

# Promoting the Accountability of the Afghan National Security Forces: Update 27 September 2011

In May this year, Oxfam and partners released a report titled *No Time to Lose: Promoting the Accountability of the Afghan National Security Forces*. We argued in that report that as greater responsibility was handed over to the Afghan National Security Forces (ANSF), there was a serious risk that unless adequate accountability mechanisms were put in place, violations of international human rights and humanitarian law would escalate, and Afghan civilians would pay the price. We argued that troop-contributing states had been slow to honour their moral and legal obligations to ensure the accountability of the national security forces, and that time to do so was running out.

Five months on we have seen some progress towards promoting the professionalism and accountability of the security forces, most notably in the area of police training. But we remain concerned about the capacity of the ANSF, particularly the police, to assume responsibility for the protection of the Afghan population. We remain concerned also about the capacity of the ANSF to win the trust and confidence necessary to affirm the legitimacy of the Afghan government in the eyes of the population.

This paper provides an update on the conduct and accountability of the ANSF, with a focus on the police, and reflects on progress made in recent months. We focus in particular on four issues we believe to be of critical importance in the lead up to transition: police training and professional development; the establishment of a gender-sensitive police force; accountability for police misconduct; and accountability for civilian casualties.

Detailed recommendations are provided at the end of this paper. In summary, Oxfam calls upon the international community to:

- Ensure that the professionalization of the police force is an integral part of the transition strategy;
- Commit to gender-sensitive police reform, including by increasing the number of women in the police;
- Urge the Ministry of Interior (MoI) to suspend further expansion of the Afghan Local Police (ALP) program until appropriate vetting, training and oversight can be assured and credible, independent monitoring has been established;
- Support the MoI to address the lack of clarity and coherency in the way in which allegations of police misconduct are handled;
- Support the Afghan government to develop systems to ensure that incidents resulting in civilian harm are properly analysed and followed by credible, transparent investigations; and to develop appropriate procedures for the payment of compensation in the event of civilian harm.

## The Afghan National Police

- Current size: 126,000
- October 2011 target: 134,000
- Number of Women: 1,187
- Training: eight-week course just introduced.
- 83% partnered with international units
- 73% (units of Afghan Uniformed Police) assessed as effective with international assistance/advice

## The Afghan Local Police

- Current size: 7,000 in 43 districts
- Target: 10,000 in 77 districts (funding approved for potential expansion to 30,000).
- Training: three weeks

## The Afghan National Army

- Current size: 164,000
- October 2011 target: 171,000
- Number of women: 320
- 96% partnered with international units
- 70% of units assessed as effective with international assistance/advice.

## Public Perceptions and Conduct of the ANSF

As the deadline for the handover of security responsibilities to the ANSF draws closer, it remains the case that the ANSF, and particularly the police, are regarded by a significant portion of the Afghan public as abusive, corrupt and incompetent – a force to be feared rather than a force to trust. An estimated 90 per cent of police cannot read or write,<sup>1</sup> and an estimated 20,000 still have not received even the most basic training.<sup>2</sup> Corruption is endemic, and as recently observed by Lt Gen Caldwell, the Commanding General of the NATO Training Mission in Afghanistan (NTM-A), 'nullifies efforts to build the trust and confidence between these security forces and the people of Afghanistan'.<sup>3</sup> But worse than incompetency or corruption, Afghan police continue to be implicated in serious violations of human rights, as well as in incidents in which a readiness to resort to lethal force rather than non-lethal alternatives leads to avoidable civilian casualties.

Night raids – carried out at a rate of around 300 a month by both national and international security forces, including both the Afghan army and police – remain one of the most despised tactics of the counterinsurgency and generate fear, distrust and anger amongst the civilian population.<sup>4</sup> At least 30 civilians were killed in night raids in the first six months of 2011.<sup>5</sup> ISAF has issued two Tactical Directives in the past year in an attempt to regulate the conduct of raids and minimise civilian harm, and this has resulted in some improvements. But the benefits have been overshadowed by the surge in the number of raids over the past year, bringing this practice into more and more Afghan homes. In the eyes of the Afghan public, night raids continue as a means for both national and international security forces to kill, harass and intimidate civilians with impunity.

A concerning development this year has been the number of Afghan civilians killed by police in crowd control incidents – situations for which the Afghan police are inadequately trained and poorly equipped. In the absence of appropriate training on alternatives to the use of lethal force, the police readily resort to firing into violent crowds with live ammunition. In April this year, 10 civilians were killed and dozens injured, according to some accounts by the Afghan police, during a protest in Kandahar following the burning of the Koran in the US.<sup>6</sup> In May, police opened fire into a crowd of anti-NATO protesters in Takhar province, killing at least 14 civilians and injuring 79.<sup>7</sup> Altogether Afghan police killed at least 25 civilians and injured 159 others in crowd control operations in the first half of this year.<sup>8</sup>

The sexual abuse and exploitation of young boys by the police remains a pressing concern, as does the tendency for the police to turn a blind eye to the perpetration of such abuse by others. In Kabul, the Afghan Independent Human Rights Commission (AIHRC) is currently looking into allegations that a number of senior officials regularly engage (and abuse) two well known *bacha bazzi* ('dancing boys'), including at high profile engagements such as

### Perceptions of the ANSF – young men in Kandahar/Helmand

- 81% believe that the Afghan police are either helping or will join the insurgency.
- 69% believe that the Afghan army are either helping or will join the insurgency.
- 54% believe the Afghan police are ineffective.
- 40% believe the Afghan army are ineffective.
- 61% believe that the ANSF will not be able to provide security in areas where international forces are withdrawing.
- 21% had personally been asked for money in exchange for favourable treatment by the Afghan police

Source: International Council on Security and Development, 'Afghanistan Transition: Dangers of a Summer Drawdown' (February 2011).

wedding parties, with the acquiescence of the police.<sup>9</sup> AIHRC regional staff in Uruzgan have also received multiple reports of young boys being sexually exploited by the police. The use of *bacha bazzi* has a long tradition in Afghanistan, and thus little effort is made by the police to conceal the practice. As noted by one AIHRC staff, 'they keep them [the boys] alongside of them. You see them sitting beside them in the car. Everyone knows about it.'<sup>10</sup>

In *No Time to Lose*, we noted that among the most serious allegations directed at the ANSF were allegations of torture and other forms of cruel, inhumane or degrading treatment or punishment during detention. Findings from a recent UN investigation into the treatment of detainees in Afghan detention centres affirm the extent of this problem. The study found evidence of widespread torture at five provincial detention facilities run by the National Directorate of Security (NDS) and two jails run by the police, and prompted the International Security Assistance Force (ISAF) to suspend the transfer of detainees into Afghan custody. UN investigators were told that inmates had been suspended in stress positions, subjected to electric shocks, threatened with sexual assault and beaten with rubber hoses.<sup>11</sup>

The Afghan Local Police (ALP) continue to be the subject of widespread allegations of abuse. A report released by Human Rights Watch this month documented multiple allegations of serious crimes – including sexual abuse, unauthorised raids, land grabbing, extrajudicial killings and enforced disappearance – against the ALP in Baghlan, Herat and Uruzgan.<sup>12</sup> In Kandahar, the ALP have been accused of robberies, theft, assaults and murder.<sup>13</sup> The deputy leader of the Kandahar provincial council confirmed recently that 'yes, these things are happening', but that 'we hope we can improve this and stop these abuses as we continue.'<sup>14</sup> But it is difficult to see how such improvements will be possible without substantial changes in the training and oversight of the ALP – discussed below. As stated by one AIHRC staff, 'the only thing they're trained to do is to fight the Taliban. But if they're also given authority for maintaining law and order at the same time, with all their tribal affiliations, and the way they're nominated, and with most of them being former warlords, well it's very optimistic to expect this of them.'<sup>15</sup>

## Police Training and Professional Development

In *No Time to Lose*, we urged the international community to improve the quality of training for the police, and in particular to ensure that training include sufficient emphasis on community-based policing, good governance, the rule of law, the accountability of police to civilians and the differing security needs of women and men. We expressed concern that the basic training had been shrunk to just six weeks, still mainly covered the use of firearms, and was carried out primarily by military officials.

Both the quality and the length of police training have improved substantially over the course of this year. The 'basic patrolman course' has been brought back up to eight weeks and a standardised program of instruction has been introduced, with a revised curriculum that includes substantial components on human rights, sexual abuse, violence against women and community policing.<sup>16</sup> Critically however, this does not apply to the ALP, who continue to receive just three weeks of training which is almost entirely focused on military skills and tactics and, according to the current curriculum, includes not a single component on gender issues, community policing or human rights.<sup>17</sup>

But even for the regular police, while the basic training has improved, the lack of longer-term professional development remains a key impediment to the further professionalization

of the police force. Following the initial eight-week training, police are assigned to their districts, and thereafter receive almost no formal on-the-job mentoring or refresher training. The little mentoring that does occur is done by military, not police. By way of comparison, for police in the UK, the initial 14-week course is just the start of a longer-term professional development program during which police receive on-the-job training and mentoring over a period of two years. In Afghanistan, such ongoing professional development could include, for example, after-action reviews of the crowd control incidents that this year have resulted in such large numbers of civilian casualties.<sup>18</sup>

In June this year, Lt Gen Caldwell said in a speech at the Brookings Institute that training for the army and police involved four key components: people, resources, strategy, and time. He said that NTM-A had been provided with the people, resources and strategy, but that 'time, however, is more elusive. If we want a fully trained and quality force that can last, we must have the patience to develop one.'<sup>19</sup> Questioned on the length of time required, Lt Gen Caldwell said that 'as far as the training mission goes, we won't complete doing what we need to do til' about 2016, 2017'.<sup>20</sup>

## Establishing a Gender-Sensitive Police Force

In *No Time to Lose*, we urged the Afghan government to increase the number of women in the police. This is an essential step towards ensuring the sensitivity of the police force to the differing security needs of women and men, and towards promoting the ability of the police to take appropriate preventative and responsive measures in relation to sexual and gender-based crimes. This is particularly critical in the context of Afghanistan, where violence against women is endemic. Research carried out in 2008 found that almost 90 per cent of Afghan women had experienced at least one form of physical, sexual or psychological violence at some point in their lives.<sup>21</sup> And research around the world affirms that where violence against women is endemic, prospects for durable peace and stability are substantially reduced.<sup>22</sup>

We noted in *No Time to Lose* that the 2010 Afghanistan National Police Strategy aimed to recruit 5,000 women into the police, but that the political will to make this happen was lacking. This observation holds true today, and with less than 1,200 women in the police force, there is an enormous amount of work still to be done.

Building a gender-sensitive police force in Afghanistan was never going to be easy, faced with an overwhelming cultural bias against women playing a role in the security sector. Key challenges that stand in the way of women entering (and playing a meaningful role in) the police force today include lack of willingness on the part of district commanders to assign female police within their districts, difficulties faced by women in leaving their districts to attend training, the fact that women once in the police force are often denied opportunities for promotion, and sexual assault and harassment of female police officers. Some steps have been taken towards providing a safer working environment for women, most notably the establishment by the MoI in early 2009 of a helpline for police who are discriminated against, harassed, threatened or physically assaulted in the workplace. But awareness of the helpline outside of Kabul is low, and due to widespread fear of the consequences of reporting, the vast majority of cases that are reported are administrative in nature. The helpline has received just one allegation of rape and one of sexual harassment in two and a half years.<sup>23</sup>

Even when complaints are made, whether through the helpline or otherwise brought to the attention of the MoI, the response is challenged by a lack of capacity within the relevant departments regarding the appropriate handling of sexual assault and harassment, and by the lack of written referral guidelines. Also concerning is a tendency for cases to be turned against female complainants.

The alleged rape case reported to the helpline concerned a young female police officer who was drugged and raped, unconscious, by a member of the NDS. The case was referred to the MoI's Department of Legal Affairs, where it was 'resolved' by securing the agreement of the perpetrator to marry the victim.<sup>24</sup> The sexual harassment complaint reported to the helpline is still being processed, but staff have expressed a preliminary view that it may have been lodged by the complainant in retaliation for her dismissal from the police force.<sup>25</sup> It's easy to see why complaints are so rarely made, and why so many women fear the consequences of joining the police force.

Increasing the number of women does not in itself guarantee a gender-sensitive police force. The recruitment of female police officers must be part of a broader program of gender sensitive police reform – including training and ongoing awareness raising for police about the seriousness and extent of violence against women both inside and outside the police force, increasing the number of women in training/mentoring teams, ensuring that female police officers are provided with the same opportunities for promotion as their male colleagues, effective monitoring of the investigation and prosecution of crimes of violence against women, and appropriate training and support for Family Response Units.

## Accountability for Police Misconduct

We noted in *No Time to Lose* that community resentment over ANSF misconduct and brutality is exacerbated by a perceived lack of accountability. We recommended that more substantial support be provided for government institutions and mandated independent bodies that receive and investigate complaints against the ANSF, and that ANSF personnel who abuse their authority or otherwise fail to fulfill their obligations under Afghan or international law be transparently investigated and appropriately disciplined/prosecuted. Today we remain concerned that abuses committed by the ANSF, and particularly the police, continue with impunity.

None of the crowd control incidents described above, despite having resulted in substantial civilian casualties at the hands of the police, have been investigated by the MoI. Questioned by the EU Police Mission as to why the Kandahar incident (in which ten civilians were killed) was not being investigated, the MoI replied that no one had filed a complaint.<sup>26</sup> In Takhar province in May this year, a 13-year old girl was allegedly sexually abused by eight men, six of whom were wearing police uniform. Following a visit by a delegation from the AIHRC, the provincial authorities promised to investigate the case. Four months later the AIHRC is still pushing for the case to be pursued, but thus far there has been no arrest.<sup>27</sup>

Some progress has been made in the development of systems for the handling of complaints against the Afghan police. The MoI's emergency response line ('119') continues to function, and reportedly does receive complaints related to police misconduct. But as with the helpline for women in the police, the effectiveness of the program is undermined by the lack of specialised training for relevant staff regarding the handling of complaints, the lack of understanding of when cases should be referred for criminal investigation/prosecution, and the absence of referral guidelines setting out the roles and responsibilities of the various units

within the MoI – meaning that there is considerable space at every stage for individual discretion. The result is that exceptionally few cases against the police are ever prosecuted. In a recent interview with Oxfam, the head of the MoI’s Gender and Human Rights Unit was unable to cite a single instance in which a complaint against a police officer had resulted in prosecution.<sup>28</sup>

The progress being made in the development of systems for responding to complaints is further undermined by the issue of tribal and political loyalties. This issue not only stands in the way of police being held accountable for their own misconduct, but also determines their willingness to respond to allegations of abuse directed against the local population.

In response to a recent allegation of sexual abuse of a young boy by a local powerbroker in Uruzgan, the AIHRC referred the case to the MoI, which responded by instructing the district chief of police to arrest the alleged perpetrator. Following pressure from community elders from the same tribe as the alleged perpetrator (the *popalzai* tribe), the district chief of police reported back to the MoI that the man had disappeared. Community elders subsequently wrote to President Karzai (also of the *popalzai* tribe) recommending that the alleged perpetrator be appointed as an ALP commander. This instruction was passed on from President Karzai to the MoI, and in turn to the district chief of police. The question of the appointment is still under discussion, but in the meantime there appears to be little likelihood of the man being arrested for the alleged sexual abuse.<sup>29</sup>

The problem of formal accountability processes being undermined by tribal and political loyalties is particularly acute in the case of the ALP, who while formally accountable to the district police chiefs, in many cases operate in practice (as described in *No Time to Lose*) under the control of tribal elders. The district chief of police and deputy governor in Kunduz, for example, say that they have no capacity to control the ALP. In one recent case documented by Human Rights Watch in Baghlan, a girl was raped by an ALP commander and his guards. The victim’s brother reported the rape to the district and provincial authorities, but when questioned by Human Rights Watch, the provincial chief of police explained that he had been unable to carry out an arrest.<sup>30</sup> Conversely in Maidan Wardak, community complaints addressed to the district police chief and the district governor regarding the conduct of the ALP meet with no response because of tribal and political (*Hezb-e-Islami*) affiliations between the district authorities and the ALP.<sup>31</sup>

In *No Time to Lose*, we noted that the office of the police ombudsman (OPO) could potentially fulfil the role of providing external oversight of police conduct, if provided with the necessary political backing as well as technical and material support. The OPO (managed by the AIHRC) is now almost ready to commence operation and is training staff, but critically, is not supported by the MoI.<sup>32</sup> And it seems such support may be a long while coming. As explained by the head of the MoI’s Gender and Human Rights Unit, ‘there’s a human rights body within the police organisation. The police are responsible for this, to implement the law in the country. If the human rights units within the police are in a position to handle their work then there is no need for an external organisation to look after their behaviour.’<sup>33</sup> This lack of political backing is likely to substantially limit the effectiveness of, and possibly also donor support for, the OPO.

## Accountability for Civilian Casualties

In *No Time to Lose*, we called upon the international community to support the Afghan government to ensure that incidents resulting in civilian harm were properly analysed and

followed by credible, transparent investigations, and upon the Afghan government to develop a uniform, consistent, transparent procedure for the payment of compensation in the event of civilian harm.

Progress on this issue has been negligible. Civilian casualty incidents (civilian harm caused during the course of military operations) are almost never transparently investigated, and where investigations do take place the results are not available to the public. Such incidents are still almost never followed by appropriate apology and redress.

Civilian casualties caused during the course of military operations continue to be regarded as an international problem requiring an international solution. As explained by one ISAF official in an email to Oxfam, 'at this time, ISAF is the only element [in the military/political structure] focused on civcas mitigation measures to reduce civcas in Afghanistan. GIRoA [the Afghan government], together with the ANSF, is concerned but cannot focus on this process since there are many more competing priorities for this new security capability. I expect civcas mitigation to migrate to ANSF control once ANSF is fully established and ISAF completes its security transition to ANSF.'<sup>34</sup>

The establishment of civcas mitigation measures within the ANSF must not wait until 'ISAF completes its security transition to ANSF.' The amount of time required to develop, refine and provide appropriate training in such systems is clearly illustrated by the experience of ISAF, which has been working on this issue for at least two years and has created a civilian casualty tracking cell and issued multiple tactical directives and guidelines aimed at minimising civilian casualties, but still has an enormous amount of work to do in this regard. July 2011 saw the highest number of civilian casualties attributed to pro-government forces since 2009.<sup>35</sup> Moreover, considering the degree of anger and resentment provoked by civilian casualty incidents, and the potential for such incidents to undermine the perceived legitimacy of the Afghan government, to disregard 'civcas mitigation measures' because of 'competing priorities' is almost certainly not in the strategic interests of either Afghanistan or its international allies. Research conducted in Southern Afghanistan in April-May this year found that a majority of interviewees believed that national security forces were killing more civilians than the Taliban.<sup>36</sup>

## Conclusion and Recommendations

Substantial progress has been made in the development of the ANSF, and in recent months we have seen a continuation of the shift from an exclusive focus on 'boots on the ground' to a broader focus on both quantity and quality. But still the political will to really invest in the institutional reform necessary to ensure professional, accountable security forces beyond 2014 is lacking. The drive towards ambitious force generation targets is still being given precedence. Public reporting still focuses primarily on numbers, and there does not seem to be any reference anywhere to post-2014 development goals for the ANSF. This is in spite of repeated analysis showing that the full professionalization of the force will require funding and support well beyond 2014.<sup>37</sup>

In order to ensure the protection of Afghan civilians in the lead up to and beyond transition, Oxfam calls again upon the international community to:

- **Ensure that the further professionalization of the ANSF is made an integral part of the transition (and post-transition) strategy.** This should include the development of a system for ongoing mentoring and training for the police – by police, not military. The

international community will need to ensure that plans are in place for sufficient numbers of trainers and mentors to remain in country during and after the withdrawal of international military forces, and that Afghan trainers are provided with the capacity to take this forward as international support diminishes.

- **Commit to gender sensitive police reform, including by increasing the number of women in the police force.** Support mobile training teams so that women can be trained within their own districts, and support the MoI to provide additional incentives for female recruits, such as assistance with transport, accommodation and childcare. Support and further develop systems to protect women in the police force, including the development of guidelines for MoI officials regarding the handling and referral of allegations of sexual assault/harassment, and specialized training in the investigation of such allegations. Ensure that female police officers are provided with the capacity building as well as opportunities for promotion necessary to enable them to play a meaningful – not just symbolic – role in the police force.
- **Urge the MoI to suspend further expansion of the ALP program until appropriate vetting, training and oversight can be assured and credible, independent monitoring of the program has been established.** Recruits should be subject to the same disciplinary regulations and oversight mechanisms that apply to the main pillars of the ANP; and the findings of independent monitoring should be made available to the public. Urge the US Congress to withhold further payments to the ALP until adequate vetting, training and oversight structures have been established.
- **Support the MoI to address the lack of clarity and coherency with which allegations of police misconduct are currently handled.** Support the development of written guidelines for the handling and referral of complaints within and between the various departments and units, and in particular for referral to criminal investigation and prosecution. Ensure that all units involved in the carrying out of investigations are provided with specialised training and adequate human resources for this purpose, and urge the MoI to ensure that appropriate data regarding investigations and prosecutions related to police misconduct is made publicly available. Urge the MoI to formally endorse the office of the police ombudsman.
- **Support the Afghan government to develop its own systems to ensure that incidents resulting in civilian harm are properly analysed and followed by credible, transparent investigations; and to develop a uniform, consistent, transparent procedure for the payment of compensation in the event of civilian harm.** Ensure that the development of ANSF capability to appropriately monitor, minimize and respond to civilian casualties is made an integral component of the military transition strategy.

## Notes

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- <sup>1</sup> Lt Gen William Caldwell, 'Transition in Action: Building the Afghan Army from "Boots on the Ground" Up' (Speech delivered at the Brookings Institute, Washington DC, 6 June 2011) 20.
- <sup>2</sup> Interview with ISAF official, Kabul, August 2011.
- <sup>3</sup> Caldwell, above n 1, 13.
- <sup>4</sup> Carlotta Gall, 'Night Raids Curbing Taliban, but Afghans Cite Civilian Toll', *The New York Times* (Kabul, Afghanistan), 8 July 2011, <<http://www.nytimes.com>>; UN Assistance Mission in Afghanistan, 'Afghanistan: Mid Year Report 2011, Protection of Civilians in Armed Conflict' (July 2011) 3, 25. For a detailed analysis of night raids see: Open Society Foundations and The Liaison Office, 'The Cost of Kill/Capture: Impact of the Night Raid Surge on Afghan Civilians' (19 September 2011).
- <sup>5</sup> UN Assistance Mission in Afghanistan, above n 4, 25.
- <sup>6</sup> 'Obama Decries Quran-Burning, Violent Responses', CNN (Kandahar, Afghanistan), 2 April 2011, <<http://articles.cnn.com>>
- <sup>7</sup> UN Assistance Mission in Afghanistan, above n 4 25.
- <sup>8</sup> Ibid 26.
- <sup>9</sup> Interview with AIHRC staff, Kabul, September 2011.
- <sup>10</sup> Ibid.
- <sup>11</sup> Amnesty International, 'NATO Halts Afghanistan Detainee Transfers After Torture Claims' (Press Release, 7 September 2011) <<http://www.amnesty.org>>.
- <sup>12</sup> Rachel Reid, '"Just Don't Call it a Militia": Impunity, Militias and the Afghan Local Police' (Human Rights Watch, September 2011) 58.
- <sup>13</sup> Ben Farmer, 'US-Funded Militias Beat, Rob and Kill with Impunity', *The Telegraph* (Kandahar, Afghanistan), 19 June 2011, <<http://www.telegraph.co.uk/news/worldnews/asia/afghanistan/8585242/US>>.
- <sup>14</sup> Ibid.
- <sup>15</sup> Interview with AIHRC staff, Kabul, September 2011.
- <sup>16</sup> Government of the Islamic Republic of Afghanistan, Mol, 'ANP Basic Patrolman Course: Curriculum for Initial Education of the Patrolman' (June 2011).
- <sup>17</sup> Afghan Local Police, 'Program of Instruction' (shared with Oxfam by ISAF, August 2011).
- <sup>18</sup> Interview with senior ISAF official, Kabul, August 2011.
- <sup>19</sup> Caldwell, above n 1, 16.
- <sup>20</sup> Ibid 42.
- <sup>21</sup> D Nijhowne and L Oates, 'Living with Violence: A National Report on Domestic Abuse in Afghanistan' (Global Rights, March 2008).
- <sup>22</sup> See SC Res 1325, UN Doc S/RES/1325 (31 October 2000); SC Res 1820, UN Doc S/RES/1820 (19 June 2008).
- <sup>23</sup> Interview with Mol official, Kabul, September 2011.
- <sup>24</sup> Ibid.
- <sup>25</sup> Ibid.
- <sup>26</sup> Interview with EUPOL official, Kabul, August 2011.
- <sup>27</sup> Interview with AIHRC staff, Kabul, September 2011.
- <sup>28</sup> Interview with General Shafiqqa, Head of the Gender and Human Rights Unit, Mol, Kabul, September 2011.
- <sup>29</sup> Interview with AIHRC staff, Kabul, September 2011.
- <sup>30</sup> Reid, above n 12, 61.
- <sup>31</sup> Ibid.
- <sup>32</sup> The Mol does have a Memorandum of Understanding with the AIHRC regarding the existence of an oversight body, however Mol officials now report that the Mol has not formally endorsed the OPO: interviews with AIHRC and MOI officials, Kabul, August-September 2011.
- <sup>33</sup> Interview with General Shafiqqa, Head of the Gender and Human Rights Unit, Mol, Kabul, September 2011.
- <sup>34</sup> Email from ISAF official to Oxfam, August 2011.
- <sup>35</sup> Afghanistan Protection Cluster meeting, Kabul, 17 August 2011.
- <sup>36</sup> Norine MacDonald, Alexander Jackson and Jorrit Kamminga, 'Afghanistan Transition: The Death of Bin Laden and Local Dynamics' (International Council on Security and Development, May 2011) 30.
- <sup>37</sup> Anthony Cordesman, 'Can Afghan Forces be Effective by Transition: Afghanistan and the Uncertain Metrics of Progress: Part Five' (Working Draft, Center for Strategic and International Studies, 13 June 2011)