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HEADQUARTERS  
UNITED STATES FORCES - AFGHANISTAN  
KABUL, AFGHANISTAN  
APO AE 09356

USFOR-A-DJ2

6 December 2011

MEMORANDUM FOR RECORD

SUBJECT: Findings and Recommendations (AR 15-6 Investigation – Credibility Assessment of Allegations of Human Rights Violations Appearing in a Human Rights Watch Report)

1. On 20 September 2011, I was appointed by the Commander, US Forces-Afghanistan, as an investigating officer (IO) in accordance with Army Regulation (AR) 15-6 to conduct an informal investigation into the facts and circumstances surrounding the allegations of human rights violations appearing in a recently published report by Human Rights Watch (HRW), titled *Just Don't Call It A Militia: Impunity, Militias, and the "Afghan Local Police."* In short, this report described numerous allegations of human rights abuses by various armed groups in Afghanistan. I was directed to make a credibility assessment of those human rights abuses. An attachment to the appointment order provided 32 allegations and 10 general comments (or "assertions") distilled from the report. In addition, three more allegations and one other assertion arose separately during the course of our investigation. Specifically, I was directed to answer the following questions:

a. To the best of your ability, the 5 W's concerning the facts and circumstances of the alleged human rights violations appearing in the Human Rights Watch report. Those alleged human rights violations are listed as Appendix A of the appointment memorandum.

b. A credibility assessment of each alleged human rights violation.

c. Whether there was any Combined Forces Special Operations Component Command-Afghanistan (CFSOCC-A) involvement or complicity in the events. What was the degree of command, control, and influence that CFSOCC-A exercised over the Afghanistan Local Police (ALP)?

d. Examine ALP authorities and compliance with its governing directive and mandate.

e. Based on this investigation, are there any tactics, techniques, procedures and/or policies that need revision? Are there any other shortcomings regarding USFOR-A (United States Forces – Afghanistan) forces oversight/interaction with ALP and similar forces about which the command should be aware and/or take action? If credible human rights violations are

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found, what actions, if any, can the command take to prevent similar occurrences from happening again?

2. Executive Summary: This version of the executive summary has been modified from the one provided to the appointing authority. Alterations include removing any classified material, reflecting the direction of the appointing authority's approval memorandum, and removing minor typographical errors.

a. On 20 September 2011, I was appointed by the Commander, US Forces-Afghanistan, as an investigating officer (IO) in accordance with Army Regulation (AR) 15-6 to conduct an informal investigation into the facts and circumstances surrounding the allegations of human rights violations appearing in a recently published report by Human Rights Watch (HRW), titled *Just Don't Call It A Militia: Impunity, Militias, and the "Afghan Local Police."* In short, this report described numerous allegations of human rights abuses by various armed groups in Afghanistan. I was directed to make a credibility assessment of those human rights abuses. An attachment to the appointment order provided 32 allegations and 10 general comments (or "assertions") distilled from the report. Over the course of the investigation, we investigated three additional allegations of human rights abuses and one other general assertion that arose from Human Rights Watch, United Nations Assistance Mission–Afghanistan (UNAMA), and NATO (North Atlantic Treaty Organization) Training Mission-Afghanistan (NTM-A).

b. During the 37 day period of this investigation, 6 investigating teams<sup>1</sup> totaling 21 personnel visited 45 locations throughout Afghanistan to investigate 46 different allegations and assertions. During this effort, 219 witnesses were interviewed, including Afghan civilians, local elders, local government officials, district and provincial leadership, as well as staff and leadership within the Afghan Ministry of Interior (MOI), CFSOCC-A, and NTM-A. In addition, the investigating teams gathered hundreds of pages of reports, media articles, briefings, and various other sources. To be clear, this was not an investigation of the Ministry of Interior (MOI) or any other Government of the Islamic Republic of Afghanistan (GIROA) entity.

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<sup>1</sup> For this investigation, the appointing authority appointed a lead investigator, Brigadier General Marrs. In addition, a USFOR-A fragmentary order (FRAGO) directed the appointment of five deputy investigating officers. The deputy investigating officers investigated the allegations/assertions arising from their particular regional command (RC). They gathered the evidence and generated a report for the lead investigating officer outlining their investigative efforts and presenting their findings and recommendations. The lead investigating officer then compiled the findings and recommendations into an overall report. In some circumstances, it was appropriate to modify some deputy IO findings or recommendations to ensure consistency within the report, as well as in situations where theater-level information required a modification.

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Instead, it was an investigation to determine the credibility of the Human Rights Watch allegations and to determine whether there was any US involvement or complicity. In addition, the investigation was designed to determine whether there is a need to revise any US policy or procedure.

c. During the investigation, I found seven allegations or assertions to be credible, that is, the allegation or assertion was supported by a preponderance of the evidence. These were the following:

(1) In Khanabad District, arbakai<sup>2</sup> collect informal taxes, commit sexual offenses, and steal from the population. Militia allegedly killed a guard from a Provincial Reconstruction Team. The Khanabad district governor says there are hundreds of arbakai in Khanabad district. (HRW Report, pages 33-35);

(2) On 29 August 2011, an Afghan National Police (ANP) commander kidnapped two boys for ransom and an Afghan Local Police (ALP) commander went to request release. The ANP commander tried to disarm the ALP commander. In the course of disarming the ALP commander, the ALP commander was shot. The ALP commander then went to a clinic for treatment. However, some ANP followed him to the clinic and HRW believed he was killed in the clinic. (HRW provided this allegation as an additional allegation to those listed in the original appointment memorandum);

(3) HRW states that official forces are difficult to distinguish from other armed groups. (HRW Report, pages, 3, 13, and 56);

(4) The HRW Report asserts that the US Government has obligations under the “Leahy Law” to ensure that no military unit receiving US assistance is involved in gross human rights abuses for which it is not held accountable, and that the US Department of Defense (DoD) is largely funding the Afghan Local Police Program, so DoD needs to be fully appraised of US obligations under the Leahy Laws. (HRW Report, pages 9, 12). This HRW assertion is credible in that the Leahy Laws may be implicated in an event where there is credible information that a unit of the ALP committed gross violations of human rights and DoD provides training funding

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<sup>2</sup> “Arbaki” is the singular and “arbakai” is the plural. The HRW report employs this term and observed that it has several meanings depending on the region in Afghanistan. (HRW Report at 13-14) At its most general, the term describes an armed group associated with a tribe or village. However, as both the HRW Report stated and this investigation revealed, the term “arbaki” is used to describe a number of different types of armed individuals.

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to that unit. However, HRW's assertion that a trigger of the Leahy Laws occurs where the unit is not held accountable is an inaccurate reflection of the Leahy Laws. The Leahy Laws prohibit the use of DoD funds to support training of a security force or police unit of a foreign country if the Secretary of Defense receives credible information that the unit committed gross violations of human rights, unless all necessary corrective steps have been taken. The holding of a unit or persons accountable is only one possible component of the necessary corrective steps to be taken in order to prevent or remove the Leahy Laws' prohibitions on funding. Necessary corrective steps may involve training or other criteria as determined by appropriate Secretarial authority.

(5) Verifying allegations of abuse was challenging in remote areas and HRW omitted some reports from this report because the information could not be verified. (HRW Report, page 13);

(6) The ALP has no law enforcement mandate. (HRW Report, pages 56-57, 64);  
and

(7) A United Nations (UN) special rapporteur supported calls for an independent external oversight body to investigate serious human rights abuses. (HRW report at 94).

d. I found ten allegations or assertions to be "not credible." In other words, the preponderance of the evidence supported a conclusion that the events did not occur as described in the report. These are:

(1) An allegation that an ALP commander and four others raped a boy. (HRW Report, pages 6, 61);

(2) An allegation that [REDACTED] and his men are affiliated with Hezb-i-Islami and are involved in a variety of criminal activities. (HRW Report, pages 60);

(3) An allegation that [REDACTED] and his militia took control of land owned by [REDACTED] (HRW Report, pages 68-69);

(4) An allegation that [REDACTED] father and brother were killed by Taliban and ALP at a checkpoint controlled by Commander [REDACTED]. (HRW Report, pages 6, 79-80);

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(5) “Local strongman” Mullah ██████████ appointed ALP commander in September 2010, detained six elders after they refused to provide recruits for the ALP. ██████████ demanded 15,000 Afghanis if they did not provide recruits. Some men were released within days, others within two months. (HRW Report, page 82);

(6) A prosecutor in Khas Uruzgan says he has received complaints that ALP are asking for money as a religious tax from farmers. ALP also arrest people and put them in private jails, beating them and demanding money over land disputes from up to 15 years ago. The prosecutor says people do not want to file complaints because they are afraid. (HRW Report, pages 6, 82-83);

(7) An Afghanistan Analyst Network report found that ALP units were involved in raids resulting in beating and killing in Uruzgan. (HRW Report, page 83);

(8) In Bakhtabad village, in October 2010, sixty families were compelled to leave their homes out of fear that a local militia who had previously harassed the families had joined the ALP and Haji ██████████ (HRW, page 74);

(9) The Special Forces have a poor reputation in Herat (HRW Report, page 72);  
and

(10) Ms. ██████████, formerly of HRW, reported that there is an ethnic dimension to some conflict between ALP and ANP that has caused some displacements. (This was an additional assertion provided by HRW after publication of the original appointment memorandum).

e. I was unable to determine the credibility of 14 allegations or assertions. This determination was necessary in these cases for a number of reasons. In most instances, it was because there was no way to determine the identity of the victim or witness, no corresponding reporting in military channels, and no witnesses who could verify the actual facts alleged in the HRW report. This determination was also appropriate in those cases where there was no way of corroborating a witness’ statement, or statements stood in direct contradiction to each other with no means of corroborating either one. Finally, this determination was appropriate in those cases where there were simply not enough credible reporting to make a determination one way or another. Of note, HRW was not able to provide the names or contact information for a number

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of witnesses given pseudonyms in the report. Their interviews were granted on a promise of confidentiality.

f. For the remaining 15 allegations or assertions, the reports were determined to be “credible in part.” In these cases, certain parts of the HRW allegation or assertion were supported by a preponderance of the evidence, while other parts were not. In these cases, I identified those aspects of the allegation or assertion that I could confirm as credible.

g. General Additional Findings. In addition to the specific findings described above, this report also makes some more general findings. Those are:

**(1) Findings based on the following appointing authority directive: Whether there was any Combined Forces Special Operations Component Command-Afghanistan (CFSOCC-A) involvement or complicity in the events? What was the degree of command, control, and influence that CFSOCC-A exercised over the ALP?**

(a) Finding: While numerous ALP-related allegations featured CFSOCC-A presence of some type (a result of the close mentoring relationship between VSO and ALP), there were no confirmed cases of CFSOCC-A complicity in alleged misconduct. There was one case (Allegation 1.a(6)) alleging the complicity of a Special Forces team member that I was unable to confirm or deny.

(b) Omitted.

(c) Finding: CFSOCC-A’s relationship between its Village Stability Platform (VSP) personnel and neighboring partner ALP organizations is one of influence, not command and control. This mentoring relationship is codified in Village Stability Operations (VSO) and ALP program guidance and was observed to be the case by investigation team members.

(d) Finding: CFSOCC-A has demonstrated strong oversight of VSO operations and close partnering with ALP that has encouraged positive behavior by ALP personnel.

**(2) Findings based on the following appointing authority directive: Examine ALP authorities and compliance with its governing directive and mandate.**

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(a) Finding: MOI/ALP appears to be largely in compliance with internal directives regarding its actions related to alleged human rights abuses. Several cases point to elements of non-compliance. ALP efforts to comply were sometimes hampered by competing government elements or local powerbrokers influencing the system. ALP senior leadership is committed to professional conduct of ALP forces and cited examples of actions to ensure allegations were investigated. The specific instances as follows:

(1) In RC-N, we found that ALP may have stepped outside its directive in issuing punishment to the boy (actually an 18-year old) for stealing. Instead, they should have turned him over to ANP (allegation 1.a(2)). Additionally, the ALP did not get prior approval from ANP to search ██████████ home (allegation 1.a(6)); though the ALP Commander was fired for this action. In another case, ██████████ explained in his interview statement that they did not call ANP prior to searches in the past because ANP was connected to the Taliban and would call the target before ALP could get there. He explained that since the removal of PCOP Gen Rahimi they have a better working relationship with Gen Sherzad (current Baghlan PCOP). Finally, in allegation 1.a(8) both the ALP and USSF worked for over three months with local PeK officials in order to successfully remove ALP commander Mullah ██████████ for severe misconduct.

(2) In RC-W, there was evidence in Allegation 1.b(2) that the Kushe ALP operated outside of their mandate. First, it appears that the ANP was not involved in the detention of the individual. Second, the alleged perpetrator was transferred from one ALP site to another, and then brought to the ODA. This prompted the ODA to provide follow-up training and mentorship, including treatment of detainees, involving the ANP in the process after an arrest, and transfer of custody. There was also some evidence that ALP carried weapons outside their villages at the Shindand bazaar. However, this usually happened with the consent and in partnership with the ANP. Later, this project was dropped. While the ALP believe they are carrying the burden of the police work in the Zeer-e-koh Valley, they continue to subordinate themselves to the ANP by seeking its approval and assistance as needs arise. The ALP does not, as a general practice, make arrests except with ANP approval or when the security of ALP or the public requires it. All of this is in keeping with the ALP's governing directive and mandate.

(3) In RC-E, in the Jalrez and Nerkh Districts of Wardak Province, approximately half of the fifty checkpoints in one area were manned by ALP from other villages in the district and in some cases from different Provinces. Article 26 states that the ALP should not be used or moved from one district/area to another.

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(4) ALP Director, BG Ahmadzai, stated that his headquarters manning consists of 13 personnel. This limited number of personnel could limit the ability of MOI to conduct effective oversight of ALP's broad footprint across Afghanistan

(b) Finding: Throughout this investigation, there has been ample evidence of a need for increased awareness of what constitutes improper conduct, especially from a practical perspective. ANP course training materials provide a solid overview of human rights principles. However, for the majority of ALP candidates who are illiterate, we find that practical examples would be of far greater benefit. As determined during this investigation (for example, based on facts and circumstances regarding allegation 3.f(1) in Wardak Province), most of the issues involve petty theft and abuse of authority. While teaching ALP about human rights is essential, one way to approach this is through the everyday problems that the ALP face while at the checkpoint or on patrol. Practical scenarios should involve treatment of those detained, use of position to demand food and items of value, and policing their own ranks. In addition, the RC-North investigative team found a type of "smart-card" with some basic rules that could be beneficial to adopt nation-wide.

(c) Finding: The ALP formula is effective and serves as an example of how risk mitigation can be applied to the challenge of implementing local security solutions in Afghanistan.

(1) The strength of the ALP program rests in a three dimensional supporting framework. From the bottom up is community support, where local shuras must first demonstrate community acceptance for the program. Local villagers also vouch for the character and suitability of local recruits for their program. This local support extends to the district and provincial level, where Shuras there must also attest to the need for ALP presence in a specific community.

(2) GIROA control of the ALP program, from the top down, is the second element. The ALP program is managed by MOI, with day to day control exercised through ANP leadership at the provincial and district level, down to the ALP commander.

(3) Finally, daily on-site mentorship by SOF or SOF-affiliated forces through the VSO program serves as lateral support for the ALP. VSO personnel deliver villagers assistance in three interwoven areas: security, governance, and development. The goal of the VSO program is to mobilize communities, "creating conditions of improved security, while simultaneously

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fostering stability and increased prosperity through local development projects and governance through traditional, semi-formal governance structures at the local level.”

(4) Most significantly, ALP and VSO are working.

(5) Omitted.

(d) Finding: Traditional physical distribution of pay to ALP personnel is an effective mechanism to reinforce basic professional behavior. Standard pay day procedures involve ALP personnel presenting their weapons for serial number verification, along with their ID card. While this manner of pay distribution might be viewed as inefficient in an era of 21<sup>st</sup> Century direct deposit procedures, “pay day activities”<sup>3</sup> affiliated with the physical distribution of pay is an effective Counterinsurgency Tactic, Technique, or Procedure (COIN TTP).

(e) Finding: With the opportunity to interact with numerous local Afghans during this investigation, several general observations are worth sharing for future efforts to better understand and react to allegations of human rights abuse. When asked, numerous Afghan citizens would describe in general terms knowledge of criminal activity. Finding victims was more difficult. This could be due to several factors. Witnesses could simply be repeating rumors. Witnesses and victims could also be reluctant to provide specific information that could invite retaliation. On a positive note, there is a widely held opinion among Afghans we interviewed that they feel comfortable bringing allegations of a variety of types to ALP personnel.

(f) Finding: Currently, ALP procedures do not specifically address policy or procedures to discipline or fire ALP members. Codifying these procedures could potentially reduce the time needed to remove ALP members who have committed misconduct. This might have shortened the protracted effort to remove Mullah ██████ discussed in the section covering Allegation 1.a(8).

(g) Omitted.

(3) **Additional RC-W Finding:** In RC-W, the investigating team identified several credible reports of interest involving the ALP in Shindand. Many were included

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<sup>3</sup> “Pay day activities” is a military term used to describe a formal process for receiving payment. This is in contrast with an “electronic fund transfer” process for payment of wages or salary.

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elsewhere in this report. The following reports were also determined to be credible and I recommend continued monitoring by GIRoA and CFSOCC-A:

(a) On or about 20 May 2011, a Kushe ALP member was stabbed and injured by two members of an Molarzai ALP squad. The squad leader was relieved of duties. He later resigned from the ALP program.

(b) On or about 30 June 2011, ALP Commander ██████████ arrested 2 Afghan National Civil Order Police (ANCOP) in the Shindand bazaar for conducting surveillance on the ALP. On or about 30 June 2011, Parmakan ALP Commander ██████████ transported the two persons to VSP Parmakan for purposes of allowing Special Forces members to conduct biometrics and tactical questioning. The Special Forces personnel discovered the suspects were ANCOP and released them back to the ALP. “The suspects were roughed up by the ALP, but not to the point where they required medical attention.” On or about 1 July 2011, ANCOP beat up three Parmakan ALP and arrested three Sanawghan ALP as retaliation for ██████████ arrest of ANCOP at the Shindand bazaar. It appears that the incident was effectively resolved, however, I recommend that CFSOCC-A and GIRoA continue to monitor this situation.

(c) On or about 23 September 2011, ██████████ resigned as Parmakan ALP commander. ██████████ demanded that all ALP under his command resign as well “or else.” All ALP resigned except for ALP in Samizai, Emerat, and Bolbakzai. On or about 3 October 2011, ██████████, facing pressure from the ALP who resigned with him, reassumed his position as Parmakan ALP commander.

(d) On or about 25 September 2011, Bolbakzai ALP Commander ██████████ was shot and suffered injuries at the Juma bazaar.

(e) According to CPT ██████████ an Urayan villager alleged that an Urayan ALP hit a child with a stick. It was determined that the child was hit because he took water out of turn and the incident was resolved to all parties’ satisfaction.

(f) There is reporting that in March through May 2011, Kushe ALP stole from or “taxed” Kushe residents. In the spring or summer of 2011, ██████████ fired two ALP from Kushe for stealing from villagers. Also, the Kushe checkpoint disbanded in August of 2011. This action has resulted in a cessation of all complaints against ALP in this area. While these

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instances were outside of the ALP authorities, there is no evidence of CFSOCC-A involvement or complicity.

h. The report also makes recommendations based on the specific directives in the appointing memo. Those are:

**(1) Recommendations based on the query: Based on this investigation, are there any tactics, techniques, procedures and/or policies that need revision?**

(a) For CFSOCC-A: Based on the findings in Allegation 1.a(4), increase emphasis on the understanding of local power dynamics when considering where to locate VSP and ALP operations, how to staff them, and how to evaluate them over time. Consider adding cross-checks in the site nomination process to focus on hostile groups or negative actors in the local, district, and provincial environment who might inhibit ALP performance. In areas where the ALP location lies on a seam between rivals, employ additional assets to monitor and mentor the ALP.

(b) For VSO enterprise partners (CFSOCC-A, IJC, and NTM-A):

(1) As found above, traditional physical distribution of pay to ALP personnel is an effective mechanism to reinforce basic professional behavior. Therefore, partnering unit should continue to reinforce “pay day” activities. Standard pay day procedures involve ALP personnel presenting their weapons for serial number verification, along with their identification (ID) card. While this manner of pay distribution might be viewed as inefficient in an era of 21<sup>st</sup> Century direct deposit procedures, physical distribution of pay is an effective COIN TTP.

(2) Based on the finding regarding the need for more practical training, develop training that addresses common problems and employs practical scenarios. As determined throughout this investigation, most of the issues involve petty theft and abuse of authority. While teaching ALP about human rights is essential, one way to approach this is through the everyday problems that the ALP face while at the checkpoint or on patrol. Practical scenarios should involve treatment of those detained, use of position to demand food and items of value, and policing their own ranks.

(c) For MOI/ALP consideration:

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(1) Based on the finding regarding the need for more practical training, further develop the ALP Program of Instruction (POI) to include definitions of human rights abuses and practical methods to prevent human rights violations. In addition, adopt a “smart-card” with some basic rules to assist the ALP in understanding their roles.

(2) Based on the findings in Assertion 4.c, there is a need to clearly define force jurisdiction. The only form of force/mission deconfliction between ANP and ALP is the ALP mandate to coordinate missions prior to action for specific police activity (such as home searches). There needs to be a more formal delineation of lanes in the road to reduce confusion between forces. This may be assisted by a Mobile Training Team (MTT) of law enforcement personnel to move around from district to district to provide training at District Police headquarters to the District Chief of Police (DCOP) and ANP police leaders along with ALP Commanders from that area.

(3) Based on the findings in Assertion 4.c, the MOI should position a senior ANP to partner with CFSOCC-A elements to put a “local face” on oversight and coordination. This individual could be added to the ANP Tashkil<sup>4</sup> as the ALP program coordination officer. This will allow for transparency of operations for ALP and an outlet for dispute resolution between ANP and ALP that is not Special Forces.

(4) Develop local incident response procedures. Procedures should be established that provide for follow up and rectification of wrongdoings by police. This should include an investigation unit and established reimbursement criteria. Individuals wronged by police actions should be reimbursed in a timely manner. In addition, the village elders should be informed of the response. For example, this could have been useful for [REDACTED] in Allegation 1.a(8).

(5) Based on the finding that ALP procedures do not specifically address policy or procedures to discipline or fire ALP members, add a section in the ALP procedures on discipline and firing of ALP members.

(6) Based on the findings associated with Assertion 4.i, continue to develop capacity for investigation of allegations of ALP or ANP abuses.

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<sup>4</sup> A “tashkil” is an Afghan unit manning authorization.

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**(c) Recommendations based on the query: Are there any other shortcomings regarding USFOR-A forces oversight/interaction with ALP and similar forces about which the command should be aware and/or take action?**

(1) USFOR-A (and ISAF):

(a) The findings in Wardak (Allegation 3.f(1)) outlined the issues that can arise in non-standard mentoring relationships, while the findings in Baghlan (Allegation 1.a(4)) demonstrate the complexities in managing local power dynamics. The criticality and complexity of VSO and ALP argues for additional enterprise-wide focus. Recommend increased command focus on VSO and ALP performance through a quarterly deep dive, hosted by COMISAF.<sup>5</sup> This quarterly forum would also serve as a way for COMISAF to allow CFSOCC-A, in its capacity as Executive Agent for ALP, to discuss crucial aspects of the VSO ALP program that involve other major stakeholders including ISAF Joint Command (IJC) and NTM-A. Possible topics include: (1) status of migration paths to ALP from other complementary programs; (2) review of key indicators of negative and positive performance for ALP sites (including allegations of misconduct); and (3) a review of “high degree of difficulty” sites. Consider inviting appropriate MOI leadership as a key enterprise partner.

(b) Based on the findings in Allegation 3.d(4) and Assertion 4.a., confusion among Afghans regarding the legitimacy of various locally armed groups, combined with the number of distinct and separate USFOR-A (and ISAF) managed programs that often operate in the same area, argues for occasional command-wide focus. Recommend a COMISAF-sponsored biannual review of additional coalition-sponsored local security programs including Interim Security for Critical Infrastructure (ISCI), Afghan Public Protection Program (AP3), Community Based Security Solutions (CBSS), Critical Infrastructure Program (CIP), and possibly Afghan Provincial Protective Force (APPF).

(c) As this investigation has demonstrated, it is to the command’s benefit to receive high-quality, high-confidence allegations of misconduct involving coalition partners. Recommend Deputy Chief of Staff (DCOS) Stability, DCOS Communications, and COMISAF Legal Advisor (LEGAD) propose a non-governmental organization (NGO) outreach program to COMISAF in an attempt to foster high-quality discussions. The goal would include a willingness and trust on the part of NGOs to share sensitive reporting information, with the understanding that sources would be protected and that the command would take serious action.

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<sup>5</sup> Commander, International Security Assistance Force

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(d) Based on the findings in Allegation 3.f(1) above, I also recommend that ISAF review the adequacy of the partnering model being utilized by the battlespace owner in Wardak.

(2) CSTC-A (and NTM-A): As described above in Assertion 4.a, there is a disconnect between intent and practice regarding the prompt provision of uniforms to ALP personnel. Recommend follow-on actions be informed by first conducting a supply chain assessment. Discuss implementation with MOI and VSO stakeholders. The recommended goal is 100% provision of uniforms to ALP personnel during “graduation day” activities. Track progress at quarterly deep dive.

(3) MOI:

(a) This investigation documents friction between ANP and ALP units in the field, best demonstrated in Assertion 4.b. Recommend continued focus and mentoring by MOI of ANP oversight of ALP.

(b) As found above, the limited number of ALP headquarters personnel could limit the ability of MOI to conduct effective oversight of ALP’s broad footprint across Afghanistan. I recommend that ALP propose to coalition stakeholders a plan for how additional headquarters billets would be used to conduct improved oversight of ALP operations.

**(4) Recommendations based on the query: if credible human rights violations are found, what actions, if any, can the command take to prevent similar occurrences from happening again?**

(a) Share with MOI key observations and recommendations from this investigation. Stress the command’s appreciation for MOI’s willingness to partner throughout the investigation, as well its commitment to this enduring partnership.

(b) Consider ALP-partner (IJC and NTM-A) enterprise-wide adoption of the CFSOCC-A policy that addresses reporting allegations of crimes and abuses committed by Afghan Partner Forces. Review the status of these significant reports during the proposed quarterly review.

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(c) Regarding allegations of ALP misconduct that remain open, I recommend that the command responsible for that local ALP partnership provide a written assessment and action plan regarding proposed follow-on actions, to be discussed during the quarterly review.

(d) ALP recruiting and vetting is challenging, and there will be failures of the system. Mullah [REDACTED] and the Kushe ALP provide examples. However, identification, removal, and punishment of these individuals should be incorporated in positive information operations efforts.

i. Lastly, I provided the following three final comments:

(1) HRW's focus in its report is on allegations of misconduct. This investigation first and foremost demonstrates the command's seriousness about responding to widespread allegations such as these. Crucially, however, HRW ignores the vital service ALP and VSO are providing every day to give Afghans a chance to end 30 years of conflict and to live secure and peaceful lives. ALP and VSO are making a tremendous difference.

(2) Ethnic divisions, political differences, power struggles and corruption are some of the multiple challenges to overcome before the system will become most effective. Many of these issues are not restricted to local areas and extend up to the executive branch of the Afghan Government.

(3) HRW's willingness to engage with the investigation team is an encouraging sign for future cooperation. An opportunity exists to engage HRW senior leadership regarding key aspects of this investigation.

4. The point of contact for this memorandum is the undersigned at SVOIP [REDACTED] or via e-mail at: [REDACTED]@afghan.swa.army.smil.mil. You may also reach my executive officer, Capt [REDACTED] [REDACTED]@afghan.swa.army.smil.mil.



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