

Government Strategies for National and Sub-National Institution Building

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When looking at government strategies for sub-national and national institution building, the subject of a sub-national state building will here be dealt with first. The institutional building at national level has been going on during the past seven years, and this has led to that the sub-national level remains neglected. To an extent it is a natural thing, because national priorities take precedence over local priorities. However, at the same time as the government stabilises at national level, there is for sure a need to focus on strengthening the governance arrangements at the sub-national level as well. Many years after the Bonn Agreement, which laid out the framework for building a functional democratic government, state building in Afghanistan remains a critical junction. There has been some worthy improvement in some areas of the state institutions, but the local level remains weak and therefore ineffective. This has led to deterioration of the security situation that renders the state building exercises more difficult to accomplish.

Today the national and sub-national governance institutions do not represent a coherent, effective or functional process which is capable of fulfilling the needs and aspirations of the people. The government at sub-national level is composed of a range of entities, where its role and responsibilities until this day are not defined. The relationships between the institutions are deferential. It is not clear how district, municipality and village levels are related, and neither is the relationship clear with the central government and with the citizens of Afghanistan, whom these institutions are intended to serve.

The sub-national government entities have been managerially ineffective, because most decisions have been taken in Kabul and sub-national entities have not had any significant authority or the resources needed for a successful implementation. The entities

were not responsive to the people because they were not assumed to be accountable to them either.

The participation of people in the government is still limited. There is some participation of women and youth in national governance, but their participation in sub-national governments is very limited. There is no democratic representation of the district municipality at village levels, and the private sector participation regarding these organs is not distinctly regulated by any policy or legal provision. Authority, power and resources at sub-national level are insignificant. Public sector accountability and openness do not exist at that level. As a result of all this, the local and urban governance has been less responsive, less effective and less efficient. Legislation relevant to sub-national governance is confusing and weak. There is an unclear division of responsibilities at the sub-national level. It continues to have multiple players and a multitude of coordinating mechanisms that add to the confusion. Furthermore, the country has inherited low capacity in the local government entities, the private sector and the civil society.

For these reasons, the quality of services to the people remains poor; which leads to increasing unpopularity and lack of confidence in the government. If instead the confidence had been cultivated, it could have been a major contribution to building a strong state today.

To improve this dismal situation, the President issued a decree on the 30th of August 2007, and created the Independent Directorate of Local Governance (IDLG). The President also signed another decree on drafting and reviewing the sub-national policy, on the 8th of May 2008. This decree approved the establishment of two committees responsible for developing a sub-national governance policy that aims at concurrent progress in the social, economic and security sectors, and by that creating a unified framework of sub-national government entities. One was a committee for policy drafting and sub-national policy drafting with the task to draw up the sub-national governance policies, comprising 15 ministers. The other was a policy review committee, also comprising ministers, to review the draft sub-national governance policy. The draft policy as it stands today prescribes a delegation

model with annual provincial planning, equitable sector allocation of resources across the provinces and an approved accountability structure.

The draft policy has many positive features. It sets a calendar for local elections to constitutional mandates to sub-national councils, this being provincial councils, district councils, village councils, municipal councils and mayors. This step alone has a potential to promote local leadership. Given that the country has 34 provinces, 364 rural districts, 1,053 municipalities and more than 38,000 villages, the government presence will be extended to each and every part of the country once the 38,000 village councils have been elected. The elected local councils will represent the aspiration of their constituents in the local and urban governments. These councils will create a structure for people's participation and partnership in civil society organisations and with the local governance administrations. The key rule of these councils will be to hold respective administrations accountable on behalf of the people living in the jurisdictions.

This new governance policy injects openness, transparency and individual accountability into sub-national governance. The policy offers an opportunity to ordinary citizens, especially women, civil society and youth to participate in decision making. It promotes effective and efficient participation of the private sector. It treats all citizens of Afghanistan equitably, it is an inclusive policy that seeks gender justice and coherence in sub-national governance. This sub-national governance policy takes decision making closer to the people, and makes, to a certain degree, decision making accountable to the people. The annual provincial planning is a mix of 25 percent top-down and 25 percent bottom-up planning. It is integrally linked to the national planning and budgeting process.

A newly created cabinet committee in sub-national planning and finance will meet three times every year and regulate the whole system of sub-national planning and sub-national finance. Through this policy, the national government has affirmed its financial responsibility to the municipalities.

It is through this policy that the government has identified changes to the systems, which may improve service delivery, security, governance and development. Through the successful implementation of it, the government will be able to more strongly connect people and state. It will implement this policy by making laws, regulations, procedures, guidelines and codes, and by creating institutional arrangements and programmes during the next five years. The government is committed to build the state at a sub-national level for this policy to be implemented.

State building and institution building at national level is the second part of the government policy to be looked into, discussing what is meant by institution building in Afghanistan, and what went wrong in the analysis of state building in Afghanistan. The government strategy for institution building at a national level will also be looked at.

The institutions have to be organised in a manner that enables a move forward under local leadership. It requires a set of inter-dependent and interacting entities, which requires that there are some specific systems. Building systems, however, is not synonymous with the use of international experts. It goes beyond that.

Secondly, nations emerge through a planned and historical evolutionary process. When talking of state building it means transferring nations into effective systems and institution of governance. State building does not necessary mean restoring them to what they were.

Afghanistan is a poor and underdeveloped country that is going through conflicts. Three decades of fighting have resulted in a collapse of the state institutions. The national assembly systems, including basic legal framework and procedures, are now in an early state of development. At the beginning, a mistake that everyone made was failing to measure the institutions of the state, which essentially prevented them from growing. The ending of the Afghanistan conflict was merely ceremonial in nature, and full civil governance is yet to be reached. For Afghanistan the most important thing is to provide time and necessary resources for its institutions to grow and evolve.

While it was a prime objective to establish a strong national army and a national police, adequate resources were deployed to achieve this goal. An amount of aid and troops has been deployed to maintain security, while the national police and national army are beginning to hold control, but this is perhaps many times less than what it should have been. Afghanistan is a fragile state with inadequate resources. Accompanied by a weak security infrastructure it will need more national troops and more national police than the previously planned expansions.

The level of impact from international and national forces in Afghanistan is not adequate, it is symbolic. There is poor coordination and lack of participation in the state building. Unfortunately a major part of the aid given to Afghanistan suffers from being prescriptive or donor driven. To deliver quick and noticeable outcome, too many projects are designed and carried out by donors without a proper joint planning process, not leading them to accomplish sustainable poverty reduction for capacity building purposes. The issue of alignment by harmonisation of their agendas, both nationally and internationally, is important. If the objectives of international cooperation in fragile states are to assist these countries to develop institutions and policies that are needed to embark upon a transformative process, then there is no alternative to alignment of the agendas of national and international actors.

With a weak local capacity, the running of a parallel system of governance is not the answer, because doing so can only defer the task of building local capacity. The key objectives of increasing involvement of the Afghans in both national and local government entities have been largely ignored so far. There is a lack of focus on capacity building that allows the government to plan and implement its own development strategy, set its own priorities and monitor the implementations. Experience shows that any state building interventions will be sustained only when done through national structures.

The strategy of state building at national level over the next five years is contained in the National Development Strategy (NDS). The government is in the first year of implementation of the

NDS, which has set the goals of achieving good governance, rule of law and human rights.

The government will empower the national assembly to effectively fulfil its constitutionally mandated role. It will make the independent election commission strong and capable of holding regular national and sub-national elections. Rule of law and judiciary institutions will be strengthened across the country. The legal framework required under the constitution is already put in place, including civil, criminal and commercial laws. The institutions of justice are made fully operational and the justice infrastructures for implementation of a national justice programme are rehabilitated.

The ministries will develop minimum service delivery standards in each sector. The elected local councils will utilise, enforce and monitor these standards. Basic facilities and amenities will be provided to all government officers in the elected councils. Administrations in the provinces, districts and municipalities and villages will be strengthened by delegating functions to them and by giving them the authority and resources needed to carry out these functions. The role of the provinces in governance will expand. All areas where the province administrations can plan and manage services will be defined and responsibility given to them when it comes to planning, budgeting and expenditure. This will point out the fact that being closer to the citizens improves efficiency and accountability in the service delivery. Service outcomes are best when service is provided by the administration which is closest to the citizens. Establishing strong relationship of accountability between the people and the entities in the service delivery chain, and building in accountability to providers and policy makers, are the two key factors to improving services meant for citizens. Municipalities will assume responsibility over public services that are best planned, produced and delivered at local level.

The municipalities will be strengthened and an effective system of disaster preparedness established in several provinces. The state and the government have learnt a number of valuable lessons during the past seven years. The centre of the efforts must lay on increasing emphasis on capacity building regarding

national and local government institutions, and not on building parallel institutions to get the work done quickly.

Afghan institutions must grow alongside the international support initiatives. A priority should be to enable national institutions to manage security and develop, once the international troupes exit. Balance needs to be established between the short term need of building the legitimacy of the state and the long term need of building the institution of the state.

To conclude, there is a need for greater information sharing and real coordination amongst the international community, amongst government agencies and between donors and the government. This will help the government to achieve the objectives of providing efficient services to all the people and meet their aspirations. The government should build institutions and at the same time ensure adequate financial, human and physical resources for the sustained, effective and efficient functioning of the state.

Democratic values alone will guarantee the sustainability of the Afghan state institutions in the long run. However, democratic state building efforts in Afghanistan will continue to yield only a fragile state if you do not build, nurture and adequately resource the national and sub-national Afghan institutions.