



IDC Information Paper: Police in Afghanistan

1. (U) Executive Summary. This paper provides a comprehensive introduction to Afghanistan's various police agencies, where their authority originates, how they are organized, and the stated purpose and responsibility of each. The paper does not include status or capability information on these agencies with the intent to preserve its utility as a long-lasting reference document. The reader should refer to the IJC IDC's *State of the ANSF* and other available intelligence and open source products for current status and capability information on Afghan police agencies.

2. (U) Police Authority. The police are an integral part of a larger criminal justice system that implements the rule of law in Afghanistan. Direct, daily police contact with both the public and its criminal element is fundamental to a functioning criminal justice system.¹ Contact with the public is only effective when the police have clearly defined authority that empowers them to represent the local or national government in the execution of their duties. This authority is rooted in the Constitution of Afghanistan and the Afghan Police Law. Article One of The Afghan Police Law² as amended in August, 2009, describes its constitutional basis as follows:

(U) "This law has been enacted on the basis of the provisions of Article 56, Article 75 (3), and Article 134 of the Constitution of Afghanistan to govern the duties and authorities of the police in order to ensure public order and security."³

(U) The referenced portions of the Constitution of Afghanistan cited in Article 1 of the Afghan Police Law quoted above are:

(U) **Article 56.** "Observance of the provisions of the constitution, obedience of laws and respect of public order and security shall be the duty of all citizens of Afghanistan. Ignorance of the laws shall not be considered an excuse."⁴

(U) **Article 75 (3).** "Maintain public law and order and eliminate every kind of administrative corruption;"⁵

(U) **Article 134.** "Discovery of crimes shall be the duty of police, and investigation and filing the case against the accused in the court shall be the responsibility of the Attorney's Office, in accordance with the provisions of the law. The Attorney's Office shall be part of the Executive organ and shall be independent in its performance. The organization, authority as well as method of work of the Attorney's Office shall be regulated by law. Special law shall regulate discovery and investigation of crimes of duty by the armed forces, police and officials of national security."⁶



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3. (U) Police Organization. The police agencies falling under the Ministry of Interior are described as four pillars and two sub-pillars in the Afghan National Police Plan (ANPP). The four main pillars are the Afghan Uniform Police (AUP), the Afghan Border Police (ABP), the Afghan National Civil Order Police (ANCOP), and the Afghan Anti-Crime Police (AACP). The AACP also includes the General Directorate of Police Special Units (GDPSU). The two sub-pillars are the Afghan Public Protection Force (APPF) and the Afghan Local Police (ALP). The term ANP or Afghan National Police is used as an umbrella term to describe all six pillars collectively (see sidebar).⁷ Each of the individual ANP pillar agencies plus the Ministry of Finance’s Afghan Customs Police will be described in detail later in this paper.

ANP vs. AUP

A common error in reporting is to refer to the AUP as the ANP. “ANP” is an umbrella term referencing the four main pillars and the two sub-pillars that comprise the Afghan National Police: AUP, ABP, ANCOP, AACP, ALP, APPF. For reporting purposes the terms “AUP Officer”, “ABP Officer”, “ANCOP Officer”, “ALP Officer”, etc. should be used to accurately describe the police entity(s) being discussed.

ANP Forces Pillars

NTM-A
NATO Training Mission
AFGHANISTAN

Afghan National Police Plan (NPP) Pillars

Afghan Uniform Civilian Police (AUP)	Afghan National Civil Order Police (ANCOP)	Afghan Border Police (ABP)	Afghan Anti-Crime Police (AACP)
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NPP Police Pillar Roles & Missions

Maintain rule of law, adapting an intelligence based policing model	Maintain law & order using proportional armed capability	Secures and safeguards national borders , security zones, and ports of entry	Investigative and intelligence police capacities from Mol to Regions
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NPP Police Pillar Functions & Capabilities

<ul style="list-style-type: none"> • Consists of Regional Zones, Traffic Police and Fire & Rescue Departments • Responds to emergencies and maintains public safety • Works with AACP to prevent, detect and investigate crimes • Build public confidence in GIRoA 	<ul style="list-style-type: none"> • Geographically organized into regional brigades and battalions • Operations supported by Military during COIN “Clear” phase • Primary Police force for COIN “Hold” phase • Replaces AUP in high threat areas • Maintain & restore civil order 	<ul style="list-style-type: none"> • Safeguards National boundaries against external aggression • Control entry & exit at POEs • Deter & counter insurgency and criminal activities at borders • Prevent smuggling • Control refugee movement • Cooperate with neighboring countries 	<ul style="list-style-type: none"> • Counter -Terrorism • Counter - Narcotics • Police Intelligence • Criminal Investigations • Major Crimes Task Force • Police Special Units • Forensics
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Afghan Public Protection Force (APPF)

Provide protection for infrastructure, facilities, project sites, and personnel	<ul style="list-style-type: none"> • Removes the need to employ trained AUP officers in guard positions • State Security Force • Employed under Mol direction • Supports donor funded security • Predominately Mol funded • <u>Limited</u> LOTFA funded
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Afghan Local Police (ALP)

Ensures the security of local communities and paves the way for reconstruction, development, and political stability	<ul style="list-style-type: none"> • Authorized strength of 10,000 • Potentially expanding to 30,000 • Governed by Establishment Procedures • US funded • Employed under Mol direction • Lacks arrest authority
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4. (U) Police Purpose. The Afghan National Police Strategy (ANPS), the Nested Afghan Special Police Strategy, and the ANPP are the foundation documents that set forth the vision and development of the police in Afghanistan. Signed by the Minister of Interior, GEN Bismullah Khan MOHAMMADI, the ANPP was officially released in February, 2011. Quoting from the ANPP, the Afghan National Police mission statement follows:

ANP Mission Statement

(U) “The Afghan National Police are primarily responsible for law enforcement. They will work for and with the People to actively fight crime, including terrorism, organized crime, and illegal armed activity; maintain civil order; prevent the cultivation, production, and smuggling of illegal narcotics, and, reduce corruption. The police will protect and extend the sovereignty of the State throughout the country, and protect its borders.”⁸

(U) This mission statement applies to the four main pillar police agencies which fall under the umbrella of the ANP: namely the AUP, ABP, ANCOP, AACP. It does not apply directly to the sub-pillars, the APPF and ALP since these sub-pillars focus on security and not on law enforcement.

(U) The ANPP establishes three primary focus areas for the police for Solar Years (SY) 1390-1391 (March 2011 – March 2013). These focus areas apply primarily to the AUP, ABP, ANCOP and AACP. The three focus areas from the ANPP are:

(U) “Focus Area One: Civilian Policing. As part of the phased stabilization of Afghanistan with the assistance of the International Community, the Afghan National Police are committed to seeking the highest standards in civilian policing in order to guarantee the rights of all Afghan citizens under the Constitution. Civilian policing is a crucial strategic concept that is based on intelligence-led, proactive, community-based collaboration. Civilian policing requires greater accountability of the police, greater involvement of citizens, and greater concern for human rights.

(U) Focus Area Two: Institutional Reform. The Institutional Reform Working Group (IRWG) has been formed with the participation of Ministry representatives and experts from the International Community to better execute the Ministry’s strategic intent, priorities, and objectives. This process will improve the effectiveness of the Ministry and professionalize the Afghan National Police.

(U) Focus Area Three: Peace and Reintegration Program. According to Presidential Decree Number 43, dated 8/4/1389 (2010), of the Islamic Republic of Afghanistan, this program has officially commenced.”⁹

Discussions to include the ALP in focus area three, “Peace and Reintegration”, are ongoing within the Ministry of Interior.

5. (U) Police and Counterinsurgency. Insurgents, the Taliban, and other extremist groups regularly force the police into a military Counter Insurgency (COIN) role. This mission is outside the context of the ANPP and community policing. The ANPP describes the police COIN role for the ANP in Annex D of the ANPP:



(U) “The Afghan National Police are at the frontline of the counter-insurgency. Few military units can match a good police unit in developing an accurate human intelligence picture of their area of operation. Due to their frequent contact with the populace, police often are the best equipped for countering insurgent groups supported by the local populace.

(U) Although the roles of the police and military forces in counter-insurgency operations may cross-over, important distinctions between the two exist. If security forces treat insurgents as criminals, the police retain primary responsibility for their arrest, custody, and investigation. Intelligence is critically important in a counter-insurgency. Therefore, the Afghan National Police, Afghan National Army, and National Directorate of Security must share intelligence and information. The Afghan National Police Directorate of Intelligence is the primary lead in supporting this effort and reports directly to the Minister of interior for this purpose.

(U) Countering an insurgency requires a police organization that is visible day and night. The legitimacy of the government will be questioned if the populace believes that insurgents and criminals control the streets and villages. Well-sited and protected police stations establish a presence in communities as long as the police do not hide in those stations. Police presence deters insurgent and criminal activities, provides security to communities, and builds support for the government. When police have daily contact with the local populace, they can collect information to counter insurgents.”¹⁰

(U) A military COIN role emphasizes the police operating a “shoot, move, and communicate” mission that precludes the execution of normal police duties as described in the next section.

6. (U) Police Operational Control and Duties. The operational relationship of the police is described in Chapter Two, Article Four of the Afghan Police Law.¹¹ The version amended in 2009 states:

(U) “1. The police shall perform their duties under the leadership of the Minister of Interior in the capital, as well under the affect of the respective governor and district-governor in the provinces and districts.

(U) 2. Police perform their duties according to this law and follow their organizational chain of command;

(U) 3. The border police perform their duties under the leadership of the Minister of Interior in understanding with respective governor and sub-governor both in the capital and provinces.”¹²

(U) Please note the designation of appointed political leadership over the police in Afghanistan. This unusual operational relationship creates an environment that fosters some of the pay-for-position corruption, nepotism, and incompetency observed in police agencies in Afghanistan.

(U) The duties and obligations of the police are described in Chapter Two, Article Five of the Afghan Police Law. The 2009 amended version of Article Five is provided here in its entirety. This article is fundamental to an understanding of what is expected of a police officer under the Afghan Police Law:

(U) “Article 5: Duties and obligations

The police are obliged to execute the following duties:



- 1) Ensure and maintain public order and security.
- 2) Ensure individual and social security and protect their legal rights and freedoms.
- 3) Take preventative measures to prevent crimes.
- 4) Timely detect crimes and arrest the suspects and perpetrators according to the provisions of the law.
- 5) Combat against moral deviations, immoral social behavior and actions that disturb public tranquility.
- 6) Protect states and private properties and assets, as well as those of the domestic, foreign, and international institutions and organisations.
- 7) Combat against the cultivation of poppies and marijuana, smuggling and drug trafficking, production, illegal consumption of the drug, prevent import and consumption of intoxicants.
- 8) Combat against organized crimes, corruption and insurgency.
- 9) Combat against terrorism and economical crimes in joint efforts with other security organizations according to the provisions of the law.
- 10) Cooperate within the scope of authority with state's administrations to execute their jobs according to the provisions of the law.
- 11) Regulating road traffic's affairs according to the provisions of the law.
- 12) Taking necessary measures and actions to struggle against unpredictable events and circumstances in cooperation with other state organizations.
- 13) Help and assist victims of unpredictable events and natural disasters, to rescue persons and their properties.
- 14) Taking necessary actions and measures in a state of emergency in order to ensure public order and security according to the provisions of the law.
- 15) Gain public cooperation in the preventative and ad hoc operations.
- 16) Strengthening and maintaining the borders and take appropriate and necessary measures in coordination with Ministry of national defense during the occurrence of any movements on borders which are against the national sovereignty.
- 17) Control persons upon entrance and exit checkpoints on borders and at international airports of Afghanistan according to the provisions of the law.
- 18) Police as judicial officer has the following duties according to the provisions of the law:
 - Discover the crimes and take preventive actions to prevent crimes.
 - Preserve and ensure the safety of criminal witnesses and evidences.
 - Arrest suspects, perpetrators and prevent from escaping and hiding according to the provisions of the law.
 - Perform duty as to professionally identify, discover and find the crimes.
 - Police in criminal investigation cooperate with attorney general office and other justice administrations in accordance to criminal procedure code and other Afghanistan applicable laws.
 - In order to combat against drug, corruption and identifying criminal networks, police shall perform their covered activities in understanding with attorney general office.
- 19) Monitor border traffic and control the corresponding documents.
- 20) Establish cooperation and contact with police of the aboard countries in accordance with the treaties, international law and rules of Interpol.
- 21) Collection of the weapon, ammunition and explosive materials from persons, entities, and irresponsible groups, issuance of firearm's carrying license to individuals and monitor use of the firearms license according to the provisions of the law.
- 22) Ensuring security of legal gatherings, strikes, and demonstrations and confront against Insurgency and public disorder.



- 23) Preventing and extinguishing of fire.
- 24) Applying of the passport and foreigner's journey and residence law provisions in Afghanistan within the extent of the police duty scope.
- 25) In order to protect public order and combat against crimes, state's organizations and official authorities are obliged to cooperate with police in their duty performance."¹³

7. (U) Afghan Uniform Police. The AUP is the largest police agency in Afghanistan and the primary police force that the local populace will likely encounter in their daily activities. The ANPP states, "The AUP provides for community policing, traffic policing, and the fire service."¹⁴

(U) As described in the section on police operational control and duties, Article Four of the Afghan Police Law designates Provincial and District Governors as leadership over the police at the provincial and district levels.¹⁵ The governors don't actually command the police but rather delegate this authority. The AUP are assigned to police districts under an appointed District Chief of Police (DCoP) who is subordinate to the District Governor. All the districts within a province are controlled by an appointed Provincial Chief of Police (PCoP) who is subordinate to the Provincial Governor.

(U) Zone commanders are appointed and responsible for zones that correspond roughly to the International Security Assistance Force (ISAF) military Regional Command (RC) structure reflecting ISAF's influence. Although these zone commanders may seem logical from a military command and control perspective and may have been intended to interact with ISAF RC commanders on an equal basis, they are an additional layer of command and control that do not contribute directly to the AUP's community policing as described in the ANPP. Sub-paragraph 2 of the 2009 amendment to Article Four of the Afghan Police Law was inserted "Police perform their duties according to this law and follow their organizational chain of command". One may infer this has given AUP Zone Commanders authority under the Afghan Police Law where they formerly had no specified authority.

(U) DCoPs, PCoPs, and Zone Commanders are appointed positions and not locally elected positions nor positions filled meritoriously from within the local police ranks¹⁶. This appointment system contributes to some of the pay-for-position corruption, nepotism, and incompetency in the police leadership ranks. Within law enforcement culture, leaders who are promoted from within the ranks are more likely to be held in higher respect by their subordinates than "outsiders" who have been appointed to a leadership position.

8. (U) Afghan Border Police. According to the ANPP, "The Afghan Border Police (ABP) provides legal freedom of movement and encourages the development of commerce, prevention of illegal border crossings, and the policing of airport points of entry."¹⁷ The ABP is responsible for territory within 50km of the border, known as the Border Security Zone (BKZ). ABP officers are assigned to zones or the ABP HQ and in accordance with police law, have police jurisdiction throughout Afghan border areas, and international airports. The Afghan Customs Police are active in exclusive "Customs Areas" which lie within (but are separate from) some of the jurisdictional areas of the ABP. The Ministry of Finance operational control of the Customs Police leads to a somewhat complicated relationship with the Mol led ABP.

AU(C)P

Note the English translation of the ANPP published in February, 2011 actually refers to the AUP as the "Afghan Uniform (Civilian) Police". It uses the acronym "AU(C)P" throughout the document. This paper uses the simpler, commonly accepted "Afghan Uniform Police" and AUP acronym.



9. (U) Afghan National Civil Order Police. The ANPP describes the ANCOP as the provider of “civil order patrols, capability to control public protests, and a crisis or counter-terror response capability within urban and metropolitan areas”.¹⁸ Conceptually, the ANCOP are comparable to a police Special Weapons and Tactics (SWAT) team. Unlike SWAT teams however, ANCOP members are recruited directly and are not required to have law-enforcement experience. The ANCOP are organized into brigades of six kandaks each much like military light-infantry units and are currently deployed primarily in support of military counterinsurgency operations. Because of the high demand of their counterinsurgency capabilities, a green-amber-red deployment cycle has been implemented for the ANCOP kandaks within each brigade. While kandaks are in the green phase of the cycle they are deployed to combat operations. As they cycle to the red phase they are sent back to their unit base to recuperate and refit. In the amber cycle kandaks are dedicated to training but can be called to combat operations in extenuating circumstances.¹⁹

10. (U) Afghan Anti-Crime Police. “The AACP provide specialist police expertise, counter-terrorism, counter-narcotics, Major Crime Task Force (anti-corruption), criminal investigation, criminal surveillance, biometrics, forensics, and specialized security details”, according to the ANNP²⁰. Included in the AACP organization is the General Directorate of Police Special Units (GDPSU). In October, 2011, MoI published The Nested Afghan Special Police Strategy which is intended to nest within and expand the existing ANPP. The Nested Afghan Special Police Strategy describes the special police capabilities as follows:

(U) “Crisis Response Unit (CRU) is a national level Police counter-terrorism (CT) force. It is principally tasked for tactical response and high-risk arrests against criminal, terrorist and insurgent suspects in Kabul city and the adjacent provinces. It will be required to have capability to conduct full-spectrum opposed action once at full mission capability. The CRU is normally tasked by DM Security or requested through the Commander General Director Police Special Units (GDPSU) by the Zone 101 Commander and coordinated by the MoI National Police Coordination Center (NPCC) or directly by MoI HQ.

(U) Investigative and Surveillance Unit (ISU) is a human intelligence based, advanced investigation and surveillance capability, with a focus on Countering Improvised Explosive Devices (C-IED) and their supporting networks. The unit has teams across the major provinces of Afghanistan making them suitable for employment in national, regional, and provincial level operations. Tashkil SY1391 will see the number of ISU regional teams increase to 20, which will give each team an organic special police action capability through the Provincial Response Companies for the first time.

(U) Commando Force 333 (CF 333) is a counter-insurgency police commando force based in Logar Province but available for and capable of high-risk nationwide special mission employment. It conducts intelligence-led strike and detention operations in high-risk and hostile environments in order to isolate the insurgency and to support sustainable GIRoA governance.

(U) Afghan Territorial Force 444 (ATF 444) is a force that conducts operations principally unique to counter-insurgency. Its primary mission is to find, feel, understand and influence (FFUI) the counter-insurgency environment where it operates to isolate the insurgency and to support sustainable GIRoA governance. Its current focus is on operations in Police Zone 707



with a focus in Helmand Province, which will remain in the short to medium term. Long term, Mol will require this capability in other police zones.

(U) Judicial Security Unit (JSU) and Very Important Person Protection Unit (VIPPU) are national police forces that currently fall under the direction of the GDPSU. These units, while conducting specialized police activity in protecting key GIRoA officials, are not considered special police. Their primary roles are ones of static or local security. As such, Mol will undertake an assessment to determine the best place within the Mol tashkil structure these units will best be situated within the next two years.²¹

Redundant capabilities in each branch are disaggregated among three different key Mol leaders (Deputy Minister of Security, Deputy Minister of Counter-narcotics, and the Minister of Interior). This situation has been a topic of discussion within the Mol and may be addressed by future reorganization of the Mol.

11. (U) Afghan Public Protection Force. The APPF is in the process of assuming security missions from private security companies (PSCs) that were outlawed by Afghan Presidential Decree #62 in August 2010. The APPF is not a police force but rather a security force and is therefore a sub-pillar in the ANPP. The Mol decided that a state owned enterprise (SOE) is the way ahead for the APPF in accordance with both the APPF Bridging Strategy and the Law on State Owned Enterprises.^{22,23}

12. (U) Afghan Local Police. The ALP has “police” in its name and is subordinate to the local AUP District Chief of Police. They have no arrest authority and do not behave as a community policing organization; hence their position as a sub-pillar in the ANPP. A more complete description of the ALP Program provided by the Combined Forces Special Operations Component Command Afghanistan (CFSOCC-A) can be found in Appendix A.

13. (U) ANP Enablers. The ANP has six enabler functions: Logistics, ANP Training General Command (ANPTGC), Recruiting, Medical, Directorate of Intelligence (DI), and Fire and Rescue. These enablers are still in their infancy, and with the establishment and training of the various police agencies coming to a close, they are taking on a higher priority.

14. (U) Provincial Response Companies. The Provincial Response Companies (PRCs) are special police units that are subordinate to the Provincial Chief of Police in their assigned province. These special police units are a developing capability and are expected to be fully mission capable in the beginning of solar year 1391 (March 2012). The Policy Directive Regarding Activities of the GDPSU states, “Chief AUP is authorized to approve operations for the PRCs, exercised through the PCoP in each Province”.²⁴ This places operational control of the PRCs under the AUP even though the PRCs are special police units and closely associated with the GDPSU. The Nested Afghan Special Police Strategy describes the PRCs as follows:

(U) “The PRC is a 125-man unit specifically manned, trained, and equipped to conduct Special Police operations at the provincial level, as directed by the Provincial Chief of Police (PCoP). They are in effect a high-end, quick reaction capability for the province but have a broad capability stretching into Public Order, Quick Reaction Force (QRF) tasks and Police Evidence Based Operations within the Rule of Law construct. Under tashkil 1390 PRCs are located in Kabul (Surobi District), Kapisa, Laghman, Kunar, Nangahar, Logar, Wardak, Gazni, Paktika, Paktya, Zabul, Uruzgan, two in Kandahar, Helmand, Farah, Heart, Balkh, Kunduz, and Baghlan. The PRCs are critical to provincial law and order in Afghanistan and are expected to



all be at full mission capability by the beginning of solar year 1391. The uplift of an additional 4 ISU teams will, for the first time, see each PRC partnered with a GDPSU element and should see their operational tempo and effectiveness increase.”²⁵

15. (U) Afghan Customs Police. The Afghan Customs Police (ACP) is a unique police agency outside of the Afghan National Police umbrella organization. The ACP is under the Ministry of Finance for operational control while at the same time under the Ministry of Interior for administrative and training purposes. Article Two of the of the Afghan Customs Code gives the following enforcement authority to the Ministry of Finance:

(U) “The Ministry of Finance is responsible for the collection of Customs revenues of the state, and for enforcing the provisions of this law and any other relevant Customs legislation.”²⁶

(U) The Afghan Customs Code defines the land, water territory, and airspace of Afghanistan as a “Customs Territory” in Article Five²⁷. Article Six describes how “Customs Areas” are established within the Customs Territory:

(U) “1) Customs areas are established at border crossing points, international airports, duty free zones, Customs warehouses and any other points within the Customs Territory as provided for in this Law.

(U) 2) Customs areas may be established, altered or abolished upon the recommendation of the Customs Administration and the approval of the Ministry of Finance.”²⁸

(U) These Customs Areas are where the Customs Authorities, including the ACP, exercise their activities.²⁹

(U) The unique purpose and organization of the ACP is outlined in the Afghan Customs Code in Article 164:

(U) “1. A Customs Police Administration shall be created jointly by the Ministry of Finance and the Ministry of the Interior for the purpose of detecting and preventing violations of the provisions of this law and for arresting the relevant suspects throughout the Customs Territory of the State, in accordance with section three of this Article.

(U) 2. Customs Police officials shall be part of the organization of the Ministry of the Interior. The Ministry of the Interior shall be responsible for:

- a) approval, employment, and dismissal of Customs Police, on recommendation of the Ministry of Finance;
- b) providing the Customs Police with salaries and any other incentives as provided by law;
- c) recruiting, of Customs Police candidates, and maintaining their records (personnel files);
- d) providing appropriate uniforms and other equipment in accordance with the duties they perform, as agreed with the Ministry of Finance
- e) providing training for police candidates required to carry out their police duties.

(U) 3. The Ministry of Finance, as the agency responsible for directing and managing the work of the Customs Police shall have the following duties and authorities:



- a) determining the duties and scope of authority of Customs Police and determining their locations of work;
- b) providing for the necessary training for Customs Police concerning the administration and enforcement of the Customs legislation;
- c) recommending [to the Ministry of the Interior] remunerations and punishments for Customs Police and other personal matters of Customs Police affecting their work.

(U) 4. The Ministry of Interior and Ministry of Finance may jointly provide additional inter-ministerial guidelines implementing section two.

(U) 5. The Ministry of Finance may, as required, provide procedures implementing paragraph three.

(U) 6. Section 2 of this Article shall be effective for three year period upon enforcement of this law. The Ministry of Finance and the Ministry of the Interior may recommend its retention, amendment or deletion to the Council of Ministers. The approval of the Council of Ministers shall be regarded effective in this regard.

(U) 7. Customs Police shall be obliged to perform their assigned duties in accordance with the provisions of this law, (the anti-smuggling law) and other guidelines and procedures only under the direction of the Ministry of Finance.”³⁰

(U) In contrast to the ABP, the ACP’s jurisdiction is the “Custom’s Areas” with a focus on enforcing the Afghan Customs Code within those areas.

16. (U) Afghan Highway Police. The former Afghan Highway Police (AHP) were dissolved under a “Rebalancing Plan” for the ANP which was enacted as a decree from President Karzai signed on July 1, 2006. The responsibility for security on Afghanistan’s major highways was assumed by the AUP.³¹ The Afghan Highway Police is mentioned here for reference since there have been reports of groups claiming to be the AHP since their dissolution in 2006. These are often rogue groups not officially affiliated with the MoI. There are some legacy elements of the AHP that are still paid by the MoI, such as the element in Delaram District of NIMROZ Province in RC(SW). Elements such as these should be absorbed into the AUP to abide by the Presidential Decree. One of the obstacles that must be addressed before this can occur, however, is a proportional increase in the local AUP’s tashkil.³²

17. (U) Way Ahead. As the policing functions of the GIRoA evolve, this paper serves as a reference for the motivations and justification for their roles and missions. Changes to these organizations are bound by the GIRoA constitution, the ANPP and legislation that provides new direction. The Afghan police are struggling to pursue their primary duties in light of the volatile security situation in Afghanistan. As security improvements are made, the Afghan police will mature and the primary duties described in this introduction will come to the forefront.

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Sources:

- ¹ (U) US GPO; **The Challenge of Crime in a Free Society**; February 1967; February 1967; *The Challenge of Crime in a Free Society*, U; pg 91; Extracted Information is U; **Overall classification is U**; Source is President Johnson Commission on Law Enforcement and Administration of Justice.
- ² (U) GIRoA; **Police Law**; 22 September 2005; 22 September 2005; *Police Law*, U; Chapter 1, Article 1; Extracted Information is U; **Overall classification is U**.
- ³ (U) GIRoA; **Ministry of Justice Official Gazette Police Law, Issue 994**; 27 August 2009; 27 August 2009; *Islamic Republic of Afghanistan Ministry of Justice Official Gazette Police Law*, U; pg 5; Extracted Information is U; **Overall Classification is U**; Source is Rule of Law Training Unit.
- ⁴ (U) GIRoA; **Constitution of Afghanistan**; 26 January 2004; 26 January 2004; *The Constitution of Afghanistan, Chapter Two: Fundamental Rights and Duties of Citizens, Article Fifty-Six*, U; pg 36; Extracted Information is U; **Overall classification is U**.
- ⁵ (U) GIRoA; **Constitution of Afghanistan**; 26 January 2004; 26 January 2004; *The Constitution of Afghanistan, Chapter Four: Government, Article Seventy-Five, Paragraph 3*, U; pg 36; Extracted Information is U; **Overall classification is U**.
- ⁶ (U) GIRoA; **Constitution of Afghanistan**; 26 January 2004; 26 January 2004; *The Constitution of Afghanistan, Chapter Seven: The Judiciary, Article One Hundred Thirty-Four*, U; pg 36; Extracted Information is U; **Overall classification is U**.
- ⁷ (U) Afghan Mol; **National Police Plan for SY 1390-1391**; February 2011; February 2011; *Islamic Republic of Afghanistan, Ministry of Interior Affairs, Deputy Minister for Strategy and Policy, Department of Strategy, National Police Plan for Solar Years (SY) 1390-1391*, U; pgs 13-14; Extracted Information is U; **Overall Classification is U**.
- ⁸ (U) Afghan Mol; **National Police Plan for SY 1390-1391**; February 2011; February 2011; *Islamic Republic of Afghanistan, Ministry of Interior Affairs, Deputy Minister for Strategy and Policy, Department of Strategy, National Police Plan for Solar Years (SY) 1390-1391*, U; pg 5; Extracted Information is U; **Overall Classification is U**.
- ⁹ (U) Afghan Mol; **National Police Plan for SY 1390-1391**; February 2011; February 2011; *Islamic Republic of Afghanistan, Ministry of Interior Affairs, Deputy Minister for Strategy and Policy, Department of Strategy, National Police Plan for Solar Years (SY) 1390-1391*, U; pg 10; Extracted Information is U; **Overall Classification is U**.
- ¹⁰ (U) Afghan Mol; **National Police Plan for SY 1390-1391**; February 2011; February 2011; *Islamic Republic of Afghanistan, Ministry of Interior Affairs, Deputy Minister for Strategy and Policy, Department of Strategy, National Police Plan for Solar Years (SY) 1390-1391*, U; pg D-1; Extracted Information is U; **Overall Classification is U**.
- ¹¹ (U) GIRoA; **Police Law**; 22 September 2005; 22 September 2005; *Police Law*, U; Chapter 2, Article 4; Extracted Information is U; **Overall classification is U**.
- ¹² (U) GIRoA; **Ministry of Justice Official Gazette Police Law, Issue 994**; 27 August 2009; 27 August 2009; *Islamic Republic of Afghanistan Ministry of Justice Official Gazette Police Law*, U; pg 7; Extracted Information is U; **Overall Classification is U**; Source is Rule of Law Training Unit.
- ¹³ (U) GIRoA; **Ministry of Justice Official Gazette Police Law, Issue 994**; 27 August 2009; 27 August 2009; *Islamic Republic of Afghanistan Ministry of Justice Official Gazette Police Law*, U; pgs 7-10; Extracted Information is U; **Overall Classification is U**; Source is Rule of Law Training Unit.
- ¹⁴ (U) Afghan Mol; **National Police Plan for SY 1390-1391**; February 2011; February 2011; *Islamic Republic of Afghanistan, Ministry of Interior Affairs, Deputy Minister for Strategy and Policy, Department of Strategy, National Police Plan for Solar Years (SY) 1390-1391*, U; pg E-2; Extracted Information is U; **Overall Classification is U**.
- ¹⁵ (U) GIRoA; **Ministry of Justice Official Gazette Police Law, Issue 994**; 27 August 2009; 27 August 2009; *Islamic Republic of Afghanistan Ministry of Justice Official Gazette Police Law*, U; pg 7; Extracted Information is U; **Overall Classification is U**; Source is Rule of Law Training Unit.
- ¹⁶ (U) GIRoA; **Constitution of Afghanistan**; 26 January 2004; 26 January 2004; *The Constitution of Afghanistan, Chapter Three: The President, Article Sixty-Four, Paragraph 13*, U; pg 18; Extracted Information is U; **Overall classification is U**.
- ¹⁷ (U) Afghan Mol; **National Police Plan for SY 1390-1391**; February 2011; February 2011; *Islamic Republic of Afghanistan, Ministry of Interior Affairs, Deputy Minister for Strategy and Policy, Department of Strategy, National Police Plan for Solar Years (SY) 1390-1391*, U; pg E-2; Extracted Information is U; **Overall Classification is U**.
- ¹⁸ (U) Afghan Mol; **National Police Plan for SY 1390-1391**; February 2011; February 2011; *Islamic Republic of Afghanistan, Ministry of Interior Affairs, Deputy Minister for Strategy and Policy, Department of Strategy, National Police Plan for Solar Years (SY) 1390-1391*, U; pg E-2; Extracted Information is U; **Overall Classification is U**.
- ¹⁹ (U) Online Article; **Sean D. Naylor, Staff Writer**; Army Times; Special Forces Training Afghan Police Units; 11 June, 2010; http://www.armytimes.com/news/2010/06/army_special_forces_afghan_police_061110w/; Accessed October 6, 2011; Background.
- ²⁰ (U) Afghan Mol; **National Police Plan for SY 1390-1391**; February 2011; February 2011; *Islamic Republic of Afghanistan, Ministry of Interior Affairs, Deputy Minister for Strategy and Policy, Department of Strategy, National Police Plan for Solar Years (SY) 1390-1391*, U; pg E-3; Extracted Information is U; **Overall Classification is U**.
- ²¹ (U) Afghan Mol; **Nested Afghan Special Police Strategy**; 10 October 2011; 10 October 2011; *Nested Afghan Special Police Strategy*, U; pg 4-5; Extracted Information is U; **Overall Classification is U**.



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- ²² (U) Online Article; **Doug Brooks**; Journal of International Peace Operations; *Losing in Afghanistan*; 1 September 2011; <http://web.peaceops.com/archives/1674>; Accessed 6 October, 2011; Background.
- ²³ (U) US Congress; **Advance Questions for LTG John R. Allen**; 28 June 2011; 28 June 2011; *Advance Questions for LTG John R. Allen Nominee to be Commander, International Security Assistance Force and Commander, United States Forces Afghanistan*, U; pg 16; Extracted Information is U; **Overall classification is U**; Source is LTG John R. Allen.
- ²⁴ (U) Afghan Mol; **Policy Directive Regarding Activities of the General Directorate of Police Special Units**; 10 October 2011; 10 October 2011; *Policy Directive Regarding Activities of the General Directorate of Police Special Units*, U; pg 11; Extracted Information is U; **Overall Classification is U**.
- ²⁵ (U) Afghan Mol; **Nested Afghan Special Police Strategy**; 10 October 2011; 10 October 2011; *Nested Afghan Special Police Strategy*, U; pg 5-6; Extracted Information is U; **Overall Classification is U**.
- ²⁶ (U) GIRoA; **Afghan Customs Code**; 20 March 2005; 20 March 2005; *Afghan Customs Code*, U; Chapter 1, Article 2; Extracted Information is U; **Overall classification is U**.
- ²⁷ (U) GIRoA; **Afghan Customs Code**; 20 March 2005; 20 March 2005; *Afghan Customs Code*, U; Chapter 1, Article 5; Extracted Information is U; **Overall classification is U**.
- ²⁸ (U) GIRoA; **Afghan Customs Code**; 20 March 2005; 20 March 2005; *Afghan Customs Code*, U; Chapter 1, Article 6; Extracted Information is U; **Overall classification is U**.
- ²⁹ (U) GIRoA; **Afghan Customs Code**; 20 March 2005; 20 March 2005; *Afghan Customs Code*, U; Chapter 1, Article 3, Paragraph E; Extracted Information is U; **Overall classification is U**.
- ³⁰ (U) GIRoA; **Afghan Customs Code**; 20 March 2005; 20 March 2005; *Afghan Customs Code*, U; Chapter 14, Article 164; Extracted Information is U; **Overall classification is U**.
- ³¹ (U) AREU; **Cops or Robbers?**; July 2007; July 2007; *Cops or Robbers? The Struggle to Reform the Afghan National Police*, U; pg 31; Extracted Information is U; **Overall classification is U**; Source is Andrew Wilder with the Afghanistan Research and Evaluation Unit (AREU), an independent research organization head-quartered in Kabul.
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Appendix A – Afghan Local Police Program.

The Afghan Local Police Program is a Government of the Islamic Republic of Afghanistan (GIROA) Program, assisted by the International Security Assistance Force (ISAF) that was officially established by President Karzai on August 16, 2010 by presidential decree upon recommendation from the Afghan National Security Council. The GIROA governing document for ALP is the Afghan Local Police Establishment Procedures. Per the ALP Establishment Procedures, ALP are the only GIROA sanctioned security force in rural Afghanistan. The Establishment Procedures state that command and control is provided by Mol, but also that robust links to village elders and shuras must be established and maintained.

The GIROA ALP Program is supported by ISAF through the Combined Forces Special Operations Component Command Afghanistan (CFSOCC-A) Village Stability Operations (VSO) program. VSO is population-centric, precision COIN in which a SOF element (and sometimes conventional forces) embeds at the village or district and lives there until responsibility can be transitioned to GIROA. VSO is a COIN approach that evolved from previous CFSOCC-A approaches, focused primarily on security, that proved sub-optimal, due to a lack of focus on governance and development in addition to security, as well as a lack of close-tactical partnering. VSO prescribes concurrent focus on security, governance, and development lines of operation by the embedded SOF or coalition partner force. This integrated approach mobilizes communities versus the insurgents, creating conditions of improved security, stability, and prosperity. Experience suggests that VSO has provided the foundation for resilient ALP and rural communities that are more durable versus insurgent murder, intimidation, and extremist ideology, in significant ways that disrupt insurgent freedom of movement and deny insurgents uncontested access to rural populations.

CFSOCC-A is Commander ISAF's (COMISAF's) Executive Agent for VSO ALP. The Commander ISAF Joint Command (COMIJC), the Operational Headquarters for ISAF, is the supported commander. Per COMISAF FRAGO 164-2011, ISAF Joint Command (IJC) and CFSOCC-A are directed by COMISAF to expand ALP in accordance with the VSO counterinsurgency methodology, to promote unity of effort for Coalition Forces in support of Security, Governance, and Development lines of operation throughout the CJOA-A.

ALP is paid for by Afghan Security Forces Funds (ASFF) through a bilateral arrangement with the U.S. Government. Per USG governing documentation, ALP are a part of ANSF but they do not count against the current ceiling for ANSF of 352,000. ALP are having effects as a defensive force designed to provide small-scale, community-watch policing in their own village or district. VSO ALP guardians are selected by the local shura and are accountable to those village elders. Once trained and enrolled in ALP, members are employees of the Ministry of Interior. This provides a tangible link to GIROA via Mol. Though GIROA ALP was initially envisioned as a 2-5 year program, COMISAF and other senior coalition leaders now see ALP as an enduring program as part of ANSF that will likely grow beyond the current 30K ceiling.^{1,2}

¹ CFSOCC-A; **CFSOCC-A PAO 080211**; 2 Aug 2011; *Village Stability Operations, Current as of August 2, 2011*, U; Extracted Information is U; **Overall classification is U.**

² GIROA; 18 Aug 2011; *Ministry of Interior- Afghan Local Police, Current as of August 18, 2011*, U; Extracted Information is U; **Overall classification is U.**