

**GOVERNMENT RESPONSE TO HOUSE OF LORDS SELECT COMMITTEE  
ON THE EUROPEAN UNION REPORT ON  
EU'S POLICE MISSION - AFGHANISTAN**

**House of Lords EU Select Committee Report on EU's Police Mission –  
Afghanistan**

**HMG Response**

The Government welcomes the Committee's report on the EU Police Mission (EUPOL) Afghanistan. The UK is a major contributor to international police reform efforts in Afghanistan, including both the NATO and EU police training missions, and we take our responsibilities in respect of these missions very seriously.

To build on the progress made in growing the strength and professionalism of the Afghan National Police, the Government of the Islamic Republic of Afghanistan (GIROA) pledged at the Kabul Conference in July 2010 to continue to implement the Afghan National Police (ANP) Strategy and its underpinning Police Plan. It committed to focus on leadership development and institutional and administrative reforms of the Ministry of Interior, including the implementation of the Ministry's Anti-Corruption Action Plan.

For its part, the International Community committed at the Kabul Conference to support GIROA in creating the conditions necessary to enable transition to Afghan-led security. This would involve continuing to support the development of the ANP until they are fully capable of maintaining internal and external security, public order, law enforcement, the security of Afghanistan's borders and the preservation of the constitutional rights of Afghan citizens.

As part of the NATO-led International Security Assistance Force (ISAF), the NATO Training Mission - Afghanistan (NTM-A) leads the International Community's efforts on both Afghan National Army (ANA) and ANP development, with more than 5,000 personnel under its command. Its mandate is to deliver the large-scale recruitment, equipping and training of all ANA and ANP across the country, which includes addressing issues of attrition and illiteracy. This immense task explains the large size of NTM-A, particularly compared to other police development efforts in Afghanistan.

The smaller but equally important EUPOL Mission provides the strategic and civilian policing expertise needed to develop a capable, accountable and sustainable police force. Its work complements other international police reform programmes, including NTM-A, by focusing on a limited number of areas including civilian policing skills – such as intelligence-led policing and criminal investigation – anti-corruption, gender issues and building links with the wider criminal justice system. This is achieved through extended and specialist training, mentoring at the provincial and national levels, and supporting and shaping reform efforts within the Ministry of Interior.

The Government recognises that, whilst EUPOL has had some successes, it is not yet delivering to its full potential. Its capabilities have been stretched by the challenges of operating in such a complex conflict environment. The inevitable focus on short-term results and early signs of success in police reform do not always sit easily with EUPOL's longer-term vision. The reality is that many parts of Afghanistan are not yet ready for civilian policing, so EUPOL's ability to demonstrate impact is limited compared to its

military partner, NTM-A. The mission recognises that the work of developing a civilian police force in Afghanistan will extend far beyond 2014 and does not expect its work to be finished within this timeframe. Its immediate focus is to support GIRoA in building the foundations of a police force capable of sustaining transition to Afghan-led security.

EUPOL therefore has an important role to play in helping GIRoA develop the ANP and the Government is committed to supporting the mission. The Government welcomes the improvements in the mission's performance over recent months, while recognising further progress is needed. EUPOL must build on recent momentum by delivering more concrete examples of its ability to add value.

## **THE OPERATING ENVIRONMENT**

### **Illiteracy, drug-taking and human rights**

**1) The lack of literacy in the Afghan police is a fundamental problem hindering its development. The EU, the Afghan government and international players should make a major investment in the literacy of police officers and new recruits. This will enable them better to pursue community policing, including criminal investigations and is the most tractable of the issues surveyed here. So far there has been insufficient focus on literacy in the Afghan police and we call on the Government and the EU to increase funding and other support for this crucial area (paragraph 106).**

The Government agrees that literacy is key to the development of an effective police force and we are supportive of measures to increase levels of literacy in the Afghan National Police (ANP). The NATO Training Mission – Afghanistan (NTM-A) has taken the lead responsibility in providing literacy training to both the ANP and the Afghan National Army (ANA). We welcome this as we recognise that NTM-A is better equipped to deliver this sort of large-scale training.

NTM-A now provides literacy as a mandatory element of training for new and existing recruits and is providing ongoing literacy training in 300 police districts. As of February 2011, 61,000 ANSF have already been trained to US-standard elementary school first grade level of literacy and 59,000 are currently in training, with plans to expand capacity to have 100,000 ANSF personnel in literacy training by October 2011. It is expected that 50% of all ANSF will have received literacy training by autumn 2011.

**2) We support EUPOL's mandate to mainstream human rights in its work and urge EUPOL to continue to support the Afghan Ministry of the Interior's efforts to eliminate torture from the system and to investigate allegations of abuses (paragraph 107).**

The Government agrees with the importance of the Afghan police force respecting human rights. The ANP should not exploit or abuse the citizens it is responsible for protecting. That is why the UK is supporting EUPOL's work in this area, by helping to strengthen the capacity of the Inspector General's Office (IGO) to prevent, investigate and, where appropriate, prosecute wrongdoing within the ranks of the Ministry of Interior (MoI) and ANP. In addition, the NTM-A basic training provided to all new ANP recruits includes core civilian policing elements which cover Human Rights.

EUPOL does not have an executive mandate, so cannot take executive action if it comes across human rights abuses or torture. However, all EUPOL staff members have an obligation to report cases of malpractice, corruption and incompetence through the appropriate chain of command within the Afghan authorities and human rights institutions. For example, in the latter half of 2010, the Community Police and Justice Program (CPJP) in Meymaneh, with support from EUPOL, was instrumental in the reinstatement of a female police officer whose employment was terminated to the benefit of a male police officer upon the order of the local chief of police. This is a good example of EUPOL's efforts to raise human rights awareness in general and more specifically to mainstream this through the Mission's work with the ANP.

### **Attrition rate**

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

The Government of Afghanistan and the International Community recognise that tackling the causes of attrition is essential for the creation and maintenance of an effective police force. That is why NTM-A is working with its Afghan partners to introduce changes within the MoI to address the issues highlighted by the Committee. This work falls within NTM-A's responsibilities, as part of their force generation mandate. NTM-A is also working towards the implementation of an operational deployment cycle. Significantly, the Minister of the Interior implemented in the course of 2010 a range of policies that introduced personnel laws, legally enforceable obligatory service lengths and retirement ages.

The Government recognises that even though EUPOL does not have the mandate or the capacity to deliver in this area, its work is still having a positive impact on attrition. More effective training programmes by both NTM-A and EUPOL have raised overall levels of professionalisation in the ANP, and NTM-A is providing greater training and equipment to help the police to defend themselves. EUPOL's work to increase standards of leadership should result in improved operational decision-making and discipline within the ANP. In addition, EUPOL's efforts to reform human resources structures within the MoI will help to create a police force that is more efficient and offers improved support and benefits to its members. EUPOL is advising the MoI in their work to revise the ANP Code of Conduct, an ethical code and set of standards which guides the behaviour of police officers. All of these efforts have a positive effect on the pride ANP officers take in themselves and their work.

As a result of this work, the monthly ANP attrition rate has been consistently decreasing and was 1.8% in January 2011. The average monthly rate between February 2010 and January 2011 was 1.4%, meeting the set target. Of the five ANP 'pillars', it is only the Afghan National Civil Order Police (ANCOP) – the gendarme style arm of the ANP who are the lead police organisation in counter-insurgency operations and work in close cooperation with the ANA - which still has an unacceptable, albeit declining, attrition rate. This stood at 3.5% in January 2011.

## **Corruption, organised crime, infiltration**

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

The Government recognises that corruption remains a serious problem in Afghanistan and hampers the development of an accountable and legitimate police force. One of EUPOL's six strategic priorities is to tackle corruption with the police. It has conducted assessments of the Regional Inspector General offices and is seeking to set up a Police Accountability and Oversight Working Group to concentrate on behaviour management. The UK is leading the mission's anti-corruption work, by providing three mentors to the Inspector General's Office. In addition, in the last year, the Mobile Anti-Corruption teams set up by EUPOL have investigated 277 cases of corruption within the ANP, leading to 27 prosecutions.

The Government agrees that a robust and effective salary system for the ANP will help reduce corruption. The EU is a major contributor to the UN-administered Law and Order Trust Fund Afghanistan (LOTFA) which pays for, and administers, ANP salaries. In November 2009, GIRoA agreed to increase ANP salaries, bringing parity to the basic pay structures of the ANA and ANP. LOTFA has helped introduce an Electronic Payroll System (EPS) which centralizes payroll for all ANP, through which 99.4% of police are currently administered. LOTFA provides regular salary payments to individual bank accounts for police officers largely via Electronic Fund Transfers (EFT), which currently covers 79.5% of the ANP. The system limits opportunities for malpractice regarding the payment of ANP salaries by paying individuals directly, although in remote areas - without access to banking facilities - payment through 'trusted agents' continues.

Payment by EFT will continue to increase as the availability of commercial banking facilities expands throughout Afghanistan. LOTFA are also increasing efforts to utilise new technologies such as making payment through mobile phones. Their aim is to expand payment through this system to all areas without access to commercial banks by the end of 2011.

In 2010/11, the UK contributed £7.2m towards LOTFA.

## **The local auxiliary police**

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

The Afghan Local Police (ALP) has the potential to be an important contributor to community security in Afghanistan. We agree with the Committee that it will be essential to ensure that there is effective command and control of the ALP forces. At the national level the command and control is provided by the Ministry of the Interior. At the local level it is provided by the District Chief of Police. The Chief of Police will have a role in vetting recruits, monitoring the ALP's operations and providing direction where

necessary. They will be supported in this by the international forces that help train, partner and monitor the ALP on a day-to-day basis. We will continue to work with our US and Afghan partners as appropriate to make the ALP programme a success.

The ALP is an Afghan-led local-defence initiative designed as a bridging capability until adequate numbers of Afghan National Security Forces are trained to provide security for the entire country. The ALP is being rolled out in districts where the local community, Afghan security forces and ISAF believe they can make a helpful contribution. Local communities nominate ALP members, who are vetted, trained and provided with uniforms and weapons. ALP officers are mentored by ISAF and Afghan forces and are incorporated into Afghan security force structures.

### **Women and gender issues**

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

The Government welcomes the findings of the Committee. The UK and the International Community recognise the importance of supporting the Afghan Government's implementation of human rights and gender standards in Afghanistan, including by achieving GIRoA's target of recruiting 5000 female police officers by 2014. EUPOL is mandated to build human rights and gender structures in the ANP. EUPOL efforts to mainstream human rights and gender issues within the MoI and the ANP include, for example, strengthening the capacity of the Department of Human Rights and Gender (DHRG) and the Violence Against Women Unit, establishing in 2010 a Family Response Unit (FRU) and providing training and mentoring to the ANP and within the MOI to increase awareness of human rights and gender issues. In 2010, EUPOL also launched the Gender Issues seminars for key ANP leaders and it has provided human rights and gender issues training to prosecutors from ten units within the Attorney General's Office.

### **Building police links with the judiciary**

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

The Government agrees that work to support the development of the police in Afghanistan cannot be undertaken in isolation from work to support prosecutorial and judicial capacity-building. This is an area where the International Community must increase its focus if transition objectives are to be met. We welcome EUPOL's Coordination of Police and Prosecutor (COPP) project, which will run over two years and target 500 regional and district participants. EUPOL has already developed course materials for use by the Afghan trainers who graduated from the COPP Train-the-Trainer course on 9 February 2011. The EUPOL rule of law team is raising basic awareness of rights and legal aid with the police and prosecutors and also working to support legal reform (both criminal law elements and administrative law).

EUPOL is working to tackle corruption within the MoI (examples of which are included in our response to recommendation 4). In co-ordination with UK and US colleagues, EUPOL is also providing international mentors and delivering training to build capacity

within the justice system to tackle corruption (especially in the Attorney-General's Office (AGO) and the Supreme Court). In addition, EUPOL has introduced a digital filing and case-tracking system, which will help make the AGO and Inspector General's Office (IGO) more effective in their anti-corruption roles.

## **INTERNATIONAL COOPERATION AND THE ROLE OF THE POLICE**

### **Different perceptions of policing**

**8) The EU should work through EUPOL to ensure that police training focuses on the civilian policing role of resolving crimes, maintaining contact with the local population and upholding the rule of law. EU representatives should persuade the Afghan government that it is in their own interests for the police to be allowed to focus on good civilian policing, at least in areas where there is sufficient security for them to operate, since the police are the face of the government in the majority of the country (paragraph 113).**

At the Kabul Conference, the Government of Afghanistan committed to support the long-term vision for a civilian police force as detailed in the National Police Strategy (NPS). The International Community, including NTM-A, also recognises the importance of civilian policing and the need to improve the quality of the ANP. The challenge they face is how - and at what pace - to introduce civilian policing whilst ensuring that the ANP have the skills needed to provide basic security and defend themselves against the existing security threat. The Committee will be aware that the priority in much of the country is for the police to defend themselves and the public against the insurgency. At a high-level ANP symposium held in January 2011, the Government of Afghanistan and international community - including ISAF, NTM-A, and EUPOL - reiterated their commitment to implementing the NPS and to balancing the immediate security imperatives with the enduring requirement for a responsive, accountable and capable policing institution that can support and sustain the rule of law in Afghanistan.

The Government agrees with the Committee that as security conditions improve, police training must focus increasingly on developing its core role of investigating crime, maintaining public safety and upholding the rule of law. This will require a flexible model as security conditions will improve at different rates across provinces and districts. We also agree that work to develop civilian policing skills must be undertaken concurrently with the development of security skills. That is why the UK is a major contributor to EUPOL and works closely with EUPOL and NTM-A to ensure that civilian policing skills are incorporated into the standard training packages delivered to new and existing recruits. The Government welcomes EUPOL's latest project which introduced a new pilot on civilian policing in Kabul, aimed at developing the Afghan Uniformed Police from a police force into a police service. The project, being piloted in one district in Kabul, is intended to build an Afghan-designed model for civilian policing that can be rolled out to other districts and provinces.

**9) Fighting the insurgency should primarily be the responsibility of NATO forces and, increasingly, the Afghan National Army. However, because coordination between the Afghan police and army is a difficult problem, the police are being left to fight the Taliban in some areas and community policing is being neglected. The EU must seek the cooperation of the Afghan Ministry of Defence, NATO and the**

## **US to prevent the police being used as a substitute for the Afghan army in the counter-insurgency struggle (paragraph 114).**

The ANSF is gradually taking increased responsibility for security and President Karzai's aim is that it will take the lead on security across the country by the end of 2014. We and ISAF partners endorsed this objective at the NATO Lisbon Summit in November 2010 and welcome the President's announcement on 22 March 2011 that transition would begin in seven areas in July this year. We agree that the ANA and ANP should have distinct roles, with the ANA having responsibility for fighting the insurgency whilst the ANP lead on public protection issues. However, the nature of the environment in Afghanistan means that sometimes these lines are currently blurred on the ground. The UK will continue to work with the EU and NTM-A to help the ANA and ANP build the capabilities and command and control systems that they need to fulfil their roles and strengthen security and stability in Afghanistan.

### **EUPOL's relations with other actors**

**10) The lesson to be learnt for the EU and the international community is that, in any future intervention in failing or failed states, a strategy for early civilian involvement is essential in building effective police and justice systems. If the EU decides that it wants to make a serious contribution to solving civilian and police matters, it should ensure that such missions are at a level that has a significant effect on outcomes (paragraph 115).**

The Government's view is that the EU should continue to encourage Common Security and Defence Policy (CSDP) Missions to focus on where they can add value given the situation on the ground while recognising the contributions of other actors. NATO has the lead on police development in Afghanistan. Despite EUPOL being much smaller in terms of mission strength, its provision of strategic and civilian policing expertise is both vital for police development in Afghanistan and complementary to the work of NTM-A.

**11) We understand the problems of integrating with operations run bilaterally by EU Member States before EUPOL was created. However, we believe that EUPOL's impact would be increased if the bilateral operations were to be incorporated into the EU's joint effort. There should be a single adequately resourced European policing mission, rather than a plethora of multi-lateral and bi-lateral missions. The EU should continue to create a more unified European approach to police reform, by integrating the separate Member State bilateral operations into EUPOL where possible (paragraph 116).**

The vast majority of police reform efforts in Afghanistan are delivered through multilateral missions, most notably NTM-A and EUPOL. Most, if not all, bilateral contributions are well coordinated with NATO and the EU, and many have been subsumed into these multilateral missions. The work of the German Police Project Team (GPPT), which operates in northern Afghanistan and is the largest bilateral police mission with around 200 personnel, is fully integrated with EUPOL and NTM-A. In the provinces, EUPOL relies heavily on Member State support and has undertaken a lot of outreach work (including a review and restructuring of provincial resources) over the last 18 months to ensure Member State plans for police reform led by Provincial Reconstruction Teams (PRT) are consistent with EUPOL objectives.

The International Police Coordination Board (IPCB) is the main GIRoA and International Community coordination body for police reform and rule of law related activities. Chaired by the Minister of Interior, it is the key forum for the coordination of international support to the Afghan Government's implementation and execution of the National Police Strategy. EUPOL plays a central role in the IPCB by providing five personnel who constitute the Board's secretariat.

We are also clear that the NATO and EU missions offer different strengths and expertise – all of which are essential for successful ANP development. EU Member States also bring different experience and policing traditions to the international policing effort in Afghanistan. It is important to ensure that those contributions are positioned correctly within the overall police reform effort to ensure they have maximum impact. Contributions of gendarmerie by, for example, Italy, France and Romania, will be effective only as part of NTM-A due to the operational expertise they offer, and do not have the skill sets to add to the delivery of EUPOL's civilian policing mandate. The key issue is to ensure sufficient collaboration of effort; that is, to ensure NTM-A and EUPOL utilise each others' strengths on joint projects and in shaping the debate on ANP reform. The UK considers this to be a top priority and continues to play a central role in building links between the missions.

### **Cooperation with NATO on the security of EUPOL personnel**

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

The Government does not believe that the lack of formal agreement between EUPOL and ISAF poses an immediate safety risk to British and other EUPOL personnel. Blue Tracker functions effectively to allow ISAF aircraft to identify EUPOL vehicles and the new Operations Plan allows ISAF to carry out planning and operations in support of EUPOL activity. However, the Government recognises that the lack of a formal agreement between ISAF and EUPOL, and arrangements for co-ordination between EU and NATO activity more generally, increases the risk of incoherence when it comes to planning.

We recognise that an institutional relationship between the two organisations is unlikely in the absence of a Cyprus settlement. Therefore we have taken the lead in working within both the EU and NATO to progress relations at an operational level. The ISAF Chief of Staff has agreed to provide EUPOL with medical care, hospital access, non-urgent hospital access, comms and medevac if needed, and the two missions are in the process of creating Action Plan agreements and Memorandum of Understanding to formalise this agreement. We have also pressed the High Representative for Foreign Affairs and the NATO Secretary General to encourage further information sharing between the staffs of both organisations. We will continue to pursue this work as a matter of urgency. We also continue to encourage increased coordination in all areas between the EU and NATO on the ground.

## **The Afghan government decree on private security contractors**

**13) We urge the Government and the EU to continue their efforts to obtain a waiver under the decree on banning the use of private security contractors. If this does not prove possible they should urgently seek alternative security arrangements, in close consultation with NATO and the US, using protection from the western military forces in the field (paragraph 118).**

On 15 March 2011, the Afghan Government published a “Bridging Strategy” for implementation of the Private Security Company Decree. The Strategy confirmed that diplomatic entities such as EUPOL were authorised to continue to contract “licensed Private Security Companies in good standing with the Government of Afghanistan” until deemed unnecessary. Private Security Companies alleged to have committed offences have three months in which to address these allegations before a Grievance Committee. The Strategy also confirmed that diplomatic entities were free to change contractors if required. The EU has, however, considered what contingency plans it might put in place to ensure the security of EU personnel if it is no longer able to employ private security contractors.

## **EUPOL’S ADMINISTRATION**

### **Understaffing**

**14) In terms of civilian policing, the EU has provided a unique and vital capability for the stabilisation of Afghanistan society. We welcome this and applaud the work undertaken by EUPOL staff under very challenging conditions. However, the level of that capability remains a problem. (paragraph 119)**

**15) The planned size of the EU mission of 400 was always too small to make a major difference to civilian outcomes in Afghanistan. This compares badly to the American and NATO commitment to the broader police training effort and has affected the relationship. We believe that this also has the wider effect of bringing the EU Common Security and Defence Policy missions as a whole into disrepute (paragraph 120).**

**16) The reputational problem is compounded by the EU’s failure to reach even the limited target of 400 personnel and the mission is severely understaffed. We do not accept the Government’s view that the high quality of EUPOL staff obviates the need to reach the target complement. In all such missions EU Member States must meet their commitments in terms of numbers of personnel. The EU should ensure that the mission has a full complement of staff in order to retain credibility. Without this, the EU demonstrates weakness rather than strength (paragraph 121).**

**18) We believe that there is still time to reach the full complement of staff for the remainder of the mission. However, if this cannot be achieved within a reasonable timeframe, the EU should as a last resort revise EUPOL’s mandate (paragraph 123).**

EUPOL’s current strength of 332 officers in country – as at 30 March 2011 - is the strongest it has been since the Mission first deployed to Afghanistan in 2007. EUPOL Afghanistan is also the second largest of the ten CSDP civilian missions currently in

operation around the world. Only in Kosovo does the EU deploy more personnel than those provided to EUPOL Afghanistan.

EUPOL's mandate is not to provide large scale training, but rather civilian policing expertise. Whilst working to the shared goal of an effective police force, the NATO and EU missions have differing organisational objectives and therefore have inherently different remits and staffing requirements. NATO and the US understand this distinction and – rather than calling for more civilian police officers to provide strategic level advice and guidance – they are keen that EUPOL delivers on its existing objectives with the personnel already at its disposal. As a large scale training mission, NTM-A requires a strength of almost 5,000. The tasks in EUPOL's mandate require a comparatively much smaller Mission of highly specialised and experienced professionals who are credible interlocutors with Afghan and international counterparts.

The Government recognises that the inability of EUPOL to reach its full mandated strength limits the impact it has on the ground. However, the size of the EUPOL Mission is not a measure of its success; rather, it should be judged on what it delivers. Indeed, the figure of 400 personnel was never intended as a target, but as a planning assumption for the number of personnel EUPOL would need.

At the same time, the UK has played – and continues to play - an active role in lobbying international partners to increase their contributions to EUPOL. However, current technical constraints stemming from the deployment plan and human resources procedures mean that full staffing of the Mission has been unattainable. Although EUPOL police positions are currently 98% filled, generally only 80% of personnel are in mission at any one time due to delays between selection and deployment, withdrawals by successful applicants, internal movement between posts and resignations. Recent decisions in Brussels will allow more flexibility in personnel deployments, thus enabling the mission to bridge staffing gaps and make temporary redeployments in instances of operational necessity. The Political and Security Committee (PSC) also agreed to transform 22 EUPOL Rule of Law positions into contracted positions. Contracted positions are more easily filled and so this move will help to enable the Mission to reach its mandated total strength more quickly. The Government welcomes these positive developments and looks forward to an increase in EUPOL's strength. EUPOL has already taken measures to prioritise its mandate in order to maximise the resources it has available, for example, by focusing on delivering its six priorities through overarching projects such as the CPJP's and Staff College and rationalising its presence across Afghanistan.

**17) The low degree of EU commitment to providing staff, combined with problems of illiteracy, corruption and desertion in the Afghan police and the overall security situation, means that there is a real risk that the EU will fail in an area where it should show leadership. We consider that the original mission should have been undertaken with a much greater level of commitment or not undertaken at all (paragraph 122).**

We recognise the many challenges the EU faces in supporting GIRoA to develop an effective and accountable police force in Afghanistan. But the Government believes it is right to acknowledge both EUPOL's successes to date and the significant improvements the mission has made in both its performance and credibility over the past few months. In order to build on this momentum, EUPOL must continue to deliver the specialist projects with which it has been tasked such as the Police Staff College, the CPJPs and the COPP project, as well as delivering other proposed projects, once they have been

approved, such as the CID Faculty and the Kandahar Police Professional Development Centre.

It is also important to recognise that ANP development is an international effort, of which EUPOL plays one part – albeit an important one. Any failure to develop a sufficiently capable, accountable and sustainable police force will be a failure of GIRoA and the International Community, not EUPOL alone.

**19) The Government should aim to increase the numbers of personnel the UK provides to EUPOL, focusing on seconded police or rule of law experts, rather than administrative staff. They should also urge other Member States to make similar efforts to take their share of the burden (paragraph 124).**

**24) The Government should make efforts to recruit UK staff for the new police staff college in Kabul for senior Afghan leaders and encourage other Member States to be equally supportive (paragraph 129).**

The Government is committed to supporting the work of EUPOL in Afghanistan. All UK contributions to EUPOL are seconded civilian police officers rather than administrative staff. We deployed a further five police officers to the Mission in February and March this year, in order to support the Police Staff College. We are also in the process of deploying one more civilian officer to the EUPOL contingent in Helmand. This, together with an Estonian civilian officer who also arrived in February, will mean that EUPOL contingent in Helmand will be staffed at full strength. The Government will continue to encourage Member States to increase their contributions to EUPOL Afghanistan.

### **The Brussels-Mission relationship**

**20) We urge the EU to look at whether the Head of Mission could be granted more autonomy to enable him to respond more easily to rapidly changing circumstances on the ground. In addition the EU and Member States should examine whether a speedier system for reaching decisions can be created in Brussels when a need for an urgent political decision arises (paragraph 125).**

The Government supports the view that the Head of Mission (HoM) should be allowed as much operational flexibility as possible to deliver his mandate. But we are clear that an increase in autonomy should be accompanied by a more robust accountability framework that enables Member States better to hold the mission to account. The UK has been advocating this approach at all levels including with the High Representative on Foreign Affairs and Security Policy, Baroness Ashton. We welcome the new measures approved by the PSC in March that grant the HoM more autonomy in redeploying mission personnel in theatre to respond to changing operational requirements.

The Government also refers the Committee to the response to Recommendation 16 which provides detail regarding a more flexible deployment plan, which the UK lobbied for and which will allow EUPOL to respond more quickly to changing circumstances on the ground.

## **Budget flexibility and procurement**

**21) The UK should raise with other EU Member States whether greater flexibility could be created within the mission's overall budget, consistent with oversight and accountability to Member States (paragraph 126).**

In recent years greater flexibility has been carved out of the Commission's procedures for crisis management operations. The EU can now undertake preparatory measures that contain a fast track system for approving limited expenditure in relation to civilian crisis management operations. We continue to press for other forms of flexibility, for example, in how project funding for missions is used and defined. In pushing for greater flexibility within the Mission's overall budget, the Government is also in the lead in pushing for more efficient use of EU funding, including for civilian CSDP missions, to ensure that missions improve their budget projections, implementation rates and can fully justify all of their spending. We strongly agree that increased flexibility should happen, but only with more effective accountability to Member States.

**22) Procurement rules for such operations, and the inability to make use of Member State equipment and assets, must also be revisited (paragraph 127).**

The Government agrees that flexible and responsive procurement is needed for crisis management missions, and has pushed for this in discussions in Brussels. This is an agreed priority for civilian crisis capability work in 2011, and the Government will be working closely with the European External Action Service (EEAS) and the Commission on this issue. This work should build on initiatives already developed, including the use of framework contracts, and greater Commission support for mission procurement staff.

## **THE WAY AHEAD**

### **Retrenchment and re-focus**

**23) We agree that it is sensible to concentrate resources in areas where the Mission is able to operate securely and we applaud the City Police and Justice Programme which seeks to deliver civilian policing in major cities. However, the EU should make efforts to move back into the provinces and expand its coverage when the Mission is up to strength and the security situation permits so as to achieve consistent civilian policing throughout the country (paragraph 128).**

The Government agrees that the City Police and Justice Programme is an effective vehicle for delivering civilian policing in the 12 provinces where EUPOL currently has a presence. However, it is important that EUPOL builds up the strength of its contingents in their current locations and ensures that they are having a positive impact. Only once this has been achieved should EUPOL consider expanding its coverage, where security conditions allow, to other provinces.

EUPOL has a further impact on civilian policing throughout Afghanistan through its delivery of central courses, particularly through the Staff College in Kabul for which participants are drawn from the entire country. This allows EUPOL to train and develop key police personnel from both urban and rural districts and beyond the major population centres. For example the District Commanders course run in February 2011 had 22 participants from southern Afghanistan, primarily districts in Helmand and Kandahar.

EUPOL remains committed to supporting transition to Afghan-led security in the provinces and will work closely with the Afghan Government and ISAF to ensure a smooth and sustainable process. EUPOL will maintain a presence in five of the seven districts to comprise the first wave of transition in July 2011 - Kabul, Lashkar Gah, Bamyan, Herat city and Mazar-e-Sharif city.

### **Withdrawal-timetables**

**25) The EU should consider the level of development in security sector reform at which it should aim. This discussion will need to acknowledge that the Afghan civilian police will not look like a western police force, and corruption is unlikely to be eliminated entirely, but EUPOL must help to deliver a reasonable level of civil order and justice to Afghanistan's long-suffering people (paragraph 130).**

The Government strongly agrees that significant consideration needs to be given to the policing end-state towards which police development efforts are working. However, this must be a discussion owned by GIRoA and supported by the International Community, including both NATO and the EU. All international police reform efforts support the implementation of GIRoA's vision for the ANP as agreed and set out in their National Police Strategy (NPS), and detailed in the supporting National Police Plan (NPP), which outline the need for both paramilitary police and community police. EUPOL has an important role to play in supporting GIRoA to deliver the community policing strand, but it is part of a wider effort largely driven by NATO, and as such cannot and should not dictate a particular vision for Afghan policing. Both EUPOL and NATO are working closely with GIRoA to support the continual development, review, and revisions of the NPS and NPP to ensure that police development policy is best tailored to address the situation on the ground throughout Afghanistan.

**26) The challenges EUPOL faces are considerable. Without a major reduction in, or cessation of, the insurgency, there will not be an environment in which civilian policing can develop, and there is a danger that a vacuum may develop in law and order and security. Even with such conditions—and an expansion of militarily secure areas—EUPOL will not be able to complete its task either in the remaining two and a half years of its extension, or within the timetable set by the international community for the withdrawal of combat forces. (paragraph 131).**

Whilst the UK and our international partners continue to bear down militarily on the insurgency, we are also working to support the Afghan authorities' efforts to promote a political process. This is an Afghan-led process and we welcome the progress made through the establishment of the High Peace Council to take forward work on peace and reconciliation. We will continue to support President Karzai in his efforts to make progress towards a political settlement. In addition we have made clear our long term commitment to Afghanistan which will last beyond 2014.

EUPOL is currently mandated until May 2013. The Mission recognises that the work of developing a civilian police force in Afghanistan will extend far beyond 2014. The immediate focus is supporting GIRoA to develop a police force capable of sustaining transition.

The Government also believes it is important to recognise that whilst the timeline of 2014 is a common goal, achieving it depends on the necessary conditions being in place.

EUPOL is one of many stakeholders helping to develop a more capable ANSF, thus allowing the transition to Afghan-owned responsibility for security.

The EU recognises that their comparative advantage is in long-term 'foundation building' and envisages a long term partnership between the EU and Afghanistan. We await the Six Month Implementation Report of the EU Special Representative (EUSR) to Afghanistan due on 16 April to see if this will include this vision. The report will coincide with the preparation of a new country strategy paper which lasts seven years. The Government supports the EU approach and any responsibilities given to EUPOL as part of this approach.

**27) There is a danger that the deadlines for military withdrawal could expose the mission staff to increased danger and that they will be unable to operate effectively, risking lives of serving police officers for no future effect. The wider security environment will need to be taken into consideration before any further extensions of the mission are decided. (paragraph 132).**

The Government agrees that it will be essential to consider the wider security environment in any discussion regarding an extension to EUPOL's mandate. EUPOL is just one of many development agencies in Afghanistan, all of whom will require logistical and security support in a post-transition environment. We are clear that duty of care responsibilities should not be compromised in any way.

**28) This has been a troubled mission undertaking a vital task in the reconstruction of Afghanistan. Despite achieving local successes, overall there is a strong risk of failure (paragraph 133).**

Police development in Afghanistan is not the responsibility of a single mission or a single country. Any failure in this area will not be considered the failure of a single mission or country, but will be regarded as the failure of GIRoA and the international community as a whole.

As a major contributor to police development in Afghanistan, the UK is part of an international coalition that is committed to ensuring the success of all those working on police development in country, including EUPOL. We recognise that EUPOL offers strategic and civilian expertise that is both unique and vital to the international effort to develop the ANP. This is why the UK provides a major contribution of civilian police officers to the Mission. This is also recognised by the International Community, including NTM-A. They acknowledge that EUPOL brings expertise that others do not and that it is playing an essential role in the professionalisation of the ANP. With this burgeoning support from the International Community, the increased collaboration and coordination that is now evident on the ground, a narrower focus on where it can really deliver and add value, and growing manpower that is likely to further increase in 2011, the Government believes that the conditions are in place to enable EUPOL to achieve its objectives and support the delivery of a police force capable of sustaining transition.