INTRODUCTION

Research from Transparency International shows the defense and security institutions remain at very high risk of corruption and that this has severely impacted their ability to provide the level of security and government legitimacy that is so urgently needed. Personnel management, appointments and promotions, procurement and logistics of both soldiers and policemen are heavily affected by petty and grand corruption. The presence of ghost personnel within the army, police and intelligence services have become a serious concern for Afghan populous and international community. Despite recent efforts by the Afghan President, corruption in procurement and the leakage caused by corrupt practices within the security and defense sector institutions has posed existential threat to Afghan state.

On the eve of the Warsaw Summit, this policy brief will analyze the major factors contributing to corruption in the security and defense institutions. It will also outline the successes and failures by the Afghan Government to overcome these problem. The paper will close with recommendations to stakeholders.

SITUATION ANALYSIS

According to the National Corruption Survey by Integrity Watch, 45% of Afghans identify insecurity to be the biggest problem facing the Afghan government while 18 percent of those surveyed identified corruption and an equally 18 percent unemployment as the biggest problem.\(^1\) Insecurity is the result of several factors. However, from an anti-corruption perspective, the sources of insecurity in Afghanistan include corruption in the police, army, and justice sector perpetuated by illegal mining, narcotics trade, and money laundering facilitated by Hawala system. These six factors are tied together in a vicious circle where one feeds into another and vice-versa. In the following sections, the nature and relations of this web of factors is analyzed.

To begin with, lack of robust human resource management has resulted in huge number of ghost soldiers and police personnel. Reports indicate that actual number of police and soldiers might be around 120,000 while official figures state there are around 322,638 assigned personnel.\(^2\) Recently, a newly appointed chief of police in Helmand has stated that out of some ten thousands police, he was able to verify the existence of only some five thousands in the province.\(^3\) Unmerited appointments and unfair promotions are major sources of dissatisfaction within the army and police.\(^4\) It is said that revenue-generating posts like procurement, logistics and personnel management as well as command post where bribes can be easily extorted from the population, are sold on a regular basis. Nepotism, ethnicity and language have been the predominant factors dictating appointments and promotions within the armed forces.\(^5\) This has demoralized the policemen and soldiers with a direct effect on desertion of armed forces from the duty. The desertion rate of police and army is a double digit.\(^6\)

In addition to corruption in army and police, corruption in justice sector has become another important source of insecurity in Afghanistan. The Attorney General Office and Afghan courts are under-reformed and are highly corrupt. The recent
As a result of a dysfunctional security and defense sector, Afghan mines are plundered, customs go waste and narcotics trade flourishes. In monetary terms, Afghanistan loses USD 100 million in mines and USD 1 billion in customs revenues annually in part due to a combination of corruption, and an associated sense of impunity and lack of professionalism. In addition, corruption has made the armed forces inefficient and difficult to sustain. Afghanistan is not in a position to pay for tens of thousands of ghost soldiers and to pay largely-inflated prices for defense and security equipment and supplies. Such vast budgetary sums can be utilized to alleviate a portion of half of its population that is under poverty line.

More importantly, corruption in armed forces has undermined the legitimacy of the state. People won’t continue to support corrupt policemen, soldiers and spies.

**THE WAY FORWARD**

While there have been some improvements in certain areas, action on ghost soldiers, existence of acceptable appointments and promotions mechanisms and meaningful engagement with anti-corruption actors like civil society organizations remain seriously problematic.

**Procurement and logistics**

The Afghan Government has brought some improvements in the procurement practices of the MOD since it took office in October 2014. Acting on reports by SIGAR on the MOD fuel contract scandal, President Ghani revoked the contract and decreed to review other large contracts. The suspects were suspended. In addition, the procurement institutional setup has been reformed. The President presides over the National Procurement Commission and the National Procurement Authority (NPA) provides oversight to procurement at national level.
Despite a clear requirement of Article 14 of Access to Information Law signed by President Ghani in November 2014, none of the government agencies including the NPA publishes the contracts. Lack of publication of contracts has made it impossible for media and civil society to verify the claim made by the government that it has saved billions of Afghani is procurement in compare to the former administration.

In addition, the suspects of the MOD fuel contract have not been prosecuted. In the last one and half years since the MOD Scandal was brought into the public domain, the public has not heard about the case. This casts doubts on the ability of law enforcement agencies and justice sector to bring the corrupt to justice and questions the will and ability of the government to prosecute high-level cases of corruption. However, the recent commitment of President Ghani to establish an Anti-Corruption Justice Center has the potential to overcome this culture of impunity provided that the center functions independently from political interference.

**Appointments/promotions:**

Law on Personal Affairs of Commissioned and Non-Commissioned Officers of the National Army stipulates that promotion of an officer takes place when there is a vacant post. This has proved to be impractical and problematic for the MOD. There are thousands of those who have gone through the review process and are qualified to be promoted but there is not enough vacant position for them. This has created huge corruption in the MOD where impatient officers spent a good amount of their time and energy to either lobby through MPs, or senior generals and powerful actors or bribe their colleagues at personnel management units to get them promoted.

President Ghani has stated once that the delayed promotions should be implemented. Since the President’s statement was not translated into a decree, it has not been implemented. Even if the issue of promotion is solved through a decree, the core of the problem is not touched. The decree is an ad hoc approach while this requires sustainable legal mechanisms to ensure systematic promotions. While promotion has been corrupted at MOD due to impractical laws, appointments are heavily influenced by money, ethnicity, and/or nepotism.

Unfair and unmerited appointments at the MOI and MOD is a serious concern. Minimally, the MOD or the MOI has not published the details of promotions and appointments to enable civil society organization, media and other oversight agencies to verify the nature of such decisions. In general, neither the NUG’s leadership nor the MOI or MOD have done anything significant to place appropriate mechanisms and provide minimum oversight to ensure fair, merited and just promotion and appointments of armed forces.

**Ghost personnel**

Since 2008, the process of electronic payment of the armed forces has taken place. Some may feel that paying staff salary through banks is the ultimate solution to ghost soldiers and policemen. However, the banking system is equally prone to corruption due to weak control and oversight over the sector. The loopholes cannot prevent collusion between military officers and bank officials as well as strict attendance of the soldiers and policemen.

The personnel management does not seem to be a top priority of the MOD or MOI is the recent years. Reviewing the audit reports of the MOD, it is realized that checking on actual existence of personnel is either not part of the audit plans or there is not any achievements in this regard. There are not any case of prosecution of an army or police officer suspected or convicted to maintaining ghost soldiers while there are alarming reports on the existence of ghost soldiers.
Disclosure of information/CSOs engagement:
The security sector hardly releases information items that are significant from an anti-corruption perspective. Neither the MOI nor the MOD publishes contracts, appointments and promotions details, audit results, or annual reports. An exceptional case is the recent initiative by IG of MOD to release some of its audit reports. While the release of information by MOD should be encouraged, the quality and timeliness of such reports should be improved. In the absence of substantial information disclosure, media and civil society organizations can hardly assist the MOD or MOI in prevention and combating corruption.
The MOD and MOI have not reached out to the anti-corruption agencies within the Afghan government or the civil society organizations to assist them in the fight corruption. With release of information into the public domain, the media and civil society organizations engagement with the defense and security sector will possibly increase and become more meaningful.
RECOMMENDATIONS

- **Internal Accountability:** While creation of robust oversight and anti-corruption rules, mechanisms and institutions are necessary within MOI and MOD, they would only be effective if people of high integrity lead them. The MOI and MOD should ensure that audit, oversight and anti-corruption units are filled with people of *proven* integrity. The MOD has recently established internal accountability mechanisms within its units. This should be further strengthened. The possibility of creation of such mechanisms should be explored at MOI as well. At MOD, the relation between these internal accountability mechanisms and IG should be clarified.

- **External Oversight:** The MOI and MOD should publish substantial information on their policies and strategies, audit results, annual reports, appointment and promotion details to enable the civil society and media to get engaged and verify the nature of such reports. As a short benchmark, the MOI and MOD should publish the 2015 reports before the Brussels Conference.

- **Anti-Corruption Justice Center:** Stronger and more transparent responses to acts of corruption involving senior police and defense leadership are needed. Prosecution of senior defense and security officials will set the tone and build support for the government forces. Given the critical role of the security forces and the vast budget at risk, the Anti-Corruption Justice Centre should examine at least major cases related to security and defense officials before the Brussels Conference.

- **Procurement:** Disclose contracts and make it a condition of their coming into force for government procurement contracts – i.e. they are not valid until they are public. Recognizing that there are some legitimate caveats where contract details should not be published, such as some specific security issues, technical specifications, trade secrets, and so forth, the burden should be on disclosure of contracts, with the contractor and government required to justify what portions and under what circumstances these contracts are kept confidential.

- **Personnel Management:** The personnel affairs’ law has to be amended to standardize promotion practices in the MOD. The MOI and MOD should place proper mechanism for appointments and promotions. Senior appointments and promotions within the MOD and MOI should be published to make it possible for the civil society and media to get engaged and verify the nature of appointments.

- **Pay and Logistics:** Transfer of salaries through bank accounts is not the ultimate answer to ghost soldiers. In addition to technological solutions such as mobile-banking, there is need for capacity building efforts and strengthening of MOD internal audit capacity and investigative power, including monitoring and addressing conduct violation in areas such as payroll and attendance to tackle ghost soldiers and un-merited appointments.

- **Safeguarding Afghan Economic Assets:** The possibility of creation of a dedicated police task force should be explored to safeguard oil, gas, pipelines, and mining sites. The existing police force tasked in areas prone to illegal mining and narcotics trade should be properly vetted, regularly rotated, and frequently overseen.

- **Training:** Promote a culture of integrity within the Afghan National Security Forces by integrating integrity messages in the training curriculum of police and soldiers. Organize and step up integrity trainings at the National Defense University and National Police Academy to ensure that integrity building and human rights are central to training and career progression of all police and defense officials.
NOTES


ABOUT INTEGRITY WATCH AFGHANISTAN

Integrity Watch is an Afghan civil society organization committed to increase transparency, accountability, and integrity in Afghanistan.

Integrity Watch Mission
The mission of Integrity Watch is to put corruption under the spotlight through community monitoring, research, and advocacy. We mobilize and train communities to monitor infrastructure projects, public services, courts, and extractives industries. We develop community monitoring tools, provide policy-oriented research, facilitate policy dialogue, and advocate for integrity, transparency, and accountability in Afghanistan.

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