

Disarming the Militias – DDR and DIAG and the Implications for Peace Building

Barbara Stapleton

Deputy to the EU Special Representative, Kabul

This paper is written in her personal capacity.

Introduction

"Disarmament, demobilisation and reintegration is the de facto peace process in Afghanistan. Without DDR there will be no security and hence no environment for sustainable democracy in the country." (Preface to the Recommendations from the 'Civil Society Participation in Afghan Peacebuilding and Reconstruction Conference', Berlin, 30 March 2004)

"What you have said about DDR is what is in our hearts but how will this be made to happen?" (Many of the civil society networks linked to the forty civil society representatives from all over Afghanistan who attended the above conference, subsequently responded to the Civil Society statement - made in Berlin on their behalf – in these or similar words.)

I arrived in Kabul as ACBAR's (the Kabul-based NGO coordinating body) policy and advocacy coordinator in January 2003. In an effort to distinguish reality on the ground from the spin being spun even then, the Disarmament, Demobilisation and Reintegration (DDR) process provided a lifeline. My interest in DDR and its successor programme: the Disbandment of Illegal Armed Groups (DIAG) remained part of my work with the Office of the EU Special Representative. I would like to thank those who have shared insights and have helped shape my thinking on this most critical of areas for peace building in Afghanistan - Professor Kenji Izesaki, who headed the Japanese embassy's DDR unit, Christian Willach and Christian Lamarre in the DIAG Joint Secretariat and Dr. Antonio Giustozzi, at the London School of Economics' 'Crisis States Programme'.

Popular support for the development of a centralised state that had control over the means of violence was palpable at the outset of the international engagement following the dismantlement of Taliban rule. The profound challenges involved in overcoming

Afghanistan's historic legacy of a limited government and strong society were underestimated by all sides, however. This situation was compounded by an ongoing failure to understand how pre-existing socio-economic structures had been affected by the violence and destruction that had erupted over the previous thirty years. The phenomenon of 'warlordism', itself an outcome of this most recent period of Afghanistan's history, was conflated with a tendency by outsiders to view Afghan history stereotypically, in short that things had always been that way.

The radically altered mechanisms through which relations between the centre and the periphery had been conducted prior to the decades of intermittent, devastating conflict, the weakening of community leaders and consequently the increased vulnerability of local communities, was barely taken into account let alone understood by policy planners. Instead assumptions have ruled the day. Afghan expectations that concrete steps would be swiftly taken to end impunity, create access to justice and establish law and order, went unmet, while the security gap continued to widen from 2002 onwards. The international community did not commit the capacity and resources required to deliver in these key regards in the critical early years of the engagement. Instead, the implementation of security sector reform processes was overshadowed and overtaken by the political objectives that punctuated the Bonn Agreement and towards which international efforts were primarily directed.

While not underestimating the regional dimensions of the insurgency, the outcomes of failing to prioritise Security Sector Reform (SSR) during the early 'window of opportunity' and the seeming inability to take a coordinated approach across the closely inter-related security sector processes, are now staring us in the face: 2008 has been the worst in terms of security since 2001 with most worryingly an increasing trend towards the merging of interests between organised criminal syndicates, illegal armed groups and armed opposition groups, all opposed to the establishment of a strong central state and the rule of law. The ability of what has been termed "the shadow state" to penetrate and co-opt key elements of formal state structures at all levels –

is exemplified by the trade in opium and weapons, with opium being traded north and weapons and ammunition traded south.

Effective steps to address the core issue of impunity and thereby start to close the gap between the Afghan government and people have yet to be taken, while international will to tackle the underlying and linked causes of violence in a coherent and sequenced way - appears to be diminishing. The international community needed to demonstrate its clear intent with regard to providing the Afghan government with the necessary support to reach DDR and DIAG objectives. Given the central government's weakness, the failure to do so rendered DIAG a self-fulfilling prophecy in regard to its limited and weak outcomes to date. Meanwhile, Afghans observed both processes being manipulated by the powerful, towards their own ends.

Factors Opposing Disarmament

The discourse that has surfaced recently on 'community defence' which is believed to include the possibility of creating additional militias, has consistently provoked negative reactions in the local media. Not surprisingly given historic resonances and growing fears that a return to civil war cannot be discounted. On the other hand some human rights activists see the hardening of ethnic positions and the fact that Pakistan will not be an option to flee to, should the worst come to pass, as boosting renewed support for leaders perceived as capable of providing some level of protection.

Perceptions that the south is being re-armed have become more prevalent in non-Pashtun areas of the country while demands for re-armament in the face of a strengthening insurgency have become more strident in the north. Ambivalence towards disarmament has increased amongst all ethnic groups including the Shias whose political leaders have exploited the Hazara/Kuchi clashes which the government has, so far, failed to resolve.

The growing demand for weapons from insurgent groups has added to these complexities. Military operations by Afghan and international forces have caused heavy losses in weaponry as well as men amongst armed insurgent groups over the last two

years. This has stimulated a weapons and ammunition trade which is being supplied from the north including from areas historically opposed to the Taliban. This amounts to a "win:win" situation allowing commanders of illegal armed groups to claim more government support on the grounds that they are combating the insurgency while further securing their own power bases. By accessing resources available in Afghanistan through illegal armed groups, insurgent groups can at least partially re-supply in an easier way than bringing in resources over the border.

According to reports, a significant number of the Illegal Armed Groups (IAGs) that kept their weapons, legitimising their stance with the "we have to fight the insurgents" argument, are now in various stages of supporting the insurgency. This development has reportedly contributed to the expansion of the insurgency over the last few years. This, coupled with the groups that have not disarmed because they are engaging the insurgents for a number of reasons has created an environment where disarmament is at a distinct disadvantage because all parties involved see no incentive to hand in their stockpiles of weapons and ammunition.

Disarmament, Demobilisation and Reintegration (DDR) 2003-2005

A six-month delay to the planned start of DDR, (which finally began in October 2003) was linked to the implementation of reforms to the Ministry of Defence (MoD) [rightly] insisted upon by the Japanese government before it would release funding. The urgent need for MoD reform was related amongst other factors to the disputed numbers of Afghan Militia Forces (AMF) under the nominal command and control of the MoD. They and they alone were the primary target of the DDR process, along with the cantonment of heavy weapons. Unofficial or private militias (termed illegal armed groups following the formal end of DDR) lay outside the DDR mandate.

The initial DDR plan for the demobilization and reintegration of 100,000 "active security personnel" represented less than half of the 250,000 militiamen that the MoD claimed were on their books. The MoD figure was known to be inflated in the interests of pocketing the salaries of substantial numbers of ghost soldiers,

paid into MoD coffers from the internal budget administered by the Ministry of Finance. The question was how many registered militia members actually existed?

Logically DDR should also have included the Afghan militia forces registered by the Ministry of Interior (MoI) continued their activities from within the Afghan national police. Hence Isezaki's insistence at the time of using the term 'active security personnel' to describe those being targeted under DDR. According to Isezaki who pushed for this more comprehensive approach to ending the militia problem, MoI registered AMF units were kept off limits, to facilitate the need for large numbers of police required for holding the 2004 (Afghan) Presidential elections. In addition, a significant number of AMF were also later transferred to the national police force. This recycling of militias into the police (which has continued to the present) underlies the ongoing challenge of police reform that is proving so hard to tackle effectively today.

The holding of Presidential elections in Afghanistan narrowly preceded the holding of US Presidential elections in the same year. The two sets of elections were connected in a number of respects and as DDR/DIAG had to be completed prior to the Afghan presidential elections the process came under powerful external pressures. The need for the Bush Administration's re-election campaign to be able to publicise successful Presidential elections in Afghanistan was widely commented on by the international media at the time. It will be recalled that the situation in Iraq during this period was widely perceived as verging on the catastrophic. According to Isezaki who with the Afghan New Beginnings Programme, (funded by the Japanese and administered by UNDP), led on DDR at this time, the verification process of the initial DDR plan was distorted in order to expedite the disarmament and demobilisation process which had become the benchmark for the holding of Afghan elections. An example given was the comparison between the pilot phase of DDR verification, which itself was not flawless, in which it had taken one month to check whether a soldier was genuine or not. Under the accelerated main phase of DDR this process was reduced to a three-day "fast track" process. In any event the

chances of DDR delivering more meaningful outcomes was fundamentally constrained by the absence of a credible, neutral force. No serious DDR effort had even been attempted in post-conflict countries elsewhere, without one.

Internally, the opaque outcomes of DDR (and later of DIAG) served to distract from the underlying political compromises reached over processes which had the potential to threaten the maintenance of the fragile status quo established as a result of the Bonn Agreement. According to Giustozzi, behind the façade of disarmament “non-state armed groups of various types would be allowed to continue to exist and sometimes prosper, as long as they were willing to pay at least lip service to the bureaucratic process and abstained from actively working against the government in charge.” Although the internationally backed plan for a new Afghan army that contained only ten per cent of the demobilised was finally accepted by the MoD, “the Jam’iatis in the MoD, and by extension the militia leaders, maintained control over key aspects of the DDR process” including the order in which units were to be demobilised.

In February 2005 as DDR came to a formal end, UNAMA went on record over the inflated claims made by Afghan militia leaders over the size of their forces in order to collect salaries. An estimated 50,000 militiamen did not exist except on the Ministry of Defence payroll. It had taken the decommissioning of 130 AMF military units “one-by-one” to establish genuine numbers of soldiers. During the same period the International Crisis Group published a briefing on where things stood with DDR concluding that it had failed to “keep pace with the evolving nature of Afghanistan’s militia structures”. The recycling of militia structures into the police force and the private militias that lay outside the remit of DDR as well as the rapid increase in the number of Afghan private security companies, led ICG to warn that unless those realities were addressed the legacy of the DDR process was “likely to prove more cosmetic than substantive and militia networks will remain a central and destructive element in Afghanistan’s politics and economy.” Ultimately, the cantonment of heavy weapons represented DDR’s main achievement, along with meeting the DDR benchmark that allowed the electoral

process to proceed. But its failure to break the link between mid-level commanders and their men constituted DDR's primary legacy.

Disbandment of Illegal Armed Groups (DIAG)

Like DDR, DIAG continued under the jointly run Afghan New Beginnings Programme administered by UNDP. Afghan lead institutions were also created as unlike DDR, DIAG was to be a fully Afghan-owned and managed process. The internationally supported Joint Secretariat and the Afghan-owned Disarmament & Reintegration Committee (D&RC), headed by the second Vice President, Mohammad Karim Khalili, formally managed DIAG.

It was hoped that DIAG would be kick-started by the powerful incentive provided by the chance to convert de facto power into de jure power presented by the 2005 parliamentary elections and indeed in the run up to the elections compliance increased significantly. The success of the Afghan Presidential elections led to claims that DDR (which ended in February 2005) and DIAG had proved a political success, but those who had been closely involved in the implementation of DDR remained convinced that where it counted nothing much had changed.

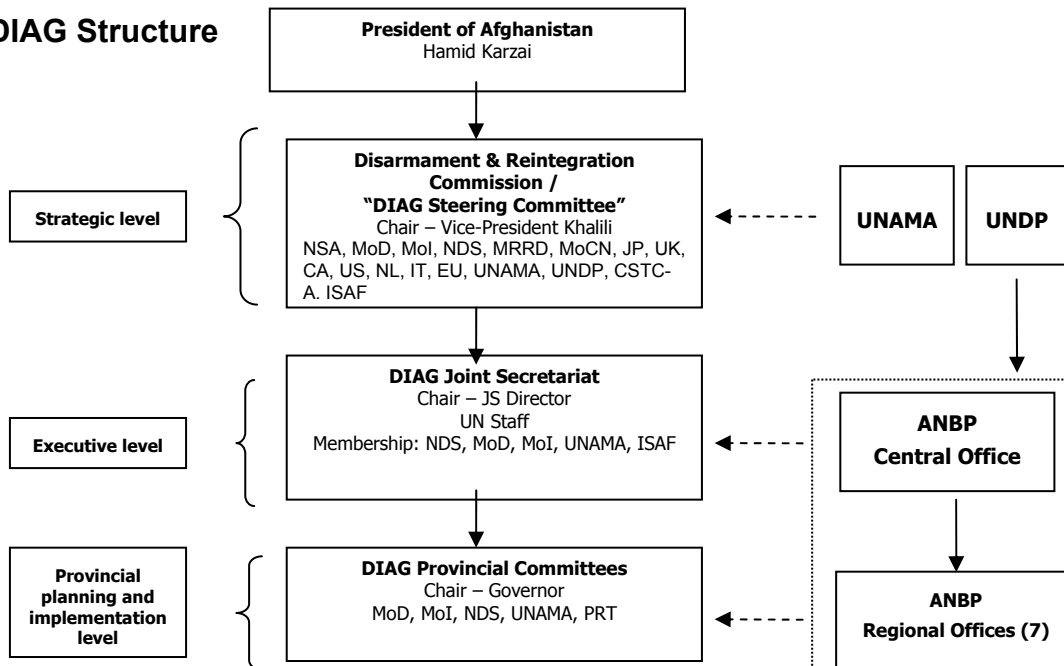
When it came to parliamentary elections in 2005 – the outcomes of which are seen by many analysts as a turning point in the decline in Afghan confidence in the political process – the obvious failure of an under-resourced vetting process linked to DIAG increased Afghan cynicism and disappointment. The vetting process was based on criteria outlined in the 2005 electoral law which included disqualification of any parliamentary candidate linked to an armed group outside government control. It officially began with candidate nominations in April 2005. Following the end of the nominations period "557 candidates (out of a total of 6,102 Wolesi Jirga and Provincial Council candidates) had challenges filed against their nominations, with 11 disqualified for having links to illegal armed groups." The district commanders disqualified were all low-level. The big commanders remained untouched and where necessary proffered promises of future compliance and surrendered weapons, but only some of them. Officials involved

in the process knew this at the time but in a situation where resources, time and more than anything else, political will was lacking, they were left with little choice.

How DIAG Works

A period of voluntary DIAG compliance is led by the DIAG Joint Secretariat (JS) and DIAG Provincial Committees (DPCs). The DPCs are composed of representatives of the three national security agencies including the provincial chief of police and are chaired by the provincial governor or his deputy. Both ISAF and UNAMA are technically represented in the DPCs which are pivotal to the process. The DPCs not only lead on the process of negotiated compliance locally, they also assess districts' readiness for DIAG, define targets, monitor progress during implementation and confirm post-DIAG stability, according to official documentation. However, the composition of DPCs can, and too often does, include governors and/or chiefs of police who are themselves known to be closely linked to IAGs, distorting the process and making international involvement in the process of critical importance in terms of ensuring accurate information and oversight. In the event that attempts at a negotiated compliance fail, the only recourse to date has been the sending of a letter to the recalcitrant commander and instructions by letter to the governor to act. Subsequent negotiations are led by D&RC staff. The DIAG process was theoretically given teeth by a secondary enforcement phase using national security forces with ISAF support available in extremis. This was agreed in principle in 2006 via the PRT Executive Steering Committee's Policy Note No 2 "PRT engagement in DIAG" (endorsed by the PRT ESC on Dec. 7th, 2006 at HQ ISAF) which outlined how stronger support could be contributed by ISAF in support of DIAG objectives provincially. In practice the Note has had no discernable impact in terms of increasing PRTs' involvement in DIAG. At central and provincial levels neither ISAF nor international staff working within DIAG mechanisms appeared to even be aware of the Note's existence a year and a half after its creation. As the enforcement phase has never been implemented, DIAG was effectively reduced to all carrot and no stick.

DIAG Structure



The Numbers Game Again

Unlike DDR, direct incentives were not to be offered to individual commanders or members of IAGs in a process which was supposed to depend on enforcement of the law. The prosecution of IAG leaders and members by the government was also envisaged and was to incorporate the use of fines, custodial sentences, and seizure of assets. However enforcement of the law has been effectively non-existent. At the end of 2006 - early 2007, the D&RC and ANBP sought to inject fresh momentum into DIAG by targeting low profile, marginal IAGs, (in other words not the IAGs capable of exerting a significant destabilising effect), where voluntary compliance was deemed viable with recourse to enforcement a possibility. The concept, termed 'low hanging fruit', once having exhausted available marginal IAGs, lost ground to the District Development Initiative which offered Japanese funded development projects in return for district compliance. DDI started in mid-2007. The publicised mirage of forward momentum was maintained via apparent success in totally, but in fact only partially, disbanding hundreds of IAGs. As of October 2008, 375 IAGs had been 'disbanded'. Of critical importance in understanding the ongoing circumvention of DIAG objectives is the little publicised fact that the minimum official criterion for an IAG: "a group of five or more armed individuals operating outside the law" has been regularly invoked in the lists of IAGs drawn up by the DIAG Provincial Committees (DPCs) for 'disbandment'.

Thus the Joint Secretariat receives lists dominated by IAGs typically composed of five to six armed men. These lists of five - member IAGs are signed off by the three national security agencies, ISAF and UNAMA who are all part of the process provincially and centrally. The DIAG Joint Secretariat (JS) has no vote as technically it only supports the DIAG process. The final decision in judging a district 'DIAG-compliant' lies with the D&RC headed by the second Vice President, Mohammad Karim Khalili which ninety-five per cent of the time follows the recommendations of the JS. The three national security agencies play a game in which they are willingly, or unwillingly, co-opted and "virtually always comply" with the DPC compiled IAG lists.

Reportedly, ISAF is more often absent than not during the compilation processes at the provincial level. UNAMA was credited by DIAG interlocutors as being the only international actor to regularly raise objections about DIAG processes at central levels.

Disarmament or Disbandment?

Internationals as well as nationals often confuse DIAG with the disarmament rather than the disbandment of IAGs. In fact the collection of small arms and ammunition was supposed to be merely a "by-product" of the DIAG process. As with DDR, former Jihadi commanders exert pressure on Afghans prosecuting DIAG objectives. Afghan officials involved in DIAG are also vulnerable to pressure exerted from within the government as the powerful vested interests potentially affected, penetrate government security institutions at district, provincial and central levels. A recent example illustrates how quickly meaningful actions can be reversed or neutralised. Some months ago the weapon collection criteria was tightened up to put an end to the practice of commanders handing in old, useless weapons. Because of external pressure on the D&RC these criteria were recently relaxed to re-allow inclusion of the types of obsolete weaponry no longer used by criminal armed groups, insurgents or Afghan security forces. The problem is that the Lee Enfield rifle and other weapons dating from WWII or before are precisely the type of weapons retained by Afghan households. The commanders of IAGs would confiscate these household weapons, informing the local population that DIAG meant the disarming of the district, which it does not – it is about disbanding IAGs. The old weapons 'collected' from communities were then handed in by commanders as their own. This outcome left the commander and his IAG in possession of its (modern) weaponry while communities were left even more exposed to armed groups having lost their only means of defence. An appreciation of this underlay moves to tighten up weapons criteria in the first place. Its reversal amounts to another depressing indicator of how little headway is actually being made.

'Peace Districts'

An incentive driving weapon collection, (and delivery to the relevant DIAG authorities), is partly derived from the benefits delivered in terms of reconstruction and development projects which compliance with minimal DIAG criteria allows under the DDI process. Districts have been passed off as 'DIAG-compliant' and relabelled 'peace districts' despite, in some cases, commanders retaining much larger numbers of armed men. Bagram is a case in point, where the presence of one commander known to have hundreds of armed men under his command did not avert it being relabelled a peace district. Peace districts are then eligible for DIAG development projects (funded by Japan) and are brought higher up the agenda of relevant line ministries such as the Ministry for Rural Reconstruction & Development (MRRD). In 2007 there were significant delays to development projects under DDI but these had been largely resolved by mid-2008. However, there still appears to be little, if any, monitoring and evaluation of 'peace districts' subsequently to interfere with the apparently successful disarmament process underway. One can only imagine peoples' feelings when known IAG commanders still in control of large numbers of men are seen being feted at televised DIAG compliance ceremonies. Such experiences inevitably lead Afghans to blame the DIAG process for further complicating an already unenviable situation. They not only cause a loss of faith in the government but also in the international community, as well as a loss of credibility in the DIAG process as a whole.

Afghan Ownership

Of all the previous pillars making up the security sector reform process it is interesting to note that DIAG is the only one that is Afghan owned under the direct control of the Disarmament and Reconciliation Committee headed by Vice President Khalili. The movement of DIAG into the Ministry of Interior (MoI) which will now be completed by March 2010 instead of March 2009 (as previously planned) will mean that the government will control DIAG implementation as well. Material support for this will be derived from the lucrative Private Security Company and weapon registration programmes and financial support from UNDP will

then end. But, apart from the Presidential decree establishing DIAG there has been virtually no government-led documented way forward. Those working towards DIAG objectives have instead had to utilise political opportunities where possible.

Reportedly, it has been a constant struggle to get the relevant senior government representatives to sign off on DIAG initiatives with a marked tendency by elements within the government to stall wherever possible. The five month delay in the official signing off on the re-mapping process, (of critical importance to chances of an effective vetting process for the upcoming elections), provides a case in point. Consequently, the remapping process which aims to conduct a complete remapping of IAGs simultaneously across the country lost five precious months and has had to conduct a complex process on a very tight timeline (data collection was planned to be completed by the end of November 2008). Given that the Provincial DIAG Committees, (where revisions to the list will be agreed), can be composed of district or provincial police chiefs and district or provincial governors who may themselves be closely linked to IAGs, the role of UNAMA and ISAF is essential in cross-checking the accuracy of revisions made. Cooperation over such endeavours would give some substance to the much lauded goal of an 'integrated approach' but according to DIAG analysts the response from ISAF has been less than robust, so far. Yet the remapping process is an important one for a number of reasons, not least because it defines insurgent groups as IAGs and brings them into the DIAG process for the first time thus providing a means of converging (rather than separating) security sector, state building and counter insurgency objectives. Remapping is also a pre-condition (amongst others) for the establishment of a more effective vetting process for the 2009/2010 elections which in turn would confer badly needed credibility on the electoral processes and outcomes.

Back to the Future?

There is a continuing discourse in Kabul and beyond on 'community defence' in which the creation or strengthening of new or existing militias respectively is a possible component. Indeed some observers believe funding through complex Afghan

channels is already underway to this end. Should this become policy it would not only signal the death knell for any chances of making DIAG an enabling factor in support of the state building process, it could further destabilise the situation as many Afghans fear. It is remarkable that despite the negative and very recent experience of the Afghan National Auxiliary Police (ANAP) officially disbanded by the end of 2007, there appear to be no available ANAP 'lessons learned' informing ongoing discussions on this aspect of what is variously referred to as 'community defence', 'community outreach' or 'tribal engagement'.

The ANAP did not really come under the Ministry of Interior chain of command (which remains flimsy at best) but as for the most part they were dressed in Afghan National Police (ANP) uniforms, they were perceived by the population as ANP. In fact the ANAP were basically tribal / personal militias with an official stamp and were used mostly in a counter insurgency role. Due to their affiliations, the ANAP were even less impartial towards other ethnic / tribal groups than the regular ANP. Current problems in Badghis province, for example, were fuelled (if not started) by two ANAP units which harassed the Pashtun population there, which then turned to various actors for help, which was ultimately provided by the Taliban. Most of these ANAP formations were outside any control mechanism and functioned basically on personal loyalty. When they were disbanded only (a roughly estimated) forty per cent of them were included into the ANP/ANCOP. Where the rest (and their weapons) went is still unclear. Despite this, there appears to be considerable Afghan government and international support for community defence mechanisms to help push back the insurgency at local levels. The central question that has to be answered however, is under whose effective control these militias would operate, given that the government cannot even control the police?

Conclusion:

Both DDR and DIAG sought not just to "disarm the militias" but to end the connections between mid-level commanders and their men. To the extent that these processes were actively supported they brought the government and its international partners face-

to-face with Afghan power realities which were restored, essentially unopposed, following the fall of the Taliban regime. Ultimately, there have been very limited outcomes and an apparent toleration for the manipulation of processes which to succeed must alter the status quo. To the extent to which a strategy towards establishing state control over the means of violence has existed, it has been one of accommodation rather than confrontation. The result of this is that many policy discussions in Kabul and beyond take place virtually in a state of denial over the key question of who actually wields authority and influence on the ground, which in turn obscures how planned-for outcomes can and are subverted by such actors and their networks.

Should the political process fail in Afghanistan, the collective failure to prioritise security sector reform from the outset and the continued ambivalence towards DDR and DIAG where it counts, will be seen to have been significant factors. But whereas it is possible to understand the constraints surrounding national security agencies that are directly caught up in patronage networks that have strengthened over the last six years, it is rather harder to understand international reluctance to take DIAG more seriously and support it more effectively. With the appointment of Hanif Atmar as Interior Minister and the movement of all DIAG pillars into the Ministry of Interior, the government has an opportunity to take a much stronger lead on DIAG throughout the country which will be pivotal to enable and support the primary goals of police and interior ministry reform under Atmar. Internationals actively engaged in DIAG believe that DIAG mechanisms are adequate for the task and are convinced that with the necessary international support the process can be made an effective one. In so doing, the ability to push back against organised crime and other drivers of support for the insurgency would be significantly strengthened, while the foundations for improving governance and establishing the rule of law would be created. If not, conspiracy theories will continue to flourish and Afghan hope and confidence further drain away.