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# Too little, too late

## NATO and the fight against corruption in Afghanistan

Tore Ketil Stårvik



CENTRE FOR INTEGRITY  
IN THE DEFENCE SECTOR



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What was NATO's/ISAF's approach to the challenges posed by corruption and what are the lessons to be learned?

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## ABOUT THE AUTHOR

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## ACRONYMS

<b>ACT</b>	Allied Command Transformation	<b>ISAF HQ</b>	ISAF Headquarters
<b>ANA</b>	Afghan National Army	<b>JALLC</b>	Joint Analysis and Lessons Learned Centre
<b>ASF</b>	Afghan Security Forces	<b>JCOA</b>	Joint and Coalition Operational Analysis Division
<b>BI</b>	Building Integrity	<b>JFC</b>	Joint Force Command
<b>CA</b>	Comprehensive Approach	<b>KLE</b>	Key Leader Engagement
<b>CAC</b>	Counter- and Anti-Corruption	<b>LEGAD</b>	Legal Adviser
<b>CC</b>	Counter-Corruption	<b>MEC</b>	Monitoring and Evaluation Committee
<b>CCWG</b>	Counter-Corruption Working Group	<b>MRX</b>	Mission Rehearsal Exercise
<b>CIDS</b>	Centre for Integrity in the Defence Sector	<b>NAC</b>	North Atlantic Council
<b>CIMIC</b>	Civil-Military Cooperation	<b>NATO</b>	North Atlantic Treaty Organization
<b>CJIATF</b>	Combined Joint Inter-Agency Task Force – Shafafiyat	<b>NATO HQ</b>	NATO Headquarters
<b>COPD</b>	Comprehensive Operations Planning Directive	<b>NDS</b>	National Directorate of Security
<b>CN</b>	Counter-Narcotics	<b>NEC</b>	Network Effect Cell
<b>COIN</b>	Counter Insurgency	<b>NGO</b>	Non-Governmental Organization
<b>COM ISAF</b>	Commander ISAF	<b>NROLFSM</b>	NATO Rule of Law Field Support Mission
<b>CPN</b>	Criminal Patronage Network	<b>NTM-A</b>	NATO Training Mission Afghanistan
<b>EvBO</b>	Evidence Based Operations	<b>OPLAN</b>	Operation Plan
<b>EU</b>	European Union	<b>PMT</b>	Police Mentoring Team
<b>EUPOL</b>	EU Police Mission	<b>POLAD</b>	Political Adviser
<b>GIRoA</b>	Government of the Islamic Republic of Afghanistan	<b>PRT</b>	Provincial Reconstruction Team
<b>HOOAC</b>	High Office of Oversight and Anti-Corruption	<b>RC</b>	Regional Command
<b>HRM</b>	Human Resources Management	<b>ROLFF-A</b>	Rule of Law Field Force – Afghanistan
<b>IJC</b>	ISAF Joint Command	<b>SIGAR</b>	Special Inspector General Afghanistan Reconstruction
<b>IMF</b>	International Monetary Fund	<b>TI</b>	Transparency International
<b>IO</b>	International Organization	<b>UN</b>	United Nations
<b>IS</b>	“Islamic State” (not internationally recognized)	<b>UNAMA</b>	United Nations Assistance Mission in Afghanistan
<b>ISAF</b>	International Security Assistance Force	<b>UNODC</b>	United Nations Office on Drug and Crime
		<b>UNSCR</b>	United Nations Security Council Resolution

## CENTRE FOR INTEGRITY IN THE DEFENCE SECTOR

The Centre for Integrity in the Defence Sector (CIDS) promotes integrity, anti-corruption measures and good governance in the defence sector. Working with Norwegian and international partners, the centre seeks to build competence, raise awareness and provide practical means to reduce risks of corruption through improving institutions and through education and training. CIDS was established in 2012 by the Norwegian Ministry of Defence and was officially appointed as NATO's Department Head in the new discipline area established through the Building Integrity Programme in 2013.

The views expressed in this report are those of the author and do not necessarily represent the views of, and should not be attributed to, the Norwegian Ministry of Defence.

# FOREWORD

Since the American intervention in 2001 and NATO's direct involvement from 2003, Afghanistan has become increasingly burdened by systemic corruption. The political objective behind NATO's more than a decade-long effort was dual in nature: to make sure that Afghanistan would not once again become a safe haven for international terrorism, and to help establish a democratic and functioning government that could ensure economic, social and political development in the service of the Afghan people.

ISAF was to serve as a military tool to establish security – a prerequisite for the international community's ability to assist in the country's reconstruction. What became clear, especially from 2010, was that corruption undermined the mission's long-term political objective. The almost exponential growth in systemic corruption was, to a large extent, fed by the international presence and the large amount of foreign assistance that poured into Afghanistan. Here, ISAF unwittingly played an important part.

At the outset, NATO did not see fighting corruption in Afghanistan as its role or as a priority, but concentrated on establishing security through military means. This was understandable for many reasons. However, it did not suffice to reach specific military objectives if, at the same time, the increase in systemic corruption undermined the legitimacy of both the Afghan government and the international effort. In that sense short-term victories could not diminish the risk of long-term defeat.

In line with the ambitions of NATO's Building Integrity Programme, this CIDS report aims at drawing relevant conclusions from NATO's/ISAF's efforts in Afghanistan. By doing so, we would like to help prepare the Alliance for future missions in which corruption may represent a significant challenge. Specific education and training need to be introduced – at both national and NATO levels. The competence required for tailored pre-deployment training and new operational doctrines and guidelines must be developed.

The present report is based on a Master's Thesis written by Lieutenant Colonel Tore Ketil Stårvik at the Norwegian Defence University College in the spring of 2016. It has been translated into English and adapted as a CIDS Report by Mr. Bård Bredrup Knudsen, CIDS' director from 2012 to 2015 and now CIDS editor. However, Stårvik is the sole author of the report. I would like to thank both Lieutenant Colonel Stårvik and Mr. Knudsen for their contributions. Many thanks are also due to Dr. Paal Sigurd Hilde, Norwegian Institute for Defence Studies, and Colonel Terje Haaverstad, CIDS, for their valuable editorial advice.

Finally, the views and conclusions contained in this report do not necessarily reflect the views of CIDS or the Norwegian Ministry of Defence. The report is meant as a contribution to improve NATO's future work and missions. There is a need to learn from strengths and weaknesses in NATO's/ISAF's approach to corruption in Afghanistan. That requires an honest and critical assessment. The aim is not to criticise NATO's past efforts but to promote the effort to further improve the Alliance.

In conclusion, it is my hope that the report will serve as an educational tool in NATO's efforts not to repeat the mistakes made during the ISAF mission once again. Corruption is a challenge and fighting it requires a determined effort. NATO is being called on to do the necessary preparatory homework.

Oslo, March 2017



**Per A. Christensen**  
Director

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## Executive Summary

The background for this report and the interest in the topic are directly related to the author's last deployment to the ISAF Joint Command in 2013 as a Targeting and Counter-Corruption Officer. Corruption challenges in Afghanistan are and will remain an obstacle to future development and progress in that war-torn country. In many ways, as former Commander ISAF, General John Allen, has stated, corruption became an even larger challenge than the insurgency and the Taliban.<sup>1</sup>

The purpose of the author's original Master's Thesis, on which this report is based, was to study and scrutinize the NATO/ISAF approach and efforts towards corruption – from the NATO HQ in Brussels down to the strategic, operational and tactical levels in ISAF. NATO's efforts in Afghanistan need to be examined in detail in order to identify lessons that should be learned. A research-based approach to evaluating NATO's/ISAF's attempted handling of corruption in Afghanistan provides a means of identifying some basic insights and lessons. How did NATO/ISAF address the challenges emanating from corruption and what was the result? The advantages and disadvantages – strengths and weaknesses – of NATO's/ISAF's counter-corruption efforts are analysed. The general analytic framework is based on international literature, available documentation and empirical data (in-depth interviews). More detailed information on the approach

behind the report and the method applied is found in Annex 1, while data and sources are outlined in Annex 2.

The analyses and conclusions are those of an in-depth case study. The analyses show overwhelming weaknesses in what this report refers to as NATO's/ISAF's approach towards corruption in Afghanistan. NATO and ISAF did not have a proper understanding of what they were up against, and lacked the necessary knowledge on how to fight corruption in a systematic and comprehensive way. This report seeks to add insight and knowledge that may be applied in ongoing and future missions in areas of operation in which corruption needs to be addressed as part of the overall operational challenge. There is a fundamental need to avoid the same mistakes as those made in Afghanistan – for example, not addressing the corruption challenge from day one. Otherwise, NATO may experience a new mission failure in that area in the future.

A number of lessons learned may be deduced from the analyses in Chapter 5, as summarized in Chapter 6.1 and 6.2. Some key lessons are:

1. Before NATO becomes involved in a stabilization operation that may include an element of reconstruction, it is essential to conduct comprehensive research beyond the regular analysis of relevant intelligence and standard military planning. Proper and in-depth area knowledge that may not be available in the NATO HQ

<sup>1</sup> US Senate 2014.



and command structure is required. Such knowledge will normally be found at universities and in various academic research centres, and NATO needs to establish procedures for how to obtain and draw on such knowledge when appropriate.

2. Before NATO becomes involved in a stabilization operation that may include an element of reconstruction, a comprehensive and tailored strategic and political guidance must be in place. Only then can policy determine military doctrine, and military planning become truly comprehensive in accordance with the existing *Comprehensive Planning Directive* – COPD.
3. Pre-deployment training must reflect and cover all relevant expertise beyond the purely military training. In the case of preventing and fighting corruption, all personnel should have a basic understanding of what corruption is, how it operates, its ramifications, and how to detect and counter it. The need to stick to common standards must be emphasized.
4. Implementation of measures to counter and combat corruption in the area of operations must be initiated from the very start. This should include specialized units that cover all mission levels and the entire area of

operations. Common rules and guidelines – especially to cover procurement, financial transactions, and control mechanisms – need to be in place from the very start.

5. NATO will need to take deliberate decisions regarding the choice of whom to cooperate closely with in the host country and whom to keep at a certain distance. This evaluation must give proper consideration to the impact on long-term political objectives. Short-term military objectives must be embedded in a long-term political strategy and operations structured accordingly.
6. Early and substantial efforts are needed to ensure that the international community acts in a consistent way. A division of labour should be based on comparative advantages and the need to avoid mixing roles that should be kept apart. A UN mandate should include which party should be responsible for coordinating activities in the mission area, especially to ensure close civil-military coordination.
7. Early and sustainable support to help develop the host nation's civil society should be considered an integral part of an exit strategy.



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# 1. Introduction

## 1.1. Corruption – a general overview

Corruption is the abuse of entrusted power for private gain. As a phenomenon it is probably as old as organized society, but today it appears to be closely linked to a society's transformation towards modernity. The development of modern states and institutions has led to considerable growth in public services – police, legal systems, jails, and customs, as well as teachers, high officials, and health personnel. As the number of public officials and public services grows, so does the likelihood that some officials may exploit their position for personal gains.

People from countries with little corruption may have difficulty in recognizing challenges linked to systemic corruption when operating in countries where corruption is widespread. Nevertheless, corruption has been a recurrent topic directly related to the many challenges the international community has met in Afghanistan. Gradually, a realization emerged – also in NATO – that corruption was a direct threat to political objectives and the results of the international community's civil and military efforts. Yet for a long time, corruption was not seen as relevant to military operations, even if early experiences in Afghanistan soon pointed in the opposite direction. As the destructive implications of systemic corruption became obvious, however, the perspective changed and corruption came to be seen as a challenge comparable to the Afghan insurgency.

Research carried out by Transparency International (TI) has concluded that the fight against corruption in a country like Afghanistan must be based on a comprehensive approach that includes a deep understanding of what corruption is, how it develops, and what should be done to counter and combat it.

Since the 1990s NATO has been involved in international armed conflicts in a number of countries that score low on TI's annual corruption perception index. Through its direct involvement in countries in the Western Balkans and others such as Afghanistan and Iraq, NATO has been contributing to capacity building and nation-building in what has – sometimes prematurely – been called post-conflict states. With a direct reference to Afghanistan, the former commander of ISAF – General John Allan – in a hearing in the US Senate in 2014, said that corruption, seen in isolation, actually was a more significant enemy than the Taliban.<sup>2</sup> With this statement as a backdrop, it becomes obvious that the personnel involved in military operations in countries such as Afghanistan must understand what corruption actually is, what its ramifications are, and how to counter and fight it.

<sup>2</sup> US Senate 2014.

## 1.2. Corruption and Afghanistan

On the basis of the above it is highly relevant to ask: *What were the strengths and weaknesses in NATO's/ISAF's approach towards corruption in Afghanistan?* That question is the focus of this report.

In the study behind this report, strengths and weaknesses were analysed by looking at the conformity between NATO's/ISAF's approach (i.e. its policy and measures) and a conceptual framework that defines how and where efforts to fight corruption in international operations should be conducted. The general timeframe is the period during which NATO was in charge of the ISAF operation in Afghanistan – from August 2003 until December 2014. However, the empirical focus of this report is from about 2010. This was the year NATO in earnest recognized that corruption posed a serious problem for the success of the international community's efforts in Afghanistan, as well as a threat to ISAF's success.

In fact, in 2013 a significant donor country like Norway threatened to reduce its support for Afghan reconstruction and development, due to the large-scale corruption in the country.<sup>3</sup> There was clear evidence that corruption robbed Afghanistan of its future, especially at the expense of poor people, women and children.<sup>4</sup> And even if corruption did not kill directly, it indirectly caused deaths and tragedies in a country burdened by war and catastrophe. Worldwide, it

is estimated that as much as 83 % of the people killed in earthquakes during the past 30 years have died in buildings that collapsed as a result of bad construction, where corrupt construction firms and corrupt public officials ignored local as well as government building regulations.<sup>5</sup>

In addition, today we know there is a strong link between corruption and criminal activities that may support insurgency movements and international terrorism. The fact that a terrorist organization like the "Islamic State" (IS) also sought a foothold in Afghanistan was directly linked to the kinds of criminal activities that this country made possible. Widespread corruption can easily become a direct source of insecurity and instability, and thus a threat against the efforts by the international community to support political, social and economic development.

As the responsible Counter-Corruption Officer in ISAF Joint Command (IJC) during 6 months in 2013, the author faced a steep learning curve. The main task was – using intelligence and reports and in close cooperation with Afghan authorities – to either prosecute or remove corrupt personnel, both civilian and military. The objective was to help establish more credible, just and functional institutions, to coordinate efforts and to cooperate with subordinate levels in the fight against corruption. That experience directly influenced the author's choice of topic for a Master's Degree at the Norwegian Defence University College.<sup>6</sup>

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3 Giæver 2013.

4 Stårvik 2013.

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5 Nicholas & Roger 2011.

6 Stårvik 2016.



## 2. Concepts, scope and limitations

### 2.1. A brief conceptual discussion and some limitations

Corruption is the most important concept in this report. Although there may be culturally based differences in how this concept is understood, TI's internationally recognized definition reads as follows:

*Corruption is the abuse of entrusted power for private gain. It can be classified as grand, petty and political, depending on the amounts of money lost and the sector where it occurs.*<sup>7</sup>

Corruption is not necessarily a question of illegally receiving money; it may also involve abuse of power and position in order to obtain other advantages. According to the Norwegian Penal Code, corruption entails:

*In accordance with § 387 a person who demands for her/himself or for others, or receives or accepts an offer that represents an unjustifiable advantage due to position, trust, or assignment, will be punished for corruption.*<sup>8</sup>

In an Afghan context the definition is not that different. *Fesad*, which means corruption, is discussed in an article published on the Internet by *Khaama Press*:

*Policy papers such as Afghan Anti-Corruption Strategy, define corruption as "the abuse of public position for private gain". It is a significant and growing problem across Afghanistan that undermines security, development, and state- and democracy-building objectives. Pervasive, entrenched, and systemic corruption is now at an unprecedented scope in the country's history. Years of conflict that has weakened the underdeveloped state institutions and the country's social fabric, Afghanistan's dominant role in worldwide opium and heroin production, and the tremendous size and diversity of international security, humanitarian and development assistance all increase Afghanistan's vulnerability to corruption.*<sup>9</sup>

Corruption, then, is the abuse of trust or position in order to obtain an unjustified advantage for oneself or for others. There may, however, be an element in it that is culturally or socially founded. For example, positions that are inherited or follow a family are legal in some societies. Small presents or signs of consideration may purely be acts of politeness and should not be seen as corruption. Therefore, in facing other cultures it may prove difficult to view the question of corruption as an absolute moral issue. In a reality that sometimes entails difficult political or moral choices, the forced answer may be to decide on the lesser evil.<sup>10</sup>

<sup>7</sup> Transparency International 2015c.

<sup>8</sup> Elden & Finstad 2016.

<sup>9</sup> Khaama Press 2016.

<sup>10</sup> Cheng & Zaum 2012.

Corruption is frequently linked to organized crime and criminal networks. In an international context – not least in Afghanistan – these are organized through what is known as *Criminal Patronage Networks* (CPNs). The following definition was formulated by the special unit *Combined Joint Inter-Agency Task Force (CJIATF)-Shafafiyat* – the ISAF unit that coordinated efforts to fight corruption at the level of ISAF HQ:

*CPNs are comprised of individuals, businesses, and other entities that engage in systematized corruption inside and outside of government and across Afghanistan's public and private sectors. CPNs are often associated with powerbrokers who have consolidated power over the last thirty years of war.*<sup>11</sup>

CPNs as a phenomenon are particularly important in the context of Afghanistan. It is this kind of organized crime and black economy that has undermined institutions, the justice system, and as a result, the country's development. Furthermore, CPNs are directly linked to opium production, weapons smuggling, the armed insurgency, and al-Qaeda's international terrorism.

NATO's focus on corruption grew out of the introduction of a coherent approach, called the *Comprehensive Approach* (CA) in NATO jargon. A joint understanding of the concept and what it entails was agreed at the NATO Summit in Riga in 2006.<sup>12</sup> In NATO's planning tool *Comprehensive Operations Planning Directive* (COPD) and on NATO home pages CA is defined as follows:

*The lessons learned from NATO operations, particularly in Afghanistan and the Western Balkans, make clear that a comprehensive political, civilian and military approach is necessary for effective crisis management. The Alliance will engage actively with other international actors, before, during and after crises to encourage collaborative analysis, planning and conduct of activities on the ground, in order to maximize coherence and effectiveness of the overall international effort.*<sup>13</sup>

In short, the growing realization that military power alone is insufficient to resolve a crisis or conflict has provided a different view and approach to the planning of operations. This will be discussed in greater detail in Chapter 3.

A final concept that needs to be discussed is *Counter- and Anti-Corruption* (CAC). This is a general term that encompasses all kinds of measures against corruption. However, it includes two separate notions. *Counter-Corruption* entails an active approach towards actual corruption, whereas *Anti-Corruption* has its focus on preventive and more overall efforts.<sup>14</sup> To illustrate the difference, the role of the IJC was to actively counter and pursue ascertained cases of corruption, while the activities at the strategic level in ISAF HQ primarily focused on anti-corruption through policy work, seminars, mentoring and design of rules and procedures.

Finally, the limits of this report should be pointed out. The focus here is on the military efforts and, more specifically, NATO's and ISAF's response in facing the challenge of corruption in Afghanistan and their attempts to coordinate their efforts with other actors. Hence, efforts on behalf of the international community – either military or on the civilian side – are not all necessarily included. Furthermore, the focus is concentrated on the period from around 2010. The reason for this is that an active approach, with concrete measures, was introduced under the leadership of two ISAF Commanders: General Petraeus and General McChrystal. During the same time period, there was also increased pressure at the international donor conferences to demand the implementation of measures to curtail the systemic corruption in Afghanistan. The conference in London in 2010 was the first of these.<sup>15</sup>

The report does not attempt to measure the effects of NATO's/ISAF's efforts, as they are difficult to isolate and quantify. Furthermore, the time period covered is too short in light of the tremendous challenges in Afghanistan. Other factors may have determined the developments in Afghanistan in one or the other direction. Afghanistan has been named the largest international experience ever, with donations, transfers, and investments made in an uncoordinated fashion and at a high rate.<sup>16</sup> TI has characterized the use of money in Afghanistan as *perverse*, because the emphasis was on spending as much as possible instead of allocating aid on the basis of intended and observed effects. There is little doubt that this extensive, badly coordinated and weakly managed inflow of aid spurred corruption in Afghanistan. The risk of contributing to corruption is particularly great when there is a lack of

<sup>11</sup> CJIATF-Shafafiyat 2011.

<sup>12</sup> National Defence University 2007.

<sup>13</sup> NATO 2013a.

<sup>14</sup> NATO 2013b.

<sup>15</sup> UNODC, 2010.

<sup>16</sup> Transparency International 2015b.



proper routines and too little focus on control when money and other resources are distributed. For example, it is well known that the United States actively used cash payments to buy loyalty and bribe centrally positioned Afghans, with President Karzai at the top.<sup>17</sup>

As a consequence, what happened in Afghanistan is extremely complex and challenging; however, it is reasonable to conclude that the international community was an integral part of the problem. TI's annual corruption index provides us with a trend over time and has determined that Afghanistan is among the most corrupt countries in the world. A quite telling observation is that Afghanistan fell from 117<sup>th</sup> place in the global ranking in 2005 to 172<sup>nd</sup> place in 2015.<sup>18</sup> In other words, it seems safe to say that the effort to fight corruption must have had its weaknesses. Regardless, the concrete effects of ISAF's efforts seen in isolation would be hard to ascertain.

## 2.2. Previous research and the focus of this report

Previous research in the area of corruption in Afghanistan is limited, although the topic itself is frequently referred to and the number of related articles is large. There has been some research on corruption and peacebuilding in general, but little that covers corruption and military operations.<sup>19</sup> There are a few research-based reports with a focus on Afghanistan published by TI, NATO and various research institutions in the United States.<sup>20</sup> A common denominator for these studies seems to be an approach linked to the strategic level, that is, experiences and recommendations made at a high level. As already noted, a focus on the approach and efforts at levels lower than the strategic one – at the local and tactical level in Afghanistan – is missing.

Efforts that may have functioned in Kabul comprise only one element in this context. Another is the follow-up and implementation locally and regionally in a country traditionally characterized by weak institutions.<sup>21</sup> Moreover, strong points or weaknesses in the efforts to fight corruption in Afghanistan are seldom pointed out, and little has been done to identify best practice. In that sense

this report is different as it tries to fill a gap and applies a different approach compared to previous studies.

The analytic framework used in this report is based on relevant theoretical and empirical literature and defines a number of areas in which the fight against corruption should be focused. That framework was designed to include only the areas of most relevance in Afghanistan. In combination with empirical data – primarily interviews with key personnel with personal and relevant experience from Afghanistan – this case study has aimed at formulating some valid and credible conclusions and recommendations to better inform future operations, based on what appears to have been strengths and weaknesses in ISAF's approach.

## 2.3. Structure of the report

A more detailed description of the approach and method behind the report is found in Annex 1, while Annex 2 provides details regarding the data and sources. The latter annex briefly discusses some of the most relevant literature, some central documents and reports on Afghanistan, as well as the choice of respondents for the interviews that represent this report's most important empirical data.

Chapter 3 outlines the report's analytic framework and defines the core categories used to assess NATO's/ISAF's efforts to fight corruption. Chapter 4 describes NATO's/ISAF's approach to fighting corruption in Afghanistan, from overall policy to measures at the local and tactical levels. Chapter 5 uses each of the core categories in the analytic framework to analyse NATO's/ISAF's efforts to fight corruption. That is the most central chapter in which the empirical findings from the interviews are analysed on the basis of the theoretically founded analytic framework. As already noted, the interviewees have personal and direct experience from the political-strategic level in NATO HQ down to the lowest tactical level on the ground. Finally, Chapter 6, the conclusion, recaps the empirical and analytic findings and summarizes the report's overall evaluation of NATO's/ISAF's approach and the lessons that may be learned. Chapter 6, therefore, ends with some recommendations based on key lessons.

A list of the literature and sources that the report has drawn on is found in Annex 3.

<sup>17</sup> Rosenberg 2013.

<sup>18</sup> Transparency International 2015a.

<sup>19</sup> See, for example, the special issue of the journal *International Peacekeeping on Post-Conflict Peacebuilding and Corruption* (International Peacebuilding 2008). Five other important publications on corruption are listed in Annex 2.

<sup>20</sup> CJIAF-Shafafiyat 2011, NATO 2013b, Sullivan & Forsberg 2013, and Transparency International 2015b.

<sup>21</sup> Regjeringen.no 2008.



Photo: Torbjørn Kjosvold - Forsvaret

# 3. The Analytic Framework

## 3.1. Designating the framework

The analytic framework and main dimensions to be analysed were identified through a detailed review of the main sources used – six documents and research reports on corruption.<sup>22</sup> The experiences, measures, topical areas, and

recommendations recorded in these were compiled into a list of close to 100 keywords and short sentences. The 15 main categories included in the comprehensive framework were extrapolated from these. Some were included in all six sources while others were only mentioned in a few of them. The resulting matrix is listed in Figure 1.

<sup>22</sup> Cheng & Zaum 2012; TI Handbook 2014; CIDS' Criteria 2015a; JALLC Report, NATO 2013b; TI Report on Afghanistan 2015b; and Sullivan & Forsberg 2013. Three of these sources are summarized in Annex 2.

**Figure 1: The initial comprehensive analytic framework**

Source → ↓ Category	Cheng & Zaum	TI Hand-book	CIDS Guidance	JALLC Report	TI Report Afghan.	Sullivan & Forsberg
Specialized agencies & task forces	•	•	•	•	•	•
Internat'l pressure & leadership	•	•	•	•	•	•
Combat criminal networks	•	•		•	•	•
Justice system, rule of law	•	•		•	•	•
Comprehensive approach, civ-mil coordination	•	•		•	•	•
Civil society, oversight & media	•	•		•	•	•
Education & training, own and host nation		•		•	•	•
Control of external support & donations	•	•			•	•
Independent nat'l audit at all levels	•		•	•	•	
Control of borders & whitewashing of money	•	•		•		•
Transparency & public access to info.		•	•	•	•	
Nominations & appointments	•		•	•		•
Policy, doctrine, rules & procedures			•	•	•	
Time & priority devoted to fighting corruption	•				•	•
Strategic communication & InfoOps				•		•

The categories listed in Figure 1 are all important for a better understanding of the full breadth and complexity of a comprehensive effort aimed at fighting corruption in a post-conflict state. However, analyzing NATO's/ISAF's approach to corruption within all 15 categories would be beyond the scope of a report like this. To reduce the number and streamline the framework to Afghanistan as a case study, the report will concentrate on the categories found in all three of the empirically based studies on the right hand side of Figure 1. This is based on the assumption that these three reports, which have a specific focus on Afghanistan and are based on empirical evidence from that country, will have the highest relevance. As a result, the final analytic framework includes seven core categories, while the eight remaining ones will be referred to wherever the empirical evidence makes it relevant.

The fact that previous research on corruption in Afghanistan largely appears to identify the same areas – or categories – chosen above is particularly important. This underscores their relevance and reliability across the use of different empirical data. The final analytic framework applied is found in Figures 2 and 3.

**Figure 2: The final analytic framework: key categories**

Source → ↓ Key categories	JALLC Report	TI Report Afghan.	Sullivan & Forsberg
Combat criminal networks	•	•	•
Internat'l pressure & leadership	•	•	•
Civil society, oversight & media	•	•	•
Comprehensive approach, civ-mil coordination	•	•	•
Education & training, own and host nation	•	•	•
Specialized agencies & task forces	•	•	•
Justice system, rule of law	•	•	•

**Figure 3: The final analytic framework: supplementary categories**

Supplementary categories	JALLC Report	TI Report Afghan.	Sullivan & Forsberg
Independent nat'l audit at all levels	•	•	
Control of external support & donations		•	•
Control of borders & whitewashing of money	•		•
Transparency & public access to info.	•	•	
Nominations & appointments	•		•
Time & priority devoted to fighting corruption		•	•
Policy, doctrine, rules, & procedures	•	•	
Strategic communication & InfoOps	•		•

### 3.2. Corruption and international military operations

It takes time to establish sound attitudes, routines, institutions, and societies in general that have a low tolerance for corruption. TI's 2005 Global Corruption Report points to the importance of early anti-corruption measures, especially in the aftermath of conflict and during the immediate reconstruction phase.<sup>23</sup> As early as in 2004, just a few months after the invasion of Iraq, TI warned that there could be long-term consequences unless the threat of corruption was taken seriously. From 2004 until 2015 Iraq fell 40 places on the international corruption index, from rank 130 to rank 170 globally. Only countries such as Afghanistan, Sudan, North Korea, and Somalia were ranked lower.<sup>24</sup>

Corruption is the result of a number of different motives and opportunities. A "greed and need" rationale is particularly predominant in poor and underdeveloped countries like Afghanistan, Sudan and Somalia. Since unemployment is high, families are big, and salaries are

<sup>23</sup> Transparency International 2005.

<sup>24</sup> Transparency International 2015a.

low, many public officials find it opportune to add to a low pay that sometimes is not even received. Here, daily necessities, or need, may be considered the most fundamental explanatory factor.

In countries that have gone through decades of conflict and war, a special culture of exploiting any advantage one can tends to develop. Here, greed is a major factor.<sup>25</sup> Loyalty is first and foremost towards oneself and one's family, while loyalty towards the state and society in general is at the lowest end of the scale. The reason is simple: there is a lack of credible and functioning institutions and authorities, both nationally and locally. In countries undergoing post-conflict reconstruction there is a very low risk of being caught and punished. Furthermore, it may also be easy to hide valuables in property and to transfer money abroad.<sup>26</sup>

At the political and administrative levels, two different kinds of corruption tend to develop in post-conflict states: "petty" and "grand" corruption. The difference is not simply a function of scope and value but rather a question of the level at which corruption occurs. "Grand corruption" is linked to the political level and "petty corruption" to the administrative level.<sup>27</sup> Public sectors like health, education, and the justice system are particularly exposed. Petty corruption hits the population directly in their daily lives and undermines the general credibility of the authorities. Grand corruption – also referred to as "systemic corruption" when it encompasses the entire government structure – becomes a serious liability for the country's ability to be seen as a trustworthy actor and partner for international support.

In practice, so-called post-conflict states are frequently still characterized by a remaining element of conflict and insurgency, which makes providing stability and security an important aspect of reconstruction. This is where international military operations come in, often referred to as "peacekeeping" or "stabilization" operations. The ability of such operations to help fight corruption as an integral part of the mission and to avoid themselves becoming drivers of corruption, therefore, should constitute an essential part of the overall political mandate.

### 3.3. Fighting corruption in international operations: the core analytic categories

The seven core categories listed in Figure 2 were identified on the basis of empirically based sources. On the other hand, these categories represent a limited part of the whole. To narrow the analytical perspective too much is not desirable. That is why the additional eight categories set out in Figure 3 may be useful, too. These will be outlined in more depth in Chapter 3.4.

#### 3.3.1 Combating criminal patronage networks (CPNs)

The first core category is related to organized crime. The sources point to the challenges emanating from cronyism, family relationships, and political alliances. A major point is that previous warlords should not be re-circulated, whitewashed and accepted as part of the future regime.<sup>28</sup> Although it is quite far from Italy to Afghanistan – and not only geographically – Cheng & Zaum mention the mafia as an example of networks that large NATO member states, too, struggle with. The CPNs try to maximize their gains and to protect one another even when they compete. And when corrupt CPNs infiltrate the inside of the political sphere, the resulting challenge is difficult to eradicate. Huntington describes this as a very typical phenomenon, and as particularly predominant where cronyism and a network operate according to family, clan or ethnicity, in combination with weak and inefficient political parties.<sup>29</sup>

#### 3.3.2 International pressure and leadership

The international community must, at an early point, put pressure on the host nation government and articulate certain clear requirements. All of the sources used to construct the analytic framework point to the need to establish high standards from the very start, and to focus on integrity, transparency, policy, rules and procedures. The required political processes must be initiated and pressure should be used to obtain results, if necessary.<sup>30</sup> Without a consistent and clearly communicated focus from international organizations like the UN, NATO, and EU, as well as from the major national donors, it will prove difficult to develop good instruments for combating corruption. In weak post-conflict states like Afghanistan, and in light of their culture and history, the international community must take active responsibility and demonstrate leadership from the outset. That means rejecting all kinds of corruption,

25 Transparency International 2014.

26 Cheng & Zaum 2012, pages 58-59.

27 Ibid., page 6.

28 Ibid., page 55.

29 Huntington 1968, page 71.

30 CIDS 2015a, page 12.



whether based on need or greed, and independently of whether it is petty or grand.<sup>31</sup>

### **3.3.3 Civil society, independent institutions, and the media**

The importance of civilian whistle-blowers and independent civil organizations and media is the third key criteria. Open and well-functioning societies have strong civil sectors and institutions that act as guardians and oversee the functioning of the public sector as well as the actions of public employees. Whistle-blowers and arrangements that facilitate warnings and follow-up at all levels, from the local to the national one, are a crucial part of the role of civil society. The ability of women to participate politically and, more generally, in all spheres of society and public life, is another part of this. Some research indicates that women tend to be less corrupt than men; for example, where more women are actively engaged, the frequency of corruption tends to be reduced.<sup>32</sup> Consequently, greater gender equality is a dimension that may also imply a positive development in the field of corruption.

### **3.3.4 Comprehensive approach (CA)**

A comprehensive approach designed to address the challenge of corruption on a broad scale must encompass all major dimensions and all national and international actors that operate in a specific country. Although CA is a relatively new concept in NATO, it is crucial for handling the larger operational setting. If some countries, international organizations (IOs) or non-governmental organizations (NGOs) do not act in accordance with the same agreed standards, corruption will evolve and find new markets. All parts of what is normally called “the international community” must take part in order to influence and reduce corruption in areas such as politics, exercise of authority, security forces, and all economic activities. This includes government as well as private activities. The necessary civil-military coordination must encompass all ministries and include security, economic life, politics, development aid, and humanitarian support.<sup>33</sup>

### **3.3.5 Education and training**

Good, tailored education and training are essential for own forces as well as for the host nation forces. Knowledge about what corruption comprises, how it develops, its

consequences, and measures for countering it must be taught. However, it may be difficult enough to achieve a common understanding on such issues within NATO itself, let alone establish constructive attitudes and a proper common understanding among those who may profit from corruption. Capacity building within host nation security forces must include a focus on the negative effects of corruption. Conversely, if corrupt activities are accepted or tolerated by donors and other external actors, the international community implicitly legitimizes such activities. Mentoring at all levels and contact with all public representatives should include a focus on corruption and its negative effects.<sup>34</sup>

### **3.3.6 Specialized agencies and task forces**

Specialized agencies and task forces are needed to set high standards at an early point and develop instruments that may contribute to good counter- and anti-corruption measures. Such agencies should consist of specialists with different backgrounds. They should serve as a catalyst and driving force for the host nation to establish good instruments, constructive approaches, and systems for internal control and audit. Both national and international specialized agencies should be established in this context. CIDS notes that there is a wide array of experience with such agencies and their various practices internationally.<sup>35</sup> They should include competent people and have adequate access to other necessary resources; however, they also need to have a clear mandate and the genuine authority to implement policy and take active initiative.<sup>36</sup> They should not become yet another bureaucratic layer that exists in response to external pressure. Their purpose should not be to pacify the demands of the international community or to give merely the impression that corruption is taken seriously.<sup>37</sup>

### **3.3.7 Justice system, including police and prisons**

The last but not least important core criteria is the rule of law. This is an area that includes the entire justice system – from police, prosecutors, and judges, to prisons. The justice system is a crucial function that needs to follow international standards in order to contribute to a credible and well-functioning state. Unless the justice system functions well, the necessary foundations of any democratic state will not be present. Furthermore,

31 Transparency International 2015b.

32 Cheng & Zaum 2012, pages 54 and 222.

33 Transparency International 2014, pages 51-52.

34 Transparency International 2014, pages 59, 68, and 105.

35 CIDS 2015b.

36 CIDS 2015a, page 16.

37 Cheng & Zaum 2012, pages 210 and 218.



if corrupt activities are permitted to continue with no risk of being exposed and pursued through police investigation and prosecution, such activities will become self-generating.<sup>38</sup> Pressure from CPNs and officials in high positions may add to the undermining of the credibility and independence of the justice system. Figure 4 in Chapter 4 illustrates this well. A functional and independent justice system is the very foundation of democracy and the rule of law, and a precondition for upholding human rights.<sup>39</sup>

### 3.4. Supplementary analytic categories to evaluate the fight against corruption

The supplementary categories in the analytic framework listed in Figure 3 may contribute to a more overall understanding of how to fight corruption in post-conflict states. Although these are treated as secondary categories compared to the core categories listed in Figure 2 and discussed in Chapter 3.3, there is a need to remain open to the potential relevance of additional aspects in the empirical analysis of NATO's/ISAF's approach towards corruption. This will be explored in Chapter 4 and in Chapter 5.

#### 3.4.1 Independent national external and internal audit

All public institutions – ministries, agencies and subordinate administrative levels – should establish internal rules and procedures for control mechanisms. In addition, there is a need for external and independent audits. A national audit should report directly to parliament or the president, in order to be seen as independent from the executive power, that is, the government and the ministries. Such internal controls are equally important for keeping track of external budgetary support and donations from the international community. Good management and internal control of budgets and spending are also crucial in this context.<sup>40</sup> The day the international community has left and the country has to manage on its own, the former external review of the many billions that came from outside is no longer there. Internal controller functions and national audits should be in accordance with international normative standards. Such standards have a preventive function in themselves and should replace the more traditional national routines that may be in place and that frequently do not have the desired effect.<sup>41</sup>

#### 3.4.2 External support and control of donations

The use of external financial support and other donations is a frequently raised topic. In the case of Afghanistan, many donors have been described as being more concerned about pointing out how much money they have provided than about focusing critically on the effect and demonstrated results. TI calls this “perverse spending”, as the way in which this money has been spent is frequently outside of both national and international controls. Especially at an early stage, the amount of aid and number of projects initiated may both be so large that it is inevitable for things to go wrong. An overload of support before the receiving state has the administrative and political capacity to handle it is not only inefficient – it feeds corruption.<sup>42</sup> In order to prevent this, international support must be well planned, coordinated and properly managed.<sup>43</sup>

#### 3.4.3 Control of borders and airports to handle customs and fees as well as to prevent international whitewashing and illegal transfers

Corrupt actors profit from imports and steal the fees that should normally go to the state. At the same time, they may make big profits from smuggling – both in and out of the country. The UN reported in 2013 that the border police and customs officers in Afghanistan were among the most corrupt of all public employees.<sup>44</sup> Furthermore, the insurgency benefitted from this directly by means of financial transfers across the border. CPNs, too, operate on a transnational basis.<sup>45</sup> Illegal transfers across borders represent a dual problem, since money is stolen from the state and at the same time transferred out of the country. International mechanisms and cooperation are needed to stop and prevent such whitewashing, as illegal transfers and whitewashing often go through international banks and other countries.<sup>46</sup>

#### 3.4.4 Transparency and public freedom of information

Transparency and the public's access to information must be regulated through legislation. As a general principle, no information should be kept away from public scrutiny, although some limitations will normally apply. Transparency has a direct preventive effect on abuse. Transparency and access to information are crucial for the development of democracy and the democratic process.<sup>47</sup> Without the

38 Cheng & Zaum 2012, page 82.

39 CIDS 2015a, pages 1, 3, and 7.

40 Cheng & Zaum 2012, pages 58 and 59.

41 CIDS 2015a, page 31.

42 Cheng & Zaum 2012, pages 89, 93, and 210.

43 Transparency International 2014, page 114.

44 UNODC 2013b, page 11.

45 Sullivan & Forsberg 2013, page 169.

46 Cheng & Zaum 2012, page 60.

47 CIDS 2015a, page 26.

right to look into the cards of public agencies and officials from the outside, illegal activities may continue behind closed doors and easily avoid scrutiny. As demonstrated in Figure 4 (see Chapter 4), in a public sector characterized by widespread corruption the corrupt actors have an inherent interest in preserving a weak state and ineffective public functions. Legislation that ensures freedom of information needs to be properly implemented. This point is highlighted by a large number of observers.

### 3.4.5 Nominations and appointments

Transparency and access to information about nominations and appointments to public positions should be an integral part of a freedom of information act. This is an area in which cronyism flourishes and CPNs actively involve themselves, hoping to place their own people in public and central positions. Sound, transparent procedures within public human resources management (HRM) are vital to prevent strong and corrupt relationships between CPNs, public officials, and political representatives. Otherwise, there is a high likelihood of systematic abuse of power and position through hidden and self-protecting relationships. These activities will continue until there is a system in place in which forceful rules and procedures, transparency, and legal practice are in place, and are robust enough, to resist pressure and corruption. Nominations and appointments should be based on competence and meritocracy, not on cronyism and family bonds.<sup>48</sup>

### 3.4.6 Time and priority devoted to fight corruption

NATO's/ISAF's initial top priority in Afghanistan was ensuring security and stability. One thing was that resources were primarily devoted to fighting the insurgency. Quite another thing, however, was that widespread corruption was allowed to develop and remain unchecked under that focus. In an evaluation that covered several post-conflict situations, corruption tended to decrease until approximately six years after the end of conflict. This could be explained by the fact that on average, the international involvement ended after five to six years.<sup>49</sup> Cheng & Zaum also documented that corruption then tended to increase for seven to eight years after the active international involvement ended, thereafter stabilizing at a high level. The lesson that may be learned from this is that the earlier measures to fight corruption are introduced, the better their effect. Another lesson is that

the longer the international presence, the better the results. Altering norms and practice takes time and, thus, requires protracted international engagement.<sup>50</sup>

### 3.4.7 Policy, doctrine, rules and procedures

Risks linked to corruption must be embedded in policy, doctrine, education and training in NATO and be part of the Comprehensive Approach (CA). Without an overarching policy with a clearly stated coherent approach, the need to actively fight corruption in international military operations will neither be properly understood nor be given the necessary focus. Moreover, as TI observes, knowledge about the phenomenon must be research-based and represent a clear link to policy and doctrine.<sup>51</sup> Counter- and anti-corruption (CAC) measures must be incorporated in all planning and training. CAC cannot and should not be seen as an area for special interests. Tackling corruption, therefore, should be part of a mandate from the very start of an operation, and developed as a field of expertise that needs to be fully incorporated into policy, doctrine and planning.<sup>52</sup>

### 3.4.8 Strategic communication and information operations

This category covers the need for a unified and consistent message to the international community as well as to the host nation – in this case Afghan authorities and the Afghan population. Everything NATO does or does not do represents a message that is noted by all parties concerned.<sup>53</sup> The Afghan experience has demonstrated that there were close connections between corruption, organized crime, and the insurgency. The different actors cannot be treated in isolation. Corruption must be treated and handled as crime, and the message must be unambiguous. Experience shows that the use of non-lethal tools in the operational toolbox has increased in importance. Separate appendixes for information operations (InfoOps) have now become standard in orders at the strategic and operational level in NATO.<sup>54</sup> That approach is valid for countering and combating corruption as well.

### 3.4.9 Summary

Many of the 15 analytic categories listed in Figures 2 and 3 and discussed under Chapters 3.3 and 3.4 are

<sup>50</sup> Ibid., pages 65-68 and 203.

<sup>51</sup> Transparency International 2015b, page 4.

<sup>52</sup> Ibid., pages 9-10.

<sup>53</sup> Ibid., page 10.

<sup>54</sup> NATO 2013a, paragraph 4.76.

<sup>48</sup> Cheng & Zaum 2012, page 58.

<sup>49</sup> Ibid.

interconnected, although in various ways. The sources that underscore their importance are more numerous than the references that have been used. However, additional references will be drawn on in Chapter 4.

In short, the seven key categories and the eight supplementary categories, seen together, are at the heart of what a comprehensive approach to corruption ought to focus on. Future policy, doctrine, and planning need to take this into account.

NATO/ISAF alone is not responsible for everything that went wrong in Afghanistan, even if NATO's mission and role by means of ISAF was as the central and UN-approved actor. But as TI correctly states, the lack of coordination

undermined the international community's ability to reach the agreed objectives in terms of a stable development towards peace and stability.<sup>55</sup> Or as JALLC formulated it in their report on Afghanistan: "corruption can impact achievement of mission objectives, but also the military force can contribute, largely unwittingly, to the rise and prevalence of corruption".<sup>56</sup> The JALLC report concluded that we need a better understanding of the nature of corruption, its causes and effects, and not least on how this phenomenon should be tackled and fought.<sup>57</sup>

The analytic framework developed and discussed in Chapter 3 forms the backdrop of the analysis of the interview data in Chapter 5.

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55 Transparency International 2014, page 1.

56 NATO 2013b.

57 Ibid., page 4.



Photo: Torbjørn Klovsold - Forsvaret

## 4. NATO's/ISAF's approach towards corruption in Afghanistan

Corruption has been defined as a major source of social injustice in the world. If we look at countries such as Egypt and Ukraine, corruption was one of the underlying causes behind revolt and regime change in 2011 and 2013, respectively.<sup>58</sup> In that sense, corruption functions as one of the root causes behind instability and vulnerability in states with weak institutions.

This chapter will look at the situation in Afghanistan in the context of NATO's overall policy and approach, in order to provide a descriptive basis for the more detailed analysis in Chapter 5. As a start this chapter will focus on Afghanistan and then move to NATO's overall approach and policy. The last part will change the focus towards ISAF's approach towards corruption but without evaluating strengths and weaknesses at this point.

### 4.1. Corruption in Afghanistan

Corruption neither started nor ended with the Taliban. However, the Taliban's growth in the period from 1994 until 1996 has been interpreted as partly a result of a popular desire to get rid of an unjust and corrupt regime. The Afghan justice system was a major source of frustration

ahead of the Taliban take-over in 1996. The whole chain from police and prosecution to judges and the courts was seen as entirely corrupt. In the early period, therefore, the Taliban was viewed by many as a better and more just regime – a regime able to offer more justice than the Afghan government and official authorities.<sup>59</sup> That gave the Taliban an open door to exert influence through their sharia laws and shadow governors.

Hence, corruption, cronyism, and crime organized through CPNs did not arise as a consequence of international engagements and because of ISAF. There had been ample room for corruption to develop during a prolonged period of war and conflict. Especially the warlords financed much of their activities through their local power, smuggling and crime. Such activities were closely connected with the drug traffic. Large-scale hashish and opium production at that point had already existed for several decades. In 2013 the UN's Office on Drug and Crime (UNODC) estimated that the total value of this production, in Afghanistan alone, amounted to about USD 3.5 billion a year.<sup>60</sup> The impact of that production with its illegal economy may not be obvious at first sight. However, the way in which everything is connected is seen in Figure 4 next page, developed by ISAF in 2013:

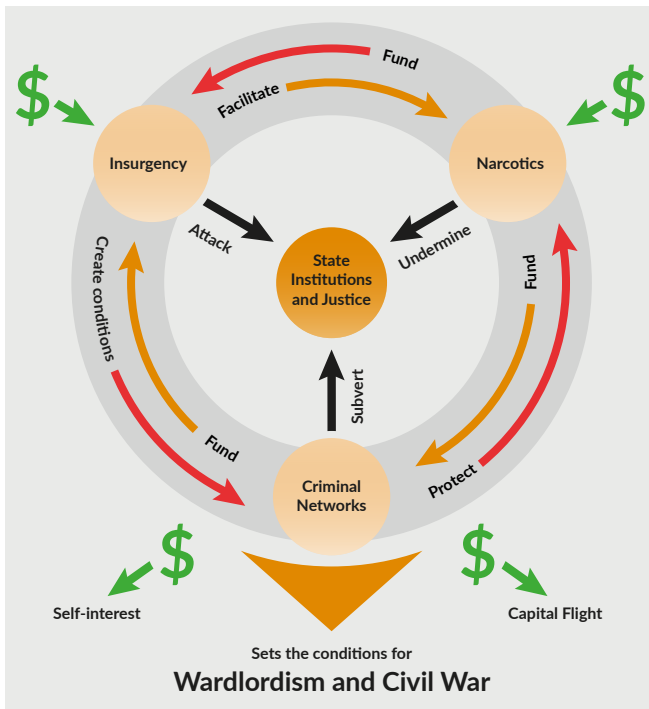
58 Transparency International 2014, page 9.

59 Stenersen 2010b, page 15.

60 UNODC 2013a.



**Figure 4: The connection between criminal networks, drugs, and insurgency**



The model seeks to illustrate how corruption creates a context in which everything is connected to everything. Activities through CPNs, insurgency and drug trafficking are mutually facilitated through this interconnectedness and protect one another. At the end, the sum of these activities undermines state institutions and the justice system to such an extent that it completely erodes the basis for any functioning and just state. All the actors in this system profit from a weak state and want to maintain their activities. Combating such a system, once it is engrained, takes great effort.

The situation has not become less serious in a situation in which ISAF has exited while the international community's commitment to support Afghanistan remains. The international community through the key donor countries and donor conferences obviously looks at Afghanistan with great concern. Norway, in fact, has withheld assistance as a result of widespread corruption and the lack of progress.<sup>61</sup> If the vicious circle as described in Figure 4 is not broken, donor nations may cut down on the support given or even stay away. The full consequences of that for Afghanistan's future are likely to be serious.

In the larger picture, the existence of security forces is what largely keeps Afghanistan together today. Sustainable financing of these forces is critical.<sup>62</sup> Today, it is predominantly the United States that pays for the Afghan Army and the Afghan Police. If the security forces were not there, the Taliban would most likely increase their advance. At the same time the old warlords would re-establish their old power structures. The result could easily become one of increased regional conflict based on ethnic divisions. Local warlords and CPNs would again dominate the daily lives of people through control of trade, local taxation, crime, and smuggling. Even if the situation in 2016 has not yet devolved into a civil war, a continued downward trend is likely to return the country to that situation.

In their handbook TI describes the various patterns and forms of corruption.<sup>63</sup> A common denominator in that context is cronyism and criminal networks, both of which contribute to weak institutions. In fact, having and maintaining a weak state is in the interest of corruption. Personal gain is more tempting once the risk of being exposed and punished is very low. At the same time, the practice in Afghanistan is to appoint people to important positions based on personal relationships. In 2013 IJC and NDS working together revealed a culture within several ministries to either buy or lease positions. This kind of activity was organized at a high bureaucratic level. In one case, the bribe to obtain a position as provincial police commander was USD 50 000 as a one-time payment.<sup>64</sup> This "trade" was also supported by the Taliban in order to influence and control the justice sector in the border area concerned. Local smuggling was also part of it. The latter activity generated substantial profit and at the same time enabled people involved in insurgency undisturbed transit between Afghanistan and the neighbouring country. Figure 4 illustrates how corruption facilitates insurgency and at the same time undermines state institutions, police and the justice system.

UNODC published a report in 2013 on corruption and how prevalent this phenomenon was in Afghanistan.<sup>65</sup> In the report, the Afghan population rated corruption as the greatest challenge next to the lack of security. Unemployment and poverty were ranked in third place. According to the report, bribes given to public officials,

<sup>62</sup> Stårvik 2014.  
<sup>63</sup> Transparency International 2014.  
<sup>64</sup> Stårvik 2015.  
<sup>65</sup> UNODC 2013b.

<sup>61</sup> Giæver 2013.



amounted to roughly as much as USD 3.9 billion per year. That represented a 40 % increase from 2009 to 2013. In short, in 2013 the everyday corruption alone amounted to as much as 20 % of Afghanistan's gross domestic product. Furthermore, the UN reported that more than 50 % of all appointments down to the district level in police, the customs service, and public bureaucracy in general were based on bribes and personal connections. The fact that most of the money involved ended up in the possession of the Taliban and CPNs shows a clear pattern in how corruption permeates and, to a large extent, presides over Afghan society. For the individual Afghan citizen, it might easily cost a monthly salary to obtain a needed public service – in the justice system, educational system, health system, communications, agriculture, or property management.

Corruption in Afghanistan also has – and has had – an impact on international security. The Taliban may, as a starting point, be described as a national insurgency with a local reach limited to Afghanistan and its neighbour, Pakistan. However, their facilitation of al-Qaeda's and Osama bin Laden's activities until the fall of 2001 caused, as we know, a US intervention that removed the entire Taliban regime. Fifteen years later a link as well as mutual support between the two entities still appear to exist. In August 2015, right after his appointment, the new Taliban leader, Mullah Mansour, pointed out that the support for al-Qaeda remained strong.<sup>66</sup> The connection between the Taliban as a local insurgency and al-Qaeda as a global actor in jihadism and terrorism, therefore, remains real.<sup>67</sup> It materialized, with support from the Taliban, through the establishment of new al-Qaeda core areas after 2001 in regions that are now located in southeast Afghanistan, in the Pashtun border areas between Afghanistan and Pakistan. Continued Taliban activities in Afghanistan and al-Qaeda's global activities and ambitions are both widespread in these border areas.<sup>68</sup>

In conclusion, therefore, it seems reasonable to put corruption in Afghanistan into a larger picture. Corruption contributes directly to a failed state that is unable to handle its domestic security challenges. This situation indirectly establishes a situation that contributes to and supports global terrorism. The attempt by IS to establish a foothold

in Afghanistan adds validity to such a conclusion.<sup>69</sup> Even after 15 years of international efforts to build democracy and promote economic, social, and political development in Afghanistan, corruption still has the potential to generate a situation in which national and international security remain threatened.

#### 4.2. NATO's approach and overall policy

NATO's particular focus on the risks and challenges caused by corruption dates from 2007 and was called the *Building Integrity Initiative*.<sup>70</sup> Through the Euro-Atlantic Partnership Council NATO cooperates with 18 partners in Europe and Asia, several of whom are in the process of further developing their democracies. Some of them also struggle with corruption, as evinced by their somewhat low position on TI's Corruption Index.

The focus on Building Integrity (BI) was one of several initiatives at a time when NATO started paying more attention to the broader aspects of the international engagements in which the Alliance was engaged. Behind the BI Initiative was a recognition that the conflicts or issues related to corruption and integrity needed a more targeted focus. The purpose behind BI was two-fold. The initiative was meant to develop a common understanding of what corruption entails and how it affects NATO-led operations. In addition, the initiative was to provide the basis for practical advice on reform and management of institutions in the field of security and defence. Particular focus was on countries in which NATO was, or had been, engaged – such as Kosovo and Afghanistan. Other countries in the target group were NATO partner countries to the south and east, especially countries that recently had gained or were aiming towards membership in NATO.

In the second half of the decade after 2001 a trend in NATO can be seen in which societal change and development – state building, which is frequently referred to as “reconstruction” in NATO – came more in focus. Gradually NATO realized that providing security and combating armed insurgency was insufficient. There was little help in reaching military objectives if other developments undermined the political objectives

<sup>66</sup> Roggio 2015.

<sup>67</sup> Jihadism may be defined as a violent component within Islamism based on support for armed confrontation in terms of holy war (jihad) in order to introduce Islamic rule both locally and globally (Lerand 2015).

<sup>68</sup> Stenersen 2010a.

<sup>69</sup> Reuters 2015.

<sup>70</sup> The current NATO BI Programme is based on the decision made by the Euro-Atlantic Partnership Council in November 2007 within the framework of the Partnership Action Plan on Defence Institution Building (PAP-DIB). See NATO BI Programme 2007 and North Atlantic Military Committee 2015.

that those military objectives were meant to serve. A comprehensive approach was needed.

Getting a full-fledged comprehensive policy and doctrine in place, however, took time. At the NATO Summit in Warsaw in June 2016 a broad-based BI Policy was endorsed, as a basis for a BI Doctrine to be elaborated on the military side.<sup>71</sup> However, as early as in 2010 the first version of NATO's new *Comprehensive Planning Directive* (COPD) had started the process of promoting more comprehensive NATO operational planning. The COPD is the common reference – the “bible” – for all military and civilian planners in NATO. It is also used as a basis for specialized courses as well as in staff colleges in all NATO member states. It represents the main tool for interoperability and the ability to cooperate in combined and joint operations.<sup>72</sup> Briefly stated, COPD provides NATO with a common planning language, shared concepts and definitions, and a shared understanding of how to plan and implement operations.

In the new COPD, NATO included factors and actions within a total of six different domains – political, military, economic, social, infrastructure, and information – for the first time.<sup>73</sup> As a result, after 2011 corruption was increasingly discussed as a factor to take into account and as a risk factor in operations. The extent to which this had a substantial impact on NATO's largest operation, ISAF, however, is a separate issue. It will be discussed in greater detail later in this report.

### 4.3. ISAF's approach

The first documents – or plans – to address corruption in Afghanistan and the role of ISAF are the North Atlantic Council's (NAC) updated *Comprehensive Strategic Political Military Plan for Achieving Enduring Progress in Afghanistan* and Joint Force Command Brunssum's *OPLAN 3030* (both from spring 2010).<sup>74</sup> Both were classified documents, as are all NATO and ISAF plans and orders, but are specifically referred to in JALLC's unclassified report from 2013.<sup>75</sup> Thus, 2010 represents the starting point for a NATO approach in Afghanistan that included addressing corruption. That change was closely associated with the

evolution of ISAF from a stabilization operation in 2003 to a *Counter Insurgency Operation* (COIN) in 2009/2010.<sup>76</sup> With the establishment of ISAF Joint Command (IJC) in 2009 and the revision of ISAF's OPLAN 10302 in 2010, ISAF at the same time established a joint operational level. The latter meant a command level with defined tasks that could focus exclusively on operations within the borders of Afghanistan.

As a result, the attention of ISAF HQ was adjusted to focus on the key actors in Kabul as well as those outside of Afghanistan. Profiled commanders like General McChrystal and General Petraeus were in charge of this transformation, driven by the growing challenges on the ground. With COIN, a concerted effort to win the hearts and minds of the local population through dedicated initiatives and planning was introduced. Corruption also became a focal point in the targeting process in IJC, with two dedicated positions established from 2011.

However, other initiatives were also introduced during this period. The entire Afghan justice system represented a major challenge due to corruption and a lack of credibility. From 2011 NATO addressed this challenge through the establishment of a *NATO Rule of Law Field Support Mission* (NROLFSM). It was based on an initiative from ISAF Commander General Petraeus as part of the new COIN approach.<sup>77</sup> COIN was an approach developed in Iraq in 2006/2007 with the assistance of Dr. David Kilcullen, an adviser at the time. The underlying concept is illustrated in the following figure:<sup>78</sup>

71 NATO 2016. Plans to adopt a BI Policy and BI Doctrine were raised by Minnion in an interview 7 April 2016; cf. Annex 2.

72 Joint: operations with the participation of more than one branch of the armed forces; combined: operations with the participation of several countries.

73 NATO 2013a, pages 1-8.

74 OPLAN: A plan for operations encompassing a relatively large area and long time frame, normally on the basis of certain assumptions.

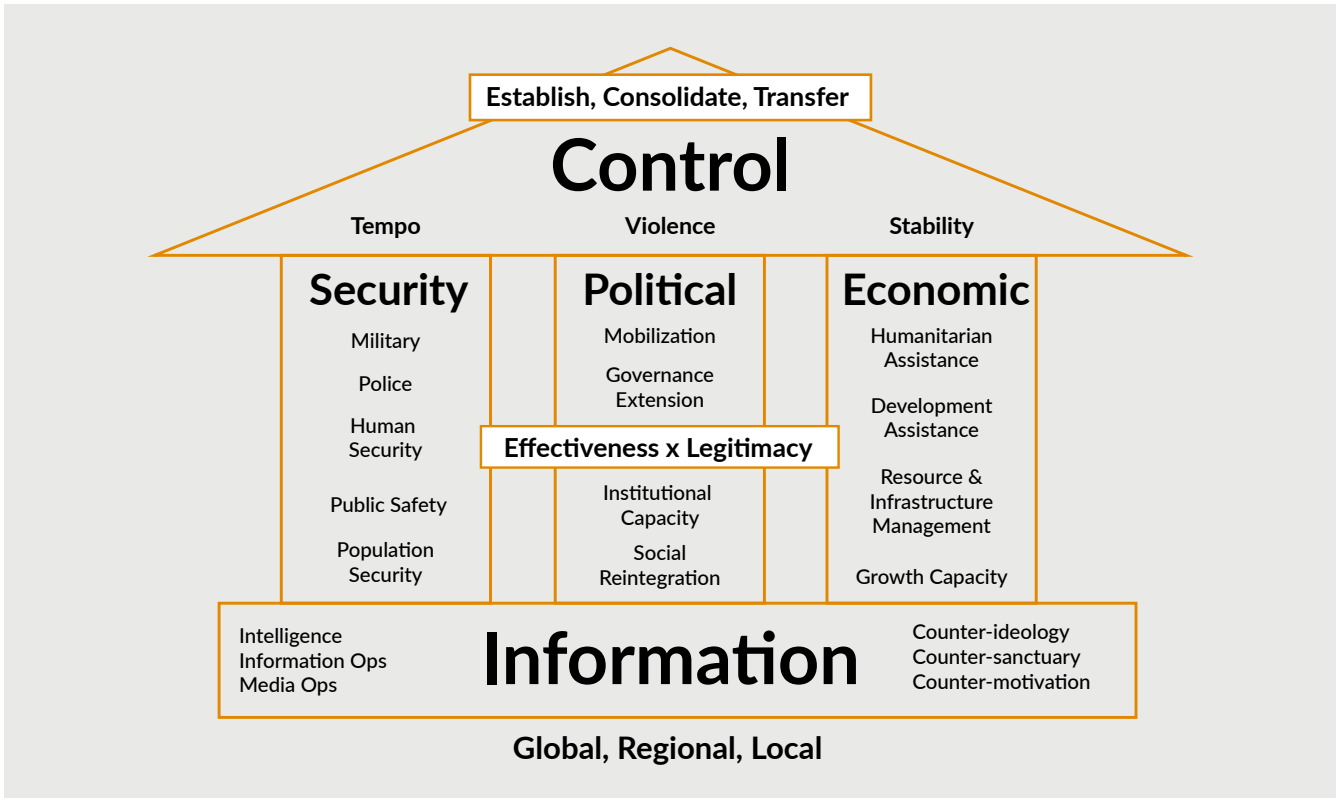
75 NATO 2013b.

76 Rynning 2012.

77 NATO 2011a.

78 COIN 2016.

Figure 5: Concept illustration of counter insurgency – COIN



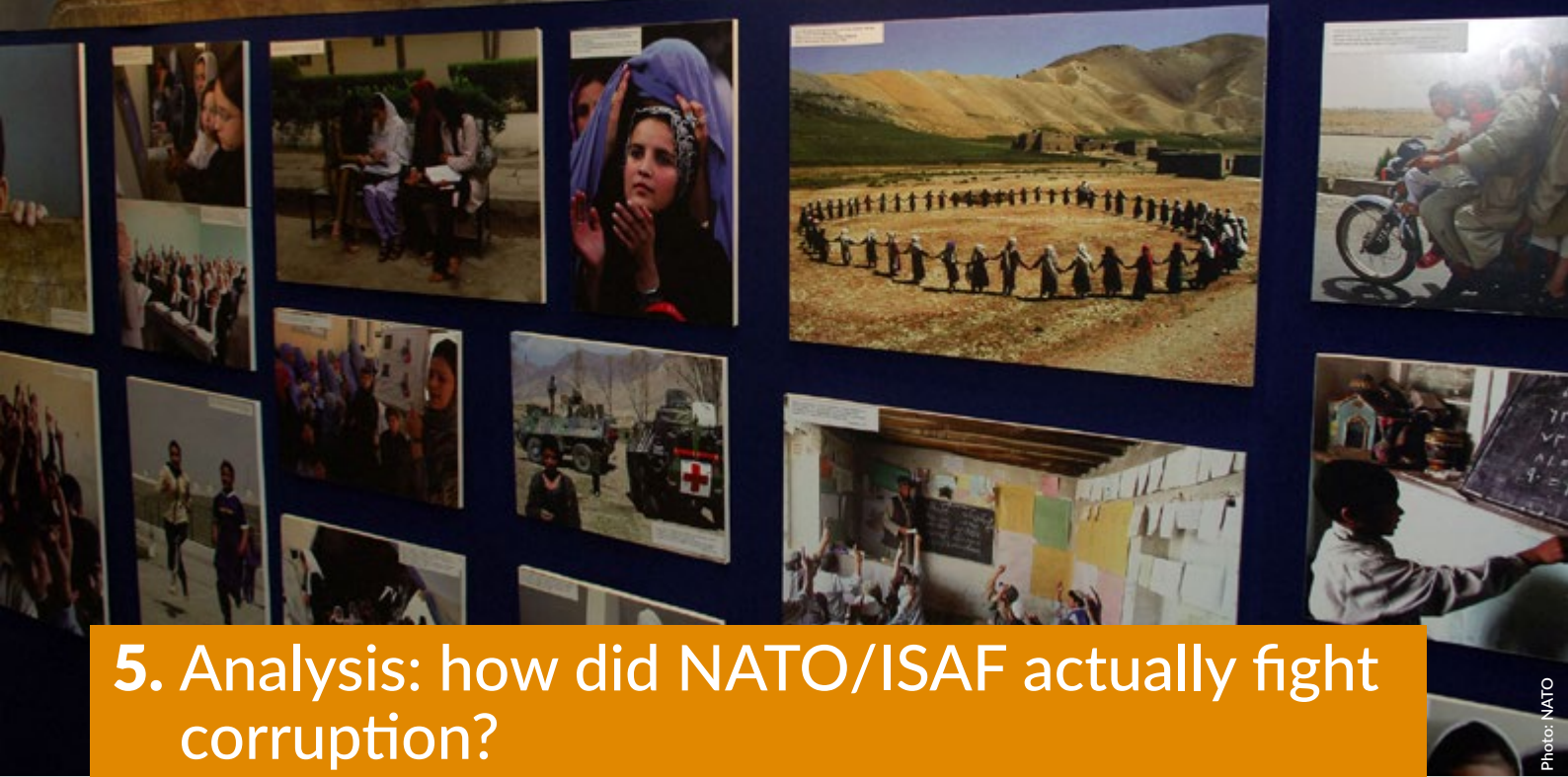
It is obvious that corruption can encompass and, therefore, have a negative impact on, all three pillars in Figure 5. NROLFSM, as a result, aimed at contributing to all of them, from security for individuals to credible exercise of public authority, and to countering and reducing corruption in public management, employment and infrastructure development.

ISAF's focus on a comprehensive approach and on COIN was fully put into practice during the period around 2010. A particular focus on corruption as a risk and threat was part of that change. The new focus became institutionalized

and implemented through plans, orders, and concrete measures such as the establishment of separate ISAF units like CJIAF-Shafafiyat, NROLFSM, and the new Counter-Corruption cell in IJC.

It follows from the discussion above that NATO by 2010 had come a long way in recognizing corruption as a severe challenge – not to say threat – in Afghanistan. COIN was put into effect from that year which means that, at the strategic level, a much more comprehensive approach was implemented – in principle, that is. Chapter 5 analyses how the new approach worked in practice.

# “Regards Afghans”



## 5. Analysis: how did NATO/ISAF actually fight corruption?

This chapter will address the key categories identified and discussed in Chapter 3 and analyse how NATO/ISAF actually fought corruption in practical terms, once countering corruption had become part of operational planning and a new approach to fighting the insurgency (COIN). The crucial question is: what were the strong points and the weaknesses in the efforts to fight corruption, from the level of the NATO HQ in Brussels to the lowest tactical level in ISAF in Afghanistan? The analytic framework that was developed in Chapter 3 identified seven key categories and eight supplementary ones. Below, each key category will be analysed separately, while the additional categories will be briefly analysed after that. The analyses build to a large extent on in-depth personal interviews (cf., Annex 2).

### 5.1. Combating criminal patronage networks (CPNs)

In any post-conflict situation, it is considered extremely important to get things right from the very start. Difficult decisions must be made during the first period after conflict in order to meet high expectations and establish a basis for a long-term solution, or what we may call “successful state building”.<sup>79</sup> In this first part of the analysis the question is whether NATO/ISAF did the right things from the start and introduced early measures to reduce the significance of CPNs. For, as noted by Huntington, once CPNs have gained

access at the political level there is an entrenched problem that may prove extremely hard to eradicate.<sup>80</sup>

In 2012, COM ISAF recognized the need to obtain an overview of “lessons from best practice” in order for ISAF to learn from experience from international work against corruption. NATO’s Joint Analysis and Lessons Learned Centre (JALLC) delivered its first and only report with recommendations in June 2013.<sup>81</sup> The report reviewed and evaluated lessons learned in international work to fight corruption in general, and analysed the experiences of ISAF so far in particular. However, this NATO report says little about the need to develop a specific approach in order to handle criminal networks. The point made by Berdal, that the difficult decisions must be made early on, allows us to better understand why CPNs took control of Afghanistan to such a degree.

As pointed out by Agerskov,<sup>82</sup> ISAF incorporated criminals directly into the government apparatus through a transfer of power to political groups consisting of old warlords and mujahedin warriors from the Northern Alliance. These were the groups NATO and the international community relied on to establish a new Afghan government after the fall of the Taliban in 2001. Hence, established networks were directly involved from the very start, and money and influence were distributed through these according to a set

79 Berdal 2009, page 21.

80 Huntington 1968, page 71.

81 NATO 2013b.

82 Interview 8 March 2016.

key so as to ensure that everybody was satisfied. Interim president from 2002, Hamid Karzai had his main base among the Pashtuns and the vice president and previous leader of the Northern Alliance, Mohammed Fahim Khan, controlled the Tadjiks. As pointed out by Agerskov, in practical terms NATO and the international community delivered Afghanistan to an organized mafia-like network from the very outset. Warlords with a regional power base obviously aimed at preserving their control over the local economy. That included collecting customs and fees for their own benefit, money that should have gone to the central government.<sup>83</sup>

The immediate effects of an early stabilization, therefore, appear to have been considered more important than more long-term objectives such as credible and efficient state functions. But as Sullivan and Forsberg pointed out as one of their most significant findings from Afghanistan: it is imperative to prevent the emergence of a political-criminal network. Such a network protects the participants through mutual relationships in a closed system of profit maximization. If left alone, the inherent dynamics of such a network has the potential to take over critical government functions. The result is that these functions are diverted to serve private self-interests instead of serving common national interests.<sup>84</sup> This observation is supported by other secondary sources, for example, Galtung and Tisnes' comprehensive article on *A New Approach to Post-Conflict Reconstruction*, which includes a description of the phenomenon of criminal networks in Afghanistan.<sup>85</sup>

But what about the more active approach by the IJC, about a decade later: is it possible to identify strengths and weaknesses in that context? Countering CPNs in a more direct way was given greater attention from about 2011. The small but dedicated counter-corruption group in IJC operated with a focus on active measures, under the operational Counter-Corruption umbrella. This implied a more systematic military approach, including some new tools. As a result, a more active approach directed against individuals who were part of CPNs was introduced.<sup>86</sup> People in ISAF's intelligence and the Network Effect Cell (NEC) in IJC still had their main focus directed on fighting the insurgency. However, an effect of their work was that corrupt individuals who operated in a grey area of support

to groups of insurgents were exposed. So, even with only one dedicated Counter-Corruption analyst, access to additional information was obtained that could be used to fight corruption. Such an element of synergy obviously should be considered a strong point.

Pursuing active measures directed against corrupt public officials nevertheless proved very challenging and often frustrating, given a limited room of manoeuvre. Priority was of course given to the worst cases and people with clear links to the Taliban. That category was covered by ISAF's own mandate, regulations concerning the Law of War, and Afghanistan's own legal regulations concerning security and terrorism. Such people could more easily be arrested depending on priority, security, and accessibility of forces.

However, people who were simply documented as corrupt were frequently protected, which largely explains the noted limitation in room of manoeuvre. The latter groups were either protected by people in higher positions or by a lack of will or ability to charge them through the justice system, in order to prosecute and sentence them.<sup>87</sup> And if it involved people who were seen to have a stabilizing local role – involved in the containment of insurgents – removing them became even more difficult. One important reason was that the regional commands frequently had a predominantly short horizon in their day-to-day operations, and were singularly focused on security in their area of responsibility.<sup>88</sup> The author's own experience from the same processes confirm the impression presented by Vercammen. Frequently ISAF was stuck with local warlords and public officials who in all other contexts were undesirable and who did not contribute to the building of a credible and functioning state. These could be local governors as well as heads of police at the provincial or district levels. Regardless of the limitations, the system had one positive advantage – the targeting process had some positive impact on the development of the justice system, through the cases in which corrupt people were prosecuted.

The practice of purchasing positions provided a built-in protection up to the highest level. ISAF never managed to curb this practice, or influence it in a noticeable way. A position as government minister in Afghanistan was priced at USD 5 million, while at the lowest level in a battalion it

83 Cheng & Zaum 2012, page 55.

84 Sullivan & Forsberg 2013, page 166.

85 Galtung & Tisnes 2009, pages 97 and 101.

86 Vercammen, interview 21 March 2016.

87 Stårvik 2015.

88 Vercammen, interview 21 March 2016.



cost USD 10 000 to buy a position as logistics officer. With a regular monthly salary of USD 400 one wonders how much money was in circulation and how much money could be obtained through a given position.<sup>89</sup> At the same time there was a practice in place whereby high-level Afghans who were removed after extended pressure on Karzai, were later re-circulated in a different position. That process took advantage of a weak institutional memory within ISAF, due to the frequent rotation of personnel. Agerskov noted that COM ISAF, General Allan, wrote some 75 letters pointing out how certain people were involved in unacceptable relationships linked to CPNs, corruption or drugs. President Karzai, in meetings in which Agerskov participated personally, overlooked such information.

However, as Agerskov pointed out, ISAF closely monitored the activities of Karzai through intelligence and other tools. ISAF knew what he stood for and how he operated. The ISAF leadership was frustrated, all the way to the top, by a situation they had little ability to change. In practice, Karzai was protected for other reasons at the top level in the United States and in NATO. That, most likely, was the single largest weakness in NATO's (lack of) handling of CPNs. As Agerskov put it: "These were the conditions under which you were put to work, and there was a Catch 22 to it: you are damned if you do and damned if you don't."<sup>90</sup>

Through mentoring and *Key Leader Engagement* (KLE) activities, ISAF attempted to exert influence and establish routines that contributed to better attitudes and better transparency in the government ministries responsible for security.<sup>91</sup> Here we find one of the strengths of Shafafiyat. Their activities aimed to assist good people through competence building and helping them to advance. Specific lists and knowledge directly related to information operations carried out by the operations and intelligence branches of IJC were used to influence the careers of known positive or negative players.<sup>92</sup> Possessing and applying such a clearly defined and structured process for exerting influence and helping to promote progress should be seen as a strong point. In particular, it gave a clear message to the leadership of Afghanistan that ISAF knew and had good insight into what was going on. And even if only a limited number of cases of corruption were prosecuted, Afghanistan's National Directorate of Security

(NDS) proved to be a relatively independent unit with many competent people who tried to contribute at their level. Nevertheless, as Minnion put it:

*We never got there with the CPNs, we did not have the right tools, we were not coherent and consistent enough and not coordinated with the international community. And as Karzai stated, we were running around in a circular firing range.*<sup>93</sup>

Minnion's point explains why it proved difficult to push questions connected to corruption. First dealing with people known to be corrupt and subsequently investigating them was prone to demonstrate that the international community had directly supported and helped consolidate their power, regionally as well as nationally. The consequences of this dilemma obviously contributed to the complexity of – and limitations in – Afghanistan's struggle to achieve positive results in its building of credible and viable state institutions.

At the tactical level we find many of the same characteristics that marked the strategic and operational levels of ISAF. Top public officials at the provincial and district levels were also protected, not just leaders in the government ministries. Østbø described a daily routine in which the targeting process focused on the Taliban and the insurgency.<sup>94</sup> He confirmed that security was in focus and came first, and not corruption and economic crimes. Furthermore, the tools to pursue CPNs did not exist at the tactical level. There was no doubt that local warlords in the north like Governor Atta and General Dostum had long tentacles into everything. However, they were protected from the top while, in the international community, there was little or no will to engage in removing them. So, in the end the issue was simply choosing a different priority.<sup>95</sup>

Gillebo, the former head of a PRT, described a daily work situation in which you very well knew that you operated among local leaders who controlled drug traffic and smuggling. Most members of the governor's security council belonged to that category. However, from the tactical level of operations there was no way these people could be assailed. All of them were, according to the Afghan standard, legally elected or appointed from Kabul. At the

<sup>89</sup> Agerskov, interview 8 March 2016.

<sup>90</sup> Agerskov, *ibid.*

<sup>91</sup> KLE is one of eight tools or techniques part of NATO Information Operations (NATO 2010).

<sup>92</sup> Vercaammen, interview 21 March 2016.

<sup>93</sup> Minnion, interview 7 April 2016.

<sup>94</sup> Østbø, interview 10 March 2016.

<sup>95</sup> *Ibid.*

local level ISAF was there to try to assist, develop, and support the Afghan society, for example, through making local Afghan officials function as well as possible. What needed to be changed was the electoral system, as well as the routines governing appointments. And these issues had to be handled at the central level.<sup>96</sup>

ISAF and the international community did not understand the ramifications when former warlords from the Northern Alliance were recirculated as part of the government apparatus. In hindsight this stands out as a major strategic miscalculation and a fundamental weakness. And once ISAF tried to do something with the criminal networks around 2010, it basically was too late. At that point their influence had grown too much, become too extensive, and they had for all intents and purposes taken control of the most critical government functions.

The result was that it proved difficult to obtain positive effects of the processes and measures put in place by IJC and ISAF HQ after 2010. The introduction of COIN made relatively little difference. If the room of manoeuvre had been better, many of the new methods and measures might have given positive results. But ISAF lacked the ability to act consistently. The local level was allowed to pursue a singular focus on security rather than to contribute to credible exercise of public authority. ISAF, in fact, protected known corrupt local leaders who were allowed to continue their activity. The result of that was not only to deprive the government of much-needed income; corrupt officials were free to disregard the interests of a severely tested local population and, through their activities, to undermine local economic and social development. From an early point NATO and ISAF contributed to giving Afghanistan back to criminal and corrupt leaders. NATO's missed opportunity to fight corruption and CPNs from the outset helped to condemn Afghanistan and its state building to a situation that subsequently was hard to rectify. That was a crucial weakness in NATO's and ISAF's approach.

## 5.2. International pressure and leadership

The international community, as represented by collective units like NATO, the UN, and the EU, primarily consists of a large number of states with divergent agendas and

objectives. This plurality is a problem by itself. NATO, with its 28 member countries, faces quite a challenge in achieving consensus and internal agreement. As Minnion noted, when an additional 30 ambassadors meet with the NATO ambassadors – in a partnership format – consensus does not become simpler to achieve. Countries like India, Pakistan, Kazakhstan and Russia do not necessarily facilitate coordination within the international community. Minnion also pointed out that the UN in missions like Afghanistan is incapable of communicating the problems and threats linked to corruption. For example, the UN depends on donor support from countries that might react negatively and reduce their financial transfers. With as much as 80 % of local employees in Afghanistan, the UN mission in that country was likely to reflect the level of corruption in general. That in itself made it even harder for the UN to stand up as a global authority with clear demands and pointed criticism.<sup>97</sup>

According to TI, ISAF should have insisted on taking the lead early on, in order to combat and control corruption in Afghanistan.<sup>98</sup> However, even if that had been desirable, such an option never existed and most likely would have been politically unrealistic.

NATO/ISAF never became a uniting voice that spoke for the international community, which points to a conclusion that international pressure and leadership in the fight against corruption was weak. It might have been different if NATO's UN-sanctioned mandate had provided NATO with a clearer focus and responsibility for fighting corruption.<sup>99</sup> The addition of just one sentence in the UN mandate about dedicated responsibility in the area of corruption would have enhanced the legality of and support for NATO/ISAF counter corruption measures. The Afghan government, at an early stage, at least in official policy delegated the responsibility to fight corruption to the international community. That message functioned well as it seemed like a reasonable conclusion. Furthermore, TI's international corruption index demonstrated that Afghanistan's sliding position towards the bottom came with the international engagement in the country. However, the bottom line is that neither side assumed active leadership.

Between 2009 and 2015 the focus on corruption in Afghanistan steadily grew. Using Google searches as an

<sup>96</sup> Gillebo, interview 15 March 2016.

<sup>97</sup> Minnion, interview 7 April 2016.

<sup>98</sup> Transparency International 2015b, page 27.

<sup>99</sup> Ibid., page 11.

indicator, the number of news items rose from about 75 000 in 2009 to about 145 000 in 2014. It seems reasonable to assume that those numbers also reflected increased focus by ISAF and ISAF's more active approach. The attention given to corruption at the donor conference in Tokyo in 2012 was even more pronounced than that of the international donor conference in London. In Tokyo, there were demands for more numerous and more concrete results in the fight against corruption on behalf of the international community that supported Afghanistan.<sup>100</sup> At the same time, available information after the Kabul Bank scandal and a scandal at the international hospital in Kabul was interpreted as a lack of willingness by the Afghan authorities to address the problem.<sup>101</sup> However, neither the donors nor NATO managed to apply real international pressure on the Afghan government. Two years later, in the fall of 2014, the newly elected president, Ashraf Ghani, asked for a renewed investigation of the Kabul Bank case. That was interpreted as a signal to the international community that a new regime with a new approach had taken charge.<sup>102</sup>

The reality of the matter was that the two most central actors in the Kabul Bank scandal were brothers of President Karzai and Vice President Fahim. Both of them avoided prosecution when the original court case ended in March 2013. At the same time, those who were actually prosecuted got very mild sentences. The Kabul Bank court case took place during the author's assignment to IJC and was given broad publicity as a test case of whether the Afghans themselves were willing to tackle the corruption problem and to demonstrate it by example.<sup>103</sup> No such clear example exists up to today.

As Agerskov put it, there is a need to understand the cultural context and to agree on the way forward in such a complex area as corruption. The latter was never attempted by ISAF or by other representatives of the international community. To change how things worked in Afghanistan would in any case take considerable time, and there was never the international willingness to stay as long as it took. In that sense ISAF has always had a built-in weakness – in not realizing the challenges linked to corruption from the outset, and in largely operating with a short time horizon. There was never a will to back demands with force,

and to remove corrupt actors, since it most likely would have contributed to decreased security and loss of own soldiers.<sup>104</sup> Agerskov attributes the short horizon to the fact that most military leaders in ISAF only were deployed for a six-month period. Even at his level 10-12 months was common practice. Agerskov served for 15 months as head of Shafafiyat. His experience was that it took a year to gain sufficient understanding and to develop personal relationships. Only towards the end of his period, he said, did whistle-blowers start to approach him with tips and proof in concrete cases.

An obvious lesson is that military leaders ought to sit longer. Short periods of deployment deprived ISAF of the opportunity to better understand the context within which NATO operated and to deliver results. On the other hand, COM ISAF had considerable autonomy and freedom of action, autonomy and freedom that obviously had to be balanced against specific rules, procedures, and policy.<sup>105</sup> As already noted, commanders like General Petraeus and General McChrystal used their relative autonomy to realize that corruption was a very serious obstacle and to start actively combating it. TI quoted General Petraeus – the COM ISAF who started CJIATF-Shafafiyat in 2010 – with the following statement:

*We could have started doing what was done in 2010 sooner. As you begin to ramp up in Afghanistan and as you start to pour substantial amounts of additional forces, funds, civilians, and other assets into the country, that is the time to increase focus and elements to try to identify and then deal with the cancer that is corruption.*<sup>106</sup>

A clear and marked focus – if possible through ISAF's mandate – would have pushed the much earlier start that General Petraeus said had been needed. Good practice from, for example, the World Bank could have been adopted and mechanisms to check for corruption in large programmes could have been established.<sup>107</sup> But to make the comparison, neither Norway nor Denmark had any clear policy or agenda to fight corruption when they increased their engagements in Afghanistan. Agerskov, Østbø, Lervik and Gillebo all were unable to remember that pre-deployment training or other preparations in their own

<sup>100</sup> Vercammen, interview 21 March 2016.

<sup>101</sup> Kabul Bank and the hospital scandal probably became the internationally two most known cases of corruption in Afghanistan; cf. Deutsche Welle 2012 and BBC 2014.

<sup>102</sup> Minnion, interview 7 April 2016.

<sup>103</sup> Stårvik 2015.

<sup>104</sup> Agerskov, interview 8 March 2016.

<sup>105</sup> Transparency International, 2015b, page 38.

<sup>106</sup> Ibid.

<sup>107</sup> Ibid., pages 27 and 38.

country at any point communicated a need to reduce the risk and dangers linked to corruption.

For the key category on international pressure and leadership, we can draw the conclusion that NATO and ISAF, as spearhead of the engagement for the international community in Afghanistan, made only a weak effort to raise the issue of corruption. At the same time it seems fair to say that an early lead role for NATO/ISAF would have been challenging at the very best, given the fact that about 60 different countries with their own agendas were also actively engaged in Afghanistan. As Minnion put it, the international community was not a community that pulled in the same direction, and that was a major part of the problem. A change occurred from about 2010, however. The initiatives that came from ISAF under profiled American commanders with direct experience from Iraq meant that ISAF assumed an active lead. But the lack of focus on corruption from the international community during the first phase of active engagement – including NATO's/ISAF's lack of emphasis at an earlier point – had already established a pattern of low demands and weak requirements.

As we have seen, Afghanistan's corrupt officials and CPNs exploited the lack of international pressure from the very start. The UN Security Council and ISAF's mandate should have highlighted the international community's high expectations and requirement to combat corruption. It would have given NATO HQ and ISAF a quite different legitimacy and authority in taking an active lead. The weak international pressure and ISAF's deficient leadership role on behalf of the international community – even after NATO turned its attention to the need to combat corruption – says it all. In a way it reflected the lack of Afghan will to properly investigate and prosecute after the Kabul Bank scandal. That scandal became an open wound and Achilles heel in Afghanistan's handling of corruption, and still is.

### 5.3. Civil society, independent institutions, and the media

As discussed in Chapter 3 the emergence and growth of independent civilian organizations is crucial for democratic progress in any country. Transparent and well-functioning societies also need watchdogs, and their appearance and role – or lack of role – serves as an important indicator

of positive change, or the opposite. But in the case of Afghanistan, recognizing this and the responsibility for helping to ensure a positive development obviously cannot be limited to the representatives of the international community – the Afghans themselves must be willing to actively engage in the development of a vibrant civil society. The question is: are they able or willing?

Taking a close look at Afghan realities and the UNODC's report the following facts illustrate the situation on the ground: The consolidated figure for bribes given to public officials rose from USD 2.5 million in 2009 to USD 3.9 million in 2012. The average price per bribe increased from USD 158 in 2009 to USD 214 in 2012. Especially for the civilian population, these figures illustrate what people were up against in their daily lives and the extent to which people could trust public authorities. Public officials working in prosecution, the courts, or representing provincial and district authorities were among the worst and they were also the ones with whom the population had close contact in their daily life.<sup>108</sup> Given that situation, it would be reasonable for civil society to realize that something needed to be done in order to make a change. The most useful vehicle for that kind of change would be independent civil society organizations capable of monitoring public institutions and officials, and capable of pushing counter-corruption activities.

The first visible change in this direction happened around 2013 and was described in an article published in the Norwegian military review *Forsvarets Forum*.<sup>109</sup> At that time the author still served in IJC. Based on ISAF quarterly intelligence reports and status reviews there seemed to be, for the first time, some positive trends in Afghan society. Monitoring of media and activities such as seminars and civil society input to Afghan authorities provided some clear indications. Integrity Watch Afghanistan acted as a civil watchdog and started a process directed against the government to pass a separate law on transparency and freedom of information. Among the issues brought up were more transparency in public management, hiring of employees, and budgeting.<sup>110</sup> ISAF supported the initiative and backing by several actors proved helpful. The proposed legislation was never approved during Karzai's reign but

<sup>108</sup> UNODC 2013b, pages 14, 19, and 31.

<sup>109</sup> Stårvik 2013.

<sup>110</sup> freedominfo.org 2013.



President Ghani signed the bill in December 2014, shortly after he assumed his position.<sup>111</sup>

While civil organizations are undeniably important, there are good reasons to recognize the possible limitations of their independence in practice, due to ethnic, religious or criminal ties. And there are many ways in which a government may counter such work. Governments may use media and public events to show greater readiness for reform and transparency than is the case in reality. Another limitation is that civil organizations in a post-conflict environment frequently lack sufficient authority to operate as real actors.<sup>112</sup> The latter may also be directly linked to the nature of the work, as brave and independent actors may be subjected to violence or threats. Agerskov described initiatives and actors who later had to go underground, once ISAF was no longer there to protect them. One of the most central women he worked with, he said, later had to leave the country.<sup>113</sup> UNODC documented in 2013 that particularly women and widows were vulnerable to corruption, and that they more frequently had to pay bribes than other groups.<sup>114</sup> That fact implied a double discrimination as women were among those with least assets and lowest incomes in Afghanistan.

A major drawback in relation to Afghanistan's civil society was the nature of NATO, which was seen as a purely military organization that NGOs and Afghan civilian actors hesitated to engage with. One thing was the potential peril, another was to risk losing a perceived independent status. The UN and UNAMA probably should have taken a greater role in cooperating with civil society organizations in order to stimulate and support their important role. Active support, however, presupposes a clear recognition of their long-term benefits. Minnion put it this way:

*But yes, organizations like Integrity Watch and Global Watch with their initiatives, like the one with a new information law, can be really effective. Their work helps and benefits also the government perception. But you have to find ways to fund them without the money coming directly from the military or NATO, to keep them independent and safe.<sup>115</sup>*

Initially there was little understanding in NATO of what a crucial role and function independent civil society actors may play in a post-conflict environment. That was clearly also directly linked to the fact that such actors were not present during the early ISAF years.<sup>116</sup> The lack of civil society organizations in Afghanistan undoubtedly added to the problem of corruption, as combating corruption by requiring transparency in public management and budgets clearly should come from the Afghans themselves. Nevertheless, the issue in itself reinforces the impression of lack of proper understanding, lack of properly researched information, and lack of an overall approach towards corruption from NATO's side.<sup>117</sup>

Independent media and access to social media are crucial for transparency in all countries. There are reasons why totalitarian states and authorities with activities to hide, or who want to prevent unwanted external influence, try to prevent that independent function.<sup>118</sup> The real watchdogs are ordinary people and journalists who, with access to news sources, try to reveal wrongdoings, corruption and cronyism. ISAF supported a number of newspapers and radio stations both at the local and at the national level, to encourage the distribution of information. The Norwegian PRT in Meymaneh in 2008, for example, provided support for local media. In principle such efforts aimed at helping to sustain the media's running operations without any direct influence on their editing. In Meymaneh, however, the PRT had the opportunity to ask for airtime with regard to important issues such as protection against road bombs, mines, and general information concerning health or pollution.

Today we observe that IS actively uses the same kind of means to obtain entry at the local level in Afghanistan.<sup>119</sup> In hindsight it seems obvious that there had been a potential to use the media more actively in order to combat corruption. ISAF could have used narratives and provided messages that would resonate with the population as a means to put pressure on corrupt public officials.<sup>120</sup> Two examples are *Tolo News* and *Khaama Press*. Both have managed to remain relatively independent and both have covered developments in Afghanistan over many years, including keeping a focus on the corruption issue.

111 Danish Institute for Human Rights 2014.

112 Cheng & Zaum 2012, pages 235-236.

113 Agerskov, interview 8 March 2016.

114 UNODC 2013b, page 8.

115 Minnion, interview 7 April 2016.

116 Transparency International 2015b, page 35.

117 Ibid., pages 9 and 35-37.

118 Johansen 2015.

119 Minnion, interview 7 April 2016.

120 Sullivan & Forsberg 2013, page 170.

We may conclude that the support for and growth in the number of actors emanating from Afghanistan's civil society should be seen as a positive sign and as an asset for combating corruption in Afghanistan. Since 2013 there have been clear initiatives from organizations like Integrity Watch and Global Watch – initiatives that were crowned with success with the new Afghan law on public transparency and freedom of information that President Ghani signed after he had taken over in 2014. With fairly independent media represented by Tolo News and Khaama Press, there have been additional positive trends through increased public focus on corruption.

Civil watchdogs that promote public influence in society and represent the voice of the citizens are a precondition for a free and democratic society.<sup>121</sup> And it seems quite clear that a gradually more mature civil society in Afghanistan has reinforced the fight against corruption. However, such independent groups need support from the international community. The lesson is that a military actor like NATO, too, needs to take this into account and use whatever room of manoeuvre there is to support it at an early stage.

#### 5.4. Comprehensive approach and civil-military coordination

The term “comprehensive approach” (CA) has been somewhat overused and remains a contentious concept in NATO. There are numerous reasons, among them the fact that there are different interpretations of what it means. Part of the background is simply that different countries have had their own practical approaches.

How comprehensive in the sense of “cohesive” was ISAF's approach? The short answer is that it depends on the country as well as the command level. Locally, no PRT was alike. Some were merely military instruments with their own combat units and resources, while others were purely civilian and development-oriented under civilian leadership. That the ensuing approaches towards and focus on corruption were widely divergent should come as no surprise.<sup>122</sup> The contact and cooperation with civil society and civil organizations varied – from country to country and from level to level. The NATO HQ in Kabul had extensive

contact with the other representatives of the international community – the UN, the EU, leading NGOs and major donor countries. Shafafiyat had a separate section for that contact with a specific focus on integrity, transparency, and the challenges linked to corruption.<sup>123</sup>

Chapter 4, Figure 5 presented a comprehensive approach to fighting the insurgency – COIN. In addition to the security aspects, that doctrine includes a broad focus on both the political and economic dimensions, in line with the new planning directive – COPD (cf. Chapter 4.2). Moreover, social and cultural elements, aspects linked to information and the media, civil society, as well as other factors of interest such as, for example, infrastructure, are all included. The various tools that may be applied – the Instruments of Power – encompass political, economic and civilian measures in addition to the military ones.<sup>124</sup>

Corruption manifested itself in all sectors. The most important challenge and limitation in how corruption was met probably originated in the fact that all the countries concerned had their own approach to the civil-military dimension. The Norwegian government's approach, for example, was to keep military and civilian measures separate, although the view on the Norwegian military side was that all tools had to be seen together and in a comprehensive way. The Norwegian PRT employed both American and other NGOs in the Norwegian area of responsibility, through an attempted comprehensive approach. Especially in developing infrastructure, there was a great potential for applying tailored means.<sup>125</sup> The author can confirm that such flexibility existed, for example when the French NGO ACTED was involved in a specific project directed towards women in the Almar District. However, seen from a NATO perspective, the Norwegian effort in the Faryab Province was not adequately coordinated and not at all comprehensive.

Minnion summarized her impressions from six years in Afghanistan as follows:

*So the policy was in place, the CA was there at the political, strategic and operational level. Everyone met frequently – it was weird if there was a day without a meeting between the UN, ISAF, civil society and NGOs.*

121 CIDS 2015a, page 26.  
122 Stårvik 2015.

123 Agerskov, interview 8 March 2016.  
124 NATO 2013a, pages 1-8, 1-9, 3-33 and 3-34 to 42.  
125 Gillebo, interview 15 March 2016.

*But I do not think we understood each other because every one's business was so different.*<sup>126</sup>

As a result the slogan and ambition for NATO's comprehensive approach became *Unity of Purpose*.<sup>127</sup> *Unity of Command* is a different and military concept that organizes all military units under the same commander, in the same command, with a common view of how to solve the task at hand, based on the same objective. That is an ambition that can be difficult enough to achieve on the military side in a NATO operation.<sup>128</sup> To agree on *purpose* – or intention – together with civilian actors, therefore, is the lowest ambition you can have in this context.

The greatest challenge was in the number of actors. Outside of NATO there were over 30 other donor nations, and within the UN system there were a total of 26 different development agencies. We may be talking about the largest humanitarian support effort in history, with the worst coordination and the worst control and auditing systems of all international engagements at any time in history.<sup>129</sup> With all the different projects that were launched, corruption was bound to follow. Neither NATO nor the UN had any incentives – not to say the power – to coordinate all this, nor the ability to put in place reforms and better routines to govern the various development projects.<sup>130</sup> One potential solution could have been to extend the responsibility of the World Bank, for example, by letting the donor money go through their *Afghan Reconstruction Trust Fund*. Twenty-four countries made use of that fund, and if the remaining countries had done the same, coordination and control of how money was spent would have been different. Experience shows that when good routines are in place and adhered to, a fund like that under the World Bank may eventually be transferred to national control of the recipient country.<sup>131</sup>

Coordinating all efforts and projects, within all sectors of society, must preferably be carried out by a single large actor. NATO had a mandate sanctioned by the UN and was the biggest international actor.<sup>132</sup> In that sense NATO would have been a natural choice. Even if NATO first and foremost is a military actor, the political and economic domains are part of NATO's agreed Instruments

of Power.<sup>133</sup> But the civilian actors would have had to accept that NATO, as an organization, would assume the responsibility to coordinate. Achieving *Unity of Purpose* and a shared strategy to fight corruption in all domains – military, political, economic and civil – is hardly feasible without an efficient coordination mechanism.

NATO's own JALLC Report describes the same need and confirms the same weakness in approach: there was a lack of common strategy and no dedicated agreement to fight corruption.<sup>134</sup> And there was no initiative coming from the operational level. Vercammen's evaluation is very much the same – in connection with the counter drug efforts there were many international actors working together with IJC. However, when it came to anti-corruption efforts such coordinated action was not the case, and that proved to be a significant weakness. For example, there were only sporadic contacts with EUPOL when it came to help developing the Afghan justice system.<sup>135</sup>

Agerskov described the need for cooperation before deployment or crisis management start. Such an initiative might have come from NATO. Joint planning and signed letters of intent before deployment could be one possibility. Another one could be an institutionalized system of information sharing and sharing of intelligence and experience before, during, and after an international engagement. The unique features of all actors and their specific roles should, in any case, be respected but it is easier to cooperate once you meet in the area of operations if you already know one another and have a relationship to build on. You get better results and you find better solutions with people you know and have a relationship with from before, Agerskov emphasized.<sup>136</sup>

Another aspect, pointed out by Lervik, was how many actors related to the same Afghan leaders, even in joint meetings. The international efforts were not well coordinated, there was no shared voice, and the international community presented itself as a "creature with many heads". A suitable preparatory body with exchange of information in order to coordinate a common message before key meetings was never established at the local level. Hence, the lack of coordination continued throughout ISAF's engagement in Afghanistan.<sup>137</sup>

126 Minnion, interview 7 April 2016.

127 NATO 2013a, page 1-1.

128 NATO 2010, page 1-7.

129 Minnion, interview 7 April 2016.

130 Ibid.

131 Cheng & Zaum 2012, page 59.

132 See NATO (2009) and US Senate (2014).

133 NATO 2013a, pages 1-9 and 1-10.

134 NATO 2013b, page 16.

135 Vercammen, interview 21 March 2016.

136 Agerskov, interview 8 March 2016.

137 Lervik, interview 14 March 2016.

In summary and as a conclusion it appears that NATO, as the largest actor in Afghanistan, never attempted to assume a larger role to coordinate the efforts to fight corruption. It may be far-fetched to believe that NATO could have coordinated countries and actors outside the Alliance, but better coordination to establish a proper *Unity of Purpose* should have been possible. NATO, for example, could have involved large international actors like the World Bank and Asian Development Bank more actively in order to design good, common procedures. ISAF HQ and Shafafiyat managed to get the various actors to meet together. It was a good start but did not produce consensus and a joint strategy.

A major lesson is that successfully fighting corruption requires that all parties join in, voice the same message, and adhere to the same standards. If not, corruption will find new ways of expression, and new markets. Letters of intent must be agreed, cooperation forums established, information and intelligence shared, and experiences shared and discussed. Especially in large-scale international engagements like Afghanistan, such efforts must be included before, during and after the engagement. This was never done in the case of Afghanistan, and a comprehensive approach never materialized in the area of countering corruption. The existence of a joint planning tool (COPD) that pushes a comprehensive approach, however, should in itself have facilitated a more coherent approach to fighting corruption. In a sense, reality on this issue illustrates the difference between theory and practice. NATO's efforts within this key category thus appear to be weak.

## 5.5. Education and training

Education and training is a highly diverse area. It does not merely include own education, training, and further developing your own proper competence – it is also a question of the ability to transmit knowledge and attitudes, and to teach tools to the personnel NATO trains and mentors. The general competence in this context is overall awareness of the importance of the issue and an understanding of what corruption is about, how it arises and develops, its consequences, and how to counter and combat it. All of these aspects need to be properly covered. And if NATO's own forces do not possess the right competence, the host nation's personnel – in this case the Afghans – will not acquire it either.

The JALLC report put special emphasis on economic issues and finance – how money is managed, distributed and spent. It is within this general area – with contracts, procurement, and budgets – we find the highest corruption risks.<sup>138</sup> If the access to money is great and the measures and mechanisms for control are almost non-existent, the risks of being caught are low and there are few potential consequences of wrongdoing. That may be seen as an open invitation to corruption and fraud.

The paradox, therefore, is that NATO had few initiatives within this crucial area. Few NATO mentors possessed the relevant knowledge and competence to educate and monitor the activities of the Afghan personnel that they mentored on economic and financial issues. NATO has been – and still is – first and foremost concerned with operations and how to support them. In ISAF that meant that positions within economy and finance frequently were not filled. In fact, neither ISAF nor the individual Allies were sufficiently vigilant in this vital area.<sup>139</sup> No one on behalf of NATO/ISAF published central guidelines and issued directives on how contracts, procurement, and transfer of money should be controlled. On the American side, the US Department of Defense established *Task Force 2010*.<sup>140</sup> This task force consisted of intelligence personnel and financial experts who together kept track of and checked both how money was spent and the actions of people with whom they were dealing, in order to reduce the risk of corruption and, to the extent possible, make sure that money did not end up in the hands of the insurgency. ISAF, however, never established anything like that and did not, therefore, possess the necessary competence, which also meant they were unable to transmit proper knowledge to the Afghans.

If we concentrate attention on ISAF's mentoring of the Afghan security forces, a focus on how to counter corruption was clearly meant to be part of the training. Whether it was followed up in practice, however, is a separate issue. Based on their experience from Afghanistan, Sullivan and Forsberg highlight the need to provide such training. Developing a national police and other security forces almost from scratch, like in Afghanistan, offers a unique chance to influence the competence and attitudes that should be an engrained part of the new profession.<sup>141</sup>

<sup>138</sup> NATO 2013b, page 17.

<sup>139</sup> Østbø, interview 10 March 2016.

<sup>140</sup> SIGAR 2014.

<sup>141</sup> Sullivan & Forsberg 2013, page 168.



At the same time there is always an imminent danger that the security ministries and central government elites seek to control the professionalization and training of their forces. That danger is likely to be present if the security forces are based on former militia groups, which may imply factionalism, politization, and corruption. One of the main challenges for President Ghani once he took over, therefore, was to keep control over the security forces and to avoid factionalism and regional control.<sup>142</sup>

The training and set-up of the Afghan Army (ANA) was an American primary concern. That represented many advantages but the American focus was first and foremost to produce volume and military capacity. Helping establish quality administrative and logistics systems did not have high priority. The lack of a coherent development of ANA, with proper management competence, has been evaluated as a major weakness.<sup>143</sup>

The introduction of *NATO Training Mission Afghanistan* (NTM-A), which largely took over this kind of activity on behalf of NATO and the Americans, did not change risks of corruption much to the better. The number of contracts, accounting papers, and amount spent was large and difficult to keep track of. Agerskov described a case in which he wanted to monitor how money was spent and see how the control mechanisms functioned. His observation was that there was no control whatsoever. He only found two young American officers who had their hands full in trying to manage the number of invoices and other papers and to get the money paid out on time.<sup>144</sup> The lack of control he described as follows:

*We had a case with combat boots for which the NTM-A paid over 100 US dollars a pair, although they were bought in China for less than 10 dollars a pair. The profit was distributed among those involved. Moreover, most of the fuel we paid for never arrived where it was supposed to be used; it was driven directly to the bazaars and sold on the black market. A significant amount of our equipment was stolen in Pakistan or east of Kabul, later to be bought back by ANA. NATO and the Americans frequently paid twice for the same delivery.*<sup>145</sup>

Regardless of the situation described above, the influence of the international presence on ANA was most significant on the units that had trainers and mentors at all levels. When UNODC in their report from 2013 described the prevalence of corruption as relatively low in ANA, it seems reasonable to conclude that the general training, presence, and NATO influence they were exposed to had a positive effect on the level of corruption.<sup>146</sup>

However, mentoring and training presupposes competence – a proper understanding of what corruption is and how it operates, as well as the ability to communicate this knowledge in a way that is understood. Answers from the interviewees to questions about training in the area of corruption before deployment and during the initial period once deployed, were all predominantly in the negative. Only Agerskov could refer to a specific lesson in which the topic was raised and during which the cases discussed were related to corruption. But that was part of the Danish pre-deployment training and not directed by NATO. Østbø seemed to remember that corruption and related topics had been mentioned during the training, although without a particular focus, while Gillebo said it had been mentioned as part of the cultural dimension. All of them had various pre-deployment training under the NATO umbrella but due to the fact that they belonged to different units, such training had been carried out in Poland, France, Norway and Germany.

Thus, one of the challenges for ACT<sup>147</sup> is that pre-deployment and other training is distributed among various units and countries in NATO. Nevertheless, the above indicates a clear lack of focus on corruption as part of the training. The author had the same experience as his predecessor as Counter-Corruption officers in the IJC. Only on one occasion did corruption become a topic during the targeting training under a Mission Rehearsal Exercise (MRX) in Grafenwuhr in Germany. That represented all the training even dedicated Counter-Corruption officers in IJC got.<sup>148</sup>

NATO HQ, in cooperation with IJC, in the spring of 2013 revised a package of lectures that had originally been produced in 2010. The revised lecture on risks and consequences of corruption was forwarded to JFC

142 Stårvik 2014.

143 Transparency International 2015b, page 48.

144 Agerskov, interview 8 March 2016.

145 Ibid.

146 UNODC 2013b, page 11.

147 Allied Command Transformation, responsible for education and training in NATO.

148 Vercammen, interview 21 March 2016.

Brunssum from CJATF-Shafafiyat around May 2013.<sup>149</sup> The author's personal experience is of direct relevance on this particular issue, as he was part of the group that reviewed the entire presentation. The key point is: an approved lesson that was supposed to be part of NATO's compulsory pre-deployment programme for ISAF did exist. The entire programme with various lessons and certifications was approved by J7 Education and Training in Brunssum, after close cooperation with ISAF HQ. And Brunssum was the parent HQ for ISAF. The reasons for the apparent lack of contact between the operational command structure and the responsible educational institutions under ACT are difficult to identify. But it is revealing in relation to the lack of attention given to corruption training and may explain why corruption was not given priority during pre-deployment training.

Training of middle and lower level Afghans in the government system and in ANA, therefore, never materialized when it came to corruption. Once again it should be pointed out that only Shafafiyat had the personnel, knowledge and proper policy for carrying out training and mentoring.<sup>150</sup> That was not sufficient. The major weakness in the overall situation could, perhaps, be explained by the lack of a common NATO policy and doctrine on corruption at the time of ISAF. That is a crucial point in itself and will be examined further when discussing the supplementary analytic categories in Chapter 5.8.

The conclusion is quite clear: NATO did not include much of a focus on the risks of corruption and how to counter it in its compulsory training ahead of deployment to ISAF. The interviewees who all underwent different pre-deployment training under the auspices of NATO's ACT confirm this. A separate lesson had been prepared in 2010 and should have been part of the preparations but was obviously not utilised. Fighting corruption, therefore, was never given much attention during deployment nor did it become part of training of Afghan personnel.

Clearly, there was a disconnect between NATO's operational line of command and ACT as responsible for all NATO pre-deployment training. ISAF, at its height, could have had a very large number of supervisors who, during their day-to-day business, could have given attention to

corruption as a serious challenge whenever natural and possible. Instead, ISAF squandered a golden opportunity to exert influence at all levels and in all functions during the reconstruction of Afghanistan – during the entire period. In addition to being a major weakness, that is a tragic fact. The result was that combating corruption in practice became an activity for only a small number of people in IJC and in CJATF-Shafafiyat in NATO's HQ in Kabul.

## 5.6. Specialized agencies and task forces

This category is also quite extensive as it includes Afghanistan's own capacity for internal control, education and training, and its national instruments to exert influence. In addition, there are external bodies such as Shafafiyat and Task Force 2010 and independent parliamentary control bodies such as a national audit system, found in most countries. In Afghanistan the *High Office of Oversight and Anti-Corruption* (HOOAC) was assigned officially the latter crucial role.

CIDS puts the role of such agencies into a larger context. They must possess real competence, a real mandate, and unquestionable authority. Agencies that act as checks-and-balance bodies or control bodies in areas like national auditing, counter-corruption, or agencies with a responsibility for upholding the law, like prosecution, need a defined legal independence, their own budgets, and a sufficient number of employees in order to be autonomous.<sup>151</sup>

HOOAC fulfilled little of the above requirements. At the outset it was to become a big, autonomous agency after being established by presidential decree in 2008. In reality it became seen as yet another tool and initiative meant to give the international community the impression that corruption was taken seriously.<sup>152</sup> That notion was confirmed by both Agerskov and Minnion, with the former putting it this way:

*HOOAC was as entangled with the networks as anybody else. There were nice words and nice speeches but no results. All of the Afghans employed by this agency were bought and corrupt. All of the people from HOOAC that I put my eye on received money. You cannot live in Afghanistan and challenge the networks without dying*

<sup>149</sup> Joint Force Command (JFC) Brunssum is one of two operational commands in the NATO command structure (Napoli is the other one). ISAF was under JFC Brunssum, as is its successor, Operation Resolute Support.

<sup>150</sup> Agerskov, interview 8 March 2016.

<sup>151</sup> CIDS 2015a, pages 16-18. See also CIDS 2015b.

<sup>152</sup> Cheng & Zaum 2012, page 209.

*from it. Another thing is that you cannot reach the top without being a part of it all.*<sup>153</sup>

At a given point representatives from the UN and several donor countries tried to stop the employment of a known corrupt public official as special adviser in HOOAC. The method used was to discontinue the procurement of infrastructure and computers for the agency during the upstart phase. But the Afghans knew their way around that resistance and simply called some other donors and asked them to assume the investment costs. They simply exploited the lack of coordination and the lack of a unified approach from the international community. We also know that five years after the Kabul Bank scandal, the HOOAC was still dealing with the issue with no resolution in sight.<sup>154</sup>

Then there was the hybrid solution called *The Independent Joint Anti-Corruption Monitoring and Evaluation Committee* (MEC). Based on a presidential decree, MEC was to be independent of Afghan authorities as well as of the international organizations and donor countries. The initiative came from international donors at the London Conference in 2010.<sup>155</sup> The new agency consisted of 50 % international experts and 50 % Afghan experts, with a rotating leadership. Activities started in 2012. A limitation of what has generally been seen as a well-functioning agency is that the experts only met for a few weeks a few times a year. This left much of the work with the secretariat which predominantly consisted of Afghans. Of course, the secretariat was supposed to be independent, too. But in an environment like Kabul, with a high threat-level combined with high prices and low public salaries, it seems doubtful that the secretariat managed to remain independent.<sup>156</sup> Nevertheless, NATO/ISAF through large donor countries like the United States, Great Britain, France, and Germany were driving forces behind the establishment of MEC. In that sense NATO could assume part of the credit for MEC having been established at all.

Looking at ISAF's internal workings, the situation does not appear much better as far as the need for special competence in the area of corruption is concerned. With the exception of CJIAF-Shafafiyat, there was no dedicated expertise with the right background and competence in ISAF's organization at the strategic level. Vercammen

confirmed that: he was, in his function, alone in having the responsibility for Counter-Narcotics (CN) and Counter-Corruption (CC) at the operational level. He pointed to the fact that he was not an expert in either field – he was an infantry officer by background and used to fighting more concrete problems on the ground. During the interview he put it this way:

*We need specialists from the very beginning – real specialists. We understand the necessity of a comprehensive approach taking care of all aspects in the society and coordinating with all players. But with only personnel like me it will never be enough. I lacked the background to be really efficient from the beginning during a period of only six months. We need to pick personnel with tailored background and skills.*<sup>157</sup>

As the one who took over after Vercammen, the author can only agree. During the author's period, the position was split between two officers, with an American responsible for narcotics. That made it possible for the author to focus on anti-corruption measures and to take initiatives at the tactical level. But at that level, too, the lack of expertise was dominant. In the spring of 2013 monthly meetings in the *Counter-Corruption Working Group* (CCWG) were established, on the initiative of IJC. Participation at these meetings, led from IJC by means of a videoconference, was quite illustrating in itself. Some met with people from J9 (Civil-Military Cooperation), some from J8 (Finance/Resource Management), some used their Legal Adviser (LEGAD), while others met with personnel from J3 (Operations). Subsequent meetings might be attended by people with quite different backgrounds. The understanding of what this was about was clearly limited and varied from person to person and region to region. Of the five ISAF regional commands only RC-South and the British had a dedicated CC Officer for a certain time.

Achieving continuity in such a working group proved impossible given the frequent rotation of personnel. CCWG, therefore, was dissolved after the author left IJC. And once the Afghans started to assume responsibility for security during the transition, with a gradual reduction in the size of IJC, the Counter-Corruption position was cut. The same was the case with the civilian Canadian CC analyst on the intelligence side who had worked closely with IJC's CC officer. So, after two years with dedicated

<sup>153</sup> Agerskov, interview 8 March 2016.

<sup>154</sup> Minnon, interview 7 April 2016.

<sup>155</sup> MEC 2016.

<sup>156</sup> Minnon, interview 7 April 2016.

<sup>157</sup> Vercammen, interview 21 March 2016.

positions in IJC, the focus on corruption at the operational level in ISAF ended in August 2013.

As a result, from the fall of 2013, the focus on fighting corruption at the tactical and regional levels in ISAF was completely gone.

As previously mentioned, CJIATF-Shafafiyat was established at the strategic level in the ISAF HQ in August 2010, on the initiative of the American COM ISAF. Shafafiyat operated in accordance with the principles for Anti-Corruption and comprised a considerable group of civilian and military experts. Its strength was directly related to that – people with different backgrounds, dissimilar education, and varied experience.<sup>158</sup> However, practice shows that a work environment like this needs time to establish itself and build competence and insight regarding its operational setting. Therefore, it seems reasonable to assume that the full effect of Shafafiyat first started to materialize in 2012-2013. That was almost 10 years after ISAF had assumed full responsibility for the whole of Afghanistan, or about 10 years after the focus on fighting Afghanistan's extensive corruption problem should have started.

In conclusion it seems fair to note the establishment of CJIATF-Shafafiyat – a dedicated agency to fight corruption – as a strong and positive move. The international contribution through the establishment of the independent agency MEC is another strong point. Shafafiyat, with its dedicated civilian and military experts, gradually established activities that made an impact both within the international community and with Afghan authorities. However, a valid observation is that they only had a strategic focus and only addressed the central national level in Kabul.

Work at the operational level can hardly be said to have included specialized competence, even if many good processes and initiatives were carried out. The termination of dedicated positions at this level halfway into 2013 had a clearly negative effect on the already very limited focus on corruption further down, at the regional and local levels. And a dedicated agency like the American Task Force 2010, which systematically monitored and followed up procurements, investments, and contracts, never existed in ISAF's organization. ISAF never had individual experts or units at the operational level or below with a dedicated role

and the competence to fight corruption. The overall picture, therefore, despite agencies like MEC and Shafafiyat, is that ISAF's efforts to fight corruption in this key category – through the use of specialized agencies and task forces – was quite weak.

## 5.7. Justice system, including police and prisons

A functioning justice system is the foundation of a democratic state and a precondition for the protection of human rights.<sup>159</sup> Afghanistan's justice system, therefore, was seen as a vital function already during the Bonn negotiations in 2001. NATO decided to give Italy the initial responsibility in this area.<sup>160</sup> But as documented by the Americans in a report from SIGAR, the Italian focus only lasted a few years.<sup>161</sup> Therefore, the establishment by General Petraeus of *NATO Rule of Law Field Support Mission* (NROLFSM) in 2011 marked the first major ISAF effort in the area.<sup>162</sup>

However, in 2003 the United States had taken a separate initiative to assist Afghanistan's justice system, in parallel with NATO. According to the report from SIGAR, the United States spent some USD 1 billion in this area from 2003 to 2015, through 66 different measures. One of the main American efforts was their unit *Rule of Law Field Force-Afghanistan* (ROLFF-A), a unit that was co-located with NROLFSM as long as both of them existed. Several reasons were behind this co-location – the American experience during a number of years, their varied competence, their resources to ensure own security and, not the least, their financial muscle. The funds operated by ROLFF-A made it possible to initiate infrastructure projects to help establish a viable justice system.<sup>163</sup> At one instance the author, who was then responsible for IJC's *Evidence Based Operations* (EvBO), had obtained on request an American officer from ROLFF-A in direct support for IJC. That provided a major enhancement of the ability to arrest and remove Afghan corrupt personnel.

The leadership in NROLFSM was centrally located in ISAF HQ and could coordinate directly with COM ISAF and other major actors. COM ISAF had a dual role in Afghanistan

<sup>159</sup> CIDS 2015a, pages 1, 3 and 7.

<sup>160</sup> SIGAR 2015, page 9. The *Special Inspector General Afghanistan Reconstruction* (SIGAR) is an independent control agency established by the US Congress in 2008 in order to check the results of money spent in Afghanistan.

<sup>161</sup> SIGAR 2016.

<sup>162</sup> NATO 2011b.

<sup>163</sup> Stårvik 2015.

<sup>158</sup> Agerskov, interview 8 March 2016.



in that he also was commander of the American forces operating outside of ISAF. The setting up of NROLFSM with its own units in all Regional Commands, and the close cooperation with the Americans, greatly strengthened the focus on, and ability to combat, corruption in the Afghan justice system.

The active American commitment through ROLFF-A since 2003 had been without an overall shared strategy, as pointed out by a SIGAR Report from 2015.<sup>164</sup> For example, according to SIGAR strict control of how money was spent was reported to be one of the reasons for its limited success. Nevertheless, the American efforts were clearly the most significant international attempt to help develop the Afghan justice system during the entire period.

For IJC the competence of and support from NROLFSM was very important, and was in practice what brought EvBO as a concept to the regional and local levels.<sup>165</sup> NROLFSM advised, trained, built infrastructure and contributed to security for a very exposed group of judges and prosecutors who were constantly under attack. In one instance, in June 2013, 16 employees at the High Court in Kabul were killed during an attack.<sup>166</sup> In the lack of good and publicly available statistics, IJC operated with internal numbers that indicated that several hundred people from the prosecution, and judges from courts, had been killed between 2011 and 2013.

Despite the above, NROLFSM may have had some opponents inside NATO, which may explain why it was dissolved in the fall of 2013. The personnel in that unit were primarily lawyers, legal advisers, or individuals with a civilian or military police background. Minnion expressed her scepticism this way:

*ISAF is good at building armies, they are good at fighting, they have good surveillance and intelligence. That is their core competency. But they should not try to develop the Rule of Law system. But what do you do when practically no one else does it; you try to fix even that. But suddenly you start building a police force that looks like an army.*<sup>167</sup>

The criticism towards NATO also included the responsibility they assumed for the establishment of police units as an

important part of the justice system. An example here is Norway's Police Mentoring Team (PMT) that included soldiers from Telemark Battalion (a professional Army unit) in addition to teams of police officers. The Norwegian PMT trained and mentored the police unit in Mazar-e Sharif. Countering corruption never became a central part of how they trained and mentored the Afghan police.<sup>168</sup>

NROLFSM was terminated in September 2013, while the American alter ego ROLFF-A was terminated in the fall of 2014.<sup>169</sup> Their termination does not in itself represent a successful conclusion if you consider the state of the Afghan justice system. As Agerskov pointed out, the challenges that remained were plentiful in that area, with many examples of prosecutors and judges who could neither read nor write, nor knew the country's laws. Afghanistan has more than 700 different civil laws, many of which had not been translated into the different local languages. Many judges were told what their judgements ought to be by those who possessed the real power. If your sentencing differed compared to what was expected, your children might be kidnapped and tortured. These were the realities on the ground.

Overall, only the courts in the 4-5 main regional centres functioned to some extent, and here NROLFSM had a major hand in that relative success.<sup>170</sup> Nevertheless, during the entire period, the UN reported on the challenges within the Afghan justice system, and as late as in 2013 they considered the prosecution and the judges to be among the most corrupt public officials in Afghanistan.<sup>171</sup> The UN did not detect any major change between 2009 and 2013, despite ISAF's and the American efforts both regionally and locally through NROLFSM and ROLFF-A.

In conclusion we have the same observation for this key category as for the previous ones: the focus came late, was not significant enough, and was terminated too early. The fact that Italy, with its low score on Transparency International's international corruption index, had the initial responsibility for developing the Afghan justice system may also be questioned.<sup>172</sup> The United States concluded at an early point that something had to be done and assumed considerable responsibility throughout the entire period. But more than half of Afghanistan was allocated to NATO's

<sup>164</sup> SIGAR 2015, page 2.

<sup>165</sup> Vercaemmen, interview 21 March 2016.

<sup>166</sup> BBC 2013.

<sup>167</sup> Minnion, interview 7 April 2016.

<sup>168</sup> Lervik, interview 14 March 2016.

<sup>169</sup> SIGAR 2015, page 15.

<sup>170</sup> Agerskov, interview 8 March 2016.

<sup>171</sup> UNODC 2013b, page 11.

<sup>172</sup> Transparency International 2005, page 16.

member states and partners through the PRT system, so the US did not cover the entire country on its own.

The set-up of NROLFSM demonstrated determination and ability to tackle the challenges emanating from corruption, as well as the lack of competence within the Afghan justice system. The termination of NROLFSM in the fall of 2013, therefore, stands out as a clear weakness in NATO's approach and revealed a total lack of understanding of the importance of its function.

Finally, it seems reasonable to conclude that the development of a police force with responsibility for law and order should have been done by civilian actors, like the UN or EU. However, in the absence of that, NATO assumed that role too. As a result, the understanding of how to counter corruption suffered in the new police force: it gained little credibility among the population and was never mentored or given assistance in how to fight corrupt activities.

### 5.8. Supplementary analytic categories

Several of the supplementary analytic categories listed in Chapter 3.3 were brought up on numerous occasions in the data sources on how NATO/ISAF approached the challenges of corruption. The analytic framework identified eight supplementary categories that, together with the seven core categories, should be seen as part of a comprehensive approach to fight corruption in a post-conflict state. The interviewees identified three areas in particular that should be part of the analysis. At the same time it should be noted that some of the other supplementary categories have been touched upon in the previous parts of this chapter as well. In fact, the analyses above demonstrate that there are no watertight distinctions between the various analytic categories, as several of them are closely related. One example is the importance of the time factor – it is overarching, as the fight against corruption should be initiated as soon as possible in all areas.

One supplementary category is the need to develop *policy, doctrine, rules and procedures* in order to properly deal with the challenges of corruption. The need for this should come as no surprise in a hierarchical military system like ISAF. In NATO the general rule is to operate according to superior

guidelines, plans and intentions, as provided by the top levels. And a lack of focus and priority at the lower levels may be directly related to weaknesses in the superior policy documents and guidelines – or the lack of such guidelines.

The fact is that without a defined policy it is difficult to transform intentions, actions and measures into a doctrine and other guiding strategic documents and, in the end, into ISAF's operational orders. An overall NATO policy on integrity and corruption was endorsed at the NATO summit in Warsaw in June 2016, which obviously came too late to have any guiding effect on ISAF's activities – one and a half years after ISAF was terminated. It cannot be ignored that the lack of an earlier NATO policy represented a major limitation – not to say weakness – for ISAF as an operation. Consensus policy in NATO has its limitations, and sometimes what ought to come first ends up as the last building block to be developed.

Despite the above, in 2010 COM ISAF issued a document called *ISAF Anti-Corruption Guidance* in which the commander's intent was stated as follows:

*The foundation of our COIN strategy is to protect the Afghan people. That means not only protecting them from violence, but also from the harm that comes from corrupt acts by government officials. Fighting corruption is also a stated priority of GIRoA. Our Afghan government partners have taken initial steps toward stemming corruption by creating the High Office of Oversight (HOO) to oversee and coordinate national efforts to fight corruption. We must assist the HOO in becoming an effective nation-wide executive agent including strengthening its authority, independence and resources.*

*A less permissive attitude to corruption by ISAF is in accord with the United Nations Security Council Resolution (UNSCR) 1890, dated October 2009, to support "further efforts by the Afghan Government to fight corruption, promote transparency and increase its accountability." This ISAF anti-corruption effort is further grounded in the United Nations Convention Against Corruption, December 2005, ratified by Afghanistan in August 2008.<sup>173</sup>*

The commander's intent was then accompanied by specific and pointed guidance and concluded with:

<sup>173</sup>ISAF 2010, page 1.

*This guidance is to be briefed and explained at all levels of command throughout ISAF and partnered units to all Soldiers, Sailors, Airmen and Marines as well as civilians and contractors as soon as possible. This includes all Afghan partners and leaders – ASF and civil leaders – as well as members of the International Community as applicable.*<sup>174</sup>

The guidance was signed by General Stanley A. McChrystal, US Army and Commander, ISAF, and by Ambassador Mark Sedwill, NATO's Senior Civilian Representative. The guidance was as close to a policy that you can get without it being issued directly from the NATO HQ in Brussels.

The surprising fact is that none of the Norwegian interviewees at ISAF's tactical level could recall any overall and superior guidelines or rules pertaining to the need to fight corruption. If COM ISAF's intent was followed up in 2010 the way it was supposed to, its effects seem to have been short-lived. That appears to have created a kind of vacuum shortly after. And as Agerskov put it: areas in which you have little insight and that are not in focus, you tend to avoid.<sup>175</sup>

During Vercammen's and the author's tenure at IJC, some supplementary documents were issued in order to regulate the fight against corruption. Through the interviews it was documented that these supplements to the orders from ISAF were unknown or were not followed up at the regional level.<sup>176</sup> That was most likely closely related to the lack of trained personnel dealing with corruption, as they were the ones who would look to guidance and regulations in that field. Minnion described the challenge linked to the lack of a clear policy in this way:

*It was Rodrigues, the first IJC commander in 2009 who said it first: if you don't get a solution to the Pakistani support and the corruption issue we will never get out of here. I was there when it was said but NATO never captured it. The ISAF approach came from the ground, not from the policy people at the strategic level.*<sup>177</sup>

The second supplementary category that the interviewees tended to refer to was the *time factor* and a *dominant focus on security and stability*. Most interviewees referred

to the time factor and the fact that NATO's/ISAF's focus on corruption came too late. This further underscores the importance of that factor, as the consequences were severe for a number of other dimensions, as demonstrated in the discussion of many of the seven key categories above. Vercammen put it this way:

*In a nutshell we have not focused well on corruption, we have done Too little, too late and we left too early. We were up and running after ten years and we left after twelve.*<sup>178</sup>

For ISAF to focus on the main mission – ensuring security as a stabilization operation – is understandable. But with a one-sided focus time was lost and the field was left open for the corrupt networks to consolidate their grip and for corruption to propagate. The belated response and lack of a proactive approach may be explained in several ways. For example, NATO is predominantly an instrument for security policy. ISAF was led by military officers who, as a result of their own background, focused on the military tool. The lack of understanding, training, and "tools in the toolbox" to fight corruption further contributed to that. At the same time, prominent Afghan leaders and politicians did their best to pursue their profitable activities and to sidetrack all attempts to prevent them from doing so. To a considerable extent these were people NATO, for security reasons, supported from the very start, with little understanding of the long-term consequences.<sup>179</sup> Lervik put it this way:

*We had created a war within the war for ourselves due to the lack of a long-term strategy. To believe that we could get Afghanistan to function during a time period of 10-12 years you can simply forget, as can be seen today with the advances of the Taliban. If we had gotten it right from the start, we might have achieved the desired development over one or two generations. Now we are likely to need three to four generations before we might see a somewhat functioning state.*<sup>180</sup>

International theory on development assistance describes the many challenges and pitfalls linked to *external support and the spending of donations*. The interviewees raised many of those problems. The amount of money spent and transferred is frequently highest during the early post-conflict situation, at a time when the country concerned

<sup>174</sup> Ibid., page 6.

<sup>175</sup> Agerskov, interview 8 March 2016.

<sup>176</sup> Østbø, interview 10 March 2016.

<sup>177</sup> Minnion, interview 7 April 2016.

<sup>178</sup> Vercammen, interview 21 March 2016.

<sup>179</sup> Transparency International 2015b, page 9.

<sup>180</sup> Lervik, interview 14 March 2016.

has the lowest capacity to absorb it.<sup>181</sup> In the case of Afghanistan, with a total of over 60 donor nations that did not succeed much in coordinating their activities – neither with other donors nor with the receiving government apparatus centrally or locally – we can understand why the term *perverse spending* has been used. TI applies this term because for many donors the main motivation was to demonstrate how much they were prepared to spend, with less concern for the effects and results.<sup>182</sup> At the same time, many donors did not want others to scrutinize them too closely, as they wanted to avoid critical questions. There was a competition in offering support combined with a lack of willingness to face the risks of corruption. Minnion described Afghanistan as the biggest humanitarian pipeline in history – the spending spree coming from outside helped create an unfortunate parallel economy.<sup>183</sup> This influx of money fuelled corruption and it represented a major fault in NATO's – and other donors' – approach to how to assist Afghanistan and not do harm at the same time.

The lack of an authoritative and comprehensive policy, and the insufficient guidelines from NATO HQ in Brussels, posed major obstacles to the fight against corruption, or rather gave rise to the lack of priority attributed to fighting corruption. That was true from the ISAF HQ all the way down to the tactical level in ISAF. Without a policy it is not possible to translate all relevant intentions, objectives

and guidelines into strategic documents and subsequently into plans and orders. It is difficult to describe what should be done, as well as when, how and why, when the basic conceptual apparatus, knowledge and understanding are missing.

The importance of the *time factor* – getting started early and at the right time – cannot be overstated. In this, NATO failed. Furthermore, the one-sided focus on *stability and security* proved to be a major weakness in NATO's approach to fighting corruption. Many good initiatives and measures were introduced after 2010, brought forward by strong, active and experienced commanders. The problem, however, was that such measures came too late and lasted too briefly to have a significant long-term effect.

Finally, the *external assistance* and the use of *donor money* proved to be a major pitfall and fed corruption to a nearly unsurpassed level. The obvious conclusion – in hindsight – is that it is better to spend less money in the right way than to spend a lot of money in the wrong way. NATO as an organization can hardly be blamed for that, even if many NATO member states were important donor countries. The above discussion of supplementary analytic categories offers more proof of major weaknesses than strengths in NATO's overall approach.

<sup>181</sup> Cheng & Zaum 2012, page 210.

<sup>182</sup> Transparency International 2015b, page 9.

<sup>183</sup> Minnion, interview 7 April 2016.





## 6. Conclusion: Too little, too late

With a few notable exceptions, issues connected to corruption in international military operations have thus far received little attention in research. Afghanistan has for obvious reasons been in focus during the past years – from NATO (JALLC), SIGAR, and TI in particular.

In the time ahead additional analyses on what happened in Afghanistan with regard to corruption will most likely be published. This report gives a relatively detailed description of a number of the factors that influenced the developments and the way in which NATO/ISAF and other actors dealt with the corruption issue. It also describes many of the actions taken in order to meet the challenges. However, these measures were neither adequate nor sufficiently coordinated. They suffered from a limited awareness of the importance of the issue as well as a lack of competence. At the same time, a very complex context required a much more focused and sustainable approach. What was eventually done was too little and came too late.

The main question behind this report was formulated as follows: what were the strong points and what were the weaknesses in NATO's approach to fighting corruption in Afghanistan? In addition to that question another question imposed itself: what are the lessons learned and conclusions to be drawn from those lessons? The in-depth case study behind the conclusions in this report has some clear limitations; on the other hand, an exploratory

case study that draws on a wide variety of data also has important advantages.

The first part of this chapter summarizes the main findings concerning the strengths and weaknesses in NATO's/ ISAF's approach to fighting corruption. Second, the overall impression of what characterized NATO's efforts is discussed. Finally, the way ahead for NATO is discussed in light of the recommendations for the future that may be formulated based on the Afghan and ISAF experience, as described in this report.

More details on the approach and method of the study are outlined in Annex 1, and data and sources are described in Annex 2. The validity of the findings is briefly discussed as part of Annex 2.

### 6.1. Summary of strengths and weaknesses

This summary will review the main findings based on the key categories in the analytic framework. The first one is how NATO/ISAF handled the *challenges related to criminal patronage networks – CPNs*.

Previous warlords from the Northern Alliance were from the outset protected, first by the US and subsequently by NATO, and thus allowed to become part of the new Afghan government apparatus. That development proved

to be very unfortunate, as it entailed acceptance of parts of the old and corrupt power structure and helped set up a system in which appointment of public officials was based on relationships and not professional competence. The appointment of a corrupt president at the top illustrates the problem, as CPNs subsequently hijacked Afghanistan's government. That probably was the most significant strategic error NATO made. In practical terms, NATO delivered Afghanistan to criminal and corrupted leaders from day one.

The intelligence-based *Counter-Corruption* approach that was later introduced in IJC was a strong point in NATO's handling of corruption, even if the room of manoeuvre to deal with corrupt Afghan leaders was limited, due to domestic protection. However, that active approach came too late. With the termination of the CC unit in IJC in 2013 the active approach to pursuing corrupt personnel also ended – in the entire country. NATO's/ISAF's overall efforts to fight CPNs, therefore, were very weak and the consequences were damaging to Afghanistan's political, economic, and social development.

The next key category is closely related to the one above – *the lack of international pressure and leadership*. The deficiencies in terms of a much needed unified international leadership – the absence of which was a shared international responsibility and one in which NATO/ISAF should have been prepared to take a more prominent lead – reinforced the opportunities for CPNs and powerful Afghan individuals to establish themselves in key positions. With strong and rather autonomous American commanders there were some good initiatives and a more forceful approach to fight corruption from around 2010. That included direct pressure on the Afghan leadership. However, these initiatives came predominantly from within ISAF and not from outside. NATO HQ in Brussels never became an active driving force in the fight against corruption. The non-existent leadership from the UN, and the lack of mandate to fight corruption in NATO's UN mandate – the legitimate basis for ISAF – are significant weaknesses as well. The lack of proper follow-up of the Kabul Bank scandal illustrates how the international community let serious corruption in Afghanistan take place without notable consequences. NATO's efforts in this second key category, therefore, appear to be weak.

The *development of civil society organizations* and of *independent media* took time in Afghanistan – for understandable reasons. The more recent appearance of such organizations and the steadily more independent and active media have been a positive asset for the country. Civilian watchdogs are a precondition for open democratic processes, and this is one of the few areas in which NATO's/ISAF's efforts to fight corruption may be characterized as strong. At the same time there is a limit to what a predominantly military organization can do in providing that kind of support. To be seen as independent, civil society organizations and media both needed to keep a certain distance to NATO. Nevertheless, international support and recognition may provide vital protection for people and institutions that would otherwise be vulnerable. ISAF tried to strike a balance between competing needs and, therefore, NATO's efforts in this key area appear to have been positive.

The need for a *comprehensive approach* and *civil-military coordination* is another key category identified in the analytic framework. NATO's own policy and planning system prescribes a comprehensive approach, which should have been a strength for NATO's/ISAF's approach towards corruption. As it turned out, that was not the case. NATO never assumed proper leadership in the international community's fight against corruption and the comprehensive approach never materialized. The international community did not function as a unified community, and efficient coordination never took place. Still, it should have been possible to establish a more clearly defined *unity of purpose*, which should have included a common goal to reduce and fight corruption. The responsibility for the general failure in this area obviously also rests with international actors like the World Bank and IMF. Both of these should have been capable of establishing common rules, procedures and controls to be applied by all actors in Afghanistan that were sources of assistance and provided funds for development projects, etc. ISAF HQ and Shafafiyat managed to gather the most important actors around the table but without success. A consensus and common strategy on how to counter corruption never materialized.

To fight corruption in Afghanistan all actors should have stuck to the *same message* and followed *the same standards*. Without a unified front, corruption will always find new areas and new markets to exploit. Letters of intent should

have been signed, forums for cooperation established, intelligence shared, and experiences with the Afghans and Afghan government discussed. It never became a reality. The activities of the international community in Afghanistan were piecemeal and uncoordinated. The efforts within this key category – a comprehensive approach and close coordination – were weak or lacking, and NATO/ISAF as the single most important actor must assume its part of the blame.

The next key category is *education and training of own as well as the host country's personnel*. This is an area that NATO and ISAF gave little priority when it comes to how to combat corruption. The reality is that if you know little about a topic, your ability to handle it – not to say combat it – is very limited. Without the necessary tools there is little you are able to do in the face of such a complex area as corruption. With proper pre-deployment training ISAF could, at its peak, have had a very large number supervisors all around Afghanistan – supervisors who could have provided a focus on corruption when appropriate. Through ISAF, NATO had a golden opportunity to exert influence at all levels and in all functions during the reconstruction of Afghanistan. Instead, counter-corruption became an activity carried out by a few dedicated people in IJC and in the special unit CJIATF-Shafafiyat in Kabul. In short, also within this key category NATO's/ISAF's efforts have been quite weak and insufficient.

*Specialized agencies and task forces* is the next key category. On the NATO/ISAF side only CJIATF-Shafafiyat had the role and possessed the competence that could make a real difference. The only other agency with a similar position was MEC – a hybrid institution that combined representatives from the international community and independent Afghans. MEC functioned according to the intentions behind it and proved to be a good solution, given the situation in Afghanistan. Afghanistan's own agency – HOOAC – never produced any results and remained an attempt to give the impression that the Afghan government's will to fight corruption was real.

Task forces with the required expertise at ISAF's operational and tactical levels never existed, which proved to be a major weakness. The closing down of the small Counter-Corruption cell in IJC in the summer of 2013 exacerbated that weakness. And a dedicated agency like the American Task Force 2010 with a focus on

procurements, investments, and contracts never existed in ISAF's organization. In short, NATO's/ISAF's efforts within this key category had more weaknesses than strengths.

The last key category that was analysed was the efforts to combat corruption in the *Afghan justice system*, including police and prisons. A good initiative in this area was NATO's *Rule of Law Field Support Mission* that, at an early point, coordinated ISAF's efforts and created synergy with the *American Rule of Law Field Force-Afghanistan*. The positive effects of this work also benefited ICJ and its work on Counter-Corruption and Evidence-Based Operations. But again, NROLFSM as a specialized unit never managed to cover all provinces and districts. Furthermore, the competence and relationships that had been built up since 2011 were terminated already in September 2013. Given the enormous challenges of systemic corruption in Afghanistan's justice system, the fairly short time that NROLFSM was operative adds to the weakness in NATO's efforts in this vital area. A valid point in this respect is that NATO should perhaps never have assumed responsibility for the training and development of the Afghan police. How NATO carried out that task appears even more problematic when we consider the lack of focus on the need to fight corruption. But when the mentors lack insight and competence, it will, by definition, imply a lack of transfer of competence to the police force to be trained. Since the police should be uncorrupted in order to be credible with the Afghan population, NATO's – and the EU's – deficiency in the training and mentoring of Afghanistan's police force present themselves as a major weakness.

In addition to the seven key categories used in the analysis, three supplementary analytic categories presented themselves as very relevant. The *lack of policy and guidelines* was a frequent topic among the interviewees. Without an overall policy, the need to fight corruption was never institutionalized through clear directives and orders further down in the organization. The lack of proper specialists on the ground in Afghanistan reinforced the fact that the guidelines published by COM ISAF in 2010 and after were never properly implemented. At the same time the interviewees confirmed that they never received national guidelines to counter and fight corruption. In short, the lack of an authoritative policy on corruption issued by the NATO HQ and the quite late arrival of guidelines on how to handle corruption issued by COM ISAF in 2010, combined with the lack of specialized competence throughout almost

the entire ISAF organization, turned out to be a recipe for disaster. This is an area in which NATO had the opportunity to act at an early point but did not. It was a major weakness in NATO's approach.

The second supplementary category that was frequently referred to was the *time factor* and a *dominant focus on security and stability*. For a considerable time ISAF was singularly focused on its role as a security operation and pushed off other pressing issues. Thus, fighting corruption was not considered a priority until rather late (2009/2010). In the meantime, corruption became systemic and engrained – or one could even say self-generating and self-reinforcing. The counter measures started from about 2010 proved to be more or less too late. The irony, of course, is that ISAF was terminated only a few years later, that is, after the challenge of corruption was finally taken seriously and NATO's/ISAF's measures had started to take effect.

The final supplementary category that the interviewees tended to refer to was *external assistance* and the use of *donor money*. Billions of US dollars were invested and spent, both with and without active involvement of Afghan authorities. Spending was predominantly outside any controls and has been characterized as “perverse”. Combined with the lack of agreed guidelines on how to spend and control funds in order to avoid feeding corruption, the result was disastrous. All relevant theory and practice from international development assistance were put aside in practical terms, and Afghanistan is a textbook example of how wrong things may turn out when donors compete and overbid one another. The measure for many donors in Afghanistan was the amount of spending – frequently in a short time – and not the effect or benefits. NATO member states, through their national military and civilian efforts, were part of this wilful spending spree. That approach clearly presents itself as a major weakness. NATO, or more specifically NATO's member states, failed utterly, even though responsibility is widely shared.

## 6.2. Overall conclusion and impression of NATO's/ISAF's approach to fighting corruption in Afghanistan

From the very start, NATO and ISAF did not have a proper understanding of what the responsibilities they had assumed in Afghanistan meant. That may explain why their presence and efforts during more than a decade show so

many weaknesses. As one of the main academic sources used in this report points out, corruption is first and foremost a political problem that must be fought through changed attitudes and legitimate institutions.<sup>184</sup> The efforts against corruption must be based on a comprehensive and long-term approach. As Cheng and Zaum document, there are success stories in which corruption has gradually been reduced, in parallel with the duration of the international engagement. Legitimate states may be built on the ruins of protracted conflict and war. The fundamental problem in Afghanistan is that such legitimacy and positive development are hardly visible or documented – especially when looking at Transparency International's corruption indexes from 2005 through 2015.

This report clearly documents that efforts must include a substantial number of areas and categories when fighting corruption is the goal. The set-up of specialized agencies and units such as MEC, Shafafiyat, and the Counter-Corruption group in IJC proved to be a strength in NATO's/ISAF's approach. The efforts to combat corruption in the Afghan justice system through NROLFSM also proved to be a positive measure. The main problem, however, was that these initiatives came too late and were terminated too early. The gradual emergence of and support to civil society organizations and independent media also may be presented as a strong point in NATO's/ISAF's approach. Such civil society watchdogs helped facilitate a growing Afghan responsibility for the political, social and economic reconstruction of their own country and provided more transparency and better public insight into the activities of Afghan authorities. The main observation still remains: Too little, too late.

The most fundamental strategic weakness in NATO's approach in Afghanistan was the acceptance of parts of the old and corrupt power structure and the inclusion of criminal warlords into the Afghan government. Maybe the US had to rely on them to some extent when combating the Taliban. Relying on them for the political, social and economic reconstruction of the country, however, was something else. This strategic failure provided a basis for criminal networks to take control in Afghanistan, and the CPNs gradually consolidated their power through buying and selling positions, in a system that became a democratic process only on the surface. The sad fact is that all the actors within these networks had a common interest in

<sup>184</sup> Cheng & Zaum 2012, page 22.

mutual protection and in ensuring a weak state. So, the product was a dysfunctional state. In addition, smuggling, drug dealing and other criminal activities contributed to financing the insurgency and international terrorism.

NATO's focus on security and stability from the early start also contributed to weak and deficient efforts to fight corruption. This was compounded by the lack of a comprehensive approach. The time factor – putting off efforts to counter corruption for almost a decade – and the lack of education and training of ISAF's personnel to better understand how corruption operates, how to detect and reveal it, and how to counter and combat it, severely aggravated the problem. The lack of civil-military coordination, modest international pressure and leadership, the lack of an overall policy, and massive donor assistance without proper control mechanisms contributed to the further growth of grand – or systemic – corruption. Sad to say, the verdict is not positive.

During the 12 year time horizon of ISAF's military efforts in Afghanistan, NATO did not lose the war. However, in a more long-term perspective, the more or less unhindered growth in corruption may turn out to make the initial and large-scale international efforts all in vain. NATO's mission in Afghanistan was to serve and promote some basic political objectives: on the one hand to help establish a stable and – to the extent possible – democratic state capable of promoting social and economic progress for its citizens. Second and related to the first objective, to make sure that Afghanistan would not once again become a haven for international terrorists. What was not properly understood was how systemic and large-scale corruption undermined both of those political objectives.

ISAF as a predominantly military tool was meant to serve and support the basic objectives stated above. However, what ISAF did on the ground proved to be of limited utility: reaching ISAF's military objectives was not sufficient as long as the wider development in Afghanistan undermined the overall *political* objectives. We still do not know what the end result of the international community's efforts in Afghanistan will be, but once ISAF pulled out trends appeared to point in a negative direction.

In the future, NATO should base its intervention in countries such as Afghanistan on proper and more comprehensive information – on research-based facts

about the nature of the wider challenges in the area and how to deal with them. Obviously, Afghanistan is a unique case and NATO's immediate appetite to enter into a similar mission is not evident – consider, for example, Libya and Syria. But the future may still entail stabilization operations that include a responsibility to help a country get back on its feet. Such a reconstruction effort would have much to learn from what happened in Afghanistan.

The interviewees whose personal experiences enlightened much of the analyses in this report clearly point to the complexities that characterize corruption as a phenomenon. Based on his wide experience as Commander CJATF-Shafafiyat during the period 2013–2014, Agerskov emphasized the need for NATO to make use of the competence of Transparency International and of specialized bodies such as, for example, SIGAR and CIDS.<sup>185</sup> NATO's efforts to fight corruption in Afghanistan were weak and, in several key areas, almost non-existent. Overall it proved to be Too little, too late, and what was finally done was terminated too early. That conclusion carries a serious lesson: the same mistakes should not be repeated.

NATO/ISAF and Afghanistan as a case is unique – as are other cases described in the relevant literature. As Cheng and Zaum put it, the relationship between peace building and corruption is deep, complex and, regardless, quite varied.<sup>186</sup> However, as this report documents, there are a number of common denominators that present themselves as rather universally valid as far as corruption is concerned. The extent to which NATO's follow-up mission in Afghanistan – Resolute Support Mission – has taken this general knowledge and lessons from ISA into account, remains to be seen.

### 6.3. Lessons learned and some recommendations for the future

A number of lessons learned may be extrapolated from the analyses in Chapter 5, as summarized in Chapter 6.1 and 6.2. Some key lessons are:

1. Before NATO becomes involved in a stabilization operation that may include an element of reconstruction, it is essential to conduct comprehensive research beyond the regular analysis of relevant intelligence and

<sup>185</sup> Agerskov, interview 8 March 2016.  
<sup>186</sup> Cheng & Zaum 2012, page 22.



standard military planning. Proper and in-depth area knowledge that may not be available in the NATO HQ and command structure is required. Such knowledge will normally be found at universities and in various academic research centres, and NATO needs to establish procedures for how to obtain and draw on such knowledge when appropriate.

2. Before NATO becomes involved in a stabilization operation that may include an element of reconstruction, comprehensive and tailored strategic and political guidance must be in place. Only then can policy determine military doctrine, and military planning become truly comprehensive in accordance with the existing *Comprehensive Planning Directive* – COPD.
3. Pre-deployment training must reflect and cover all relevant expertise beyond the purely military training. In the case of preventing and fighting corruption, all personnel should have a basic understanding of what corruption is, how it operates, its ramifications, and how to detect and counter it. The need to stick to common standards must be emphasized.
4. Implementation of measures to counter and combat corruption in the area of operations must be initiated from the very start. This should include specialized units that cover all mission levels and the entire area of operations. Common rules and guidelines – especially to cover procurement, financial transactions, and control mechanisms – need to be in place from the very start.
5. NATO will need to take deliberate decisions regarding the choice of whom to cooperate closely with in the host country and whom to keep at a certain distance. This evaluation must give proper consideration to the impact on long-term political objectives. Short-term military objectives must be embedded in a long-term political strategy and operations structured accordingly.
6. Early and substantial efforts are needed to ensure that the international community acts in a consistent way. A division of labour should be based on comparative advantages and the need to avoid mixing roles that should be kept apart. A UN mandate should include which party should be responsible for coordinating activities in the mission area, especially to ensure close civil-military coordination.
7. Early and sustainable support to help develop the host nation's civil society should be considered an integral part of an exit strategy.



Photo: Torbjørn Kjosvold - Forsvaret

## Annex 1

### Approach and Method

This report is based on a Master's Thesis in Military Studies at the Norwegian Defence University College from June 2016.<sup>187</sup> The original thesis included a substantial chapter on method and sources. These two aspects are summarized in Annex 1 and Annex 2.

Choice of method is a pragmatic one aimed at finding an approach that is well suited to answering defined research questions. An evaluation of the advantages and disadvantages of a qualitative versus quantitative approach exemplifies the need for pragmatic choices.

The research strategy behind this report is an intensive design based on an in-depth case study. A case study involves an empirical investigation of a particular phenomenon as seen in its natural surroundings, in which the borderline between the phenomenon itself and the surroundings may be unclear. It requires a number of different data sources. The challenge in this particular case study was indeed characterized by a blurred distinction between the phenomenon (corruption) and the surroundings (the Afghan setting). As far as NATO's policies and the role of ISAF are concerned, mandate, mission, geography, structure and size evolved continuously until the mission was terminated.

Case studies are useful as they may be limited in time and space and open for a wide-ranging collection of data over a longer period of time. In that sense they facilitate going deeper into an area in which there is little previous research, at the same time as drawing on data from various sources underpins and strengthens the study's internal validity. The weakness, regardless of findings, is the limited external validity of the conclusions – in this case the relevance that counter-corruption measures may have in future (post) conflict scenarios. This is the case even if corruption is considered the greatest single threat to the future development of Afghanistan.

The key research question behind this report was the desire to illuminate strengths and weaknesses in ISAF's approach towards corruption in Afghanistan. Part of that implied analysing and evaluating NATO's measures to counter and combat corruption. As such it entailed an explorative framework since it attempted to provide a systematic mapping of a particular case and a phenomenon about which there was only limited knowledge. The initial research question, therefore, also implied an open question that intended to map strengths and weaknesses in NATO's/ ISAF's efforts, without knowing in advance what these efforts were before the analysis and discussion of the findings were concluded.

<sup>187</sup> Stårvik 2016.

Consequently, the study was based on a hypothesis that the way ahead would emerge gradually. The different variables or aspects that defined NATO's efforts would be revealed through analyses based on relevant theory, previous studies and – in particular – through the empirical findings. Such an approach is truly explorative because it attempts to look at the case in depth, based on diverse data and unexpected contextual elements. The chosen approach made it possible to look at the case in a nuanced way.

To sum up, a case study requires concentration on a defined number of variables, and the approach is well suited to collect qualitative as well as other kinds of data. The case study behind this report was primarily based on a qualitative method.

An implicit part of the method was to start with an analysis of relevant documents. These sources are summarized in Annex 2, together with a summary discussion of other data sources.

Already existing documents are useful tools for collecting the views expressed by others, as well as their interpretations of particular phenomena. However, such documents are secondary sources and should be treated as such as they may have been produced for different purposes. Their validity and reliability must be assessed. Nevertheless, the more varied the data collection used, the better the qualitative exploration. The more data, the more approaches are available to investigate the same phenomenon, and the more details, the closer you get to the realities of the investigated phenomenon. In this particular study the analysis of relevant documents was combined with personal in-depth interviews. Data sources are discussed in Annex 2.

The author's close association with ISAF's counter-corruption efforts is a particular element that needs to be emphasized. With an operational background as Chief of Staff in Norway's Provisional Reconstruction Team (PRT) in Afghanistan in 2008 and as a dedicated Counter-Corruption Officer in ISAF's Joint Command in 2013, the author obviously had his own experiences and personal opinions concerning ISAF's efforts. Such personal experiences may influence the interpretation of data as well as the determination of which data are considered relevant.

Operating in a space that includes "nearness" as well as "distance" is a known challenge and is discussed in scientific method literature. Nevertheless, the objective is to retain a critical distance to the issues that are analysed and employ an analytically objective approach. Although some personal experiences are referred to in this report, external references have systematically been used in order to provide a necessary distance to the issues concerned. Interviewees with experience from both ISAF's tactical and operational levels represent the main sources when ISAF's approach is discussed and analysed. The interviewees also have experience from other time periods and other positions compared to the author, and one of them from the civilian dimension in both NATO and the UN as well.

At the same time, the author's personal experience from working with corruption in Afghanistan provided deeper and broader insight and contributed to a better understanding of corruption as a phenomenon. That, in fact, proved to be an important advantage. Therefore, the author's own experience is mentioned where it reinforces the experience recounted by others. In that way it further illuminates corruption in Afghanistan.



Photo: Torbjørn Kjosvold - Forsvaret

## Annex 2

### Data and Sources

The data sources used in the study may roughly be divided into three types:

1. Central literature and theory on corruption. These sources were used to obtain a more general understanding of corruption as a phenomenon and to establish a framework for the subsequent analysis.
2. Empirically based research and reports on Afghanistan. These data sources were used to help evaluate strengths and weaknesses in ISAF's efforts against corruption, as well as to support a framework designed to concentrate on the most relevant areas of NATO's efforts in Afghanistan.
3. Interviews with people with an in-depth personal knowledge of ISAF's efforts to counter corruption in Afghanistan. These interviews represent the most important data source behind the analyses presented in this report.

### Central literature

Corruption is not a new phenomenon, as noted by Samuel P. Huntington already in 1968 in his book *Political Order in Changing Societies*.<sup>188</sup> This seminal work includes a separate chapter on corruption and describes why and how corruption develops. Huntington provides useful insights for understanding the phenomenon. However, his presentation is more focused on the cultural and institutional setting within a more historical context and does not offer a categorization of areas of corruption and

how corruption may be fought. Nevertheless, his historical context links corruption to the modernization of societies in rapid transformation. In that sense, his insights are also relevant for Afghanistan.

Another central book in the same more general category is Mads Berdal, *Building Peace after War*.<sup>189</sup> Berdal provides valuable insights into the challenges of nation-building after war, and he places special focus on the threat of criminal networks and their political affiliations. Berdal's book offers a broad understanding of the more general challenges of a society after war and conflict.

There are a number of books on post-conflict experiences and the establishment of new state structures in previously failed states – predominantly in Africa, South America and Asia. A particularly central one is *Corruption and Post-Conflict Peacebuilding: selling the peace?*, edited by Christine S. Cheng and Dominik Zaum.<sup>190</sup> The book includes case studies that link theory to former and current conflicts in Bosnia and Herzegovina, Liberia, Afghanistan, Iraq, and Sri Lanka. It proved very useful in providing a connection between theory and best practice in the area of research on corruption. In that way it contributed valuable insights to help formulate an analytic framework to evaluate strengths and weaknesses in ISAF's approach to counter and combat corruption.

<sup>189</sup> Berdal 2009.

<sup>190</sup> Cheng & Zaum 2012.

<sup>188</sup> Huntington 1968.



Transparency International (TI) is the most central international NGO with a focus on the fight against corruption. In 2014 TI published a book on *Corruption Threats & International Missions – Practical guidance for leaders*.<sup>191</sup> It addresses both civilian and military leaders and is a handbook with practical advice on how to handle corruption as a threat to a mission's objectives in the framework of international conflict. Even if the book was published almost at the end of the ISAF mission, it proved useful as a tool to help evaluate NATO's approach and to put empirical findings in perspective.

The Norwegian Centre for Integrity in the Defence Sector (CIDS) has worked since it was established in 2012 to promote integrity, anti-corruption measures and good governance in the context of NATO, including in a number of partner countries. One of CIDS' handbooks – *Criteria for good governance in the defence sector – International standards and principles* – is a practical tool for countries or defence institutions that want to improve their integrity and anti-corruption systems.<sup>192</sup> It includes 250 questions, or criteria, in major areas of activities and how these areas should be designed and managed. The approach of the CIDS handbook provides concrete points as to which areas should be given focus in a systematic effort to fight corruption.

The five publications above provided valuable input as to the design of the analytic framework of the study behind this report.

### Research and reports on Afghanistan

So far there are few publicly available reports on corruption in Afghanistan.<sup>193</sup> NATO's own lessons learned unit – Joint Analysis Lessons Learned Centre (JALLC) – published a report with a strong focus on Afghanistan in 2013: *Counter- and Anti-Corruption – Theory and Practice from NATO Operations*.<sup>194</sup> That report was meant to inform future NATO engagements and primarily addresses the experiences from ISAF at the strategic level. No one at the operational level with responsibility in Afghanistan outside of Kabul was interviewed. Strengths and weaknesses in ISAF's approach to corruption were not part of the framework. However, a number of observations that point in that direction are addressed in a several

recommendations. More than 50 civilian and military experts in the NATO HQ in Brussels, in the European command structure, and from IFAF's HQ in Kabul, provided inputs to the recommendations. Among the interviewees were also civilian experts in other organizations who were working in Afghanistan during the preparation of the report. This NATO report obviously was of great interest and provided valuable background information for the present report.

Another source that provided valuable and empirically based data was an article and report from two professionals who previously worked in CJATF-Shafafiyat, Tim Sullivan and Carl Forsberg. The article *Confronting the Threat of Corruption and Organized Crime in Afghanistan*<sup>195</sup> describes ten concrete experiences and recommendations that may be of relevance in future armed conflicts. Both authors were Master's degree students at the time and were, therefore, not likely to represent a bias that tried to embellish NATO's – and the American – efforts. Sullivan's and Forsberg's conclusions represented a valuable empirical source for this author's analysis of ISAF's weaknesses and strengths in the fight against corruption.

Finally, TI's report on Afghanistan represents a very central empirical document.<sup>196</sup> That report is based on 75 interviews across high-level political, diplomatic, military and civilian division lines and also includes the overall efforts by the international community. Hence, it comprises interviews with various NGOs, a number of UN and EU bodies, researchers, as well as journalists. From a coherent perspective, in which ISAF's strengths and weaknesses are seen from a strategic level and down to the lower levels, the TI report provides a comprehensive and overall understanding of corruption in Afghanistan. However, the TI report does not include a systematic look at the interconnection between efforts at ISAF's strategic level and efforts at the local and tactical levels.

The three reports above represent key empirically based analyses of corruption in Afghanistan, as far as they go. They all informed the study behind this report in a substantive way.

<sup>191</sup> Transparency International 2014.

<sup>192</sup> CIDS 2015b.

<sup>193</sup> Examples are: Sullivan & Forsberg 2013, NATO 2013b, JCOA 2014, and Transparency International 2015b.

<sup>194</sup> NATO 2013b.

<sup>195</sup> Sullivan & Forsberg 2013

<sup>196</sup> Transparency International 2015b.



## Interviews and interviewees

During the analysis of the documents listed above it became clear that the existing sources were not sufficient to answer the main questions raised by this study. One limitation was the predominant focus on the strategic level that was primarily limited to Kabul and the ISAF HQ. And although previous studies had not developed a research framework well suited to analyse efforts to fight corruption, it was an even more serious limitation that their focus had not included the operational and tactical levels of ISAF. The need for data to cover the latter point clearly influenced the selection of people to interview in this study.

Consequently, the choice of interviewees to a large extent fell on officers who had served in positions with responsibility for countering corruption at all levels. Personnel with responsibility for policy, operations, advice and training at all levels were selected to ensure well-informed depth and detailed knowledge on ISAF's approach from the strategic level, via the operational level and down to the tactical level.

At the political-strategic level the choice was *Megan Minnion*. With a total of six years of service in Afghanistan she had unique experience at the strategic level in the country – three years as special adviser for the head of UNAMA and three years as political adviser (POLAD) for NATO's civilian representative in Kabul. Minnion was interviewed in Brussels at the NATO HQ.

At the military strategic level and from ISAF HQ *Brigadier General Flemming Agerskov* was chosen. On the one hand Agerskov had served for 14 months as Commander CJIAF-Shafafiyat during the period 2013-2014. In addition, the present author had previously met Agerskov in Kabul in 2013 at a seminar on corruption. On that occasion the Danish officer stood tall with an integrity and influence that was seldom seen in dealing with the Afghans. Agerskov was interviewed in Odense, Denmark.

The next level was the operational level – ISAF Joint Command (IJC). Here, the choice was *Major Eric Vercammen* who was the author's predecessor as Counter-Corruption officer in IJC. Vercammen has written an article in the ISAF magazine *ISAF Mirror* on the use of Evidence-Based Operations and IJC's use of the Afghan justice system against criminals and corrupt persons.<sup>197</sup> The interview took place at the Belgian Defence College in Brussels.

The regional commands represented the top tactical level in ISAF. Here, the choice was *Colonel Jan Østbø* who served as Director of Operations in RC North in 2013 and 2014. In that position he was responsible for short-term planning and for the execution of daily operations. He was also responsible for the Afghan Development Programme at RC North and the development of the Afghan Army under NATO's training mission – NTM-A. The interview was carried out at the Norwegian University Defence College in Oslo, Norway.

The lowest tactical level in ISAF was the PRT level (Provincial Reconstruction Teams) under the regional commands. Here the choice was one of the last Norwegian PRT Commanders, *Colonel Torger Gillebo* who was Commander at PRT-18 in Faryab until June 2012. That was the last PRT that still kept 100 % focus on stabilization, reconstruction and cooperation with Afghan authorities until the Afghans took over responsibility in Faryab during the fall of 2012. The interview was conducted at the Norwegian Army Weapons School at Rena.

In order to obtain additional experience from ISAF's lowest tactical level one of the few Norwegian Commanders of the Police Mentoring Team (PMT), *Colonel Lars Lervik*, was chosen. These teams advised and mentored Afghan police forces in and around the regional centre Mazar-e Sharif. PMTs operated within a civil-military dimension and the idea behind including an interview with Lervik was to obtain an insight into the focus of the civilian police. The interview with Lervik was done in the Norwegian Ministry of Defence in Oslo.

Interviews with commanders from two different tactical units made it possible to better evaluate the approach to counter and fight corruption at that level and how those efforts were anchored at ISAF's lowest level. Two Norwegian commanders were chosen for practical reasons, but there was a common NATO-ISAF training and certification process ahead of deployment. That training was carried out by NATO's Allied Command Transformation (ACT) and was independent of national affiliation. Hence, both commanders were in a good position to provide correct and relevant information on NATO's and ISAF's focus with regard to fighting corruption – both during the pre-deployment phase and during deployment.

<sup>197</sup>Vercammen 2012.

The interviews were carried out in accordance with the ethical and methodological principles of empirical research. A standardized interview guide was used and the interviewees signed written agreements. All interviews were taped and transcribed in order to facilitate the analysis of what had been said, to categorize findings and to provide a basis for exact quotes.

With one exception all interviews took place in the interviewee's own office. There was ample time for personal contact, questions and reasoned answers. All interviews were initiated with a clarification concerning the background for and relevance of the study, followed by an open question concerning the general strengths and weaknesses of ISAF's efforts in countering corruption. Then a discussion linked to more specific core categories followed. Finally, there was a control question whether the interviewee thought that all relevant aspects had been covered. The personal interviews functioned well and brought out depth, nuances, examples, and personal evaluations that provided a comprehensive picture of the strengths and weaknesses of ISAF's efforts to combat corruption.

### **Validity**

While the amount of different and relevant information in this report to evaluate NATO's/ISAF's approach towards corruption in Afghanistan is considerable, the potential limitation linked to the small number of interviewees is obviously important. The validity of the report's conclusions, therefore, needs to be discussed.

As described above, much of the information on which the analyses in Chapter 5 are based comes from in-depth interviews with six persons. They had all served in ISAF in positions of responsibility that included countering or

fighting corruption. Their background from Afghanistan includes all key levels, from the strategic level (NATO HQ and ISAF HQ) to the operational level (IJC) to the regional and tactical levels. That offers a scope of experience that to some extent reduced the potentially negative impact of the small number of respondents. Whether the predominance of Scandinavians and North Europeans in the group of interviewees should be considered a bias, is hard to tell. The interviewees' personal backgrounds from very central positions in ISAF's fight against corruption are probably more significant.

The interviews and interviewees provided a large amount of detailed, nuanced, and deeply founded information on both strengths and weaknesses in NATO's/ISAF's approach towards corruption in Afghanistan. That kind of in-depth information will normally not be found in documents. Should the author's own personal background be considered a source of bias? Since the interviews were taped and transcribed the validity of the interview data should be considered high. The author's familiarity with the issues was an asset in understanding and, where appropriate, interpreting much of the more general information in documents and the initial literature review. However, a distance was kept through the report's reliance on other sources of information than the author's own experiences.

An in-depth and detailed case study is first and foremost exploratory. Its strength is that it facilitates further studies and its conclusions may be tested further in follow-up studies. But even given the limitations, a case study like this one may identify important lessons learned – lessons that need to be thoroughly discussed and evaluated.



## Annex 3

### References

**BBC (2013)**, *Suicide attack at Kabul Supreme Court kills 16*. [www.bbc.com/news](http://www.bbc.com/news)

**BBC (2014)**, *Kabul Bank Fraud*. [www.bbc.com/news](http://www.bbc.com/news)

**Berdal, M. (2009)**, *Building peace after war* (Vol. 407). London: International Institute for Strategic Studies.

**Cheng, C. S. & Zaum, D. (2012)**, *Corruption and post-conflict peacebuilding: selling the peace?* (Vol. 29). London: Routledge.

**CIDS (2015a)**, *Criteria for good governance in the defence sector - International standards and principles*. [www.cids.no](http://www.cids.no)

**CIDS (2015b)**, "Anti-Corruption policies and agencies", *Guides to Good Governance*, No.3. [www.cids.no](http://www.cids.no)

**CJIATF-Shafafiyat (2011)**, *Introduction and Overview*. Special Inspector General for Afghanistan Reconstruction. <https://info.publicintelligence.net/ISAF-CJIATF.pdf>

**COIN (2016)**, <https://en.wikipedia.org/wiki/Counter-insurgency>

**Danish Institute for Human Rights (2014)**, *New Afghan law grants access to information*. <http://www.humanrights.dk/news/new-afghan-law-grants-access-information>

**Deutsche Welle (2012)**, 7 July, *Kabul Hospital hell reveals depth of corruption*. <http://www.dw.com/en/kabul-hospital-hell-reveals-depth-of-corruption>

**Elden, J. C. & Finstad, F. B. (2016)**, *Korrupsjon*. <https://snl.no/korrupsjon>

**Faizi, A. (2015)**, "The manufactured myth of ISIL in Afghanistan", *Aljazeera*. <http://www.aljazeera.com/indepth/opinion/2015/05/manufactured-myth-isil-afghanistan>

**Freedominfo.org. (2013)**, "Afghanistan Considering Draft Law on Access to Information". *The global network of freedom of information*. <http://www.freedominfo.org/2013/04/afghanistan-considering-draft-law-on-access-to-information>

**Galtung, F. & Tisne, M. (2009)**, "A new approach to post-war reconstruction", *Journal of Democracy*, 20(4), 93-107.

**Giæver, O. P. (2013)**, *Norge truer med å kutte Afghanistan bistand*, *ABC Nyheter*. (Norway threatens to cut support for Afghanistan). <http://www.abcnyheter.no/nyheter/2013/07/09>

**Hoffman, B. (2006)**, *Inside terrorism*. New York: Columbia University Press.

**Huntington, S. P. (1968)**, *Political order in changing societies*. New Haven, Conn: Yale University Press.

**International Peacebuilding (2008)**, "Post-Conflict Peacebuilding and Corruption". *International Peacekeeping*, Vol. 15.

**ISAF (2010)**, *ISAF Anti-Corruption Guidance*, Headquarters International Security Assistance Force, Kabul, Afghanistan.

**JCOA (2014)**, *Operationalizing Counter/Anti-Corruption Study: Operational Challenges in Afghanistan*. DIANE Publishing Company.

**Johansen, P. A. (2015)**, "Slik bygger Putin opp muren på nettet". *Aftenposten*. (This is how Putin creates walls on the internet). <http://www.aftenposten.no>

**Khaama Press (2016)**, *Corruption in Afghanistan, and how it is important to fight it*. <http://www.khaama.com/corruption-in-afghanistan-how-is-it-important-to-fight-it>

**Lerand, S. (2015)**, *Store Norske Leksikon*: Oslo.

**MEC (2016)**, *Independent Joint Anti-Corruption Monitoring and Evaluation Committee*. <http://www.mec.af/#about-us>

**National Defence University (2007)**, "The Comprehensive Approach Initiative: Future Options for NATO". *Defence Horizons*. <http://www.dtic.mil/dtic/tr/fulltext/u2/a473211.pdf>

**NATO (2009)**, 29 April, *International Security Assistance Force*. <http://www.nato.int/isaf/topics/mandate/>

**NATO (2010)**, *AJP-01 Allied Joint Doctrine*. [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/33694/AJP01D.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/33694/AJP01D.pdf)

**NATO (2011a)**, *NATO Rule of Law Field Support Mission*. [http://www.nato.int/nato\\_static/assets/pdf/pdf\\_2011\\_06/20110609-Backgrounder-Rule\\_of\\_Law-en.pdf](http://www.nato.int/nato_static/assets/pdf/pdf_2011_06/20110609-Backgrounder-Rule_of_Law-en.pdf)

**NATO (2011b)**, *NATO Rule of Law Field Support Mission (NROLFSM)*. [http://www.nato.int/nato\\_static\\_fl2014/assets/pdf/pdf\\_2011\\_06/20110609-Backgrounder-Rule\\_of\\_Law-en.pdf](http://www.nato.int/nato_static_fl2014/assets/pdf/pdf_2011_06/20110609-Backgrounder-Rule_of_Law-en.pdf)

**NATO (2013a)**, *Comprehensive Operations Planning Directive* (2 ed.).

**NATO (2013b)**, "Counter- and Anti-Corruption" *JALLC (Ed.) Theory and Practice from NATO Operations*. [http://www.jallc.nato.int/newsmedia/docs/jallc\\_report\\_corruption\\_releasable.pdf](http://www.jallc.nato.int/newsmedia/docs/jallc_report_corruption_releasable.pdf)

**NATO (2016)**, *NATO Building Integrity Policy*, endorsed by the Heads of State and Government participating in the meeting of the North Atlantic Council in Warsaw 8-9 July 2016. [http://www.nato.int/cps/en/natohq/official\\_texts\\_135626.htm?selectedLocale=en](http://www.nato.int/cps/en/natohq/official_texts_135626.htm?selectedLocale=en)

**NATO BI Programme (2007)**, <https://buildingintegrity.hq.nato.int/BI.aspx>

**Nicholas, A. & Roger, B. (2011)**, "Corruption kills", *Nature*, 469 (7329).

**North Atlantic Military Committee (2015)**, *Stock Taking Report on Building Integrity Activities*. Brussels, NATO.

**Regjeringen.no (2008)**, *En samordnet plan for Norges bidrag til Afghanistan*. Oslo: UD. (A coordinated plan for Norway's assistance to Afghanistan). [https://www.regjeringen.no/no/aktuelt/afghanistan\\_samordnet/id499116/](https://www.regjeringen.no/no/aktuelt/afghanistan_samordnet/id499116/)

**Reuters (2015)**, *Al Qaeda leader Zawahiri pledges allegiance to new Taliban chief*. <http://www.reuters.com/article/2015/08/13/us-afghanistan-taliban-qaeda>

**Roggio, B. (2015)**, *Full statement of Mullah Mansour accepting al Qaeda's oath of allegiance*. <http://www.longwarjournal.org/archives/2015/08/full-statement-of-mullah-mansour-accepting-al-qaedas-oath-of-allegiance.php>

**Rosenberg, M. (2013)**, "With bags of cash. CIA seeks influence in Afghanistan". *New York Times*.

**Rynning, S. (2012)**, *NATO in Afghanistan: The Liberal Disconnect*. Palo Alto: Stanford University Press.

**SIGAR (2014)**, *Programs and task forces to combat corruption in Afghanistan after U.S. combat operations*. <https://www.sigar.mil/pdf/special%20projects/SIGAR-14-88-SP.pdf>

**SIGAR (2015)**, *Rule of Law in Afghanistan: U.S. Agencies Lack a Strategy and Cannot Fully Determine the Effectiveness of*

*Programs Costing More Than \$1 Billion.* <https://www.sigar.mil/pdf/audits/SIGAR-15-68-AR.pdf>

**SIGAR (2016)**, *Special Inspector General for Afghanistan Reconstruction.* <https://www.sigar.mil/>

**Stenersen, A. (2010a)**, "Hvor går al-Qaida?" *Hvor hender det?* (Where is al-Qaida heading?). <http://www.nupi.no/Skole/HHD-Artikler/2010/Hvor-gaar-al-Qaida>

**Stenersen, A. (2010b)**, *The Taliban insurgency in Afghanistan – organization, leadership and world view.* Norwegian Defence Research Establishment.

**Stårvik, T. K. (2013)**, "Hvorfor bekjempe korrupsjonen?" *Forsvarets Forum*, (6). (Why combat corruption?).

**Stårvik, T. K. (2014)**, "Hva nå President Ghani?" *Forsvarets Forum*, (11). (What now, President Ghani?).

**Stårvik, T. K. (2015)**, *Corruption issues in ISAF.* Lecture for the Norwegian Institute for Defence Studies and Kings College, Oslo.

**Stårvik, T.K. (2016)**, *Korrupsjonsbekjempelse i Afghanistan. Hva var styrker og svakheter ved NATOs-ISAFs tilnærming til korrupsjonsutfordringen?* Master's Thesis, Norwegian Defence University College. (Combating corruption in Afghanistan. What were the strengths and weaknesses in NATO's-ISAF's approach towards corruption?).

**Sullivan, T. & Forsberg, C. (2013)**, *Confronting the Threat of Corruption and Organized Crime in Afghanistan.* [http://search.usa.gov/search?affiliate=cco\\_ndu&query=Sullivan](http://search.usa.gov/search?affiliate=cco_ndu&query=Sullivan)

**Transparency International (2005)**, *Global Corruption Report.* [http://www.transparency.org/whatwedo/publication/global\\_corruption\\_report\\_2005\\_corruption\\_in\\_construction\\_and\\_post\\_conflict](http://www.transparency.org/whatwedo/publication/global_corruption_report_2005_corruption_in_construction_and_post_conflict)

**Transparency International (2014)**, *Corruption Threats & International Missions.* UK: Defence and Security Programme.

**Transparency International (2015a)**, *Corruption Perception Index 2014.* <https://www.transparency.org/cpi2014/results>

**Transparency International (2015b)**, *Corruption: lesson from the international mission in Afghanistan.* UK: Defence and Security Programme.

**Transparency International (2015c)**, *What is corruption?* <https://www.transparency.org/what-is-corruption/#define>

**UNODC (2010)**, *The London Conference.* <https://www.unodc.org/afghanistan/en/Events/london-conference-january-2010.html>

**UNODC (2013a)**, *World Drug Report 2013.* United Nations Publications Vienna.

**UNODC (2013b)**, "Corruption in Afghanistan", *Recent patterns and trends.* [https://www.unodc.org/documents/frontpage/Corruption\\_in\\_Afghanistan\\_FINAL.pdf](https://www.unodc.org/documents/frontpage/Corruption_in_Afghanistan_FINAL.pdf)

**US Senate (2014)**, *Allen testimony.* Washington, DC. [http://www.foreign.senate.gov/imo/media/doc/Allen\\_Testimony.pdf](http://www.foreign.senate.gov/imo/media/doc/Allen_Testimony.pdf)

**Vercammen (2012)**, *Evidence Based Operations.* *COIN – Common Sense*, 3(3). [https://ronna.apan.org/CAAT/Coin%20Common%20Sense/COIN\\_Common\\_Sense\\_Vol\\_3\\_Issue\\_3.pdf](https://ronna.apan.org/CAAT/Coin%20Common%20Sense/COIN_Common_Sense_Vol_3_Issue_3.pdf)



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