

EUPOL Afghanistan: Civilian Policing in a War Environment

Thierry Tardy (¹)

European Union Institute for Security Studies

Abstract

EUPOL Afghanistan was established in 2007 as a non-executive Common Security and Defence Policy (CSDP) civilian mission, and came to an end in December 2016. Its primary objective was to strengthen the Afghan National Police (ANP) in the domain of civilian policing.

EUPOL did contribute to the reform of the ANP, which was one condition for Afghanistan's long-term stability. At the EU level, the Mission contributed to shaping the current civilian CSDP – and the EU is today better equipped to plan and run civilian missions. Yet the nature and scale of the challenges that EUPOL faced were huge, and the Mission was not designed and resourced to effectively tackle those challenges.

Most specifically, the fact that the Mission focused on civilian policing (and 'community policing') while most of the ANP was involved in counter-insurgency operations – and was therefore going through a process of militarisation – was a recurrent problem. Even the concept of 'civilian policing' seems to have been problematic as it suffered from at times diverging national interpretations rather than being a Mission-wide well-understood concept.

In this context, lessons identified include the necessity, first, to sufficiently prepare the mission and identify its objectives and added-value in relation to the local context and other international actors; second, to properly calibrate the division of responsibilities among EU monitoring bodies based on their respective functions (political vs. operational, HQ vs. field); and, third, to ensure a smooth transition between the mission and follow-on actors or programmes.

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(¹) Correspondence email: thierry.tardy@iss.europa.eu

EUPOL Afghanistan was established by the Council of the EU on 30 May 2007 as a non-executive Common Security and Defence Policy (CSDP) civilian mission. ⁽²⁾ It was mandated to ‘significantly contribute to the establishment under Afghan ownership of sustainable and effective civilian policing arrangements, which will ensure appropriate interaction with the wider criminal justice system, in keeping with the policy advice and institution building work of the Community, member states and other international actors.’

To fulfil these objectives EUPOL was mandated to:

- a. work on strategy development, while placing an emphasis on work towards a joint overall strategy of the international community in police reform, taking into account the Afghanistan Compact and the interim-Afghan National Development Strategy (i-ANDS);
- b. support the Government of Afghanistan in coherently implementing their strategy;
- c. improve cohesion and coordination among international actors; and
- d. support linkages between the police and the wider rule of law.

EUPOL’s *modus operandi* included monitoring, mentoring, advising and training (from 2014, following a revision of EUPOL’s Operation Plan (OPLAN), this was adjusted from mentoring to advising on a strategic level).

The Mission was launched in mid-June 2007 and officially terminated at the end of 2016. It was the first civilian CSDP mission to be deployed in a war-like environment. Three casualties were reported during EUPOL’s ten year mandate.

Total expenditure for EUPOL was approximately €450 million (to which one should add the cost of seconded personnel), i.e. an average of €45 million per year with a peak at approximately €70 million in 2014 (budget annualised). ⁽³⁾ By comparison, the European Commission commitment (under the Development Cooperation Instrument) to support the rule of law in Afghanistan is €319 million for the period 2014-2020. ⁽⁴⁾ EUPOL’s overall costs made it the second most expensive civilian mission ever after EULEX Kosovo.

Operations and missions that fall within the realm of the EU’s CSDP are all context-specific yet many of them face similar challenges, among which are over-ambitious (and often too Western model-driven) mandates, fluctuating support from member states over time, weak local buy-in, difficult coordination with other international and local partners, lack of insertion into a broader EU strategy, and a gap between what these missions bring and what the country actually needs or wants. Overall, the size of CSDP missions also makes it difficult

⁽²⁾ Council of the EU, Council Joint Action 2007/369/CFSP, 30 May 2007.

⁽³⁾ See *Yearbook of European Security 2016* and *Yearbook of European Security 2017*.

⁽⁴⁾ See ‘EU announces further support for the development of Afghanistan’, European Commission, Press Release, 11 October 2014.

for them to generate a significant impact; as a consequence, they tend to remain at a 'sub-strategic' level.

Although EUPOL Afghanistan had its own specificities and did not necessarily resemble other 'typical' CSDP missions, it was however affected by quite a few of those general challenges.

EUPOL's mandate

EUPOL's primary objective was to strengthen the Afghan National Police (ANP) in the domain of civilian policing. The Mission drew on what had been done by the German Police Project Office (GPPO) since 2002. EUPOL's main target were the higher ranks and senior leadership of the Afghan Ministry of the Interior (MoI) and the ANP, i.e. it aimed at supporting the reform through 'strategy development' rather than through classic training of the lower levels. Throughout EUPOL's presence, the question of how fitting that mandate was for the Afghan needs was constantly raised.

The general framework of this debate was defined by Afghanistan's highly volatile environment, which raised issues about the ability of EUPOL's staff to operate throughout the country (beyond Kabul), the extent to which (and the mechanisms through which) the Mission could be protected, and the degree of suitability of the Mission to its environment.

The security situation in Afghanistan overall made it difficult for EUPOL to operate outside of Kabul, while its dependency from NATO for its own security undermined its freedom of manoeuvre (not to mention the difficult EU-NATO relationship that prevented any formal arrangement between the two institutions) (Fescharek, 2015: 51-53).

Most specifically, the fact that the Mission focused on civilian policing (and 'community policing') while most of the ANP was involved in counter-insurgency operations – and was therefore going through a process of militarisation – was a recurrent problem. Given the nature of the environment and the scale of the challenges, should EUPOL rather support the ANP through counter-insurgency training, or at least move away from the soft 'community policing' focus to better match the ANP's immediate needs?

Even the concept of 'civilian policing' seems to have been problematic as it suffered from at times diverging national interpretations rather than being a Mission-wide well-understood concept. Civilian policing was not dismissed as such; it was seen as both necessary in the long run and complementary to other security-related programmes that were shorter-term or simply different. Yet its prioritisation by the EU was internally contested and perceived as the result of 'what the EU and its member states were able and willing to offer' more than what was most needed or requested locally. In the end, what the EU was willing to achieve

through EUPOL did not seem to have been given sufficient attention at the early stage of mandate design.

In addition, EUPOL's mandate was complicated by the nature of its target audience – the Afghan police – characterised by a high degree of illiteracy (up to 80 %) and corruption (in both law enforcement and judicial institutions), making any hope to significantly impact its level of performance rather low.

The lack of resources

The credibility and effectiveness of CSDP missions is to a large extent dependent upon the degree of support they receive from the member states, be it in political, financial or human resources terms. Such support has never been very strong in the Afghan case. EUPOL never reached its authorised strength of 400 staff (it peaked at 350 in January 2012 and then slowly declined) and it took two years to meet the initial authorised strength of 200. ⁽⁵⁾

This was partly the consequence of parallel needs in EU civilian missions (in particular EULEX Kosovo and the EU Monitoring Mission in Georgia) as well as of security concerns on the part of member states that were seconding personnel. Competence was also an issue: getting staff with the right experience (in particular in ministry reform) proved to be challenging throughout, and many positions were often not filled because of lack of applicants. These problems attested to a limited commitment from member states to the Mission and its core objectives, on which no clear consensus emerged over time.

Furthermore, difficulties at the early stage of the Mission to get IT equipment or even basic office material revealed EU logistical and procurement problems that did undermine EUPOL's start. It also took some time for the Mission to get a working chain of command and clear reporting lines with the Field Offices.

Equally important – and problematic – was EUPOL's leadership, particularly at the beginning, with three different Heads of Mission during the first 18 months. Overall, it seems that most Heads of Mission faced difficulties in relation to their mandate, their own state authorities, the local actors, or the Brussels-based institutions. Some ended their term in truly peculiar circumstances. But it also appears that HoMs suffered from a sort of 'capability-expectations gap' no matter how dedicated they were or could have been.

⁽⁵⁾ European Court of Auditors (2015) The EU police mission in Afghanistan: mixed results. Special report. p.16.

The quest for coherence

EUPOL was supposed to aggregate European activities in the police domain (to be the 'European voice on police reform') and thus provide one of the building blocks of the stabilisation efforts, in accordance with some sort of division of labour with other international actors, most notably NATO. Such burden-sharing provided the rationale for EUPOL's focus on civilian policing.

Yet EUPOL suffered from EU fragmentation. Internal coordination between EUPOL itself, the EU Special Representative (EUSR) and the EU Delegation was initially rather weak (the establishment in 2011 of the EEAS, and the subsequent double-hatting of the EUSR and HoD did help). Yet coordination in the police domain remained difficult and local actors were often lost as a consequence. For example, the International Police Coordination Board (IPCB) that was supposed to enhance police-related coordination and was supported by EUPOL with staff and logistical support, faced significant obstacles.

Fragmentation was also the result of parallel European police programmes. A few member states maintained national activities in support of the Afghan police and also participated in the NATO-led police training mission (NTM-A). In some cases these different activities reflected diverging views on EUPOL's civilian policing approach. As a result, EUPOL by and large failed to become a 'single framework' for the member states' action in the police domain.

Furthermore, EUPOL's modest size and role limited its ability to influence international efforts, notably on the virtues of community policing in its dialogue with NTM-A. EUPOL was a political actor on the Afghan scene, yet it lacked the expertise and the clout required for such a political role. Therefore EUPOL remained a marginal actor within the broader stabilisation activities throughout its mandate, and hardly central even in the police domain. In the end it was the overall lack of a common strategic direction that negatively impacted police reform in Afghanistan.

What strategic direction?

As any CSDP mission, EUPOL was placed under the political control and strategic direction of the Political and Security Committee (PSC) and was the constant object of close scrutiny from Brussels institutions: first DGE-IX of the Council's Secretariat, then the EEAS Civilian Planning and Conduct Capability (CPCC) as well as the Commission's Foreign Policy Instruments (FPI) and the member states (through the PSC and the Committee for Civilian Aspects of Crisis Management [CIVCOM]).

The Brussels-Mission relationship has been assessed differently by external audits. On the one hand, it has been criticised for being too slow and complicated in contrast with the pace of

change on the ground, which seems to have been the reason for tensions with some Heads of Mission. ⁽⁶⁾ The extent to which the PSC or CIVCOM were indeed able to truly grasp the complexity of the situation on the ground was deemed limited. On the other hand, EU member states and the EEAS have been presented by the European Court of Auditors, in 2015, as 'reasonably flexible in adjusting EUPOL's mandate in line with changing priorities' on the ground. ⁽⁷⁾

Either way, this raises the issue of the degree of autonomy that a Head of Mission should enjoy so as to be reactive to any evolution *in situ* versus the level of monitoring (macro- vs. micro-management) by Brussels institutions and member states and the necessity to retain control over what they saw as a highly sensitive mission.

Strategic and operational guidance provided by the EEAS and produced at Mission level was also to an extent improvised and done in an *ad hoc* manner before it became more systematic and professional. At the operational level, initial Mission Implementation Plans (MIPs) seem to have been too complex before some improvements were made.

EUPOL's achievements

What EUPOL has actually achieved has always been hard to evaluate, due to the difficulty to gather data from Afghan interlocutors and to methodological hurdles (adequacy of MIP and benchmarks, especially for non-quantitative estimates). Additionally, no impact could really be measured whenever the ANP was employed in activities that had not been the object of EUPOL's training (like counter-insurgency, for example). Practically, the Mission was also torn between the permanent scrutiny of the member states (combined with pressure for results) and the inherently slow pace of any progress on the ground.

EUPOL's achievements have been documented in various reports that converge on the fact that the ANP overall benefited from EUPOL's assistance, while huge challenges remain. For the House of Lords Report, for example, the work EUPOL did was 'more valuable than that of many other multinational missions in Afghanistan'. ⁽⁸⁾ The fact that the ANP was in such bad shape when EUPOL deployed made its mandate challenging and even questioned EUPOL's rationale, but it also created a situation where virtually any change could only be positive and tangible.

More specifically, EUPOL seems to have delivered on at least two of its four lines of operations, namely 'advancing institutional reform of the Ministry of the Interior' and 'professionalising the national police'. The third ('connecting the national police to justice reform') and the fourth ('international coordination') have been the most difficult ones. Most notably, a joint approach to both police and the judiciary was never really implemented.

⁽⁶⁾ House of Lords (2011) *The EU's Afghan Police Mission. Report with evidence*. p.30.

⁽⁷⁾ European Court of Auditors (2015) *The EU police mission in Afghanistan: mixed results. Special report*. p.19.

⁽⁸⁾ House of Lords (2011) *The EU's Afghan Police Mission. Report with evidence*. p.8.

EUPOL contributed to the reform of the Afghan Mol and did help improve strategic and operational frameworks (including strategic thinking and drafting of policies and regulations). The training dimension of EUPOL's mandate has led to some results, including the number of training courses run and the associated number of trainees, the support to the Police Staff College (that trains the police leadership), the 'train-the-trainers' approach, and the targeting of higher-rank officers (covered by no other programme). These all contributed to the professionalization of the ANP. Whether this is better able to ensure the safety of Afghan citizens as a result of EUPOL, however, is more difficult to assess, while doubts are widely expressed about the ANP's performance.

The mentoring and advising side of the Mission was also challenging. The selection of mentees, the analysis of Afghan capacity gaps (to be addressed through mentoring and advising), and the high turnover of both Afghan and EUPOL officials, have all proven to be problematic and thus further limited impact.

The sustainability of EU efforts is also in question. Sustainability of what has been achieved depends first and foremost on the broader security situation in Afghanistan, which is way beyond the EU's control. More specifically, sustainability depends on whether police reform has become a genuine Afghan and locally-owned rather than externally-led process. The high financial dependency of the Ministry of the Interior on international donors, the prioritisation of counter-insurgency tasks within the ANP (over civilian policing), the level of corruption and the high attrition rate within the Afghan police speak against such sustainability.

One way by which EUPOL has tried to ensure a certain level of sustainability has been through focusing on key systemic elements of the Afghan Mol and ANP reform such as the revision of regulatory frameworks, clarification of Mol and ANP respective responsibilities, and development of oversight mechanisms.

Finally, sustainability is to a large extent dependent upon the nature of the post-EUPOL transition and how the previous programmes are taken over by other actors, be they EU (under the lead of the EUSR), international (the UN in particular, but also national agencies), or local ones (Afghan Mol and ANP). Yet the transition was addressed at a very late stage, creating a gap between the end of the Mission and the start of handover activities.

Lessons learned

EUPOL faced two sets of challenges – one EUPOL-related and one context-related.

Mission-related constraints pertained to:

- mandate design and adequacy to the needs;
- resource allocation and member states' support;

- coherence and strategic direction of the international stabilisation efforts; and
- transition strategy.

Context-related constraints pertained to:

- the volatility of the Afghan context;
- tensions created by the deployment of a civilian mission in a war situation;
- the state of disarray of the ANP and Afghan security sector.

In addition, EUPOL was one of the first CSDP civilian missions, created at an early stage of the EU's civilian crisis management development (the EEAS did not exist until 2011), and was the first one to be deployed in a war-like context.

Overall, EUPOL did contribute to the reform of the ANP, which was one condition for Afghanistan's long-term stability. At the EU level, the Mission contributed to shaping the current civilian CSDP – and the EU is today better equipped to plan and run civilian missions (or to decide not to do so). Yet the nature and scale of the challenges that EUPOL faced during its ten-year presence were huge, and the Mission was not designed and resourced to effectively tackle those challenges. In the end EUPOL's achievements were limited and the medium-term sustainability of what has been achieved is far from being guaranteed.

In this context, lessons identified include the necessity, first, to sufficiently prepare the mission and identify its objectives and added-value in relation to the local context and other international actors; second, to properly calibrate the division of responsibilities among EU monitoring bodies (PSC, CIVCOM, EEAS, HoM, EUSR) based on their respective functions (political vs. operational, HQ vs. field); and, third, to ensure a smooth transition between the mission and follow-on actors or programmes.

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