



Islamic Republic of Afghanistan  
Ministry of Interior Affairs  
Afghan Public Protection Force and Security  
Enterprise

Risk Management Company Procedure  
\*RMC\*

KABUL – AFGHANISTAN

1391

## Preface

In order to implement Decree No \*62\* of the President of Islamic Republic of Afghanistan dated \*05/26/1389\* commitment of the Islamic Republic Afghanistan regarding to the dissolution of private security companies, ensuring security for non-governmental installations, diplomatic authorities residence sites, development projects, economic and infrastructures installations, to prevent individuals and companies creating rogue, and continuation of the private security companies activities, according to the President Decree of Islamic Republic of Afghanistan, the Deputy Ministry of Public Protection and Security Enterprise was created within the Ministry of Interior Affairs of the Islamic Republic of Afghanistan.

Ministry of Interior to implement the aforementioned Decree of the President of Afghanistan, created an alternative force instead of private security companies under the name of Deputy Ministry of APPF and SOE within the MoI structure and its charter have been approved by the Council of Ministers of GIROA so, they provide effective security services throughout the country in accordance with the Provisions of law. Simultaneously with the commencement of transition process from private security companies to APPF /SOE, Risk Management Companies (RMC) are being created to provide advisory services for APPF/SOE customers. Those are providing services at the following areas security assessments, training and education, logistical requirements (fund-technical).

This procedure creates a grievance process, thereby enhancing transparency, record keeping, and issue resolution. The goal behind this procedure is ensuring transparency of the services provided by RMCs in accordance with the laws of Afghanistan.

Risk Management Companies "RMC" who are operating in Afghanistan should take action for obtaining work permit in accordance with existing procedures.

In addition, if an application for a license contradicts this procedure, or the required documents are not provided, will be rejected. Possession of an investment permit from AISA (Afghanistan Investment Support Agency) is not sufficient to operate in the security sector. In addition, the license published by the Ministry of Interior will be distributed for risk management companies in exchange of a fixed price. Operations of RMCs shall be assessed in a transparent process, based on the information provided. This assessment shall assist in identifying eligible consultancies that meet the standards, principles and laws of Afghanistan.

**In the Name of Allah, Most Gracious, Most Merciful**  
**Procedure for Risk Management Companies Activities**

**Chapter One**

**General Provisions**

**Based:**

**Article 1:**

This procedure is based on Paragraph \*4\*, article \*6\* of the law on weapons, ammunition and explosives.

**Article 2:**

This procedure is applicable to all companies operating to any extent within the APPF/SE and or other sectors, conducting security advisory services.

**Article 3:**

The Ministry of Interior Affairs (MoI) is the principal authority regulating Risk Management Companies providing security related services. This regulation does not preclude routine acts falling entirely within the purview of other Ministries.

**Article 4:**

Terms used within this procedure shall have the following meanings:

**1. National RMC:**

An RMC established by an Afghan citizen or citizens or by partnership of Afghan and foreign citizen(s) and has acquired an RMC license within Afghanistan based on the provisions of this procedure.

**2. Foreign RMC:**

An RMC established in accordance with the law of a foreign state to provide security services in Afghanistan, having its head office in a foreign country and has acquired an RMC license within Afghanistan based on the provisions of this procedure.

**3. Risk Management Companies (RMC):**

An organization that advises on the security of sites, buildings, persons, logistics, transportation of goods and equipment, to their relevant companies. RMCs do not provide security services but provide security advisory services.

**4. Risk Management Consultants:**

Expatriate Foreign and Afghan consultants that are employed by Risk Management Companies (RMCs). The consultants are described as follows:

- Skilled and experienced to international standards in security and risk assessment for developmental projects, organizations operating in insecure areas that provide services.
- Military experience and have served in insecure areas.

- Skilled and experienced to advice and train Afghan staff to achieve self-sufficiency in Challenges assessment, security situation and decision-making.
- Must have sufficient knowledge of Afghan culture and tradition.
- They are authorized to carry light weapon for protection of their legitimate property and their lives

#### **5- Security Assessment Services:**

Advisory, contracting and training services pertaining to security of individuals, governmental, non-governmental and private organizations that include, but are not limited to the followings:

- Assessment of threats
- Supervision of security operations
- Supervision of quick reaction
- Supervision of evacuation planning
- Supervision of project management
- Assessment of site security and capacity of existing staff
- Supervision on development of Security Plan
- Assessment of security contract
- Supervision on development of standard operation procedure
- Supervision of plans to deal with contingency events
- Supervision of Plan for management and defense of staff
- And based on assessment results about development, durability or discontinuance of activities, or activities decision should be made.

#### **6- RMC License:**

A written document issued in accordance with this procedure for RMC activities relating to the security services, after the assessment.

#### **7-Afghan Public Protection Force (APPF & SE):**

A GIRoA State Owned Enterprise under the oversight of a High Council chaired by the Minister of Interior Affairs(MoI) which provides security for infrastructure, facilities, construction projects, convoys, personnel and diplomatic authorities residence sites.

#### **8-Bridging Strategy:**

The Government of the Islamic Republic of Afghanistan (GIRoA) program is designed that the APPF can build their capacity and provides security services for security services applicants, diplomatic residence sites, under development sites and sites belonging to ISAF and coalition.

#### **9- Bridging Strategy Period:**

12-month period has been set for the implementation of bridging strategy.

#### **Article 5:**

RMCs are not authorized to perform security services or to hire employees to perform such services. The authorized activities of RMCs are the aforementioned paragraph \*1, 2, 3, 4, 4, 5\* of article \*4\* in this procedure.

#### **Article 6:**

The RMCs are obliged to observe the governing laws of Afghanistan and this procedure.

## **Article 7:**

### **1-Authorities of the High Council:**

- Investigate violations of duty performance that is against this procedure.
- RMC approval activity license of companies.
- Have the authority to revoke the license, and terminate the operation of a RMC in accordance with the provisions of this procedure.
- Appointment, transfer, separation and determination of privileges for executive board and others

### **2- Authorities of (PSC, RMC) office the of Ministry of Interior**

- To handle requests of "RMC" and make recommendations to the High Council to grant work permits.
- Register weapons, munitions, non-tactical armored vehicles and other related equipment of RMCs.
- Register and monitor the number and type of weapons carried by RMC and PSC Consultants.
- Renew RMC licenses as prescribed by this procedure.
- Monitor operations of each RMC.
- Advise on improving the quality of services to PSCs.
- Penalties specified under (Bill predicted) and offer it to the High council.
- Investigate violations of this procedure and the approved contract committed by RMCs, assess fines in accordance with the predicted procedure, and recommend it to the High Council.
- If commitment of violation is not predicted in the procedures, make recommendations to the High Council for penalty of the confirmed violations.
- Propose the denial of, or limitations regarding, the issuance of RMC licenses to the High Council.

## Chapter Two

### Issuing License to RMCs:

#### **Article 8:**

Partner Companies shall not establish an RMC or provide services authorized by this procedure without having an RMC license.

#### **Article 9:**

- 1- Applicants seeking an RMC license shall submit their request to the DIAG office of the Ministry of Interior Affairs, using the forms provided by the DIAG office or as can be found at the DIAG website.
- 2- A foreign RMC, in addition to completing the information form mentioned above, is obliged to submit the following documents:
  - Certified copy of documents of incorporation and licensing from country of origin.
  - Certified copy of documents about the risk assessment operations in other countries (if applicable).
- 3- The MOI PSCs/ RMC office will fill out the forms in order to create the RMC by the applicants and is provide for review and approval process of the license step by step.  
The MOI PSCs/ RMC office have two weeks to review and complete the documents.
  - RMC in case if provided application document is not inconsistent with the provisions of this Procedure after the approval of high council of enterprise will issue a license within 15 workdays.
  - If documents are missing or issues are identified, the MOI PSC/RMC office will notify the RMC within the two weeks. If the RMC resubmits its application with the deficiencies corrected, MOI PSC/RMC office will resign for the application packet and will follow the same timelines as above.
- 4- Should the MOI PSC/RMC office find the applicant unqualified, the applicant shall be notified of the reasons within two weeks of the submission date, concurrently, the office shall forward the application with its recommendation to the High Council for resolution.
- 5- An RMC may submit to the High Council documentation in support of its license application and request a hearing before the High Council. The High Council shall review the recommendation of the RMC office; any documentation submitted by the RMC and conducts a hearing if requested by the RMC. The High Council should endeavor to make a decision within two weeks of receipt.
- 6- Only the High Council may deny or revoke an RMC's license. The decision of the High Council shall be in writing and shall be provided to both the MOI PSC/RMC office and the RMC. If the High Council determines the RMC must cease operations in this case company must be canceled and stop their activities within 3 months. However, based on conditions it will be extended. The High Council decision will be final.

## **Article 10:**

In addition to submitting the application required by this procedure, a foreign RMC must meet the following requirements to receive an RMC license:

- 1- Have a charter containing goals, structure and scope of activity of the company.
- 2- Foreign staff of the RMC shall have a valid work visa for Afghanistan.
- 3- The operations manager shall have a background check certificate regarding the non-existence of a criminal record from Interpol and the police administration of the home country.
- 4- The operations manager in Afghanistan shall be at least 30 years of age.
- 5- Must have the military bachelor degree.
- 6- Pay the license fee provided at annex 1 to the state income account in Da Afghanistan Bank for the credit of the APPF.
- 7- In order to prevent the density of the consultant, increasing of weapons and conducting of RMC activities, Observation of the followings are necessary.
  - A. Number of the Consultant at the Main Office of RMCs should not be more than 10 people.
  - B. RMCs can have only one main office at Kabul city.
  - C. RMCs can assign consultant as bellow quantity
    - In 50 individuals contract only 5 consultants
    - In 100 individuals contract only 10 consultants
    - In 150 individuals contract only 15 consultants
    - in 200 individuals contract only 20 consultants
    - in 250 individuals contract only 25 consultants
    - in 300 individuals contract only 30 consultants
    - in 350 individuals contract only 35 consultants
    - in 400 individuals contract only 40 consultants
    - in 500 individuals contract only 50 consultants
    - When the RMCs need more consultants in Exceptional cases, in according with acceptable reason provided by the company, the consultant number of these companies would be increased after the approval of the Executive Board.
- 7- The RMCs consultant that have been assigned at Specialized Section, must Register their Educational and Skill record at Record and Registration office Security Companies.
- 8- If the RMCs assigned consultant more than the specific consultant number, they must pay fine according to the 7339 decree of Islamic Republic of Afghanistan.
- 9- For each consultant of the RMCs one light weapon will be provided for monthly fee on behalf of the APPF for their self-protection.
- 10- For each consultant of the RMCs weapon license will be provided on behalf of the anti terrorism Department of Mio by requesting of the Company and approving of the APPF.
- 11- Weapon rent cost is based on principles experience and business equality for national and foreign companies is equal.
- 11- Bank Guarantee equivalent to the weapons cost of rent has been collected.

**Article 11:**

In addition to submitting the application required by this procedure, a national RMC must meet the following requirements to receive an RMC license:

- 1- Have a charter containing goals, structure and scope of activity of the company.
- 2- Director, employees and the operations manager have not been convicted of a misdemeanor or felony nor been suspected or accused of such crimes.
- 3- Staff may not be suspected of or accused of human rights violations, as confirmed by the Afghanistan Independent Human Rights Commission.
- 4- The operations manager shall be at least 30 years of age.
- 5- Must have the military bachelor degree.
- 6- Pay the license fee provided at Annex 1 to the state income account of Da Afghanistan Bank for the credit of the APPF.
- 7- Present a legitimate bank guarantee for not less than 10 million Afghani.

**Article 12:**

The RMC license is valid for one year. Because of continuing, license must be renewed annually. (The costs are equivalent to 15,000 Afghani).

**Article 13:**

- 1- The RMC must request renewal of its RMC license at least 30 days before the license is due to expire by completing and submitting required forms and documentation. The RMC must report any material changes to previously submitted documentation.
- 2- The required licensing fee must accompany the application for renewal.
- 3- Should the RMC office not make a decision on a license renewal prior to expiry when the RMC submitted its request not less than 30 days before its expiry, the RMC shall be given a 30-day temporary license. This temporary license shall be renewed for additional 30-day periods until the RMC office makes a decision on license renewal.
- 4- The RMC office has approval authority for renewal of an RMC license after the High Council Approval. The RMC office shall take action (approve/recommend disapproval/provide an extension of current license) within two weeks of receipt. The RMC office has three business days after approval of the license renewal to issue the RMC license. Should the RMC office recommend the RMC license not be renewed, the recommendation will be forwarded to the High Council for decision and the notice and appeal provisions of article \*9\* will apply.

**Article 14:**

- 1- Any Afghan with the following qualifications may be employed by an RMC:
  - Has a national ID card.
  - Is at least 25 years of age and, and no older than 50.
  - Possess a graduation certificate in basic military training from a military training school or a security-training certificate from a company licensed to conduct security related training.
  - Neither has been convicted nor is currently charged of any misdemeanor or felony.
  - Must have a standard criminal background check.



(1) A foreign citizen who has the following qualifications may be employed as security staff of an RMC:

- Has a VISA residence after the appointment can get the company's work permit.
- Has the qualifications included in section (2, 3, and 4) paragraph (1) of this article.
- Must submit, when required, a document certified by the home country or Interpol showing non-existence of criminal record, at the expense of the company.

### **Weapons authorization**

#### **Article 15:**

- 1- RMC employees may carry light weapons (9mm, 7.2mm) for the purpose of self-protection.
- 2- The fees set forth at Annex 1 of this procedure should be submitted to Da Afghanistan Bank state income account for the credit of the APPF.
- 3- Licenses are separately issued for each weapon or non-tactical armored vehicle and shall be valid for one year. After one year, the license can be renewed by paying the appropriate fee.
- 4- Required weapons and ammunition must be procured through a company or individual with the proper licenses to import, export, and sell weapons or they may be provided by the Ministry of Interior in accordance with the Law on Firearms, Weapons, Ammunition, and Explosives.
- 5- The PSCs that already had weapons and now they are RMCs, They will not pay the weapons fee until the end of contract, at the same project it would be counted towards the cost of the weapon at the end of the contract. The weapon will belong to the APPF.
- 6- When the RMCs act against any of the RMC Regulating Procedures, the offending company will be fined. If the acts against RMC Regulating Procedures are repeated, the company will be dissolved and the offender will be placed in a legal prosecution.

## **Chapter Three**

### **Obligations of a Risk Management Companies**

#### **Article 16:**

Risk Management Companies will identify their vehicles, helicopters, airplanes and other modes of transportation with signs or placards with the company name or logo visible as security conditions allow.

#### **Article 17:**

Risk Management Companies must report their performance and activities to the APPF office each 3 months. Moreover, it is mentionable that the major events should be registered to registration and enrollment office within 24 hours.

#### **Article 18:**

The officers, directors and employees of RMC's may not:

- 1- Participate in political activities.
- 2- Provide funds to political parties and candidates for public office.
- 3- Pay individual government officials for assistance.
- 4- Recruit people collectively from one tribe or party.
- 5- Provide services contrary to procedure.
- 6- Recruit serving officers, non-commissioned officers, soldiers and other active officials of the Ministry of Defense, Ministry of Interior, National Directorate of Security and other state departments.

**Article 19:**

- Allegations of the following violations will be forwarded to the Prosecutor's Office for investigation and appropriate action:
  - 1- The presence of unregistered weapons within the control of RMC officials in offices or buildings of the RMC
  - 2- Obtaining weapons from an unauthorized source.
  - 3- Operating an armored vehicle without it being registered and licensed to the RMC or its client.
  - 4- Punishment is predicted in any criminal acts in Afghanistan Law.

**Article 20:**

- Fines for the following violations will be assessed as follows:
  - RMCs that hire non-Afghan personnel without first obtaining a valid VISA or who maintain employees whose VISAS have expired , if no action but for renewal application is pending shall pay a fine for each such employee.
  - Non-tactical armored vehicles that have been imported contrary without any customs processing shall be confiscated by MoI according to the \*7339\* decree of Islamic Republic of Afghanistan .

## **Chapter Four**

### **Settlement of Disputes**

**Article 21:**

Investigation into violations of RMC the authority of High Council of Enterprise.

**Article 22:**

Registration and enrollment Department is under the view of PSC and RMC related directorate should any of the offenses committed by the companies follow the law and resolve assigned or referred to judiciary organizations.

**Article 23:**

RMC companies have the right to provide persuasive documents based on the charge.

**Article 24:**

If the RMC companies choose to cease operations after the presentation of settle accounts agreement documents disclaimer council tax and abolish enterprise will be counted.

**Article 25:**

During the appeal process, the RMC will be allowed to continue operations.

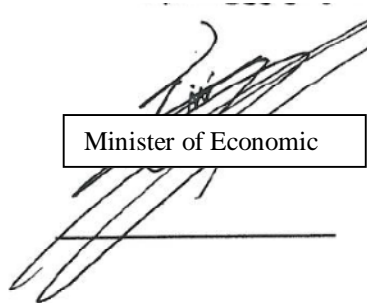

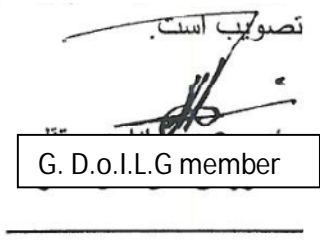
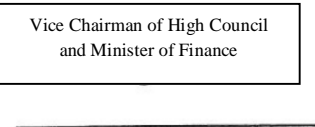
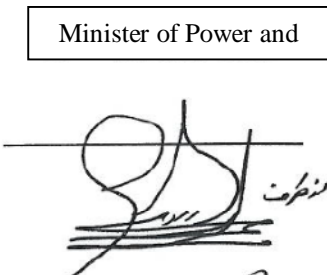
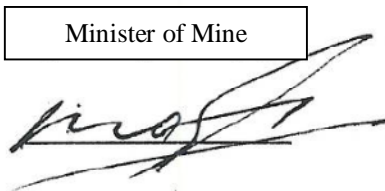

**Article 26:**

After the approval of this procedure, the previous procedure is cancelled.

This is procedure are prepared into \*4\* chapters, \*26\* articles and \*2\* annexes is collect to arrange and supervision from RCM activities and is presented in order to approved by High Council of enterprise.

با احترام Sincerely  
APPF and SOE Deputy Minister  
معین محافظت عامه و تصدی امنیتی

RMCs activities procedures are prepared into \*4\* chapters, \*26\* articles and \*2\* annex is approved by:

 Minister of Economic	 Minister of Public Affairs	 G. D.o.I.L.G member
 Vice Chairman of High Council and Minister of Finance	 Minister of Power and	 Minister of Mine
	 Minister of Interior Affairs and chairman of the High Council	

Annex 1				
No	Type of License	Royalty	Payable Fees and Renewal of License Cards	Bank Guarantee
1	The National RMC License	Three Million Afghanis	15,000	10 Million Afghani
2	The Foreign RMC License	Six Million Afghanis	15,000	20, Million Afghani
3	License to Carry Weapons for the Internal Consultancies' Employees	0	7,500 Afghani	0
4	License to Carry Weapons for the Foreign Consultancies' Employees	0	12,500 Afghani	0
4	License of usage from Bulletproof Vehicles or Non-tactical armored vehicles for Foreign Consultancies	0	30,000 Afghanis	0
5	License of usage from Bulletproof Vehicles or Non-tactical armored vehicles for Internal Consultancies	0	30,000 Afghanis	0

## Annex 2

### Using of forces:

Using of force should be used according to Afghanistan panel code when it is necessary for self-defense or other defense. The RMCs must observe the following four points:

1- Assisting with National and International Security Forces:

The RMCs Staffs are obligated to assist the Afghan Forces, ISAF, and Coalition Forces. They are subjected to Afghanistan Rules, Principles and they must not violate the Afghanistan Rule, and Principles and they must obey the Afghan and International Check points Rules.

2- Recruiting the trained personnel:

The RMCs must hire the professional trained personnel or must be able to advise the security services or the RMCs give a complete professional training prior recruiting the personnel. According to the RMC procedures, the training courses must be hosted and participating of the staffs should be mandatory. All the RMCs personnel that have the weapons license they must have their license with themselves all the time.

3- Usage of weapons in case of inevitable:

- Usage of forces must be legal, necessary, and appropriate.
- The fire should be open just above the target.
- The fire shall be open while it does not harm innocent people.

Based on APPF and SE RMC guidance procedure into \*4\* chapter, \*26\* articles and \*2\* annexes of security enterprise is prepared and adjusted by the assigned commission member of this deputy.

Abdul Ghafar Batoor  
Legal Director (member)

Zulgee Khan  
Reg Director (member)

Ghulam Ali Qurashe  
Finance & Budget  
Director (member)

Ahmad Salim Sahah  
Contract Director (member)

Sarwarudin Ayar  
Plan & Policy Director  
(member)