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**DAC Network on Conflict, Peace and Development Co-operation****THE LIMITS AND SCOPE FOR THE USE OF DEVELOPMENT ASSISTANCE INCENTIVES AND  
DISINCENTIVES FOR INFLUENCING CONFLICT SITUATIONS****CASE STUDY: AFGHANISTAN (1999)**

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*The reader should be aware that this work was undertaken well before the most recent developments in Afghanistan and the region.*

*The opinions expressed in this paper are those of the authors and do not necessarily reflect an official viewpoint of the OECD or the DAC.*

*The DAC has agreed to make this Case Study available to a wider public.*

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## TABLE OF CONTENTS

<b>Executive Summary .....</b>	<b>4</b>
<b>Section 1. Background: The Nature of the Study.....</b>	<b>9</b>
The Study .....	9
The Afghan Conflict .....	9
The Time-frame .....	11
Principal Donors Analysed .....	12
<b>Section 2. The Analytical Framework.....</b>	<b>14</b>
Recipients.....	14
‘Participation constraints’ .....	14
The perceived value of the incentives the donors can offer .....	15
<b>Section 3. Donor Objectives and Modalities.....</b>	<b>16</b>
Key Policy Objectives.....	16
Peace through a negotiated settlement .....	16
Respect for human rights .....	16
Maintaining the integrity of aid.....	17
The security of agency staff .....	17
Counter-narcotics .....	18
Counter-terrorism.....	18
Refugee return.....	18
Incentives and Disincentives: Diplomacy, Force and Trade.....	19
Diplomacy .....	19
Military Force .....	20
Trade .....	20
Incentives and Disincentives: Aid.....	22
Pro-active policies .....	22
Reactive policy responses .....	23
Reactive situational responses.....	24
Programme responses.....	25
Project responses.....	26
Operational agency adaptations .....	27
Co-ordination: Fora, Frameworks and Effectiveness.....	28
Co-ordination fora.....	28
Co-ordination frameworks.....	28
Co-ordination effectiveness.....	29
Strategic co-ordination? .....	31
Politicisation of aid?.....	32
Donor Belligerent Dialogue.....	33
Communicating with the Northern Alliance? .....	34
Communicating with the regional backers.....	34

<b>Section 4. Perceived Effectiveness of the Incentives/Disincentives .....</b>	<b>35</b>
Effectiveness in the Pursuit of the Various Policy Objectives: An Overview. ....	35
Containment of the conflict, and political resolution .....	35
Respect for international humanitarian law and human rights .....	35
Maintaining the integrity of aid.....	36
Secure agency property and personnel.....	36
Counter-narcotics .....	36
Counter-terrorism.....	37
Perceived Reasons for the Limited Effectiveness. ....	37
The Taliban are not receptive to Western concerns and demands. ....	37
Do the Western actors have effective leverage? .....	38
Political and diplomatic failures of the international community? .....	39
Have the Western actors eroded their own credibility? .....	40
Institutional Counter-incentives in the aid community. ....	41
 <b>Section 5. Understanding the Ineffectiveness: Problems with the Incentive System .....</b>	 <b>42</b>
Influences on Taliban Attitudes to Donor Wishes .....	42
The general state of relations .....	42
Degree of consistency between donor and recipient objectives .....	43
Conditionality upon whom? .....	44
Factors Influencing the Incentives which Donors can Offer.....	44
The amount of aid on offer.....	44
Access to alternative lines of support.....	45
Value and effectiveness of past aid .....	45
The possibilities of collective action .....	46
The effectiveness of donor co-ordination mechanisms .....	46
Coherence and consistency of donor objectives .....	47
Consistency and human resource allocation. ....	47
Ability to monitor.....	48
A Summing-up .....	48
 <b>Section 6. Conclusions and Recommendations .....</b>	 <b>50</b>
Points Suggested by the Afghan Case Which May be of More General Applicability .....	50
Donors need to give careful consideration to the policy context for responding to complex political emergencies:.....	50
Donors should be specially cautious about linking aid to policy conditions in conflict areas.....	50
But avoiding conditionality does not mean aid at all costs. ....	51
Aid may be able to make some longer-term contribution to conflict resolution.....	51
Points Specific to the Afghan Case .....	52
 <b>Annex 1. Aid to Afghanistan .....</b>	 <b>54</b>
 <b>Annex 2. Strategic Framework, Common Programming and a Principled Approach .....</b>	 <b>56</b>
 <b>Annex 3. Readings and References .....</b>	 <b>69</b>
 <b>Annex 4. People Interviewed .....</b>	 <b>76</b>

## EXECUTIVE SUMMARY

1. This study reviews the experience of trying to influence the conflict in Afghanistan through the use of incentives and disincentives, mainly aid. The study concentrates on the period after the Taliban capture of Kabul, in September 1996. Key donors analysed are the USA, DFID, the European Commission and the Netherlands, but also Sweden, Norway and Canada have been included as well as UN agencies, NGO viewpoints and the ICRC.

2. The beginning of the Afghan conflict is normally dated back to the deployment of Soviet troops in support of the communist regime in Kabul in December 1979. Perceived as a 'Cold War' conflict until the withdrawal of the Soviets in February 1989 the conflict then became a factional civil war and increasingly, as it crystallised into a contest between the Taliban and the Northern Alliance, a regional proxy war. Generally absent from the analysis of the conflict in the aid community is reference to the deeper and older tensions in Afghanistan over who controls the state, the relationship between state and society and the nature of the state and society. This is problematic given that there has been long-standing opposition in mainly rural Afghanistan against 'modernity' and 'modernisation' attempts by the state. That opposition now has found new expression in the religious world view of the Taliban, who see not an international but a Western aid community, with a world view and values they oppose. If the donors want to influence not simply policies but also attitudes and worldviews then a sharp confrontational approach seems counterproductive. Persuasion, demonstration through example, and patience will be required, combined with firm but polite disagreement where it exists.

3. The DAC Secretariat's 'Conceptual Framework' provides a valuable statement of the considerations relevant to an analysis of the use of ODA to provide incentives and disincentives, and this has informed the general approach of this paper. It is recognised that every type of presence or intervention (or lack thereof) sends signals and therefore may influence the calculations and considerations of those involved in the conflict. There are therefore not only intended but also unintended (dis)incentives. Such unintended influences and consequences need to be picked up, and, in a learning loop, incorporated into the realm of conscious and managed messages and use of (dis)incentives. That would require the development of a practical tool for conflict impact assessment, which however, currently does not yet seem available. Our principal focus therefore is on *deliberate* attempts by donors to use their financial and other resources to achieve *consciously chosen* results. Building on the Conceptual Framework, the paper uses an analytical framework in which the likelihood of aid incentives and disincentives to produce desired outcomes is seen as a product of the possibility to identify clear 'recipients', the extent of the authorities' willingness or reluctance to do what the donors wish, the value of the incentives the donors can offer, and the coherency and consistency of the donors in the use of incentives/disincentives.

4. In the Afghanistan case, the donor community is agreed on its key policy objectives: peace through a negotiated settlement, respect for human rights, maintaining the integrity of aid and the security of aid staff, counter-narcotics and counter-terrorism. Except obviously for UNHCR, refugee return and reintegration is less of a priority than it was in previous years.

5. The study deliberately considers instruments other than aid that can be used to provide (dis)incentives: diplomacy, military force and trade. The study identifies international recognition as the

chief point of political leverage by western actors to which the Taliban are sensitive. There are indications that they are also susceptible to economic and financial pressure from Pakistan and Saudi Arabia. They are concerned too with the possible use or threat of force against them, although the incentives from the regional backers of the warring parties, which include ongoing arms shipments, are stronger than the potential threat of force of Western countries. The Taliban are interested in development, especially for economic infrastructure. Unlike some private sector businesses, however, the donor community is withholding development aid. The research indicated that the 'messages' through different instruments are largely consistent. Notably the expression of disapproval of the Taliban has been signalled politically, through the use of force, the suspension of aid and the refusal to invest in economic infrastructure. The confrontational stance however is seen as counterproductive by those who favour 'quiet diplomacy'. The timing of one intervention, notably the launching of US missiles against terrorist training camps in Afghanistan, also disrupted difficult but important negotiations with the Taliban, notably over aid work in Kabul.

6. The study also indicates that a strategy of bypassing and ignoring de facto authorities, is untenable in the medium term. The de facto authorities will not continue to ignore the aid actors, and it is not helpful if they start engaging with the aid community from a feeling of deep irritation and resentment.

7. Three donor policies have been identified as pro-active: refusal of development and capacity-building aid; a continued commitment to unconditional emergency aid, and an attempt to make the political and assistance strategies better informed of each other and more coherent through a 'strategic framework' approach. Two policies have been articulated reactively in response to the Taliban gender discrimination: that programmes should strive to include as many women as men, and that aid will not be provided for institutional capacity building. Three programme approaches have been identified, through which policy objectives are pursued: a counter-narcotics programme that offers 'alternative development' aid to poppy growers, and that has changed from negative to positive conditionality, a UN community capacity and empowerment programme, and a renewed investment in certain social services, especially for women, in refugee camps. Agencies are also taking internal measures to respond to the constraints imposed by the Taliban policies and practices, but wondering how far to go. At the same time, donor reactions to crisis moments have been suspensions of programmes, the withdrawal of international staff and suspension of funding. Donor reactions have often been driven by principles more than by analysis of the real opportunities and constraints that characterise the situation in Afghanistan.

8. The simultaneous pursuit of multiple goals however leads to tensions and inconsistencies at the level of policy and practice.

- As a matter of principle, the aid community wants the Taliban, but presumably also Afghans at large, to respect international norms while at the same time it wants to respect Afghan culture and tradition.
- As a matter of principle the aid community wants its aid to be only humanitarian, yet conditional in respecting human rights, whilst also upholding the right to humanitarian assistance.
- As a matter of policy, the aid community is stuck in the dilemma of a development crisis and a human rights crisis: the human rights crisis suggests that aid be reduced to what is 'life-saving' only, the development crisis suggests that aid be mobilised for community development and local peace-building.
- As a matter of policy, the aid community is stuck in the dilemma of a development crisis and a governance crisis: donors want to respond to the development crisis, but because there is also a governance crisis, they use humanitarian budget lines and criteria: short funding cycles, programmes

all subsumed under an appeal that will be annual, an expectation of quick impact, and no institutional capacity-building.

9. Much has been invested in the recent past to develop co-ordination fora where donors, UN, NGOs and the Red Cross meet. The chief co-ordination tool has been the strategic framework. The research indicates lessons to be learned from this first pilot exercise in Afghanistan. The strategic framework approach has been inappropriately mixed up with UN reform. In essence, the efforts so far have yielded an expression of the values and principles of the international aid community, and a mission statement for Afghanistan. Addressing the problems in the international aid 'system' may be necessary but is not sufficient to address the problems in a specific context. The strategic framework approach however has merit and should not be judged simply on the pilot experience in Afghanistan. Yet rather than putting the emphasis on principles and on details of 'common programming', a strategic framework exercise, now contemplated for Sierra Leone, should focus on strategies and policies.

10. The research indicates that donors put pressure on operational agencies to better co-ordinate but themselves do not pursue co-ordinated policies and approaches. This results in conflicting policy guidelines and additional dilemmas for the operational agencies. Donor policy decisions are also not purely 'rational' in terms of being informed solely by considerations of what would be the most effective way of pursuing the policy objective. Donor policy decisions, just as those of operational agencies, are shaped by other factors, such as pressure from domestic constituencies, financial management arguments, concerns over staff security, a need for visibility etc.

11. The existing co-ordination fora therefore are useful for the exchange of information, but so far have not produced real 'strategic co-ordination'. Strategic co-ordination should strive for common approaches, but essentially make its persuasive argument through the critical and shared review of the impact and effectiveness of a particular policy or approach. The lessons gained from those experiences also should influence resource allocations, or they are a futile exercise.

12. Donors should also urgently reconsider the human resource implications of the strategies and policies they pursue. Greater emphasis on finer conflict analysis, on more sophisticated forms of interaction with conflict entrepreneurs, on skilful negotiations, on strategic co-ordination, on local peace-building and the like, requires not only highly qualified staff but is also intensive in staff time investment. Yet budget considerations remain inspired by a now outmoded 'commodity logic' that allocates staff expenses to 'overhead' and seeks to keep 'overhead' to the absolute minimum.

13. The overall conclusion of the study is that attempts to use aid incentives and disincentives to influence policies in Afghanistan have not been effective. This is not surprising, since Afghanistan represents an extremely unfavourable environment in which to attempt to exercise influence through the aid modality. The Taliban are still a movement more than a well organised entity, which means there is no clear 'recipient' with 'command and control' to effect the desired policy change. Much more important is the fact that the Taliban not only do not 'own' the policy changes promoted by the donors, but are essentially suspicious and hostile to them. Their priorities and principles are far removed from those promoted by the donors. Secondly the incentives offered by the West have been limited. Aid flows have been modest relative to other economic magnitudes; the Taliban have had access to alternative lines of support; they do not see themselves as aid dependent, nor do they greatly value much of past assistance. Moreover, the credibility of donor threats to withdraw assistance is reduced by the humanitarian nature of their programmes, by the multitude of agencies involved and by the inevitable limitations on donor consistency and collective action that can be achieved through donor co-ordination.

14. A key lesson is that aid providers should be more modest about the influence they can hope to exercise on a conflict through aid. It is valid for them to look at conflict through the lens of aid, because

that is their purview and area of expertise. But it is not because aid actors often do not very well grasp the political economy of conflict and of warring parties, while knowing more about aid flows, that it should be assumed that aid is so important in the conflict and to the warring parties.

15. The study also indicates that warring parties will be less susceptible to attempted influences for moderation when the existing balance of force is not acceptable to them so that they feel they have more to gain from continued war.

16. We should not generalise from a single case. However, the following points are presented as potentially being of more general applicability:

- Conflict analysis should come first. Addressing the problems of the ‘aid system’ is a necessary but not sufficient condition for addressing the problems in a country at war. In particular, it is important that an initial situation analysis should pay full attention to the regional aspects of the national conflict under examination. It is important too that there should be a sympathetic analysis of the perceptions of the parties being targeted, especially of their perceptions of the costs and risks to them of acceding to donor priorities. The international (or Western) aid community should not forget to include itself in the analysis of the conflict. Nor the implicit visions about the nature of state and society that come with its offer of aid. Finally, the conflict analysis should also be applied. In the Afghan context the strategies and tactics pursued have been as much informed by pressures from domestic constituencies in donor countries as by the analysis of the reality on the ground.
- The importance or unimportance of aid should be understood in the light of a broader understanding of the political economy of the conflict. The study does not develop a framework for analysing such, but key elements would be an understanding of the internal coherence and the command and control structure of warring parties, of their mobilising ideology, of their political aspirations and sensitivity to international acceptance, of their social contract with populations, of all the resource flows that make up a war economy, and of the tactics of war. As conflict continues, the political economies of warring parties also transform themselves. Their analysis is therefore subject to periodic review.
- Afghanistan illustrates what is probably a general conclusion: that there is little to be achieved by means of aid incentives and disincentives when there exist large differences in the values and objectives of donors and recipients, with a consequently low possibility of local ‘ownership’ of the desired policy changes. Specifically in the context of conflict resolution, it should not be taken for granted that recipient authorities share the donors’ desire for a peaceful settlement.
- There needs to be proportionality between the scale of what the donors try to achieve and the scale of the incentives they are willing to offer. In Afghanistan, insufficient aid has been on offer, relative to the ambition of changes they would like to secure, and certain types of valued aid have been withheld altogether. However, even massive aid is no guarantee of donor success unless other conditions, described here, are also met.
- Recipient perceptions of attitudes of donor governments, and of the past value of their aid, are important factors conditioning the possibilities for donors to exert influence. In Afghanistan the Taliban authorities perceive Western donor governments as essentially hostile and that much past aid to the country has not been very valuable.
- What is attempted through aid needs to be consistent with, and reinforced by, the deployment of other policy instruments by donor governments, in the areas of trade, foreign and security policy. Donors should beware the natural tendency to exaggerate the potential importance of aid flows to recipient authorities in conflict situations.

- The availability to recipients of alternative sources of money and other resources, and their own resulting perception of their reliance on aid, is likely to have a strong influence on the amount of leverage that might be exerted. Regional supporters may be a strong factor here, as in the Afghan case.
- Providing incentives for certain lines of action implies willingness and ability to withhold aid in the event of non-compliance. However, the credibility of (often implicit) threats of withdrawal will be a function of such considerations as:
  - The nature of the aid. Humanitarian aid is not well suited for this purpose because of the human consequences of withdrawal.
  - The extent and coherence of donor objectives. In Afghanistan, multiple and not always consistent objectives are being pursued.
  - The efficacy of co-ordination mechanisms, as moderated by the number of donors and executing agencies involved in the country. In Afghanistan large numbers of donors/agencies are involved, with adverse consequences for co-ordination on the ground.
- Avoiding conditionality does not mean avoiding aid at all costs: the chief alternative to conditionality is selectivity in aid allocations. But deselection is difficult to apply in cases of large humanitarian needs.
- Aid incentives alone will not make peace, but they can contribute by such means as providing productive alternative livelihoods to military service. The question remains whether the small advances at micro-level make any significant difference at macro-level, nationally, and in the medium-term as generations grow up? Where there are powerful incentives to continue war and violence, bottom-up peace-building efforts may be unable to outweigh these. But they still can provide a good grassroots climate for future collaboration when peace can be brought about through political efforts.

17. Specifically on Afghanistan, we recommend continued assistance to that country. Withholding aid would only aggravate the violations by the 'presumptive authorities' of the social and economic rights of ordinary people. Humanitarian aid should be provided at a level above 'life-saving', to maintain essential services and minimum standards of living.

18. We also recommend the more active pursuit of strategies of persuasion through pragmatic example, to complement the strategies of denunciation and substitution actions that bypass the Taliban authorities that have dominated so far.



## SECTION 1. BACKGROUND: THE NATURE OF THE STUDY

### The Study

19. The purpose of this study is to review the experience of trying to positively influence the conflict in Afghanistan, or aspects of it, using aid as incentive or disincentive. It is recognised that every type of presence or intervention (or lack thereof) sends signals and therefore may influence the considerations and calculations of those involved in the conflict. There are therefore not only intended but also unintended (dis)incentives. Such unintended influences and consequences need to be picked up, and, in a learning loop, incorporated into the realm of conscious and managed messages and use of (dis)incentives. But that requires a practical tool for conflict impact assessment which currently does not yet seem available. Our principal focus therefore is on deliberate attempts by donors to use their financial and other resources to achieve consciously chosen results.

20. The nature of the case required that the research look not only at aid, but also at other possible instruments for influence (diplomacy, force and trade), and look not only at the official donors but also at the other aid actors, notably the UN, NGOs and the Red Cross. The experience of working in conflict world-wide has also underlined the importance of in-depth knowledge of the context and society in which one intervenes.

21. This section summarises the Afghan conflict and the analysis of its root causes and present dynamics. It indicates the time frame that the study concentrates on, and the principal actors interviewed. Section II introduces the analytical framework of conditionality, that will subsequently be elaborated with regard to the effectiveness of the use of incentives and disincentives in the Afghan conflict. Section III presents the policy objectives of the international community. It then reviews how diplomacy, force, trade and aid have or have not been used in an incentive or disincentive mode. The efforts at co-ordination are analysed, and evaluated. The section concludes with notes on the nature and quality of the dialogue between donors and belligerents. Section IV discusses the perceived (in)effectiveness of the attempts to influence the belligerents, and the range of explanations that are offered. Section V re-examines the incentive system in order to understand the perceived ineffectiveness of the efforts. Section VI offers conclusions and recommendations.

### The Afghan Conflict

22. The root causes of the Afghan conflict are complex and reach back many years. The current conflict, however, can be said to start in December 1979, with Soviet troops entering in support of their client communist regime in Kabul. It is then possible to distinguish four major stages:

23. *December 1979-February 1989: Jihad in a Cold War context.* The Afghan rural resistance of mujahedin fights the Soviet-backed Kabul-regime. The Sunni resistance parties are supported by Pakistan and by the USA which supplies arms through Pakistan. Saudi Arabia provides financial backing. The Geneva agreements of 1988 pave the way for the Soviet withdrawal. The Sunni parties set up an Interim Government from which the Shia parties are excluded.

24. *February 1989-April 1992: Jihad among Afghans.* Russia and America continue supplying their respective parties with military support. The status quo is broken when Dostum and his Uzbek militia switch sides from the Kabul regime to the mujahedin, who can enter the capital.

25. *April 1992-September 1996:* Factional war among Afghans. An interim government is formed following agreement among the mujahedin groups. Rivalry for power among major party leaders leads to factional fighting, with shifting alliances, mainly in and around Kabul city. In late 1994 the Taliban or 'religious students' enter the scene. They fight or purchase local commanders and warlords. Their stated purpose is to restore stability not to grab power. In September 1996 they take Kabul. The public execution of former communist president Najibullah but especially their discriminatory policies against women generate international outcry.

26. *October 1996-ongoing:* Civil war/regional proxy-war. The fighting continues between the Pushtun Taliban, heavily backed by Pakistan, and a loose Northern Alliance of the non-Pushtun minorities, backed by Iran, Russia, Uzbekistan and Tajikistan. All of these have their own geo-political and geo-economic interests. In a successful offensive in 1998 the Taliban defeat all opposing militias except that of Tajik commander Massood in the north-east. Pakistan, Saudi Arabia and the United Arab Emirates recognise the Taliban as government in Afghanistan.

27. The major strategic interests of Pakistan relate to Pushtunistan, trade and its conflict with India. Pakistan wants a friendly government in Afghanistan, to avoid being threatened on both sides, and also to avoid the potential destabilisation of its western border by Pushtun nationalists. But Afghanistan also sits on a strategic trade route to Central Asia. Pakistan sees huge economic opportunities for regular trade but also for pipelines to export Central Asia's oil and gas reserves through Afghanistan and Pakistan. Until 1994 Pakistan had been backing the Hezb-i-Islami of Hekmatyar, the most fundamentalist of the Afghan resistance parties. It then shifted its support to the new Taliban movement. The military evidence indicates a very substantial involvement from Pakistan in the Taliban war efforts, at the strategic and tactical level and with materiel and supplies (Davis 1998).

28. Saudi Arabia has been financially supporting the Sunni resistance parties of the mujahedin, especially that of Sayyaf. Subsequently it also shifted its support to the Taliban. Its strategic interests relate to its rivalry with Iran over influence in the Persian Gulf, but also the protection of the Sunni monarchy from the Shia majority in Saudi Arabia. It further wants to promote its Wahhabi version of Islam under the banner of pan-Islamism. Saudi Arabia cut or reduced its financial support and downgraded its diplomatic relationship with the Taliban over their sheltering of the Saudi international terrorist Osama bin Laden. But it continues to recognise the Taliban as national authority in Afghanistan.

29. Iran's long-standing concern has been for the protection of the Shia minority in Afghanistan. After the death of Khomeini in 1989 it broadened its contacts to the larger group of Persian speakers, which includes the Afghan Tajiks, Uzbeks and Ismaelis. With the rise of the Taliban and therefore of Pakistan's influence, Iran is increasingly perceiving a national security threat. It also perceives a tactical alliance between Pakistan, Saudi Arabia and the USA to 'contain' Iran. Iran too has interest in the trade route to Central Asia.

30. The growing dominance of the Taliban has given rise, certainly for Russia, Uzbekistan and Tajikistan, to a fear of the spread of radical Islam in Russia's 'soft underbelly'. The Islamic armed opposition in the civil war in Tajikistan (1991-1997) did indeed get support from its Tajik brethren in north Afghanistan, but Rabbani in 1995 changed policy towards constructive engagement with the regime in Dushanbe. The three countries came to support the Northern Alliance, as a counter-force against the Taliban. Central Asia probably has commercial interests that diverge from those of Russia. A southern trade route would make the republics less dependent on Russia, an observation that seems to have inspired the generally calmer attitude of Turkmenistan to the Taliban.

31. India does not appear to pursue strategic interests in Afghanistan apart from trying to counter a westwards geo-political influence of Pakistan. It maintained contact with the Najibullah government in Kabul until its fall in April 1992 and has subsequently tended to be 'supportive' of the Northern Alliance.

32. *Deeper root cause analysis:* In a complementary analysis the Afghan conflict has older and deeper roots, related to the concept of the state. First there is a long-standing struggle of the traditional communities against encroachment of the state. 'Society' keeps the state weak and at arms length. Secondly there is the question of who controls the state apparatus, with the Pushtun, and especially the Durrani Pushtun of south-east Afghanistan claiming that prerogative. Thirdly and crucially, there is the contest over the nature of society. Since the late 1950s, a vaguely Western liberal vision has been challenged by communist and Islamist visions. The defeat of Najibullah by the mujahedin signalled the victory of the Islamists. The Taliban creed is different from that of the Islamists: its vision is primarily religious and not political, and centres on personal behaviour and religious community, not on the state. The current confrontation between the Western countries and the Taliban must be seen in the context of these contesting visions of 'state and society' and of 'modernity' and 'fundamentalism'. The role and behaviour of women have been a central symbol and tenet of this contest from well before the start of the war in 1979.

33. The predominant analyses of the conflict focus on the lust for power of warlords and regional interference. Poverty and underdevelopment are held to be contributing factors in that it leaves young men with little viable alternatives but to go to war. One summary of the present root cause of the Afghan conflict portrays it as such:

'Outside vested interests being able to utilise 'conflict entrepreneurs' who are gaining and maintaining personal benefits by drawing upon available young warriors and a large unemployed youth population.' (Atmar 1998:60).

34. With some exceptions the apparent lack of recognition, or appreciation, of the deeper roots of conflict, particularly the tensions and disputes over the authority of the state over society, and the nature of state and society, is striking. The apparent weak recognition of the conflict over 'modernity' is worrying as it seems central in the confrontation between the Western international community and the Taliban. Portraying the Taliban as a 'medieval' phenomenon or as a leadership that 'opts out of the modern world' illustrates the point. But it also indicates the failure to recognise the Taliban as a profoundly 'contemporary' movement, that deliberately opposes itself to a Western world view. Such movements are strong in the Muslim world (there are also Christian fundamentalist movements), and the Taliban creed shares certain elements with other such 'radical movements', while also having its own Afghan identity (see Marsden 1998:ch. 6 and 7).

35. Three observations seem appropriate here: first, Western aid actors need to include themselves, and how they are perceived, in their analysis of the conflict; second, the policies and practices that they would like to see changed, are grounded in other values and worldviews which are not as simple to influence and change; and thirdly, Western aid actors may realise that they are confronted with a very different worldview but seem to have difficulty applying this awareness in their practice. Current donor policies are informed as much by pressures from domestic constituencies as by the analysis of the reality on the ground.

### **The Time-frame**

36. The study concentrates on the experience since the Taliban captured Kabul in September 1996. Since then, Afghanistan is no longer seen as only suffering a political and a humanitarian crisis. Donors,

and the Western international community in general, have come to define it as a country also experiencing a human rights, development and governance crisis.

37. The major trends in this 2,5 year period are:

- *A new political initiative:* In the summer of 1997 the UN Secretary General appoints Mr. Brahimi as his special envoy for Afghanistan. In December 1997 he also takes over as the head of the UN Special Mission to Afghanistan (UNSMA). Mr. Brahimi recognises the regional dimensions of the war in Afghanistan. He initiates the "6+2" group to strengthen the diplomatic efforts to bring about an end to the conflict. Members of the "6+2" are Afghanistan's neighbours Pakistan, Iran, Uzbekistan, Tajikistan and China, as well as the USA and Russia.
- *A change in the balance of force on the ground:* Whereas in late 1997 the Taliban and the Northern Alliance appeared to have reached a military stalemate, in 1998 the Taliban successfully advance to capture more than 80% of the territory. In the spring of 1998 they defeat important components of the Northern Alliance, and capture the last big city Mazar-i-Sharif. In the late summer of 1998 they defeat the Shia Hezb-e-Wahdat opposition in Bamyán and take control of Hazarajat in central Afghanistan. This leaves only commander Massood in the north east of the country as effective military opposition.
- *Growing confrontation with the Taliban:* Notably the discriminatory policies of the Taliban against women lead to strong reactions and a principled opposition from the international community on human rights grounds. The controversy builds up in the course of 1997. In 1998 it turns into confrontation. In the spring of 1998 the UN suspends its programmes in southern Afghanistan. In the summer the confrontation focuses on the international NGOs in Kabul, and many programmes get suspended. The US missile attacks against bases of the international terrorist Osama bin Laden in August lead to a security crisis and the withdrawal, till March 1999, of all UN international staff from Afghanistan.

### Principal Donors Analysed

38. In terms of aid flows to Afghanistan, or the period 1993-1998, the important 'donors' are the WFP, the European Commission (EC), the ICRC, the Netherlands, UNDP, Germany, UNICEF, Sweden (Annex 1). Obviously the UN agencies and ICRC receive their funds mostly from official donors. The WFP figure mainly constitutes food aid and represents a significant proportion of USA funding. The UN's official donor league for 1996-1998 ranks them as follows: the European Commission, the USA, Sweden, the Netherlands and the UK, Norway and Canada (OCHA 1998d:16).

39. The key official donors mostly consulted were the USA, the European Union, the Netherlands and the UK. The reasons for their choice were:

- The USA is an important donor in volume but has also been an important political player in the conflict in Afghanistan through its military assistance to the mujahedin in the 1980s and early 90s. Between 1992 and 1996 the USA 'disengaged' from Afghanistan, in political and humanitarian terms. Since then it has re-engaged. Inasmuch as Afghanistan has become a regional conflict, US foreign policy relations with notably Pakistan, Iran and Saudi Arabia also become relevant. Until 1996 the USA was perceived as having given the Taliban 'the benefit of the doubt'. Changes in the State Department in early 1997 coincided with international outcry against the Taliban's gender policies and led to a far more critical stance.

- The UK government is more in the middle of the table in terms of volume of assistance. It was included as the sponsor -through the DAC- of the Afghanistan study but also because of the strength of the debate on humanitarian issues in the UK and of DFID's influence on the policy debate among donors. The active political involvement of the UK with Afghanistan dates back to the 19th and early 20th century -the three 'Afghan wars' and the 'Great Game' between the Russian and British empires. Pakistan was part of the British empire till 1947.
- The Netherlands is an important donor, and, through former development minister Jan Pronk, has also played a catalysing role in the development of the Afghanistan Donor Group and the application of the 'strategic framework' to Afghanistan.
- The European Union, through DG1b, DG8 and ECHO has been the largest official donor for Afghanistan. It has no specific political relationship with the region. Commissioner Emma Bonino, responsible for EU humanitarian aid through ECHO, took an active and vocal interest in Afghanistan, notably over the rights of women.

40. Other official donors who were contacted at Islamabad level were Sweden, Norway and Canada. Sweden is an important donor, and the current chair of the Afghanistan Donor Group (first half of 1999). Some Norwegian and Swedish NGOs have been working with Afghan refugees and in Afghanistan since the mid-1980s.

41. UN people and NGOs were also consulted. The UN for years has had the lead role in the search for a political solution for the Afghan conflict. Consequently interviews were also conducted at the Department for Political Affairs and at the UN Special Mission for Afghanistan. The strategic framework approach at UN headquarter level is supervised by the Deputy Secretary-General. At field level the Resident Co-ordinator/Humanitarian Co-ordinator (UNDP), supported by OCHA, has a lead role to play in co-ordination. UNDP, UNICEF and WFP were included in the study as important agencies. UNHCR has and continues to be an important operational player. Yet UNHCR was not included because refugee return is not currently a major policy priority. Much work by other aid agencies contributes to the reintegration of refugees, but a study of reintegration did not appear to add to the understanding of the experience with (dis)incentives. NGOs, both Afghan and international, are important players. During the 1980s aid in Afghanistan was essentially provided through mostly INGOs and the ICRC. Today, INGOs are important financially through the contribution of their own resources and as the ultimate implementers of many programmes and projects. A list of people interviewed can be found in Annex 4.

## SECTION 2. THE ANALYTICAL FRAMEWORK

42. The DAC Secretariat's 'Conceptual Framework' provides a valuable statement of the considerations relevant to an analysis of the use of ODA to provide incentives and disincentives, and this has informed our general approach. It implies that the principal focus of the study should be *deliberate* attempts by donors to use their financial and other resources to achieve *consciously chosen* results, as distinct from the manifold and incidental consequences of their assistance for the incentive structures facing local actors. We therefore concentrate largely on the narrower conceptualisation that appears to underlie the Conceptual Framework and our terms of reference.

43. The implication behind this approach is that donors are seeking to use their aid resources as yielding financial leverage to induce recipient parties to undertake actions they would not otherwise have taken, or to refrain from actions they would otherwise have taken. The underlying assumption is that the recipient authorities will behave rationally, in the sense of maximising benefits to them and minimising costs and risks, evaluated in terms of their own objectives. Given this premise and based on recently-published research on conditionality (see Killick 1998), we view the likelihood that this use of incentives and disincentives will produce the desired outcomes as being a product of:

- The possibility to identify clear 'recipients'.
- The extent of the authorities' willingness or reluctance to do what the donors wish (their 'participation constraints').
- The value to them of the incentives the donors can offer.
- The coherence and consistency of the donors in the use of incentives/disincentives.

44. To a substantial extent, the framework of approach outlined above and the treatment of additional considerations in the following which do not fit within the above analytical structure comprehend a large proportion of the considerations set out in the Conceptual Framework but approach them from a somewhat different perspective.

### Recipients

45. Conditionality is less likely to be effective where authority is fragmented or weak. Even if the leadership is willing, it may not be able to modify the behaviour and actions of its followers.

### Participation constraints

46. The determinants of 'participation constraints' are:

- The general state of relations between donor and recipient authorities.
- The degree of consistency between donor and recipient objectives ('ownership').
- The recipient's perception of the benefits, costs and risks to them of undertaking donors' policy conditions.

**The perceived value of the incentives the donors can offer**

47. This will be a function of:

- The value of other resources available to the authorities and the availability of alternative donors/lines of credit;
- The nature of the aid on offer, its perceived past effectiveness and value and the likely future trend in aid volumes.
- In the case of disincentives, the credibility of threats of concerted donor withholding of aid.

48. The last point will, in turn, be a function of a number of factors:

- The more policy objectives the donors want to simultaneously pursue, the more likely it becomes that dilemmas and inconsistencies will arise in the practical approaches and applications.
- The stronger the humanitarian needs, the more difficult it will be to argue the imposition of conditionality on aid - except for reasons of security and the ability to fulfil one's mandate.
- The larger the number of donors or aid actors, the more difficult it will be to maintain commonality beyond goals and principles which can be expressed with one voice. It will be difficult in practice to also find and maintain common operational guidelines and terms of engagement/disengagement.
- The more complex the objective pursued, the more difficult and expensive it becomes to monitor compliance and thereby the effectiveness of the incentive or disincentive.

### **SECTION 3. DONOR OBJECTIVES AND MODALITIES**

#### **Key Policy Objectives**

49. There is widespread agreement among donors and UN agencies over their key policy objectives. Different donors may put a somewhat different emphasis on the respective policy objectives, and the relative priority of a policy objective may also be influenced by events on the ground, but this does not reflect any fundamental disagreement.

#### ***Peace through a negotiated settlement***

50. The Geneva Accords of 1988 brought an end to the Soviet occupation of Afghanistan, but not to the violence and war. Since then the United Nations have taken the lead in the diplomatic effort to bring about a negotiated settlement, although there have also been political initiatives from other quarters, including from Pakistan and Iran. The 'Good Offices Mission' of the late 80s and early 90s in 1996 became the UN Special Mission to Afghanistan (UNSMA). Since December 1997 it is headed by Mr. Brahimi, who is also a Special Envoy of the Secretary-General. The changing balance of force, in favour of the Taliban, is seen as making a negotiated settlement more difficult to achieve. The UN continues to recognise the Rabbani government as the legitimate government of Afghanistan, and has not been willing to allocate the seat in the UN Assembly to the Taliban.

51. A second and more recent 'peace objective' is the prevention of a regional escalation of the Afghan conflict. That became a particular concern when Iran, following the murder by Taliban troops of Iranian diplomats and an Iranian journalist in Mazar-i-Sharif in May or June 1998, mobilised its troops along the Afghan border.

#### ***Respect for human rights***

52. Currently the most sensitive policy issue with regards to Afghanistan is respect for women's rights. This became a central and an international policy issue, not only for donor governments but also for many non-governmental activists groups, when the Taliban captured Herat in September 1995, and especially after they took control of Kabul in September 1996. Although the status and rights of women in traditional Afghan society are not equal to that of men, and although violations of women's rights have occurred in territory controlled by the Northern Alliance, the focus of attention is almost exclusively on the Taliban. The stated reason is that the Taliban have decreed explicit policies that discriminate against women.

53. The Taliban's discriminatory policies against women curtail their mobility and their access to health, education and employment. They also make it difficult for aid agencies to reach women, and affect their ability to employ female staff, Afghan women and non-Afghan Muslim women in particular.

54. Donors are under strong pressure and scrutiny from non-governmental activists groups who have made the rights of women in Afghanistan a major symbol and campaign theme. The European Commission and more particularly ECHO, appears to be the only donor that itself has actively campaigned



in Europe on behalf of women's rights in Afghanistan. The peak of its campaign in 1998 was the International Day of Women on 8 March.

55. War crimes, notably massacres of civilians or prisoners-of-war, and the rights of ethnic minorities are a more recent human rights concern. War crimes were committed by all sides during the Soviet occupation of Afghanistan, and during the 'mujahedin' factional conflict (1992-1994). Thousands of civilians were killed by the shelling of and in Kabul that started in the summer of 1992. In February 1993 and again in March 1995 the troops of the Rabbani government, under the command of then Defence Minister Masood, fiercely fought the mainly Hazara Hezb-e-Wahdat in west Kabul, fights with again many civilian casualties and much looting. The more recent massacres in Mazar-i-Sharif, first of Taliban fighters in May-June 1997 and especially of mainly Hazara inhabitants by Taliban troops in August 1998, have generated wider attention for war crimes and ethnic minority rights. There are less well documented rumours of killings of Hazaras following the Taliban take-over of Bamyan in September 1998.

### *Maintaining the integrity of aid*

56. This has become one of the most complex policy issues. A variety of questions are packed into this policy-concern:

- Aid and conflict: Does aid fuel, directly or indirectly the war economy? Does aid itself create conflict among groups in Afghanistan? Should and can aid be a tool for, or make a contribution to peace-building in Afghanistan?
- Principled aid: Can aid be extended in areas where basic rights are violated, notably women's rights? Can aid be extended in areas where drugs are produced? Can aid be extended to or through 'presumptive authorities' that maintain discriminatory policies against women, tolerate drug production and violate human rights?
- The humanitarian imperative: How to reconcile the use of conditionality on aid in pursuit of respect for basic rights, with the humanitarian principle that states that people in need have a right to humanitarian assistance? What type of programme can be subjected to conditionality, what should be unconditional?
- The ability to fulfil one's mandate: Humanitarian aid can only be provided if all those in need can be reached equally (e.g. men and women, all ethnic groups...), and if the independent management of the aid is not interfered with. To what degree then can one accommodate demands from local authorities?

### *The security of agency staff*

57. Working in Afghanistan during the many years of war has always been dangerous. Many journalists and aid workers have been beaten, sometimes raped or taken hostage or were killed in the bombing or cross-fire or by landmines. The danger could come from militias or road bandits or hired assassins. There have been numerous instances of vehicles and offices of aid agencies being looted, and of attacks against aid agency offices also in Peshawar, Pakistan. In 1993 five UN staff were assassinated in an ambush on the road from Torkham to Jalalabad.

58. Just prior to the start of the military campaign in the Gulf War, with tension and agitation in Pakistan, many Western governments evacuated their nationals from Peshawar to Islamabad or even out of Pakistan altogether.

59. In August 1998, all foreign nationals were evacuated from Afghanistan, prior to or immediately after the US missile attack against terrorist training camps. Additionally, and following the death or disappearance of three Afghan and one international staff member, security since then has been a top policy issue for the UN in its dealings with the Taliban. Not until March 1999 did the UN find that the Taliban had satisfied the required conditions for a return of all international UN staff to Afghanistan.

### ***Counter-narcotics***

60. Cannabis is grown in Afghanistan, but the main concern are opium and heroin. Afghanistan has become the world's largest producer of illicit opiates. The three major regions in Afghanistan where poppy is grown are Badakshan in the north-east, east Afghanistan especially Nangrahar, and south-east Afghanistan, especially Helmand and Kandahar province. Over 80% of the heroin on the streets of Europe comes from Afghanistan. The figure for North America varies between 10-20%. The drugs grown and processed in Afghanistan also find a market in Pakistan, where addiction has increased, and possibly elsewhere in South Asia (India). The number of addicts in Afghanistan is still small, but that was also the case years ago in Pakistan. The increase in poppy cultivation in Afghanistan to a degree relates to the fact that there have been greater efforts to curtail it in Pakistan, notably in the frontier areas with Afghanistan. Counter-narcotics activities have also made the heroin processing labs move from Pakistan's tribal area to Afghanistan. Approximately 96% of the land on which poppy is grown is under Taliban control. Powerful individuals in the Pakistani establishment are said to be involved in, and profiting from, the Afghan drug trade.

### ***Counter-terrorism***

61. Already in the late 80s there was concern about the so-called 'Arabs', Islamic fundamentalists who had joined the mujahedin as volunteers. The radicalisation of militant Islam in the Middle East and particularly in North Africa, is partially associated with the return of these now battle-hardened 'Afghanis'. The potential threat of terrorism was then recognised but subordinated to Cold War priorities. Note should be taken of the fact that the Hezb-e-Islami of G. Hekmatyar, the darling of the Pakistani Inter Services Intelligence and the apparent recipient of a substantial proportion of US military aid, was the most fundamentalist of the Sunni resistance parties. It has also often been accused of the murder of commanders of other resistance parties, of Afghan intellectuals in Pakistan and of some aid workers and journalists.

62. The current emphasis on counter-terrorism by the Western countries has followed the terrorist bombings of the US embassies in Nairobi and Dar-es-Salaam in the summer of 1998. The USA alleges that the master-mind behind these attacks is Osama bin Laden, a Saudi national who was residing in Afghanistan, in Taliban-controlled area. Bin Laden has allegedly also been funding the Taliban and their military campaign (Mackenzie 1998:100). Notably for the US, the arrest and bringing to trial of Osama bin Laden is a major policy objective. The US has mobilised the other donors in putting counter-terrorism higher on the policy agenda.

63. A US aid official stated however that no 'terrorism-conditionality' would be applied to aid.

### ***Refugee return***

64. Until 1992, there were about 6 million Afghan refugees, mostly in Pakistan and in Iran. The better educated are often in Western countries, which constitutes a tremendous 'brain drain'. Between 1992 and 1994 around 3 million returned to Afghanistan. The rate of return has since decreased. With an estimated remaining 2.6 million refugees (1.2 million in Pakistan and 1.4 million in Iran) for 1998,

Afghanistan continues to have the highest case load of refugees in South Asia. Additionally there are significant numbers of internally displaced people which, in 1998, were estimated to be around 500,000. The return of refugees has been greater from Pakistan than from Iran. Iran offered the refugees easier access to the labour market. Currently Iran is putting pressure on Afghan refugees to return, presumably for economic reasons. This may generate protection concerns especially for Shia returning from Iran to Taliban controlled areas.

65. Obviously donors are concerned about new large-scale refugee outflows. The return of Afghan refugees remains a stated 'strategic objective' for donors such as USAID and the EC, presumably because a significant proportion of their funding for Afghanistan comes from refugee budget lines. The research however indicates that refugee return, except for UNHCR, currently has a lower priority than the other policy objectives. Donors recognise that the human rights conditions in Afghanistan do not provide an environment for the safe return of refugees. At least one donor, DFID, believes that the active promotion of refugee return for these reasons is not justifiable at the present time (Guidance Notes for NGOs, 1998: Annex A point 5).

## **Incentives and Disincentives: Diplomacy, Force and Trade**

### ***Diplomacy***

66. Ever since the Geneva Accords of 1988, the international community has sought to bring about peace through a negotiated settlement. The diplomatic efforts of the UN consisted of 'good offices' missions, with their political head as chief mediator or negotiator. The main solution for peace that has been pursued is that of a 'broad-based, multi-ethnic and representative government'. The two most commonly referred to mechanisms to create a legitimate government are elections, which have taken place only twice in Afghanistan's history (in the 1960s), or nomination through a 'Loya Jirga' or 'Grand Assembly/Grand Council', a more 'traditionally' Afghan approach. Mr. Brahimi took more active notice of the fact that the Afghan war had acquired regional dimensions, and therefore initiated a broader process through the so-called "6+2 group". He has also tried to more actively involve the Organisation of Islamic Countries.

67. Pakistan, which has been and continues to be deeply involved in the Afghan conflict has also initiated peace initiatives. Its apparently most recent peace initiative were the 'Ulema' talks in the spring of 1998. Subsequently an attempted joint initiative of Pakistan and Iran reportedly led to quarrels between the two countries.

68. There is also the so-called 'Frankfurt process', which brings together Afghan intellectuals in a search for peace. No documentation was obtained on this. Mention was made of the fact that members of the Northern Alliance had responded to the invitations from this group, but not Taliban representatives. The impression gained by the consultants was that the UN and Western countries appear to look positive upon it, but without actively associating themselves with it.

69. The main identified leverage on the Taliban is that of international political recognition. This is reportedly what the Taliban crave, and what the international community tells them they cannot get if they do not change their policies and practices on human rights especially women's rights, on drugs and on terrorism. In October 1998 the UN Credentials Committee voted not to recognise the Taliban. The Taliban resent that Rabbani's government continues to occupy Afghanistan's seat in the UN General Assembly.

### ***Military Force***

70. Military assistance has been used as a powerful incentive to continue the Afghan conflict. Soviet military assistance in the form of materiel, training and advisors dates back to 1955. In December 1979 the Soviet Union in addition send in troops to support the government in Kabul. The USA in response developed the so-called 'arms pipeline' to Afghanistan, channelling its military assistance mainly through Pakistan and the Pakistani Inter-Services Intelligence (ISI). Allegedly, the 'pipeline' was very leaky, and many of the weapons and ammunition remained in Pakistani hands. After the withdrawal of the Soviet troops in February 1989, the USA and the USSR till 1992 continued a policy of 'parity' in their military assistance to their respective clients. It has been said that even without renewed military assistance, the stockpiles of weapons in Afghanistan are sufficient to fuel many years of war.

71. The rise of the Taliban since 1994 and the transformation of the Afghan war into one between the Taliban and the Northern Alliance has brought the regional players more to the foreground. The evidence indicates that the Taliban received substantial support for their war effort from Pakistan. The Northern Alliance on the other hand reportedly is and continues to be armed by Iran, and probably also receives supplies from Uzbekistan and Tajikistan.

72. Imposing an arms embargo against Afghanistan allegedly has been discussed in the '6+2 Group' and perhaps more widely in donor circles. There are a number of reasons why this option so far has not been actively pursued:

- not enough political will: doubts about the willingness, formal statements notwithstanding, of the regional players in the Afghan conflict, to stop their military assistance.
- not practical: doubts about the feasibility of implementing an effective arms embargo, with such porous borders and ease of smuggling.
- not the right time: a total arms embargo might work in favour of the party to the conflict that is currently the strongest. This are the Taliban who are seen as a 'worse evil'. An arms embargo therefore would consolidate the current balance of power which certainly most Western actors do not see as desirable.

73. There have also been threats of the use of force notably of Iran and of the USA. In 1996, not long after the capture of Herat by the Taliban, there was speculation that Iran was contemplating a major offensive against the Taliban in west Afghanistan (Ahady 1998:130). In response to the killing of Shia Hazara and Iranian nationals by Taliban in Mazar in August 1998, Iran mobilised its troops at the Afghan border. The current analysis seems to indicate that this was meant to send a signal to the Taliban, not perhaps as a genuine plan for a military incursion in Afghanistan. The USA, on 20 August 1998, retaliated for the attacks on its embassies in East Africa by sending missiles against the bases of Osama bin Laden in Afghanistan. In February 1999 the continuing US demand that the Taliban expel bin Laden from Afghanistan, caused much speculation in Afghanistan and in Pakistan about possibly more missile attacks. Reportedly US spokespersons stated that the US did not rule out any option to obtain its goal.

### ***Trade***

74. The war has led to the collapse of the formal economic institutions in Afghanistan and information regarding current economic activities and is very sparse. It is clear that during the war the informal and illicit economy in Afghanistan has grown in importance relative to the formal economy. Agriculture, local trade and employment in an aid agency are said to be the major components of the

formal economy. The size of the Afghan economy remains small. That makes it vulnerable to changes in the economies of its neighbours (supply problems, currency devaluations...). Annual revenues now collected by the Taliban cannot support the war and the country's public service needs. Social sector rehabilitation is funded almost entirely by external donors. That however is not entirely new: already before the war the Afghan state was highly dependent on foreign economic assistance.

75. Pakistan has always been an important economic partner as it gives land-locked Afghanistan access to the sea. In 1965 both countries signed the Afghan Transit Trade Agreement, which primarily comprises imports bound for Afghanistan, and which remains in effect. The available evidence indicates that the fact that Afghanistan has become 'virtually a 5th province for Pakistan in economic terms' (Rashid 1988:77) so far has done more harm than good for Pakistan, not in the least in terms of lost revenue. A World Bank commissioned study (Naqvi 1998) conservatively estimates total bilateral trade between the two countries for 1996/7 at \$ 2.5 billion. Most of this is illicit trade. The Afghan Transit Trade Agreement is considered a major source of smuggling into Pakistan. Unofficial re-exports of goods from Afghanistan into Pakistan are estimated at \$ 1.96 billion in 1997, or 84% of the total trade. Smuggling in the early 70s was estimated to be 20% of Afghanistan's total commercial trade (Naqvi 1998:8). Analysts believe that the Taliban have strong connections with, and have been supported by, the 'transport mafia' based in Quetta, Baluchistan.

76. The Pakistani government has made no secret however of its interest in developing the trade routes to Central Asia with a lure of huge benefits. In October 1994, one month before the Taliban took Kandahar, the Interior Minister of the Benazir Bhutto government took a party of Pakistani experts in economic infrastructure (railways, highways, telephones, electricity) to Kandahar and Herat. A number of Western ambassadors were included in the group (see Rashid 1998).

77. Reference has been made to the oil and gas resources of Central Asia. Until recently two groups of oil companies were competing with each other, and wooing the Taliban for the lucrative contract to construct the pipelines through Afghanistan and to Pakistan: the US UNOCAL with its Saudi partner Delta Oil, and the Argentina Bidas. A 'Pax Talibana' would provide the stability and security to protect the investments. When the Taliban took Kabul, a UNOCAL official stated that this was a positive step for peace and for business in Afghanistan (Mackenzie 1998:97). Reportedly UNOCAL has now withdrawn from the consortium it put together because it could not mobilise enough investment capital, certainly not at a time when world prices for oil are low, and in such a high-risk area. UNOCAL, with already a bad image for its operations in Burma, has also been the object of critical campaigning, particularly in the USA. One interviewee mentioned that a US company may have signed a contract with the Taliban to set up a national telecommunications grid.

78. The Taliban are held to be very interested in trade and therefore in investment in economic infrastructure. The aid community has steered away from that, because of its objections against Taliban policies and practices. Note that Russia, member of the "6+2" group might not welcome investments in a southern trade route and especially a southern pipeline for oil and gas: currently exports from Central Asia go north, through Russia. The US reportedly is also more interested in an oil and gas export route westwards, through the Caucasus.

79. The terms of reference of the study did not ask, and the time available did not allow, a closer study of the coherence in the use of different policy instruments. The research indicated that the 'message' to the Taliban, through different instruments, is largely consistent: disapproval has been signalled politically, through the use of force, the suspension of aid and the refusal to invest in economic infrastructure. The confrontational stance however is seen as counterproductive by those, on the political and on the aid side, who favour 'quiet diplomacy'. The timing of one intervention, notably the launching of US missiles against terrorist training camps in Afghanistan, also disrupted difficult but important

negotiations with the Taliban, notably over aid work in Kabul and over a school building programme for boys and for girls.

### **Incentives and Disincentives: Aid**

80. It is possible to identify three major pro-active policies towards the conflict and crisis in Afghanistan. There have also been a number of re-active policy- and situational responses.

#### **Pro-active policies**

##### *No bi-and multi-lateral development aid*

81. The aid community will not provide official and long-term development aid because:

- There is no officially recognised government in Afghanistan. Three countries excepted, the Taliban are considered 'presumptive authorities'.
- The Taliban in particular follow policies that are objectionable to the Western donors (but not so much to Saudi Arabia for example).
- There is no functioning government administration.

##### *Unconditional emergency aid*

82. The donors and aid community remain explicitly committed to unconditional life-saving emergency aid. For non-emergency response activities however, there has been discussion about the usefulness of 'life-saving' as threshold for the introduction of conditionality (see infra).

##### *The strategic framework*

83. The strategic framework has two origins: the reflection, carried by the UN Administrative Council for Co-ordination in 1996/7 on how the UN can better respond to complex political emergencies, and the growing frustration of the aid community involved with Afghanistan about the impact or lack thereof of their work. This included a sense that the UN did not seem to know what it was trying to achieve in Afghanistan. There were also doubts about the impact of aid, and whether it was directly or indirectly contributing to the prolongation of the conflict in Afghanistan. The donors played a key role in putting these questions under the spotlight, and in pushing particularly the UN and to a lesser degree NGOs to develop a strategic framework to try and make the interventions more purposeful, more principled and - hopefully- therefore also more effective. The strategic framework has three major objectives:

- To ensure that the political and the assistance strategy are better informed of each other, and do not undermine but support each other.
- To bring about greater integration and coherence between the assistance programmes.
- To ensure that the assistance is provided in accordance with basic principles of the international community.

84. Typically objective 2 and 3 are mentioned as one under the label of 'principled common programming'. In our view however, it is better to separate the two. Bringing about common programming is one challenge, and in theory common programming does not have to be principled. Ensuring that the assistance strategy is in accordance with basic principles is a related, but separate challenge. A detailed

overview of the strategic framework, common programming and a principled approach, as developed so far for Afghanistan, is provided in Annex 2.

### ***Reactive policy responses***

#### *Equitable inclusion of women in programme activities*

85. UN agency headquarters in particular as of 1996-1997 suggested or articulated a policy that held that no programmes could continue or be initiated unless 50% of the participating Afghans were women and 50% of the beneficiaries were women (e.g. WFP 1997:2). Reportedly there were differences of opinion between the headquarters and the field, not about the principle but about the -immediate or short term- feasibility of its practical application. One objection was that there is a difference between women as 'beneficiaries' and women as 'participants'. Not only the Taliban edicts but traditional Afghan culture limits the active participation of women to certain domains. Women might however benefit from aid programmes even if they were not active 'participants' in the programme concept and implementation. Moreover, the policy could create acute problems for women if it would force them into activities, such as food-for-work, that would go against traditional culture. Another objection held that prior to the policy women did not constitute 50% of the beneficiaries of all aid programmes, so that the response to Taliban restrictions on women was asking for more than a return to the 'status quo ante'.

86. The policy apparently has evolved in its interpretation. One interpretation holds that the 50% criterion should not apply to each project individually, but to the total of projects or programmes of an agency. The total project portfolio may include projects that benefit smaller numbers of women, but also projects that target women and in which the majority of beneficiaries are women. Another interpretation holds that a 50% equal participation of women is a goal to strive for, but in the medium- to longer-term. The evaluation therefore will concentrate more on progress and trends than on the current state of affairs. At least one donor has felt that the active participation of women needs to be fully supported but that the gender issue in Afghanistan should not become a number-driven policy.

#### *No institutional capacity building.*

87. The overall purpose of the aid community is to ensure that its aid does not strengthen the warring parties, and the Taliban in particular, in their capacity to sustain the war and to control Afghanistan. To that effect the aid community has searched for criteria to delineate its aid to programmes that would not give direct benefits to the belligerents and the Taliban in particular.

88. Apparently the debate in the aid community first tried to formulate limits in terms of 'life saving aid only'. This proved not a useful operational concept. In its strictest interpretation 'life saving' would mean only acute emergency response. Afghanistan however is not a country that is generally experiencing an acute humanitarian crisis. Most aid is admittedly 'life-sustaining': providing a safety net and trying to reduce poverty and perceived dependency on aid by stimulating recovery and the creation of sustainable livelihoods. If such 'life-sustaining' aid would be terminated, it would create a 'life-threatening' situation and again require 'life-saving' interventions, a counterproductive approach.

89. The current understanding, expressed in the policy statements of some agencies, but apparently also broadly shared, is to 'strengthen civil society' through 'community-empowerment', but to avoid 'capacity-building' of formal institutions inasmuch as these are controlled by and serve the interests of the belligerent elite and presumptive authorities.

90. There is debate however about what precisely would constitute 'institutional capacity-building'. There is currently no consistent interpretation within the aid community. The World Health Organisation for example has adopted a different interpretation, which allows it to work with the Taliban controlled Ministry of Public Health, but also exposes it to criticism from the rest of the aid community. The policy of 'no institution-building' holds fairly well for the moment. In future however, it will come under strain. The developmental approach, currently focussed on communities, cannot continue forever without the rehabilitation of governmental institutions. Secondly, a 'technical' approach and dialogue with the Taliban, that the UN hesitantly pursues in for example the Joint Consultative Committee, at some point cannot avoid the question of institutional support (see annex 2 for more detail).

### ***Reactive situational responses***

#### *Suspension of programmes*

91. The most immediate response to the Taliban's introduction of discriminatory policies against women, notably after they took Herat in September 1995 and Kabul in September 1996, has been the suspension of programmes, often with public statements that ranged from expressions of concern, over appeals to the Taliban to respect rights and international norms, to denunciation. Thus UNICEF and Save the Children (UK) for example, in 1995 and early 1996 suspended all their educational programmes in Taliban controlled areas, where girls were denied the same access as boys. Following the imposition of similar 'edicts' in Kabul in the autumn of 1996, Oxfam GB for example suspended its programme for urban water supply rehabilitation in the city. WFP effected a partial suspension of its food aid programmes. The donor community was particularly active after the introduction of discriminatory policies in Kabul, in demanding from the UN a determined and principled stance - to which the Secretary-General and major UN agency headquarters responded. In March 1998 the tension between the Taliban and the UN escalated into confrontation, and the UN suspended all its programmes in southern Afghanistan. The crisis was unblocked after the signing of a first Memorandum of Understanding between the UN and the Taliban, in May 1998. Several donors expressed dissatisfaction and held that the UN had given in more than it had received. Criticisms concerned a too accommodating stance of the UN, allowing the Taliban a say in questions about agency office locations, the employment of female staff and programmes, and too much vagueness about the concrete criteria that would be used in the practical application of principles. The UN holds that the MoU is only a building block, not a final agreement, and that for the first time the Taliban acknowledged women's rights in writing. The NGOs were critical because they had not been involved in the negotiations, and felt that the UN MoU would become a framework that the Taliban would also apply to them. But the Taliban already pro-actively issued an NGO Statute in March 1998.

#### *Withdrawal of international staff*

92. In the course of the Afghan conflict, international staff has more than once been withdrawn for security reasons. The murder of 3 UN staff and the disappearance of a third arrested Afghan staff member, led the UN to maintain the withdrawal of its international staff, that had been evacuated from Afghanistan at the time of the US missile attacks, in August 1998. The return of international UN staff was made conditional upon the Taliban providing security guarantees and conducting a satisfactory inquiry into these murders. A security agreement was signed in October 1998. The Taliban also appointed security liaison officers and presumably gave satisfaction on the inquiry, so that the UN in March 1999 decided to return its international staff.



*Suspension of funding*

93. ECHO in July 1998 suspended all its funding for NGOs working in Kabul. ECHO at the time was the biggest donor for programmes in Kabul. This followed a dispute between the INGOs and the Taliban over the relocation of all INGO offices to a damaged building of the Kabul Polytechnic. The controversy over the Polytechnic was the culmination of a tension that had been building up for many months, over Taliban policies towards women and interferences with the aid agency's management of their programmes and personnel. ECHO has made a reversal of its decision dependent on progress in the working environment, enough to be able to implement humanitarian programmes in line with the mandate, which includes non-discrimination. It should be pointed out that ECHO considers the suspension an expression of an impasse reached, and does not hope that it by itself will lead to a change in Taliban policy.

94. In the late summer of 1998 the British government identified a security threat against British international aid agency staff. At the time, virtually all expatriates were still evacuated because of the US missile attack. DFID felt that no international NGO staff should return to Afghanistan. At the Afghanistan Support Group meeting in Tokyo of December 1998, it asked other donors to adopt this policy. Other donors 'discouraged' the NGOs they fund from sending in any international staff. DFID however made continued funding from DFID dependent on adherence to its policy-decision. This conditionality imposed on NGOs with international staff caused a certain controversy. By March 1999 the UK government is also putting pressure on the UN to refrain from sending British nationals into Afghanistan, and using its financial leverage on the UN to see that policy implemented.

*Programme responses*

95. A number of programmatic responses in pursuit of the policy objectives, or in response to the constraints experienced on working in Afghanistan were identified:

*UN Drug Control Programme*

96. A so-called 'poppy clause' was adopted by UN agencies in May 1993, to be introduced in all agreements for aid with Afghan counterparts. Its interpretation was one of negative conditionality: aid will not or no longer be granted if it would support the growth of poppy or no aid will be granted to areas where poppy is grown. In February 1996 the 'poppy clause' approach was further interpreted in terms of differentiation between districts. This held that aid would be unrestricted in non-poppy growing areas, and that more consultation would be undertaken with UNDCP the more a district was cultivating poppy. This approach is said not to have worked for a number of reasons:

- Project aid volumes are too small to be a major factor in farmer decision-making.
- It is difficult to judge what the impact is of aid on poppy: farmers for example do not only grow poppy on irrigated fields, and may also reduce poppy growing only over time, as other crops become more profitable.
- Farmers do not necessarily grow poppy out of greed, necessity is a major reason. Poppy brings good profits but so can other cash crops. The advantage of poppy is the ease of marketing. Poppy moreover is a low risk crop and therefore brings a higher degree of security (UNDCP 1998a:4). One informed source puts the total income from drugs, for an estimated 200.000 producer families, between \$ 70-90 million for 1996-97.

97. In March 1997 UNDCP shifted policy and switched towards positive conditionality. The basic principle is to negotiate with the communities and the authorities a 'Drug Control Action Plan', with a poppy elimination schedule, and a funding commitment for aid inputs as 'alternative development' incentive. The drugs conditionality approach can and must apply to all districts: where no poppy is grown, the agreement will be to keep the district poppy free (to avoid the 'balloon-effect'), where limited amounts of poppy is grown but not much aid can be provided, the agreement can be not to increase the area under cultivation; in priority areas with high poppy cultivation, the agreement will aim at consistent reduction.

98. The new policy has important implications: except for some pilot programmes that it may implement itself, it puts UNDCP essentially in an advisory, co-ordinating and monitoring role, with counter-narcotics being 'mainstreamed' among regular aid agencies. The emphasis is on participatory design and planning with the communities concerned, including about the timing of the inception of conditionality. There remains uncertainty about how to deal with non-compliance. The emphasis in a discussion paper is on intensive dialogue with the communities to appreciate the reasons for non-compliance. Sanctions are essentially conceived as the suspension or withdrawal of aid, but how much aid, and how broad the social or geographical application of the sanction (village-wide; district wide..?) remains to be detailed (UNDCP 1998a:5;10-11). One interviewee mentioned that drug-conditionality would not apply to emergency aid.

*Poverty Eradication and Community Empowerment (P.E.A.C.E.) programme (1997-99)*

99. This is a collaborative programme of the FAO, UNCHP, and UNOPS, with the WHO, ILO and UNESCO and NGO partners, under the overall co-ordination of UNDP. It attempts to integrate UN programmes that previously would have been designed and negotiated separately. But more pertinently, the programme also purports to address the development and governance crisis in Afghanistan, bottom-up. Through creating livelihoods it intends to give people a stake in peace and an alternative to fighting. Through its grassroots approach, it wants to strengthen the Afghan ownership of their own development choices, and stimulate good governance, first at village level and then up to the village cluster and the district.

*Re-investment in refugee camps*

100. The human rights crisis in Afghanistan, notably with regards to women's rights, has led some donors to re-invest in the refugee camps, particularly in social services such as education for women. This is a reversal of earlier policies of a reduction in funding for refugee camp programmes.

***Project responses***

101. There is probably a wide array of projects in pursuit of the aid community's policy objectives.

- In pursuit of a reduction of poppy-cultivation UNDCP and a US NGO for example are trying out alternative development projects in Nangrahar and in Helmand provinces.
- In pursuit of human rights, we can mention the appointment by the Secretary-General of a Special Rapporteur on Human Rights for Afghanistan, the deployment of a human rights advisor in early 1999 in the office of the Resident/Humanitarian Co-ordinator, the likely deployment of 12 human rights or 'civilian affairs' monitors in Afghanistan, recruited by the High Commissioner for Human Rights and managed by UNSMA. Human rights education for teachers is also offered by an Afghan NGO 'Co-operation Centre for Afghanistan'.

- In pursuit of gender equality, we can mention the creation of a post of gender advisor, also to be placed in the office of the Resident/Humanitarian Co-ordinator in early 1999. There is a special feeding programme for the perhaps 50,000 widows in Kabul. Project adaptations to Taliban edicts consist of the construction of separate schools for girls only, or the support for home-schooling for girls. In 1998 the Norwegian government, supported by UNDP, also offered the Taliban an incentive: the construction of a number of schools for boys on condition that a similar number could be build for girls. Initially positive, the Taliban responded more hesitantly when the matter became concrete. But negotiations had reached the point of identifying locations for the schools, when they were interrupted by the US missile attack.
- With the aim of contributing to peace-building, we can mention a series of trainings and workshops, for which Norwegian NGOs took the initiative, in collaboration with the 'Local Capacities for Peace Project' in the USA. This resulted in the creation of an Afghan network 'Cooperation for Peace and Unity'. NGOs have various examples of projects that were negotiated and implemented in ways that reduced tension and open conflict between local groups of Afghans (see Atmar et. al. 1998, including Appendix 2). Important is also the BBC's very popular educational soap-opera 'New Home, New Life', which has included peace-related issues (Adams 1999). NGOs have also implemented some small scale projects to provide alternative livelihoods to fighters. Relevant in this context is also comparative research on NGO efforts for conflict-reduction and peace-building, which includes Afghanistan as a case study (Goodhand and Atkinson 1998).

### *Operational agency adaptations*

102. Various agencies have also undertaken internal initiatives. Among these can be mentioned:

- Reflection and awareness raising with and by local staff on human rights, gender and Islam, and good governance, sometimes through the recruitment of a designated staff member to promote these issues within the organisation.
- General investment in the training and capacity of Afghan staff, to be able to work without expatriate presence and/or in due course become an independent NGO.
- The recruitment/deployment of married Afghan couples to fulfil the Taliban requirement that women are accompanied by a 'mahram' (husband or close male relative, edict introduced by the Taliban in April 1998).
- The payment of expenses for a 'mahram', not full time employed, if female staff needs to travel.

103. Organisations are questioning where to draw the line between accommodating to Taliban edicts and Afghan traditions, and continuing to show respect for their own principles in their own practice. The UN for example has sought to attract non-Afghan Muslim women for its work in Afghanistan in the belief that this would increase the acceptability of the organisation. However the Taliban have argued that in Afghanistan their policies would apply to all Muslim women, and that such UN staff for example would need to be accompanied by a 'mahram'. The UN then holds this in contradiction with UN staff policies. There are also internal agency questions about whether they should go as far as to create segregated office spaces for male and female staff in their offices in Afghanistan?

## **Co-ordination: Fora, Frameworks and Effectiveness**

### ***Co-ordination fora***

104. There are a number of co-ordination fora for the aid community involved in Afghanistan.

105. The members of the European Union meet in Brussels (in the Humanitarian Aid Committee and under the Central Asia Initiative) and Islamabad and have executed a 'joint mission' in early 1998. Unusually, they also have articulated a 'common position' on Afghanistan, in 1998 and 1999. The most important, and broader, donor-initiated forum however is the Afghanistan Support Group. This emanated from a meeting in Ashgabat, Turkmenistan, in January 1997. It meets twice a year, with a rotating chair. The most recent meeting took place in Tokyo in December 1998. A donor forum, it invites to its meetings the UN and, to a lesser degree, the NGOs and the Red Cross movement.

106. When the UN came onto the scene in 1989, donors were willing to provide unearmarked funding through an Afghanistan Emergency Trust Fund. That willingness diminished as disappointment with UNOCA's performance and financial management and accountability increased. Donors returned to more earmarked funding directly to NGOs and UN agencies. The office of the Deputy Secretary-General now oversees the introduction of the strategic framework in the UN system as a whole, while the Emergency Relief Co-ordinator on a more daily basis supervises its pilot application in Afghanistan. At field level, a unitary aid co-ordination structure had been put in place in 1988 with the office of the UN Co-ordinator for Humanitarian and Economic Assistance for Afghanistan (UNOCA). In 1993 its mandate was reduced to humanitarian assistance only, with UNDP through its Resident Co-ordinator the new focal point for the co-ordination of rehabilitation assistance. A unitary function was re-established in 1997 in the post of Resident Co-ordinator/Humanitarian Co-ordinator. The former Resident/Humanitarian Co-ordinator in Islamabad established an informal 'Afghanistan Task Force' (ATF) of donors and UN agencies, in which NGOs also participated. It acted as a field-based equivalent of the Afghanistan Support Group. In the autumn of 1998 the ATF was superseded by the Afghanistan Programming Body.

107. Overall NGO co-ordinating bodies were established in 1988. Yet there are currently 4 of them, one of which is of Afghan NGOs, another of Islamic NGOs.

### ***Co-ordination frameworks***

108. Following the reduction of UNOCA's mandate in 1993, two programme co-ordination frameworks came into being, the Consolidated Appeal Process (CAP) for emergency response, prepared by UNOCHA, and the so-called Programme Steering Committee proposals, prepared by UNDP (Donini et al. 1996:13). This created a division between 'emergency' and 'rehabilitation' programmes that did not easily apply to a country in a state of 'neither war nor peace'.

109. The 'strategic framework' is now the central co-ordination framework for the aid community in Afghanistan. The move, in 1997, towards more purposeful and more effective international intervention in Afghanistan, has coincided with a donor push towards UN reform. There is consequently confusion about the real purpose of the strategic framework. Is it a general tool for UN-reform or is it a tool to render the UN interventions in a country in crisis more coherent? If it is a situation-oriented strategy, then also the non-UN actors should be centrally involved. And if it is a situation-oriented tool, it needs to be grounded in an ongoing situation-analysis.

110. The strategic framework pretends to bring about greater coherence, not only in the assistance strategy, but also between the assistance and the political strategy. But no examples were offered by those

interviewed of how the political and assistance actors were practically supporting each other in the face of the difficulties that Afghanistan poses. In the late 1980s the strategy was to maintain a very clear separation between the political and the humanitarian activities. Yet there were significant periods when one and the same person had management authority over both, notably between 1991 through 1994 with Mr. Sevan and Mr. Mousouris. There appear to have been problems with a diplomat who is not a humanitarian professional having end-responsibility for the assistance programme. Currently the new 'link' between the political and assistance strategy does not seem to consist of more than that the UN staff in the respective lead roles get along well and exchange information.

111. In the current understanding, the programme co-ordination efforts remain geared towards the production of a Consolidated Appeal. At the same time, a number of operational agencies and donors question, as unrealistic and undesirable, this attempt to turn the Consolidated Appeal document into the central reference for resource mobilisation and funding decisions (see Annex 2).

### *Co-ordination effectiveness*

112. The efforts towards greater co-ordination have yielded some benefits, but also appear to have run into the fundamental institutional obstacles against genuinely co-ordinated actions.

113. The creation of the Afghanistan Support Group is seen as positive. It provides an opportunity for the donors, and the UN, to sit together and discuss strategic developments for the international community in Afghanistan. It also provides an opportunity for the donors to be briefed about the political efforts of the UN. Seen as positive is also the insistence of the donors that the UN agencies collaborate better and speak with one voice. A development perceived as more problematic is the enlargement of the participation, with more donors, UN agencies and NGOs attending. The meetings are becoming more formal and unwieldy. NGOs on the whole feel that they have been unduly treated as minor and secondary players. The financial resources they themselves mobilise and especially their role as ultimate implementers of most programmes, does not warrant that.

114. The creation of a unitary UN co-ordination post at field level is positive, were it not for the perennial structural obstacles to co-ordination in the UN: those designated as 'co-ordinators' are not invested with real authority over the various UN agencies; the co-ordinator function is poorly resourced, at headquarter level there is inadequate planning for improved interagency co-ordination and co-operation which adds to other field-headquarter difficulties. And rightly or wrongly, it has also been said that 'the UN system as a whole often seems impervious to policy' (Witschi-Cestari et al. 1998:27).

115. The donors have been blamed for being partially responsible for the ongoing weaknesses in co-ordination in the UN system. Donor representatives on the Board of the independent UN agencies are said to support individual agency interests, while representatives of the same donor agency in other fora advocate for greater co-ordination. The donors themselves are held to have been promoting the process more than the substance of co-ordination. Expressions of this are:

- The absence of a common analysis of the political and humanitarian situation in Afghanistan;
- Support for a common assistance programme in Afghanistan but hesitant and erratic funding for it;
- Unwillingness to show administrative flexibility or reform their own aid bureaucracies;
- Unwillingness to subordinate their own decisions on programme and project-funding to the common programme by funding only programmes included in the Consolidated Appeal;
- Unwillingness to support common programming by putting money into a common Trust Fund for Afghanistan.
- Unwillingness to consider and take responsibility for the practical implications of policy decisions.

116. The extensive consultation over 'common programming' of the past 15 months has brought the donors, UN and NGOs often and closely together. Their co-ordinating efforts remain tainted however by prejudices and stereotypes among these 'aid family groupings', and exist in general or arise from a history of difficult interactions around Afghanistan in the past. Less clearly recognised is the problem of multiple partnerships and conflicting loyalties: NGOs build up 'partnerships' with local communities and Afghan counterparts and sometimes with a particular donor (e.g. the Scandinavian NGOs). NGOs also enter into contractual relationships with UN agencies, who in turn may develop relationships with particular donors. Inevitably there are situations when these multiple partnerships and/or contractual relationships cannot be easily reconciled in a 'common approach'.

117. Whereas the process of consultation has led to broad agreement about the policy objectives and about the principles and values that underpin the involvement of the international community in Afghanistan, the unity of the aid community comes apart over the practical application of the principles. The research indicates that the donors put pressure on operational agencies to better co-ordinate but themselves do not pursue co-ordinated policies and approaches. This results in conflicting policy guidelines and additional dilemmas for the operational agencies, that only add to the already significant dilemmas and operational constraints. Two recent examples are the suspension of ECHO funding and DFID's policy on no return of international staff to Afghanistan on DFID funds.

118. *ECHO suspension of funding.* On 18 July 1998 ECHO suspends its funding to programmes in Kabul. On 29 July ECHO suspends its Global Plan for Afghanistan, because it includes operations in Kabul. Funds destined for the Global Plan are allocated elsewhere so that NGO programmes outside Kabul also become affected. The Joint Technical Committee was mobilised for discussion between the Taliban and INGOs with the UN as mediator. But these were cut short by the US missile attack on 20 August.

119. The episode caused debate within the NGO community about the relationship maintained with the Taliban which was essentially one of keeping a distance or confrontation. More significantly INGOs have not all been negotiating a return to Kabul collectively. The episode also caused controversy between INGOs and ECHO. Some INGOs have challenged the decision on humanitarian grounds. Others have found the suspension of funding also under the Global Plan highly problematic, because of the cash flow problems it causes. ECHO justifies its decision on the grounds that working conditions had become such that its humanitarian mandate could no longer be fulfilled. ECHO extended coverage of running costs for some months, but argued there is no legal, contractual, basis for doing so beyond. In retrospect EC correspondents also feel that there were too many INGOs operating in Kabul, not all of professional quality, and that the suspension is an opportunity to select out the better ones. The suspension was general and included programmes that were experiencing less problems than others. It also affected programmes that were co-sponsored by other donors directly or through the UN. Reportedly the situation had been discussed at the Humanitarian Aid Committee, on 16 July. There had been no consensus to suspend among the EU aid donor representatives. Comments from other donors on the ECHO decision vary between understanding to disagreement. One commentator saw ECHO's decision as also motivated by a desire to demonstrate its assertiveness in making its own aid policy.

120. *DFID suspension of funding:* In September 1998 DFID decided to suspend its funding for NGOs if its expatriate staff returned to Afghanistan. The policy decision was motivated by an identified security threat. DFID, reportedly with support from the USA, made its case to the other donors at the Afghanistan Support Group meeting in Tokyo in December 1998. Other donors, including the USA, subsequently discouraged NGOs they funded from sending in international staff, but only DFID has decided to stop funding such agencies, if they disregard the policy. The policy has caused significant resentment among NGOs who see it as a violation of their independence and who hold that they are best placed to make their own security decisions. In December 1998 still, the UK Secretary of State had explained that the UN and

ICRC were not affected by the policy, because they have 'a specially mandated role under international agreements' (Short 1998:3). By March 1999 DFID is also putting pressure on the UN not to return any British nationals to Afghanistan, using financial leverage to get this policy implemented. UN staff object on the grounds that this violates the independence of the UN and the conditions of international civil service.

121. DFID's justification is that the Foreign Office identified a security threat against British nationals and that coherence therefore requires that DFID does not lend its funding to supporting agencies or individuals to disregard the Foreign Office's advice. DFID denies that it violates agency's independence. They can disregard the policy but only with funds other than those from DFID. The measure does not serve as an excuse to reduce funding to Afghanistan, which in 1998 was ,8.5 million.

122. This example of conditionality on aid agencies causes significant controversy. The motivations behind DFID's policy are generally poorly understood. It causes problems for programmes that are co-funded by DFID and other donors. It can cause insurmountable dilemmas for agencies that received funding from DFID and from the EU (DG1 also funds programmes in Afghanistan): DFID does not want expatriates in, whereas the EC insists on the presence of international staff to maintain quality control. Not all donors see its as their responsibility, or within their ability, to make judgements about security risks. What particularly contributed to the dismay, including among donors, were the perceived 'extra-territorial' intent of DFID sanctions, and the fact that DFID does not give any further specifications of the 'security threat'. Meanwhile DFID has incorporated the possibility that funding may be suspended for security reasons in its newest policy statement. The policy document also states that there may be circumstances when 'it is not always possible to publicly share all the information that may be available to us' (DFID 1999:5).

123. Although the DFID policy is inspired by genuine concern for the safety of notably certain international staff, and has a rationale, it is difficult to see how it reduces the risks. In the absence of more specification of the precise nature or origin of the threat, it is difficult to appreciate whether it is avoided by staying in Peshawar or Islamabad? It also does not conclusively answer the question how the potential attackers would identify their target: are only British passport holders at risk, are all staff of British agencies at risk, are any British-looking international staff at risk? Problematically, a democratic government can advice its nationals against exposing themselves to risk, but ultimately cannot, and must not, prevent people from taking their individual responsibility. An apparent consequence of the increased cost of the UN flight to Afghanistan, following suspension of DFID funding, is for people to use alternative modes of entry which very likely increase the risk. A general criticism is that DFID's policy is entirely obstructive. A constructive approach to identified risk would for example consist in funding initiatives for improved security management in Afghanistan.

124. Although other donors have not followed ECHO's and DFID's policies, there has been 'donor solidarity' and they have not filled the funding gaps left by ECHO's and DFID's respective decisions.

### *Strategic co-ordination?*

125. The existing co-ordination fora therefore are useful for the exchange of information, but so far have not produced real 'strategic co-ordination' (see Lautze et al. 1998:79-80). Although the international community has overall goals, so far there has been little if any pro-active strategic planning. Co-ordination needs to take place at three, interrelated levels. At the 'top' there is the co-ordination of political interventions to manage and resolve the conflict. At the 'bottom' there is the co-ordination of the operational programme and project activities. In 'between' these two is co-ordinated action to enlarge the 'humanitarian and human rights space' that the warring parties and de facto authorities control. Enlarging

that space requires close co-operation of the aid community and of the political actors (see Van Brabant 1999a). Strategic planning therefore is grounded in ongoing in-depth analysis of the evolving context, and pro-actively considers possible scenarios and contingency plans. Its emphasis is on terms of engagement with the authorities, official or de facto, and on strategies of engagement.

126. So far the strategic framework exercise has not been grounded in a real situational analysis and has not produced any strategic planning. In essence, the efforts so far have yielded an expression of the values and principles of the international aid community and a mission statement for Afghanistan. These are valid and required but not sufficient. It has also been, rather inappropriately, mixed up with UN reform. But addressing the problems in the international aid 'system' may again be necessary but is not sufficient to address the problems and constraints in a specific context. It has taken an extraordinary long time for the aid actors to articulate their values and principles, and there has been diversion into the details of rendering operational programme more 'common'. It is only now, after 15 months of extensive interagency debate and consultation, that the aid community has come to focus on the key question: terms and strategies of engagement with the de facto powers in the Afghan conflict (see Annex 2).

127. Given the diversity of views, striving from the beginning for a common position among all donors and operational aid actors may be unrealistic and there is potential value in pursuing different approaches at the same time. Possibly the most practical way of pursuing co-ordination then more strategically, is through strategic monitoring and evaluation i.e. the critical and shared review of the impact and effectiveness of a policy or approach. Currently the debate and argumentation seems too much driven by valid but general principles rather than by serious consideration of what worked and what not, and why. Such critical evaluation of the effectiveness of different approaches should however then also influence subsequent resource allocations, otherwise the learning exercise is futile.

### ***Politicisation of aid?***

128. Aid has political impacts, whether intended or not. Admitting this however is not the same as accepting that (humanitarian) aid should be used as a major tool to pursue political objectives. Many aid workers interviewed felt that the strategic framework exercise and the principled approach were leading to an unacceptable politicisation of aid. The three most strongly identified indicators of that were the exaggerated expectations about peacebuilding with aid, the use of aid in anti-Taliban politics, and the pressure on aid agencies from particular donors.

129. Aid workers recognise they have a contribution to make through peace-building, by creating livelihoods and through promoting good governance at local level. They cannot however guarantee that their efforts at micro-level will have an impact at the macro-level, and will not be destroyed by more powerful incentives for war.

130. Many interviewees expressed concern about the one-sided focus on the Taliban, to the neglect of criticism of the Northern Alliance. There is a fairly strong belief that several actors in the international community do not simply want the Taliban to change their policies, but want to see the Taliban removed. There is concern that the conflict with the Taliban is partly driven by Western cultural imperialism and will turn into a wider West-Islam confrontation.

131. The conditionality imposed by DFID on aid agencies is perceived as the expression of a political agenda. A number of UN staff also alleged pressure from the USA on the UN not to return its international staff to Afghanistan, in order to keep pressure on the Taliban over bin Laden. Comparisons were made with strong USA-UK positions towards Iraq.



## Donor Belligerent Dialogue

132. Three points stand out with regard to understanding the Taliban:

- Kandahar and not Kabul is the centre of supreme decision-making in the Taliban movement. It is in Kandahar that Mullah Omar, the leader of the Taliban and the 'Commander of the Believers' resides, as well as his closest council or 'Supreme Shura'. The Kabul shura of Taliban reportedly remains subordinate to the Kandahar shura for substantive decisions on any policy issue (Bruderlein and Ahmed 1997:13-17). In one way the Taliban movement therefore is highly centralised.
- Even then, reports indicate that local level authorities do not necessarily actively strive to implement edicts from the Kandahar leadership. At the same time then the Taliban movement is highly decentralised.
- Reportedly there are different groups with divergent political visions within the movement, and it is the concentration on the war that helps to maintain coherence.

133. Direct dialogue takes place with Taliban representatives in New York and in Islamabad who are a regular direct contact for the UN and for donors. Direct contacts also take place between donor, UN, NGO and ICRC representatives with the Taliban leadership in Ministries in Kabul, and in Kandahar. It appears that currently the international community orients itself more consciously towards the leadership in Kandahar. Mullah Omar reportedly refuses to meet with non-Muslims, but Mr. Brahimi, a Muslim, has had direct contact with him.

134. In April 1997, the Supreme Shura in Kandahar proposed to a Dpt. for Humanitarian Affairs mission the establishment of a 'Joint Technical Committee' on international assistance to Afghanistan. The core subject matter for the JCC would be: the understanding of the needs of the Afghan population, the professional dialogue on UN projects and programmes, the legal status of UN staff in Afghanistan, and the discussion on the Afghan and international legal standards applicable to programmes in Afghanistan. The Taliban suggested that women expatriates are involved for the discussion on the needs of women. The JCC has been the forum where in the summer of 1998 the UN and the Taliban discussed ways of resolving the conflict with the INGOs in Kabul. Reportedly the UN remains keen to revive this forum for dialogue.

135. A full understanding of the 'dialogue' would have to include the way indirect messages are received, and implicit messages 'read'. This research was not able to shed any light on how messages to the Taliban, conveyed to the Pakistani government, might reach them, nor how the Taliban read the critical statements from the aid community in the international press. The researchers could not inquire into what possible implicit messages the international community might be giving, through the behaviour of its personnel or otherwise. There is little doubt however that the Taliban also read 'between the lines'. Several interviewees mentioned the Taliban's irritation over what they perceive as an unbalanced and therefore biased attention to the Taliban, ignoring the objectionable conditions of the times of the mujahedin commanders and in the territory controlled by the Northern Alliance. Another reported irritation for the Taliban is their perception that the UN does not build a useful relationship, but only comes 'nagging' when it has problems. One conscious way of sending an implicit message that the research brought up, is the deliberate inclusion of women in high level missions or in senior positions in field offices. Ms. Bellamy of UNICEF in April 1998 for example met with a senior Taliban official in Kandahar.

136. Even if the international community speaks with one voice, the messages are delivered in different tones: sharp public denunciation in press statements, firm and polite dialogue during visits, avoidance in the day-to-day work. By and large however the messages to the Taliban are consistent

expressions of strong disapproval and antagonism. It is not surprising then that the Taliban have been hardening their stance. A strategy of bypassing and ignoring the de facto authorities also appears untenable in the medium term. The de facto authorities will not continue to ignore the aid actors, and it is not helpful if they start engaging with the aid community from a feeling of deep irritation and resentment. By contrast, the firm but quiet diplomacy of the ICRC, with a more convincing record of 'neutrality' than many other aid actors, seems to be yielding better results. This leads to the conclusion that, following denunciation and avoidance, a strategy of persuasion, with reference to practice rather than to principle, could usefully be explored (see Bonard 1999).

### **Communicating with the Northern Alliance?**

137. Symptomatically, the interviews conducted tended to focus on the Taliban, not on the Northern Alliance. Prior to the capture of Mazar-i-Sharif by the Taliban in August 1998, presumably the Northern Alliance leadership was accessible in that city. It also maintained a weakened public administration that aid operators could interact with. Its militia commanders however were not tightly controlled, and local level negotiations often had to take place, certainly over the movement of aid resources. Commander Massood, the last military opponent of the Taliban, appears not normally personally available for discussions about aid. Prior to the fall of the Kabul regime in 1992, a form of civil administration (Shura-e-Nazar) had been developed in the area controlled by Massood, which was becoming a counterpart for some aid agencies. Reportedly this is not very functional anymore today, and working through and with it might be perceived as too 'political'?

### **Communicating with the regional backers**

138. A complete picture would require coverage of the communications with the neighbouring countries that are involved in the war in Afghanistan. Donors and the UN certainly interact regularly with the Pakistani federal authorities in Islamabad, where the politics of the Afghan conflict appear to be raised. UNHCR has a presence in Iran, because of Afghan and Iraqi refugees. It is assumed that the dialogue of UNHCR with the Iranian authorities does not extend to the politics of Afghanistan. The US policy does not allow its officials direct bilateral discussions with Iran, which is why the US engages with Iran over Afghanistan under UN auspices. Reportedly there is a certain reduction in the tension between the US and Iran, and potential for a closer alignment of the US and Europe over Iran. But Afghanistan is probably not a high priority in the dialogue with Iran. For the Central Asian republics, Russia comes strongly into the picture, but no significant observations or insights have come up during this research.

## SECTION 4. PERCEIVED EFFECTIVENESS OF THE INCENTIVES/DISINCENTIVES

139. Judging the effectiveness of one's actions towards the achievement of desired outcomes is not always so straightforward. Like all impact assessments, there are questions about the time frame used, about the scale of impact, about who or what impact must be attributed to. 'Success' and 'effectiveness', certainly in difficult circumstances, to a degree are 'in the eye of the beholder'.

### Effectiveness in the Pursuit of the Various Policy Objectives: An Overview

#### *Containment of the conflict, and political resolution*

140. Spill-over of the Afghan war, notably in the form of neighbouring countries (Iran) sending in its army, appeared an acute threat in the autumn of 1998. The threat for the time being has been averted, perhaps thanks to the diplomatic efforts of the UN. An end to the war through a negotiated peace-settlement however, as appeared, falsely it turned out, to have been achieved in 1988 and in 1992, has remained elusive.

141. The one major point of leverage that the Western community has on the Taliban, is official recognition in the UN General Assembly. This is what the Taliban crave, but what the international community denies them, at least until they change their policies on terrorism, narcotics and women's rights. A military victory, bringing the whole of Afghanistan under Taliban control, would however bring them 'into recognition land'. So far there are no indications that international isolation has been a disincentive for the Taliban to pursue their policies and actions. Whether that would change if they did take control of the whole of Afghanistan remains to be seen. Being a fairly authoritarian movement, with a religious ideology, in a country that economically is not very tied into the world economy, one could imagine that they can ignore the larger -Western- world even more than the Iranians did after their revolution. Simultaneously, one can expect that the Western countries, not seeing important economic interests in Afghanistan, do not stick to clear benchmarks for recognition but will turn it into a shifting goalpost.

142. In late March 1999, after the conclusion of this research, a power-sharing agreement was announced between the Taliban and their one remaining military opponent, Massood. Reportedly Turkmenistan and the UN have been involved behind the deal, and also Pakistan and Iran have recently been talking. The indications are that the Taliban war machinery was running short of especially financial resources. because Pakistan's economy is bleeding and Saudi funding reduced or cut. An optimistic view hoped that their regional backers have put pressure on the Taliban to come to a genuine peace-deal. A pessimistic view believed that it was only a tactical respite, to refinance and to score points with the international community on the road to recognition. In April the agreement broke down.

#### *Respect for international humanitarian law and human rights*

143. All parties in the Afghan war have breached international humanitarian law. A more authoritative view on the Taliban's respect for IHL, would have to be sought from the ICRC. The impression gathered in this research is that by and large the Taliban appear receptive to the requirements of IHL, and to the ICRC's engagement with them on this. The Taliban have agreed to an inquiry into massacres in Mazar-i-Sharif, against them and by them, and to the deployment of human rights monitors. There are fears that the

Taliban might be persecuting the minority, and mainly Shia, Hazara, but the evidence so far does not appear to indicate a pattern or policy. Women's rights are the biggest stumbling block between the Taliban and the Western aid community. A principled and confrontational stance, inspired mostly by the situation in the cities, appears not to have made impact. A pragmatic stance -with bottom-lines- inspired mostly by the situation in the country side, offers encouraging examples. The question remains whether the small advances at micro-level make any significant difference at macro-level, nationally, and in the medium-term as generations grow up? The public stalemate seems intractable: the Taliban like the Western actors adopt a 'firm and principled' stance, and both the Taliban and Western political and aid actors are being closely watched by their respective constituencies against any accommodation.

### ***Maintaining the integrity of aid***

144. The aid agencies are still trying to negotiate conditions and respective roles and responsibilities with the Taliban, that would guarantee their equal access to vulnerable target groups without discrimination, and the degree of independence in the management of their operations, that they desire. This has now reached the stage where both the UN and NGOs are exploring the potential of signed agreements with the Taliban. To what degree a document signed with a the leadership of a movement will hold sway with a 'local' authority, remains uncertain. Equally uncertain is what will happen when the Taliban and aid agencies will practically interpret the terms of the agreement in different ways.

### ***Secure agency property and personnel***

145. Although insecurity has characterised the situation of aid agencies more in the territory of the Northern Alliance, than in that of the Taliban, the UN has insisted on the Taliban providing better security guarantees. The return to Afghanistan of the UN international staff, in March 1999, presumably signals that these negotiations have given satisfaction. The feeling among aid workers is that the Taliban have been forthcoming on the security demands, not so much because they are really concerned for the security of agency staff, but because the need to maintain a working relationship with the UN if they hope ever to achieve international recognition. In the weeks following the UN's decision to return its international staff to Afghanistan, international staff of NGOs were assaulted in criminal attacks. How quickly and effectively the Taliban respond to this could be one indicator whether they assume more responsibility for security.

### ***Counter-narcotics***

146. Poppy cultivation in Afghanistan is increasing rather than decreasing. Economic hardship is a major cause. The drug Mafia offers a major incentive. Farmers choose poppy not only because it is easy to cultivate and brings reasonable profit, but also because the drug Mafia provides credit, seeds and tools, and a market through guaranteed purchase of the harvest at the farm gate. It is too early to judge the positive conditionality approach on drugs that is now being pursued. Counter-narcotics experts however warn that a strategy of alternative development cannot succeed by itself, without simultaneous enforcement. The drug Mafia, for one, is prepared to counter the alternative development offer, by raising the purchase price of poppy at the farm-gate. As to the Taliban's reliability and commitment to drug control, different views hold. Some see the Taliban as profiteering from the drugs, others find examples of enforcement measures. The Taliban in any case are not an organised movement with a strong command and control structure: there is significant scope therefore for differences in attitude among local Taliban authorities.

### ***Counter-terrorism***

147. With regard to counter-terrorism, notably the Taliban's sheltering of Osama bin Laden, the perception is that the pressures exercised have had influence. Minimally they have forced the Taliban to withdraw from a position of clear alliance with bin Laden. Significantly this -modest- success is attributed to two factors: force in the form of US missiles against terrorist camps in Afghanistan, and financial pressure from Saudi Arabia. It is necessary to point out that the financial support of Saudi Arabia to the Taliban has been said to amount to perhaps \$ 2 billion, significantly more than the approximately \$ 300 million of aid money spent on -not all of it in- Afghanistan.

### **Perceived Reasons for the Limited Effectiveness**

148. Where actions do not appear to have been very effective, as is the case in Afghanistan, questions arise, about those that one wanted to influence, but also about the ways in which one has tried to influence. At the time of the research, late 1998-early 1999, significant frustration characterised the mood of the aid community: frustration with the results of a strong and confrontational stance and the attempts to exercise influence on the Taliban through denunciation and disengagement, which were felt to be counter-productive and only harden their stance. Frustration also with the discord within the aid community, over the practical interpretations of agreed principles and policies. Different views and stances among donors have added to the difficulties and dilemmas for operational aid agencies. Much of the debate in the aid community, at least at field level, also self-critically questions the assumptions and tactics of the Western aid community in the pursuit of its policy objectives with the Taliban. Many reasons were offered by people in the aid community as to why the efforts of the past 15 months appear to have limited effectiveness. The following provides an overview, whereas Section 5 offers a more analytical and policy-oriented interpretation.

### ***The Taliban are not receptive to Western concerns and demands***

149.

- The Taliban are religious students from the madrassa. As such they are ignorant about the wider world, and international standards. Also, as religious students they are used to a segregation of men and women. They 'opt out of the modern world'.
- There is no 'meeting of rationalities', there are fundamentally different cultures/worldviews: the Taliban world view is religious, the Western concern for human rights is ethical but not religious. In Taliban eyes a non-religious demand does not have the same status.
- The Taliban's priority is the war effort and that is where all their attention is concentrated on.
- The belligerents have not entered into a protracted military stalemate. A stalemate seemed to have occurred by early 1998, which made donors see a certain opportunity for negotiations. But this was broken by the successful Taliban offensive in the spring of 1998. The belligerents therefore continue to see more value in pursuing war than peace.
- The Taliban need to maintain the loyalty of their followers and foot soldiers. As such they cannot afford to be seen as giving in to Western demands, certainly not about a central ideological symbol as the proper behaviour of women.
- The Taliban have a different view about their responsibility for the social well-being of the population, or, the Taliban do not care at all about the well-being of the population/the poor.
- The Taliban have no aptitude or inclination for public administration.

- The Taliban do not care about aid, or, the Taliban care about aid, but mistrust the Western aid providers for their hidden political agendas and for the corrupting moral values that their aid may introduce. They care about aid, but on their terms.

*Do the Western actors have effective leverage?*

150.

- Targeting donor inducements and pressure is difficult because there are no functioning state institutions. The only Department that really functions is the one that for the international community is the most offensive, the Department for the Protection of Virtue and the Prevention of Vice.
- The Taliban is a movement and not a well structured party with a command and control. Although the ultimate decision-making power lies with Mullah Omar and his inner circle, his edicts, or other policy-decisions made in Kabul, are not necessarily internally consistent. Moreover, local level authorities are not necessarily aware of them or do not feel compelled to implement them. Finally, there is quite a rapid turnover of Taliban authorities at local level, which again hampers continuity and the development of good relationship.
- Regional states declare to be in favour of a negotiated settlement, but in practice continue to provide the warring parties with arms and other support.
- Pakistan does not have quite as much influence over the Taliban as some believed. The Federal Government in Islamabad has certain influence, but the Inter Services Intelligence, the Afghan Trade Development Cell in the Ministry of Interior (sic), the provincial authorities, the Quetta and Chaman-based transport Mafia, and drug barons and arms smugglers all pursue their own interests with and through the Taliban, independent of government policy. Moreover many Pakistanis have joined the Taliban as fighters.
- Pakistan is oblivious to the warnings about the medium-term repercussions that the situation in Afghanistan will have on Pakistan: a stronger drug Mafia and more drug abuse, the proliferation of small arms, the return of Pakistani Taliban trained in the use of arms and in warfare, a growing culture of smuggling and tax evasion.
- Pakistan needs to be handled with care and not only with pressure, for fear that it would fall into the hands of a fundamentalist Muslim leadership, that would have a nuclear bomb.
- The volume of aid is small compared to the resource flows of arms and fuel for the war in Afghanistan, the volume of mostly illicit trade between Afghanistan and neighbouring countries, and the profits from drugs, and the financial support to the Taliban of notably the Saudi government and probably also Osama bin Laden.

151. Importantly, the ICRC is held to be performing well in Afghanistan and to have established an effective working relationship with the Taliban. A number of factors were listed in this regard:

- ICRC decision-making is in Afghanistan, not by remote control
- ICRC fields mature and disciplined staff
- ICRC is politically astute
- ICRC challenges the Taliban on breaches of international humanitarian law, but confidentially rather than publicly

- ICRC works pragmatically around the restrictions on women
- ICRC does not frontally challenge the Taliban on policy
- ICRC also fulfils functions such as the treatment of war-wounded and exchange of prisoners that are relevant for the Taliban military.

***Political and diplomatic failures of the international community?***

152. *Wrong approach.* The approach of formal diplomacy, it is argued, is not sensitive to Afghan culture, and tends to be counterproductive. Special Envoys reside outside the region and come in for 'hit and run diplomacy', i.e. flying in for a short visit of a few hours before they hurry away. That way they cannot understand the nature of Afghan dialogue and decision-making. This requires 'green tea diplomacy', i.e. a sitting together and talking to establish relationship, and develop trust, not once but over time, before approaching the fundamental issues. Secondly, peace brokers should limit themselves to being process facilitators and not problem-solvers. Afghans of opposing parties should be brought together and encouraged to talk in a confidence-building setting and atmosphere. But there should be no pre-set agenda or pre-set recipes for conflict resolution. They need to find their own solutions. Pertinently, one knowledgeable interviewee from the political side felt that 'the principled approach if applied vigorously', because of the confrontational climate it creates, hampers the 'quiet diplomacy'.

153. *Sheltering Najibullah.* Criticism has been levelled at the fact that the UN sheltered Najibullah in Kabul from 1992 till his capture and execution by the Taliban in 1996 (Maley 1998:189). Certainly in the eyes of many Afghans this damaged the credibility of the UN, who was not perceived as providing a leader with diplomatic protection but as protecting a criminal from justice. Again the strong vocal international condemnation of his summary execution in the streets of Kabul, against a background of silence about his personal record as head of the secret police (1980-85) and subsequently as head of the Soviet backed state, damaged the image of impartiality of Western countries.

154. *The quality of envoys.* Criticism has also been levelled at various Special Envoys. Mr. Sevan has been said to have given the wrong weighting in his selection of the different groups and political personalities that he chose to talk with (Maley 1998:188). Mr. Mestiri has been criticised for treating Rabbani's government, then as now holding the UN seat for Afghanistan, as just another faction with no more credibility than his opponents who were shelling Kabul. In statements he would even openly have questioned its legitimacy (Maley 1998:190-195). Dr. Holl has equally been criticised for failing to get a proper understanding of the complexities of the Afghan conflict. The general perception now is that Mr. Brahimi is very capable.

155. *Peace from above, peace from below.* The dominant model for peace-making that for many years drove the political strategy can be called the 'Cambodia model'. This puts the emphasis on the political strategy, and on a political agreement that leads to a broad-based government in the capital city. It is relatively short term. A shift now seems to be taking place towards more bottom-up peace-building. This can be called the 'Somalia-model'. It is bottom-up, developmental and more long term. The risk is that this overlooks the fact that the conflict in Afghanistan, unlike in Somalia, is ALSO a regional proxy-war, a dimension that cannot simply be reduced from bottom up.

156. *Wrong conflict analysis, wrong proposed solution.* A fundamental point, made by a few people interviewed who were associated with the political mission rather than with aid mission, is the continuing failure of the UN to adequately diagnose the problem. As a consequence the proposed solutions are simply not appropriate or adapted enough. As mentioned in this report, the Afghan conflict has several layers, one of them being that it is now a regional proxy-war. But the roots of the conflict go deeper and ante-date the Soviet invasion in 1979. It is the question of the authority of the state (its degree of control over the manifold of Afghan local communities) and of which ethnic group controls the state (Pushtun have

historically opposed a non-Pushtun as head of state). Secondly there is the long-standing dispute over the nature of the Afghan state and Afghan society, a dispute that can be called the struggle over 'modernity', in which successively liberal Western, socialist, Islamist and Islamic fundamentalist visions have taken the upper-hand (see e.g. Bruderlein & Ahmed 1997:3-10; Maley 1998:195-197). The UN mistakenly upholds one global model solution: a broad-based, representative government based in the capital. The Mojaddidi and Rabbani governments however have been close attempts at a 'broad-based government in the capital', but only ended in further bloodshed. What is needed, one interviewee said, is not a 'broad-based but a broad-minded government'.

157. *Confrontation rather than dialogue.* Confrontational denunciation rather than patient and constructive engagement, and a counter-productive insistence on official policy change by the Taliban, rather than pursuing the policy objectives through the many practical opportunities that exist or that can be created. The counter-argument holds that polite but firm expressions of disagreement with Taliban policies deemed offensive must be maintained, precisely because the many micro-level advances may otherwise not amount to impact at macro-level.

158. *Missed opportunity:* One interviewee agreed that the model that focuses on a central government in the capital city is inappropriate and that a more productive approach could be to think along the lines of 'regional governors' with substantial autonomy. Constitutional changes in Afghanistan in 1964 reduced the powers of the provincial governors in favour of the central government. It is possible however that it is more attractive for political Afghan leaders to be provincial governors than ministers in Kabul. The international community in that sense was said to have missed an opportunity in 1995 when the balance of forces corresponded more or less to an earlier structure of Afghanistan with 7 provinces. UNDP at the time had also been developing a big rehabilitation plan, with a strong orientation towards regional implementation. Here aid could have been used as an incentive for a more refined political strategy.

159. *No political will:* With the end of the Cold War and especially after the start of the Gulf War in 1991 and the fall of the Najibullah regime in 1992, Afghanistan became a 'forgotten conflict'. It has been said that the international community had not political strategy for Afghanistan between 1992-94. Somewhat perversely, the Taliban and their gender policies, and more recently, Osama bin Laden, have helped to 'put Afghanistan back on the map'. But interviewees expressed scepticism whether there was enough international political will to end the Afghan war rather than just contain it.

### ***Have the Western actors eroded their own credibility?***

160. The receptiveness of the Taliban to Western suggestions and demands is severely hampered by their perception that the Western actors are not as 'neutral' and 'consistent' in the pursuit of values deemed 'universal', as the latter pretend.

- The neutrality of humanitarian aid has been compromised by the one-sided support to the mujahedin during their war against the Soviet invaders and the Kabul-regime until 1992.
- The international community is not consistent: it has not spoken out or shown concern about principles during the time of the 'commanders'; the international community is also biased: it is far more vocal about problems with the Taliban than about problems with the Northern Alliance; the international community is not even-handed: it only talks about its problems with the Taliban and not about the positive changes that the Taliban have brought.



- Internationally there is a severe misrepresentation of Taliban policies and practices whereby the situation in Kabul and other cities like Herat is incorrectly generalised to the whole of the territory under their control.
- Several interviewees felt that indeed an excessive degree of 'demonising' of the Taliban had taken place, and not only by lobby and activists groups in the Western countries.
- The UN therefore is not perceived as an impartial peace-broker.

***Institutional Counter-incentives in the aid community.***

161. The attempts to be firm and principled have led the aid community on several occasions to suspend programmes or projects and/or to withdraw especially international staff. As the prolonged withdrawal of UN international staff showed, at the level of donors and certainly that of implementing agencies there are incentives to weaken one's demands, or to become more accommodating, so that operations can start again.

162. First there is the humanitarian mandate: where agencies perceive need they feel their mandate obliges them to respond, even if their demands and requirements may not have been (fully) met. Secondly there are institutional imperatives: there is the not unjustified fear among operational aid agencies, that prolonged inaction will become an 'incentive' for donors to reduce aid levels to Afghanistan, because of frustrations over programme progress, concerns about programme quality control, and a feeling that elsewhere they can get 'more bang for their buck'. There is also a concern that prolonged inaction will lead to the loss of experienced and qualified but also frustrated staff.

163. Continued operations by 'remote control', i.e. without international staff presence were judged problematic. A positive aspect was that in certain places the local communities had become more assertive in expressing their demands to the Taliban. A negative aspect was that the interaction between agencies declined, with consequences for co-ordinated programming but also for future security management. Importantly, managing by 'remote control' was felt to remain feasible as long as the international staff member had the personal knowledge of the scene and had been able to develop a close working relationship with the Afghan staff that remained in place. The replacement of an international staff member withdrawn from Afghanistan by someone never deployed in Afghanistan, would however greatly decrease the quality of understanding through distant communication.

## **SECTION 5. UNDERSTANDING THE INEFFECTIVENESS: PROBLEMS WITH THE INCENTIVE SYSTEM**

164. As described earlier, our analytical approach to exploring the use of incentives and disincentives is derived from agency theory and focuses on the efficacy of the inducements provided by donors relative to the degree of aversion by the Afghan authorities to donors' policy stipulations. Within this approach, the likelihood that conditionality will produce the desired outcomes will be a product of (a) the extent of the authorities' willingness or reluctance to do what the donors wish (their 'participation constraints') and (b) the value to them of the incentives which the donors can offer.

165. We have already described, in general terms, the factors most likely to influence recipients' assessments of the costs and benefits (see section 2). We turn now to apply these to the specifics of the Afghan case, concentrating on the contemporary situation in that country. We commence by considering factors liable to influence the Taliban's 'participation constraints' - the extent of their reluctance to comply with donor wishes.

### **Influences on Taliban Attitudes to Donor Wishes**

#### ***The general state of relations***

166. First, we would make the point that the specifics of Taliban responses to donor policy preferences are bound to be coloured by the wider state of their relations with major western governments: in regard to trade, security and foreign policy. As already described, the Taliban reportedly see Western governments as largely hostile. In our view, they are essentially correct to see Western governments as essentially hostile. Many interviewees held that various actors in the donor community do not so much want to see the Taliban change their policies but to see them removed. As one donor official stated to us, '...we would not want to do anything that would support the Taliban' and that is consistent with the general donor refusal to undertake programmes of a capacity-building character. There was concern among some we interviewed that the policy conflict with the Taliban is partially driven by a Western cultural imperialism and could become cast in terms of a wider West-Islam confrontation.

167. Needless to say, this situation colours the nature of donor-Taliban relations and limits what the former might be able to offer by way of positive incentives. Overall, the general state of relations is strongly adverse to successful use of conditionality.

168. At the same time, we were told that the Taliban, while reacting strongly to openly confrontational positions taken up on occasion by some donors and agencies, have proved responsive to more patient, lower-profile approaches. Against the argument that polite but firm expressions of disagreement with Taliban policies deemed offensive must be maintained, because many micro-level advances may otherwise not have much impact at macro-level, we heard criticism of 'fly in fly out' diplomacy rather than 'green tea diplomacy' - confrontational denunciation rather than patient and constructive engagement, and a counter-productive insistence on official and public policy change by the Taliban, rather than pursuit of policy objectives through the many practical opportunities that exist or that can be created.

*Degree of consistency between donor and recipient objectives*

169. Experience elsewhere points strongly to the limitations of what it is realistic to expect to achieve through aid conditionality in situations where there are large differences between the policy objectives of the donors and recipients, and to the large importance of local 'ownership' of the policy changes being sought.

170. Unfortunately for the case under examination, there is little convergence between donor and recipient objectives. Rather, there is a generally wide, and strongly-felt, gulf between Taliban and Western value systems and policy objectives. Taliban are perceived as preoccupied with military victory and not presently placing high value on a negotiated peace or on 'development'. There is large disagreement on the position of women. Moreover, many members of the Taliban movement have a serious commitment to their beliefs. As one scholar puts it, "...the problem with the Taliban is that they mean what they say." (Maley 1998: 211). In fact, the large differences in the parties' objectives creates real dilemmas for aid agencies. Organisations are uncertain where to draw the line between accommodating to Taliban edicts and Afghan traditions, and continuing to observe their own operating principles.

171. Here again, however, it is not impossible for donor agencies to make progress, if they have genuine incentives to offer and approach issues in a pragmatic manner. This is illustrated by the success of the ICRC, and possibly CARE, in bringing effective pressure to bear on Taliban. While their overall values and objectives no doubt differed, in both cases the agencies had services to offer which were valued by the Taliban as supportive of their own goals: care of war-wounded (ICRC) and avoidance of mass destitution of Kabul widows (CARE). Neither agency sought any intrusive conditionality beyond the minimum consistent with fulfilment of their mandates.

172. However, the essential fact is that if local ownership is the key to effective policy change, then not much policy-change in directions desired by donors can be expected from the Taliban at the level of national policy. In response to this, assistance agencies are trying to foster grassroots ownership through community development, where there is often a substantial degree of local autonomy. But at the national level - and in strong contrast to other aided countries - 'ownership' is conspicuously absent from the vocabulary of Afghanistan's donors.

173. A greater convergence of objectives - and a more effective donor response to the Taliban - would require that donors have a good understanding of the political-economy of the Afghan situation but we doubt whether that condition is satisfied. It was not clear to us, for example, that the donors had an adequate appreciation of the political costs and risks that would probably be incurred by the Taliban leadership were it to comply with donor demands on such issues as women's rights. The strong 'fundamentalist' beliefs among a high proportion of the mass membership of the Taliban movement is regarded as constraining the freedom of action of the leadership in matters impinging on the religious world view of their followers.

174. We can further illustrate the importance of a sound situational analysis by reference to the 'Strategic Framework' described earlier. This is a statement of intent: it spells out what the donors want to achieve with their interventions in and on the conflict in Afghanistan, and according to what principles. The strategic framework exercise has triggered much reflection and activity in the aid community. But the impression is that it has not triggered the same amount of critical reflection about the political strategy. That is surprising given the criticisms of the past UN performance. Certainly the "6+2" regional approach was innovative and desirable. But it is not clear whether some of the assumptions and approaches highlighted as problematic in the past have really been examined.

175. The strategic framework, surprisingly, does not start out with a real situational analysis. It elaborates the values and mission of the international community in Afghanistan but out of context. That makes it more difficult, in subsequent planning, to appreciate external constraints that are not under the control of the aid community and to think about context-specific approaches. This deficiency is most marked in the document's inadequate conflict analysis, which misses the problem of the long-standing tensions in Afghanistan over the relationships between state and society, and the control of the state. The assistance strategy misses the problem of contesting visions for state and society, including the fact that the assistance of Western donors carries a vision that is contested within Afghanistan.

### ***Conditionality upon whom?***

176. The idea of using aid incentives and disincentives to achieve donor objectives is most obviously practicable in the normal situation that there is a readily-identified central authority with whom to negotiate, although we recognise that there may well be occasions when donors are seeking to exert influence among parties other than the central authorities. The position in Afghanistan is made a good deal more difficult for the donors by the fact that only to limited extent does the Taliban movement have the characteristics of a modern government. It has demonstrated limited interest or ability in civil administration and the obscurity of its internal dynamics and decision-making are difficult for donors to deal with and influence (Maley 1998: 16, 140). Few of the institutions of a modern state function well. Taliban edicts are not automatically implemented, there is de facto decentralisation - and potentially renewed fragmentation - of authority.

177. These features of contemporary Afghanistan lead aid agencies, especially NGOs, to complain of the great difficulties of working in the context of a 'failed state' but we would like to repeat that this is not a new feature of the Afghan scene: it has always been a weak state.

### **Factors Influencing the Incentives which Donors can Offer**

178. Virtually all the influences discussed above are strongly unfavourable to successful use of conditionality, pointing to the difficulty of identifying appropriate points at which to seek to influence national policies and to strong reluctance on part of the Taliban leadership to accede to donor demands. In the face of this situation, exceptionally powerful incentives would be needed if donors were to be able to overcome these obstacles to the successful use of conditionality. We therefore turn now to consider various influences on the value of the incentives which donors can offer in Afghanistan.

### ***The amount of aid on offer***

179. Information on the flow of aid to Afghanistan in recent years is set out in Annex 1. This indicates that aid disbursements have amounted to around \$300 million per annum in recent years, although only a proportion of this will have been disbursed within the country. Economic statistics are wanting, but the indications are that the volume of aid, although by no means negligible, is modest in relation to other resource magnitudes: annual trade with Pakistan - probably the biggest but not the only trading partner of Afghanistan - is alone conservatively estimated at \$2.5 billion. One estimate mentioned to us for the value of Afghan drug production at the point of export to Pakistan (not at the farm-gate) is \$ 1.25 billion p.a.

180. As was made clear earlier, donor-country ambitions in Afghanistan are large (achieving a negotiated settlement, ensuring respect for human rights, ending the production of narcotics...). To the extent that they are seeking to achieve these through an aid-based incentive system, the question arises whether donors have been willing to invest aid on a scale proportional to the scale of their policy

ambitions. Moreover, most of those to whom we talked thought it more likely that future aid flows to Afghanistan would diminish rather than increase, although the figures in Annex 1 do not indicate any particular trend.

### *Access to alternative lines of support*

181. Aid leverage must also be expected to be sensitive to the extent of external support from sources beyond the Western donor countries: the greater the alternatives the less the leverage. In the Afghan case, it appears that Pakistan and Saudi Arabia have been providing resources and lines of credit, reputedly on a scale much larger than Western aid. Significantly, present speculations about the cause of the possible moderation in Taliban positions with regard to anti-terrorism and a negotiated peace point to the influence of reduced Saudi funding and the economic crisis in Pakistan, not towards influence from the Western aid community.

### *Value and effectiveness of past aid*

182. Even more relevant than the quantity of aid is the Taliban assessment of the value of the aid received, in terms of their ability to promote their own objectives. It seems likely that they are ambivalent about Western aid. On the one hand, we have already cited the example of ICRC whose assistance the Taliban show every sign of valuing. Against this, it was suggested to us that they see the generality of Western aid as donor-driven, expatriate-dominated, a potential Trojan Horse for decadent Western influences, promoting objectives which they do not share or give priority to. It was suggested to us that the Taliban do not appear to regard themselves as aid-dependent, a situation which would make them not very reluctant to refuse assistance and much reduce any leverage which donors might hope to exert.

183. At present, virtually all aid on offer is 'humanitarian' rather than developmental (although the distinction is not sharp and some developmental-type activities have been smuggled in under the humanitarian label). To the extent that it is genuinely humanitarian - to save lives, reduce suffering - it is difficult for donors to credibly threaten to withdraw if conditionality is not complied with. The aid community remain explicitly committed to provide life-saving emergency aid unconditionally. Some clear examples of emergency aid have been the winter relief programmes for Kabul in the mid-90s, and the responses to the destruction wrought by earthquakes in 1998 and in early 1999. Donors' refusal to provide 'capacity building' assistance can be expected to further reduce Taliban valuations of the aid on offer. The Taliban are interested in aid for the rehabilitation of economic infrastructure, the donors are only willing to offer 'humanitarian' aid. The Taliban probably perceive past aid as not having been very effective in terms of their own priorities so that there is little to be lost by foregoing it. Where they perceive aid to be effective, such as in the WFP bakery project or the widows' programmes in Kabul, they have been more permissive than with other programmes.

184. Of course, in the wider context of their relations with Afghanistan Western governments do have trading and foreign policy incentives to offer, although these fall outside the remit of this study. Above all, the Taliban crave the formal recognition which the West has hitherto declined to contemplate. Here, there might be real leverage to exert, although it falls outside the ambit of the aid agencies per se. However, the potential for using this carrot as an inducement are considerably reduced by the political costs which Western governments would incur should they move to recognise a Taliban government, given the vigour and influence of (mainly pro-women's rights) advocacy groups in their capital cities, not least in Washington - a factor of which the Taliban leadership is doubtless aware. Women's and other human rights were described to us as having become a 'public relations flashpoint' and symbolic of Western fear

of Islam, preventing donors from responding to the important differences between town and country situations in Afghanistan and dealing with issues pragmatically.

### ***The possibilities of collective action***

185. One of the particularities of the Afghan situation is that official bilateral donors (except the EC) do not have a direct presence in the country and administer their aid programmes through UN agencies & NGOs, which have their own mandates, policies and priorities. This greatly complicates the possibilities of securing unified donor & agency action. Many NGOs are opposed to linking of humanitarian aid to conditionality; in some cases their mandates forbid it. This creates tensions between official donors and NGOs, with the latter much concerned with the resulting danger of what they see as a politicisation of aid.

186. For example, the conditionality imposed by DFID on NGOs with regard to international staff is perceived as the expression of a political agenda. More generally, the USA and UK are viewed as exerting undue influence on official donor (and NGO) policies. This concern over politicisation must be seen in the light of frustration with the donor strategy of confrontational affirmation of principles. In 1998 this led to sharp conflict between the Taliban, the UN and NGOs, with the latter basically put on the defensive. The confrontational approach is at field level seen as mostly counterproductive. Pertinently, one knowledgeable interviewee from the political side felt that 'the principled approach' if applied vigorously hampers the more promising possibilities of 'quiet diplomacy.'

187. One of the outcomes of third-party execution of official bilateral aid programmes is that it results in a proliferation of interested parties. ACBAR has registered 150 NGOs (international and local), of which ca 30 were said to be substantial (with budgets of over \$5mn p.a.); the UN's 1999 Appeal (pp.16-17) lists 11 different UN agencies with Afghan programmes in excess of \$2mn, and 10 official bilateral donors (including the EC) with programmes in 1998 of over \$5mn.

188. This proliferation tends to reduce the credibility of donor threats of aid withdrawal, reducing the risks to the Taliban of disregarding donor policy wishes. So too do instances of past donor inconsistencies: the UN was frequently cited as having been inconsistent in the past; NGOs are dribbling back to Kabul (or new ones are coming in) despite an attempt to maintain a common stance until the Polytechnic issue is satisfactorily resolved (we were told 22 international NGOs are already back).

### ***The effectiveness of donor co-ordination mechanisms***

189. In the face of such a multiplicity of actors, the possibilities of collective action - and credibility of threats of that - evidently rely rather heavily on an effective co-ordination mechanism. The strategic framework exercise has generated or stimulated a number of co-ordination fora within the aid community, as described earlier. Much has been invested in the recent past to strengthen co-ordination among assistance providers and this appears to have achieved broad agreement on the principles and values that should underpin the international community's involvement in Afghanistan, and on broad policy objectives. Discussion of co-ordination has become substantive, i.e. addressing task- and target-oriented programme co-ordination (as opposed to an effort that avoids programme issues and focuses instead on common services to the aid agencies).

190. The strategic framework exercise, then, has been a substantial, imaginative and constructive attempt to respond to the co-ordination problem. At the same time there remain substantial weaknesses. There does not appear to have been a comparable effort to bring about more co-ordinated action at the political level; there remains substantial confusion about the thrust of the 'strategic framework'; it is in essence a UN tool that donors have linked with UN reform; it is mainly geared toward overcoming

structural weaknesses in the international humanitarian aid system but has little to offer in terms of how to more constructively approach the situation in Afghanistan; and it has resulted in a plethora of co-ordination fora, that makes it difficult to manage information and to come to clear decisions. Above all, the agreement on principles falls apart in divergent interpretations, judgements and approaches in practice. As a result, donors respond differently to the same events and take specific policy decisions that may contradict those of other donors, leaving it up to the operational agencies to handle the practical dilemmas. A further factor is that some donors remain unwilling to support common programming through a centralised funding mechanism, or funding disciplined to proposals in the common appeal.

191. In short, the substantial investment in co-ordination provides only limited assurance of consistent action among the many agencies involved in Afghanistan.

### *Coherence and consistency of donor objectives*

192. There is a greater possibility for the effective use of conditionality if donor objectives are realistic, clear and consistent. We have already noted that most official donors would agree with the list of objectives set out earlier. But these are ambitious and the fact that there are multiple goals, to say nothing of multiple donors and the undoubted existence also of unstated objectives, throws up the possibility of inconsistencies. In fact, tensions exist at the levels of principle, policy and practice:

- As a matter of principle, the aid community wants the Taliban, but presumably also Afghans at large, to respect international norms while at the same time it wants to respect Afghan culture and tradition.
- As a matter of principle the aid community wants its aid to be only humanitarian, yet conditional in respecting human rights, whilst also upholding the right to humanitarian assistance.
- As a matter of policy, the aid community is stuck in the dilemma of a development crisis and a human rights crisis: the human rights crisis suggests that aid be reduced to what is 'life-saving' only, the development crisis suggests that aid be mobilised for community development and local peace-building.
- As a matter of policy, the aid community is stuck in the dilemma of a development crisis and a governance crisis: donors want to respond to the development crisis, but because there is also a governance crisis, they use humanitarian budget lines and criteria: short funding cycles, programmes all subsumed under an appeal that will be annual, an expectation of quick impact, and no institutional capacity-building.

193. The dilemmas resulting from multiple analyses and multiple objectives are well illustrated in the debate over the counter-narcotics policy: The principled gender lobby argues for aid to Afghanistan to be cut. The counter-narcotics strategy demands aid investment in alternative livelihoods. The good governance strategy with its 'no institution-building' policy however rejects investments for enhanced enforcement capacity, thereby impairing the potential effectiveness of the counter-narcotics strategy.

### *Consistency and human resource allocation.*

194. Pursuing the policy objectives of the donors in an environment as complex and sensitive as that of Afghanistan, demands greater emphasis on finer analysis, on more sophisticated forms of interaction with conflict entrepreneurs, on skilful negotiations, on strategic co-ordination and on impact assessment, on local peace-building and the like. This requires not only highly qualified staff but is also intensive in

staff time investment. Yet budgetary practices remain inspired by a now outmoded 'commodity logic' that tends to see staff expenses as irritating 'recurrent costs', allocates them to 'overhead' and seeks to keep 'overhead' to the absolute minimum. This is not realistic and self-defeating.

### ***Ability to monitor***

195. Possibilities for effective use of conditionality are also influenced by donors' ability to monitor the extent to which the authorities actually comply with conditions agreed to (elsewhere there is typically much slippage). In the absence of anything more than slight and mainly local agreements on conditionality, this is a somewhat theoretical consideration. It is clear to us, however, that were conditionality to become at all elaborate, the monitoring of compliance would be particularly difficult in Afghanistan because of the obscurity of Taliban decision processes and the frequent lack of clarity about the policy and legal position in Taliban areas: an unclear output of decrees, fatwas and ministerial decisions. The position has unwittingly be made more difficult by the withdrawal of expatriate personnel, a decision that will be difficult to fully reverse because of the resulting losses of expert personnel. We were told that the UN withdrawal was having serious effects along these lines.

### **A Summing-up**

196. In the light of the above analysis, it is not surprising that donors have had limited success in using aid leverage to further their policy objectives in Afghanistan. On the one hand, Taliban resistances to the donors' policy aspirations are large. They see Western donor governments as essentially hostile to them and to the strongly-held values and priorities which the Taliban are pursuing - priorities mostly far removed from those promoted by donors. As a result, there is very low Taliban 'ownership' of the policy changes promoted by the donors. Experience elsewhere suggests that donor aspirations are very likely to be frustrated when there is such a complete absence of local ownership of desired changes.

197. At the same time, the incentives offered by the West, which might assuage these Taliban resistances, have been limited. Although significant, aid flows have been modest relative to other economic magnitudes; the Taliban have had access to alternative lines of support; they do not see themselves as aid dependent, nor do they greatly value much of the assistance that has gone into Afghanistan in the past. In any case, the credibility of donor threats to withdraw assistance is reduced by the humanitarian nature of their programmes, by the multitude of agencies involved - each with their own agendas - and by the inevitable limitations on the degree of donor consistency and collective action that can be practically achieved through the (considerable) mechanisms of donor co-ordination.

198. The use of aid-related incentives and disincentives has been ineffective because the conditions necessary for their successful application, outlined in Section 2, have not existed. This negative conclusion is consistent with what we were told about the effects of donor attempts to exert leverage on the Taliban. Overall (and with the limited exceptions of ICRC and CARE noted earlier), almost all our interlocutors said the top Taliban leadership had not proved amenable to influence and that donor actions had been ineffective, although UN withdrawal may have delivered a shock to them because of the potential political repercussions of that. The position was described as more favourable at local levels, but this did little to promote donors' larger policy objectives.

199. We must ask whether the attempt to effect major, as opposed to micro-level, policy moderations and policy-changes in Afghanistan, through the use of humanitarian aid as incentive or disincentive, is not rather futile. The attempt seems to reflect an inadequate analysis of the deeper dimensions of the conflict, and of the larger political-economy of the warring factions and of the Taliban movement. Humanitarian actors tend to look at conflict through the lens of 'aid'. This is valid because that is their purview and area



of expertise. But it is not because aid actors often do not very well grasp the political economy of conflict and of warring parties, that it must be assumed that aid is an important factor in it. The Afghan conflict did not originate in conflict over resources, even if that may have become the dominant motive during the factional wars between the fall of the Najibulla regime and the rise of the Taliban. There are many other factors that prolong the conflict, on which aid has little influence. And in as much as war efforts need to be sustained with resources, aid does not appear a major one in the Afghan war economy.

200. This risk is detectable in the injunction that 'aid must build peace'. Admittedly a distinction is recognised between peace-making, which is the task of the diplomats and takes place at the level of the warlords, and peace-building, which takes place at the level of civil society. Yet a finer consideration of local peace-building seems required. Can many micro-incentives for peace override the macro-incentives for war? How do we measure the impact of local peace-building, and against what time-frame? And if the macro-dynamics of war again shatter the local advances in peace-building, are the aid agencies at fault?

## SECTION 6. CONCLUSIONS AND RECOMMENDATIONS

201. We turn finally to consider what general conclusions might be suggested by the Afghanistan case. In doing so, we should stress the historical and cultural particularities of this case and the special dangers, therefore, of seeking to generalise from it. The following are offered in an attempt to contribute to a more general understanding of the use of aid-related incentives in conflict situations but they need to be tested against a far wider range of experiences than is possible with a single case study. We divide our points into those that might be of more general validity and others which are specific to the Afghan case.

### **Points Suggested by the Afghan Case Which May be of More General Applicability**

*Donors need to give careful consideration to the policy context for responding to complex political emergencies:*

202. Conflict analysis comes first. Incomplete diagnosis of the multiple dimensions of a conflict can lead to inappropriate responses. A diagnosis of the problems of the international 'system' of conflict response is not a diagnosis of the problems that generated and maintain the conflict. Remedying the flaws in the response system is not yet remedying the flaws in the social and political dynamics in the country in crisis.

203. Donors should recognise the political and ideological perceptions of their presence and actions. The interventions of aid providers in Afghanistan are not seen as the actions of a neutral 'international community', but as actions of Western countries trying to impose their own vision of state and society through aid.

204. Donors need to understand the broader political-economy of, and around, a conflict and put their conflict management initiatives in that context. They need to see the totality of international and regional geo-political and geo-economic interests, and private interests, licit or illicit. They need to examine the totality of interventions, including those that provide incentives to continue war; there may be more actors providing incentives for war than others offering incentives for peace. The real points of donor-country leverage may lie outside the immediate arena of conflict.

205. Donors should consider what incentives/disincentives might be offered through diplomacy, force or trade, not only those that might be offered through aid. They should understand that aid often has limited weight by itself in influencing the larger political-economy of war and peace.

206. Donors need to ensure that the political strategy for conflict resolution is of the highest quality: with regard to the coverage of those that need to be involved, the quality of the leading diplomats, the style of diplomacy, the appropriateness of the models for solution that are pursued.

*Donors should be specially cautious about linking aid to policy conditions in conflict areas*

207. Within the aid community generally there is a strong trend away from reliance on conditionality, based on experience suggesting it is not an effective instrument, in favour of more selective, indicator-based criteria for aid allocations. In the words of the Senior Vice President and Chief Economist of the

World Bank 'This much seems clear: effective change cannot be imposed from outside. Indeed, the attempt to impose change from the outside is as likely to engender resistance and barriers to change, as it is to facilitate change. At the heart of development is a change in ways of thinking, and individuals cannot be forced to change how they think' (Stiglitz 1998:20).

208. In addition to the general reasons for the movement away from conditionality, there are particular reasons for doubting its effectiveness in conflict-affected areas:

- The likelihood that a high proportion of the aid will be humanitarian and the special difficulties of switching that on and off in order to provide incentives.
- The likelihood that in conflict situations a substantial proportion of aid will be channelled through NGOs and UN agencies and the complications created by this proliferation of agencies, objectives and priorities. Relatedly, the limitations of the extent of donor solidarity of action it is realistic to expect to be achieved through co-ordination mechanisms in such situations.
- The proportionality problem: as in Afghanistan, there is apt to be a disproportion between the scale of donor government policy aspirations and the scale of the aid donors are likely to be willing to offer as incentives. Besides limited and often declining total aid budgets, the amount of aid will be restricted by the impracticability of much use of aid for long-term development in conflict areas.
- The probability in conflict areas of extensive (non-donor) external influences, via the supply of arms and materiel, as well non-military aid, with objectives which are likely to conflict with those of western donor agencies.

***But avoiding conditionality does not mean aid at all costs***

209. The post-conditionality debate in the general aid literature seeks to establish greater selectivity in aid allocations, based on relationships of ownership and partnership. This implies that donors should be more willing than in the past to stay away from, or minimise their exposure to, governments which do not offer the minimum conditions necessary for the satisfaction of donors' developmental, humanitarian and operational goals. In the present case, this implies that donor agency actions should be reasonably consistent with their governments' wider policies towards the countries in question, while recognising that aid conditionality is unlikely by itself to be able to contribute much in itself towards realisation of the wider policy aims. It also entails that the ability of aid agencies and NGOs to fulfil their basic mandates is a prime basis on which to make selectivity decisions. At the same time, the humanitarian imperative makes it difficult to apply the selectivity principle, because of the human consequences of deselection.

***Aid may be able to make some longer-term contribution to conflict resolution***

210. Even though conditionality is unlikely to be able to contribute much, aid may be able to make some longer-term contribution to conflict resolution. A number of donors have explicitly put humanitarian action in a conflict-management framework. Of course, a full conflict reduction strategy does not simply rely on aid and operational aid agencies as the sole tool. The aid world tends to be inward looking and to exaggerate its own importance. In the larger picture however, aid may not be as central as the aid operators make it out to be.

211. Indeed, there is an opposite danger. Research, prominently the research conducted under the Local Capacities for Peace project, has indicated that aid can inadvertently contribute to and prolong conflict. This has led to the injunction, 'do no harm'. 'Neutrality' has also been criticised as being used too

often as an excuse for inaction in relation to conflict (e.g. Atmar 1998:4). There is a desire to see aid contribute more actively to peace-building. The possible implication might be that aid which does not demonstrably contribute to peace-building, should be discontinued, although the research just mentioned does not argue suggest that aid should be put at the centre of conflict, or that 'do no harm' should be an excuse for reducing or withdrawing humanitarian assistance (RRN 1998).

212. It is important, then, to be realistic about what can be achieved through the aid modality. War is not simply a consequence of poverty. Aid projects can contribute to stimulating good governance and enhanced social capital at local level but such micro-efforts do not necessarily impact on or outweigh the macro-incentives for war. Nonetheless, there are things that can be done. In Afghanistan these would include offering alternative, constructive livelihoods to those presently impelled by economic pressures into armed service and by contributing to capacity-building, e.g. to encourage greater personal security and the rule of law. Providing legitimate alternatives to poppy-growing may also be cited in Afghanistan, and there are other examples at the local level of how aid may be used to relieve points of tension.

### **Points Specific to the Afghan Case**

213. Would the application of greater selectivity by donors mean the cessation of aid in Taliban-controlled areas of Afghanistan, as certain pressure groups have demanded? It is useful here to revisit the current state of argument with regard to another form of conditionality for conflict-management: trade sanctions. There are four major points (see Van Brabant 1999b):

- Collective punishment is unethical: comprehensive trade sanctions punish the whole population in the target country. This is not ethical. A population cannot be made to suffer for the behaviour of an offensive regime. Hence the search for more 'targeted' sanctions.
- Sanctions by themselves are seldom effective: trade sanctions, by themselves, have only exceptionally been effective in bringing about changes in the policies of authoritarian regimes, and equally rarely have they caused them to be overthrown by disgruntled populations. Even though the limited effectiveness of trade sanctions for achieving their policy objective is well documented, sanctions are maintained, for two major reasons: because there is a need for an instrument between diplomacy and war, and for expressive purposes, i.e. to signal disapproval with the policies and practices of the target regime.
- Sanctioning countries however can only aggravate the denial and violations of the people's rights by their authoritarian regime, by causing additional economic and social pain through a total trade embargo. As a minimum humanitarian assistance needs to be provided.
- Humanitarian exemptions to comprehensive trade embargoes must go beyond the provision of life-saving essential goods like food and medicine. The goal for humanitarian exemptions should be to maintain essential services and minimum standards of living.

214. In a situation like the one in Afghanistan, trade is a leverage point, but one that is not under the control of the Western countries. Regional trade sanctions appear not to have been considered and Western countries do not currently maintain many legal trade relations with Afghanistan. That leaves aid. To be consistent, humanitarian aid in Afghanistan should be defended along the same lines as in the context of countries affected by trade sanctions: a distinction between the regime and the population, not aggravating the violations of the social and economic rights of ordinary people by withholding humanitarian aid, and providing humanitarian aid to a level above 'life-saving', to maintain essential services and minimum standards of living.

215. Individuals cannot be forced to change how they think but there is a role for outsiders in stimulating reflection and debate, in providing arguments and knowledge. The Afghanistan case shows that so far two modes of action have been pursued in the encounter with the Taliban: 'denunciation', which has put some pressure but, used in isolation, has also proven very dysfunctional; and 'substitution' - bypassing the authorities by offering services for the protection and assistance of victims of violence and poverty that would normally be a function of the national state. There seems a need now to complement the two approaches with a renewed investment in 'persuasion.' Persuasion as an approach is being introduced with the Afghan staff of some agencies, and with the communities that agencies want to give ownership of their own projects. Persuasion should perhaps be more vigorously pursued also with the 'presumptive authorities'.

216. There is a strong case for a reorientation of policies in Afghanistan along the following lines:

- Strengthening engagement and persuasion as mode of action, rather than denunciation and substitution.
- Using reference to practice as much as reference to principle in the strategy of persuasion.
- Accepting the need for certain forms of 'capacity building' as part of a persuasion through reference to practice, specifying what can be accepted, and reviewing it with reference to practice, not only with reference to theory or principle.
- Accepting the need for long-term involvement that a strategy of community empowerment requires, and adjusting time-horizons accordingly, for funding and for impact expectations.
- Improving co-ordination of official donor operational policies: it is not up to the operational agencies (UN agencies and NGOs), already facing many pressures and constraints, to cope with major dilemmas created by the lack of co-ordination of their closest 'partners' in the assistance community - the bilateral donor authorities.
- Accepting the need for significant human resource investment, in staff time and skill development, to pursue human rights, good governance, peace and drug reduction through participatory community projects, and that this will raise the ratios of staff costs to material input costs.
- Monitoring what 'governance' and 'policies' develop in communities that have been empowered, and what impact this has on the local political economy.

**ANNEX 1. AID TO AFGHANISTAN**

(net disbursements, US\$ millions)

	1993	1994	1995	1996	1997	1998	Total
Total official aid (DAC)	227	230	215	228	279	(229)	
Total aid (UN)	...	...	...	227	288	234	749
of which NGO core funds & ICRC	...	...	...	61	71	55	187
DAC + NGO & ICRC	...	...	...	289	350	284	827
Major donors:							
WFP	40	25	31	44	51	...	191
EC	24	23	25	36	55	...	163
ICRC	14	18	20	29	43	30	154
Netherlands	10	12	29	12	43	...	106
UNDP	19	18	14	20	19	...	90
Germany	16	22	16	17	19	...	90
UNICEF	11	8	12	9	10	...	50
Sweden	9	12	16	15	12	...	64
UK (DFID)	2	5	11	9	10	...	37

Sources: Paris: Development Assistance Committee, OECD, database; Islamabad: UN Office for the Coordination of Humanitarian Affairs, Afghanistan: 1999 Appeal (December 1998), ICRC.

A number of observations are due here:

1. There are substantial discrepancies between the DAC figures and those given in the UN's 1999 Afghanistan appeal. The DAC figures of course refer only to official aid whereas the UN appeal includes NGO core funds. Still, the UN figures appear well below those of the DAC. This may be because they do not cover well the funds that do not flow through the Appeal mechanism. During interviews donor field representatives more than once measures that the UN figures underreported their total contribution.
2. The DAC only has data up to 1997. The total 1998 figure of \$ 284 million DAC and NGO core funds is our own estimate, based on the assumption that the DAC figure for 1998 would bear the same relationship to its 1997 figure as is the case with the UN statistics (-18.5%). Taking the longer 1993-98 period however, the trend seems flat, with the 1997 figure looking aberrantly high.
3. The figures represent net disbursements, in US \$ millions. The expenditures are for Afghanistan programmes, but not all of this expenditure should be assumed to be made in Afghanistan.

## **ANNEX 2. STRATEGIC FRAMEWORK, COMMON PROGRAMMING AND A PRINCIPLED APPROACH**

### **Theory and application**

1. This annex provides a detailed overview of the strategic framework, the common programming exercise, the current state of the Afghanistan Programming Body, principled programming in its intent, the practical dilemmas of humanitarian assistance, the strategies used to engage with the Taliban, the search for operational guidelines and for terms of engagement and disengagement.

### **The Strategic Framework**

2. The overall goal of the UN is to help bring about a durable peace in Afghanistan. To this effect, the political, human rights, humanitarian and development interventions need to become better informed of each other, and support each other.

3. The search for peace is undertaken through direct political initiatives, and indirectly by creating conditions that make recovery and reconstruction a viable and attractive alternative to war.

4. The strategic framework thus has two major aims:

- To ensure that the political and the assistance strategy become better informed and more supportive of each other.
- To bring about a better integrated assistance strategy.

5. The strategic framework provides 5 strategic objectives for the assistance community:

- The alleviation of human suffering.
- The promotion of human rights.
- The provision of basic social services.
- The empowerment of Afghans to build licit and sustainable livelihoods.
- The return of refugees (OCHA 1999 Consolidated Appeal:11).

### **Common Programming**

6. Common programming is a mechanism for establishing the assistance community's priorities, programmes and projects, based upon goals, principles and the expressed needs of Afghans.

7. The purpose of common programming is to ensure that needs identified in consultation with Afghan constituencies are translated into coherent, principled and cost-effective programmes, and to ensure that these are based upon agreed goals and principles, and implemented in accordance with the capacities of the international assistance community (Making a Reality 1998:2).

8. The expected benefits of more common programming are:

- Stronger co-ordination, greater programming efficiency.
- Greater transparency within and of the assistance community.
- Greater clarity about policy within and on behalf of the assistance community.
- Greater clarity about the overall impact of the assistance; better lesson learning.



9. Common programming also may promote dialogue within and between Afghan communities that could stimulate local peace-building (Making a Reality 1998:3-4).

### **The institutional arrangements for common programming and their evolution**

10. The original idea was that common programming institutionally would be carried by:

#### ***Seven Regional Co-ordinating Bodies***

11. Composed of UN and NGO representatives, and potentially donors if they have a regional representation, the regional bodies would draw together all the needs assessments, review the programme and project proposals, establish priorities, and present an integrated regional plan to the Afghanistan Programming Board. Regional co-ordination bodies would also provide a number of common services. They would further make recommendations about the best way to engage with the local authorities, but not seek to monopolise these contacts (Making a Reality 1998:7-9).

#### ***The Afghanistan Programming Board/Body (APB)***

12. This would co-ordinate the assistance strategy at a national level and on a system-wide basis. Its core functions would be to review and consolidate the regional programme plans, but also establish national priorities; develop this into a Consolidated Appeal for resource mobilisation, that links in with an annual programming cycle; develop a capacity for national and system-wide information management, and for strategic monitoring and evaluation of agency capacities, and of programme implementation, standards and impact. The APB would also provide guidance on how to translate principles into common operational practice, and subsequently monitor adherence.

13. A risk that some perceive is that the bottom-up approach to planning through the Regional Co-ordination Bodies will be overridden by a top-down approach in the Afghanistan Programming Board/Body.

14. The 1999 Constitution of the APB gives it three major roles:

- To support the Consolidated Appeal as a mechanism for programming. Several concerns were expressed in that regard:
- The 1999 Consolidated Appeal is a more strategic document than the 1998 one, but the security crisis following the US missile attack in August 1998 has impeded the functioning of the Regional Co-ordination Bodies; prioritisation proved problematic under the circumstances.
- There is concern that the realities of the field will make it impossible always to harmonise programme cycles with the Appeal process.
- There are strong arguments to support community-development programmes with 2 to 3 year funding agreements; it does not make sense to mould all programmes into annual funding cycles. Certainly among non-UN operators there remains scepticism about the ambitions of the common programming ('a Rolls Royce not adapted to the bumpy Afghan road');
- To promote effective co-ordination between the various families of assistance providers, but also by offering lines of communication with the UN headquarters and with the donor community in the capital cities.
- To make policy recommendations, including on the operational interpretation of principles, and on the terms of engagement with 'authorities' in Afghanistan.

15. The APB is to be located in Islamabad, and presumably, when conditions allow, would shift to Kabul. It follows on the informal Afghan Task Force which had a last meeting in September 1998. The first APB meeting took place in November 1998. The location in Islamabad is positive in that it may imply a delegation of responsibility and though not necessarily authority to the field. With the recent move of UNICEF Afghanistan from Peshawar to Islamabad, all UN agencies are now there located. However field-level NGO headquarters are mainly in Peshawar while the ICRC head of delegation remains based in Kabul.

*Points of debate over the APB*

(i) The composition of the APB

16. A first idea was to have NGO representation, primarily through the NGO co-ordinating bodies, and also to include the Resident Representatives of all 15 UN agencies. The APB would also be open to UNSMA, the ICRC, the World Bank and the Asian Development Bank. There are 15 donors with a longer-term stronger involvement with Afghanistan. The donors would have to find a formula for their own representation (Making a Reality 1998:9-13).

(ii) The Constitution of the APB

17. Early 1999, sees the membership as one of no more than 15 donors, no more than 15 representatives from the UN including UNSMA, no more than 15 representatives from the NGO sector, the World Bank and ICRC. It was realised that this makes it a cumbersome body. Discussions are underway to reduce the numbers of participants, with e.g. no more than 7 representatives from the donor community and 7 from the UN. The NGOs have difficulties deciding on their representation. Some NGO representatives feel that some Afghan NGOs in reality are 'private contractors' for the UN, and should be excluded.

18. The discussions over the APB appear sometimes coloured by long-standing reciprocal suspicions and criticisms between the families of the assistance communities. Donors and NGOs alike question the willingness and the ability of the UN to coordinate itself and to provide effective leadership. Donors and the UN point at the inability of NGOs to coordinate themselves and adopt common positions. NGOs feel neglected and undervalued in the processes of the Afghanistan Support Group and the Strategic Framework, while they are the ultimate channel for the majority of aid funds and have significant field-knowledge. The UN criticises the donors for demanding the UN to be better coordinated, while not coordinating themselves, sending different messages through the Boards of the operational UN agencies, and refusing to make the financial reforms that would allow more effective co-ordination.

19. Underlying are also further problems of conflicting 'partnerships'. Donors cannot always easily square their partnerships with NGOs with the rather UN-oriented push for more common programming. NGOs cannot always easily square a partnership with an Afghan NGO or an Afghan community with the demands for common programming. The strategic framework and common programming wants to increase the partnership between all the actors, but seems to ignore that different partnerships in reality cannot always be easily reconciled.

(iii) The chair of the APB

20. The first idea, still maintained in the final Strategic Framework document of September 1998, was that the APB would be chaired by the UN Resident/Humanitarian Coordinator for Afghanistan. The Constitution of the APB of early 1999 however proposes that the chair rotates and might be the same as that of the Afghanistan Support Group of donors. This seems to signal a shift from the operational side and from the UN to the donor side. The UN Coordinator will now only manage the Secretariat to the APB.

(iv) The authority of the APB

21. The first idea was that the APB would have decision-making authority (Making a Reality 1998:10). The language of the September 1998 Strategic Framework Document (page 8) is not totally specific, but inclines towards the same. The Constitution of early 1999 defines the APB as an advisory body. To signal this the name has been changed from the original Afghanistan Programming Board to Afghanistan Programming Body.

22. It appears that in the end donors, UN agencies and NGOs all objected to an APB with real decision-making authority. The main reasons for all is that they want to retain the autonomy of decision-making over their programmes. Secondary reasons are concerns for an over-centralisation and a bureaucratisation of programming. The objections were argued in terms of independence of agencies, autonomy of mandate, required operational flexibility and the existence of other, more primary entities that individual agencies in the first place are accountable to.

23. The procedural rules for the formulation of APB recommendations stipulate that unanimity is not required. A majority decision can prevail if the majority includes at least one third of the votes from each of the donor, UN and NGO communities (APB Constitution 1999).

### ***A Common Fund***

24. The original idea was that effective common programming would require more of a common funding mechanism. It would also imply that more funds would be unearmarked. The Afghanistan Emergency Trust Fund could become the funding vehicle for the common programme (Draft Assistance Strategy 1997:8). Again it appears that donors, UN and NGOs ended up being in agreement against a common fund. The NGOs and operational UN agencies see it as a threat to their funding base. Donors claim that it will cause administrative problems for their own aid administrations and reduce transparency and accountability. They refer to problems in that regard elsewhere in the world where the UN has difficulty tracking the flows of funds. A Common Fund would strengthen the authority of the Resident Coordinator (inasmuch as s/he chairs the APB?). Whereas this would allow stronger leadership in bringing about a common programme, there is resistance in the rest of the assistance community against such a shift in relative authority.

25. Even if no Common Fund is established, a basic requirement for more common programming is that, exceptional circumstances apart, donors agree to fund only programmes and projects that are within the Consolidated Appeal. It is worth noting that in 1998 more than twice as many pledges/contributions were made outside the 1998 Consolidated Appeal than within (OCHA 1999 Consolidated Appeal:17). At least one donor representative mentioned in the course of the interviews not to feel bound by the Consolidated Appeal.

### ***Strategic Monitoring and Evaluation***

26. Common programming logically requires common or 'strategic' monitoring and evaluation'. Strategic monitoring and evaluation would look at programme impact and cost-effectiveness for the assistance programme as a whole. Financial auditing is not included under the concept (Newberg 1998:2). Reportedly the donors have been supportive of this idea. How to implement it in practice is currently still under discussion.

27. Although there is a recognition that independent monitoring and evaluation is preferable, a more realistic approach might be to strengthen and build on the existing practices within agencies, perhaps as a

first step. The evolving shared evaluation standards within the P.E.A.C.E. programme, or collaborative donor evaluation missions such as the EC has organised, are examples of initiatives in this direction. Operational agencies feel strongly that strategic monitoring should extend to the actions and policies of donors. There has been a suggestion to decentralise the common monitoring function to the Regional Co-ordination Bodies. There has been a suggestion that efforts can better be invested in 'consolidated reporting' than in a truly comprehensive consolidated appeal, that not everyone believes to be feasible or desirable. What appears least clear is whether strategic monitoring and evaluation would also include the adherence to the common principles or the operational guidelines for translating these into practice.

### ***The Costs of Co-ordination***

28. There is concern about the rising costs of co-ordination, which can not simply be addressed by better resourcing the existing coordinating bodies. The involvement in an intensive system-wide process of consultation and deliberation takes up much time of senior agency managers, where additional capacity may become required.

### **Principled Programming**

#### ***What principles?***

29. The Strategic Framework has generated agreement on basic principles for the interventions of the international community in the Afghan conflict:

- International assistance shall be in pursuit of the basic principles of the UN Charter, the Universal Declaration of Human Rights, the Convention on the Elimination of all forms of Discrimination against Women and all UN human rights covenants and conventions.
- Assistance programmes will be provided on the basis of need and must work to address structural discriminations - by gender, tribe, ethnicity, language or political affiliation - and to ensure that these are neither created or perpetuated by design or implication, in the provision of assistance.
- International assistance providers must ensure that all those who participate in its programmes are protected from the arbitrary use of force.
- All assistance to Afghanistan presumes the sovereignty of the Afghan state and will work to build the country as a whole.
- Assistance shall be provided as part of an overall effort to achieve peace in Afghanistan.
- International assistance shall be provided in accordance with the principles of humanity, universality, impartiality and neutrality.
- (Making a Reality 1998:5; Strategic Framework 1998:4)

30. There are however certain other principles that in practice come into the picture. Individual assistance organisations, such as the UN but also NGOs, have policies for example on gender and on equal opportunity. The Red Cross and many INGOs have also signed up to a Code of Conduct (RRN 1994) that includes:

- The right to receive humanitarian assistance as a fundamental humanitarian principle.
- Aid will not be used to further a particular political or religious standpoint.
- The assistance providers will endeavour not to act as instruments of government foreign policy.
- The assistance providers will respect culture and custom.

*Violation of principles*

31. The policies and practices of the Taliban in particular have been found to violate basic human rights, especially of women and possibly of ethnic minorities. The Taliban have also interfered with the operational management of aid programmes.

32. The policies of the Taliban have been discriminatory against women in that they:

- Deny their right or limit their access to education.
- Reduce their access to health services.
- Closed the public baths for women.
- Reduce their mobility.
- Reduce their employment opportunities.

33. The measures create hardship for all women and extreme difficulties for widows of which the war has created several hundred thousand. An ICRC survey in Kabul in January 1997 came up with a figure of 50,000 in that city alone.

34. The interference with the work of the aid agencies has involved:

- Attempts to control the programme or project choice.
- Attempts to control the funding.
- Attempts to control the access to target groups and beneficiaries.
- Attempts to control who is employed.
- Attempts to control the location of agency offices.

35. The mujahedin commanders and the Northern Alliance too have violated principles for the Afghan population and for the assistance actors. Abuse, rape and forced marriages occurred more frequently than in the Taliban controlled areas. Also the aid agencies suffered from insecurity, had assets looted and were forced to pay bribes/'taxes' to move relief goods around. The high insecurity and abuses that resulted from it did not generate a strong international stance.

36. Restrictive and discriminatory attitudes to women are present in Afghan traditional society, especially but not only in the rural areas. Equal opportunities in reality existed only in the cities. Explicit restrictive policies against women also antedate the Taliban. In November 1994 for example, the Governor of Jalalabad had ordered all international agencies to send their Afghan female staff home (Bruderlein and Ahmed 1997:28). And in 1989-1990 crowds were agitated and attacks carried out against aid agencies in Peshawar with programmes for refugee women (Cammack 1999).

37. The Taliban imposed their policies discriminating against women shortly after their take-over of Kandahar in late 1994, without this drawing any significant attention. The first significant reactions followed the imposition of their prescriptions on Herat, which they captured in September 1995. Several agencies working with and for women saw their programmes affected. UNICEF in November 1995 suspended school education programmes in areas where girls had been expelled. Save the Children (UK) and the International SCF Alliance in March 1996 decided to suspend their education and non-emergency programmes in regions where the employment of women was prohibited and where girls or women were denied access to education. At the time, conditionality was discussed but many felt that the Taliban were a temporary phenomenon and that 'waiting out the problem' was better than a confrontational stance. The take over of Kabul by the Taliban in September 1996 however directly affected the work and staffing of more international organisations (see eg. 'Tali-bans' in Girardet and Walter 1998:255-260). It also generated much wider international attention.

38. Donors in Islamabad and New York met in October 1996 and urged the UN to take a strong position against the Taliban gender policies. The High Commissioner for Human Rights and the UN Secretary-General issued statements expressing their dismay and appealing to the Taliban to respect women's rights (see also Dupree 1998:148-149). Conditionality came to the foreground in the UN. The WFP suspended non-emergency food assistance, especially food-for-work programmes, and programmes where women were not given equal access (Bruderlein and Ahmed 1997:23-28). Oxfam GB suspended its work on the urban water supply project in Kabul. The WHO, somewhat in contrast, pleaded for a more pragmatic approach to gender (see Girardet and Walter 1998:197/251). The WHO and 7 donor governments together went on a Joint Fact Finding Mission in November 1997. They were assured by the Taliban in Kabul that women would continue to have equal access to health care. But the initially conciliatory remarks did not materialise in practice. The donors then also took note of the diversity of positions in the assistance community and realised they needed to take a lead in offering guidance and promoting coherence.

### **Dilemmas of humanitarian assistance**

39. The gender policies have undoubtedly increased the hardships for women in Afghanistan. Women were banned from the universities, and from formal schooling, and the Taliban have even clamped down on informal home-schooling in Kabul. The ban on employment for women has also affected the schooling of boys, as many teachers were female. In response to that negative picture, operational aid agencies such as the Swedish Committee for Afghanistan or CARE, come up with cases and figures that indicate that, certainly in rural areas, in many places schooling of girls can continue. Their figures indicate that there is a significant proportion of girls that benefits from their educational services, although below 50%. The indication is that the proportion of girls is higher in the rural areas than pre-war, and may actually be increasing, possibly because of a greater demand for education among the many Afghans who as refugees became exposed to a wider world. Education in many places is possible through separate schools for girls or through home-schooling. There also several examples where the local communities decided to maintain education for girls in disagreement with Taliban edicts. Reportedly many Afghan women also argue against a total suspension of educational services even if girls would not be able to benefit from them. They do not want to see also their boys deprived of educational opportunities.

40. In the health sector, there are indications that Afghan women suffer increased mental and physical distress. The Taliban however seem to allow women access to health facilities if they can be treated in separate wards. Following the 'mahram' edict of April 1998 they now presumably must be accompanied by a close male relative when going to a health post or hospital. The Taliban now also allow women to work in the health sector, because they have realised that female patients otherwise would have to be seen by an unrelated male. A set of Taliban rules for female medical personnel was issued in November 1996. Operational agencies give many examples of being able to access female patients, of pragmatic adaptations through the construction of female wards, the employment of married couples of health professionals, and the inclusion of a 'mahram' when their health staff needs to travel. There is however no possibility anymore for women to train as health professionals, which will create problems in the medium-term.

41. The situation poses many profound dilemmas and much debate about the sliding scale of principle-pragmatism-complicity:

- Must the possibilities for work in the rural areas be sacrificed on behalf of the people in the cities?
- Must the work for several million Afghans be made dependent on the perhaps 5% modern women for whom the Taliban edicts enforce a drastic change of life?
- Must the international community show patience and accept that it may take many years before the Taliban become more realistic and tolerant (cfr. the experience of Iran since the revolution in 1979), or should it insist on gender equity now?

- Would patience and pragmatism only help to consolidate the discrimination for the future?
- What is the impact of many local level advances on the total picture: there are an estimated 3.6 million children of primary school age in Afghanistan. An estimated 1 million of these attended school in Afghanistan in 1995. Universal primary education would require 10,000-20,000 schools. But in 1993 a survey counted only 2200 primary schools. Education in Afghanistan is a national emergency. To what do the combined efforts and achievements of the aid agencies amount? And what is the proportion of girls that they still manage to reach in the light of the total number of girls of school age ? (Rugh 1998:1)
- When does pragmatism become an abandonment of principle and turn into complicity?
- Where is the line between working in ways that are more cumbersome and costly but accommodate Taliban regulations, and no longer being able to fulfill one's mandate?
- Must the international community accept to take responsibility for essential social services and food security of the Afghan population, while the Taliban spend their resources on their war efforts?
- Would the belligerents take responsibility for the social and economic well-being of their populations if the international community withdrew?

42. In other words, how to operationalise UN human rights and gender equity principles and how to combine them with international humanitarian law and humanitarian principles:

- How to balance the right to humanitarian assistance against the denial of basic rights of women by the presumptive authorities?
- How to balance a needs-agenda with a rights-agenda?
- Should one withdraw and disengage except for life-saving assistance, or should one invest in community-development to create socio-economic conditions conducive for peace?
- How to reconcile international norms and standards with respect for Afghan tradition and culture (see Keating 1998, Dupree 1998, Marsden 1998a)?

## Strategies

43. Already in 1997 a DHA mission very lucidly identified three distinct approaches within the UN, their underlying assumptions and potential pitfalls (Bruderlein and Ahmed 1997:29-36).

### *The principle-centred approach*

44. Its proponents stick to principle and want to see policies that explicitly acknowledge these principles and international norms. The tactic is to exercise pressure through conditionality, suspension and withdrawal except for life-saving humanitarian assistance. Its assumption is that the leadership of the Taliban is sensitive to international pressure and potentially able to bring about changes among all the authorities. The potential pitfalls are that the leadership of the Taliban may have the willingness but not the capacity to bring about change among its followers as this would entail serious political costs for them. Alternatively, the leadership may not be sensitive to international pressure, which only leads to a breakdown in communications and a hardening of positions.

### *The tip-toe approach*

45. Its proponents believe in the principle but adopt a pragmatic stance. They seek out opportunities for practical experimentation with ways of working that are sensitive to the policies and concerns of the authorities, but also demonstrate to them the feasibility and benefits of the assistance programme. The dialogue with the authorities is less concentrated on principle and policy, and more one of professionals

discussing the benefits and drawbacks of different policies and practical ways of working. The potential pitfall is that short-term gains in the end make no difference in the larger scheme of things. The approach also assumes a technical capacity among the authorities, and a rationality in their decision-making process that may be absent in a young and dogmatic movement.

#### *The community-empowerment approach*

46. The approach is to work with and through communities and to strengthen their confidence and capacity for decision-making and good local governance. The aim is to bypass the authorities and to empower the communities to articulate their own demands and speak up for their own rights. The drawback is that impact is more likely to be only local, and that working with a manifold of communities multiplies the number of counterparts and requires an enormous amount of staff time investment. The risk is that the empowerment of communities itself will become a political and controversial issue with the 'presumptive authorities'. The potential pitfall is that communities will not necessarily adopt policies and practices that conform more to the wishes of the international community.

47. This research suggests:

- That this distinction between three different approach is still relevant in the current debate over Afghanistan.
- That there may be a lack of institutional memory in that none of the interviewees nor any of the documents consulted (admittedly far from the full record) ever referred to this DHA mission report. That -in general- the principle-centred approach was most strongly propagated by some donors and agency headquarters, whereas field-based operators tend to be more given towards the tip-toe and the community-empowerment approaches. This shows itself in the criticism that some donors directed at the Memorandum of Understanding that the UN signed with the Taliban in May 1998. Some donors held that it was far too accommodating, and that the UN had given in more than it had gained. The UN argued that it was a building block and a step forward in that it made the Taliban recognise in writing that women have a right to education and health and other development. Some months later, in the summer of 1998, the NGOs in Kabul clashed with the Taliban. The initially strong and principled stance after several months led to a more accommodating one, and reflections that the NGO Statute to which they were forced to subscribe, offered much scope for interference but also an explicit recognition of their mandate for humanitarian and economic assistance.
- That there seems a growing recognition some 2,5 years after the Taliban captured Kabul, that the strong and vocal principle-centered approach has not produced any change in Taliban policies and attitudes but has only led to increased confrontation and counter-pressure on the field operators in Afghanistan.
- That therefore within the body of political and assistance actors there may be a tendency to opt more clearly for the tip-toe and the community-empowerment approach, including a use of incentives (at project level), but that this is hampered by the strong pressure from lobbying and campaigning groups in the Western countries.

#### **Operational guidelines**

48. The international actors agree on the principles, but disagree about tactics. What is needed are operational guidelines on how to translate principles into practice. Some have been articulated:



*Guidelines that pertain to the assistance community*

49. These consist of:

- All programmes will exemplify coherence through co-ordination and complementarity in all sectors, and for all executing agencies and NGOs.
- In pursuit of common principles and programming, the assistance community will subscribe to commonly agreed programme monitoring and evaluation standards and practices.
- Assistance will be based on transparent processes of initiation, design, execution and evaluation.
- Domestic resources, material and human, will have primacy of place when initiating and executing programmes.
- Assistance will be organised in pursuit of the overall goal of achieving gender equity. Individual projects which do not immediately benefit men and women equally in participation and results must clearly demonstrate how they complement other projects, or contribute towards broader programmes, that do so.
- Assistance activities must be designed to ensure increasing indigenous ownership at the village, community and national levels and to build the country as a whole.

*Operational guidelines on gender equality*

50. UN agency headquarters in particular as of 1996-1997 suggested or articulated a policy that held that no programmes could continue or be initiated unless 50% of the participating Afghans were women and 50% of the beneficiaries were women (eg. WFP 1997:2). Reportedly there were differences of opinion between the headquarters and the field, not about the principle but about the -immediate or short term- feasibility of its practical application. If taken literally, the UN might have had to stop most of its programmes in Afghanistan.

51. One objection was that there is a difference between women as 'beneficiaries' and women as 'participants'. Not only the Taliban edicts but traditional Afghan culture limits the active participation of women to certain domains. Women might still benefit from aid programmes even if they were not active 'participants' in the programme concept and implementation. Moreover, the policy could create acute problems for women if it would force them into activities, such as food-for-work, that would go against traditional culture.

52. Another objection held that prior to the policy women did not constitute 50% of the beneficiaries of all aid programmes, so that the response to Taliban restrictions on women was asking for more than a return to the 'status quo ante'.

53. The policy apparently has evolved in its interpretation. One interpretation holds that the 50% criterion should not apply to each project individually, but to the total of projects or programmes of an agency. The total project portfolio may include projects that benefit smaller amounts of women, but also projects that target women and in which the majority of beneficiaries are women. Another interpretation holds that a 50% equal participation of women is a goal to strive for, but in the medium- to longer-term. The evaluation therefore will concentrate more on progress and trends than on the current state of affairs.

54. At least one donor has felt that the active participation of women needs to be fully supported but that the gender issue in Afghanistan should not become a number-driven policy.

***Guidelines that pertain to the terms of engagement of the assistance community with the 'presumptive authorities'***

55. Rehabilitation and development assistance shall be provided only where it can be reasonably determined that no direct political or military advantage will accrue to the warring parties in Afghanistan; Institution- and capacity-building activities must advance human rights and will not seek to provide support to any presumptive state authority which does not fully subscribe to the principles contained in the founding instruments of the United Nations, and other international conventions and covenants. (Making a Reality 1998:5; Strategic Framework 1998:4-5).

***Operational guidelines on institution-building***

56. The Taliban are seen as representing authority without legitimacy and without proper government (Newberg 1997:3.2). Aid agencies worked with the public administration of the Rabbani government when it was in place in Kabul, and subsequently with the provincial and municipal authorities in the territory controlled by the Northern Alliance. Still, also in the area controlled by the Northern Alliance, the ruling party and its network of commanders retained ultimate power.

57. The objections to the Taliban policies mean that donors and agencies are unwilling to support the remnants of public administration under their control. This first generated debate whether assistance should be limited to 'life-saving' activities. Many interviewed felt that this was not a useful concept, one described it as an 'inexperienced concept'. A strict interpretation of life saving would limit it to the provision of food, clean water and basic health care. It would exclude for example cold chain training, incentives for medical staff in public health facilities or education.

58. Hence the tendency to accept 'life-sustaining' activities. This too is a concept that can be stretched: one interviewee suggested that if women and children in the cities will be forced to remain inside, the provision of electricity to their homes could be considered a life-sustaining activity. Further, if poverty is seen as a contributing factor to the prolongation of the war, then community development activities need to be undertaken to create conditions that motivate people to opt for peace.

59. Problems arise when sustainability comes into picture. UNHCR and UNICEF reportedly had a strong debate in early 1998 over schools. UNHCR wanted to build schools as part of its search for durable solutions for returnees. UNICEF questioned this given the discriminatory policy of the Taliban towards girls' education. UNICEF at the same time however feels it must involve the decentralised Rural Rehabilitation and Development Ministry eg. for water supply and EPI services. Some form of institutional involvement is required to make certain programmes sustainable. In the same vein some NGOs have been working with municipalities and their water supply departments. Also Habitat and WHO have been working with public administration counterparts. Such cooperation at times has involved contracting a department for a particular service and/or providing it with vehicles.

60. Reportedly the Taliban who have not been dedicating any meaningful resources to social services and social infrastructure have been asking for financial and material support. The Taliban are interested in and have been asking funding for major infra-structural projects: road rehabilitation, airports, telecommunications. Unlike some private companies, the assistance community has stayed away from this.

61. Still, some donors apparently have been giving confusing signals: on the one hand they want the aid agencies to work with counterparts to prepare for hand over of the programmes (eg. ECHO requesting CARE and Solidarite to hand over their water supply programmes in Kabul to the Water Supply Dpt.), on the other hand they express great reservations about any form of institution-building as long as the Taliban maintain their objectional policies.

62. Apart from health, sanitation, de-mining and urban rehabilitation programmes, the question of relationships with the institutions of authorities poses itself also for UNDCP (see also Newberg 1998a:16-22). Drug reduction and eradication requires not only alternative development but also enforcement. The view is that specialist expertise would have to be offered for the Taliban to be able to effectively enforce counter-narcotics policies. Law enforcement could be an area of engagement. The Taliban see the war and the restoration of law and order as a priority. Afghan people express concern about the absence of a police force and lack of transparency in the law enforcement process (Newberg 1997:2.3). Of course engagement would lead to serious discussion about an interpretation of the law derived from 'sharia' and one derived from Western legal concepts. But a number of donors who presumably are in favour of counter-narcotics are also against such capacity building for counter-narcotics enforcement.

63. At least one donor, DFID, has provided more specific instructions about the limits of engagement with Afghan parties. This should be restricted to providing programme information for reasons of transparency, seeking consent where unavoidable (eg. permission to work, visum..), and seeking involvement of local authorities for problem-solving or for co-financing etc. Unacceptable however would be strengthening departments in 'ministries' or related institutions including through the provision of equipment and training, or deliberately seeking to make the authorities take responsibility for project or proposed activities (DFID Guidance Notes for NGOs 1998:2.2).

64. The broad policy-indication therefore is to promote governance for and through communities, but not to engage with 'government'. For certain types of programmes this seems difficult, although a tenuous distinction appears to be made between decentralised institutions and central 'government'. The avoidance of any form of 'institutional' capacity building, for reasons of principle, has important implications for the speed with which larger impact can be achieved, and for the sustainability of the investments.

65. There seems to be a need to:

- more clearly specify what in practice a policy of 'no institution-building' comes down to;
- acknowledge the tensions and costs generated by a 'developmental approach' with short humanitarian project horizons and without 'institution-building'.

66. There is thus a correlation between programming possibilities and the type of approach that one adopts towards the Taliban. A principle-centred approach will oppose any form of involvement of public institutions. A community-empowerment approach will by and large try to avoid it, but find this not always possible. A 'tip-toe' approach will hope that engagement around technical programmatic issues can lead to more rational and therefore constructive policy discussions.

### **Terms of engagement and disengagement**

67. The international community over the past two years has made much progress in its undertakings towards the conflict in Afghanistan. It has articulated a clearer goal for its interventions and a strategic framework to bring about more coherence in its interventions on different major issues. It has articulated a number of principles around which a consensus has developed. It has made progress in integrating the many programme activities of the assistance actors. It has also started to try and spell out some operational guidelines, but more work on this appears still required.

68. Where there remains significant confusion and divergence of views however are in the terms of engagement and disengagement, and bringing about greater commonality in this among the aid agencies. To that effect a document was drafted at the UN headquarters in New York in September 1998 'Next Steps', which is now being discussed for further refinement at field level.

69. The 'Next Steps' on the one hand suggests steps to ensure greater commonality among the UN agencies:

- UN agencies have to agree to speak with one voice and at all times on matters of principle, and public statements to the press or contacts with Taliban officials on such matters will require prior agreement of the Resident/Humanitarian Coordinator;
- A practical and workable policy on gender discrimination will be elaborated with the help of the gender and human rights advisors, and benchmarks identified against which to measure progress and compliance;
- A system will be introduced to monitor and ensure adherence by the UN agencies to the principled approach; corrective action may be taken by the RC/HC;
- UN agencies will agree on the collective conditions for engagement and disengagement when human rights are violated and human distress is increased;
- Conditionality will not be applied to humanitarian life-saving activities, but consensus still needs to be reached on the range of non life-saving activities to which conditionalities may be imposed;
- The continuation of humanitarian life-saving activities is conditional only on security.

70. This goes in the direction of a self-regulating 'code of conduct' for aid agencies(see Leader 1999).

71. The 'Next Steps' draft on the other hand suggests demands to take up with the Taliban:

- Humanitarian principles including equal access especially to women, minorities and vulnerable groups needs to be guaranteed.
- All UN staff will be treated in a uniform manner regardless of religion, nationality or gender, so that the 'mahram' edict will not apply to Muslim women who are UN staff.

72. Where the draft weakens however is in the consequences of non-respect for these basic demands. 'Sanctions' identified are the tried and tested ones: the withdrawal or increase of international staff, the selective suspension of valued activities, the development of higher profile activities etc. The 'Next Steps' draft does not halt to wonder for whom these responses constitute 'sanctions'? For the Taliban, for the target populations, for the Afghan staff of the agencies, for the aid agencies themselves? As with the report of the InterAgency Gender Mission of November 1997, conditionality continues to be recommended, without there being a clear analysis of why previously conditionality - on the whole - seems to have failed, and without there being clear guidance for future use (Newberg 1998a:11).

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## **ANNEX 4. PEOPLE INTERVIEWED**

### **Brussels**

Lea Drouet, desk officer for Afghanistan, ECHO  
Ruth Albuquerque, European Commission, DG1b

### **The Hague**

Wichter Slagter, Ministry of Foreign Affairs, Netherlands

### **Washington**

Tom Hushek, Bureau of South Asian Affairs, State Department  
Laura Livingstone, Bureau of International Narcotics, State Department  
Elisabeth Kvitashvili, USAID Office of Transitional Initiatives

### **New York**

Martin Barber, OCHA  
John Renninger, Department for Political Affairs  
Andrew Gilmour, Department for Political Affairs  
Nils Kastberg, Director of Office of Emergency Programmes, UNICEF  
Martha Murras, Director of the Office of the Deputy Secretary General  
Yohannes Mengesha, Principal Officer, Office of the Deputy Secretary General  
Thore Hansen, Regional Bureau for Asia and the Pacific, UNDP  
Rohinton Sethna, Senior Advisor, Emergency Response Division, UNDP  
Masood Hyder, Associate Director UN Development Group

### **London**

Roger Clarke, DFID  
Andrew Wilson, DFID

## **Peshawar**

Charles McPhadden, Executive Director Agency Coordinating Body for Afghan Relief  
Maqsood Fazil, AREA  
Jean Francois Cautain, MADERA  
M. Ayaz, Islamic Relief Agency ISRA  
Haneef Atmar, Norwegian Afghanistan Committee  
Laurent, Solidarites Afghanistan  
Amanullah Jawad NPO/RRAA  
Eng. Jawed, HAFO  
Anders Fange, Swedish Committee for Afghanistan  
Paul Barker, CARE  
Anwarulhaq Jabbarkahil, Ibn Sinna  
Niels Harild, DACAAR  
Thomas Thomsen, Danish Refugee Council  
Ewen McLeod, EC programme coordinator  
Brad Hanson, consul USA

## **Islamabad**

Alf Ramslien, Norwegian Embassy  
Wim van der Kevie, Dutch Embassy  
Mikael Lindvall, Swedish Embassy  
Victor Carvell, Canadian Embassy  
Ann Freckleton, UK Embassy  
Linda Thomas-Greenfield, counsellor for refugee affairs, US Embassy  
Joseph Novak, Second Secretary (political), US Embassy  
Andrew Tesoriere, Officer-in-charge, UNSMA  
Erick de Mul, UN Coordinator for Humanitarian and Development Activities in Afghanistan  
Antonio Donini, UNOCHA coordinator for humanitarian affairs  
Maurice Dewulf, UNDP Deputy Resident Coordinator  
Omer Daudzai, UNDP Assistant Resident Representative  
Nora Nilond, Human Rights Advisor, office of the UN Coordinator  
Brigitte Neubacher, OCHA Islamabad  
Tarek Elguindi, Deputy Country Director, WFP Afghanistan Office  
Rehman Chowdhury, Advisor, WFP Afghanistan Office  
Louis George Arsenault, Representative, UNICEF Afghanistan Office  
Bernard Frahi, Representative, UN Drugs Control Programme  
Mette Pettersen, EC delegation Islamabad  
John Hayward, ECHO Coordinator Afghanistan  
Paul-Henri Arni, deputy head of delegation, ICRC

This draft also benefitted from critical comment at the DAC Seminar in Paris on 3 and 4 May 1999.