in the one-year program and 12 in the advanced three-year program. German initiatives to increase female recruitment have achieved some success. According to a police academy spokesperson, they have received more applications from women then they have places. Nevertheless, conservative religious and social attitudes remain firmly rooted in Afghan society. Even relatively minor issues such as the uniforms donned by female officers arouse controversy—there is a great deal of resistance from conservative quarters to policewomen wearing standard police uniforms that include caps rather then veils. Many men in Afghanistan have begun to accept that female police are needed, but only to carry out minor duties that male police cannot due to religious or tribal customs, such as body searches and arrests of women. Public awareness activities aiming to shift these ingrained cultural attitudes must be intensified. If the Afghan police force is to meet international standards and address the unique security concerns of women, whether it be domestic abuse or rape, it must possess an adequate number of female officers with a status equal to their male counterparts.

Human rights

Human rights violations have become common in police stations across Afghanistan, fostering what Amnesty International calls "a widespread lack of

public faith in the police" (Amnesty International, 2003, p. 1). As Interior Minister Jalali has aptly stated, "The police cannot do their job without the cooperation of the people" (IRIN, 20 March 2003). To restore the peoples' trust in the police, the culture of impunity that pervades the force must be contravened. To achieve this goal, the police of Afghanistan must be retrained to meet international standards of policing. Central to these standards is professionalism and respect for the inalienable human rights of each man, woman, and child.

Steps have been taken by both the international community and the Afghan Interior Ministry to address the issue of human rights. A human rights department has been established at the Interior Ministry and human rights offices have been opened in every police department of the provinces and districts. The goal of these offices is to raise awareness in regard to human rights issues among the police. The Norwegian government has sent a special team to develop a human rights training module at the Kabul Police Academy and the new NPTC has made human rights a central component of their curriculum. These are positive steps but even more must be done. The establishment of a police oversight body or ombudsman could be a tool to build public confidence. Also, the punishment of blatant human rights offenders of the past and present, within a broader strategy for transitional justice and national reconciliation, would also serve to enhance the image of security institutions in the public sphere.

Security sector reform

Delays, inefficiency, and a lack of resources and initiative have marred the entire security sector reform process. The impact of police reform initiatives is contingent on progress made in the other pillars of the security sector reform agenda: military reform; the disarmament, demobilization and reintegration of former combatants (DDR); counter-narcotics; and judicial reform. The five elements of the security sector reform agenda are intricately entwined and must be pursued on a parallel basis.

Military reform

By August 2003, the Afghan National Army (ANA) numbered 5,000–6,000 troops. Low pay, poor food and living conditions, and confusion regarding the length and terms of service have impelled many graduates to return home following basic training. The ATA and US estimate that under favorable conditions, it will take at least five years to establish a capable and functional army. It is advisable that this period be shortened considerably. Accordingly, the US-coordinated training program to build the ANA should be revised and expanded.

A professional and effective national army is an essential element of efforts to legitimize the central government and counter the internal and external security threats that face Afghanistan. Although the police is traditionally responsible for maintaining internal security, a police force in Afghanistan, even one that is well trained and equipped, would be incapable of overcoming the challenge posed by some of Afghanistan's warlords and spoiler groups. The army will be needed to bring the most powerful warlords to heel through the threat and application of force, and to eradicate the last vestiges of the Taliban and al-Qaeda. Only after these threats have been removed can the army return to its barracks and the police assume its conventional task of keeping the peace.

Disarmament, demobilization and reintegration (DDR)

The disarmament, demobilization and reintegration of former combatants (DDR) is an important component of peace-building activities in any post-conflict society. It is imperative in Afghanistan as it is estimated that there are 8–10 million guns in the country and anywhere between 100,000 and 250,000 combatants from all phases of the conflict. In spite of the vital importance of this enterprise, a DDR program has yet to be implemented. Japan has assumed the responsibility of lead nation for DDR. The Japanese government has proposed several plans for DDR in Afghanistan but none have materialized. Although the Japanese remain as the principal funder for DDR, they have largely deferred the responsibility for DDR planning and support to the UN Assistance Mission in Afghanistan (UNAMA), the UN Development Programme (UNDP), and the United States.

UNAMA has introduced a DDR program titled, "The Afghan New Beginnings Programme", which is slated to begin in August 2003. The program, which will run for three years at a cost of US$127 million, is being supported by Japan, the US, UK, Canada, and Sweden. The program is well designed and has sufficient funding for its initial year of operation. However, until reform of the Ministry of Defense is implemented and a genuine political consensus concerning DDR among Afghanistan's main power brokers achieved, the program will likely remain grounded.

Without DDR, the job of the police in Afghanistan will be exceedingly difficult. The police are not equipped to control well-armed and organized paramilitary forces. These groups must be demobilized and reintegrated into civilian society for civilian policing to be viable.

Counter-narcotics

In 2002, Afghanistan returned to its position as the world's foremost producer of heroin. The 2002 crop reached an estimated 3,400 mt., a 540 percent increase on the yield for 2001 and significantly higher than the 1,900–2,700 mt. earlier predicted for 2002

(IRIN, 21 January 2003). According to the UN Office on Drugs and Crime (UNODC), profits from drug trafficking accounted for 20 percent of Afghanistan's GDP in 2002 (Reuters, 22 May 2003). This lucrative trade is a major source of income for warlords and spoiler groups and fuels corruption, money-laundering, crime, and poses a major health threat by spreading the use of intravenous drug consumption, a major cause of AIDS.

On 17 January 2002, in an attempt to arrest control of drug production, the Afghan Interim Administration (AIA) banned poppy cultivation and the consumption of heroin and introduced, with British support, an aggressive poppy eradication program. From the outset, the program was plagued by inefficiency and mismanagement. It offered US$350 for each jirib (one fifth of a hectare) of poppies destroyed; however, poppy growers can make double that from growing their produce and selling it on the open market (Davis, 2003, pp. 28–29). Compounding the problem, many farmers claimed that they were not duly compensated for the destruction of their crops. The abject failure of this US$34 million program, which prompted UK and ATA officials to shelve it, was evinced by the fact that poppy cultivation actually increased in areas that were targeted by the program. It will be difficult for the ATA to lower production if they cannot provide alternative livelihoods for farmers. In drought-ridden areas of the country this is one of the only crops that farmers can afford to produce – it is attractive because it is drought resistant, easy to store, and extremely profitable. A farmer can make between 60 and 65 times more money growing poppies than wheat (IRIN, 21 January 2003). Therefore, the key to counter-narcotics efforts will be the provision of subsidies to farmers to grow alternative crops.

In terms of drug enforcement, the UK government has pledged £70 million over three years to create an anti-narcotics task force. With this money Britain has implemented a program to train a drug enforcement unit of the Afghan police. Fifty British customs experts have begun training Afghan recruits on advanced drug enforcement techniques. The trainees will form the core of a new drug law enforcement department of the Afghan national police called the Kabul Counter Narcotics Directorate. The British have also pledged to provide the Afghan border police with modern equipment to reach remote border areas quickly in order to close drug trafficking corridors along the Afghan-Pakistan, Afghan-Iran, and Afghan-Tajikistan borders. However, according to Mirwais Yasimi, the Head of the Kabul Counter Narcotics Directorate, little of the funds and support promised by the UK have been delivered. "I was expecting Mr. Blair to do more", Mirwais has stated. He went on to say, "We need funds and assistance...my men are dedicated…but they have received only tens of thousands of dollars from the UK, not even hundreds of thousands" (UK Mirror, 02 August 2003). Not surprisingly in light of this shortfall in resources, no major drug arrests have been made.

While the initiatives introduced by the ATA and the British are beneficial, they are severely under-funded and fail to address the underlying cause of drug production in Afghanistan, a lack of viable alternative livelihoods for farmers. Resources and energy must be invested in the design and implementation of alternative-crop and rural infrastructure development programs, to run parallel to eradication programs. The government does not have the capacity, particularly in remote drug-producing areas, to forcefully uphold the poppy ban. It requires incentives to build public trust. Of course this will be a long-term process, one that British officials admit could take more than a decade.

Judicial reform

Establishing the rule of law in Afghanistan is a prerequisite for effective policing. The UNDP Deputy Country Director in Afghanistan, Knut Ostby, aptly recognizes that "Afghanistan's economic growth, political and social security depends on a functioning legal system" (UNDP, 2002). With Afghanistan's judicial system in disarray and progress in police reform having exceeded that of the justice sector, the courts currently lack the capacity to handle the volume of cases brought before them. Accordingly, criminals apprehended by police are released without punishment and innocent Afghans, with no recourse to legal protection, have been subjected to unlawful imprisonment. The reality is that the police cannot adequately maintain law and order until the country's justice system is reestablished.

On 28 November 2002 a judicial reform commission, supported by the Italian government and UNDP, was inaugurated to initiate the reconstruction of the country's legal framework. The founding of the commission was followed by the convening of an international conference titled, Reform of the Afghan Justice System, held in Rome in December 2002. Conference participants pledged US$30 million for the judicial reform process (International Crisis Group, 2003, pp. i–iii).

The commission has a difficult mandate: to develop a legal framework that respects Islamic legal principles yet recognizes the equality of women. Nonetheless the commission took a major step towards achieving these goals on 26 January 2003 when it and UNDP initiated a two-year project called "Rebuilding the Justice System in Afghanistan." The first phase of the project will involve the reconstruction

and provision of equipment for courthouses across the country; the training of judges and other law offices; increasing the capacity of the administration of the justice system; and organizing seminars and training for the staff of the system. Special attention will be paid to ensuring gender equality in the system and strengthening the teaching and research capacity of Kabul University's Faculty of Law and Sharia. The Italian government and UNDP should take steps to ensure that judicial reform features more prominently in the wider reconstruction agenda, that donor aid is delivered in a timely fashion, and that technical assistance is provided when and where it is required. The police and judicial reform processes are symbiotically connected and must be harmonized.

The Kabul student riots of November 2002, which resulted in the deaths of several students at the hands of overzealous police officers, clearly illustrated the need to expand the police-training scheme currently being implemented. President Karzai partially attributed this tragic incident to the police's lack of training and professionalism. With the security situation so dire in Afghanistan, it is clear that the creation of an effective and professional national police and army is a priority of the peace-building and reconstruction processes. However, regardless of the amount of resources and attention allocated to these programs, erecting security structures is a process that takes a great deal of time. Accordingly, a security vacuum will inevitably remain until these structures achieve a degree of viability, which will be a matter of years rather than months. The most obvious solution to the problem is the expansion of the International Security Assistance Force (ISAF) or the Coalition's Provisional Reconstruction Teams (PRTs), but such proposals have received tepid support from donor states, which would have to provide the funding and troops to facilitate expansion. In the long-term, the creation of a national police force is best suited to maintain security and foster national unity in Afghanistan, thus this endeavor should be allocated more resources and attention by the international donor community. However, in the short-term more steps must be taken to mitigate the immediate and imposing security threats to the ATA. It will take a decade for the national police and army to challenge the warlords and the drug barons in Afghanistan. How the international community helps the ATA to confront these threats in the meantime will determine the fate of the state-building enterprise.

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Identifying Options and Entry Points for Disarmament, Demobilization, and Reintegration in Afghanistan

by Barnett R. Rubin

Context

Fifteen months after the Interim Authority of Afghanistan assumed control of what remained of the apparatus of government, most Afghans, as well as foreign organizations trying to work on reconstruction, identify the lack of security as the country's most pressing problem. While the International Security Assistance Force (ISAF) helps the authorities provide security in Kabul and the environs, throughout most of the rest of the country undisciplined and largely autonomous armed groups survive through control of vital resources. These forces range from consistently predatory to the merely undisciplined, but they threaten both economic and political activity. Unless they are either transformed into, or replaced by, legally constituted security services, neither reconstruction nor improvement of governance, to say nothing of the more distant goal of democratization, can take place.

The leaders of these armed groups are mostly former commanders of the anti-Soviet jihad, but some were commanders of the "tribal" militias of the Najibullah regime. Some are regionally consolidated into large forces (as in western or northern Afghanistan) and some are fragmented into small bands (as in southeast Afghanistan). Most Afghans consider the current Ministry of Defense, under Marshall Abdul Qasim Fahim, who inherited the mantle of military command from the late Ahmad Shah Massoud, as little more than another of these factional armies. The recognition of that army's commander as Minister of Defense does not confer any particular legitimacy on that group in the eyes of many, a point to bear in mind when discussing the role of the Ministry of Defense in disarming factional militias.

Most of these commanders were already disarmed once, by the Taliban, and this was the Taliban's most popular policy. The CIA revived these militias again very quickly in the weeks after September 11, 2001, through the relatively simple means of distributing cash in such large quantities that the value of the dollar against the afghani was cut in half in three months, according to the IMF. Many commanders continued to receive subsidies after the fall of the Taliban and the establishment of the AIA for assisting US and coalition forces in battles against remnants of the Taliban and al-Qaeda. The US claims that it has ceased providing such subsidies, but it may do so on a temporary basis for particular battles. In any case, once armed and funded, commanders can become economically self-sufficient by gaining control of customs posts, bazaars, and opium trafficking routes. Raw opium is currently selling at US$500–600/kg, a historic high, a figure that it is difficult for a DDR program to compete with.

The Bonn Agreement of 5 December 2001, was not a peace agreement among warring parties. One side in the armed conflict, the Taliban and al-Qaeda, was in the process of being bombed out of office by the US military, while four factions met in Bonn under UN auspices to decide how to create a successor government. Only one of those groups, the Islamic United Front for the Salvation of Afghanistan (UF or Northern Alliance) commanded troops in the field, and it was a loosely organized coalition of very different groups, brought together only by their opposition to the Taliban.

The Bonn Agreement does not contain any agreement on DDR. The UN drafters initially included a paragraph of peace agreement boilerplate calling for DDR of unofficial forces, but the reaction was furious. UF delegates from several armed factions claimed it was dishonorable to take arms from mujahidin. Outside the meeting, and in Afghanistan, they expressed suspicion that the West wanted to disarm the mujahidin and bring ISAF in order to prevent an Islamic government from being established. Hence the final text states only that, as of the installation of the AIA, all armed groups come under its authority, and that these groups should be integrated into the national army, which will be reorganized according to need. Most participants

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understood that "according to need" meant eventual demobilization, but this was not explicit, and there was no discussion of numbers. A new paragraph was also inserted into the preamble, praising the sacrifice of the mujahidin, in order to try to calm their suspicions.

The political settlement that emerged from Bonn does not consist of a stable or effective power sharing arrangement. UN SRSG Lakhdar Brahimi stated repeatedly that the UN Talks on Afghanistan in Bonn were extremely imperfect, and that the government that emerged from Bonn would also be imperfect. The purpose of the Bonn agreement was to reach agreement on a process, extending through June 2004, which would enable the government to become more legitimate and effective. The government and UN have met all the formal timetables and benchmarks, give or take a few days, but the procedures have not been as effective as hoped in addressing imbalances in the government.

The major grievance of most Afghans about the composition of the government at the beginning was the domination of the most important positions by the followers of Massoud from the Panjsher Valley. These positions included the Minister of Defense, the Minister of Interior, the Director of the National Security Directorate (combining internal and external functions), and the Minister of Foreign Affairs. The Minister of the Interior was replaced by a weak, elderly Pashtun at the Loya Jirga, which did not bring the Panjsheris in the ministry under control but did remove their accountability. The appointment of Ali Ahmad Jalali, a professional military officer and military historian (Pashtun) as Minister of the Interior in February 2003 may be a turning point, though Fahim blocked his first attempted dismissal of a high official. The Minister of Finance, Ashraf Ghani, has used international assistance to turn his ministry into another center of power, creating greater balance—and greater tension—in the cabinet, especially as he has refused to pay the salaries of all the armed men Fahim claims to have on his payroll. In early 2003 Fahim and his followers were campaigning against Ghani, charging him with corruption and ethnic favoritism in discussions with the UN and donor countries.

As long as the US and coalition forces are present, these tensions will not lead to the breakup of the government or a return to war, which everyone wants to avoid. 2003 and 2004, however, will likely see increasing tensions over the new constitution and elections. The westernizing and centralizing forces symbolized by Ghani will be the object of attack by regional and Islamist leaders who will use Islamic symbolism and discourse against the government. The failure of the government and international community to deliver significant visible reconstruction aid in most areas, as Afghans perceive it, will also undermine the westernizing group in the central government. This is also the group that most strongly supports DDR and the building of an Afghan National Army (ANA) that is professional and not formed on the basis of existing warlord militias.

New beginnings?

The Afghan government has named its DDR program "Afghanistan's New Beginnings Program" (ANBP). This program forms part of a larger package of security sector reform also including the building of the ANA, reforms of the ministries of defense and interior, and judicial reform. The task of DDR cannot be understood apart from the building of the ANA and the reforms of the Ministry of Defense. Even reforms of the Ministry of the Interior and the judiciary are related, since policing will have to move into the vacuum created by the disarming of militias, if they are not to be simply replaced with new militias.

Terms like "security sector reform" have a rather technocratic tone, leading to questions such as whether the state has the capacity to provide economic alternatives and to monitor the process, but the process is basically political. Building the ANA, reforming the Ministry of Defense, and disarming and demobilizing the militias, all form part of the task of building a legitimate national state in Afghanistan. Different models of these processes have implications for the issues of: who holds state power; how they exercise power; what is the definition of the Afghan nation; and what is the basis of the state's legitimacy.

The principal person responsible for DDR in the Afghan government is Deputy Minister of Defense, General Atiqullah Baryalai, who is also a member of the National Defense Commission. Baryalai is a Panjsheri commander who, among other things, oversaw the battle of Kunduz in November 2001. He has no formal military training, except perhaps through Massoud's own military academy, but he has considerable battlefield experience. Baryalai's plan for disarmament, which he has modified very little since the summer of 2002, adheres closely to the language of the Bonn Agreement. To simplify some very complex arguments, especially about stages and timing, Baryalai's plan has the following features:

- The ANA is to be formed from demobilized, reorganized, retrained, and winnowed-down units of "mujahidin."
- Commanders of "mujahidin" will receive rank in the ANA according to the number of weapons that they turn in.
- The Ministry of Defense will lead and control the process.
- The process will start simultaneously throughout the country.

According to this model, participation in the jihad and the struggle against the Taliban provides legitimacy for rulership and command in the armed forces. The "existing forces," as the MoD calls them, which it accuses Ashraf Ghani of trying to destroy by withholding payment, will become the core of the new forces. In some versions of this plan, the reorganized existing forces would at least be deployed away from their native areas, to reduce their ability to act as warlords or make illicit contacts. The current Ministry of Defense enjoys full legitimacy as a national institution, in this proposal, and all regional units should be integrated into a centralized force under its command. Ethnically, this model will favor the non-Pashtun elements of the former United Front over Pashtuns, as they possess far more weapons and hence will dominate the officer corps, and Panjsheris over the rest of the United Front. The Panjsheris would retain their power and have it further legitimized by the international community's support for the DDR program and ANA, which they will control. Starting the process throughout the country, while avoiding the political problem of seeming favoritism, would also definitively preclude any form of international monitoring, as no organization would have this capacity. Hence the MoD would have a free hand.

There is no single alternative proposal, though Gen. Abdul Rahim Wardak, another member of the Defense Commission, has emerged as a critic of Baryalai's approach. Wardak, a Pashtun military officer trained in the US under the pre-1978 regime, served as military commander of the moderate National Islamic Front of Afghanistan (NIFA - Gailani) during the jihad. He briefly served as chief of army staff under Ahmad Shah Massoud in 1992 but soon left. A supporter of the former king of Afghanistan, Wardak participated in the Bonn Talks as a member of the Rome group. He hoped to be named Minister of Defense at Bonn and has poor relations with the Panjsheri group.

The UN and US have also offered alternatives and attempted to negotiate with Gen. Baryalai and modify his plan in accord with discussions in the NDC and elsewhere. In addition, while adequate donor funding seems likely to be available for an acceptable DDR plan, it will not be available for a plan to remake the UF forces into the army of Afghanistan under Panjsheri leadership. When confronted with this fact, Gen. Baryalai states that he refuses to compromise the sovereignty of Afghanistan because of donor pressure.

While there is no detailed alternative plan, other members of the NDC, UNAMA, the US, and even some particularly thoughtful Panjsheris have suggested elements of the following:

- DDR and building the ANA should be separate projects. It is better to train new recruits untainted by the past than to untrain mujahidin from their guerrilla bad habits and then try to retrain them to be professional soldiers. Demobilized fighters meeting certain high standards can apply for training for the ANA, but with no guarantee of acceptance.
- The officer corps of the ANA should be an amalgam of former commanders (kept to a minimum), former professional soldiers with as little taint as possible, and new trainees.
- The Ministry of Defense must be thoroughly reformed so that it is, and is seen to be, under national rather than factional control. The ultimate reform, of course, would be to remove Fahim, which many Afghans and foreigners would like to do, a fact of which Fahim is fully aware.
- The NDC, the UN, and donors should oversee the process of DDR.
- DDR should begin at selected locations in the country and spread gradually as resources allow and as the team in charge learns lessons.

Under this model, the "existing forces" are seen as, at best, having outlived their usefulness, and, at worst, as being a major part of the problem that the new government has to solve. Legitimacy comes from an elected government employing Afghan citizens based on merit, with international training. Ethnically, this model could reinstate a strong Pashtun presence in the security forces. Some suspect it would restore Pashtun dominance in the military, based on an alliance of royalist and former communist military professionals, and that the talk of "professionalism" is a cover for that project. As in Baryalai's model, however, regional forces would be dissolved and replaced by a completely centralized national military force.

In August 2002 Fahim offered to replace 30 of the top 38 positions in the MoD with new appointees to be named by Karzai. Karzai deputed Wardak to identify candidates, but it took until February 2003 to name fifteen of them, only three of whom came from Wardak's list. They included ten Pashtuns, two Uzbeks, two Hazaras, and one Tajik. Many express skepticism, claiming the appointees are weak, and will have little power. Some are aligned with the Islamist wing of the UF and thus do not diversify the political character of the MoD at all, whatever their ethnic origin. Deputy Minister of Defense General Gul Zarak Zadran is a Pashtun from Paktia who was a professional soldier trained in the US. During the jihad, however, he became a commander of 'Abd al-Rabb al-Rasul Sayyaf's Ittehad-i Islami party, an Islamist organization that became one of the few Pashtun-led components of the UF. He is a strong advocate of excluding all but jihadi forces from the army, even more so than Baryalai.

The nature of the MoD and ANA are vital for the success of DDR, because of their relationship to the central problem of DDR: To whom will the ex-combatants hand over their weapons?

Who remains armed, and who guarantees the security of those who are no longer armed? The attraction that the possession of arms and membership in an armed group had during the years of jihad has worn off, and many fighters are looking for a way out. They would seize opportunities at reintegration offered them, if they were sure their security could be guaranteed. Commanders and leaders similarly are eager for new careers, some as military officers, but many as businessmen (some legitimate, some not so legitimate), civilian officials, or politicians.

For many regional commanders and their followers, the key issue is the domination of the Ministry of Defense and "army" in Kabul by Fahim and his followers. In some areas weapons collection that began soon after the installation of the AIA stopped when it became clear that these forces would control Kabul and the central army. Since these regional commanders perceive Fahim as simply a rival faction leader, enjoying the support of the US as the principal ally in the war on terrorism, they are unwilling to disarm or demobilize to make way for an ANA controlled by him.

The chairs of the demobilization sub-commission of the NDC, Abdul Karim Khalili and Yusuf Pashtun, are not credible as overseers of the process. Neither has any military background or credentials. Khalili, leader of the mainly Hazara Hizb-i Wahdat, is a cleric and politician, not a commander. He spent much of the period of the jihad in Iran. He has influence only in Bamiyan. He suffered a severe heart attack in March 2003 and is incapacitated. Yusuf Pashtun, a Barakzai Pashtun from Kandahar, is an architect trained at the American University of Beirut (as were Ashraf Ghani, Anwar-ul-Haq Ahady, president of the Central Bank, and Zalmay Khalilzad, the US presidential special envoy on Afghanistan). Before joining the cabinet as Minister of Town Planning, Housing, and Urban Development, he was a spokesman for Gul Agha Shirzai, governor of Kandahar. Since the early 1980s he had founded an NGO engaged in medical assistance in Quetta, Pakistan, and lived much of the time in the US.

At the local level, especially where there are rival militias, as in the north, commanders and fighters are worried about the relative pace of demobilization of various forces. They would need to be protected during the process until it was completed. This is one role that an expanded ISAF could have performed. Indeed the warring factions in Mazar-i Sharif requested ISAF monitoring of their agreement to withdraw heavy weapons from the city. The Provincial Reconstruction Teams (PRTs) being established by the US, now with the participation of several other countries, could play a similar role, but thus far the Pentagon has excluded participation in DDR as part of their mission.

As individuals, the fighters will need economic alternatives, in the form of employment, training, capital, or land. It will be difficult to compete with the lure of opium at such high prices. The top leaders—probably fewer than ten people—will have to be accommodated in the political or governmental system somehow, unless some of them are eventually confronted militarily by the coalition, a rather unlikely prospect.

Probably the most difficult and challenging problem of demobilization will be the mid-level commanders. Many of them have grown wealthy through the use of their forces to commandeer property and prey upon trade, including the drug trade. Most are not promising material for the officer corps and are unlikely to make a career as politicians, since the local people tend to hate them. Some might eventually be jailed for common crimes, as was Commander Zardad in October 2002. He was captured running down the street trying to kill one of his wives, and after he was jailed, witnesses to other crimes stepped forward. It is difficult to make a common recommendation regarding these commanders. Each of them might require a different approach. Thus far the MoD has not compiled a list of the commanders who have to be demobilized, any more than they have compiled a list of soldiers who have to be paid. Such a list, with particulars about each one, will probably be necessary to devise a set of strategies for demobilizing commanders in different situations and regions. Commanders who own twelve houses in Kabul and several businesses will not be bought off with agricultural land, as some have suggested.

The security crisis throughout the country undermines DDR in more ways than by placing fighters in a classic security dilemma, where each group can make itself more secure only by making others, and hence eventually itself, less secure. The failure to deploy international forces to break the cycle of insecurity has not only reinforced fighters' belief that they need to keep their weapons, but also impeded reconstruction and development assistance that would provide alternative employment for ex-combatants. The idea of supplying security through the ANA and the new Afghan police is an excellent one, if one is prepared to wait five to ten years, since that is the most reasonable estimate of how long it will take for the ANA to become a self-supporting force capable of combat. That is under the best scenario, based on calculations of how long it will take to train recruits. The main issue surrounding the ANA, however, is not training soldiers, but determining who will command it. Will the ANA be a better army for Fahim, or will it be a national army under the command of a non-factional national government? Uncertainty about this

question, or, rather, presumption that the answer is the former, is a principal reason that the ANA has had such difficulty attracting and keeping recruits, and that the recruits have been overwhelmingly Tajik.

Attempts to use aid to foster security ("securitization of assistance" in the jargon) have not worked any better here than elsewhere. The US announced that it had ended all reconstruction assistance in the north in response to the factional fighting around Mazar-i Sharif. The lure of resumption of the rather small quantity of assistance has not proved to be an effective incentive, since the aid does not go in cash to the commanders, unlike the loot from control of a fertilizer plant or opium trade route.

Foreign role in DDR

Currently, the main foreign roles in the DDR process, which remains at the level of policy, are played by UNAMA and the US military command in Afghanistan. They have sometimes differed, in particular over the decree to which factional control of the MoD represents an obstacle to the process. Recently, however, their views have converged. The US's initial emphasis almost entirely on training recruits for the ANA was somewhat misplaced, as political issues about the command of the ANA and its relationship to the MoD and the "existing forces" had to be clarified, before the process could move forward. Russia also refuses to distinguish between the ANA and the MoD and claims to be providing direct material assistance to the MoD, though senior Panjsheri officials claim they have not actually received any of the obsolete equipment promised by Moscow.

Japan is the lead donor for DDR and, along with the UK and others, has committed at least US$50 million. Senior Panjsheri officials view this as a sign of US disengagement: as one said, "When we agreed to be the US's partner in the war against terrorism, we did not expect to be told to go talk to some Japanese for funding." So far that funding is only theoretical, as DDR has not actually started, and there is as yet no agreed-upon plan.

Currently the major political obstacles to DDR are: disagreement about the leadership, composition, and role of the MoD itself; lack of full US participation in the effort to provide the leverage needed for such a sensitive and difficult operation; and the absence of any offer of international military observers for the demobilization process. Nowhere has post-conflict demobilization succeeded without international observers to monitor the process and assure the combatants of their security while they are going through the very vulnerable state of giving up their military equipment (if not all weapons).

Europeans have been almost completely absent from the DDR debate and process. The European leadership of ISAF should form a common position and attempt to engage on that basis. Once agreement is reached, among the many needed tasks would be of course the provision of military observers. These could function as part of the Provincial Reconstruction Teams, who will not be able to promote the "jump-starting" of reconstruction, as advertised, unless the militias that disrupt such activities stand down. They could also sponsor investigation to compile information on all the mid-level commanders who need to be demobilized, with a view to designing an appropriate set of strategies for different situations. This would include an analysis of the economic basis of warlordism in various regions of the country, as well as of how leader-follower relationships are cemented and maintained. No organization to my knowledge is carrying out intelligence analysis of that degree of sophistication. It is possible that an appropriate institution could lead a group of researchers together with the appropriate UN or Afghan counterparts to compile such information.

In Afghanistan as in Iraq, people do not want to be forced to choose between tyranny and anarchy. They want an accountable public order that provides security. Such security is the condition for progress on all other fronts, and without demobilizing the unaccountable militias that formed the US's emergency allies in the fall of 2001 insecurity will continue to reign. If the US does not assume greater responsibility for this process, Afghans and many others in the Muslim world and beyond will conclude that, once again, America used Afghans for its own interests and then abandoned them to cope with the consequences.

Karzai's Fiscal Foes and How to Beat Them

by S. Frederick Starr

A year after the fall of the Taliban, it is daily more evident that the Karzai government in Kabul is being steadily undermined by powerful political foes, and that these foes, far from being maneuvered deftly towards the sidelines, are daily gaining in power. Where the Bonn plan called for the extension of the Interim Government's authority to every corner of the land, it is instead being cornered in Kabul, and even there divided into two broad factions: Karzai's, representing the moderate, secularist, modernizing, and technocratic camp; and Minister of Defense Fahim's, representing an unlikely Red-Green alliance of former Communists and Jihadists headed by Panjsheris from the old Northern Alliance but increasingly drawing in like-minded people from elsewhere.

The roots of this polarization trace to the months before the Bonn meetings, when a group of officers and supporters of the Northern Alliance and their aspiring president Rabbani arrogantly defied President Bush's orders and moved their forces into Kabul, where they immediately began packing the government with their own people. The Americans accepted this fait accompli, naively assuming that they could gradually concentrate power in Karzai's hands, especially with the formation of a national army, and thus trim the opposition's wings.

They gravely underestimated the Northern Alliance's resolve. While the Pentagon slowly trained the first small cadre of the new national army, the Red-Green coalition, now under Marshall Fahim's leadership, consolidated and extended its power so effectively that it can today stymie Washington's best-laid plans. Thus, when told they must disarm warlords, Fahim's people disarmed only a few of their opponents, leaving their own supporters intact. Worse, Secretary Rumsfeld recently found himself in the absurd position of appearing publicly with Fahim who, as Minister of Defense, will command the new force supposedly being created for Karzai.

If things continue as they are, the Fahim coalition may neutralize Karzai in the June 2004 elections. And to the extent there is already a backlash against Fahim, especially among Pashtuns, it is also directed against America, which, however paradoxically, is seen as his backer. Rather than acknowledge this, the US clings to the delusional view that the armed opposition is comprised of Taliban holdouts, rather than a diverse collection of people (some of whom, indeed, had worked with the Taliban) zeroing in on the new state of affairs that appears to deny them a voice in government and seems to bear an American imprimatur.

But is not Fahim merely the Minister of Defense, reporting to Karzai? True enough, but he also commands his own armed forces. No less important, he controls a huge and largely invisible network that extends throughout the government and economy. The fact that Fahim's network is opaque and largely invisible to foreigners enhances its day-to-day effectiveness. So extensive is this Mafia-like collection of businesses, organizations, and power brokers that Fahim is said to have recently bragged, not without reason, "Who is Karzai? This is my country." Fahim himself is firmly in charge of this network. Former Afghan president Rabbani's power is now mainly symbolic, his actual influence having been limited to Badakhshan in the northeast. Foreign Minister Abdullah, with no control over resources, has also been neutralized.

Fahim presides over a system run by his own clan, at the head of which is his brother, Haji Hasin Fahim. Hungry for power, shrewd, and a masterful hustler, he can neutralize or shape all decrees issuing from Karzai's government. When the Afghan Investment Council issued rules on contracting that excluded sweetheart deals, Haji had them modified to enable him to channel deals to Tepe and other Turkish firms with which he was allied. Holding no office, Haji is more powerful than any governmental minister except his brother.

Fahim's family business extends further. One brother-in-law serves as deputy and another is his personal secretary. Beyond the family are such powerful allies as Jalil Almas, again with no public office but with his fifty bodyguards, a force to be reckoned with in all affairs of state. Still others sit in key posts like the financially important embassy in Dubai. Many leading "new Afghans" are also linked secretly with the Fahim network, either as active backers or compliant contributors to its coffers.

As Minister of Defense, Fahim commands tens of thousands of troops who are loyal to him and not to Karzai or his friends from Washington. But the essential heart of Fahim's power is less military than financial. The

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keystone to Afghan political reality today is that the Fahim mafia has built for itself a formidable financial base, the profits of which can be directed strategically and without regard for the niceties of the law. Jalil Almas controls the former Afghan-Soviet organization that still dominates trade with Russia and otherwise figures in many of the biggest recent deals. When there is valuable Kabul real estate is to be redistributed, the Fahim network can direct it towards its loyalists. In the name of urban renewal, Fahim allies relocated and then took control of a large tire and rubber market that once stood near the palace. At times, Fahim's crowd can act with stunning brazenness. When the government introduced the new currency, Fahim's forces brought in sixteen containers full of the old afghanis.

Much has been made of the role in Afghan politics played by drug money. This trade is concentrated largely in the poppy-growing areas of the south and southeast, as is smuggling. The Fahim mafia is largely content to leave these sub rosa sources of revenue in the hands of others, mainly Pashtuns. Its leaders know full well that they command larger, more reliable, and less blatantly suspect income streams that can only expand in the future, and which are connected with prominent individuals and groups who are glad to support their work from outside the government.

But surely Karzai, as President, can greatly influence the allocation and distribution of international assistance and investments? True enough, but he is constrained in his financial dealings by a laudable commitment to transparency, while Fahim is not. Moreover, where Karzai's resource base may be temporary and significantly controlled by others, Fahim's is neither. Stated differently, if half the problem is the organizational and financial strength of Fahim's network, the other half is Karzai's relative weakness in both areas. Suffice it to say that Karzai must rely on American bodyguards while Fahim can swagger about Kabul surrounded only by native Afghan loyalists. Less visible to the casual eye is the solid grounding of Fahim's financial support in the emerging local economy. By contrast, the Karzai government has yet to forge a solid financial base for itself.

Due to poverty and the absence of effective institutions, many of the usual sources of governmental revenues are negligible or nonexistent in today's Afghanistan, notably income taxes and taxes on real estate. However, its location at the heart of a vast continental network of transit trade has always enabled Afghanistan to thrive on customs duties, transit fees, and imposts on trade. During the decades of civil war and chaos these lush fruits were picked by local warlords and outright bandits. With the revival of a central government all this was to have changed. Transit fees and taxes flowing to Kabul were to legitimize the new government as the disburser of public funds, and these revenues, applied to public works and human services, were to undercut the handouts to individual fighters on which the warlords' power was based. But this has not happened. This, no less than his lack of a reliable army, is the core of Karzai's weakness. Until it is corrected, he will play second fiddle to the Fahim clan and its network.

Given Afghanistan's general poverty, the scale of revenues accruing from customs duties and transit fees is hard to imagine. At the customs post on the Iranian border near the western city of Herat, US$1,000 is collected from each used Japanese automobile imported from Dubai. Total revenues from that post alone reach US$1 million a day. All of it flows to the regional warlord Ismail Khan, the self-proclaimed "Emir" of Herat. Unofficial posts along the highway to Kabul yield millions more, not only to local warlords and gangsters but also to Fahim's army. None of these revenues reach Afghanistan's national treasury presided over by the capable Minister of Finance, World Bank veteran Ashraf Ghani.

In effect, then, Afghanistan today has two separate tax regimes: the modest and ineffective official system managed by Karzai's government, and the unofficial one comprising, at one level, a motley assemblage of smugglers, drug traffickers, and bandits, and, at a higher level, the very effective Fahim network and key local warlords who control the seven main ports of entry. It is true that Fahim does not himself control the key regional warlords or the revenues they derive from the main customs points. But the latter cannot exist without the overall protection provided by the former. This translates into further political power for Fahim. In the absence of decisive intervention, it is only a matter of time before these two elements of the unofficial system link more formally with each other and forge a common political front against Karzai.

How can the broadening financial disparity between Karzai and his enemies be redressed? Is it possible to cut back the sources of Fahim's economic and political power and at the same time redress the weakness of Hamid Karzai's government in both areas? Two things are certain. First, America's current effort to build a national army addresses only part of the problem and, arguably, the less important part. If Karzai had a 100,000-man army today he would still have to depend on Washington to finance it. Such an army alone would not neutralize Fahim because the Minister's financial network would remain intact. Besides, as Minister of Defense, Fahim would still be able to exert powerful influence over the new army.

Second, Karzai cannot on his own address the threat posed by Fahim. He rules what is in effect a coalition government and Fahim and his group are part of that coalition. This

condemns Karzai to a "balanced" approach to enemies who are out to destroy not only his rule but the moderate, secular, and modernizing values he represents. They have successfully thwarted past attempts by Karzai's otherwise able technocrats to address the problem and are likely to amass yet more power to do so in the future.

This means that the United States must use its full authority to make the changes necessary to enable Karzai to become the chief of state in deed as well as word. This requires decisive action to strengthen the financial underpinnings of Karzai's government and equally resolute steps to disable financially both Fahim and the key warlords. Such an approach must proceed simultaneously on two fronts.

With respect to the Karzai government, the immediate goal must be to exert the central government's control over the customs offices at the key borders. Karzai has recently tried to address this by jawboning the warlords but so far to no avail. Yet the task may not be as difficult as it appears. New border posts should be constructed at all the seven key points of entry, focusing especially on Herat. These should be situated at defensible points at some distance from the existing posts and from major cities like Herat. International donors with experience in such matters should equip the new posts with computerized information systems linked directly with Kabul. With such a system in place, no money would change hands at the borders themselves. Instead, shippers would be required to present invoices on their goods and certificates of deposit indicating that the necessary duties had been deposited in a governmental account abroad. These would be quickly checked against records in Kabul and the shipment then allowed to proceed across the country.

How, though, would the shift from the existing system to a new system be effected? Surely Ismail Khan and the other key warlords would use armed force to prevent changes that would cripple their regimes? True enough, which is why the transition would have to be protected by ISAF and American forces. No other force is capable of accomplishing this. The US would have to be willing to speak bluntly to the warlords, informing them that henceforth the central government would control the borders and that the international community is prepared to use all necessary force, including B-52s, against anyone threatening this normal exercise of governmental authority at the points of entry. It would have to state with equal bluntness that once the national government assumed control over the customs points, Mr. Khan would no longer need the protection of his 35,000 troops.

The carrot offered alongside this stick would be firm assurances that an agreed percentage of all revenues thus collected would be remitted by Kabul to the regional authorities. This key provision would compel those warlords controlling points of entry to choose between firm control over part of the revenue pie and no control over any of it. Clearly, the allocation of revenues between central and local authorities must be such as to provide real incentives to the latter.

What, then, about Fahim? If the US were to move decisively with Karzai on the new customs posts at the main points of entry it would mark an important symbolic shift of power in favor of the national government headed by President Karzai. This in itself would wound Fahim but it would not disable him. Some prominent Afghan officials have recommended naming Fahim to some foreign embassy, in effect sending him into exile. But Fahim would likely use his troops to resist so abrupt a move. In the unlikely chance that it would be successful, the removal of Fahim would doubtless unleash fighting between his followers and the government and among his followers. Chaos would ensue and the entire project would backfire.

A more promising approach would be to slowly trim and control Fahim's activities in all areas except those that are proper to his post as Minister of Defense. The goal would be gradually to dry up his independent sources of funds. A first step would be for Karzai to close down Fahim's "branch offices," beginning with his crucial ally in the Afghan embassy in Dubai. Simultaneously, Karzai would gradually impose strict financial controls within the Ministry of Defense. A new Finance and Accounting Department within the Ministry, staffed by Afghan professionals from among returning members of the Diaspora, would track the movement of money and impose tough controls on all disbursements. Through such a process, a system of firewalls would be created. These would steadily impose limits on what Fahim could and could not do, and in due course restrict him to duties appropriate to his role as Minister.

Both prongs of this campaign entail certain risks and neither is without obvious problems. However, an approach that focuses rigorously on the financial underpinnings of resistance to the central government can succeed, and presents far better prospects than the current one-sided emphasis on developing the national army or than the unfocused array of measures on the civilian side that may be individually worthy but are strategically ineffectual. Under any circumstances, it is past time to acknowledge that the timid and unfocused approaches now being pursued will prove ineffective against such determined survivalists as Fahim and the key warlords.

It is worth noting that nothing proposed here would deny to either Fahim or the warlords a significant role in Afghanistan's future political life. On the contrary, it offers them an honorable way out and, as noted above, an assured means of preserving significant elements of the power they have built

up over the years. But to achieve this, the US must be willing to say, and mean it, "This is the way you can work successfully with the United States and the price for not doing so will be serious."

Gaining governmental control over customs revenue and drying up the sources of Fahim's independent funds are essential tactical steps but they do not alone constitute the fresh strategy that is now so urgently needed. These moves in the short and mid-term must be accompanied by more focused attention on the long-term need to develop the sources of revenue that are essential to the survival of Karzai's government and to its ability to provide those essential services to the population that will alone assure public support for it.

As we have seen, Afghanistan's geographical position at the pivot of continental transit trade determines that customs duties will for the foreseeable future remain the government's prime source of income, as they were always in the past. No measure taken by the US government in Afghanistan since the fall of Taliban rule has had a more strategic character than the decision to rebuild the main roads linking Kabul, Herat, and Kandahar and each of those cities with the main points of entry. To be sure, this project will be meaningless, and could even bring short-term harm, until the government gains control over customs points, as proposed above. But once such control is established, the further development of the road system must be the primary strategic focus of the US and of supportive governments elsewhere.

Today, the main road network of Afghanistan forms a kind of doughnut, with most of the country inside and outside the ring nearly inaccessible to trade and commerce. If the main warlords thrive off of customs revenues from the main points of entry, the lesser warlords capitalize on the economic isolation of the various valleys where they rule. Lacking the means of feeding themselves and their families, men from these areas gladly sign up with local warlords in order to get the modest stipends they offer. Access to markets will make village agriculture and manufactures viable and "drain the swamp" in which warlords and other armed opposition groups now thrive.

The renewal and expansion of Afghanistan's road network must be the work of the private sector, and mainly of Afghans themselves. This requires across-the-board bidding for contracts, transparency, and rigorous accounting controls over the work. At present, such work is overseen by the Afghanistan Aid and Coordination Association (AACA) which in turn works with the various ministries and local authorities. While in itself worthy, the AACA is engaged simultaneously in a plethora of projects, of which road building is only one. Given the importance of transport (and of the associated customs revenues) to the economic viability of both the Afghan government and society, it is essential that a new entity be created, one that is dedicated exclusively to the issue of roads and customs revenues. This must be an authoritative body that includes representatives of the ministries of Transport, Commerce, and Finances at the highest level, as well as of international agencies and funders.

The creation of such a body will enable Afghanistan to reap the full benefits of the decisive measures to control the dangerous powers of Marshall Fahim and the key warlords that are outlined above. But it is pointless and delusional to think that one can expand transport, renew commerce, and foster a private sector in Afghanistan without first decisively addressing the dangerous and destabilizing economic power wielded today by Marshall Fahim and the principal warlords. The good news is that this is a Rubic's Cube with a solution.

Afghans Struggle to Restore Justice in their Country: How can Afghans Redress Past Abuses Without Creating New Injustices?

by Ahmad Nader Nadery

He was 48 years old, looking very calm and relaxed. Like a typical Afghan he looked straight into your eyes trying to show he had the energy and the confidence to struggle for justice. He wanted to see justice be done, which meant that those who murdered his family members and tortured him in an underground cell had to be held accountable.

Haji Abdul Qudos is a victim who lost his entire family after he and his family resisted marrying his 16 year-old daughter to a warlord that controlled their district in the eastern province of Jalalabad. He was carrying a folder full of papers, a writing pad, and some family photos. The pictures showed that he once had a happy family. Haji Qudos is the only survivor of his seven-member family. He knew the local commander who had killed his family members and had savagely tortured him. He wanted the commander and his men to be brought to justice. We tried to explain to him our concern for his security, but he kept saying, "I am not afraid of death, I have no one to live for". With his eyes fixed on the wall of my office he uttered, "Life has no meaning for me, all I want from you is justice, justice." He went on repeating "Justice, justice that is what I want."

Qudos's brief testimony and request before the Afghan Independent Human Rights Commission (AIHRC) is one of hundreds of testimonies that the commission registers on a monthly basis. People drive days and nights and walk for hours to get to us. They come to our office from some of the most remote areas of the country in search of justice, places like Daykondy of Oruzgan, Nadali of Helmand, Balamurghab of Badghis, and Darwaz of Badakhshan.

Twenty-three years of civil war, Soviet invasion and interference by neighboring countries has left hundreds of thousands of men, women, and children eagerly awaiting for justice to be restored and perpetrators of past abuses committed against them and their families to be brought to justice. Now that Afghanistan is moving toward democracy, human rights abuses committed by groups and individuals need to be properly documented and investigated; ongoing abuses monitored; and a special court established to mete out justice.

Now the question is how should Afghanistan cope with the legacy of repressive authorities, armed groups and individuals?

This was one of the questions that participants in the first National Workshop on Human Rights, convened to establish the Human Rights Commission in Afghanistan, addressed on 9 March 2002. At this historic event, representatives of civil society, elders, and government asked for and repeatedly emphasized the need to develop mechanisms to address the issue of transitional justice. His Excellency, Hamid Karzai (Chairperson of the Interim Administration at the time), in his opening speech of the workshop, announced that "Another important matter to consider is the question of human rights violations in the past." He added, "I cannot say whether the current Interim Administration has the full authority to address this issue, but it is my hope that the Loya Jirga government will have the authority to establish a truth commission and ensure that the people will have justice...Mass graves have been found where hundreds have been buried, houses were burnt and so many other cruel acts." Mrs. Mary Robinson, the UN High Commissioner for Human Rights, and Mr. Lakhdar Brahimi, the UN Secretary General's Special Representative, talked about serious violations of human rights in the past and the crucial need for the establishment of a national human rights institution in Afghanistan.

In August 2002, in his statement during the workshop on transitional justice, Mr. Brahimi—with some fifty participants listening intently for his views on the issue—brought forward

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the example of Chile. He explained that Chileans only began to think about justice eight years following the change in regime. He continued, "Don't you think the talk of transitional justice will undermine security and stability in your country?" People perceived Mr. Brahimi's statement to mean that from the standpoint of the UN, peace comes first, then justice

One can derive this message because most of the local commanders and warlords accused of wartime crimes are militarily powerful individuals who also formed part of the Interim Administration. According to Brahimi, the talk of transitional justice would undermine the peace process and ensure that the country remained a battlefield. Although there did not seem to be much political support for the establishment of the Human Rights Commission, the Bonn Agreement obligated the Interim Administration to facilitate the establishment of an independent commission to promote human rights and document, investigate and monitor human rights abuses.

The Afghan Independent Human Rights Commission (AIHRC), with the assistance of UNAMA and UNHCR, was established on 7 June 2002, days before the end of the Interim Administration's term and just prior to the convening of the Emergency Loya Jirga. Under the decree issued by the Chairperson of the Interim Administration, the eleven-member commission was mandated to advance human rights education, promote human rights for women, monitor and investigate human rights violations, and conduct a national consultation process on transitional justice.

Today, the commission has five units: Human Rights Education, Women's Rights Protection, Child Rights Protection, Monitoring and Investigation, and Transitional Justice. Since its inception, one of the most imposing and pressing tasks that has faced the commission is the issue of transitional justice. However, the commission is prepared to face this, and any other challenge in order to protect and promote human rights in Afghanistan.

Other factors that obstruct the path to restoring justice, apart from security, are the inefficient judicial system, the lack of political will, and the existence of deep family linkages between victims and abusers. Whether these factors are taken into consideration or merely ignored will play a major role in the outcome of the transitional justice process in Afghanistan.

In discussions with existing civil society groups, the commission found that a majority of people want to see the transitional justice process start by prosecuting high-ranking warlords and local commanders rather than starting with junior level perpetrators within different factions and groups. In an assessment carried out by the Transitional Justice Team of the Human Rights Commission in May and June 2003, it was discovered that up to one million individuals have committed crimes during the conflict or have been involved in one way or another in human rights abuses. It will be very difficult to apply techniques and methods utilized to confront widespread human rights abuses in other parts of the world, whether it be East Timor, Sierra Leone or South Africa, given the large number of perpetrators and the fact that most people blame one regime or another for the abuses rather than focusing on individuals.

The other main issue to be considered in the transitional justice process is the issue of external actors in human rights violations. Ignoring external perpetrators of grave human rights violations will be another crime committed against the people. One cannot forget the names of General Gromove of the Soviet Union, Lieutenant General Yosfue, General Aslam Big, General Nasir ulah Baber, General Hamid Gul, General Akhtar Mohammad, Carnal Amam of Pakistan, Najafi, the Iranian ambassador during 1991, and William Kasi of the United States. There are individuals such as Ayat ulha Joahery, the Special Representative of Amam from Iran, who worked as an advisor in north and central Afghanistan from 1992 to 1995 and who was indirectly responsible for the deaths of around 60,000 people in two years. These names were mentioned by several civil society groups and individuals in Mazar, Jalalabad, Herat and Kabul during the human rights training workshop conducted by the Human Rights Commission in February, March, and June 2003.

Institutional reform

In the preliminary draft of the Bonn Agreement, it was clearly mentioned that "anybody who is accused of war crimes and crimes against humanity and violations of human rights cannot serve as a minister in the Interim Administration". This section was omitted after UF delegates opposed it strongly. The issue was subsequently addressed in section three, subsection five of the Agreement, but with very soft language. The provision was formulated as follows: "The Interim Administration with the assistance of the UN should establish a civil commission to monitor the qualification of the high rank officials of the government including governors of provinces and make recommendations for appointment."

The hope for institutional reform, something that ordinary Afghans were desperate for, faded when delegates saw the special treatment received by warlords and war criminals during the Emergency Loya Jirga. The first rows of seats were reserved for warlords and military commanders and they were given more time to speak and express their generally conservative views than other delegates. Moreover, several of those who were accused of violating the

basic rights of men, women, and children were appointed to ministerial level posts. In interviews with some one hundred delegates, the human rights commission found that 83 percent of the interviewees questioned the government's will to bring justice to the country.

A delegate representing Nimrooz at the Emergency Loya Jirga said, "When my son and his two-year old daughter were burned alive in their house in 1991, a member of this new government was ruling the part of Kandahar who ordered the killing of my son, Mahdi. Instead of bringing him to justice the transitional government gave him a promotion. Now you tell me, is this justice?"

Prosecution

Prosecution of perpetrators of grave human rights violations is another issue brought up by ordinary Afghans who submit their complaints to the human rights commission. The judicial system is very weak and easily influenced by the political convulsions that have gripped the country since 1978. In most parts of the country, the courts and judges have become tools of legitimization for grave human rights violations. In 1978, after the Saur coup, the judicial system was modified according to the communist ideology. It nullified the independence of the judiciary by fostering a mentality of dependence on the executive, among both judges and lawyers. In most cases, judges took the side of the government if an individual lodged complaints about its conduct. Also, no legal assistance was provided to plaintiffs who brought suits against the government. Gradually people lost confidence in the legal and judicial systems.

In 1992, when the mujahidin took power in Kabul, the judicial system was further damaged. A number of highly qualified judges were dismissed and replaced with unqualified and unprofessional persons who had graduated from Madrassas [religious schools]. There was no longer uniformity in the application and interpretation of the law across the country; different parts of the country possessed different judicial systems. For example, in Kunar and Kandahar Sharia law was strictly enforced and cases did not follow legal codes and procedures.

During the Taliban era, from 1996 until 2001, a mixture of strict interpretation of Sharia and Afghan traditions was enforced. All statutory laws were abolished. All trust in the courts and judicial personnel evaporated. With the inauguration of the Interim Administration, courts started functioning again according to the country's legal framework, although people are still reluctant to seek assistance from the judicial system.

Despite many uncertainties, Abdullah Shah, a war criminal who had committed crimes against humanity, was arrested in January 2003, while attempting to kill his fourth wife. Abdullah Shah, also known as Zardad's dog, was a local commander of 'Abd al-Rabb al-Rasul Sayyaf's Ittehad-i Islami. Abdullah Shah was accused of massacres, the torture of civilians, the murder of his own three children, and the looting of people's properties between 1992 and 1996. He was first tried in the primary and then high court. In both courts his case was dealt with as an ordinary crime. Although sixteen witnesses testified before the court including his own wife, the court never mentioned or levied accusations of war crimes against him. There are two principal reasons for this: First, the current penal code did not have the capacity to deal with war crimes and crimes against humanity; and secondly, strong political figures and warlords were interfering in the judicial procedure, ensuring that it dragged on for a period of eight months.

Although Afghan civil society groups have expressed an interest in establishing a special international tribunal, the idea has not moved forward due to the international community's lack of interest in transitional justice. The experiences of the International Criminal Tribunals for the Former Yugoslavia (ICTY) and Rwanda (ICTR) show that they are very expensive and ineffective in that they have successfully tried very few people. The international community is convinced that the best option for dealing with transitional justice in Afghanistan is through domestic structures and mechanisms.

One can gauge the level of interest of the international community to engage in the issue of transitional justice in Afghanistan from the 59th annual meeting of the UN Commission on Human Rights at Geneva in April 2003, where a heated debate took place over a proposal to establish an international commission of inquiry to look into past war crimes in Afghanistan. "Much of the debate centered on whether the time was ripe in Afghanistan to begin seriously discussing how to address the past, with some participants pushing for a strong resolution, others opposing any action at this time". The AIHRC fully supported this idea and submitted a letter of support along with its recommended amendments to the proposal, to the Chairperson of the UN High Commissioner for Human Rights. However, "the proposal on a commission of inquiry was quite cautiously worded, and did not spell out any particular mechanism, judicial or non-judicial, for addressing past crimes. Instead, it advocated an approach that would involve international experts to begin mapping the major incidents of the past. Whether this would involve putting together what is already documented, or undertaking new research in Afghanistan was not specified. There is a general consensus among those involved in the issue of transitional justice in Afghanistan that some kind of stock-taking and analysis of sources and existing documentation would be an important part of creating a record that Afghans can use whenever there is an opportunity to pursue the

truth and some measure of justice." In spite of the tremendous optimism expressed by Afghan human rights activists and the Afghan Human Rights Commission (AIHRC), the transitional justice proposal was not fully supported by the international community (Gossman, 2003).

Amnesty

Forgiveness and amnesty is a sign of greatness in Afghan culture. This value is summarized in an old Afghan adage: "Even a knife cannot cut a soft throat if bowed before you." Islam encourages victims to forgive, even in the case of murder and other grave crimes. A tenet of the Prophet Mohammad (PBUH) on forgiveness, which became part of Sharia law, is as follows: God doesn't like bloodshed and killing of human beings, and will bless those who forgive a person who is sentenced to Qisas (an Islamic punishment that allows the victim and his/her family to seek justice by committing the same act suffered by the victim on the perpetrator). According to Afghan tradition, this form of amnesty could take the form of an individual or group act. As in all post-conflict countries, the social and cultural destruction of Afghanistan created an environment of distrust and sparked a shift in the country's value system. It will take some time to re-vitalize those values. The culture of forgiveness and tolerance was replaced by a culture of violence and intolerance in Afghanistan.

Forgiveness or amnesty can only be granted collectively by Shuras (community-based councils), but such decisions invariably create new victims. Those victims are most often young girls, forced to marry a family member of the victim to make amends for the crime committed by a member of her own family. Such a solution is usually enacted when a member of the victim's family was murdered by the girl's brother or father. Of four hundred petitions submitted to the commission since August 2002, none of the victims interviewed expressed a willingness to forgive their victimizers.

The timeline

When speaking of a historical timeline for human rights in Afghanistan, most begin with the Soviet invasion and occupation, 24 years ago. In a number of interviews, individuals emphatically asserted that Afghanistan's miseries began in 1978. On the basis of these interviews, the past twenty-four years can be divided into the following categories:

1. The Saur revolution of 1978 is the starting point of grave violations by the repressive regime of the Khalq party. Torture, arbitrary detentions, extra-judicial killings, and disappearances were commonly committed by government authorities. This triggered the first large exodus of refugees, who began leaving in waves until the January 1979 Soviet Invasion, by which time more then six million people had left the country, primarily for Pakistan and Iran. During the Soviet occupation, systematic violations of human rights occurred across the country. Massacres of civilians during Soviet bombardments, arbitrary killings, the detonation of homes, the destruction of agriculture fields, and forced displacement of civilians were commonplace.

   Mr. Dadfar an Afghan psychiatrist who ran a Trauma Center in Peshawar Pakistan during the occupation said that he had filed more then seven hundred cases. "Most people reacted in a shocking way when hearing the name of Pul-i Charkhi prison" he said. Pul-i Charkhi was known as a center of mass execution for the communist regime.

2. A series of the most horrifying and grave violations of human rights in Afghan history began in 1992, when the mujahidin toppled Najibullah's Moscow-backed regime and took power in Kabul. Various armed mujahidin groups assumed control of the whole country, creating what was in effect a stateless country. The systematic mass killings and violations of Afshar, Karta-i naw, and Macroryan in 1992 and 1993 are the most serious incidents that occurred during this period.

3. The Taliban era, from 1996 to December 2001, can be considered the darkest period of Afghanistan's history. The hard-line religious fundamentalist regime committed the gravest violations of human rights witnessed in the modern history of Afghanistan. From massacres to the abolition of basic rights and freedoms, the Taliban consistently violated international norms of human rights. The regime's discriminatory policies towards women, which effectively dehumanized half the population, was perhaps the most publicized example of Taliban cruelty and oppression. I still remember the speeches of Mullah Abdul Manan Nayazi, one of the spokespersons of the Taliban, who said, "We are here to implement the law of Allah to his land, we will burn everything that stands in our way, as we did in Mazar; we will kill everybody who doesn't accept our authority, the authority of Sharia, as we killed those who resisted us in Kabul and the north".

   Torture of civilians, not only physically but psychologically, was an accepted practice under the Taliban. They also committed cultural genocide, a new phenomenon in the country's history, with the

destruction of the cherished giant Buddha statues of Bamiyan, irreplaceable cultural treasures. During the six years of Taliban rule, Afghans were prevented from exercising the most fundamental rights and freedoms.

A description of the Taliban's deplorable track record on human rights would shock the conscience of any human being. Every Afghan yearns for the day when the Taliban leaders will be tried for the crimes they committed against the Afghan people. Many foreigners also bear varying degrees of responsibility for these crimes and should be held accountable. The names of Taliban officials such as Mullah Omar, Mullah Manan Nayzi, Mullah Mohammad Hassan Akhond, Mullah Dadulah, Mullah Wakil Ahmad Motawkil, and Qazi Hussan Ahmad, Mulana Farel ullrahman, and Carnal Imam of Pakistan, men who have been party to Afghanistan's travails since the 1980s, are notorious even among children as young as five years of age.

The use of transitional justice instruments and methodologies employed in other countries may not be useful or appropriate in Afghanistan. Developing a national strategy for transitional justice should be approached as a means to promote the rule of law and should be clearly linked to the reform and development of security, good governance and an effective judicial system.

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Gender and Security Issues: Women in Afghanistan

by Sadiqa Basiri

The Taliban's discrimination against women and girls has made gender issues in Afghanistan world news. In most areas of the country, opportunities for girls to go to school or for women to do paid work outside their homes have not existed for years.

After 23 years of fighting, displacement and destruction, the protracted conflict in Afghanistan continues to have grave implications for the Afghan population, particularly women.

Human rights is clearly a development issue; the rights to live in peace and to develop one's human potential are intrinsic and belong to both men and women. Gender does not refer solely to the needs of women; it deals with men, women, boys, and girls. Gender describes the different roles and responsibilities of men and women and the relationships between them. It also refers to the power structures inherent in these relationships.

There will be no real and sustainable development in Afghanistan until the realities of daily life for women as well as men are taken into account in policy-making and program development; and until both women and men are given the opportunity to participate in, and benefit from, the development process.

This paper will explore the issues of gender and security in Afghanistan and will propose recommendations to improve the situation of Afghan women, providing them with more freedom and a stronger voice in society.

Gender issues in Afghanistan

Today, gender is one of the paramount issues facing Afghanistan. Women's rights are often violated in developing countries; however in Afghanistan, the situation is even more pronounced. The main cause of these violations is the poor economic status of women. Women rely on the income of their husbands for subsistence. If they raise their voice or agitate for their rights, they are blackmailed by the threat of "divorce". A divorced woman carries a negative stigma and is considered to be a burden on her family. The average Afghan family is composed of a minimum of six and a maximum of twenty children from between one and three wives. The majority of Afghan women are illiterate and do not have access to any income. They are completely dependent on their spouses or male relatives.

Historical account of the gender situation in Afghanistan

1880–1901

Some official efforts to improve the status of women were made by Amir Abdur Rehaman, who was the King during this period. He took steps to give women an improved position with regard to their rights in Islam, specifically in respect to personal property (Wingo, 1998, pp. 7–9).

1919–1929

King Amanullah ruled the country between 1919 and 1929 and attempted to bring about a package of modern reforms, including the emancipation of women. Purdah and the wearing of the veil, though never officially prohibited by law, were discouraged by the ruling elite. A Women's Protective Association was formed under the direction of the king's sister.

In general, the people were not well informed about Amanullah's reform program. The majority of those who were aware of the steps being taken deemed them to be unacceptable. In the waning days of Amanullah's rule, during a revolt against the government, these reforms were cited as a justification for the removal of the king and his government. This eventually forced Amanullah to leave the country. All reforms regarding emancipation were subsequently abrogated and all girls' schools were closed.

1929–1959

Significant official support for female education and career development emerged between 1929 and 1959. This trend was a turning point. When restrictions were removed, women immediately began training to assume public service positions. This development was extremely important as it continues to have an impact. After 1959, the government showed tremendous determination to move forward on this progressive path, and continued to do so until it was deposed.

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1959–1978

The government of King Zahir Shah, who in 1959 supported the voluntary removal of the veil and the end of the seclusion of women, brought Afghanistan closer to gender equality. However, ordinary people and even members of the government did not accept these actions.

During this period, excellent girls' schools opened in both cities and rural areas, education in Kabul University was mixed, and medical training was offered to women at hospitals.

The 1964 Constitution gave women the right to vote and the right to seek education and work. These changes mainly affected urban areas, especially Kabul. A growing number of women functioned in the public arena. They did so without a loss of honor to themselves or their families. Still, there were family pressures; traditional attitudes and religious opposition continued to impose constraints on the actions of women.

1978–1992: the Saur Coup and the sovietization of Afghan society

When the 1978 Saur coup took place, the new government, in line with its ideology, took steps to further improve women's rights. This interference in women's affairs challenged traditional practices, which they perceived to be a product of patriarchal and feudal ties between men and women. It prohibited actions like bride price and limited dowries, banned forced marriages and set the minimum age of consent to marry to 16 for girls and 18 for boys (Le Duc & Sabri, 1996).

Within a year, literacy programs were prioritized and expanded to provide basic reading and writing skills to all adults. Selected young women as well as young men were given the chance to receive an education in the Soviet Union. The political and social position of Afghan women, especially in Kabul, rose to levels commensurate with that of women in the Soviet Union. In sharp contrast to these developments, the launch of the jihad against the Soviet occupation by the socially conservative mujahidin, principally based in rural areas, forced women in these areas into seclusion (Dupree, 1998).

During the 1980s, the exiled political parties ran women's organizations both inside Afghanistan and in Peshawar, Pakistan in order to mobilize women in accordance with Islamic principles. In contrast, the central government established women's organizations in order to mobilize the Afghan women politically.

Women played an important role in the war against the Soviets, caring and providing for their families while the men were absent. The war caused millions of Afghans to go abroad as refugees and others to become internally displaced.

1992–1998: the Civil War

During this period, the situation for women and girls worsened. In the 1990s, gender was increasingly focused upon both in Afghanistan and the wider world. Women's rights, especially in Kabul, were attacked, first by groups describing themselves as mujahidin and later by the Taliban.

Conservative groups, religious institutions and mujahidin leaders were all opposed to foreign influences and initiated a military and ideological jihad against any semblance of external encroachment. They believed that the free movement of women in public areas would cause moral deviations and destroy the fabric of Afghan society. These attitudes were intensified under the Taliban (Dupree, 1998).

In regard to women, the Taliban implemented a particular interpretation of Sharia Law. Women no longer had the right to work outside the home (except for work in hospitals) or attend school or university, all in spite of the fact that Islam permits the education of women. Women also were ordered by the Taliban to wear burqas and their movement outside the home was prohibited unless accompanied by a close male relative.

By imposing strict restrictions on women, the regime declared its intent to subordinate their autonomy, thereby conveying the message that the Taliban was capable of exercising control over all aspects of social behavior (Maley, 1998).

Summary of gender development over the past 120 years

Over the years, Afghans have often raised objections against governments that have tried to impose constraints on women. However, steps to implement reforms that would emancipate women, if too hastily advanced, have also created resistance, not only from religious groups and ultraconservative elements but also from broad segments of the mainly rural population.

Gender roles in contemporary Afghanistan

Afghan society is consistent in its attitudes toward the underlying principles of gender. However, the application of these principles does vary between urban and rural areas, between different ethnic groups, and across the Shia/Sunni divide.

An analysis of gender roles in Afghan society can be broken down into the following categories:

- Afghan families
- Urban areas
- Rural areas

Afghan families

In Afghanistan, the family is the core unit of society. The principle of respect based on age and hierarchical position is central to inter-familial relations. For example, youngsters stand when elders, such as the father or mother, enters a room.

Divorce is considered shameful. Wives would never want to be divorced because of the societal stigma that it carries. If a disagreement occurs between a wife and husband, both of them will prefer any option other than divorce. As previously mentioned, women do not want a divorce because a divorced woman is considered a bad woman by society. Society is not interested in understanding the reason behind the divorce or the state of the marriage. The reason why men prefer any option other than divorce is that they do not want their wife to be married to another man. It is dishonorable for a man to see his wife remarry, despite the fact that Islam permits a woman to remarry according to her will with any other Muslim man.

Research that I have conducted at a Kabul prison revealed that 30 percent of the female inmates had been imprisoned for reasons of divorce. I met with four women who were jailed because they had re-married. According to Sharia Law they should not have been jailed as long as their marriage was legal. The justification for their imprisonment was that the women in question did not possess proper documentation for their divorce. The main reason they encountered this problem is a lack of education. Predominantly illiterate, the women chose to return to the homes of their parents following their divorces. After several years they remarried. Dishonored and aggrieved over their former wives' newfound happiness, the former husbands accused the women of bigamy.

In almost all Afghan families, sons are given preferential treatment. Most of the men have second, third or fourth marriages in order to produce as many sons as possible. If a woman is not able to give birth to a son, the Afghan man will not divorce her but is obliged to marry another woman in spite of his feelings for his first wife and how it may affect her. The mother and sisters of the husband will automatically plan for the second marriage of their son or brother. He will never divorce his wife because in society he will be called a coward or accused of being 'un-Afghan'. Once again, the problem relates to the high rate of illiteracy. If properly educated, men would come to understand that the sex of a child is determined by a man, not a woman.

In Afghan families the grandfather is the head of the household. In most situations, a grandfather's approval for family decisions is mandatory. If the grandfather has died, the husband becomes the decision-maker. If the husband has died, the brother-in-law or brother has authority. Between five and ten percent of Afghan women have a decision-making role within their families. Most of these are educated women.

When it comes to the status of girls versus boys and men versus women, as noted earlier, sons are preferred over daughters. From childhood, sons know they are prioritized over their sisters and act accordingly. Similarly, sisters know they should care for their brothers and that they should work around the house, accepting the orders given by their fathers and brothers. Most girls seek permission even from their younger brothers to go out of the home in the absence of their mother. The opinion of the mother is largely ignored. Girls are never allowed to be alone in the same place as boys.

Marriages are arranged and proposals are made first by men. Wedding parties, Eid festivals and visits to gardens in the summer to dry fruit are the only occasions when men can see women. When a man sees a woman he likes, he asks his mother to go to the woman's home to propose to her on his behalf. Most women are not asked for their opinion on the choice of a spouse and defer to their parents on this issue. A woman who selects a spouse is considered rude and impolite and puts the honor of the entire family at risk. In actuality, Islam gives women the right to choose spouses for themselves. A woman has the right to propose to a boy or man. However, if such an interpretation of Islamic doctrine were preached in Afghanistan today, those responsible would be severely punished.

In the first year of childhood, parents do not distinguish between boys and girls in terms of how they treat them. This difference becomes pronounced over time. Men invite their sons to accompany them outside the home to learn about the family's land and property. In contrast, girls are assigned to the kitchen and asked to assist their mothers. When girls reach the age of seven, they have to seek the permission of their fathers and brothers to leave the home. When leaving the home, girls are customarily required to cover themselves or wear a burqa to prevent them from being seen by other men.

The elders of the family—grandfathers and grandmothers—are at the top of the family hierarchy. The grandmother can have a decision-making role in a family, but usually only for her daughters-in-law. In some situations where the male head of the family has died, the grandmother becomes the head of the household. If such a situation arises, other families in their village would help the family headed by a woman and, if it encountered a serious problem, the elders of the area would convene a Jirga to deal with it.

Urban areas

In 1996, when the Taliban took power, it gave Afghan gender issues international notoriety. There were many changes that occurred in the country's main urban centers such as Kabul, Jalalabad, Kandahar, and Herat. Cities that were not under the control of Taliban were in an even more difficult situation because most people were terrified of Taliban

spies; even the prospect of detection was enough to condition their behavior. Schools for girls were closed. In urban areas, people ran some home schools but the Taliban closed these as soon as they were discovered.

Women who had previously worked professionally became jobless. They were forced to leave the public and private sectors. All female teachers were rendered unemployed as universities, high schools, and primary schools were closed. Most families faced difficult economic situations, prompting many Afghans to leave for Pakistan and Iran.

After the fall of the Taliban in 2002, most refugee families started repatriating. Now, in the big cities of Afghanistan, the situation has become much better. Women and girls are liberated enough to go to work and attend school or university. In Kabul, men and women work together. The Ministry of Women's Affairs (MoWA) is working to strengthen the role of women. It is difficult to imagine that Afghanistan has a ministry for women when only a few years ago, Afghan women were considered, and treated, as no better than animals.

At present, the behavior of men toward their wives, daughters and sisters in urban centers has noticeably changed. Some educated men have allowed their wives, daughters and sisters to work and attend school. There are even a few men who have let their daughters choose their attire on the basis of comfort. But such situations are still rare. Most of these men are fathers rather than brothers or husbands. The reason for this change of approach is twofold: either the fathers have reached an age at which they no longer wish to be as strict with their daughters, or they understand that there is nothing wrong with a woman wishing to realize the rights to which she is entitled under Islam.

Currently, Afghan women can be divided into two main groups: educated and uneducated. The educated women have come out of their homes and have joined the workforce. They have started working with the government, international NGOs, local NGOs, universities and schools. Currently, approximately 1,400 NGOs are registered with the government of Afghanistan, providing humanitarian assistance and capacity building, as well as work for educated Afghan women. Women lead more than 300 of these registered NGOs. All of these changes have occurred after the fall of the Taliban regime.

An unforgettable event happened on 8 March 2003, International Women's Day. A celebration was held in the Loya Jirga tent at the Polytechnic Institute in Kabul. More than 2,000 Afghan women from different parts of the country attended and celebrated this event. After 23 years of war it was the first time that this event had been celebrated in Afghanistan. Afghan refugees—including myself—returned to Afghanistan for the first time since leaving the country. I had been away from Afghanistan for 18 years. The event was an outstanding display of solidarity among Afghan women, which is difficult to describe in words. The tears streaming down the faces of young girls and women, especially the returnees, who heard our national song for the first time is unforgettable. It was like a dream for me. I thank God the celebration happened.

However, in some situations, well-educated women are still prevented from leaving the home due to the pressure of a male family leader, whether it is a father, brother, husband, or father in-law. They often justify this action by citing security concerns; however, in actuality, they are acting out fear that their family's honor and reputation would be besmirched if their women were allowed to leave the home unattended. They think that if a woman works it is shameful. As a result, there are people who still do not give value to women's work—including women themselves. It demonstrates how deeply ingrained such discriminatory attitudes are in Afghan society.

The second type of women are those who are uneducated. At the moment, 98.8 percent of Afghan women are illiterate. The rights of such women are consistently violated as they are subjected to a form of blackmail. They have been taught that if they do not abide by societal customs and the rules of their family they will be violating Islamic Law. The women accept everything that men command of them due to their beliefs in Islamic Law and lack of understanding of the actual tenets of Islam. They are taught and told the wrong things but are unable to read and distinguish between right and wrong.

Rural areas

Women in rural areas depend completely upon their husbands. The men are predominantly engaged in agricultural work. Women care for the animals; they do the milking, for example. Without schools in rural areas, women who live in these locales are often illiterate. The few educated women in rural areas relocated there due to fighting in Kabul, Kandahar, Jalalabad, and Mazar-i Sharif during the civil war.

When the Taliban took power, rural areas were not impacted much. Women had been accustomed to wearing the burqa. The Taliban did not have much interest in these areas. The major change in their lives was that each young boy had to wear a hat and were prohibited from shaving their beards, and women were not allowed to sing songs at weddings.

Addressing gender discrimination

Afghanistan has been, and still is, a highly conservative rural society with deeply rooted traditions related to tribal or extended family survival. Women, as purveyors of culture, are pivotal in such a system. They are perceived as a representation of the family's honor that must be controlled and protected from outside influences that could pollute them and threaten the well-being of the tribe or extended family. Women, in a society adhering to such a worldview, are confined to a narrow set of behavioral possibilities and life choices. Change has been slow to develop as stringent control of women's access to the outside world remains. Only a relatively small percentage of the population currently shows interest in extending educational and employment opportunities to women (Moghaddam, 2002).

In the wake of 11 September 2001, the world has witnessed the fall of the Taliban and the establishment of a Transitional Administration for Afghanistan, which included the aforementioned Ministry of Women's Affairs. Much has changed during the two decades of war that engulfed the country; the very chemistry of the Afghan people has been irrevocably altered. Most external actors are analyzing, planning, and acting on a Kabul-centric vision of the country. This is imprudent as Afghanistan is, at its core, a rural society. The implications of this reality for the status of women in the country are significant.

It is true that Afghan women have suffered tremendously as a result of war and the discriminatory policies that resulted from the convergence of Taliban and al-Qaeda ideological principles. Yet, many of the current woes of Afghan women can be traced to the inherent hardships of life in a mountainous, resource-poor country that is highly underdeveloped and features an eclectic mix of the worst elements of patriarchy present in South Asian, Central Asian, and Islamic culture.

Although some of the problems faced by Afghan women are unique to them, many others are shared with women across the world. Forging a new Afghanistan requires time and patience. Afghan women do not live in a vacuum. The relationships, which define their gender roles and relations, have existed for hundreds of years in some cases, and the duration of the war in others. There is no quick fix for the status of Afghan women, thus external pressure should be applied with a great deal of care in order to avoid gains made for women's equality being rejected as 'foreign', 'un-Afghan', and 'un-Islamic'.

We cannot avoid involving Afghan men in changing the situation of Afghan women. Afghan women are not a homogenous mass with a single set of needs. As in any sizeable country featuring unequal development, the situation is highly complex and requires detailed analysis and planning. Finally, Afghan women have long been subjected to a vicious cycle in which their rights have been granted and once again deprived by Afghan men intent on exploiting the status of women either as a symbol of modernization or an example to demonstrate their Islamic moral credentials. Afghan women need to assume ownership of the reconstruction process. Women's perspectives and leadership must be exercised both within government ministries and outside of government, in civil society and community level structures. For change to be sustainable, it must touch both rural and urban areas.

Security issues in Afghanistan

Security is the key to change in Afghanistan and the wider region. Today, most Afghans prioritize security above all other issues. Restoring security in a country that has endured continuous warfare over a 23-year period is difficult, especially when large swathes of the country remain under the control of armed local commanders. The signing of the Bonn Agreement, the decision of the 2002 Loya Jirga to pursue disarmament, and the growing power of the Transitional Government has made many Afghans hopeful for a peaceful future.

However, a new generation has come to the fore that lacks a vision of how to create a peaceful society. They have not heard messages of peace; they are accustomed only to hearing the shokking sounds of rockets, bombs, explosions, and missiles. Deprived of educational opportunities, most of the Afghan population—girls and boys—are illiterate. No one has taught them about solidarity and peace; instead, boys and men were being encouraged to be part of one political group or another. No government took responsibility for the security of women. Women whose fathers, husbands, sons, and brothers died in the war were forced to assume the role of breadwinner for their families, but most could not leave their homes due to a lack of security.

In Kabul, the story of a woman giving poison to her children is often told. The mother, who became the principal provider for her family after her husband's death, could not leave the home to make money and feed her children. For a mother, it was difficult to see her children starving and begging just for a piece of bread; thus she poisoned them and herself to end the misery.

Today, the new government is working for the welfare of Afghanistan but still cannot provide security for women and men. The country needs to be rebuilt and reconstructed, but the lack of security all over Afghanistan has hindered this effort. The major obstacle is the armed commanders from the various ethnic groups. The limited number of ISAF soldiers present in the country cannot overcome the threat posed by these warlords.

Kabul is much safer due to the presence of ISAF troops and Afghan police teams. The districts around Kabul and the other provinces, however, are not safe at all. The NGOs that have assessed the needs of different provinces are not able to implement their projects due to insecurity. For example, a car filled with NGO workers recently travelling to Wardak province was attacked, an all too familiar occurrence since the fall of the Taliban. The NGO was working on mine clearance. As a result, three Afghans passed away and four others were seriously injured.

In the present situation, without security, Afghan women are particularly at risk. Approximately half the population consists of women. Due to lack of security, women are having difficulty participating in the re-drafting of the new Afghan Constitution or even to consider casting a vote in the Constitutional Loya Jirga. That said, will women's votes and recommendations truly be included in the constitution of the country?

To ensure women's recommendations are included in the new Afghan Constitution and that women are able to take part in voting at the Constitutional Loya Jirga, the government needs to develop a strategy. On 10 and 11 March 2003, the Ministry of Women's Affairs and UNIFEM held a workshop on constitutional awareness at the Polytechnic Institute in Kabul. Women were invited from all of the provinces of Afghanistan; however, most could not attend due to various reasons, including:

- A lack of security. Women were intimidated and restrained by provincial military commanders who dominate all forms of political activity outside the capital.
- A lack of knowledge. The women invited did not know how to present and express themselves; they do not have courage to talk on behalf of themselves.
- A lack of equality. The women did not have permission from their fathers/brothers/ father in-laws/ husbands to attend.
- Poor economic conditions.
- A lack of transportation in the provinces.

Even women who had taken part in the Loya Jirga of June 2002 were not ready to give interviews to express their views and concerns about the current situation. Teams were sent to the provinces to conduct interviews but due to a lack of security and the presence of armed commanders, women were inhibited from expressing their points of view. Women who did speak on behalf of the women in their villages did so only on condition of anonymity. They did not want to put themselves at risk by exposing their identity.

Since November 2001, about two million Afghans have repatriated from Pakistan. Thousands of families have repatriated from Iran as well. Disturbingly, many families have chosen to return to their lives as refugees following their repatriation. According to UNHCR, families who came back to Pakistan after their repatriation cited the following reasons for their return:

- Lack of security in the country.
- Lack of homes and high rents.
- High cost of living and poor economic conditions.
- Family enmity or personal problems.
- Harassment of women and girls in public places.
- No access to adequate education.
- Shortages of water and electricity.

In light of the above mentioned problems, Afghans can be categorized into five groups:

- Returnees facing problems in Afghanistan.
- Internally Displaced Persons (IDPs) in Afghanistan.
- Afghans that had lived in Pakistan and Iran who are doubtful about their repatriation.
- Afghans who came back to Pakistan after their repatriation.
- Well-educated Afghans who left the country due to previous regimes, often settling in western countries, who are unsure about the prospects of return due to insecurity and a lack of development.

Efforts of ISAF

ISAF is doing a superb job in Kabul. The presence of ISAF is one of the principal reasons for the massive voluntary influx of refugees. Most Afghans are in favor of ISAF's presence and supportive of its expansion. Once security is restored across the country people will be willing to return to their own provinces. Refugees have streamed into Kabul due to the perception that the presence of ISAF has created a safe haven there—a phenomenon that has created a severe problem of overcrowding in the capital.

UNAMA is currently planning to begin the voter registration process for the June 2004 elections. It will hire 4,500 registrars to register 10 million Afghans for the election. However, UNAMA's voter registration plan will not be

feasible if there is no security. Therefore, more ISAF troops are needed to facilitate this process in urban and rural areas.

Efforts of the Afghan army and police

While the national army is responsible for protecting Afghanistan's borders, the police is responsible for maintaining internal security. In the present situation, it is difficult to say how the protection offered by soldiers and police is improving in any significant way. Violence continues to occur among northern, southern, eastern and western ethnic groups. Awareness-raising and reconciliation activities are urgently required in Afghanistan; it takes time to change the behavior of people. It is important that the people are convinced to think of the welfare of the nation as opposed to a single ethnic or political group, to identify themselves above all as Afghans.

The Afghan police require training, as they were away from their work for several years. The Afghan army and police also need more resources and better facilities. A typical salary for a member of one of the security forces is 1,700 afghanis per month, which is nothing in a city like Kabul. More often than not their salaries are not paid to them on time. In order to develop a professional ethic and nurture the loyalty of the police and army, their salaries should be increased and paid on schedule.

Security in urban areas

Afghanistan was not expected to be so stable at this stage. The war made security a major issue because a whole generation of Afghans has become accustomed to resorting to the gun instead of the pen to make a living and resolve problems. They have thought more of seeking revenge than restoring peace. They have seen traumatic situations more than having fun. Time is needed to change these mindsets and patterns of behavior.

In general, it looks as if there is security in Kabul. In fact, there is not as much security as there should be. People cannot walk or drive late at night. Women and girls are still afraid of being kidnapped. They are afraid to walk alone, ride in a taxi alone, or walk home alone in the evening.

Foreigners and NGO's require armed guards to stroll in the bazaars or around the city. The government says that there is freedom of the press, but in reality journalists face violence or imprisonment if they criticize the government or armed factions.

In the past four months, several NGOs, local as well as international, have been robbed, including UNICEF. Robbery in shops and homes is common. Many houses in Kabul have become the refuges for thieves and robbers.

Security in rural areas

Rural areas were not as adversely impacted by the war as urban centers. The Taliban were not interested in these areas from a political and religious standpoint. The people in rural areas depend upon each other as well as elders and traditional tribal structures such as the Jirga to solve problems and resolve disputes.

Now, rural areas are full of risk. Armed local commanders are based in rural areas. They intimidate the local population and bar outside access, marring reconstruction and rehabilitation work. Due to these armed groups, many NGOs have stopped their services to rural areas altogether. According to surveys done in rural areas, people are in desperate need of water for drinking, schools for boys and girls and the repair of roads, hospitals, and clinics.

Recommendations

Many of the following recommendations will not be easily implemented in Afghanistan. However, with a new constitution in the process of being crafted, Afghanistan faces a unique window of opportunity to explore new approaches and points of view. The Afghan constitution has been rewritten eight times in the past. To avoid the need for a tenth constitution, the following recommendations should be seriously considered.

- To free Afghan society of gender discrimination, Afghan women from every corner of the country should have the rights to vote and publicly express themselves. Women should be made aware of their constitutional rights. The governmental sector as well as non-governmental organizations can assist in raising this awareness. With such a high rate of illiteracy among Afghan women, representatives should be appointed to speak on behalf of those who are uneducated and voiceless.

- Women should be given more seats in the government. Currently, only four women have high governmental posts. More women should be included in the decision-making process. Women understand the problems of their fellow women and will work hardest to address them.

- Women should have a prominent role in the drafting of the new constitution. Their recommendations should be seriously considered and integrated into the final document. At the Constitutional Loya Jirga, they should be able to vote and present their recommendations. In order to include women from all the provinces of Afghanistan, the government should take special measures to ensure their security. Women speaking on behalf of other women should realize that they are taking responsibility for thousands of women who have suffered due to the current state of affairs.

- Primary education should be compulsory for all girls in Afghanistan. Afghan women thirst for education; today, there are Afghan

women who are above the age of 60 who still attend literacy courses. Schools for girls should be established in all of the provinces of Afghanistan to combat the exceedingly high rate of illiteracy and ignorance. They should be educated about their constitutional rights, Sharia law, international human rights law as it pertains to women, and the country's penal, judicial and civil codes. They must be endowed with the courage to raise their voice and demand their intrinsic rights. It is also important that women and children are given access to gender training activities.

- Strenuous efforts must be taken to shift the ingrained mindsets of Afghans, women and men, to show them that women are indeed human-beings and as such, are entitled to equal rights in society. If discrimination is eliminated, gender-based violence would decrease and women would be free to make decisions for themselves.

- One of the principal reasons for the suffering of Afghan women is their complete dependence on their husbands and male relatives. Women are prevented from seeking an education or to work to support themselves due to this relationship of dependence. Aid must be given to women to allow them to become financially self-sufficient. Employment programs that target women should be created to advance this objective.

- As human beings, Afghan women should have the freedom of will and choice. They should be free to choose a spouse and the way they dress. External observers often conflate symptoms and causes: the burqa, for example, is not considered a major problem by most Afghan women. Furthermore, Islam allows women to choose a spouse for themselves; there is no provision for forced marriage. Afghan fathers and mothers should understand what Sharia law says in this regard. When a girl wants to get married, she should say two things to gain a legal Nikah (marriage agreement). The girl should be allowed to declare that she accepts this agreement and is content with it.

- According to the decisions made in the Loya Jirga, the weapons of the warlords should be collected. Disarmament should happen all over Afghanistan. The local commanders should be disarmed and no longer allowed to interfere in official affairs. It is highly recommended that this take place before the final version of the Constitution is released or the Constitutional Loya Jirga takes place.

- More ISAF troops are needed to promote security in the rural areas of Afghanistan. People who are repatriating are eager for the deployment of ISAF in rural areas. They think that if any problems emerge, ISAF troops will be there to control the situation. Also, the training programs for the Afghan National Army (ANA) and police should be accelerated and expanded to enable them to assume security responsibilities in the shortest duration of time possible.

- The commitments made at the Bonn Conference should be implemented. Afghans, especially women, are impatiently waiting for the fulfillment of the promises made by the international community to Afghanistan. Two years after the Bonn Conference, many of the pledges made have yet to be fulfilled, a situation that has engendered increasing frustration.

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Recommendations

by Mark Sedra

For eight days, from 4–11 June 2003, BICC hosted an e-conference on "Afghanistan: Assessing the Progress of Security Sector Reform, One Year After the Geneva Conference." Over one hundred participants representing various inter-governmental organizations, NGOs, academic institutions, donor governments and the Afghan Transitional Administration (ATA) took part. The conference focussed on three aspects of the security sector reform process: military reform; police reform; and the disarmament, demobilization, and reintegration of ex-combatants. However, all facets of the current security situation were discussed. The dialogue was vibrant and resulted in the following list of 36 policy recommendations on how to refocus and reenergize the security sector reform process and address rising insecurity. The recommendations were drawn from the fourteen papers produced for the conference—six of which are presented in this *brief*—and the conference discussion. Some of the recommendations are new while others are reformulations of existing ideas, but cumulatively they reflect a broadening consensus that a new and more dynamic approach is needed toward security sector reform in Afghanistan.

Institutional reform

1. Reform of the Afghan Ministries of Defense (MoD) and Interior (MoI)
The success of the entire security sector reform enterprise depends on reforms made in the MoD and MoI. Efforts to reform these two ministries, to make them ethnically representative and accountable, have been largely unsuccessful thus far. More concerted pressure must be applied by the international community, most notably the United States, on the responsible Ministers to implement the needed reforms.

Military reform

2. Reform of the Afghan Military Force (AMF)
Even if a DDR process is initiated in the coming weeks or months, existing military forces and structures will remain a factor in the country for some time. In addition to the current program to create an Afghan National Army (ANA), efforts should be taken to reform the AMF. Steps that could be taken in this regard include:

A. The appointment of new commanders to some of the existing AMF divisions, especially in south- and southeast Afghanistan. These commanders should include generals from the army of the Najibullah regime. They possess previous military training and could impose much-needed discipline on the troops.

B. The antiquated military equipment of some AMF units, particularly those directly involved in combat against the remnants of the Taliban, should be upgraded. This could be achieved by redistributing equipment from better-equipped units in other parts of the country. For example, transport equipment, which has been hoarded by Defense Minister Fahim's troops in Kabul and Panjsher, should be transferred to these units.

3. Establish Regional Military Training Centers
Currently, virtually all ANA training activities are carried out at in the capital at the Kabul Military Training Center (KMTC). The establishment of regional training outposts could accelerate the training process, encourage regional recruitment, and raise the profile of the army outside the capital. Such an initiative could give a major boost to the military reform process which has proceeded at an unexpectedly slow rate.

Police reform

4. Increase Donor Support to LOFTA
Donors should increase funding to the UNDP administered Law and Order Trust Fund for Afghanistan (LOFTA), which is intended to cover the recurrent budgetary expenses, most importantly salaries, of the country's police. In spite of the importance of this initiative, as of June 2003 only US$11 million of the US$75 million target for the fund has been secured. This glaring shortfall must be rectified.

5. Create independent monitoring structures
Monitoring and accountability structures for police performance should be developed, such as the establishment of a Police Ombudsman. A recent report by Amnesty International titled, *Afghanistan: Police reconstruction essential for the protection of human rights*, affirms that there is "a widespread lack of public faith in the police" in Afghanistan. As Interior Minister Ali Ahmad Jalali has stated: "The police cannot do their job without the co-operation of the people." Accordingly, it is acutely necessary to take measures to raise public confidence in the police. The creation of a police oversight body could greatly advance such confidence-building efforts.

6. More support to a Quick Reaction Force
International donors should assist the Ministry of Interior in forming and operating a Quick Reaction Force capable of being deployed in all of the country's provinces to address

urgent security threats. This force could also be utilized to facilitate the implementation of the constitutional consultation process and DDR.

7. Establish an adequate screening process
An effective screening mechanism should be established to ensure that new recruits for the Kabul Police Academy and the National Police Training Center (NPTC) have not previously been involved in human rights violations or are tainted by previous involvement in militia activity.

8. Establish Regional Police Training Centers
Currently, all police training is limited to Kabul where the Kabul Police Academy and the NPTC are situated. To abandon the Kabul-centric approach to the process, police training facilities should be established in the provinces. This would provide a concrete means to accelerate the police reform process, to ensure that the composition of the force reflects the country's ethnic make-up, and to extend the central government's authority to outlying areas.

9. More international support to the Human Rights Unit of the Ministry of the Interior
The Minister of the Interior has established a human rights office within the Ministry in response to calls for an internal mechanism for monitoring the police. While it is too early to judge whether or not this unit will be an effective mechanism to address violations by the police, it is unlikely to become so if it is not given sufficient donor support, in terms of technical, material and financial assistance. International support to such a unit could have a dual outcome: First, the unit itself could become an effective way of addressing problems within the police force and, second, sufficient and substantial international support would send a message that the international community will no longer accept the system of impunity in Afghanistan.

10. Establish a National Police Code of Conduct
A national police code of conduct based on international standards for law enforcement officials needs to be adopted and disseminated both to the police and the general population. The various police training projects underway need to incorporate this code of conduct into their curriculums and it must be made clear in all training courses that police will be held accountable when they breach this code. This linkage should be reinforced through regular communication and co-ordination with accountability initiatives, particularly the new human rights office in the Ministry of the Interior, to ensure that there is consistent post-training monitoring of police. To date, training initiatives have not been linked with any sort of accountability mechanisms.

11. More attention must be paid to Afghanistan's prison system
The criminal justice system will only be able to operate effectively when each component part—police, courts and prisons—is functioning properly. While there has been consistent international attention on the reconstruction of the police in Afghanistan and increasing attention on the functioning of the courts, there has been extremely little international attention paid to the reconstruction of the prison system. The only donor project in this regard is focused on the reconstruction of Pul-i Charkhi prison, in the outskirts of Kabul. But a single large prison in Kabul will not effectively address the problems faced by prisoners across the country, who are held in district and provincial detention facilities that are often overcrowded, dilapidated, and lacking basic sanitation. The urge to centralize the prison system in Pul-i Charkhi should be resisted as this could have a number of detrimental impacts on prisoners and their families. Emphasis should instead be put on reconstructing provincial detention facilities across the country. Prison staff throughout Afghanistan lack training in correctional work. As with many government employees, even their extremely meager salaries are infrequently disbursed.

In March 2003, a presidential decree transferred the administration of prisons from the Ministry of Interior to the Ministry of Justice. The practicalities and logistical details of this transfer have yet to be worked out, leaving the day-to-day duties of administration, including the payment of salaries and the provision of food, still in the hands of the Ministry of Interior. More technical assistance and pressure from the international community needs to be given to ensure that this transfer of responsibility to the Ministry of Justice is completed in a productive manner that advances efforts to build a modern correctional system in line with international human rights standards.

DDR

12. DDR cannot be implemented in a security vacuum
At present, what security exists on the ground results from fragile political agreements between local warlords and local militias charged by their commanders with protecting local populations. A DDR process which moves ahead without an international security presence, and which disarms some factions and not others by relying on militia leaders to disarm their own troops, risks undermining what little security does exist. Accordingly, the DDR process should be put on hold until there is a serious international commitment to provide security in areas where DDR is moving ahead.

13. Concentrate on 'R' over 'DD'

The preconditions for the implementation of a DDR program in Afghanistan—a political consensus among key powerbrokers; MoD reform; and a minimum level of security—have clearly not been met. The longer it takes to initiate the process, the more frustration will build among ex-combatants. It is critical that they begin to visualize their civilian future, abandoning the identity of a combatant, as soon as possible. Concentrating on reintegration ahead of disarmament and demobilization will help to build the capacity of the market place to lure combatants away from their militia units and into a peace-based economy, thereby creating an environment conducive for a large-scale disarmament and demobilization program.

Practically speaking, this process could be initiated by providing a pilot group of voluntarily demobilized ex-combatants with high-quality reintegration assistance that leads to alternative employment. This will, in turn, entice other ex-combatants to follow suit. In the current political environment, DD is likely not feasible, but reintegration activities in the form of local economic development, employment in infrastructure projects, vocational training, and small business promotion schemes should not be delayed.

In many respects, the situation in Afghanistan defies conventional DDR logic. Accordingly, a non-conventional approach that does not necessarily adhere to the linear D-D-R formula may be what is needed to break the deadlock and jumpstart the process. Paradoxically, RDD may be the answer to Afghanistan's DDR dilemma.

14. Forge a political consensus regarding key aspects of DDR

A political consensus must be forged immediately among key Afghan powerbrokers regarding the goals, scope and duration of a DDR process. Two developments in the past three months show that progress is being made towards achieving this goal. First, in late April 2003, the Afghan government convened a two-day conference, assembling Afghanistan's senior military commanders, to reach an agreement regarding the ongoing security sector reform process. This was the first military meeting of its type since the fall of the Taliban. A statement issued at the end of the conference stated that the participants agreed to work with the central government for the good of the country's security and to build a multi-ethnic national army. Second, in late May 2003, 12 of Afghanistan's major powerbrokers signed an agreement to hand over customs revenues to the central government and to stop all military interference in the country's political and civil affairs. Taken together, these two developments represent a watershed in the effort to bind Afghanistan's powerbrokers to the new political order, but more must be done. Afghan history shows that the signing of agreements marks only the first stage in a negotiating process. The US should exploit the recent breakthroughs by utilizing its considerable economic and political leverage with Afghanistan's warlords to pressure them to fulfil their commitments.

15. Conduct a large-scale survey of Afghan combatants and profile militia commanders

Successful post-war demobilization and resettlement require good data for planning purposes. The Afghan DDR process lacks a foundation of good data and research. Accordingly, DDR planners have not been operating with a precise picture of the problem facing a prospective program. An extensive countrywide survey, aimed to determine the socio-economic positions and needs of ex-combatants must be conducted.

There is also a dearth of detailed information on the command structures of Afghanistan's militia groups. One of the most difficult obstacles facing the demobilization process will be the mid-level commanders. A combination of incentives and force will be needed to deal with them. While the number of top commanders or warlords is not difficult to determine, the country's sub-commanders form a much more amorphous group. It is necessary to list and profile these figures in order to devise strategies on how to deal with them during the demobilization process.

16. Focus on job creation

There is tendency during a DDR process to place more emphasis on aspects of disarmament and demobilization than reintegration. This is a mistake, for if combatants cannot be offered alternative livelihoods, a means to care for themselves and their families, there will be no impetus to reenter civilian life. The demilitarization of Afghan society cannot be achieved unless suitable reintegration opportunities are available to former combatants. To a certain degree, "it all comes down to jobs". Even if the international community provides ex-combatants with vocational training, tool kits or micro-credit for small business creation, if the economy remains stagnant and no employment is forthcoming, the process will collapse. Job creation is the key to demilitarizing Afghan society. An increase in donor-supported investment projects would have an enormous impact in creating employment for the multitudes of unemployed Afghans, among them ex-combatants.

17. Donor funding

It is important that donor states and agencies make long-term commitments to the DDR process. Currently, financial support is not an issue of concern as US$50.7 million has been committed to the process, an amount sufficient to cover the costs of the current DDR program (the Afghan New Beginnings Programme) for its first year of operation. With the cost of the entire process estimated to be US$127 million, and this figure is sure to increase as the process develops, more money will have to be raised in the coming months. The task of mobilizing funds for a DDR process while it is underway has proven to be problematic in other contexts, thus donor states should commit to underwriting the process in its entirety.

18. Community-based approaches

Previous DDR experiences show that the outcome of reintegration depends, to a certain degree, on the support ex-combatants receive from the communities to which they are returning. Accordingly, increasing the absorptive capacity of communities will greatly advance DDR. Community-based approaches provide an effective means to promote DDR and development in a sustainable fashion. Local government has always been the core level of decision making in Afghanistan. International reconstruction and peace-building processes must recognize this fundamental reality by coordinating their activities with local institutions and structures such as the village Shura.

19. The 'Numbers Game'

All DDR processes face the danger of becoming overly fixated on disarmament, particularly the 'numbers game', regarding the number of arms collected. Removing all small arms from Afghan society is as implausible as banning arms in the United States. The goal of DDR is to demilitarize Afghanistan by demobilizing and disarming organized militia groups and to ensure that the ATA has a monopoly on the use of force. Special measures to collect and control small arms and light weapons could bolster the momentum for demobilization but it is not a precondition for it. In spite of its attractive simplicity, the numbers of arms collected is a not an adequate measure of the success of DDR and confuses the real purpose of the program.

20. Engage NGOs in reintegration planning and implementation

It is critical that an integrative and inclusive approach to reintegration planning and implementation is taken in Afghanistan. This involves extensive consultation and coordination with NGOs and Afghan civil society, which are best placed to provide reintegration support in many parts of the country. To date, the level of NGO involvement in the reintegration planning process has been insufficient. A successful reintegration program exploits synergies amongst a multitude of actors, one of the most notable groups being international and local NGOs. The ATA and UNAMA must work more assiduously to integrate NGOs into the current DDR process.

Judicial reform

21. Accelerate judicial reform

With the judicial system in Afghanistan in disarray and progress in police reform having exceeded that of the justice sector, the courts currently lack the capacity to handle the volume of cases brought before them. Accordingly, criminals apprehended by police are released without punishment while innocent Afghans, with no recourse to legal protection, have been subjected to unlawful imprisonment. The reality is that the police cannot adequately maintain order until the country's justice system is reestablished. More donor support should be provided to the process.

22. Establish a system of free Defense council

Recent research by Amnesty International into the functioning of the court system revealed massive fair trial violations. One of the most worrying failures is the absence of any Defense council. A system of free Defense council is urgently required. To date, the judicial reform process has focussed entirely on judges and prosecutors. Another alarming pattern is the length of time detainees are held in pre-trial detention, sometimes for many months without ever coming before a judge. This needs to be remedied on a systemic basis.

Counter-narcotics

23. Develop alternative sources of economic livelihood

It will be difficult for the ATA to lower production if they cannot provide alternative livelihoods for farmers. In drought-ridden areas of the country poppy is one of the only crops that farmers can afford to produce—it is attractive because it is drought resistant, easy to store, and extremely profitable. Therefore, the key to counter-narcotics efforts will be the provision of resources and know-how for farmers to grow alternative crops.

24. De-legitimize poppy production

Poppy cultivation has increased and come to be perceived as acceptable in recent decades. An information campaign, involving religious and community leaders, should seek to undermine this growing legitimization of the drug trade.

Gender and security

25. Gender and policing

There are currently 40 female recruits in the Kabul Police Academy, 28 in the one-year program and 12 in the advanced three-year program. German initiatives to increase female recruitment have had some success. According to a police academy spokesperson, they have received more applications from women then they have places. Nevertheless, conservative religious and social attitudes remain firmly rooted in Afghan society. Many men in Afghanistan have begun to accept that female police are needed, but only to carry out duties that male police cannot, such as body searches and arrests of women. Public awareness aiming to shift these ingrained cultural attitudes must be intensified and recruitment efforts expanded.

26. Address the issue of domestic violence against women

Currently, when a woman or girl faces violence in her home or community there are virtually no effective mechanisms through which she can seek justice or protection. Codes of honor and shame pressure women to remain silent about such abuse. Even the very small number of women who try to access help through the formal system are not given basic assistance. For example, in cases where the husband opposes a divorce, many judges have displayed an unwillingness to grant a divorce even in the face of compelling testimony detailing severe domestic violence. While women struggle to obtain divorces under such circumstances, men are able to declare divorce at any point without stating a reason. With the ratification of the Convention on the Elimination of all forms of Discrimination Against Women, Afghanistan has an obligation to revise its legal codes to ensure that both men and women have an equal right to enter into and dissolve a marriage. While discriminatory laws are just one part of an interlocking set of barriers preventing women from accessing justice, the current period of constitutional drafting and legal reform provides an opportunity to erode and even eliminate this part of the barrier.

27. Expand access to education for women and girls

Primary education should be compulsory for all girls in Afghanistan. Schools for girls should be established in all of the provinces in order to address the exceedingly high rate of illiteracy and ignorance among women. Specialized training should be provided to women to educate them about their constitutional rights, Sharia Law, international standards of human rights, and the country's penal, judicial and civil codes.

28. Targeted employment programs for women

Employment generation programs should target women in order to undercut their dependence on spouses and male relatives. Such initiatives could be incorporated into reintegration support programs for ex-combatants.

Regional issues

29. Secure the adherence of neighboring states to a strict policy of non-interference

The influence and interference of neighboring states in Afghanistan has been one of the principal sources of conflict and division in the country. Afghanistan's geopolitical importance has impelled regional states to surreptitiously compete for influence and pursue their interests via proxies, a tactic that has served to fragment the country along ethnic, religious and political lines. The most blatant offenders in this regard have been Russia, Iran, Pakistan, and to a lesser extent, India and the Central Asian states.

To arrest the growth of insecurity in Afghanistan, it is critical that regional states cease all support for sub-state actors—individual parties, tribes, and warlords. A significant step towards achieving this goal was made with the signing of the Kabul Declaration on Good-Neighborly Relations, a pledge of non-interference by Afghanistan's immediate neighbors—Pakistan, Uzbekistan, Turkmenistan, China and Iran—signed on 22 December 2002. The international community, most notably the United States, should exert pressure on the signatories of this declaration, along with other states with a history of intervention in Afghanistan, to observe the agreement's fundamental principle: the inviolability of Afghanistan's sovereignty.

Until external actors are compelled to cease meddling in Afghan internal affairs, efforts to overcome the centrifugal forces that have given rise to insecurity and instability in Afghanistan will be fruitless. A concerted diplomatic campaign, led by the United States, must be launched to forge an international agreement that bars external interference in Afghanistan. This agreement should proscribe the provision of economic aid, arms and equipment to sub-state actors and address the issues of customs duties and borders.

Warlord economies

30. Prioritize fiscal measures to confront warlordism

Undermining the economic foundations of the warlords should be prioritized. In this regard the following steps should be taken:

A. New border posts should be established at the seven key points of entry, with special emphasis on Herat. They should be situated at defensible points at some distance from the existing posts and from major cities. International donors should equip these posts with the latest technological equipment to prosecute their duties. To assuage the concerns of regional leaders, customs revenue should be fairly distributed to regional governments. Coalition forces and ISAF would be required to facilitate the transition to this new system. The US, in particular, must use the threat of force to keep the warlords in line.

B. The restoration of Afghanistan's road network is a vital step towards undermining the power bases of many of Afghanistan's warlords. Road reconstruction has proceeded at an unacceptably slow rate and should be energized. A new institution should be created to deal exclusively with the issue of roads and customs revenues. This must be an authoritative body that includes representatives of the ministries of Transport, Commerce, and Finance at the highest levels, as well as officials from international agencies and donors.

31. Encourage the transition from a war to peace economy through increased economic investment

Until the appeal of the current criminalized economy is blunted, all efforts to establish security in Afghanistan will be abortive. To circumvent this warlord economy it is necessary to give the warlords an economy to buy into. Large-scale investment in infrastructure, to rebuild roads and bridges, to revamp the irrigation system, and clean the karez network will give the warlords a vested interest in local government and economic management. It will spark a process to reform the warlords into businessmen, transforming warlordism into peacelordism. Although it is clear that investment could serve as a dominant engine of political, social and economic change in Afghanistan, it has been extremely slow to materialize. Illustrating this situation is the US-led project to repair the Kabul-Kandahar highway. The project, initiated seven months ago, was supposed to generate thousands of jobs. However, to date, only two percent of the job has been finished and it has given work to a mere 100 people. A massive increase in donor investment is needed to create the spark necessary to rejuvenate Afghanistan's economy.

Afghan civil society

32. Encourage the growth of Afghan civil society

A key element of any strategy to undermine the power of the warlords is the creation of alternative voices and sources of influence outside current power structures. This can be achieved by strengthening Afghan civil society. There are two obvious targets for this support: the mosques and traditional tribal structures such as the village Shura. Western style NGOs should also be encouraged, although they have few traditional roots in Afghan society.

Afghan civil society organizations, as is the case in many other developing countries, will be as fragile as their funding sources. Durable and long-term funding is needed to develop civil society in a sustainable fashion. A practical plan to achieve this goal would be to create a civil society trust fund for every region in Afghanistan. The capital for each of these funds would be invested by foreign banks, out of the reach of warlords. The annual interest from the capital invested would provide a regular and established income for civil society organizations. Grants should be made for five-year periods by a local committee of three-five people from each province, and paid quarterly by a donor-run office subject to adequate reporting and accounting standards. This would give civil society organizations the chance to develop themselves and their capacities.

Grants from this Regional Civil Society Trust Fund could be issued to a wide range of recipients such as mosque committees and Sufi groups for charitable work, to local NGOs, women's cooperatives, and to international NGOs committed to working on a long-term basis in the areas of regional education and health. Over time, the project could help to create a new layer of non-governmental activity—independent of regional and national government—that would give the average Afghan a voice in the affairs of the state.

The International Security and Assistance Force (ISAF)

33. Expand ISAF

To date, the international community has dismissed ISAF expansion as too expensive, in part because most policy discussions have been approached in "all or nothing" terms. A strategy involving the expansion of ISAF to key urban centers and the commercial routes between them should be considered. NATO's assumption of the command for ISAF in August 2003 provides a golden opportunity to expand the force, as it possesses the economic and military resources to carry out such a complex mission. With security conditions having deteriorated to the point where relief

and reconstruction activities have been seriously curtailed across much of Afghanistan, the need for an expansion of the peacekeeping operation has never been more apparent.

Coalition military forces

34. Expand the mandate of the Coalition Forces
Consistent with the US Pentagon's statement that the Coalition has moved from fighting the Taliban and al-Qaeda to reconstruction and stabilization efforts, the mandate of coalition forces should be expanded to include:

A. Facilitating the disarmament and demobilization of former combatants.

B. Intervening in green-on-green fighting between local militias where civilian security is put at risk.

C. Patrolling civilian areas and trade routes.

D. Assisting national security forces to rein in regional warlords who refuse to accede to central control.

35. Expand and reconfigure the Provisional Reconstruction Teams (PRTs)
The PRTs have neither the resources nor the mandate to provide significant security protection or reconstruction, and as a result achieve little more than the veneer of engagement on both fronts. The PRTs should be:

A. Reconfigured to focus exclusively on security sector reform and given a new name, such as Provincial Security/Stabilization Teams, in order to clarify their role.

B. Given adequate resources to provide a solid platform for security sector reform (DDR, police/army training, patrolling, peace making and peacekeeping) in the areas where they operate.

36. Provide Central Government liaisons to PRTs
The central government should be encouraged to assign representatives to the PRTs to extend its influence outside the capital and enhance communication with the provinces. This would also serve to strengthen cooperation and coordination between the central government and coalition forces.

Contributors

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Paul Barker has served as the Afghanistan Country Director for CARE International since October 2001. He also held that position from 1995 to 1999, under Taliban rule. CARE International, one of the world's largest private humanitarian organizations, is dedicated to combating global poverty through the implementation of relief and rehabilitation programs in communities across the world. CARE's programs in Afghanistan address the following areas: drought relief, rural food security, infrastructure development, widows' feeding, community-based education, urban water and sanitation, and partnership development.

Mr. Barker has worked for CARE since 1984. In that time he has served as a Country Director in Afghanistan, Ethiopia and the Palestinian territories and as an Assistant Country Director in Ethiopia and Egypt. He has a wealth of experience in the field of development, having worked in the area for 27 years.

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Ms. Basiri holds a Diploma in Computer Science and a BA in Dari literature. She began her tenure with AWN in September 2002. Before joining AWN she worked with the Afghan Women's Educational Center (AWEC) as a Project Coordinator. Currently she is managing a school, opened in September 2002, in her home province of Wardak. In the coming months she plans to open an orphanage for Afghan children from across the country.

Antonio Giustozzi

Dr. Antonio Giustozzi is currently a research fellow in the Crisis States Programme at the Development Research Centre in the London School of Economics (LSE), where he is working on the origins and development of the system of private militias in Afghanistan. He is the author of the book, *War, politics and society in Afghanistan, 1978–1992,* published by Georgetown University Press in 2000.

He took his Ph.D. in International Relations at the LSE in 1997, after having studied contemporary history in Italy.

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Mr. Nadery is an Afghan human rights activist and political analyst. He currently works as a member of the Afghan Independent Human Rights Commission (AIHRC) in Kabul, Afghanistan. Before accepting the appointment as a commissioner to the AIHRC, he worked as the Program Coordinator for the International Human Rights Law Group in Kabul. He also attended the Bonn Conference in December 2002 as an observer, and worked as a spokesperson and public information officer for the Special Independent Commission for the Convening of the Emergency Loya Jirga.

Mr. Nadery has been working to promote and protect human rights in Afghanistan since 1990. As a student, he co-founded a public awareness magazine in Nimrooz province, which he ran successfully until 1996 when the Taliban shut down his office after objecting to one of his editorials that highlighted that Islam encourages women to receive an education. He was imprisoned by the Taliban police and then taken to Kandahar where he was ordered to work on editing the weekly newspaper published by the Taliban government. After managing to escape from Kandahar, Mr. Nadery moved to Kabul and started teaching International Relations at the University of Kabul. Shortly after taking this post, he was fired for telling his students that the Taliban's policies were isolating Afghanistan from the international community. He was again imprisoned and had to leave the country for Pakistan. He then worked as a freelance writer and also organized Afghan youth to advocate for peace and democracy in Afghanistan. In 1999 he, and several other Afghan human rights activists inside Taliban-held areas, prepared a report on human rights violations in Afghanistan and sent the report to the UN Special Rapporteures on Afghanistan and other international human rights organizations, demanding a war crimes tribunal for Afghanistan.

Mr. Nadery has studied Law and International Relations at the University of Kabul. He has written extensively on politics, society, human rights, and women's rights in Afghanistan.

Paul O'Brien

Paul O'Brien is CARE International's Advocacy Coordinator in Afghanistan. Mr. O'Brien graduated from Harvard Law School in 1993, and has spent the

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Dr. Rubin is a Senior Fellow and Director of the Center on International Cooperation (CIC) at New York University. In November–December 2001 he served as special advisor to the UN Special Representative of the Secretary General for Afghanistan, Lakhdar Brahimi, during the negotiations that produced the Bonn Agreement, which Rubin helped to draft. During 1994–2000 he was Director of the Center for Preventive Action, and Director, Peace and Conflict Studies, at the Council on Foreign Relations in New York. He is considered one of the world's foremost experts on Afghanistan and the surrounding region, as well as on conflict prevention and peace-building.

Dr. Rubin was Associate Professor of Political Science and Director of the Center for the Study of Central Asia at Columbia University from 1990 to 1996. Previously, he was a Jennings Randolph Peace Fellow at the United States Institute of Peace and Assistant Professor of Political Science at Yale University. He received a B.A. (1972) from Yale University, and an M.A. (1976) and a Ph.D. (1982) from the University of Chicago.

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Mark Sedra

Mark Sedra is a research associate at the Bonn International Center for Conversion (BICC). Since his arrival at the center in August 2001, his research has focused on the area of security in post-conflict societies. During his tenure at the institute, he has conducted research on a number of countries and regions, including Afghanistan, Northern Ireland, the Middle East, and the Balkans. In June 2002, he began work on a BICC project to monitor the progress of the internationally supported security sector reform process in Afghanistan. He has produced a major report on the issue, titled, *Challenging the Warlord Culture: Security Sector Reform in Post-Taliban Afghanistan* and has presented his work at numerous international conferences and forums. Mr. Sedra regularly contributes articles, reports, and policy papers to the US think tank Foreign Policy in Focus (FPIF) which publishes an e-magazine called the *Progressive Response.* His work has also been published in a number of journals and newspapers in Germany and the United States, including *Blätter für deutsche und internationale Politik* and the *Miami Herald.*

Born in Canada, Mr. Sedra gained a Hon. B.A. in Political Science and History at the University of Toronto and a M.Sc. in International History at the London School of Economics (LSE). His studies centered on issues of peace and conflict with an emphasis on the Middle East.

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Selected Acronyms and Abbreviations

ACBAR	Agency Coordinating Body for Afghan Relief
AIA	Afghan Interim Administration
AIHRC	Afghan Independent Human Rights Commission
AIMS	Afghanistan Information Management System
AIP	Afghan Islamic Press
ANA	Afghan National Army
ANBP	Afghan New Beginnings Programme
ATA	Afghanistan Transitional Administration
AWN	Afghan Women's Network
DDR	Disarmament, Demobilization & Reintegration
EU	European Union
FAO	Food and Agriculture Organization
HRW	Human Rights Watch
ICRC	International Committee of the Red Cross
IDP	Internally Displaced Person
IMF	International Monetary Fund
IOM	International Organization for Migration
IRIN	Integrated Regional Information Networks
ISAF	International Security Assistance Force
ITAP	Immediate and Transitional Assistance Program for the Afghan People
IWPR	Institute for War and Peace Reporting
LOFTA	Law and Order Trust Fund for Afghanistan
MAPA	Mine Action Program for Afghanistan
MoD	Ministry of Defense
MoI	Ministry of Interior
MoWA	Ministry of Women's Affairs
NGO	Non-Governmental Organization
NDC	National Disarmament Commission
NDF	National Development Framework
NPTC	National Police Training Center
NSD	National Security Directorate (Amaniyat)
PRT	Provisional Reconstruction Team
REAP	Rapid Employment in Afghanistan Program
UF	Islamic United Front for the Salvation of Afghanistan (Northern Alliance)
UN	United Nations
UNAMA	United Nations Assistance Mission in Afghanistan
UNDP	United Nations Development Programme
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UNIFEM	United Nations Development Fund for Women
UNOCHA	United Nations Office for the Coordination of Humanitarian Affairs
UNODC	United Nations Office on Drugs and Crime
US	United States
UXO	Unexploded Ordnance
WFP	World Food Program
WHO	World Health Organization

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