



Tiptoeing Through Afghanistan: The Future of UN State-Building

By Simon Chesterman

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Executive Summary

- Afghanistan represents a radically different model in the panoply of UN peace operations. On paper it resembles earlier assistance missions that provided governance and development support to post-conflict societies. In practice, however, the UN mission remains intimately involved with the Afghan Transitional Administration and therefore with the peace process that put it in place. This disjunction between formal authority and practical influence poses a challenge not only for the specific operation in Afghanistan but also to accepted models of UN peace operations more generally.
- Most analyses of UN peace operations suggest that the more complex the political environment, the larger the amount of resources required to complete the mandate. On any such measure, the UN Assistance Mission in Afghanistan (UNAMA) faces an uphill battle. UNAMA is instead pursuing a high-risk strategy that requires two conceptual leaps from the normal mould of peace operations. The first is that it is possible to blur the normal distinction between negotiating a peace agreement and implementing it. The second is that the UN can make up for its small mandate and limited resources through exercising greater than normal political influence.
- There is widespread agreement among UNAMA and most of its Afghan partners that expansion of the International Security Assistance Force (ISAF) beyond Kabul would be an important stabilizing factor in this process. If it is to be done, it should be done urgently, while all parties are still buying into the Loya Jirga process. Given the reaction of the United States and potential troop-contributing nations, however, expansion now appears highly unlikely.
- Every UN mission and development programme now stresses the importance of local 'ownership'. This may be the first mission where some of the local population themselves are truly taking charge. Development, however, is notoriously supply- rather than demand-driven; donor countries are infamous for pledging one thing and delivering another. Agencies must therefore take this into account when constructing fictional budgetary targets that they know will not be met, making responsible financial planning still more difficult. Compounding these problems is confusion in Afghanistan as to what projects are actually going to be funded and when. This is partly caused by the refusal of some of the largest donors to have their money pooled into a trust fund for the whole of Afghanistan.
- The Emergency *Loya Jirga* was intended to encourage Afghans from all parts of the country to 'buy into the peace process'. This phrase was used metaphorically, but should also be understood literally. Encouraging Afghans to see the solutions to their problems as lying in the embryonic institutions of the state is good politics internationally. It is also Afghanistan's best chance for stability and relative prosperity.

About the Project on Transitional Administrations

This interdisciplinary project addresses how the on-going and ad hoc involvement of the United Nations in ‘state-building’ missions is contributing to the transformation of accepted norms of self-determination and state sovereignty. The starting point of the project is the concern – raised, though only in passing, by the Report of the Panel on UN Peace Operations (the ‘Brahimi Report’) – that the United Nations is becoming involved in state-building projects without any clear institutional guidelines or political consensus. This has given rise to uncertainty of mandate in ongoing UN operations, as well as the potential for establishing precedents that may confuse the normative framework within which future operations take place.

On this basis, the two goals of the project are:

- (a) to develop clear guidelines on how United Nations transitional administrations can and should be used to further the self-determination aspirations of a given group; and
- (b) to examine how UN actions have contributed to the normative and practical transformation of self-determination and state sovereignty through the 1990s (in turn, perhaps, giving rise to more calls for self-determination by groups).

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About the Author

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Dawn in Kabul

Introduction

On 7 October 2001, a United States-led coalition commenced military action in Afghanistan aimed at eliminating the al-Qa'idah terrorist network and toppling the Taliban regime that had harboured them in Afghanistan. By mid-November, the Taliban had been effectively removed from power and on 5 December 2001 a UN-sponsored Afghan peace conference in Bonn, Germany, approved a broad agreement for the establishment of an Interim Administration pending the holding of an Emergency Loya Jirga (National Assembly) in June 2002. This body would, in turn, decide upon a Transitional Administration to lead Afghanistan until elections were held within two years from the convening of the Emergency Loya Jirga.

During the initial stages of the military action, there was considerable discussion about the role that the United Nations would play in post-conflict Afghanistan. Some feared that the UN would be handed a poisoned chalice once the United States had completed its military objectives; others eagerly looked forward to the 'next big mission' and a dominant role for the UN in rebuilding Afghanistan on the model of Kosovo and East Timor. These expectations were tempered by the challenging security environment and the decision by major states contributing forces to the International Security Assistance Force (ISAF) to limit their presence to the capital city of Kabul and its immediate vicinity. (Ongoing coalition actions in the East of the country continue to provide additional coercive power – referred to as the 'B-52 factor' – but this is largely outside the control of the UN.) Expectations were also limited by the political context within which the UN was to operate: however dysfunctional, Afghanistan had been and remained a state with undisputed sovereignty. This was quite different from the ambiguous status of Kosovo and the embryonic sovereignty of East Timor.

Under the leadership of Lakhdar Brahimi, architect of the Bonn process, the UN mission adopted the guiding principle that it should first and foremost bolster Afghan capacity – both official and non-governmental – and rely on as limited an international presence and as many Afghan staff as possible. This has come to be referred to as the 'light footprint' approach. Such a departure from the expansive mandates in Kosovo and East Timor substantially reduced the formal political role of the United Nations Assistance Mission in Afghanistan



Lakhdar Brahimi, Special Representative of the Secretary-General for Afghanistan

(UNAMA). This was in keeping with the limited role accorded to the United Nations in the Bonn Agreement, negotiated in December 2001 after the rout of the Taliban by the United States and its foreign and local allies. It also represents a philosophical challenge to the increasing aggregation of sovereign powers exercised in UN peace operations since the mid-1990s.

This report will examine the first months of the UNAMA operation and the broader implications of the light footprint approach for future UN state-building activities. Following the two pillar structure of UNAMA, the report will first examine the political role that the United Nations has played in post-conflict Afghanistan up to and including the Emergency Loya Jirga. Secondly, the report will consider the UN's role in coordinating relief, recovery and reconstruction. Each area has been unusual for a UN peace operation. On the political front, the supporting role played by the UN has required – and will continue to require – considerable political sophistication in order to facilitate the completion of business left undone at Bonn. On the development front, 'ownership' has long been a mantra of the development community; nevertheless, this may be the first such mission where some of the local population themselves have truly attempted to take charge.

Peace as Process: Politics and the Light Footprint

On paper, UNAMA resembles earlier assistance missions that provided governance and development support to post-conflict societies. In practice, however, the UN



Afghan men take paid dictation under a portrait of Ahmed Shah Massoud

mission remains intimately involved with the Afghan Transitional Administration and therefore with the peace process that put it in place. This disjunction between formal authority and practical influence poses a challenge not only for the specific operation in Afghanistan but also to accepted models of UN peace operations more generally.

Senior UN staff in the mission are blunt about the reasons for the light footprint approach. A mission on the scale of East Timor's transitional administration was 'not necessary and not possible', according to Lakhdar Brahimi. Bolstering Afghanistan's capacity to govern itself requires Afghans taking charge of their situation wherever possible, an end that may be compromised by throwing international staff at a problem. A large international presence may also have perverse effects on both politics and the economy. As another senior UN official put it, 'we are protecting a peace process from the hubris of the international liberal agenda as promoted by donors'. Such an agenda might include setting policy (on, say, human rights, democracy, gender, the rule of law) in accordance with donor requirements and time-lines rather than on the basis of what is locally feasible. Creating space for Afghans to establish their own political trajectory has extended not merely to reducing the number of staff that take up positions in Afghanistan, but to the length of time they are likely to be there. Unusually for the United Nations, at least some staff appear to be taking to heart the philosophy of the better development non-governmental organizations (NGOs) – that its main job is to work itself out of a job.

In any case, armchair commentators' enthusiasm for the benevolent takeover of Afghanistan was cooled by

its history of resistance to foreign rule. The British and the Russians tried it before and failed; the UN knows that it runs the risk of being seen as simply the latest invasion force. For this reason, the Security Council-mandated International Security Assistance Force (ISAF) has been reluctant to deploy outside its original sphere of operations in and around Kabul. The UN sees expansion beyond Kabul as essential to the stability of the Transitional Administration put in place by the Emergency Loya Jirga, but has been wary throughout to limit itself to 'endorsing' Chairman Hamid Karzai's call for a wider deployment. The United States has been customarily reluctant to submit itself to a UN mandate, but actively opposed any expansion of ISAF – despite the fact that it plays no formal part in the force. This may change once mopping up operations in search of al-Qa'idah operatives and evidence of Osama bin Laden have been completed, leaving only the reluctance of those countries that would actually supply the troops.

Most importantly, however, a limited role for the UN was what was politically feasible at the time of the Bonn Agreement. One should be careful about taking the passive role of the UN at face value, of course – the 'procedural' decision to invite Hamid Karzai to speak at the Bonn meeting was not unconnected with his eventual appointment as Chairman of the Interim (and now Transitional) Administration. But a central element of the peace in Afghanistan established in Bonn has been encouraging Afghan leaders of various stripes to see their interests as being served by buying into a political process. Asserting a lead role for the United Nations, it is argued, would have fatally undermined this aim.



Jean Arnault, Deputy Special Representative of the Secretary-General for Political Affairs

The accepted wisdom within the UN community is that a successful UN peace operation should ideally consist of three sequential stages. First, the political basis for peace must be determined. Then a suitable mandate for a UN mission should be formulated. Finally, that mission should be given all the resources necessary to complete the mandate. The accepted reality is that this usually happens in the reverse order: states determine what resources they are prepared to commit to a problem and a mandate is cobbled together around those resources – often in the hope that a political solution will be forthcoming at some later date. A more scientific survey was conducted by Michael Doyle, now a Special Adviser in the Executive Office of the UN Secretary-General, and Nicholas Sambanis, who (uncontroversially) concluded that more hostile, complex and impoverished post-conflict situations will generally require greater international assistance and effective authority for a sustainable peace.

On either measure, the UN mission in Afghanistan faces an uphill battle. The Bonn Agreement put in place a process but the political basis for peace is still uncertain. The limited resources at the UN's disposal constrained its mandate and restricted its field presence largely to Kabul. By concentrating those limited resources in the capital, the UN made a bet that Hamid Karzai and the Interim Administration could hold the country together – even though the Interim Administration was less of a centralized government than it was a centralized gathering of factions, dominated by those favoured by the United States in its recent battle with al-Qa'idah and the Taliban.

This hands-off approach has now become central to the political strategy currently being pursued by the UN – a high-risk strategy that requires two conceptual leaps from the normal mould of peace operations. The first is that it is possible to blur the normal distinction between negotiating a peace agreement ('peace-making' in the UN argot) and implementing it. Thus the Bonn Agreement should be seen not as a final status agreement but as a framework for further negotiations, mediated through the institutions that it provides for over the subsequent two-and-a-half year period (the Interim Administration, the Emergency Loya Jirga, the Transitional Administration, the Constitutional Loya Jirga and so on). The flexibility inherent in this approach may be contrasted with the peace agreements that have locked the UN and other international actors into their roles in Bosnia and Kosovo. (The Dayton Accords in particular have become a de facto constitu-



ISAF in Kabul

tion for Bosnia. They served their purpose as a peace agreement but are utterly unworkable as a constitution – any attempt to change them, however, is seen as a threat to re-ignite the conflict.) The Bonn Agreement avoids these pitfalls, but presumes that the UN can continue to have a meaningful role in the ongoing negotiations. Again, on paper, there is little formal authority for the UN to do so, but through high-level diplomacy and subtle interventions in its capacity as an assistance mission, it is endeavouring to 'cook' the political process into a sustainable outcome.

This assumes the success of the second conceptual leap, which is that the UN can make up for its small mandate and limited resources through exercising greater than normal political influence. Brahimi goes one step further, arguing that it is *precisely* through recognizing Afghan leadership that one obtains credit and influence. Such an approach places extraordinary importance on the personalities involved. It is generally recognized that Brahimi was instrumental to the success of Bonn, but his continuing involvement and his personal relationship with Karzai and the three Panjshiri 'musketeers' that largely wield power (Defence Minister and Vice-President Muhammad Qassem Fahim, Foreign Affairs Minister Abdullah Abdullah and Education Minister and Special Adviser Mohammed Yunus Qanooni) are essential to the process remaining on track.

And, until the Emergency Loya Jirga, things were always likely to remain on track. Indeed, the greatest achievement of the operation to date is that no major group opted out of the Loya Jirga process entirely. There were cases of intimidation and pressure on the part of local commanders to have themselves or their men



Ahmad Nader Nadery, Spokesperson, Special Independent Commission for Convening of the Emergency Loya Jirga

'elected', but this is sanguinely interpreted as a compliment to the perceived importance of the political process. Few people deluded themselves into thinking that the Loya Jirga was a meaningful popular consultation – the aim was to encourage those who wield power in Afghanistan to exercise it through politics rather than through the barrel of a gun. Mao Zedong's aphorism is apposite here because the most dangerous period for the UN comes now that the Loya Jirga has taken place. At this point, if politics is not seen to deliver at least some of the benefits that were promised, those commanders may revert to more traditional methods of promoting their interests.

The Loya Jirga did produce a somewhat more representative government than that created by US bombs and UN diplomacy in December 2001. The question now is whether tinkering with a few positions is enough to assuage the disgruntled Pashtun population that sees itself as marginalized for the past sins of the Taliban. The difficulty confronting the UN is that it is neither mandated nor in a position to conduct meaningful consultations outside the power centre of Kabul.

This is why many UN staff continue to see expansion of ISAF beyond Kabul as essential to the success of the larger mission. Any expansion is now highly unlikely. If it was going to happen, it should have been done while all parties were buying into the Loya Jirga process. Once in place, ISAF could have acted as a political guarantor in the areas outside Kabul that have thus far seen little evidence of the UN's presence. This would only be possible with US acquiescence, however – and it would only be likely if the US agreed to provide 'over the

horizon' support in the event of a major conflict. Given the various other distractions in the world at present, even sustained US attention on Afghanistan beyond its military objectives seems unlikely.

Buying into the Peace Process: Development and Afghan 'Ownership'

If the 'light footprint' approach has complicated the high-level diplomacy of UNAMA's political pillar, it has turned the development components of the UN mission on their head. During the chaotic Taliban period, humanitarian and development agencies frequently ran their programmes in Afghanistan without any formal relations with the government (with the notable exception of the health sector). In the absence of government capacity, the UN sometimes functioned as a surrogate ministry of planning. Now, with a recognized Afghan administration and a UN commitment to respect its authority, agencies and NGOs have had to undergo a mental revolution.

Every UN mission and development programme now stresses the importance of local 'ownership': 'Afghan solutions for Afghan problems' was a mantra of the preparations for Afghanistan's reconstruction. But this may be the first such mission where some of the local population themselves are truly taking charge. In part this unusual dynamic is the work of one man. Ashraf Ghani, formerly employed at the senior levels of the World Bank, has returned to Afghanistan and now heads an organization called the Afghan Assistance Coordination Authority (AACA). Chaired by Hamid Karzai, AACA functions like a cabinet office on development issues. (Some archly suggested that Ghani himself functioned more like a prime minister, noting that in addition to directing AACA he also served as National Security Advisor. Following the Loya Jirga, he now serves as Minister of Finance.) This combination of experience and relative legitimacy has ruffled feathers, particularly when the AACA has refused to let development agencies and non-governmental organizations unroll their pre-packaged programmes and lay them out over Afghanistan.

Ghani has stated in the most explicit terms that he is determined not to allow Afghanistan to become a beggar state, dependent on international aid. The draft National Development Framework issued by AACA at times reads like a manifesto to which many developing countries



Directing traffic in Kabul

might subscribe: 'donor-funded investment projects, unless they are anchored in coherent programs of government, are not sustainable. Structural adjustment programs, unless they are translated into feasible projects, do not result in reform.' Agencies and NGOs complain that their programmes are being held up at the whim of a single person. AACA responds that aid packages with recurrent expenditures must either fit into a national framework or they will undermine it. Together with the Administration, AACA worked on a Development Budget to guide donors and agencies.

Humanitarian Relief, Recovery and Reconstruction

The National Development Framework was presented by the Interim Administration to the donor community in April 2002. It laid out 12 programmes in three pillars (Humanitarian and Human/Social Capital, Physical Reconstruction and Natural Resources, and Trade and Investment). These have now been organized into programme groups composed of government, UN and NGO actors, with a programme secretariat appointed to manage each group. The eight initial programme secretariats appointed in July 2002 were:

- UNICEF for education
- WHO for health
- UN-Habitat for urban development
- FAO for natural resources
- UNHCR for return and reintegration
- UNESCO for culture and media
- the Mine Action Centre for Afghanistan for the mine action subgroup
- WFP for the food aid subgroup

This serves a political function also. The legitimacy of the Transitional Administration depends on being seen to deliver a peace dividend. Agencies are therefore being encouraged to do less of their own flag-waving (at least within Afghanistan) and present their projects as action taken in support of the Transitional Administration. As a senior UN development official describes it, 'we are supporting the creation of the *appearance* of authority in the hope that it leads to the creation of *actual* authority'.

There are limits to how far this can go. Development is notoriously supply- rather than demand-driven; donor countries are infamous for pledging one thing and delivering another. (Current wisdom puts the amount delivered at an average of around 60 percent of that pledged.) Agencies must therefore take this into account when constructing fictional budgetary targets that they know will not be met, making responsible financial planning still more difficult.

Compounding these problems is confusion in Afghanistan as to what projects are actually going to be funded and when. This is partly caused by the refusal of some of the largest donors to have their money pooled into a trust fund for the whole of Afghanistan. There are good and bad reasons for this. The good reasons concern the high overheads and at times glacial pace of the World Bank and the UN Development Programme. The bad reasons are that countries often want their names up in lights next to their pet programmes, sometimes administered by their own national NGOs. Everyone wants to send children back to school; no one wants to pay military salaries. The result is that many donors insist on doing their own feasibility studies – sometimes on the same sector, sometimes even using the same consultant.



Back to school



Mohammed Massom Stanikzai, Managing Director, Agency for Rehabilitation and Energy-Conservation in Afghanistan

As in Kosovo, this leads to a proliferation of local NGOs (and, in Afghanistan, government agencies) spending more and more of their time working out how to get foreign money and keep donors happy than actually running their programmes. Karzai railed against this at an April 2002 donors conference, attacking criticism of Afghan bureaucracy when donor countries' procedures were similarly obtuse: 'We will not remove our red-tapeism unless you remove yours ... Don't expect us to give you a report every month: we will give you a report when we like to give you a report. There are too many groups of donors, reconstruction groups, assistance groups. I don't know the names of all of them.' Other recipient states would have been quietly cheering him on.

A radical approach to dealing with this problem was proposed in early 2002 but did not lead anywhere. This was to retain a private consulting firm to set up a trust fund that would be drawn upon directly by the Interim Administration, overseen by a board that would include both Afghan and UN members. Such a mechanism might allay the concerns of donors at giving funds directly to the UN or the World Bank, while at the same time directing money where it is most needed and encouraging fiscal responsibility on the part of the new regime. Such a mechanism would only be possible where local partners are in a position to absorb the money, but this seemed to be the case in Afghanistan (as demonstrated by its relations with donors to date). It remains an interesting hypothesis.

More can be said about the capacity of Afghanistan to absorb the sudden influx of wealthy foreigners. Every significant UN mission creates a parasitic and unsustain-

Security Sector Reform

In an expansion of the approach adopted in East Timor, where Portugal and Australia have taken the lead role in training the embryonic East Timor Defence Force, various tasks in assisting security sector reform have been delegated to lead nations:

- training of the armed forces: United States
- counter-narcotics: United Kingdom
- justice sector: Italy
- police: Germany
- reintegration and demobilization: UNAMA/Japan

able economy to serve the needs of the transient internationals. As in cities from Dili to Freetown, the rental market in Kabul has exploded, accompanied by dubious evictions of existing tenants to make way for more lucrative foreign occupants. This can be a benefit to the economy if, as sometimes happened in East Timor, families move into a back room and rent out the rest of the house while using some of the money to renovate their property. In Kabul, many houses are of questionable ownership, or are claimed by absentee landlords. Much foreign money that enters the country thus leaves almost as quickly, while occupants formerly in cheaper accommodation become homeless.

Disputes over the microeconomic impact of the UN presence have focused on the question of salaries. The average monthly salary of an Afghan civil servant working for the government is currently about \$28, a figure that rises to only about \$40 for some ministers, or \$80 for a supreme court judge. An Afghan national doing the same work for the United Nations or an



Afghan men looking for work outside the UNAMA compound

international NGO earns between 15 and 400 times that amount, according to salary scales established by the International Civil Services Commission (ICSC). In May 2002 this was increased. Such differences foster and deepen the parasitic bubble economy, with staff leaving government positions to take the short-term international jobs on offer – even if it means that a judge is working as a driver, or an electrical engineer as a guard. This causes predictable problems as staff are poached from one place to the next, with organizations losing their institutional memories and such local capacity as actually exists being distorted into servicing the needs of the internationals.

The problem is unfairly blamed on the UN alone, when it is the ICSC that independently establishes the pay-scales for national staff. A creature of the UN General Assembly, modification of its procedures requires the initiative of a member state. Nevertheless, moves to lower the pay of national staff are unpopular in New York. The problem is exacerbated by the low and relatively flat pay-scales of the Afghan administration. Raising basic pay and increasing the differential on the basis of responsibility may help reduce the incentive for skilled Afghans to leave their positions, but the government will never be able to compete with the UN and international NGOs. Innovative solutions have been mooted, such as a proactive policy to recruit UN staff from the Afghan diaspora, and establishing two-way secondments between UN agencies and the government. In the short term, basic respect for notice requirements in contracts would help minimize the disruption of sudden staff changes in the various programmes. This could be enforced through a code of conduct – if there were one in place. Ultimately, the problem will most likely solve itself. As the international presence peaks and begins to decline, the job and property balloon will burst.

The relative lightness of the international 'footprint' has contributed to facilitating Afghan ownership of the development process and placed at least some controls on the distortions caused by the arrival of hundreds (rather than thousands) of international civilian staff. Nevertheless, the political and economic sides of the mission intersect with some obvious uncertainty on the part of donors about the political process. It is noticeable that few major infrastructure projects have yet been funded. Rather, the focus to date has been on delivering relief supplies, sending children back to school, agricultural projects and the like. The assessment of some in the



Fazel-Rabi Haqbeen, Managing Director of the Afghan Development Training Center

development community is that donors have been waiting to see what happens after the Emergency Loya Jirga before releasing larger funds – and in the short term focusing on projects less likely to be affected by the outbreak of renewed fighting.

Will It Work?

It is, of course, too early to make serious predictions as to the likely outcome of the process currently underway in Afghanistan. Nightmare visions of the Pashtun population rising up against a Tajik-dominated Administration and their foreign abettors would require the political process spinning utterly out of control. At present this seems unlikely. Ongoing spats between rival commanders are highly likely, though to date these have been relatively localized. The first major tests were the staging of the Emergency Loya Jirga and how the new Transitional Administration presented itself to the population. The Loya Jirga is properly regarded as a qualified success, but the Transitional Administration has got off to an extremely bumpy start. (The assassination of Vice-President Haji Abdul Qadir on 6 July 2002 was destabilizing both as a blow against the government, but especially because it removed the most prominent political leader with a political base among the Pashtuns.) Nevertheless, if most of those who have bought into the process achieve some of their expectations, and the Administration and the UN are seen to be facilitating the flow of assistance to the Afghan population, the fragile consensus that Afghanistan enjoys today will continue.

It is ironic that this mission reached its most crucial test within weeks of the conclusion of the UN Transitional Administration in East Timor (UNTAET). UNTAET may come to represent the high-water mark of UN peace operations, where the UN exercised effective sovereignty over a territory for over two years. UNAMA has a fraction of its staff and budget and operates in a country perhaps 25 times the population of East Timor. Brahimi hopes that people will look back at East Timor and question whether it was necessary to assert such powers. Any such evaluation may well be coloured by the fate of the UN operation in Afghanistan.



Burqas on sale in Kabul

Further Reading

Agreement on Provisional Arrangements in Afghanistan Pending the Re-Establishment of Permanent Government Institutions (Bonn Agreement), done at Bonn, 5 December 2001, UN Doc S/2001/1154.

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