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SPECIAL REPORT

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The Interior Ministry's Role in Security Sector Reform

Summary

- Efforts to create an effective interior ministry and a community-oriented police service cannot succeed unless they take place within an overall effort for security sector reform (SSR): the highly political and complex task of transforming the institutions and organizations responsible for dealing with security threats to the state and its citizens.

- The most critical—and most often neglected—focus of SSR is the bureaucratic agency responsible for the police and other internal security forces. In Iraq, Afghanistan, and earlier peace and stability operations, the United States went directly to the task of training indigenous police, giving little thought to the interior ministry—the institution to which the police would report.

- The U.S. effort to reform Iraq's interior ministry provides an object lesson in the ruinous consequences of failure to transform the organization that controls internal security forces, particularly when confronting an insurgency and sectarian violence.

- U.S. failure to reform Iraq's interior ministry resulted from a failure to understand the ministry's role and the steps involved in successful ministerial reform. These steps are assessment, strategic planning, technical assistance and training for ministry functions, evaluation, and incorporating lessons learned.

- U.S. efforts to reform Iraq's interior ministry also suffered from lack of "counterpart entities" in the U.S. government and from the resulting reliance on military personnel and contractors.

- Successful organizational transformation depends on ministerial advisers' ability to convey recommendations for change in a manner acceptable to ministry officials. Successful ministerial advising requires careful selection of the adviser, the right training, and conscientious supervision.

- Creation of the State Department's Office of the Coordinator for Reconstruction and Stabilization and also of the Civilian Response Corps, which will include security sector reform and police advisers, is a positive step, but the U.S. government will need more authority, manpower, and training to conduct effective reform of interior ministries and police forces in future peace and stability operations.

Introduction

Efforts to create an effective interior ministry and a professional and community-oriented police force cannot succeed unless they are part of an overall effort for security sector reform. SSR, a relatively new concept, refers to the highly political and complex task of transforming the institutions and organizations responsible for dealing with security threats to the state and its citizens. The United Nations defines the "security sector" as "the structures, institutions and personnel responsible for the management, provision and oversight of security in a country." The institutions involved include those concerned with defense, law enforcement, corrections, intelligence, border management, customs, and civil emergencies, as well as the courts and tribunals adjudicating cases of criminal conduct. The UN definition also includes institutions responsible for the management and oversight of security, such as the executive and its ministries, legislative bodies, and civil society groups. Nonstate actors such as traditional authorities, militias, and private security services are also included. The United Nations sees SSR as "a process of assessment, review and implementation as well as monitoring and evaluation led by national authorities that has as its goal the enhancement of effective and accountable security for the state and its people without discrimination and with full respect for human rights" (UN Secretary General 2008).

Not everyone completely accepts the UN definition for SSR, and there are heated debates over which institutions and activities fall within the reform process, and which should be excluded. There are also questions about SSR's most effective application. SSR can be a tool for conflict prevention and management, but the greatest attention has been focused on its applicability to post-conflict reconstruction. After repeated failures, it is increasingly acknowledged that foreign interventions that end with the training and equipping of indigenous security forces are unlikely to succeed. Instead, a comprehensive, whole-of-government approach by the host government and the countries participating in the intervention is needed to reform simultaneously all the institutions, both military and civilian, that are involved in providing security. The goal is a safe and secure society that enjoys good governance and operates under the rule of law (McFate 2008).

Along with the United Nations, the Organization for Economic Co-operation and Development (OECD), through its Development Assistance Committee, has emerged as a leader in the SSR field. The OECD's policy on SSR was endorsed at an April 2004 ministerial meeting of its thirty member countries, including the United States. Later the policy was spelled out in a widely accepted SSR handbook that has become the basis for the SSR polices of most Western governments. According to the handbook, the basic approach for an effective SSR process consists of (1) local ownership, with a basis in democratic norms, human rights principles, and rule of law; (2) a whole-of-government approach involving donor and host nation agencies and civil society; (3) a broad assessment of the full range of security and justice needs of the population and the state; (4) the basic principles of good governance, including transparency and accountability; and (5) improvement of the human capacity required to make reformed institutions function in an effective and just manner (OECD 2007).

Of these principles, the most important is the host country's involvement and concurrence in SSR efforts. The stated objective in all peace and stability operations is to transfer responsibility for maintaining security from international forces to local military and police forces as quickly as possible. But this cannot be done effectively unless competent leadership is in place and violence and illicit gain are no longer the determining factors in political outcomes. The timing of the transition to local authority must be conditioned on the willingness and capacity of domestic institutions to govern by the rule of law and with the general consent of the population (Hartz, Mercean, and Williamson 2005).

Local ownership can be difficult to secure, because SSR can change existing power relationships and threaten vested interests. A wide range of local actors may have conflicting perspectives and priorities. There may also be a lack of local human capacity and financial and material resources. The long time horizon for SSR inevitably produces problems with donor coordination and donor fatigue. Major donors may be diverted by new crises or new priorities or may lose interest before local institutions are fully ready to assume responsibility for security (McFate 2008). One of the most important principles for international donors in SSR programs is to "do no harm," by closely monitoring events so that initiatives do not produce unintended negative consequences. Donors must ensure that assistance programs reduce rather than aggravate tensions and that they do not empower warlords, extreme nationalists, and other undemocratic forces.

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Ministerial Reform

The most critical—and most often neglected—focus of SSR is the bureaucratic agency responsible for the police and other internal security forces. In Iraq, Afghanistan, and earlier peace and stability operations, the United States and its allies went directly to the task of training indigenous police, giving little thought to the interior ministry—the institution to which the police would report. The imperative to put "boots on the ground" was seen as so pressing that reform of the ministry that would supervise, manage, equip, and support the police could be addressed later. In some cases, it was assumed that the host government, the United Nations, or Coalition partners would take care of it; in others, the U.S. military believed that the State Department or the Justice Department would provide the needed funding and programs for institutional reform. In fact, neither the international community nor the U.S. government had the expertise, experience, funding, or interest in reforming an institution so closely identified with the host government's sovereignty. At the same time, the host government was often unwilling or unable to challenge powerful interests that moved quickly to seize control of the institution that controlled not only the police but, often, the borders, local government, and other critical functions. As a result, newly minted police officers emerged from U.S. training programs to find themselves dependent on, and subservient to, an institution that was dysfunctional, corrupt, and controlled by leaders with their own political agendas (Hylton 2002).

How Reform Misfired in Iraq

The critical nature of ministerial reform, and the disastrous consequences of failure in such an effort, are evident in the history of U.S. involvement with Iraq's Ministry of Interior (MOI). From the intervention in 2003 to the signing of the U.S.-Iraqi Status of Forces Agreement in 2008, the Iraqi MOI provides a negative case study in the consequences of failing to understand the importance and the process of ministerial reform.

Transforming a Critical Institution

In December 2006, the Iraq Study Group reported that the Iraqi MOI was rife with corruption, infiltrated by militias, and unable to control the Iraqi police. In July 2007, the *Los Angeles Times* reported that the MOI had become a "federation of oligarchs," where various floors of the building were controlled by rival militia groups and organized criminal gangs. The article described the MOI as an eleven-story powder keg of factions, where power struggles were settled by assassinations in the parking lot (Parker 2007). The congressionally mandated Independent Commission on the Security Forces of Iraq, in its September 2007 report, described Iraq's MOI as a ministry in name only, dysfunctional, sectarian, and suffering from ineffective leadership (Independent Commission 2007, 86). Even Iraq's interior minister, Jawad al-Boulani, called for the comprehensive reform of his ministry.

Despite its problems, Iraq's MOI was responsible for providing policy guidance, training, and administrative support for the four civilian security services:

- *Iraqi Police Service:* a 275,300-member force, controlled at the provincial level, providing basic police services throughout the country
- *Iraqi National Police:* a 32,389-member gendarmerie deployed in Baghdad and other parts of the country to assist U.S. and Iraqi military forces in counterinsurgency operations
- *Iraqi Border Enforcement Service:* a 38,205-member force stationed at strong points along Iraq's borders to prevent infiltration, smuggling, and illicit trafficking
- *Facilities Protection Service (FPS):* a 150,000-member force of largely autonomous units responsible for protecting government ministries

In all, the MOI was responsible for an armed force of nearly 500,000 members—roughly three times the New Iraqi Army, Navy, and Air Force combined. It was also responsible for assorted civil functions such as issuing passports, controlling immigration, and regulating private security companies.

From Backwater to the Front Line

How did such a severely troubled but vitally important institution come into being? In Baghdad in April 2003, with looters in the streets, and fires burning in government buildings, the U.S. military issued a call for Iraqi police officers to return to duty. On April 14, joint patrols of Iraqi police and American soldiers first appeared in the capital. Under the Coalition Provisional Authority (CPA), Iraq's military and civilian internal security agencies had been disbanded. The Interior Ministry and the Iraqi police survived, but their senior leadership and midlevel management were dismissed when the CPA purged Baathist party members from the government. On July 13, the CPA appointed a twenty-five-member Iraqi Governing Council (IGC), and Nouri Badran was named minister of interior. To prevent any one political faction from gaining control of the ministry, six deputy ministers were appointed, representing the major Shiite, Sunni, and Kurdish parties (Rathmell 2007).

The MOI was reorganized and assigned new responsibilities. A Department of Border Enforcement was created to handle customs, immigration, and border patrol—tasks that had previously been handled by the army or other ministries. But the CPA could not provide the hundreds of U.S. and international advisers that the State and Justice Departments deemed necessary to facilitate this expansion and train Iraqi personnel. To fill frontline policing positions and staff new institutions such as the immigration service and the border guard force, massive recruitment began. The United States pressured the MOI to rapidly recruit, train, equip, and deploy tens of thousands of new Iraqi police. Goals such as hiring 30,000 new policemen in thirty days were announced and implemented, with little regard for the quality or vetting of recruits

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(Offices of Inspector General 2005, 19). A report by the special inspector general for Iraq quotes Secretary of State Colin Powell and the commander of U.S. forces in Iraq, Lieutenant General Ricardo Sanchez, as stating that the U.S. Defense Department increased the numbers of Iraqi police and military forces while ignoring the fact that the quality of personnel was more important than numbers (Bowen 2009). The MOI was totally unprepared to conduct training for the massive influx of personnel. Training for former police officers was limited to three weeks, with most classes taught by U.S. military police in police stations. As the insurgency took hold and security deteriorated, the target for recruiting American police trainers and advisers to serve in Iraq plummeted from 6,500 to 1,500, to less than 350 by spring 2004 (Independent Commission 2007, 101).

"Revolving Door" Leadership

From 2003 to 2007, Iraq had four national governments and five different interior ministers. This "revolving door" leadership aggravated the confusion generated by unrestrained growth in the number of police and by the impact of the insurgency. On April 16, 2004, the CPA instituted a new federalism, transferring powers to provincial governments in what had traditionally been a highly centralized state. CPA Order 71 decentralized authority over police in Iraq, giving provincial governors responsibility for recruiting and supervising the Iraqi Police Service. Minister of Interior Badran opposed this action, pointing out that the provinces were unprepared for this responsibility and that it was uncertain who would control police in various parts of the country. When his protests were ignored, Badran resigned and was replaced by a technocrat, Samir Shakir al-Sumaida'ie (later Iraq's ambassador to Washington). Though al-Sumaydi had no police experience, he was a skilled administrator with a vision for reforming the MOI. In his two months in office, he tried to put in place measures to improve management practices. He established a vetting procedure for the ministry's leadership, created an inspector general, and supported militia demobilization, but unfortunately, he had neither the political support nor the time in office to make lasting changes in the ministry (Rathmell 2007).

In June 2004, the CPA transferred sovereignty to the Iraqi Interim Government. Under the new prime minister, Ayad Allawi, the CPA appointed a new interior minister, Falah al-Naqib. In his nine months in office, al-Naqib worked with General David Petraeus, then commander of the Multi-National Security Transition Command-Iraq (MNSTC-I), to increase the numbers of Iraqi police quickly. Al-Naqib also sought to provide the MOI with effective Iraqi constabulary forces after the poor performance of the police in battles against Shiite cleric Muqtada al-Sadr's Mahdi Army. Al-Naqib created "commando units" of former soldiers from elite units such as Saddam's Republican Guard. These units, commanded by al-Naqib's uncle, Adnan Thabit, a former army general, were personally loyal to the minister. The commandos were raised initially without U.S. involvement, were under MOI control, and were outside the U.S. Civilian Police Advisory Training Team (CPATT) assistance program. The U.S. military provided arms and logistical support to these units, which proved effective under Minister al-Naqib's stewardship in fighting alongside U.S. forces against Sunni insurgents and Shiite militias.

On January 30, 2005, the United Iraqi Alliance, a coalition of Shiite political parties, won elections for the Iraq National Assembly. Ibrahim al-Jaafari became prime minister, and Bayan Jabr, a member of the Supreme Council for the Islamic Revolution in Iraq (SCIRI), was named interior minister. The victorious parties, particularly SCIRI, saw the MOI as a prize. The Defense Ministry was under U.S. military control, and American soldiers were embedded in Iraqi Army units. There were only a few foreign advisers at the MOI, and no Americans were embedded in Iraqi police or commando units, which were under Iraqi control. Minister Jabr used his position to place members of the Badr Brigade (SCIRI's militia) in key positions in the ministry and to replace Sunnis in the

commando units with Badr Brigade militiaman (Independent Commission 2007). After the February 22, 2006, terrorist bombing of the Shiite al-Askari Mosque in Samarra, police commando units were used to terrorize, torture, and kill Sunnis and conduct ethnic cleansing.

On December 15, 2005, elections were held for a permanent Iraq National Assembly, but it was not until May 20, 2006, that Iraqi politicians formed a new government. Nouri al-Maliki became prime minister, and Jawad al-Boulani was named to head the MOI. Al-Boulani, a Shia former air force engineer, had no political base but did have a reputation for administrative competence. He was given three powerful deputies from the Dawa, Badr, and Kurdish factions to ensure that no single party would control the MOI (Rathmell 2007). Al-Boulani publicly acknowledged the problems in the MOI and called for reform of the ministry and removal of sectarian factions from the police. The United States formed a 100-member Ministry Transition Team of military and civilian advisers to help improve operations. In April 2006, MNSTC-I persuaded the MOI to combine all the police commando units into a single organization, the Iraq National Police. In October, the U.S. military began a purge of INP units involved in sectarian violence, arresting their leaders and subjecting the rank and file to vetting and training ("rebluing") in civilian police skills.

In December 2006, the "Year of the Police" proclaimed by the U.S. military ended with the announcement that MNSTC-I had met its target of training and equipping 187,800 Iraqi police and border patrol personnel. It was an impressive achievement, but the reality behind the numbers was troubling. Neither the U.S. military nor the MOI could account for the number of trainees who had actually entered the police, the number of police currently serving, or what had happened to the uniforms, weapons, and equipment that had been issued to training center graduates (Offices of Inspector General 2005). Anecdotal reports abounded of former trainees selling their sidearms and uniforms on the black market and returning to their militia units or private life. Provincial police chiefs hired personnel without MOI approval and inflated budgets with lists of fictitious "ghost officers" and pocketed their salaries. Despite the appointment of a new minister, Shiite militias continued to exert undue influence over all aspects of MOI operations. The ministry also continued to suffer from widespread corruption and severe shortfalls in planning, program management, personnel, procurement, logistics, communication, and maintenance.

Despite these problems, the MOI was given a major new responsibility. On December 27, 2006, Prime Minister al-Maliki ordered the MOI to exert control over the estimated 150,000 members of the Facilities Protection Service (FPS), which guarded ministries, public buildings, and essential infrastructure in Iraq (Independent Commission 2007). The political parties that controlled the various government ministries had been allowed to recruit security units with firearms, badges, and police-style uniforms. These private armies were a source of patronage jobs and a means of funding militia groups. The prime minister ordered the MOI to supervise, downsize, and retrain the FPS—a task clearly beyond the capacity of an institution already overwhelmed by its existing responsibilities for nearly 200,000 employees and police personnel.

Misplaced Priorities, Political Rivalries

Within the MOI, political loyalty or intimidation trumped efficiency and professionalism, with all but a very few officials willing to challenge authority or put the general good ahead of cronyism and private gain. At the same time, the effort for administrative reform made some progress. The MOI developed a small but growing cadre of trained professionals who understood modern administrative procedures and were working to improve performance. There also was noticeable improvement in the ministry's planning, budgeting, procurement, and personnel management. The ministry produced a strategic plan that would be synchronized with the budget process. Efforts by U.S. advisers and

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Iraqi officials in the Internal Affairs Office resulted in the removal or reassignment of some criminal elements. Responsibility for control of the police academies and police training was transferred to the Iraqis, with international advisers playing a limited role. Nonetheless, the United States remained far from its goal of creating an effective interior ministry and Iraqi police forces that could protect Iraqi citizens, prevent terrorism, and control violent crime (Sherman and Carstens 2008).

Essential Steps in Ministry Reform

There were two principal reasons for the U.S. failure to effectively reform the interior ministry in Iraq. The first was a lack of familiarity with the role of such bureaucratic entities and with the steps required for effective institutional reform. The second was the absence of counterpart entities in the U.S. government and of an institution and a cadre of personnel trained and experienced in effecting such reforms. The remainder of this report discusses these two problems and recommendations for a solution.

The Role of the Interior Ministry

U.S. failure to reform the MOI in Iraq resulted from a failure to understand the ministry's critical role in providing policy guidance, administrative and logistical support, and training for Iraq's various police forces. It also stemmed from an incomplete understanding of the steps required for institutional reform, and a lack of experience in reforming similar institutions elsewhere. In Iraq, as in many European countries, the interior ministry is responsible for policy, funding, and oversight of civilian law enforcement organizations including police, border security, and special investigation units. In some countries, the interior ministry also has responsibility for prisons, immigration, and local governance, including provincial, municipal, and district administration. Leadership of these component organizations is assigned to individuals with specific technical expertise who have been appointed to head them, but all rely on the interior ministry for policy guidance, funding, and administrative support. The interior ministry should be based on an appropriate legal foundation, have a clearly articulated mission, function according to established administrative and operational policies, and comprise competent, properly supervised personnel. Transforming an interior ministry requires a reasoned and informed process of assessment, strategic planning, technical assistance, training, and evaluation (Mayer 2009).

Assessment of the Interior Ministry

A successful effort to reform the interior ministry in a postintervention state must begin with a comprehensive assessment of the ministry, its role in the justice sector, and its role in the conflict. A multidisciplinary team of international experts assisted by carefully selected local nationals should undertake the assessment. The team should have a range of competencies including civilian police, public administration, management, public finance, governance, culture, and history. It should be representative of the countries and international organizations taking part in the intervention and should include personnel from relevant ministries in their own countries and from the host government. The work of a joint assessment team will likely attract broader support than the work of a single organization. The broader the team's expertise and experience, the more likely it is to identify critical needs and make useful recommendations. The assessment should examine the country's security sector and determine how police and military relate to one another, and evaluate the prospect of their future cooperation. There should be a discussion of risks, as well as opportunities, for the international

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intervention force. There must be a sophisticated understanding of who will win and who will lose from reforming the ministry (OECD 2007, 42–56).

The assessment should be designed to obtain current information in the following broad categories:

1. The general environment in which the MOI is functioning, with all factors relevant to accomplishing its mission, including
    a. history and continuing effects of the recently concluded conflict;
    b. national and cultural context, including all pertinent criminal justice–related issues;
    c. historic overview of the MOI and its component organizations, including previous levels of public support and voluntary compliance with law enforcement;
    d. identity, length of service, and summary of qualifications of every senior ministry official;
    e. table of governmental organization, depicting the position(s) superior to the MOI having direct responsibility for its performance;
    f. conditions, organizations, and forces that could impede MOI development or reform.

2. The functions lawfully assigned to the MOI by the constitution or properly delegated by a senior authority lawfully empowered to do so.

3. Review of the criminal code and the criminal procedure code to determine police powers relative to the courts. The review should identify missing legislation important in dealing with modern criminal activities, such as laws governing official corruption, cyber crime, money laundering, terrorism, aircraft hijacking, and organized crime.

4. Evaluation of the extent to which the MOI is performing assigned functions, including an analysis of all causative factors for deficient performance in
    a. existence and clarity of legal authority for assigned functions;
    b. ministry leadership and management competency in planning, organizing, directing, inspecting, coordinating, evaluating, and budgeting activities;
    c. intragovernmental relationships, both with superior authority and with other ministries and organizations that compose and support the criminal justice system;
    d. adequacy (quantity and quality) of facilities, equipment, and supplies;
    e. competency of personnel at all levels below that of senior ministry executives (Mayer, interview, January 29, 2009).

Before deploying, the leading members of the assessment team should develop a brief assessment plan that will describe (1) the assessment's purpose and methodology; (2) the composition of the team; and (3) the timing and schedule of meetings and events for the assessment mission. The team members should receive copies of the assessment plan, and an orientation so that they are thoroughly familiar with the assessment's goals and methods. Once deployed, they must be given enough time to consult with relevant officials across a number of ministries and levels of government, including the police and the military. Often assessments are rushed and superficial, leading to problems in implementing future assistance programs. The assessment team must meet with both official and nonstate security and justice providers. In post-conflict environments, sectarian militias, home guards, and private security forces may hold enough power to challenge or overwhelm state institutions. The team must also consult with representatives of civil society who have an informed perspective, such as academics, journalists, and non-governmental organization (NGO) members. While it is unlikely that written records or statistical materials will be available (or reliable) after the conflict and periods of authoritarian rule, any surviving records may still provide

insights, if only to highlight the extent of the corruption and unauthorized activities of the previous regime (OECD 2007).

Research on the assessment should begin at home, before the assessment team departs. In the field, several well-tested assessment methodologies can be useful. These include the UN Office on Drugs and Crime's Criminal Justice Assessment Tool and various survey techniques, such as focus groups, opinion polls, and direct interviews to determine current conditions and attitudes. Sufficient time should be allotted to meet with people who live in rural or remote areas or who may be less accessible, such as women, minorities, the poor, and those in marginalized communities. The team also needs time to verify findings with national officials or resident experts to ensure accuracy and relevance. Finally, it is important that the team block out enough time to consider and draft its report (OECD 2007). Although assessments are often composed on the flight home or cabled ahead of the team's return, this is not the best approach. Ample time to consider the team's conclusions is critical despite the inevitable pressure to act quickly and move on to the next stages: strategic planning and implementation.

Strategic Planning to Ensure a Common Vision

A multidisciplinary strategic planning team should be appointed to develop the ministry's mission statement, goals, and objectives and identify the means to attain them. The team should include personnel from all relevant criminal justice sectors and agencies. It should work with multinational and local partners so that its efforts are aligned with local, U.S., and international priorities. It should include functional specialists and regional or country experts who understand the operational context. Strategic planning will require full-time commitment by those involved, and commitment of adequate resources. The team's first activity will be to review the assessment and develop an integrated understanding of the interests and key assumptions, contingencies, resource availability, and dynamics of the local, regional, and international context. The strategic planning team should seek to avoid time pressures, inadequate information, turf contests, and problems with technological interoperability. After an initial review, it should move forward with developing the strategic plan (U.S. Joint Forces Command 2005).

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Strategic planning is the process by which the ministry can visualize its future and develop the necessary operations to achieve that vision. Of the three critical steps involved, the first is to draft a mission statement clarifying the host of issues present at the start of the planning process. Key issues to identify are the ministry's major areas of responsibility; the major objectives for the ministry and its constituent components; and the major policy questions, key actors, supporting tasks, and potential "showstoppers" (Hawley and Skocz 2005). The second step is a study of the ministry's internal environment, including analysis of its strengths and weaknesses, major challenges that must be addressed, and potential barriers to progress. The third step is to assess the external environment, particularly opportunities and threats. What is the political, economic, and social context? The level of technology? Who are the key stakeholders, including legislative and regulatory bodies and civil society groups? This "SWOT" (strengths, weakness, opportunities, and threats) process should generate a strategy for reform by analyzing how the ministry can use its strengths, improve its weaknesses, exploit and capitalize on opportunities, and mitigate threats (Bushnell and Halus 1992).

Technical Assistance and Training for Ministry Functions

The task of helping ministry staff implement the strategic plan requires a team of carefully chosen civilian advisers and trainers, experts in the major areas of the ministry's operations. Members should be recruited based on extensive experience in their areas

of specialization in institutions engaged in law enforcement and security operations. Members should be knowledgeable about the findings of the initial assessment and fully conversant with the elements of the strategic plan. They need not be Americans. In fact, interior ministry reform is an area where Europeans have a distinct advantage, given their experience helping twenty-one countries reform their interior ministries in the process of qualifying for membership in the European Union (Serwer and Chabalowski 2008). In many parts of the world, particularly the Middle East, the administrative approach followed by Europeans is often more appropriate than the American model because of colonial or other historic relationships between countries. This is particularly true in countries that base their legal systems on the French model of civil law. In both Iraq and Afghanistan, for example, the justice systems were more akin to European models than to the U.S. system.

The major areas for administrative reform will vary with the interior ministry's history, culture, and bureaucratic infrastructure and with its role in the conflict. Areas of intervention may include change management, internal control and accountability mechanisms, problem solving, communications, organizational design, corruption control, personnel management, and procurement tracking systems. Improving accountability may require personnel reforms such as a disciplinary policy, codes of conduct, mechanisms for responding to citizen complaints, autonomous internal inspection regimes, improved supervisory practices, and merit recruitment and promotion. Improving community relations may require strengthening public information services, media training, and outreach to civil society (USAID 2005). Although a detailed discussion of the reforms needed in each function is beyond the scope of this study, a representative list would include the following:

- *Command and Control:* leadership, senior management, first-line supervision, policy and procedures, chain of command, and performance accountability at all organizational levels
- *Strategic Planning and Operations:* design and oversight of activities and reporting
- *Intelligence:* collection, analysis, assessment, and production
- *Budget and Programming:* planning, allocation of resources, operational expenses
- *Logistics:* infrastructure management, warehousing, inventories, uniforms and equipment, vehicles, fuel, weapons and ammunition
- *Procurement:* ordering, contracting, purchasing
- *Human Resources:* personnel management, recruitment, assignment, training, compensation programs, career development, disciplinary actions
- *Public Affairs:* public information, citizen education and outreach, media
- *Communications and Information Services:* telephones, computers, information management, operational information network administration and maintenance, data management and security
- *Inspector General:* prevention of abuse and corruption
  - *Internal Audit:* evaluation of the ministry's economy, efficiency, and effectiveness
  - *Internal Affairs:* review of citizen complaints, officer discipline, dismissals for cause

Evaluating Progress and Incorporating Lessons Learned

A primary challenge to institutional reform is to get an objective and informative evaluation of the usefulness of assistance programs, and of progress achieved toward institutional transformation. The evaluation should measure against baseline data gathered in the original assessment and against the goals and objectives outlined in the strategic plan. Criteria for evaluation of the assistance and reform activity should include relevance to the priorities established in the strategic plan; *effectiveness* in achieving established goals; *efficiency*, both qualitative and quantitative, in achieving

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stated results; *impacts*, both positive and negative, of the changes produced by the international intervention; and *sustainability*, including the local government's ability to fund these innovations over the long term from its own resources (OECD 2007).

Results can be evaluated through surveys by small teams of experts according to prespecified performance indicators. Qualitative study by competent observers is often less costly and allows judgments that cannot be made through mere evaluation of numbers. The goal of U.S. programs for ministry reform should be to change the mission of the police from defending the state to providing security for citizens and their property. Evaluations should include multiple efforts to seek the opinions of individual citizens and civil society groups, particularly those representing minorities, to determine their views on the police and the efficacy and fairness of their service to the community. Other signs of success are replication of training programs by local authorities, routine maintenance programs, implementation of procedures, and continued support by the ministry leadership despite personnel changes.

It is crucial that reviews and evaluations focus on results achieved rather than on inputs and outputs of the programs undertaken. In Iraq, the U.S. military carefully tracked the numbers of trainees entering and graduating from U.S.-run training programs, number of uniforms and amount of equipment issued, number of vehicles delivered, and amount of office furniture provided. Numbers were routinely reported without reference to whether the graduates actually entered on duty, whether they could perform police functions, or whether they were agents of sectarian conflict. In a similar manner, the work of U.S. advisers at the MOI was evaluated in terms of number of hours the advisers spent at the ministry rather than on the impact of their advice or the acceptance of their recommendations. In December 2006, the "Year of the Police" ended with the claim that the U.S. assistance program had succeeded because the target number of 187,800 Iraqi trainees had passed through one of various U.S.-provided police training programs. U.S. advisers were credited with providing 100,000 hours of advisory service to ministry officials.

Role of International Advisers in Ministry Reform

Successful organizational transformation often depends on the ability of ministerial advisers to convey recommendations for change in a manner that makes the change palatable to their local counterparts. The "Commander's Guidance for MNSTC-I Advisers" to the MOI in Iraq notes that advisers are the Coalition's public face to the highest levels of the Iraqi government, and reminds them that their actions reflect directly on MNSTC-I and affect the success of the U.S. effort in Iraq. The advisers' goal should be to "learn as well as seek to mentor, partner, and advise," while remaining strategically and tactically aware of emergent trends and keeping their command informed (MNSTC-I 2009).

The MNSTC-I commander's guidance provides a useful introduction to the responsibilities of ministerial advisers in all peace and stability missions. To work effectively, foreign advisers to interior ministries must accomplish the following tasks:

- **Establish a close personal relationship.** In crisis countries, particularly in the developing world, establishing personal relationships takes time. Advisers must tailor their approach to the person being advised, based on local circumstances, taking advantage of opportunities to create rapport and trust. This can mean sipping numerous cups of tea during hours of conversation about non-work-related subjects, to reach an understanding on backgrounds, interests, and values. Without establishing a personal relationship, an effective working relationship is typically impossible.

- **Understand the workings of the ministry and the host government.** The adviser must be conversant with the organization and function of the ministry and the host

The goal of U.S. programs for ministry reform should be to change the mission of the police from defending the state to providing security for citizens and their property.

government. This includes awareness of informal power relationships, the importance of tribal or ethnic affiliations, legal restraints, traditions, and unspoken assumptions. As reform goes forward, local counterparts will expect advisers to be aware of recent developments, areas of progress, and current challenges. Advisers must have a detailed understanding of the position that the advisee holds, his background, his relationship to other officials, and his actual authority to make and influence decisions.

- **Provide subject matter expertise and policy guidance.** Advisers must be technical experts in their field, but they must also be able to translate and adapt their knowledge and skills to local circumstances. In some cases, this may involve teaching the advisee a skill or new method of operation, but more often it involves suggesting alternatives and providing options. Advisers must understand the political context of their advice, and the consequences for the host country official of following their suggestions. Suggesting a course of action with adverse consequences for the host government advisee can set back the entire advisory mission.

- **Connect the advisee with essential services.** One of the adviser's key roles is to provide the host government official with access to information, administrative support, and contacts that would otherwise be unavailable. This function can range from briefings on the latest techniques in the field to providing a computer, to arranging for teams of experts to visit the ministry and work with its staff. In conflict countries, advisers may feel the need to provide their counterparts with VIP protection or an armored vehicle to prevent intimidation or assassination. Providing services is one way for advisers to demonstrate their usefulness and dependability, thereby building trust and confidence.

- **Coordinate with the intervention force.** The adviser's role includes continual reporting to his or her command or organization on the situation in the ministry and the status of the advisee. This involves providing updates on decisions and actions taken by the ministry, new issues, personnel changes, the status of relationships between leading ministry figures, and important personal issues of the host country official being advised. This reporting will enable the intervention force to plan effectively, anticipate problems, and provide appropriate help and protection for its local partners. Good reporting will ensure greater effectiveness of both adviser and advisee (Panarelli 2009).

One way of minimizing mistakes is to give advisers pre-deployment training tailored to their assignment. Few subject matter experts know intuitively how to mentor foreign officials without at least an introduction to basic principles and techniques. Unfortunately, few advisers receive any training before deployment, and upon their return, little effort is made to collect lessons learned. Any preparation course for ministerial advisers must cover several key topics. Beyond lectures in the history, culture, politics, and economics of the country of assignment, the training course should cover the following subjects:

- *Cultural awareness:* recognizing cultural assumptions and bias
- *Interpersonal communication:* verbal, nonverbal, and through interpreters
- *Exerting Influence:* empathy versus sympathy, consensus building, respect, humility
- *Understanding power relationships:* formal, informal, illicit
- *Negotiation and mediation:* nonviolent dispute resolution
- *Problem solving:* interpersonal and institutional
- *Organizational development:* leadership, planning, implementation, evaluation
- *Transition to independent operations:* working oneself out of the job (Panarelli 2009)

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Lack of U.S. Government Capacity Impedes Reform Programs

The second major reason for the failure of U.S. efforts to reform Iraq's and Afghanistan's interior ministries and build professional, efficient police forces there was the lack of (1) counterpart entities in the U.S. government and (2) a cadre of trained and experienced personnel. Whereas European governments have powerful interior ministries and national police forces, the United States has a bureaucratic "black hole," resulting from the constitutional separation of powers between the executive and judicial branches of government and from the delegation of most judicial and law enforcement functions to state and local authorities. The United States has an Interior Department, but its functions are quite different from those of European interior ministries. The U.S. Department of Interior is the nation's primary conservation agency. Its mission is to manage the national parks and forests, provide recreation opportunities, and "honor the national trust responsibilities to Native American Tribes" (U.S. Department of Interior 2009).

The U.S. Department of Justice (DOJ) is the nation's "law firm," the world's largest law office, and the central agency for enforcing federal law. The DOJ is staffed by U.S. attorneys, who prosecute cases in federal courts. The department does not have responsibility for federal courts, which are in a separate branch of government, and its responsibility for international relations is limited to enforcing U.S. criminal statutes. The DOJ Office of International Affairs, for example, is primarily concerned with negotiating legal assistance agreements and managing the extradition of foreign criminals to the United States for trial (Department of Justice 2009). The DOJ includes four major federal law enforcement agencies: the FBI; the Drug Enforcement Agency; the Bureau of Alcohol, Tobacco, Firearms and Explosives; and the Marshals Service. Legislation, politics, bureaucratic habit, and lack of expertise restrict these agencies to dealing with the domestic impact of various types of organized crime. Federal law enforcement agencies are inadequately staffed and have little capability to strengthen crisis states or confront foreign insurgencies. Their officers normally do not wear uniforms, nor do they perform the broad range of policing functions that are common for state and local police forces (Gompert, Gordon, and Grissom 2008).

The DOJ does not have the capacity to build comprehensive foreign criminal justice systems in post-conflict environments. Its Criminal Division has two small offices whose mission is to train indigenous police and prosecutors abroad. The International Criminal Investigative Training Assistance Program (ICITAP) has provided training for police in more than eighty countries, including Haiti, Bosnia, and Kosovo. ICITAP is totally dependent on the State Department for policy guidance and project funding and is not a line item in the DOJ budget. In recent years, State has all but excluded ICITAP from Afghanistan and Iraq. The Office of Prosecutorial Development and Training (OPDAT) provides assistant U.S. attorneys (AUSAs) as advisers to foreign governments (ICITAP 2009). OPDAT provides a small number of AUSAs as rule-of-law officers in provincial reconstruction teams in Iraq. Like ICITAP, OPDAT depends on the State Department for policy, guidance, and funding.

The United States has no national police force on the model of the Royal Canadian Mounted Police or the French Police Nationale. There is no federal law enforcement entity in Washington, D.C., responsible for managing the police component of U.S. intervention forces. There is also no federal entity to represent this function in the government's interagency policy process or to provide assessments and strategic planning for stability operations. Instead, this mission has been assigned to the State Department's International Narcotics and Law Enforcement Bureau (INL). In turn, INL has outsourced the tasks of recruiting, training, and supporting U.S. police contingents

in peace and stability missions to commercial contractors. Currently, INL has only one career law enforcement professional on its staff, which is otherwise composed of Foreign Service officers and civil servants who develop policy and administer contracts. Federal contracting regulations limit the State Department's ability to supervise closely the selection and conduct of contract personnel, and the quality of American police who have served in Iraq and Afghanistan and earlier peace and stability operations has varied widely. As a RAND National Defense Research Institute study for the Defense Department pointed out, "Using contractors to perform niche services is unavoidable; using them to perform functions of critical national importance borders on dereliction" (Gompert, Gordon, and Grissom 2008). Provision of experienced and trained American civilian police personnel for advisory, training, and operational missions in peace and stability operations is a chronically unmet U.S. national security challenge.

The United States was handicapped by the sort of personnel it assigned to the task of ministerial and police reform in Iraq and Afghanistan.

Beyond the lack of counterpart institutions, the United States was handicapped by the sort of personnel it assigned to the task of ministerial and police reform in Iraq and Afghanistan. No American adviser had worked in an interior ministry responsible for managing a national police force. Few of those selected had held senior executive positions in major city or state police departments. In the United States, senior law enforcement executives normally have a university education, with perhaps an advanced degree. They have graduated from advanced training programs in police skills and program management and have extensive management experience in running large-scale enterprises. In contrast, most of those assigned as ministry and police advisers in Iraq and Afghanistan were junior patrol officers from municipal police forces, deputy sheriffs, or others who had served in small police departments in rural areas. In many cases, they were less experienced than the Iraqis and Afghans they were assigned to advise, and they were often younger than their counterparts in societies that place great value on age, rank, and social status. U.S. advisers had difficulty relating to their older and higher-ranking counterparts on a personal basis. Senior Afghan National Police generals had over thirty years of experience and had attended training programs in Russia and central European countries. It was difficult for them to accept advice from a U.S. contractor with less than ten years of experience as a highway patrolman, for example. Contractors of commercial firms were also handicapped by not being U.S. government officials and therefore being unable to make decisions or speak on behalf of the United States (Nikita 2008; Pumphrey 2008).

Assigning responsibility for ministerial reform and police training to the Defense Department also proved an inadequate solution. The Defense Department and the U.S. military may be able to run a police and justice system temporarily using military police, courts martial, and tribunals, but these are inappropriate substitutes and poor models for a justice system in an emerging democracy. Military officers who were assigned as advisers to the interior ministries in Iraq and Afghanistan knew little about the administration of justice and generally were asked to operate beyond the limits of their core competencies (Gompert, Gordon, and Grissom 2008). Occasionally, the U.S. military could assign U.S. Army Reserve officers or National Guard members who were senior law enforcement professionals in civilian life, but the number of such people was limited, and once they had served a tour—normally less than a year—they were not available for follow-on assignments. More often, Reserve and National Guard soldiers, often serving in Civil Affairs units, were junior officers or from the enlisted ranks.

New Institutions, but More Civilian Capacity Needed

Within the past few years, the U.S. government has begun to put in place the institutional infrastructure and personnel capacity that would be required to undertake successful security sector reform, particularly ministry and police reform. On December 7, 2005, President Bush signed National Security Presidential Directive 44, which assigned

responsibility to the secretary of state for planning and coordinating the activities of U.S. government civilian agencies during post-conflict interventions. The State Department delegated leadership to the Office of the Coordinator for Reconstruction and Stability Operations (CRS), which was authorized to create a Civilian Response Corps (CRC) of civilian experts to assist the U.S. military in peace and stability operations, among other duties. In October 2008, the president signed the "Reconstruction and Stabilization Civilian Management Act" as part of the "National Defense Authorization Act for 2009," which provided the legislative authority for CRS and the creation of a CRC. After passage of the law, CRS began implementing a plan to provide the United States with a limited capacity to deploy police and other critical civilian elements relatively quickly at the outset of a peace and stability operation. The elements of a CRC could be deployed unilaterally or as part of a multinational or UN force.

Conclusions and Recommendations

Creating the CRS and recruiting the CRC are steps in the right direction, but the United States needs substantially greater institutional authority and personnel capacity to achieve security sector reform in current and future peace and stability operations. The United States needs to develop a federal capability to deploy several thousand operational police and judicial personnel to serve alongside U.S. military forces in post-conflict interventions. A whole-of-government approach—the integration of the U.S. military's efforts with those of civilian government agencies—is essential for success in post-conflict interventions. This has been perhaps the most important lesson learned in Iraq and Afghanistan.

But effective integrated programs are impossible when there is no common strategy and when the Defense Department has the vast preponderance of personnel and financial, and material resources. In Iraq and Afghanistan, the U.S. military has taken over missions that were managed by civilian agencies in the Balkans and earlier operations. This was not because of a desire to seize authority or expand its writ, but because civilian agencies are understaffed and underfunded. Effective integration in the U.S. government's efforts is impeded by gaps in its civilian institutional infrastructure. This is particularly true in the critical area of rule of law, where the lack of a national police force and the inability to deploy federal law enforcement, judicial, and corrections officials have obliged the United States to use commercial contractors to staff police and judicial contingents in peace and stability operations. Lack of federal government civilian counterparts inhibits cooperation in the field with the United Nations, other international organizations, and allied governments. The U.S. military's preponderant role and the lack of a robust and effective civilian government component also severely restrict the willingness of NGOs to work with the United States.

The Office of the Special Inspector General for Iraq Reconstruction (SIGIR), in its report *Hard Lessons: The Iraq Reconstruction Experience,* pointed out that the lack of executive authority over interagency coordination was "at the heart of the failures in Iraq reconstruction" and that "in the U.S. system, only the president has the decisive authority necessary to require interagency coordination for contingency relief and reconstruction operations" (SIGIR 2009). Regardless of where in the executive this authority is located, there is the need for a government entity fully empowered by the president to manage the civilian aspects of post-conflict interventions. This entity would be authorized and staffed to conduct operations and coordinate the actions of civilian agencies, particularly in managing the justice and police component of security sector reform. Such an institution would have to be positioned within the executive branch and supported by Congress in a manner that would correct the weak interagency cooperation that is an endemic problem of the U.S. national security system.

The U.S. military's preponderant role and the lack of a robust and effective civilian government component also severely restrict the willingness of NGOs to work with the United States.

The United States has been slow to recognize the importance of SSR in peace and stability operations and has paid even less attention to developing the capacity to conduct ministerial reform.

This entity would be led by a senior official of sufficient stature to command the respect of the interagency community and foreign officials, and staffed by a permanent cadre of specialists with extensive experience in peace and stability operations. These federal employees would have responsibility for policy formulation and for directing the civilian aspects of U.S. involvement in post-conflict interventions. In times of crisis, they would be augmented by officials from other government departments and by a civilian reserve component activated to meet expanding needs. They would be guided by a whole-of-government approach, which would require contributions from the military and civilian agencies.

This reform would provide the United States with a federal cadre of skilled advisers and trainers in the critical areas of interior ministry reform and police development and would limit the current need to outsource these activities to commercial contractors. Moreover, it would enable the government to develop policy and doctrine for stabilization, reconstruction, and security sector reform. It would also allow the government to develop and use standardized procedures and curricula for advising and training local officials and police, replacing the current practices that force advisers and trainers to improvise based on personal experience. Such an organization could guard against the recurrence of the failures of Iraq and Afghanistan, where the lessons from previous operations were ignored and where untrained and inexperienced personnel made unfortunate decisions when faced with terrorist violence from insurgents and criminal elements.

SSR is the key to security and to establishing the legitimacy of the state. The police are the face of the state to its citizens, and if citizens have confidence that the police will protect them and provide emergency services, citizens are likely to be loyal to the state. Similarly, if citizens believe they can rely on the judicial system to provide justice, they are likely to view the state as legitimate and worthy of their support. More important than the police and courts, however, are the institutions that stand behind them. The interior and justice ministries are essential to providing good governance. If the ministries that support the police and the judges are dysfunctional, corrupt, or politicized, police and courts will have little chance of fulfilling their missions and will impede efforts to rebuild the state. Unfortunately, the United States has been slow to recognize the importance of SSR in peace and stability operations and has paid even less attention to developing the capacity to conduct ministerial reform. The price of this failure, though largely unreported and hidden from public scrutiny, has been high in both Iraq and Afghanistan. The United States needs to build on recent progress to improve its capacity for undertaking comprehensive approaches to SSR. The lessons identified in this report, and the steps recommended, can help with that process.

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Of related interest:

- *The Role of the Ministerial Advisor in Security Sector Reform: Navigating Institutional Terrains* by Liz Panarelli (USIPeace Briefing, April 2009)
- *The Private Sector in Security Sector Reform: Essential But Not Yet Optimized* by Robert Perito (USIPeace Briefing, January 2009)
- *Securing the Future: A Primer on Security Sector Reform in Conflict Countries* by Sean McFate (Special Report, September 2008)
- *Iraq's Interior Ministry: Frustrating Reform* by Robert Perito (USIPeace Briefing, May 2008)
- *Reforming the Iraqi Interior Ministry, Police, and Facilities Protection Service* by Robert Perito (USIPeace Briefing, February 2007)