Post-Conflict Reconstruction: Rebuilding Afghanistan – Is That Post-conflict Reconstruction?

By Gintautas Zenkevicius

Since the end of the Cold War at least 116 armed conflicts have taken place (Kegley, 2006, p 401). These were mostly conflicts inside the states (civil wars) not conflicts between the states. During the same period United Nations Security Council launched more than 30 international military interventions (Dobbins, 2005) to resolve these conflicts. All these military interventions have mostly been successful in achieving their military goals; however, they ended up dealing with tasks which are normally run by the state civilian administration. Because there were no proper state administration, international military forces had to deal with nation building tasks or, in other words, to conduct post-conflict reconstruction in failed states. Recent examples of such international military interventions are Bosnia, Kosovo, Afghanistan, where initial military operations were successful and achieved their aims, but the aims of post-conflict reconstruction tasks that have been conducted for long time have not still been accomplished and success is in doubt.

Afghanistan is a recent example of the success and challenges of a nation building process. During four and a half years after the fall of Taliban, Afghanistan has achieved huge success: democratic governmental institutions have been formed, the president was elected in 2004, Parliament elected in 2005, elections were free and fair, and economy is growing more than 10% a year. In January 2006, London Conference declared that the aims set in Bonn Agreement in December 2001 for the Afghanistan political reform have been achieved, and that new Afghanistan Compact setting new aims for the development of Afghanistan, has been adopted. At the same time, we have seen a huge increase in attacks against the Afghan authorities, security forces, local population, coalition forces and ISAF in 2006. Large areas of Afghanistan, especially in the south and east, are not controlled by Afghan Governmental institutions. International aid organisations are

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afraid to operate outside main towns. Local warlords control huge areas in the south of Afghanistan and run illegal drug trade, which flourishes and provides incomes higher than Afghanistan’s budget with all international aid. Corruption is at high levels, the Taliban is coming back and so forth. Some already call the reconstruction in Afghanistan a failure (The Economist, 2006, pp 23-25). What is happening? Why is it so difficult to achieve success in a post-conflict reconstruction? What are the causes of a successful initial military operation not transforming into a successful post-conflict reconstruction? What has to be done to make post-conflict reconstruction successful? Can post-conflict reconstruction be successful at all? These and many other questions are arising while looking at modern international military interventions.

This article attempts to answer some of these questions. Its aim is to analyse the nature of post-conflict reconstruction, its main elements and actors - how the post-conflict reconstruction security pillar is run in Afghanistan, and whether what we have in Afghanistan is really post-conflict reconstruction.

Firstly, this article will look into the post-conflict reconstruction theory and the four pillars of post-conflict reconstruction: security, justice, and reconciliation, social and economic well-being, and governance and participation - how important these pillars are and how are they interrelated, what actors might be involved in post-conflict reconstruction and how should these actors co-operate and co-ordinate their activities.

Secondly, this paper will analyse in detail post-conflict reconstruction that Afghanistan is going through a security pillar. First of all, it will analyse how security is provided for Afghan population, how Security Sector Reform (SSR) is carried out; how new Afghan National Army (ANA) and Afghan National Police (ANP) are built; what results have been achieved in Disarmament, Demobilisation and Reintegration (DDR) processes; how the process of Disarmament of Illegal Armed Groups (DIAG) began and is progressing; how successful is counter narcotics campaign; how different actors - UN, SSR leading nations (US, UK, Germany, Italy, Japan), US - led Coalition, NATO - led International Security Assistance Force (ISAF) and Afghan authorities are co-operating in building secure environment for the Afghan citizens.
Thirdly, this article will analyse how judicial reform is carried out, what is the status of law enforcement institutions, how fair is the law system, how human rights are observed, what is the status of dealing with former abuses and resolving all grievances, how different International Organisations (IOs), Non-governmental Organisations (NGOs) and Afghan authorities and people are co-operating in this area. The conclusion of this paper tries to explain whether the events taking place in Afghanistan currently really designate a post-conflict reconstruction.

1. **Defining post-conflict reconstruction**

Francis Fukuyama defined post-conflict reconstruction as the first phase of nation-building, which applies to failed states after violent conflict and where international community has to provide security and all essential needs and/or services. The second phase of nation-building, according to Fukuyama, is the creation of self-sustaining state institutions which are providing security and all essential needs with the help of international community. It normally starts after the completion of the first phase and once the international forces have assured security and stabilised the situation. The third phase involves strengthening of weak states (Fukuyama, 2004, pp. 135-136). Following Fukuyama’s definition of nation building, post-conflict reconstruction is only needed when international community is dealing with failed states, the government institutions of which are not functioning effectively. As a term, post-conflict reconstruction was first defined by the World Bank in 1995 as “the rebuilding of the socioeconomic framework of society” and the “reconstruction of the enabling conditions for a functioning peacetime society [to include] the framework of governance and rule of law” (Hamre and Sulivan, 2002, p. 89). John J. Hamre and Gordon R. Sulivan expanded this definition including justice and reconciliation, and security, which according them is central (ibid).

**Security** encompasses collective and individual security to all actors and “addresses all aspects of public safety, particularly the establishment of a safe and secure environment and the development of legitimate and stable security institutions” (Feil, 2002, p. 98). Security pillar has the following tasks: “control of belligerents; territorial security; protection of the populace; protection of key individuals, infrastructure and institutions; reform of indigenous security institutions; and regional
security” (ibid). Provision of security is one of the most important tasks because not before the assurance of security can other reconstruction tasks be successfully implemented. International military forces are normally responsible for providing security in failed states. It is not until later that the security provision can be handed over to local security institutions, military and law enforcement that have been developed. It is very important that security provision structures are sufficient in number and quality. It is assessed that for sufficient security at minimum 20 security personnel are required for every 1,000 inhabitants. However, security cannot be sustained if justice, social, and economic well-being or governance are not reconstructed and implemented.

**Justice and reconciliation** addresses the need to deal with past abuses and create an impartial legal system (Hamre and Sullivan, 2002, p 91). It includes the following key elements:

“(1) Law enforcement instruments that is effective and respectful of human rights;
(2) An impartial, open, and accountable judicial system;
(3) A fair constitution and body of law;
(4) Mechanisms for monitoring and upholding human rights;
(5) A humane corrections system; and
(6) Formal and informal reconciliation mechanisms for dealing with past abuses and resolving grievances arising from conflict” (Flourney and Pan, 2002, p.112).

This pillar not only includes elements about building law enforcement structures, but has a long-reaching aim of building and implementing justice system, which should eliminate causes leading to future conflicts or failure of a state. It is one of the most difficult because local population and legal system can have different approach to human rights and law. For instance Islamic countries are exercising *Sharia Law*, which is different from Western Law. Security and governance pillars are crucial in supporting and providing conditions for justice and reconciliation. However, sufficient justice system cannot be sustained if social and economic well-being is not ensured.

**Social and economic well-being** “addresses fundamental social and economic needs, in particular providing emergency relief, restoring
essential services to the population in areas such as health and education, laying the foundation for a viable economy, and initiating an inclusive and sustainable development program” (Hamre and Sullivan, 2002, p 91). This pillar is orientated towards providing emergency humanitarian relief for local population at the beginning of post-conflict reconstruction. Later it should concentrate on long term development especially in the areas of education, infrastructure and economic development. However, social and economic well-being cannot be implemented and sustained until there is a security or justice system that is fully functioning coupled with building sufficient governance.

**Governance and participation** “addresses the need to create legitimate, effective political, and administrative institutions and participatory processes, in particular, establishing a representative constitutional structure, strengthening public-sector management and administration, and ensuring an active and open participation of civil society in the formulation of the country’s government and policies” (Fukuyama, 2005, pp. 135-136). Effective governance is normally absent in post-conflict situation because the failed state’s public sector is in most cases incompetent and corrupt or non-existent. Moreover, there are not any fundamental political agreements about the state's political system and wider representation. Post-conflict reconstruction has to start from creating some transitional administration which would prepare political and legal conditions for the future governance and wider population participation in governance. Creating a legitimate and effective political system is the most difficult and critical task in post-conflict reconstruction because it ought to ensure that the state can function properly in the future. However, governance and wider participation cannot be implemented if there is no security because all governmental institutions or officials should be protected from any possible lethal threats. Otherwise, post-conflict reconstruction would fail.

These are four main pillars of post-conflict reconstruction. However, a lot of different actors are participating in implementing these activities: international organisations, states, national governmental organisations, international non-governmental organisations, local institutions, local non-governmental organisations, etc. Each organisation has its own agenda and aims which are not always orientated towards the same direction. These are very often looking and working at different
directions. An effective co-ordination structure has to be developed and implemented. This structure ought to ensure that all actions, taken by these actors, are co-ordinated and that there is no overlapping or competition.

The four main pillars of post-conflict reconstruction, their complexity and the amount of different actors, make post-conflict reconstruction very complicated. Afghanistan is a classical example of a failed state in Fukuyama’s words, in which international community had to conduct nation building starting from the first phase – post-conflict reconstruction. Since the Soviet withdrawal at the end of the 1980’s, Afghanistan was falling into disorder and chaos; no state institutions were functioning; there was no police or judicial system; everything was decided by force or religion leaders; those who had weapons were in power - gun power policies were flourishing; education and health care systems were non-existent, and so forth. This paper will look at the security pillar of post-conflict reconstruction in more detail and focus on the level of security and safety of the Afghanistan environment established so far.

2. Security provision in Afghanistan

Afghanistan is a mountainous Southern Asian state, the area of which is 647,000 square kilometres. It shares borders with China, Iran, Pakistan, Tajikistan, Turkmenistan and Uzbekistan. During the ‘90s it became the heaven for Al Qaeda terrorist organisation. Many terrorist training camps, planning and logistics infrastructure were established in the country. Following terrorist attacks in New York on September 11th 2001, the USA started Operation Enduring Freedom (OEF) on 7th of October 2001, with an aim to destroy Al Qaeda’s network and the Taliban regime that was providing support to Al Qaeda, and start reconstruction ensuring that international terrorism could not use Afghanistan as their operating base in the future (Maloney, 2006, pp. 6-7). Taliban regime fell down in November 2001, and Northern Alliance militia forces, supported by the US air power and Special Forces, entered Kabul removing the Taliban from power and gaining control over all territory of Afghanistan. On 5th of December 2001, Afghan leaders and representatives of international organisations and donor nations signed Bonn Agreement, which established Afghanistan Interim Authority (AIA), designed legal
framework and the road map of political development (Bonn Agreement). Bonn Agreement also put all Afghan armed forces and armed groups, commanded by different warlords, under the command and control of AIA and called for international security assistance. However, it urged international community to recognise the heroic role played by mujahedin in protecting the independence of Afghanistan and asked “to assist in the reintegration of the mujahedin into the new Afghan security and armed forces” (ibid). On 20th of December 2001, UN Security Council passed a resolution 1386 establishing ISAF with the mission to assist AIA in the maintenance of security in Kabul and its surrounding areas, so that AIA as well as the personnel of the UN can operate in a secure environment (UN Security Council Resolution, 1386). It was not until November 2001 that the US Army and Marine units started their deployment to Afghanistan, mostly to Bagram and Kandahar under OEF. In December UK assumed command over ISAF and started operations under UNSCR mandate in Kabul. Thus, international forces started their deployment to Afghanistan after Afghan Military Forces (AMF), loyal to Northern Alliance and led by different military warlords, removed the Taliban from power and assumed control over whole Afghanistan. Moreover, international forces concentrated their operations in urban areas; ISAF: 4,800 strong, only in Kabul; US led coalition, some 8,000 strong, mostly round Kabul and Kandahar, very seldom conducting operations in other areas of Afghanistan. OEF operations were aimed at fighting terrorists, but not providing security for Afghan people. Moreover, OEF and ISAF actions had little co-ordination. OEF did not want to be involved in post-conflict reconstruction, and ISAF did not want to be involved in operations combating terrorists; ISAF actions were dependent on the lead nations’ policies towards Afghanistan such as the UK and later Turkey and Germany.

To sum up, there was no ambition to conduct a classic post-conflict reconstruction in Afghanistan in 2001. The main tasks were to remove the Taliban from power, to fight terrorists, and to provide security for AIA and the UN in Kabul. The rest of Afghanistan was left to non-existent Afghan security institutions. All security pillar elements described by John J. Hamre and Gordon R. Sulivan as tasks run by international military forces were unfulfilled. They were left to AIA, and the creation of a security vacuum by international forces began.
This situation continued throughout the whole 2002. International military forces were too thin (some 0.5 soldier per 1,000 of Afghan population) and only focused on providing security in Kabul for Afghan central governmental institutions, but not for Afghan population. The rest of Afghanistan was left to AMF, or in reality, to local warlords, who, after the Taliban was removed from power, rushed back to their held areas to assume their power bases. At first, warlords were scared and ready to surrender their weapons, but once allowed to keep their weapons and forces, they seized the opportunity and strengthened their power. AIA was too weak, there were no Afghan security institutions or efficient international military forces capable of providing security to the Afghan population, and so it had to rely on local warlords. Warlords assumed power in regions and, in many cases, were even blackmailing AIA. This created an insecure situation in the whole Afghanistan and allowed the lawless situation to continue. Local warlords often started armed clashes between themselves, were collecting illegal taxes from local farmers and shopkeepers, got involved in criminal activities, which allowed them to finance their forces, and even cooperated with former Taliban officials.

Not until 2003 did the US decide that they had to be involved in reconstruction besides fighting terrorism, and started their expansion into Afghanistan provinces establishing Provincial Reconstruction Teams (PRTs) with a mission to promote governance, security and reconstruction throughout the country. During 2003 there were 7 PRTs established: 5 led by OEF and 2 by ISAF nations - the UK and Germany (Peritto, 2005, p.15). In August 2003, NATO took over command of ISAF, and ISAF mission was extended outside Kabul (UN Security Council Resolution, 1386 and 1510). During 2004, 12 more PRTs were established: 9 led by OEF and 3 led by ISAF. At the same time, ISAF assumed control over north of Afghanistan. However, military force in the north hardly exceeded 1,500, troops and there were only 5 PRTs operating in 9 provinces. In 2005 ISAF established 4 more PRTs in 4 provinces assuming command of western Afghanistan. Again, less than 1,500 ISAF troops were deployed in the west. By the end of 2005 international military presence reached some 32,000 troops: 9,000 ISAF and 23,000 OEF, but it was still only some 1.3 soldier per 1,000 people - far too small number. In 2006, ISAF started expansion into south, establishing 4 more PRTs in 6 provinces. The number of PRTs is
reaching 24, 13 of which are under ISAF command and 11 under OEF, but it is still far away from 34, that are needed for having constant international military presence in every province.

PRT is typically a small force of 70-250 military and a few civilians that do not engage in combat operations, but have robust reach back capability for coalition or ISAF combat support. The main PRT tasks are to help the Government of Afghanistan extend its authority, to facilitate the development of a secure environment in the Afghanistan regions (note, not to provide security, but to facilitate the development of secure environment) including the establishment of relationships with local authorities, to support security sector reform activities within means and capabilities, to facilitate the reconstruction effort. The US OEF-led PRT’s structure is standardised: all civilian personnel responsible for reconstruction are subordinated to a PRT commander - they have unified command and control, their actions are coordinated, and they focus on physical reconstruction, not combat actions. Meanwhile ISAF PRTs structure and actions do not have one unified standard and depend on the leading nation’s policy: some concentrate on ensuing security, others - on physical reconstruction. Military personnel of ISAF PRTs are subordinated to an ISAF commander, while civilian personnel are not, and in many cases they are not subordinated to a PRT commander either, since they are responsible to their ministries back in capitals. This creates a lot of tension, frictions, inefficiency, and decreases PRTs and ISAF performance and credibility and further develops insecurity in different provinces in Afghanistan. As ISAF commander summarized in 2005, “ISAF PRTs have many weaknesses - there is no common approach – individual nations source the PRT, so national objectives and organizational preferences shape its modus operandi and this is confusing for Afghans and International Community” (Presentation by ISAF commander on 05/11/2005). If NATO is serious about achieving its operational aims and fulfilling their tasks in Afghanistan, all PRT’s structures should be standardized, all civilian personnel responsible for reconstruction, police, and judicial reform and etc, should report not to their capitals, but to the PRT commander. All PRT’s actions should focus on fulfilling tasks associated with ensuring security and supporting governance, PRT’s should not run physical reconstruction projects - all reconstruction projects should be run by Afghanistan government or NGOs’, with nations providing financial aid to Afghan government.
PRTs should become a platform for further reconstruction through building secure environment, but not running reconstruction by themselves. Otherwise ISAF efforts will be fruitless.

PRT’s military force is very small and they cannot provide security for Afghan population, neither can they assure territorial security. However, current ISAF PRTs, if they are in every province, can improve, and in many cases are improving, security situation only by their presence and constant patrolling of the entire province, alone or together with ANA and ANP. They are also acting as a deterrent force to criminal and illegal groups. PRT’s presence in province and active patrolling diminishes warlords’ credibility, increases confidence amongst local population and shows international communities’ commitment to Afghanistan. Alongside ISAF expansion into the south, where lawlessness flourishes, Government of Afghanistan does not have control and illegal military commanders and Taliban are running their activities freely. PRTs will have a different structure and more robust military capabilities. Every PRT will have a combat battalion, and a total number of ISAF troops is planned to reach 6,000 troops in the south. However, only 4 provinces out of 6 will have PRTs. The deployment of such a scale reflects that international community has recognized existing security problems. Afghan warlords have provided security for 4 years and they have gained too much strength and now they are threatening the existence of the Afghan state, credibility of Afghan central government and international community.

Summing up, AIA and the following Afghan Government have been responsible for providing security since the fall of the Taliban. International security forces have been too thin, and nations committing forces have been too reluctant to provide enough personnel and resources with adequate mandates. Provision of security was not in accordance with post-conflict reconstruction theory requirements: local Afghan government has been responsible for that, and international community has been helping to develop local capabilities. Hence it is more the second phase of nation building and not the first phase - post-conflict reconstruction. This paper will now look into security institutions’ reform or, in the case of Afghanistan, Security Sector Reform (SSR).
2.1 Afghanistan’s Security Sector Reform

Following the signing of Bonn Agreement, Tokyo conference in January 2002 prepared a general outline of Security Sector Reform (SSR) for Afghanistan, and Geneva conferences in April and May 2002 approved SSR’s structure and the leading donor countries. SSR is based on 5 pillars: Afghan National Army (ANA) reform – the leading nation of which is the US; Afghan National Police (ANP) reform – the leading nation of which is Germany; the Disarmament, Demobilization and Reintegration (DDR) of ex-combatants – the leading nation of which is Japan; Judicial reform (JR) – the leading nation of which is Italy; Counter narcotics (CN) – the leading nation of which is the UK. This paper will now analyse all SSR pillars and how it has been conducted and what results have been achieved.

2.1.1 ANA reform

Since the fall of the Taliban, Afghan Northern Alliance was the only armed security force which took the opportunity to fill the security vacuum. AMF had a very big structure of 9 Corps consisting of 40 divisions and few separate brigades (Jalali, 2002, pp.78-79), but it did not have unified command structure and it was expressing the interests of separate warlords, but not AIA. Moreover, different AMF commanders were fighting each other in order to control more territory and assume more power. AMF was not real Armed Forces and it wasn’t until May 2002 that the creation of a new ANA was commenced and when the US started training the first ANA recruits. They were drafted civilians and not combatants from AMF which was in contradiction with the requirements of the Bonn Agreement. At the same time the US established the Office of Military Cooperation Afghanistan (OMCA), which was responsible for ANA recruiting, training, equipping and building. In July 2005 the OMCA was renamed into Office of Security Cooperation Afghanistan (OSCA) and became responsible for the ANP reform too. By the end of 2005, ANA consisted of some 30,000 soldiers organized into 27 Kandaks and 18 combat support and combat service support battalions (Briefing by ISAF HQ 05/11/2006). There are currently 5 Territorial Corps or Army Regional commands established that consist of one combat brigade with every brigade consisting of 3 or 4 Kandak and 1 or 2 support battalions. Every Kandak has US Embedded
Training Team consisting of 10-15 US military personnel responsible for helping Kandak commander to plan and run training and operations. Embedded training teams are assigned to brigades and Corps in the same way. OMCA is equipping ANA, building barracks and also running training centres. Moreover, OMCA is financing ANA and paying salaries to all ANA personnel. In addition, OMCA trained some 1,700 MOD General Staff personnel, established and equipped a Joint Operations Centre. ANA has so far been quite successful in conducting platoon and company size operations fighting the Taliban and insurgency. It also provided security for Presidential elections in 2004 and Parliamentary elections in 2005 and performed quite well, but it still lacks combat support and combat service support capabilities.

ANA has not got enough transport for deployment, logistics structure is not robust and ANA Kandaks cannot be sustained on operations for a longer time, especially during the winter time. As a rule, Kandaks are quartered in their brigade and Corps barracks not in provinces and districts during winter, because they lack sufficient infrastructure, and ANA lacks winter equipment and training. During summer, Kandaks are capable of deploying throughout the whole Afghanistan providing security, but during winter they are only present in central areas with good infrastructure, and all remote areas of Afghanistan are left without ANA’s presence. When deployed, ANA units rely heavily on Coalition and ISAF air transport support, and medical support or evacuation, especially in remote areas.

ANA still lacks any operational combat support capabilities and it relies on the combat support of the Coalition or ISAF. This is causing a lot of problems as ANA does not have sufficient communications for calling artillery or air support. Once it is called there are many instances where ANA troops or civilians are attacked instead of the Taliban fighters. This deficiency has been tackled by deploying embedded training teams, which all run in co-ordination with coalition and ISAF forces. From 2006, ISAF has begun the development and employment of Operational Mentor and Liaison Teams (OMLT) (NATO, 2006) which will work with Afghan Ministry of Defence, ANA Corps, brigades and Kandaks. Their tasks involve mentoring, supporting, and helping training and operational employment of ANA units.
ANA is recruiting soldiers country-wide, and 34 provincial recruiting agencies have been established. Recruits sign a 4 year contract and are sent to central training centre where they undergo a 14 weeks long training course before being assigned to units. Initially training was run by US trainers, but now Afghan military are running basic training course supervised by US military personnel. ANA tries to recruit from all Afghan ethnic groups, and in 2005 ANA composition included 49% Pashtun, 21% Tajik, 6% Hazara, 3% Uzbek and the rest from other ethnic groups (U.S. Government Accountability Office, 2005, p.11). Even though desertion has been decreased, every Kandak is always short of some 20% of personnel who are taking authorized or unauthorized leave up to 2 weeks or sometimes longer (according the OSCA, in May 2006 some 2,500 military personnel were missing from their units) (Associated Press, 05/30/2006) for bringing their pay to their families that live far from their place of service. Success in building ANA allowed the disbanding of AMF structure in June 2005 that will be discussed later, and decreased reliance on warlords for providing security.

However, ANA is still far away from reaching target of 70,000 trained troops and according to estimations it might not happen before 2010 (Afghan Compact). It was not until 2005 that the ANA troops were capable of assuming more security tasks to combat insurgency, especially in the south and east. However, they still cannot operate without credible support from international security forces. This shows that developing credible military force might take some 10 years and during all this time international forces need to have sufficient numbers and capabilities to provide security. Moreover, Afghanistan is not capable of sustaining ANA financially and all finances would have to be provided by donor nations till at least 2010, as it was agreed in the Afghanistan Compact during London donor conference in January 2006 (ibid).

ANA reform shows that having one seriously committed leading nation that establishes credible structure and assigns substantial financial resources (3.3 $ billion in 2002-2005 (U.S. Government Accountability Office 2005, p. 9) compared to US $ 193 million from other nations (ibid, p. 41-42)) can built suitable conditions for achieving success. ANA reform is a clear example of reforming (in reality building) security institution by international community in post-conflict situation.
2.1.2 ANP reform

Likewise ANA, ANP had to be built from scratch. Civil war and the Taliban rule totally destroyed police structure Afghanistan had. Police functions were performed by local military commanders; there was no impartial and independent policing. The building of ANP started in February 2002 and Germany became a leading nation responsible for ANP reform, coordinating donor nations’ activities, training ANP officers and policemen and equipping them.

Afghan Ministry of Interior (MoI) responsible for ANP was established as a result of the Bonn agreement. It was agreed that ANP will be 62,000 strong and will consist of National Police responsible for policing around the country, Highway Police, responsible for traffic mostly on roads around Kabul, and Border Police, responsible for border security. National Police structure was established and filled very fast. Every province got it’s ANP structure from 600 up to 1,000 policemen, depending on the size of the province. Provincial ANP consists of districts police (40-50 strong) and provincial centre police HQ and support staff. Most strikingly, more than 50% of provincial police force is located in provincial capital, not in the districts and this does not allow ensuring security for vast rural areas. Such deployment has not been changed, and every provincial chief of police is trying to have as many police forces next to him as possible. This deployment reflects the trends in the whole ANP deployments in some manner - some 25% of ANP are deployed in Kabul or areas around Kabul. The MoI, provincial Chiefs of police are focusing on providing security for governmental institutions, but not for Afghan population. This is why the ANP deployment is thin at the district level.

ANP started from scratch, it has been recruited locally, and all posts at the beginning were filled by militants, loyal to local warlords. All ANP command positions at a district and province level were taken by military commanders and their subordinates. Only at the end of 2004 did President Karzai, who appoints all chiefs of ANP at the province level, manage to assign chiefs of provincial police persons from other provinces. It improved the work of ANP little as provincial chiefs of police were rotated from one province to another. They often took a large number of their subordinates and equipment from the province
they were leaving as still saw the police as their personal force, which served for them as much, as for the state. District chiefs of police, who are appointed by the MoI, still in most cases remain loyal to local warlords and are their relatives or tribal members. Policemen are young Afghans, who adhere to Afghan traditions, and never stop and check elders, tribal leaders or warlords. Even they are not prepared to keep order during riots or other disturbances and, as the May 2006 riots in Kabul showed, young policemen, instead of keeping order, were joining those who were protesting (The New York Times, 21/05/2006). They still have an understanding that they have to be with Afghan population and support Afghans and not follow governments’ orders and policy. Local recruitment and influence of tribal leaders haven’t still allowed building sufficient and impartial police force. In 2005, MoI reform was designed by the US and Germany to decrease the number of high level officers, as well as basing promotions and appointments on merits, not on loyalty. However, in June 2006, when an independent commission selected and proposed 83 high ranking police officers to be appointed to high positions, President Karzai personally appointed 13 former military commanders in addition (The Guardian, 12/06/2006). This activity shows that ANP personnel appointment is still based on loyalty and tribalism, not on merits. Moreover, in June 2006, the Afghan MoI announced plans to establish community policing in southern Afghanistan (Reuters, 12/06/2006). This plan foresees allowing warlords to recruit and arm their own militia force, which will provide security in districts and will be paid by the government of Afghanistan. These two actions are a big step back, because they are diminishing all efforts for building impartial and sufficient police force.

ANP officers and policemen, at most, did not have any formal police training and understanding how police should work. Few police officers had had some formal police training in the former Soviet Union in the 1980’s, and their policing experience and understanding was based on former Soviet policing understanding. Only few police officers have got some education in such areas as criminal investigation. To counter this problem, donor nations have established Kabul Police Academy responsible for police officers training, and 8 Police training centres responsible for policemen training. Kabul Police Academy was established and is run by Germany and it trains police officers using a German model, where training courses last for more than a year. Police
training centres were established by Germany and the US, and they concentrate on policemen training. Mostly, they are run by the US civil company DynCorp, which uses former US police officers for running training courses, and are concentrating on training policemen and police sergeants. Policemen’s training is very complicated as more than a half of the policemen are illiterate. Training courses for illiterate policemen are longer and require more resources. Even though it is stated that by the beginning of 2006 more than 53,000 policemen would have been trained, at a district and province level many policemen still are untrained. Since trained policemen come back to their police stations under the command of untrained police officers, they either follow their incompetent orders and policies or leave the ANP, which many do. MoI does not have an effective and sufficient ANP personnel accountability system. All policemen personnel files are run at the province level and their careers are decided by the district and provincial chiefs of police. The decision to concentrate on police training is the right one and it is producing large numbers of trained policemen. However, without a sufficient follow-up supervision at the province and district levels, all training efforts by donor nations are not achieving sufficient results.

Unlike police in any western country, ANP member looks more like a soldier than a policeman. Police equipment includes automatic rifles, machine guns, and grenade launchers. There is no policeman who wants to be armed only with pistol. Even so, ANP is short of automatic rifles: at the district level there are normally some 15-25 rifles with some 100-120 rounds per rifle and policemen never have shooting practice because of ammunition shortage. At the province level almost every policeman has a rifle, but the same shortage of ammunition appears. ANP not only lacks weapons but uniforms too, and especially wintertime uniforms. ANP buildings at province and district level are in poor conditions. They do not have sufficient detention facilities, and detained persons share the same space together with policemen. Transport is another shortage. Transport, donated by donor nations, normally stays in Kabul at MoI. Transport, which goes to provinces, normally stays at province level, so districts normally have one vehicle, Russian-made UAZ as a rule. The police foot patrols are most common in rural areas, because of an old vehicle that cannot provide sufficient transport capabilities for patrolling. Moreover, every vehicle has financing only for 200 litres of fuel per month which in many cases is used by district chief of police to fill his
personal car. More striking situation is with communications. District and province police stations have one short wave radio station for communications and no communications equipment for patrols. Every province has few satellite or mobile phones, issued by the MoI, but no faxes or computer communications. Hence, all information is travelling either by radio or by official post making information exchange very slow and coordination of activities almost impossible. To improve the situation, many police officers are showing an initiative and using their private phones and cars but such ‘initiative’ legalizes the bribes they are taking from drug traffickers or illegal military commanders. The shortage of equipment and finances increases corruption of ANP, and decreases its ability to provide security for the Afghan people.

Nevertheless, ANP works very hard in ensuring security for the Afghan population. They establish checkpoints, conduct patrolling, investigate crimes. However, their abilities are not only limited by the shortage of equipment, but the shortage of specialists who can professionally run a crime investigation. ANP is also short of qualified support personnel; it lacks mechanics for their vehicles, weapons, for their radio equipment and etc. All recruiting efforts focus on policemen rather than specialists’ recruitment. In addition, no training courses are run for specialists. This leads to a situation where transport is out of order and cannot be used by ANP because there is nobody who can fix it. US designed a plan in 2005 which should allow coping with the situation. The Plan foresees the establishment of 5 ANP regional commands with the same borders of regional military commands, where every ANP region will have logistics capabilities developed. Provinces will also be subordinated to regions instead of being directly subordinated to the MoI (OCSA Briefing, 03/11/2005).

Germany is a leading nation for the ANP reform and is responsible for coordinating all ANP reform activities carried out by other donors. However, Germany has been focusing more on running Kabul Police Academy, not coordinating the ANP reform. Every ISAF PRT has national police adviser, but actions taken by these advisers are poorly coordinated, because they are not subordinated to ISAF: Every nation conducts its activities according to their national policy towards Afghanistan reconstruction. UNAMA is not coordinating ANP reform and has not established a UN police mission like in Kosovo. The US has
been running policemen training since 2003 and was the biggest donor for ANP. It spent $1.8 billion till 2005, while other nations only spent $246 million during 3 years (U.S. Government Accountability Office, 2005, p. 9). This lack of coordination between different nations and Germany’s inability to coordinate all actions lead to many problems with ANP.

In 2005, the US decided to become a leading nation for this pillar together with Germany and prepared the ANP reform plan which includes equipment, buildings for police, police pay and rank reform. Most importantly this plan establishes the concepts of Police Mentors Team taken from ANA reform plan - Embedded Training Teams. These Police Mentors Teams will be embedded at all levels, starting from the MoI and going down to the provinces (every province should have them) and districts (2 districts will have one Police Mentors Team). In addition, the US expanded OCSA functions by creating a division responsible for the ANP reform (OCSA Briefing, 03/11/2005). This plan should improve situation within the ANP and should allow achieving the aim agreed in the Afghan Compact. Not until 2006 did the US assign $1.2 billion for the ANP reform and delivered more than 8,000 vehicles for ANP in June 2006 (Ministry of Interior of the Islamic Republic of Afghanistan, 14/06/2006).

In conclusion, ANP reform has already achieved substantial results, but is still far from the established goal. Local recruiting, influence of local warlords, Germany’s inability to take full responsibility as a leading nation for the ANP reform and produce a sound reform plan without relying on Afghan Government lead leaves a lot of weaknesses in ANP and its ability to provide security. If the aim, as described in Afghan Compact is to achieve “a fully professional, functional and ethnically balanced Afghan National police and Afghan Border Police with a combined force of up to 62,000 being able to meet the security needs of the country effectively,” far more coordination and will by donor nations, in combination with efforts by Afghan Government is needed to support ANP reform plan.
2.1.3 DDR

One of the most important issues for ensuring successful post-conflict reconstruction is the disarmament and reintegration of all militias and combatants as it takes away the means of fighting and waging conflict again. DDR process for Afghanistan was agreed to start during Geneva conference in May 2002, but was not launched until October 2003. It took 1.5 year of preparations until the UN, international community, leading nation Japan and the AIA were ready to start the process. The main purpose of DDR was to disarm AMF, to demobilize militia soldiers and to integrate them into a society by providing them vocational training and some capital to start their own business. Disarmament and Demobilization phase ended in June 2005. Although figures look quite impressive and a huge amount of ammunition was collected, the results of DDR are very controversial; some 63,000 combatants entered the process, some 35,000 light weapons and over 9,000 heavy weapons were collected (ISAF HQ Briefing 05/11/2005).

Firstly, collected weapons were heavy: tanks, armoured personnel carriers, artillery guns, which had no utility when international military force was in the country and which were mostly unserviceable. Collected light weapons were mostly obsolete. Figures also show that only some two thirds of whose who entered DDR process handed in weapons. Others handed in only ammunition. This meant that a lot of weapons, in reality the biggest part of them, remained in the hands of Afghan population or illegal military commanders.

Secondly, DDR process allowed disbanding the AMF and had many of AMF Corps' and divisions' commanders kept under the governmental control. However, many of them are criticizing Afghan government policy decisions and are very disappointed that they are left out of policy making or without governmental positions. Many of them still maintain their own illegal military groups, which control small areas, few villages, collecting illegal taxes or are involved in drug trade. Lots of them are village elders and have huge power and influence. This means that DDR process did not disarm combatants. It only allowed disbanding the AMF as a military force. The influence of AMF was diminished at a national level, but many former military commanders preserved their influence at provincial, district or village level.
Thirdly, reintegration phase ended in July 2006 and allowed some 55,000 former combatants entering the process to integrate into society and receive vocational training or start their own business. Every ex-combatant was paid $700 for every weapon to be handed in, and Japan spent some $150 million to complete the project. Their labour skills, however, are very poor. For example, they are taught how to make tables for schools the quality of which was very low. Most of them became shopkeepers and only a small amount of them became farmers. When they came back to their villages they still maintained their loyalty to their former military commanders, or some of them continued their service for them with weapons.

Fourthly, even according to the official estimates there are still some 1,800 illegal armed groups left which have some 120,000 troops with weapons. In reality, this figure should be some 20-30 times higher. Afghan population still illegally keeps at least some 3-4 million light weapons and big amount of ammunition. In June 2005, a new process started - Disbandment of Illegal Armed Groups (DIAG), which aims to get rid of all illegal armed structures and re-establish rule of law\(^8\). It is organized in three phases: voluntary, negotiated and forced. Some 23,000 light weapons were collected up till June 2006, but the process has been run with greater success only in four provinces, Laghman, Kapisa, Herat and Farah, and with some success in some northern provinces. However, there were no DIAG activities in the south of Afghanistan. The first challenge of DIAG was the preparation for National Assembly and Provincial Council Elections. 207 candidates were identified as illegal military commanders and called for disarmament, 24 candidates handed over some weapons, 34 candidates were disqualified, and others withdrew their candidature. According to Afghan Compact, all illegal armed groups should be disarmed till the end of 2007. This, however, looks very unlikely while looking especially at the decision of President Karzai that allows community policing in southern districts of Helmand province. This could stop all DIAG activities.

Finally, DDR process allowed establishing disarmament structure, procedures and developing Afghan capabilities for running the process. In addition, DDR pillar is the only one in SSR for the UN to have bigger involvement in the process. The DIAG Steering Committee is chaired by the vice-president of Afghanistan (Strategy of Disbandment of Illegal
Armed Groups in Afghanistan, 2006) and all activities are coordinated with international community. DDR and now DIAG processes were not run by international community. Afghan authorities, with the help of international community, are in charge there. Japan’s leadership was only shown by financing the process, not running it.

2.1.4 Counter-narcotics

Counter-narcotics as a separate SSR pillar is special feature of post-conflict reconstruction in Afghanistan. It normally belongs to the pillars of justice/law and order. This is different in Afghanistan. ANP is one of the main structures conducting all implementation of counter-narcotics operations. It established counter-narcotics departments at provincial level, but UK was assigned and established a separate pillar. Drugs (opium and later heroin) production has a long history and tradition in Afghanistan. The production, however, dramatically increased during the 1980’s (Medler, 2005, pp. 275-291) and in 2005 Afghanistan produced 87% of the world opium quantity (United Nations Office on Drugs and Crime, 2005, p. 8). The biggest part of this production reaches Western Europe. Due to this, drug production is the most challenging issue for Afghanistan security in a longer perspective and thereby to the global security as well. In reality almost half of Afghan economy relies on illegal drug business but as Ali Jalali states, Afghan farmers and drug traffickers get only 10% of the Afghan drug sales income. The rest 90% goes to traders outside Afghanistan (Jalali, 2006, p. 11). Counter-narcotics were designed as a separate SSR pillar because of this threat to the rest of the world, and especially the UK (Foreign and Commonwealth Office).

Since 2002, there have been many talks, planning and preparations. Afghan Government has declared poppy growing illegal each year, which, despite of the prohibition, continued to increase with the exception of 2005. Local warlords are paying villagers for poppy growing and getting huge profits, which are used to finance their private military armies and to bribe government officials. A lot of governmental officials are also involved in this activity either by not seeing who is growing or destroying the opponents’ poppy fields. District, provincial officials, policemen are bribed for these activities thereby destroying the Afghan farming and moreover the trust in governmental authorities.
UK designed a counter-narcotics plan, which draws up 4 lines of operations: targeting the traffickers and the trade; strengthening and diversifying legal rural livelihoods; developing effective CN institutions and demand reduction. This plan has been run for a few years. However, it was not until 2005 that the ministry of counter-narcotics was established and the counter-narcotics force was established and trained. In 2006 large poppy eradication campaign began, destroying poppy fields especially in south of Afghanistan and mostly targeting farmers who were cultivating poppy. This was met by fierce resistance from farmers, as they are mostly paid by drug traffickers or, in many cases, forced to grow poppy. Many Taliban medium level commanders in the south and the east are involved in this business too. They get their activities financed and, at the same time, target government authority to undermining it. Farmers started an open resistance to poppy eradication force and governmental forces at the same time, because for them it is the government and international forces that are destroying their main source of living. Suddenly, many areas in south and east of Afghanistan became no go areas for governmental officials and internationals. These became the areas where illegal military commanders, and in many cases the Taliban, are in control and exercise their authority. The campaign has concentrated on farmers, not drug dealers and traffickers. This raises a question: is it right to target farmers, but not dealers, and who is gaining an advantage in the situation? Moreover, there are many cases where some fields were destroyed and others were left growing. This meant that local government officials destroyed their opponents’ fields and preserved their supporters’ fields. Focus on farmers, but not traffickers and dealers, challenges the security situation and further increases corruption. It would be better going after traffickers and dealers by arresting them and confiscating drugs. Farmers should be targeted through alternative livelihood programmes.

Alternative livelihood programmes for farmers have so far focused on giving them seeds and fertilisers. However, they also need water for growing wheat and other crops. The farmers have little knowledge of how to grow crops and lack sufficient agricultural equipment. Most importantly, a hectare of poppy fields provides a profit 10 times higher than that of wheat. Alternative livelihood projects should concentrate on irrigation, farmers’ education and granting them cheap loans. In addition, infrastructure needs to be developed for the delivery and distribution of
agricultural products. Moreover, alternative livelihood programme concentrates on provinces, where poppy growing is the biggest industry and provinces with smaller quantities of poppy fields are left without any help from Afghan governmental authorities. Alternative livelihood programmes there are much more limited or virtually non-existent. In seeing that they were left without support by following government’s policy and not farming drugs, these farmers would start growing poppies next year. Alternative livelihood programmes should first and foremost concentrate on helping farmers who are not growing poppies and present them as role models for those who are. Poppy growers should see a model. The present situation is the opposite: those who grow poppies get help from the government and those who do not - are left without help. This does not help to eradicate drug industry. It fuels it.

80% of Afghan produced drugs end up in Pakistan where they are shipped to the drug underground. ANP does not control border with Pakistan. At the same time, Pakistan authorities are unable to control border with Afghanistan, especially in Balochistan province. Having this border open facilitates drug trafficking. So far, no attempts have been made by the Afghan government or international military forces to secure this part of the border with Pakistan.

International community - mainly the UK and the US - helped Afghanistan to create institutions to fight the drug problem: Central Poppy Eradication Force, Counter Narcotics Police of Afghanistan and a Criminal Justice Task Force. In 2005 these forces arrested about 600 drug traffickers, including 19 governmental officials, seized 40 tons of drugs, destroyed 15,000 hectares of poppy fields (News International: Pakistan, 6/07/2006). These figures look quite impressive; however, it only made up 1% of Afghan drug production in 2005, and only 63 of arrested were sentenced. Formation of a special counter-narcotics force created an additional law enforcement structure that has basically not achieved any of the declared aims. The amount of produced drugs has not decreased, Afghan farmers are threatened and oppose the government, security is decreasing, and the Taliban is increasing its influence and has a wider recruiting base. Counter-narcotics operations have so far not enhanced security in Afghanistan.
2.1.5 Judicial reform

According to the post-conflict reconstruction theory, justice and reconciliation is a separate pillar in post-conflict reconstruction. However, judicial reform for Afghanistan is set under the SSR as a separate pillar, and Italy is the leading nation. Judicial system was worse off than Afghan police. Afghan judicial system during the Taliban regime was based on Islamic Quaran, and judges’ functions were conducted by mullahs. There was no independent judicial system separated from religion and the ruling regime or local warlords. Bonn Agreement established the legal framework for future Afghanistan where it was decided that the judicial power is independent and vested in the Supreme Court.

Following Bonn Agreement, AIA established Ministry of Justice, responsible for developing laws and correctional facilities (prisons), Attorney General Office, responsible for prosecution, and the Supreme Court, responsible for implementing justice. Courts with 2-4 judges and 4-5 court officials were established in every district. District courts are subordinated to province court, which consists of 8-11 judges and up to 20 court officials and is subordinated to the Supreme Court, the judges of which are appointed by the President. Every province has an Attorney’s office and a prison, which are subordinated to the Attorney General Office and the Ministry of Justice respectively. In addition, the MOD has its own military prosecution system for military personnel. The MOD has a military Attorney General and a military Attorney in every province. Judicial Reform Commission was established, the task of which is to rebuild justice system in accordance with Islamic principles, international standards, the rule of law and Afghan legal tradition.

All these judicial institutions were established by AIA very fast and all positions were filled. However, the level of competence amongst these people raises lots of questions and problems, especially at the provincial and district level. Judges are mostly mullahs, educated in madrasas without any education in law. They are mostly using Quaran not legal codes, and their understanding about human rights and legal system is very basic. Attorney offices are mainly filled with personnel without any legal education and who are largely former mujahedin commanders or fighters. Their understanding about prosecution is non-existent and in
many cases they follow the guidance of provincial governors’ about who 
has to be prosecuted and how. Not a single warlord or more influential 
person has so far been prosecuted. There have been many cases where a 
provincial governor or a chief of police decides who and how has to be 
prosecuted. This shows that judicial system at the province and district 
level is far from becoming independent. Uneducated personnel still 
follow Afghan legal traditions and Islamic laws and not the rule of law 
and international standards. There have been many instances where 
village elders are conducting justice in their villages even in such cases as 
murder. Moreover, judges and district authorities recognise their 
decisions. Many of the villagers do not still know that they can go to a 
court; they rely on the decisions of village elders and mullahs. All this 
shows that the shortage of educated and experienced personnel prevents 
a society from having efficient and transparent legal institutions.

Italy, as the leading nation, focuses on education and training; Italian 
Justice Project office is running training courses for judges and 
prosecutors, but so far only some 20% of judges and prosecutors went 
through some formal training courses (ISAF 05/11/2005). Additionally, 
National Training Centre has been established and work is underway on 
restructuring curricula for academic institutions to educate future judges 
and lawyers. Work is also in progress on reforming Afghan law, the 
process of which is very slow. It will take a few decades until Afghanistan 
can have some sort of a functioning judicial system, especially at the 
province and district level.

More appalling is the situation with addressing past abuses and crimes. 
Courts are not dealing with them. People and villages often start conflicts 
with each other because of the killings, land occupation and kidnappings 
in the past. Nothing has been done so far and since many of these who 
conducted abuses in the past have now been elected to the Parliament or 
have governmental positions, it is hard to tell whether addressing these 
issues will be possible in the future. The UN helped establish the Afghan 
Independent Human Rights Commission, which collects all data, 
promotes human rights and tells people about human rights. Yet, no case 
has reached the court.

To sum up, the judicial reform led by the Afghan Government and 
international community is only advising and consulting. So far,
Afghanistan has not managed to build any independent judicial system and there is little hope that this can be accomplished. Afghanistan judicial system is too dependent on Quran, mullahs and governmental officials. Reconciliation process has not begun and the international community has made too few efforts to start it.

**Conclusion**

This article analysed how the two pillars of post-conflict reconstruction – security, justice and reconciliation - have been conducted in Afghanistan. International military forces have been fighting terrorism and insurgency, providing security for the AIA and the UN, facilitating development of secure environment and reconstruction efforts. Tasks, which should be run by international military forces in a failed state under the security pillar - control of belligerents, territorial security, protection of the populace, protection of infrastructure and institutions - were left to the Afghan Government. The security pillar, which is central in conducting post-conflict reconstruction and creates conditions for implementation of other 3 pillars, has therefore not been implemented by the international community.

Security Sector Reform was designed with the aim to reform Afghan security institutions, ANA and ANP, rather than reconstructing them. Moreover, before being reconstructed, they had to provide security. Only ANA reform has been clearly led by international community. ANP reform has been led by the Afghan Government. DDR and judicial reforms have been led by the Afghan Government too, but have not achieved their aims. AMF structure was disbanded, but former fighters have not been disarmed, and means for waging future conflicts still remain in the hands of the population. Neither has justice reform eliminated the causes, which might lead to future conflict. International community has put much effort in counter-narcotics, but has not achieved any positive results.

It could be stated that in Afghanistan we are dealing with a nation in the building process and not post-conflict reconstruction. International community has not taken responsibility for providing security and meeting all the essential needs as is required in post-conflict situation in a failed state. International community has focused on political reforms and
building governmental institutions, which can provide all essential needs with its own help. However, security was not assured by the international military forces and provision of security was left to the Afghan institutions. By doing so, governance was left without security. This does not meet the requirements or definition of the post-conflict reconstruction theory. Instead of the first phase – post-conflict reconstruction, where we should have started, we are in the second phase of nation building where international community is helping to create self-sustaining state institutions.

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1 Author established and commanded ISAF Provincial Reconstruction Team in Afghanistan Ghor province in June-November 2005. Many of examples and thoughts are from author’s observations and meetings with local people, local warlords, provincial and districts governmental officials, and different organisations in Afghanistan.

2 Interviews with local warlords in Ghor province in 2005.


8 See more at http://www.diag.gov.af/.

9 See 'Field Notes Afghanistan Insurgency Assessment, Op Cit.

10 Ghor province has 18 judges, but only chief judge of province was educated in university in Pakistan. His subject was Islamic studies. Other judges are mullah, educated in madressas, or even madressas students who are undergoing on the job training in order they could become judges in future. The same situation is almost in every province.

11 Author observed 6 conflicts in 6 months, which were between families or villages, where everyone was accusing each other for killings, kidnappings and land occupations in the past.