Afghanistan

Local governance, national reconciliation and community reintegration
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Many governance structures coexist in Afghanistan today – foreign-based and domestic, modern and traditional. Reflecting the priorities of different sets of actors and different perceptions of what represents good governance, they include customary institutions, recently established civil society organisations, the Afghan state, the International Security Assistance Force (ISAF), international aid agencies, and insurgent and criminal networks.

In rural areas, host to almost 80 per cent of the population, justice is primarily delivered through less formal structures, including customary law (eg pashtunwali) and Islamic law (shari’a). Traditional decision-making assemblies (jirgas) still deal with the vast majority of legal disputes throughout Afghanistan. A jirga typically comprises esteemed elders that consider a case – for example, a dispute over water access – in order to reach a settlement that is socially and morally binding on the parties. Elders are regarded as the link between the community and the government, although the hierarchical jirga structure is difficult for local people to approach directly and often requires additional mediation. A new elite of self-appointed warlords consisting largely of mujahidin commanders has emerged over recent decades. Supported by local militias, these new power brokers have eroded the authority of jirgas to administer disputes.

The relative urgency of shaping and supporting the post-Taliban Afghan government has meant external actors have overlooked, undervalued or in some cases just failed to understand local cultural and customary governance structures. For many Afghans, the government in Kabul has not yet earned the right to rule. Failure to connect with local governance has undermined the legitimacy and effectiveness of national peacebuilding initiatives, and has contributed to blurring the boundary with counter-insurgency initiatives that many Afghans see as irrelevant to their needs and as primarily serving an external agenda.

The National Solidarity Program (NSP), established in 2003 by the Ministry of Rural Rehabilitation and Development and a number of international and donor agencies as “the largest people’s project in the history of Afghanistan”, aims to support community governance nationwide. The NSP is implemented locally through Community Development Councils (CDCs). But more recent attempts to use CDCs to help roll out a community reintegration initiative across the country have reflected tensions between national peace efforts and local governance, raising concerns about CDCs’ integrity as they have struggled to muster support for host communities.

National reconciliation and reintegration
National Consultative Peace Jirga was held in Kabul in June 2010 to establish a nationwide framework for peace and provide ways for Taliban and anti-government elements to renounce violence. It was boycotted by several key political figures, and parts of the Afghan media accused it of aggravating ethnic splits between the majority Pashtun and other groups prevalent in north and central Afghanistan. Some members of the Taliban rejected the jirga’s authority and publicly threatened to disrupt it. Nevertheless, 1,600 delegates, vetted and selected by the government to reflect Afghan society, supported a strong mandate for peace.
The National Jirga resulted in the creation of the Afghanistan Peace and Reintegration Programme (APRP) and the High Peace Council (HPC) in June and October 2010. The HPC is a 70-strong body formed to advise the president, and oversee implementation of the APRP and progress towards reintegration of ex-combatants. Currently the HPC is the only mechanism offering a platform for national negotiation and reconciliation in the absence of a broader peace process or cessation of hostilities.

Reconciliation with senior Taliban and anti-government elements has been conducted in a variety of ways, drawing on the political authority and influence of HPC members and their networks of contacts that can be used as mediators. The idea is that news of successful examples of reconciliation can encourage other senior insurgents to view it as a way to switch allegiance without losing face.

The APRP offers a more programmatic process to reintegrate less senior opposition commanders and fighters. The Afghan government issued detailed instructions to provincial governors on how to implement the APRP and ministries were instructed to incorporate a reintegration component in their respective national programmes. The APRP project document describes its goal as to “encourage combatant foot soldiers and commanders, who previously sided with armed opposition and extremist groups, to renounce violence and terrorism, to live within the laws of Afghanistan, and to join a constructive process of reintegration and peace”.

The APRP provides leadership support to provincial governors at the sub-national level, for example by chairing provincial peace and reintegration committees, mobilising shuras (local decision-making bodies), mediating local grievances, and supporting local reintegration initiatives.

According to the APRP Project Document, reintegration involves a three-stage process:

1. **Social outreach, confidence-building, and negotiation**: implemented at provincial level to agree the terms of reintegration.

2. **Demobilisation**: Provincial Joint Secretariat Teams begin a complex and laborious process of vetting potential reintegrees through background checks. At the same time Provincial Peace Councils conduct their own independent investigations. The results are then sent to the Joint Secretariat in Kabul for a further vetting procedure conducted by several key ministries in the security sector and by ISAF. Details are biometrically registered on to a national database.

3. **Consolidation of peace**: a list of project choices are offered to a community, usually based on a pre-existing needs assessment undertaken by the community thereby making the community the main beneficiary, not the reintegree.
The APRP has been criticised for its slow and complicated procedures and for over-emphasising job creation for reintegrees at the expense of other pressing issues such as land grabbing, political marginalisation and corruption. Many Afghans see implementation of the APRP as an extension of the counter-insurgency agenda and a condition for continued international funding. In the absence of a peace agreement, the APRP has only been able to approach reintegration in a piecemeal fashion – group by group, individual by individual – and convincing individual commanders to defect separately has been an unwieldy process.

The APRP has had enough government support and international funding to implement its mandate at national and provincial levels. However, anchoring the APRP in communities has been much more difficult. In numerous meetings, district and community representatives say that they perceive Provincial Joint Secretariat Teams as purely political platforms with little or no skill in conflict analysis. Concerns have also been expressed that the views and opinions of local communities are not being taken into account as part of the reintegration process.

Community reintegration

The introduction of CDCs has sought to add a social development dimension to local ‘jirgas’ dispute resolution function. CDCs have been established to implement community development projects and help establish links with governance and development actors. CDCs have been a core part of the NSP, which was designed to provide basic public services and development opportunities to rural communities using a decentralised and bottom-up approach. Now in its third phase of implementation, the NSP has covered close to 95 per cent of rural villages across Afghanistan.

The NSP has sought to introduce or clarify certain norms, including democratic principles, the election of community representatives, the inclusion of women and other marginalised groups, and accountability and transparency. The CDCs’ elected membership includes a combination of traditional community leaders and younger, more educated community members. A quantitative study undertaken by the NSP’s monitoring department in January 2013 indicates that 36 per cent of CDC members are women, or 45 per cent in older and more established councils, which is unique in Afghanistan’s history. Rural populations were slow to buy in to the NSP at first, but over 10 years it has become a flagship national programme and has accumulated local legitimacy by coordinating, complementing and working with local traditional decision-making structures.

CDCs have also supported local peacebuilding. Even in the highly insecure Helmand province, local residents have emphasised CDCs’ contribution to dispute resolution and linking the community with the government – alongside the Malik (leader) and the elders. In south-western, southern and south-eastern provinces CDCs have found it more difficult to gain traction alongside more established traditional structures, which are seen as having greater legitimacy in these areas. And because the NSP is a government programme, it has been very difficult to establish CDCs in insurgent-controlled or highly conservative areas where the government has a muted presence; here CDCs’ role has been reduced to implementing basic development projects and supervising development activities.

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For the government, CDCs were the logical gateway to community-level administration that could mobilise local support for the APRP. The mechanics of the APRP validation procedure for reintegrees is outside of the remit of CDCs. Instead, CDCs’ contribution has been indirect, supporting community recovery in relation to the reintegration process. There are many cases documented of ex-combatants finding or even creating employment in the locality of their reintegration. In several cases, reintegrees have become members of – or have even ended up leading – their local CDC.

The involvement of the NSP in the APRP, however, has come at a cost. The NSP has always gone to great lengths to steer a non-political path, placing more emphasis on demand-driven activities that engender trust, while simultaneously building community capacity to take on responsibility and ownership for their own wellbeing. So it was with great trepidation that the NSP became involved with the reintegration of ex-combatants. In the end, this was managed by ensuring their inclusion was agreed in a consensual manner, and that any financial or other incentive attached to reintegration also benefited the whole community.
The NSP only engaged in the third of the three APRP stages, the Consolidation of Peace, which it supported through its Community Recovery Intensification and Prioritisation activities. It targeted entire communities in line with the “do no harm” principle, and thereby sought to minimise further conflicts over limited development resources between the core community and the reintegrees.

In some areas of higher resistance, the NSP either postponed the process or staggered it in carefully agreed phases. Some elected members of CDCs are also members of the local shuras and so can reflect the views of more traditional and culturally bound decision-making mechanisms. In districts with a significant number of reintegrees, the APRP initially asked that the NSP devise a mechanism so that a reintegree would automatically be appointed to the CDC structure, giving them an active voice and role in the CDC’s workings. The NSP refused such a procedure on the grounds that one of its core elements must remain the democratic, secret ballot election of CDC members by the wider community. Only a reintegree elected into the CDC can be recognised.

Attention to local sensitivity has helped the NSP avoid becoming too great a target for the Taliban. But this may change as the spectrum of targets broadens in response to the imminent withdrawal of international troops in 2014, which insurgents regard as a retreat, and the presidential election, also in 2014, which is viewed by some Afghans as a skewed and corrupt process and is actively being undermined by insurgents.

Holistic reintegration

Peace or stabilisation approaches often rely too heavily on central state authority and external models, reflecting assumptions that seldom hold when tested in local contexts. Failure to engage in dialogue and consensus building at the local level often results in unachievable targets, overly ambitious objectives and inappropriate peacebuilding strategies.

The APRP has achieved some results, especially at national level, but these have not been matched locally, especially with regard to support for host communities. At the national level the APRP has developed a reintegration strategy, an implementation plan with timelines supported by a Peace and Reintegration Trust Fund, and policies and operational guidelines. But it has failed to extend the programme sufficiently to the grassroots and develop an inclusive design involving the very communities expected to absorb ex-combatants.

Reviews of the APRP processes, and especially feedback from institutions at the local level and from people directly involved in its implementation, found that successful reintegration of ex-combatants occurred as part of a larger development package to enhance community livelihoods. The lesson of collaboration between the APRP and CDCs is that a more developmental approach to reintegration that emphasises the welfare of recipient communities may be more effective – not least by helping to distance local reintegration from the national counter-insurgency agenda that many Afghans do not consider legitimate.

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