

Issues Paper Series

# Shaping Urban Futures: Challenges to Governing and Managing Afghan Cities



Jo Beall and Daniel Esser



Afghanistan Research and Evaluation Unit

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## About the Authors

Dr. Jo Beall is a reader in development studies at the Development Studies Institute of the London School of Economics and Political Science. She is a development policy and management specialist, with expertise on urban social development and urban governance. Her other interests include gender, social policy and international development, social exclusion and local responses to crisis and conflict. Dr. Beall has conducted extensive research in southern Africa and South Asia and has advised and consulted for a range of international development agencies, national governments and non-governmental organisations. She is co-author of the books *Uniting a Divided City: Governance and Social Exclusion in Johannesburg* and *Funding Local Governance: Small Grants for Democracy and Development*.

Daniel Esser is a Ph.D. candidate and scholarship holder of the German National Academic Foundation and the Economic and Social Research Council in the Development Studies Institute at the London School of Economics and Political Science. Previously, he was a Fellow of the Special Programme for Urban and Regional Studies in the Department of Urban Studies and Planning at the Massachusetts Institute of Technology. He also has worked as a consultant and trainer for the International Labour Organization and CARE International, as well as in the private sector. He has published and presented papers on urban governance, violence and forced migration in conflict cities, local economic development in Asia and the application of ethics in strategic management.

## About the Afghanistan Research and Evaluation Unit (AREU)

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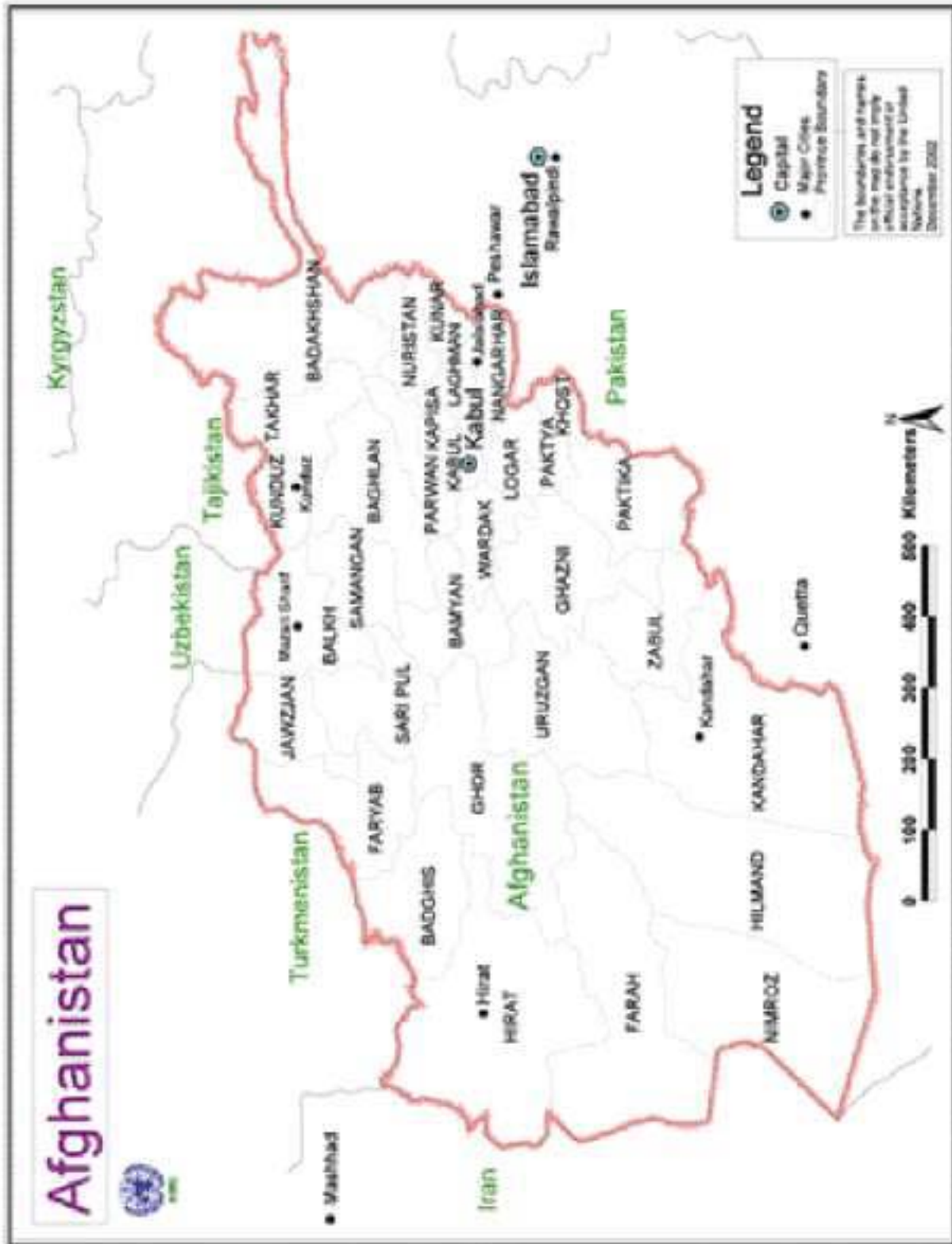
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# Map of Afghanistan





## Glossary of Dari terms

<i>gozar</i>	neighbourhood
<i>jihad</i>	holy war
<i>kalantar</i>	elder
Kuchis	nomadic people
loya jirga	"grand council" similar to <i>shuras</i> , or consultative assemblies
mujaheddin	fighters in the <i>jihad</i> , or holy war
<i>qanoon madari</i>	civil law
<i>rawaj</i>	customary law
<i>safayi</i>	municipal service charge and property tax
Shari'a/Shariat	Islamic jurisprudence
<i>sharwali welayat</i>	provincial municipality
<i>shura</i>	local/community council
<i>tashkeel</i>	staffing establishment or list of sanctioned posts
<i>wakil-e gozar (wakil)</i>	neighbourhood representative
<i>wasita</i>	personal relationships through which political/other favours may be obtained

## Executive Summary

Afghanistan is facing tremendous challenges on its way to peace, democracy and prosperity. Its fast-growing and vibrant cities, which host roughly a quarter of the country's population, pose particular development problems but also carry significant potential for advancing social and economic well-being if they are diligently managed and inclusively governed. Against a background discussion of widespread urban vulnerability in Afghanistan, this paper explores the critical challenges for urban governance and urban management. The analysis draws on research conducted in three Afghan cities – the capital city, Kabul, in the central east; Herat City near the western border with Iran; and Mazar-i-Sharif, close to the northwestern border with Uzbekistan – as well as on interviews with informants from Afghan ministries, municipalities, international development agencies and local and international non-governmental organisations (NGOs) involved in urban programmes and projects.

The overall analysis suggests that there is an acute need for a more coordinated approach to urban management and greater focus on urban governance. Both require flexible approaches as well as enhanced cooperation between government departments as well as between those departments and city residents. This is particularly critical in the context of land administration and housing. Insecurity and inaccessibility of tenure are currently very important causes of urban vulnerability. Housing shortages and high land prices, strict building standards and regulations deriving from the days of master planning, as well as burdensome administrative procedures based on ideal norms rather than the realities of local circumstances have made a rise in informal construction inevitable. Informal settlements now account for the larger part of houses in

Afghanistan's urban centres. High rents, diminished housing stock and the influx of returnees, internally displaced people and expatriate development workers all exacerbate the problem. The absence of an effective and coherent land management system in growing urban centres has provided opportunities for illicit dealings, whether by politicians, government officials, private militias or unscrupulous land developers.

Vast service delivery backlogs exist, alongside gaps between serviced and unserved households and areas. These need to be urgently closed, with a particular focus on the interconnection between water supply, sanitation and solid waste management but also electricity, education and health facilities. Community management of informal service provision needs to be acknowledged and the potential of community participation strengthened to ensure greater involvement of and responsiveness to local demand and to ensure better downward accountability, particularly in the face of local-level corruption. Furthermore, government institutions need to increase their capacity to work with civil society organisations and to coordinate and regulate initiatives by non-governmental actors. However, cooperation with municipal employees and coordination with government and other actors is essential not only for urban community development but citywide development strategies as well. When this works well, NGOs can be a linchpin in urban management, helping to combat corruption, promoting information exchange and communication and fostering local empowerment in urban governance.

The urgency of addressing urban vulnerability is underscored by the alarming degree of horizontal social disintegration in cities. This is evidenced by fragile networks and lack of

trust, conditions that make issue-based grassroots level collective action difficult. This works against citizen involvement in urban management. Similarly, local structures of representation vary in terms of their effectiveness and the extent to which they are representative, particularly of women and younger people. Lastly, the research suggests that there is still much to be done before Afghan ownership of current urban reform processes is achieved.

### *Policy implications in brief*

Local policymakers and officials clearly face a difficult challenge to change both their mindsets and practices in a fast changing context and within a system where for many, skills are outdated and where investment comes primarily from sources other than government. Government departments responsible for urban development need to know the amount of financial support they can expect and have at their discretion and which areas and services will be prioritised by funders and to be consulted in both. This suggests in turn increasing the degree of donor coordination and of the urban sector more generally. A wider range of skills associated with urban planning and management are also required in a context where the future of urban development in Afghanistan is likely to rest less with a narrow perspective on urban design and more with strategic urban management, driven by multi-sector partnerships involving not only government and the private sector but also representatives of communities and donors. This can be addressed immediately in the context of area-based urban development and in the medium and longer term through related capacity building efforts that create the basis for sustainable urban management capacity and inclusive and accountable urban governance.

Achieving effective urban management in Afghanistan means balancing and prioritising

limited resources against overwhelming needs. This is largely a political process and one that requires attention to re-building trust in the mechanisms and structures of urban governance. Above all, channels of communication between government agencies, international and bilateral donors, and agents and organisations of civil society need to be reviewed and improved. It is important to work with what exists, as it is easier to destroy than to build institutions. Thus a fine balance needs to be struck between challenging and capitalising on existing organisations and systems of delivery and accountability. Towards this end, the visibility and responsiveness of government-administered services needs to be strengthened; grassroots level collective action needs to be fostered; and institutionalised platforms need to be developed to increase the voice and leverage of citizens.

### *Recommendations*

Key recommendations brought forward on the basis of this comparative analysis have been divided into city-specific priorities and more holistic longitudinal measures.

- In *Kabul*, security of tenure should be given first priority. A second key concern is to clarify the relationship between Kabul Municipality and the Ministry of Urban Development and Housing (MUDH) and to enhance communication and coordination between them.
- In *Mazar*, large sections of the city wait to be connected to water and sewerage systems and rely on private generators for energy. Furthermore, employment generation is critical in a provincial capital where years of conflict saw the decimation of industrial production and in a province where poppy production is a profitable alternative to limited legal economic opportunities.

- Conversely, in *Herat* a hard look needs to be taken at the dominance of privatised (re)construction and the potential exclusion of minorities and the lowest income echelons from improvements in infrastructure, services and economic growth. The implication here is the need for a more cautious and inclusive urban development strategy.
- In addition to city-specific issues, a set of cohesive and sequenced recommendations apply across all large urban centres in Afghanistan. Actions are divided into immediate measures, intermediate approaches and forward-looking strategies.

Table 1. Areas of concern and sequencing of recommendations

Area of Concern	Immediate Measures	Intermediate Approaches	Forward-looking Strategies
Planning	(Local) Work with and build on existing master planning skills (but not the master plan); encourage risk-taking behaviour.	(National) Introduce participatory and collaborative planning through a “learning by doing” approach in the context of project development/NUP.	(National) Ensure all urban projects, programmes and plans are harmonised within the context of the NUP, guided by a strategic urban policy framework.
Skills Development	(Provincial/Inter-city) Work towards updating practice and creating experience through existing area-based development programmes.  (Provincial/Inter-city) Promote educational visits to other countries and demonstration projects.	(Provincial/Inter-city) Develop skills in working with informality in housing, infrastructure and service provision in the context of projects and programmes.  (Supranational) Ensure investment in skilled staff, equipment, advisors to MUDH and other ministries.	(National) Integrate on-the-job capability enhancement with curriculum development in universities and technical colleges, with a focus on urban planning and management but where relevant, still located within existing architecture/ engineering faculties.
Access to Housing	(Local) Work towards immediate security of tenure for vulnerable urban dwellers, alongside larger land titling exercises.	(Local) Begin to harmonise informal security of tenure measures at the neighbourhood level or in the context of projects with formal land titling exercises.	(Local) Introduce and monitor infringements or violation of land titles and security of tenure within an ongoing process of land titling.
Cooperation	(Provincial/Inter-city) Foster urban partnerships through issue-based workshops.  (Provincial/Inter-city) Conduct capacity-building workshops on citywide imperatives.	(Provincial/Inter-city) Develop integrated area-based projects involving multi-sector partners and with tangible skills development and capability building dimensions.	(Provincial/Inter-city) Extend integrated area-based project approaches to citywide development strategies with local authorities coordinating a wider array of urban development partners.
National Urban Programme (NUP) Implementation	(Provincial/Inter-city) Create commitment to and ownership of the NUP through facilitated discussion, workshops and application to real-life problems.	(National) Operationalise the NUP through concrete interventions; implement through government departments with clear milestones and performance benchmarks.	(National) Work towards a sustainable resource base for the implementation of the NUP in all provincial centres; ensure institutionalisation of performance improvement.
Citizen Dialogue	(Local) Set in place organisational mechanisms for more extensive involvement of local representatives.  (National) Ensure government staff awareness of Independent Administrative Reform and Civil Service Commission.	(Local) Create structures for regular consultation/ communication with urban dwellers about priorities and budgets.	(Local) Strengthen and institutionalise structures for regular consultation/ communication between government and urban dwellers.  (National) Strengthen citizens’ ability to engage proactively with NUP/ planning processes through continuous civic education.

Area of Concern	Immediate Measures	Intermediate Approaches	Forward-looking Strategies
Corruption	(National) Build on public awareness of corruption by setting up an effective urban monitoring group.	(National) Assess growth/effectiveness of the urban monitoring group on corruption via appraisals and consultation with agencies.	(National) Enforce anti-corruption measures through sufficient funding, consultation and monitoring accountability to citizens.
Coordination	(Supranational) Work to avoid the worst excesses of politicised funding of infrastructure and services by continuing to prioritise and institutionalise proper consultation and coordination.	(Supranational) Strengthen the coordinating function of MUDH; clarify the role of the MUDH vis-a-vis municipalities, especially in Kabul; ensure compatibility of NUP implementation with local priorities, focusing on urban vulnerability.	(National) Streamline MUDH and monitor the effectiveness of new structures through peer reviews and citizen satisfaction surveys.
Revenue Generation	(Supranational) Strengthen revenue generation and collection through the Ministry of Finance.	(Provincial/Inter-city) Encourage local revenue generation activities on the part of municipalities to foster fiscal sustainability.	(National) Extend local revenue generation activities for some enhanced fiscal autonomy on the part of municipalities while ensuring returns to central government and cohesion with national policies through coordination by a streamlined MUDH.

## 1. Introduction and Background



Photo — Daniel Esser

Urban centres are increasingly characterised by rising poverty, vulnerability, environmental hazards and health risks. This gives rise to insecurity and lack of safety on the part of urban dwellers. These problems are exacerbated in post-war contexts. In conflict cities, urban citizens are often doubtful of the ability of municipalities and governments to provide them with a safe, secure and affordable living and working environment. The disenchantment and exclusion of urban residents, particularly the most vulnerable among them, is often reinforced by inefficiency and corruption. For example, in conflict situations tight control over access to resources and decision-making by minority elites can be greater. This issues paper focuses on urban vulnerability in Afghanistan, explored in the context of challenges to urban

management and governance. Research for this study was conducted across three cities. They included the capital city, Kabul, as well as two provincial capitals: Herat City, close to the Iranian border to the west and Mazar-i-Sharif to the north, close to the border with Uzbekistan.<sup>1</sup> Urban vulnerability in contemporary Afghanistan derives above all from the physical legacy of war. This includes destruction of infrastructure and housing and lack of investment in services. Also evident is the social legacy of war in cities, involving the displacement of people, fragmentation of support and social networks, as well as the exclusion of particular groups of people from full participation in urban life. Urban vulnerability is framed by a broad institutional landscape that embraces not only government institutions, such as municipalities and line

<sup>1</sup> Originally a southern city was also to be included, either Kandahar or Jalalabad. However, the deteriorating security situation in the run up to the 2004 presidential elections, during which time the field research was conducted, made this impossible.



ministries concerned with urban issues, but also what are termed “socially embedded institutions” such as households, community-level organisations, as well as customary institutions such as the *shura* and *loya jirga*. Important as well are wider networks and interest groups that influence or are influenced by urban processes and outcomes, such as international development agencies and non-governmental organisations (NGOs) involved in the urban sphere, profiled in this report.

Against this background, this paper analyses the critical challenges for urban management in Afghanistan. Important among the issues to be tackled is poor access to urban land and insecurity of tenure, experienced by a wide spectrum of urban residents. Another challenge is the need to move beyond dated forms of master planning towards strategic development at the city level. This is rendered urgent by service backlogs and the demands on city management posed by the growth of informal and new unserved areas in most urban centres. However, urban management is not simply a technical exercise and the challenge of accountability is paramount across all these areas.

These management challenges can only be realistically and effectively addressed in the context of improved urban governance, with the latter understood as state-society relations at the city level. The challenge of urban governance has two sides. The first is to create a sense of urban “citizenship.” In other words, there is a challenge to create among urban dwellers a sense of belonging in and responsibility towards the city and the urban environment. This is only possible if all people feel as if they have a stake and voice in urban policy and planning or that they can hold local government to account. The second challenge of urban governance is to build accountable and responsive

government both within cities and within those higher tiers of government responsible for urban development. The report seeks to identify opportunities and constraints for pursuing this agenda within Afghanistan’s urban centres. The paper concludes by identifying some forward-looking strategies for addressing urban vulnerability and strengthening and reforming institutions.

## 1.1 Rationale and relevance

In the most recent Human Development Index, Afghanistan was reported to have the second lowest life expectancy in the world (43.1 years), the second lowest adult literacy rate (36 percent), by far the highest infant and under-five mortality rate (165/257 per 1,000 live births) and the second largest proportion of under-nourished people (70 percent). This status is among those countries not even listed in the main ranking due to an overall scarcity of data.<sup>2</sup> Indeed, the absence of reliable data and meaningful indicators constitutes a real handicap in efforts to monitor progress. In the past, poor social indicators were seen as problems mainly of the countryside. Increasingly, however, social disadvantage and urban vulnerability are being recognised as key components of Afghanistan’s contemporary experience. In addressing these issues a critical starting point must be the baseline data needed to track urban recovery.

While accurate statistics remain elusive, it is generally agreed that the urban population has increased dramatically since the fall of the Taliban, with the current urban population of Afghanistan estimated to be between 5.6 and 6.4 million, constituting from 23.3 to 30 percent of the total population of the country.<sup>3</sup> Urbanisation has been largely prompted by refugees and internally displaced persons (IDPs) returning to the cities. This

<sup>2</sup> UNDP (United Nations Development Programme). *Human Development Report*. 2003. Available online: <http://hdr.undp.org/reports/global/2003> (accessed on 25<sup>th</sup> March 2004); 339.

<sup>3</sup> The first figure derives from UNDESA (United Nations Department of Economic and Social Affairs). *World Urbanization Prospects: The 2003 Revision, Population Division 1*. New York: UN. 2004, while the upper numbers were estimates provided by Government of Afghanistan (GoA). *Securing Afghanistan’s Future*. Urban Technical Annex. January 2004.

they do to reclaim their assets or to take advantage of the perceived benefits and livelihood opportunities offered by urban life. Under such conditions it is misleading to think of Afghanistan only as a rural country. However, around 70 percent of urban dwellers live in only six cities: Kabul, Kandahar, Herat, Mazar-i-Sharif, Jalalabad and Kunduz. Hence urbanisation is concentrated, which places tremendous pressure on urban land, shelter and services.<sup>4</sup>

In Afghanistan's cities urban infrastructure has been under strain for some time due to service backlogs in previously planned areas and the destruction wrought by decades of war. Political conflict also meant limited investment in infrastructure and services and led to deterioration in the urban environment and housing stock. Together these factors mean that informal dwellings now constitute the bulk of Afghanistan's urban housing stock. If ignored and if services are left unattended, the quality of life and human development of growing numbers of urban Afghans will be adversely affected. Ignoring informal settlements can also have a wider impact on city management. In the face of inefficient and unresponsive government departments people seek solutions for themselves. When these relate to goods such as water supply and sanitation, a level of coordination is necessary for the good of the city at large, something that is usually absent when local "do-it-yourself" approaches prevail. Moreover, when people lose their trust in government and opt out of the responsibilities of citizenship, for example by not paying taxes, this can adversely affect revenue generation and ultimately official delivery capacity and potential.

Afghanistan is moving from an immediate post-war situation, in which interventions aimed at relief and rehabilitation predominate, towards a situation where a focus on reconstruction and development is increasingly appropriate. The former Minister

of Finance, Ashraf Ghani, said not long before the study was conducted that he did not want people to talk any longer about "post-conflict reconstruction" but rather "development". It is advisable in most war-torn regions, including Afghanistan, to see reconstruction and development taking place in a context of "conflict management" rather than "post-conflict" given that factional and other tensions continue to prevail and that in any case, development is necessarily a contested and sometimes conflictual process as people negotiate priorities and resource distribution. In this context it is important to address urban issues alongside rural rehabilitation and development.

Urban management is one of the twelve pillars of the National Development Plan of the Islamic Republic of Afghanistan. Increasingly the Afghan government is turning its attention to urban reconstruction and development and donors are beginning to respond to these challenges in a far more concerted manner. A critical focus is on the supply of infrastructure. Important though this is, unless urban management is effective and governance systems are sound, investments in physical development will not be sustainable or evenly spread. To this end it is important that clarity is achieved over the functional responsibilities of different levels of government and government departments. This in turn necessarily prefigures effective revenue generation and expenditure at and for the local level, as well as the implementation of evolving policies, plans and practices that emerge out of the post-war political and development context.

In Afghanistan as elsewhere, cities are host to competing interests, many of which command excessive power. As in any post-war context, such interests are inextricably linked to the scramble for the spoils of reconstruction, often at the expense of weaker and more vulnerable urban dwellers.

<sup>4</sup> UNDESA, op cit.; Government of Afghanistan (GoA). *National Priority Programmes - the National Urban Programme*. Kabul, May 2004. Available online: [www.afghanistangov.org/npp](http://www.afghanistangov.org/npp) (accessed on 12th August 2004).



Critical to the present investigation and to post-war conflict management are the conditions, opportunities and challenges that face ordinary urban citizens in Afghanistan. Also central to this analysis is how the institutions operating in and on cities pay attention to including vulnerable urban dwellers in access to resources and decision-making.

## 1.2 Study methodology

The research for this study was built primarily on qualitative data gathering techniques, notably structured and semi-structured interviews, observations and some focus group discussions. This methodological approach was appropriate given the size of the study, which did not allow for investigation of the extent of urban issues, challenges and opportunities so much as their nature, as well as how they were understood by different groups of urban actors. The research has been situated and contextualised through reference to and review of reports from earlier studies, policy documents and one or two surveys.<sup>5</sup> The authors were able to capture the perspectives of a wide range of respondents and interlocutors from local and national government departments, international development agencies and advisory organisations, local NGOs, as well as urban residents and their representatives. Findings and perspectives from different groups of informants and across the three cities were systematically triangulated. These were integrated into the three key arenas of investigation: urban governance, urban management and vulnerability, as represented in Figure 1.<sup>6</sup>

A total of 84 semi-structured interviews were conducted with informants from Afghan ministries, municipalities, international development agencies and local and international NGOs involved in urban programmes and projects. Informants were identified through initial advice and a process of snowball sampling. The final interview guide is provided in Appendix A, while the complete list of respondents is provided in Appendix B. Semi-structured interviews were also employed when talking to members of urban households and communities across Kabul, Mazar and Herat.<sup>7</sup> Every effort was made to ensure the voices of both men and women were heard as well as those of both the elders and younger members of a particular community. Respondents were asked to describe their personal situation and the challenges they faced that were associated with urban life. These included movement and mobility, livelihoods and income generation, access to housing and services, security and safety, the nature of social networks and social cohesion, contact with governmental and municipal and institutions, and local representation.

Choice of neighbourhoods was deliberate and informed by survey data,<sup>8</sup> consultation with the Ministry of Urban Development and Housing (MUDH), UN-Habitat and CARE International. Houses were chosen from a number of streets that together appeared to represent the full range of residents in a settlement. Decisions were informed by taking into account the quality and size of housing, its design, location and distance from amenities and the settlement centre. Houses

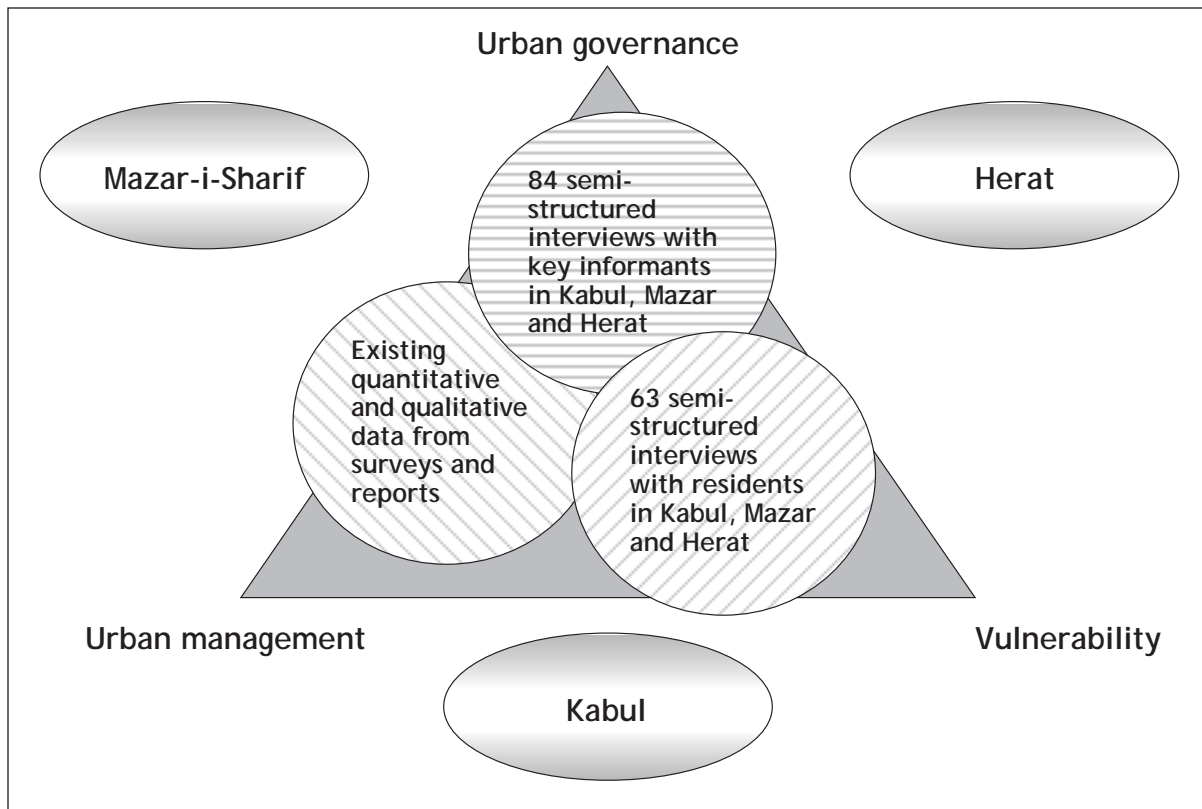
<sup>5</sup> See for example: ACF (Action Contre la Faim). *Kabul Vulnerability Mapping*. Kabul: ACF. January 2004; Alden Wily, L. *Land Rights in Crisis*. Kabul: Afghanistan Research and Evaluation Unit. March 2003; d'Hellencourt, N. et al. *Preliminary Study of Land Tenure Related Issues in Urban Afghanistan with Special Reference to Kabul City*. Kabul: UN Habitat. March 2003; Grace, J. *100 Households in Kabul: A Study of Winter Vulnerability*. Kabul: Afghanistan Research and Evaluation Unit. August 2003; Hunte, P. *Some Notes on the Livelihoods of the Urban Poor in Kabul, Afghanistan*. Kabul: Afghanistan Research and Evaluation Unit. February 2004; Schuette, S. *Urban Vulnerability in Afghanistan: Case Studies from Three Cities*. Kabul: Afghanistan Research and Evaluation Unit. May 2004; Stigter, E. "IDP families in Herat City, Afghanistan - Displacement histories and intra-household decision-making with regard to departure, stay and return." Forthcoming in *International Migration Review*. 2004; World Bank. *Poverty, vulnerability and social protection in Afghanistan*. Washington, D.C.: Human Development Unit South Asia Region. May 2004 (draft).

<sup>6</sup> Nevertheless, this was ultimately a small study and data are illustrative and indicative rather than allowing for generalisation.

<sup>7</sup> The interview guide for household- and community-level interviews can be found in Appendix C.

<sup>8</sup> ACF, op cit.

Figure 1. Methodology: triangulation of primary and secondary data collection



were then randomly picked and their residents asked for an interview. Contrary to prior advice and the practice of studies conducted in similar environments elsewhere, the researchers chose not to consult with local authorities, community organisations or neighbourhood representatives in advance of arrival in the neighbourhood, in order to avoid bias. Nevertheless, their presence was soon noted and if further consultation was required return visits were arranged with the *wakil-e gozar* (appointed neighbourhood representative) or other community leaders. In Kabul interviews were conducted in Districts 1 (11), 3 and 13 (7),<sup>9</sup> 16 (11) and 17 (9). In Mazar, the research team interviewed residents in Districts 2 (5), 7 (4) and 10 (4). Finally, in Herat interviews were conducted in Districts 6 (5), 7 (2) and 9 (5). The

distribution and the location of interview areas are visualised in Appendix D.

The methodology was also designed to facilitate a reporting approach whereby informants were allowed to speak for themselves, through the use of quotations when views expressed represent widely held opinions in a particular place or among a particular group. Short illustrative case studies were also compiled and are presented as boxed text. Those on urban Afghanistan derive from the research and information gathered during household level and key informant interviews. Lastly, drawing on the authors' own experience, international case studies are also included where challenges and policy responses are of special relevance to Afghanistan.

<sup>9</sup> The district boundaries were partially overlapping; however the characteristics of both neighbourhoods investigated were similar in terms of location (hillside), income (low), ethnicity (predominantly Tajik), and migration history (urban).

## 2. The Urban Context in Contemporary Afghanistan

The more than two decades of conflict that began in the late 1970s in Afghanistan gave rise to urban destruction and social fragmentation on an unprecedented scale. Displacement, the disintegration of communities and the destruction of trust and systems of support were all consequences of the war years.

Security continues to preoccupy many people in Afghan cities.<sup>10</sup> Interestingly, however, it was not perceived as the primary urban challenge faced by many of the poorest urban dwellers interviewed for this study. A blind man interviewed in Mazar put it like this:

*I make a bit of money assisting people in the municipality, but all of my children are beggars. So the only thing that's good here is security – we have nothing so thieves don't come here, because they know there is nothing they could steal.... We have to move to another house soon because the owner wants more money. This house has no electricity, no water, no toilet – how can anyone live here? The war is over, but also in peace surviving is difficult.*

Indeed, discussions with people living in Kabul, Mazar-i-Sharif and Herat showed that while respondents acknowledged the crucial role of security from violence for enhancing economic and social development, more immediate concerns prevailed. These were sustainable shelter solutions as well as the provision of basic services such as water, sewerage, and waste collection. The demand for housing and services is reflective of dramatic population increase and concentration in and around Afghanistan's main urban centres, including the three study cities.

Currently, 23.3 percent of Afghanistan's population is estimated to live in urban agglomerations although some sources see this as an underestimate, putting the proportion of urban dwellers closer to 30 percent. Projected annual changes in "percentage urban" (1.98–2.34 percent for Afghanistan) are above regional averages (1.16–1.42 percent for Asia).<sup>11</sup> This development is put down to three trends: self-generated growth (urban natural increase);<sup>12</sup> net in-migration fuelled by economic scarcity, unemployment and environmental hazards (mainly droughts) in rural areas;<sup>13</sup> as well as refugee return flows (both assisted and spontaneous). Respondents from the United Nations High Commissioner for Refugees (UNHCR) as well as international agencies and NGOs dealing with refugees and IDPs, such as the International Organization for Migration (IOM), emphasised that refugees and IDPs returned to their villages of origin. However, the qualitative evidence suggests that due to a lack of livelihood and other opportunities in the countryside, a significant number of assisted returnees immediately left the countryside for the city. This implies that Afghanistan's urban population may be underestimated, constituting an important area of further research.

A male English teacher who lived with his two brothers and their families in Kabul District 17 illustrated the incentives for urban settlement:

*We live in here because it is close to Parwan where we are from originally. Still, we are not planning to go back to Parwan due to the risk of droughts and floods. We also chose to live in Kabul because here we have a school for our children and better job opportunities.*

<sup>10</sup> The situation may have been exacerbated by heightened security problems associated with the pre-election period, during the summer of 2004, when the field research for this paper was conducted.

<sup>11</sup> UNDESA, op cit., 26,103.

<sup>12</sup> That is, urban births exceeding urban deaths.

<sup>13</sup> Urban in-migration exceeding urban out-migration.

Similarly, a father of six in Herat District 6 explained:

*It is two months that we have been living in this district; originally we are from Pushton Zarghon, a village in Herat Province...I had been going back and forth for years because there were no jobs in Pushton Zarghon. We used to work in agriculture, but because there was a shortage of water we had bad harvests. Now we are renting this house for 2,000 Afghanis [US\$40] per month. We live here with 12 people, but fortunately started building a new house for which we had bought the land before we came from the village.*

Adherence to the master plan and the tendency to only recognise development within it has allowed political factions and elites who control access to opportunities within the master plan area to determine the direction of urban development in Kabul.

Such accounts represent the history and experience of many Afghans. They also indicate how rural and urban vulnerability and livelihood systems are crucially intertwined in patterns that are dynamic and connected rather than disconnected and fixed. A humanitarian aid specialist suggested that “in Afghanistan, disaster drives urban growth.”<sup>14</sup> The findings of this study suggest that it also drives the agency, resilience and self-help strategies of vulnerable people. Thus, the recommendations are concerned to point to ways of facilitating and supporting their efforts rather than undermining or exploiting them.

## 2.1 Kabul – capital city challenges

Kabul is by far the largest city in the country and one of the fastest growing cities in the region. The population is estimated to have increased from around two million in 2001 to around 3.5 million people today.<sup>15</sup> This is unprecedented in recent history, even when

compared to fast-growing cities such as Dhaka, Lagos, Karachi, Jakarta, or Mumbai.<sup>16</sup> It was estimated by a number of key informant interviewees that over 60 percent of people live in “informal” areas, with many under constant threat of eviction due to insecurity of tenure. This might be because they do not possess title deeds or because steadily rising rents lead landlords to seek better-off tenants or members of their own families to occupy their houses.

Planning for such a fast-changing urban environment is clearly a challenge. The master plan for Kabul was developed in the mid-1970s and approved in 1978. It caters for a city of 700,000 people rather than 3.5 million and has now been officially suspended

through a presidential decree.<sup>17</sup> However, its legacy remains on the walls and in the heads of many planners and implementers. Neighbourhoods within the city are still classified as “formal” or “informal” according to the parameters of the master plan, with the effect that infrastructure provision, such as a citywide water project funded by a bilateral donor, neglects the most needy areas. Adherence to the master plan and the tendency to only recognise development within it has allowed political factions and elites who control access to opportunities within the master plan area to determine the direction of urban development in Kabul.

Kabul Municipality has the status of a ministry and reports directly to the president. However, it has recently lost all authority to approve plans to the MUDH. This has caused a great deal of frustration among municipal bureaucrats. They argue that they themselves should be in charge of the city and have demanded a massive increase in funding in

<sup>14</sup> Personal communication in April 2004. See also UN-Habitat, *op cit.*, 4.

<sup>15</sup> Hunte, *op cit.* and ACF, *op cit.*

<sup>16</sup> Growth rates in these cities vary between 6.17 and 3.13 percent; UNDESA, *op cit.*, 8.

<sup>17</sup> Personal communication, UN-Habitat Kabul, July 2004.



order to develop neighbourhood by neighbourhood. In this they would be guided by the old master plan or, as they argue, a new plan that has yet to be developed.

Private investment exists but is largely unrestricted by municipal regulation. Construction rules and regulations are not enforced. This suggests that government institutions will have to gradually build up the capacity to provide incentives, and coordinate and regulate initiatives by non-governmental actors. The need for flexible approaches as well as cooperation and coordination between government departments and between government and residents is particularly acute in the context of land administration and housing, where local commanders, some allegedly with the backing of central government, have been involved in large land grabbing operations in the west and the north of the city.

None of this is helpful to Kabul's vulnerable citizens. Provision of safe drinking water, sanitation systems and sewage canals were the services that respondents in all Kabul districts prioritised over alternatives such as electricity, education, and even the creation of more sustainable employment opportunities. For instance, in some districts water has become a commodity and its purchase absorbs a large proportion of the incomes of low-income households. Privately owned tankers currently provide it, with residents paying around 60 Afghanis (approximately US\$1.20) per drum. As a shopkeeper in District 17 said:

*The water tanker comes every four days. They aren't from the government; rich people own them. You can see some modern houses around here [points toward some large construction sites and a recently finished two-story building nearby]; these are the houses of the*

*people who own the water tankers. They earn 1500 Afs [US\$30] per day and tanker.*

Housing and service delivery shortages have attracted considerable attention from international donors and agencies, and a number of projects have been initiated and completed during the past three years. They have included projects for water and sanitation rehabilitation and projects helping the city's residents cope with health risks and a volatile employment situation. However, donors and NGOs alike complain about the low degree of coordination among themselves with regard to reconstruction, upgrading and service provision. The extent to which the National Urban Programme, developed with assistance from UN-Habitat, can achieve this goal remains to be seen.<sup>18</sup>

## 2.2 Mazar-i-Sharif – provincial capital and service centre

Mazar-i-Sharif (hereafter Mazar) is a commercial centre that serves as a hub for small and larger traders, with a population between 500,000 and 700,000 inhabitants.<sup>19</sup> The master plan for Mazar is based on 16,000 families, yet because of insecurity and unemployment in the surrounding rural areas, current informal estimates suggest a city of up to 80,000 families, including IDPs and labour migrants who commute between countryside and city. Hence, as with Kabul, the master plan bears little relationship to the urban reality of Mazar. Displacement has given rise to an above-average representation of a nomadic group (Kuchis) who live mainly in two of the ten districts making up the city. Profoundly vulnerable, they co-exist with local communities but have no formal or informal relationship with them. Employment opportunities in the city are nevertheless limited. Although once a thriving centre of productive activities no factories remain, as entrepreneurs left the country, dismantling their plants and production sites in the face

<sup>18</sup> GoA, National Priority Programmes, op cit.

<sup>19</sup> The Afghanistan Information Management Service places Mazar's population at around half a million residents, but several others, included those interviewed for this study, stated that 700,000 was a more likely estimate.

of the Soviet invasion and subsequent hostilities. What was left was destroyed during the Taliban regime. Likewise, ongoing insecurity as a result of commander activity stands as a disincentive to economic investment. As a result, it is generally believed that about half the population is unemployed, although reliable statistics are not available.

Contrary to Kabul with its large numbers of peacekeepers, the potential for an outbreak of large-scale violence is significantly higher in Mazar where there is less oversight and where the city is characterised as a regional centre with two competing commanders. One of them, Atta Mohammed, has recently become the provincial governor, a move apparently approved by the other, Rashid Dostum, who stood in the recent presidential elections and secured 10 percent of the overall vote. Although they have developed a *modus operandi* between them, the security situation remains tense, with occasional clashes between factions working with or alongside these two or other local military commanders. Such conflicts affect urban life not only by restricting freedom of movement but also in rising prices for basic foodstuffs every time there is an outbreak of violence. Land grabbing in Mazar is also more concentrated than in the capital city. At the time of the research a large area just outside the city centre was in the news. Here a local commander was in dispute with 498 claimants over a piece of land he occupied during the war against the Taliban in late 2001. Across the city it is estimated that about 90 percent of property development is in private hands and totally unregulated.<sup>20</sup> Respondents expressed frustration over the lack of bureaucratic accountability and the high levels of corruption in the city.

Contrary to Kabul with its large numbers of peacekeepers, the potential for an outbreak of large-scale violence is significantly higher in Mazar where there is less oversight and where the city is characterised as a regional centre with two competing commanders.

Atta Mohammed, along with his close ally, the mayor, has failed to ensure significant investment in municipal service provision, so that it is even worse in Mazar than in Kabul. The municipality has only a limited number of engineers, administrators and planners, all of whom operate without resources. Due to budget limitations the number of workers is equally constrained; for example, municipal waste collectors were reduced from 150 ten years ago to 60 today. During this time the urban population has nearly tripled.<sup>21</sup> A Mazar shopkeeper from District 10 reported that:

*The waste collectors from the municipality come here once per month and take away the litter, but they would have to come more often – every ten days or so. But because they don't ask us, they don't know that we want them to come here more often.*

A young woman in Mazar explained further the impact of poor service delivery on ordinary people:

*There is nobody to collect the waste of this neighbourhood. Only when there is electricity there is water, otherwise water stops. I don't know why. We have electricity but it is not reliable; during winter we use gas and wood for heating.*

UN-Habitat introduced into Mazar a waste collection system known as “the Karachi System.” Based on experience elsewhere in Asia the system involves community contracting of a micro-entrepreneur to engage in house-to-house waste collection and street cleaning, leaving secondary waste collection and removal to the municipality. However, when the funding ceased, this was not sustained. This is indicative of a widely held

<sup>20</sup> Personal communication, Eng. Radyar, UN-Habitat Mazar, July 2004.

<sup>21</sup> Ibid.

attitude among local officials in Mazar that in the absence of resources from the centre, investment in urban infrastructure and services should be the responsibility of international donors. It is difficult to discern why this might be. One possible explanation is that certain donors have circumvented efforts at donor coordination in the urban sector and have made individual approaches to the municipality in Mazar, for instance in relation to road construction. Another explanation is the very success of earlier donor-funded initiatives in the city and possible resentment at the withdrawal of funding, for example in relation to the community development councils or the Karachi system of primary waste collection. Another explanation might relate to relations between the centre and Mazar and the fact that any surplus generated locally is required to be transmitted to Kabul, with little returning from the centre.

### 2.3 Herat – the “Dubai of Afghanistan”

The third city analysed in this study is Herat. It is the main Afghan border city with Iran and Turkmenistan and a bustling provincial centre. It is a key entry point into the country and straddles important trade routes, as well as being the country’s most active border point in terms of trade interactions. As a key entry point for imported and exported goods – crucial to consider in the context of national revitalisation – customs revenues are estimated at US\$1 million a day. Cross-border flows are not restricted to goods and many of the massive influx of returning refugees from Iran right after the fall of the Taliban came through Herat. Although this has now almost reached a halt, according to informants working with refugee populations, thousands of people still pour into Herat during the winter from the two neighbouring countries in order to find shelter, food and employment.

Foreign, local and returnee investment into communications, transport and property is remarkable. There are now more than 25



Photo – Alexia Coke

industrial plants in the greater urban area, mainly producing cement and textiles. The mayor at the time of the study, a visionary and close ally of the suspended former governor, Ismail Khan, exhibited a clear focus on grand projects in line with his long-term vision of Herat as “the Dubai of Afghanistan”. This he hopes to achieve through investment in income-generating initiatives that will render municipal finances more sustainable, for example, wedding halls, hotels and other premises for rent. The municipal bureaucracy functions comparatively well. Here it is helped by a strong regional resource base. For a city roughly the same size of Mazar, the number of municipal staff – about 700 plus 400 day labourers – is impressive, made possible by the fact that the city, under Khan’s reign, did not submit any significant resources to the centre.

Relative to other Afghan cities the physical infrastructure of Herat is extremely good, with asphalted roads and increasingly reliable electricity from Iran and Turkmenistan serving the better-off neighbourhoods. The public transportation system works well, assisted by donations from the Indian government and Iran. With the help of donors and the provincial government, the municipality has

purchased a dozen well-maintained second-hand vehicles for solid waste collection from Germany. However, the emphasis is on secondary collection and cleaning of main roads, commercial centres and better off neighbourhoods. Lower-income areas and less influential communities remain under-served. For instance, an unemployed male respondent in District 6 explained:

*Waste is piling up and the streets are dirty, but the municipality does not do any work in this area; the centre is so beautiful but they don't pay attention to District 6 where the poor live! We also have nothing to do with the shura; they don't listen to us. There is a wakil but we don't have any communication with him because he does not work.*

Despite major achievements with regard to service provision, services such as education, health and water are not yet adequate to cope with present growth. The same holds true for housing, in particular in the outskirts but also in the centre where housing prices have risen substantially over the last two years.<sup>22</sup> If urban investment and growth are reaching the vulnerable citizens of Herat it is only slowly. To the extent that poverty is being addressed, this is through confining vulnerable groups to the villages and to

peripheral settlements surrounding Herat City (see Box 1).

The municipality has rehabilitated parks in an attempt to create public spaces and emphasises a policy of including and protecting women in public life and discourse, yet both women's rights groups and human rights activists reported abuses and intimidations backed by local authorities. Another area of concern underlined by several respondents was severely restrained freedom of expression. There has been a particularly arm's length relationship between Herat City and Province and the centre that saw various episodes of brinkmanship between Kabul and the former governor. It remains to be seen the extent to which the formerly tight link between local bureaucracy and the provincial authority under Ismail Khan will loosen under the new governorship of Sayed Mohammad Khairkhah. It also remains to be seen whether the latter will be able to better encourage powerful interests in Herat towards a wider process of nation-building, for example through more assiduous resource flows from the city towards the centre and vice versa. Local-central power relations are likely to remain tense until the local political situation is stable, while the city's future cannot be considered without taking into account regional geo-politics, particularly in relation to Iran.

<sup>22</sup> See, for example, Schuette, op cit. and Stigter, op cit.



**Box 1: Vulnerability on the urban periphery: examples from Herat District 9**

Herat is rightly lauded as the most livable city in Afghanistan due to the rapid speed of reconstruction financed by both local and international capital. However, some of the city's areas continue to harbor poverty and social exclusion. District 9, located in the southwest of the city, is a mixed area with modern dwellings and mud houses next to each other. The street that leads to the district is not asphalted, even though promises have been made recently that the municipality would act on this issue, a decision mainly informed by the district's glorious history as the place where the *jihad* against the Soviet occupants broke out.

Malika (name changed) had moved to her new house from Islam Qala (on the border between Iran and Afghanistan) only two days before being interviewed in July. As a response to the Soviet retaliation to insurgency operations in this area, her family had migrated to Iran and stayed there for 14 years. After what Malika called "Ismail Khan's victory against the occupation" they came back to Herat in the mid-1990s. Yet during the reign of the Taliban, the family decided to again flee to Iran. The Taliban then martyred her husband on the Herat–Kandahar road in 1999 after he had joined a mujaheddin commander earlier that year. Now they have come to Herat "because we had no shelter in Iran anymore. The Iranian government forced us to leave."

The widow and her four children lived in a small mud brick house with three rooms, constructed on top of the leftovers from another building. The rent for this place with no windows, no water, no electricity and no sanitation was 700 Afghanis [US\$15], but Malika did not know whether she would be able to pay this much. She hoped to make some money with tailoring and doing the laundry for neighbours, which could earn her about 20–30 Afs [US\$0.40–0.60] per day. In Iran she was doing some carpet weaving, but her fingers began to hurt, her eyes got weaker, and she was increasingly unable to concentrate. Her oldest son was 14; he used to work part-time in a tailoring shop, making the equivalent of 15 Afs [US\$0.35] per garment. He had yet to find better employment in Herat. If it turned out that she could not pay the rent, then Malika said, "We will have to move into one of the ruins because we have no other alternative."

Malika herself had five brothers and three sisters. Three of her brothers had been jailed under the Taliban; two of them were now drivers travelling the road between Kabul and Herat. "They don't help us because they are poor themselves," said Malika. "But we hope they will invite us to their houses sometime so we can eat together." Malika was also very concerned about the health of her children. Her daughter's nose was often bleeding. Before she arrived in Herat Malika went to the hospital in Mashad. The doctor told her to come back after two months, "but now I am here and I cannot go back to Mashad. So I went to the clinic in Herat yesterday, but it wasn't of any use. They refused to treat my daughter when I said I couldn't pay. I wish I had a good life again with my husband," she said, "but everything was destroyed when he died."

### 3. Urban Development and the Legacies of War



Photo — Daniel Esser

#### 3.1 The physical and social impact of conflict

More than two decades of war have left a daunting footprint on Afghanistan's cities. In Kabul, 63,000 private homes were ravaged by fighting and about 60 percent of its roads destroyed.<sup>23</sup> Mazar-i-Sharif suffered less physical destruction but certain groups of citizens suffered particularly badly. Herat was heavily affected during the early 1980s when the mujaheddin insurgency forces started their activity on its outskirts; its road networks are in need of reconstruction, and basic services have not been extended to all districts.<sup>24</sup> To varying degrees, in each of the cities the provision of urban infrastructure, housing and services poses an important challenge in reconstruction and

the demands being made on local authorities in this regard are enormous.

Few countries can claim a history of forced migration that would be comparable to that of Afghanistan. Some respondents living in Kabul Districts 1 and 3 had moved up to seven times in five years, across both rural and urban settlements. Armed conflicts in both cities and rural provinces have led to displacement and disintegration of a society in which local networks have conventionally been the backbone and guarantee of individual security and social support. However, an unemployed male refugee in Herat District 6 stated:

*I know only one of my neighbours here; he is a relative. I cannot rely on the*

<sup>23</sup> GoA, *Securing Afghanistan's Future*, 2.

<sup>24</sup> See, for example, World Bank, *op cit*.

*community; I just try to solve my problems myself.*

Even though family ties remain strong, despite (and some might argue as a result of) two decades of armed struggle, the capacity of local safety nets and networks of reciprocity to provide social security has undeniably suffered. Some refugees and IDPs have developed elaborate coping mechanisms, sometimes spanning provincial and even national borders. However, there are many urban dwellers with few connections on whom they can rely, with widows and nomadic communities being the most particularly vulnerable individuals and groups respectively.<sup>25</sup>

Recognition of continuing urbanisation and the resulting pressure on existing urban systems has to be at the centre of any viable reconstruction strategy. A growing budget for urban development and an increasing number of infrastructure projects indicates this is the case. Nonetheless, complex problems require comprehensive and well-coordinated solutions that tackle social and institutional issues alongside the physical challenges of reconstruction. A male household head in Kabul District 17 illustrated the juxtaposed impact of physical destruction, lack of employment opportunities and migration when he said:

*We are originally from the Guldara part of Shomali and have been living here for almost two years. When we came back from Pakistan, where we had been staying for four years during the Taliban era, we found our home and lands and gardens in our village destroyed. Nothing remained. We came back to Afghanistan because we did not have any good income in Pakistan. We were also having problems with the heat. A lot of people in Pakistan told us there would be work in Kabul, now that there was peace in our country. Yet I haven't seen any work opportunities*

*here, so I had to open this shop, next to our house. We have built this house ourselves after receiving permission from the local commander.*

Many had experienced physical destruction as a main driver of migration. Said a father of five in Kabul District 17:

*We are originally from Shomali, but we have been living here for almost three years now. We had been in Iran before for six years, where I was working as a daily labourer. With the peace in our country we decided to come back to Afghanistan. We wanted to go to our own place in Shomali but found it destroyed. Nothing remained. Therefore we decided to rent a house. Now we are living here, but the rent is rising steadily.*

However, it was not only those who were displaced who suffered from the physical destruction and social dislocation of war. A male respondent living with his family in Herat District 7 related the experience of his family:

*We have always been living here. This is the place where the jihad against the Soviets started. They destroyed everything here, so most people fled, but we were too poor to go anywhere else – so we stayed. Now we have this place and we actually have a title deed for it. We are lucky, in a sense.*

Those who own houses or have title deeds were not necessarily better off than tenants but they were at least relieved of one source of vulnerability. As a result of rising rents, tenants sometimes reported that they reconstructed parts of a house in return for the temporary right to stay. A 40-year-old woman whose husband had died 14 years ago and who lived in a destroyed building in Kabul District 1 explained:

<sup>25</sup> The social experience of returning refugees and IDPs is elaborated upon in Section 4.1 on land and security of tenure.

*Our own house was completely destroyed during the war so we moved into this house. The owner of this house lives in Karte Naw. He is not asking us for the rent; he is a kind man to us. We also reconstructed some parts ourselves.*

Other residents in the same neighbourhood were less fortunate: "I had not been paying money but one month ago the owner came and asked me to pay 400 Afs [US\$8]" said a 42-year-old woman who was living in a destroyed building protected by plastic covers. "We had our own private house in this location but during the last war it was burnt."

Respondents to the field research frequently stated as their single most important challenge the need for a place to stay that was well serviced and recognised by the local authorities. However, informal dwellings now constitute the bulk of Afghanistan's urban housing stock and many people interviewed expressed doubt as to whether municipalities and the central government would be in the position to provide them with safe, secure and affordable living and working environments. A male respondent from Mazar District 7 speaking for a group of eleven Kuchi nomads said:

*You know, we have nothing to do with the government people, we are not giving anything to the government and the government has never done anything for us except for vaccinating our children... We don't feel close to the government; we have had nothing in 35 years and we will never have anything. The only thing we really want from the government is electricity and nothing else! All we need is electricity.*

Service priorities varied. Of particular concern to female respondents was health care. Said a 45-year-old mother of four children, one of them chronically ill, who lived in Kabul District 17:

*There is neither a clinic nor any hospital near to where we live, and I have to take*

*my daughter far away to the city centre, where I have to pay 50 Afs [US\$1] to receive advice and treatment for her. Sometimes I have to wait for hours.*

Unavailability of medical services is undeniably a more severe problem in rural areas. However, research suggests that for many migrants to the city, urban in-migration might increase proximity but it does not necessarily improve access to health services, something that should remain a priority in urban areas.

Education did not arouse much attention among older interviewees, especially men. However, younger male respondents regularly emphasised their desire to continue schooling. Their experience of education was often one of years of interrupted study and patchy attendance in different locations. An 18-year-old male respondent in Kabul District 17 pointed out:

*Our income is just enough for us and we cannot save anything for our future. However, if the situation in our country gets better in terms of security and education I am going to finish my schooling, and then I am going to study at the university.*

Female respondents were more reticent about discussing educational opportunities but eagerly discussed the acquisition of additional skills. Most sought training in weaving, sewing and office work.

A comprehensive urban development strategy requires addressing the challenges of physical reconstruction and development alongside recognition of social and other services, as well as the social support networks that characterise the daily struggle of ordinary Afghans. This is critical to strengthening the trust between those who govern and those who are governed and in improving the responsiveness of government to urban citizens, as well as the effectiveness of urban interventions.



### 3.2 The political and bureaucratic inheritance

Important in understanding the urban political landscape in Afghanistan is to recognise that it includes people and institutions acting both *in* and *on* the city. In other words, political alliances and economic partnerships do not only include actors within cities themselves. Supra-urban political and economic arenas, whether at the provincial, national or even regional level can be influential in determining urban politics and can have consequences for urban development. There are many people poised to take advantage of the opportunities presented by reconstruction and development, and some with sufficient influence or leverage to do so. Rapid urbanisation, the physical legacy of war, rising land prices and inflated rents have given rise to a variety of actors with competing interests that share common goals. These are often antithetical to the needs or aspirations of vulnerable urban dwellers. Hence cities in Afghanistan as elsewhere are sites in which political and economic power are constantly being sought, maintained and defended.

Official or bureaucratic institutions also include those acting in the city, namely municipalities, as well as national level government departments acting on the city. Competing interests are pertinent here as well, with different government organisations seeking to increase or maintain their influence and assert their competence over city management. Such goals are undermined in a number of ways.

- First, the influence and expertise of all government departments tends to be eroded by dated approaches to planning, alongside practices and procedures that are inappropriate to the demands of contemporary Afghan cities.
- Second, official influence is compromised by the need to constantly struggle to reconcile limited resources with the

yawning need for investment in urban development in the wake of war.

- Third, in post-war Afghanistan urban bureaucracies have suffered from a relative lack of attention and resources when compared to the kind of investment offered in the form of humanitarian aid and for rural rehabilitation and development.
- Fourth, lines of responsibility in relation to departmental and organisational responsibilities are not sufficiently clear. While sub-national government in Afghanistan and its relationship with the centre is clear on paper it is often opaque in practice.
- Fifth, a great deal of information is kept outside the public domain and there is insufficient information sharing and transparency on the part of municipalities and other organisations involved in urban development.

One of the greatest challenges facing the urban sector in Afghanistan is the lack of communication, coordination and cooperation between the different organisations and institutions involved in urban development and governance. The formal or official division of labour between the policy and planning functions of national government and the management functions of municipalities is not evident in practice. In terms of governance, there are few effective structures linking the wealth of locally generated information and experience to the level of urban planners and policymakers. In theory, socially embedded institutions for community management and local governance such as the *shuras* should constitute the conduit, either directly or through the *loya jirga*. In practice this rarely happens. Hence, a priority for government and donor agencies is to foster communication and cooperation between the various actors operating in and on urban development and between these agencies and representatives of a wide range of community interests. This is a prerequisite

for more coordinated urban management and effective urban governance. With these political and bureaucratic constraints in mind, the following sections cast light on the areas of government impinging on urban development.

### 3.3 Municipalities and urban management

Afghanistan is a unitary state with ultimate political authority vested with the central government in Kabul. However, municipalities are *de jure* self-sustaining autonomous bodies, responsible for providing services and collecting revenues from local taxes, fees, licenses, rents and proceeds from sale of properties.<sup>26</sup> Article Six of the Municipal Law states that Kabul Municipality is part of the national government. Each province has a provincial municipality (*sharwali welayat*), which in principle constitutes a separate level of government, with provincial municipalities being part of local (provincial) administration under the overall control of the Ministry of the Interior (MoI).

Towns and cities function within the limited mandate provided by the 1964 Constitution and more recently under Article 141 of the 2004 Constitution,<sup>27</sup> which states that:

*To administer city affairs, municipalities shall be established. The mayor and members of municipal councils shall be elected through free, general, secret and direct elections.*

This is in line with government commitment to install democratically elected governments at the national and local levels. The legislative framework for municipal government is the Islamic Emirate (Government) of Afghanistan,

Ministry of Justice, Decree No. 29, 1369 (1990) amended in 1379 (2000).<sup>28</sup> In addition, the Electoral Law for Municipalities was passed in 2003 in order to manage the electoral affairs of the municipalities and their districts. According to this law, mayors, members of municipal councils and district associations are to be elected for a term of three years, with the mayor being elected indirectly from among municipal council members on the basis of a secret ballot.<sup>29</sup>

Municipalities are largely self-sustaining financial entities in that all revenues belong to the municipality (see Table 2). As such they are the only government entities outside of central government with some measure of fiscal autonomy. However, municipal revenue collection is regulated by the Ministry of Finance (MoF) and rates for all taxes and fees collected are set in Kabul. Both ordinary (operational) and development expenditures are based on revenues collected by the municipality, with 45 percent of municipal revenues meant to fund the ordinary or operational budget and 55 percent the development budget.<sup>30</sup> In reality in the cities covered by this study almost all revenue was taken up with the ordinary budget.

A range of local revenues finance municipal budgets. Potential revenues are significant and include, for example, the *safayi* (a service charge and property tax), a rental tax (Kabul Municipality takes the equivalent of one month's rent per year), other property and business taxes, license and other fees and fines. In Herat various innovations have been introduced to swell the municipal coffers and promote municipal financial sustainability, for example, investment in the construction of wedding halls and hotels to generate municipal revenues. By contrast, in Mazar,

<sup>26</sup> Evans, A. et al. *A Guide to Government in Afghanistan*. Kabul: The World Bank and Afghanistan Research and Evaluation Unit. 2004: 7-9.

<sup>27</sup> The new Constitution was adopted by all 502 delegates of the *Loya Jirga* (Grand Council) on 3 Jan 2004.

<sup>28</sup> The Law was translated from Dari by Eng. M. Sharif and Eng. Y. Safar and the English version was compiled and edited by Dr. Pushpa Pathak, UN-Habitat, Kabul, 2004.

<sup>29</sup> Transitional Islamic State of Afghanistan, Ministry of Justice, Electoral Law for Municipalities, Official Gazette No. 814, December 2003.

<sup>30</sup> Article 11-1, Municipal Law of Afghanistan, Decree No. 29, 1379 (2000).

Table 2. Formal municipal relations in Afghanistan<sup>31</sup>

Administrative Arrangements		Fiscal Arrangements	
Structure	Personnel	Revenue	Expenditure
The municipal structure (departments and numbers of staff) is set by the Mol with the agreement of the provincial governor	The appointment of junior staff is approved by the governor, middle ranking staff by the relevant minister, while senior staff are appointed by the president	All tax and fee rates are set in Kabul. However, municipal revenues are collected and remain in the municipality and fund all municipal expenditures	The "ordinary" (or operational) and development budgetary allocations for the municipality are processed by the municipality and approved by the Mol with agreement of the governor

little effort has been made to engage in revenue enhancement measures. Municipalities, while having some limited autonomy in budget preparation and execution, are dependent on the Mol for approval of the budget and staffing establishments<sup>32</sup> and in Mazar complaints focused on this oversight function of the Mol.

Despite the relative autonomy of municipal finance and the potential for revenue generation at the local level, resource constraints prevail. Demand on resources also grows as urbanisation increases and municipalities appear unable to provide adequate infrastructure and services to their residents within existing means. Investment from central government or other sources cannot be ruled out, particularly for cities that are less able to generate significant revenue. Nevertheless, rates and taxes require review. For example the last time properties were valued for the *safayi* was in 1978 and the highest property tax currently paid is equivalent to US\$4 per annum.<sup>33</sup> In addition, not all municipalities have an equivalent resource base and few are able to enforce sanctions in relation to non-payment.

In provincial cities municipal expenditure requires the approval of the provincial governor and provincial governors exercise informal control over municipalities and municipal finances. This study's research suggests that there was some confusion on the part of a number of interviewees about the boundary between municipal and provincial finances and fiscal relations and greater clarity is necessary not only in the rule books but in day-to-day practice.

There is also a need for greater clarity on the functions and responsibilities of municipalities. Chapter Four, Article 16 of the Municipal Law of 1379 (2000) lists wide-ranging responsibilities and competencies of municipalities. These relate to infrastructure development, including for example: construction of physical facilities such as canals and ditches, public latrines and bathhouses; and construction and maintenance of public roads, markets, commercial, cultural and civic centres (see Table 3).

Some of these functions are recognisable as crucial municipal responsibilities, for example, environmental protection and public health and land and property management. When

<sup>31</sup> Adapted from Evans et al., op cit., 10.

<sup>32</sup> Ibid, 7-9.

<sup>33</sup> GoA, *Securing Afghanistan's Future*, 5.

Table 3. Sample responsibilities of municipalities

Service delivery	<ul style="list-style-type: none"> <li>• Public health and environmental protection, notably sanitation and sewage treatment and solid waste management</li> <li>• Street lighting and planting greenery</li> <li>• Provision and maintenance of parks and recreational amenities</li> <li>• Assisting in the maintenance of law and order</li> </ul>
Planning activities	<ul style="list-style-type: none"> <li>• Implementation of master plans</li> <li>• Management of land and buildings</li> <li>• Distribution of plots for residential and commercial purposes</li> <li>• Expropriation of land for development</li> <li>• Prevention of informal buildings</li> </ul>
Revenue generation and management	<ul style="list-style-type: none"> <li>• Collection of revenues from municipal properties and taxes from shops, markets and residential buildings</li> <li>• Complaints and redressal</li> <li>• Setting and controlling prices</li> <li>• Licensing</li> <li>• Data collection</li> <li>• Providing legal support</li> </ul>
Governance	<ul style="list-style-type: none"> <li>• Promoting public involvement in city services</li> <li>• Strengthening capacity in society</li> </ul>

viewed comparatively, other responsibilities listed are competencies less commonly devolved to the municipal level. Whether or not this is the case it is clear that the range of responsibilities is extensive. Moreover, in cooperation with other government line ministries, municipalities can also become indirectly involved in the construction of sewerage and water supply systems, housing, energy supply, communications, public health, education and sports facilities, usually in an implementing role. Capacity at the local level is insufficient to rise to the challenge of such wide-ranging responsibilities.

There is a tension between the *de jure* oversight of municipalities and municipal mayors by the Mol and the *de facto* autonomy

of many activities and actors at the local level. Provincial municipalities require approval from the Mol, via the governor, not only for their budget but also their organisational structure and *tashkeel* (staffing establishment of approved posts). This is a point of contestation between Kabul and the larger provincial municipalities. Herat, for example, is not only relatively self-sufficient but itself oversees surrounding rural municipalities “even to the extent that all revenues are often turned over to the provincial municipality, which in turn pays all expenses.”<sup>34</sup> Although the municipalities in the five largest secondary cities are expected to implement infrastructure, land and housing programmes in collaboration with line ministries, capacity is variable and

<sup>34</sup> GoA, *Securing Afghanistan's Future*, 108.



there is competition over roles and responsibilities between them.

Thus far the discussion has related by and large to provincial cities. As the capital and primate city of Afghanistan, Kabul Municipality constitutes a special case. Article Six of the Municipal Law clearly states that Kabul is part of the national government. It has much greater autonomy than the provincial municipalities and its mayor has ministerial status. Without the involvement of the MoI the mayor of Kabul and senior staff are appointed directly by the president and the budget is approved not by the MoI but the MoF. Kabul Municipality has greater capacity than other municipalities and indeed is expected to implement upgrading projects, the construction of roads, canals and drains and solid waste management programmes using guidelines from the relevant line ministry. It is precisely its anomalous position with the status of a “ministry” that sometimes puts Kabul Municipality in competition with line ministries also responsible for urban development.

Overlapping responsibilities, competition between agencies operating in the urban environment and poor communication and information flows to ordinary citizens increases urban vulnerability. There was a significant degree of confusion among respondents about where to turn to in order to address service delivery shortcomings. For example, in Kabul the fact that the Central Authority for Water Supply and Sewerage (CAWSS), which is part of the MUDH, is responsible for water provision and sewage systems (and not the municipality) was largely unknown. One recently arrived refugee in Bagh Ali Mardan in Kabul said:

*After arriving here I went to the municipality to submit the documents to get a tap in my house. I even paid them some money, but they have not done anything so far.*

Another example from a hillside community in Kabul District 17 saw residents approached

by “officials” [they did not know which ministry these men were working for] and asked to pay 1,000 Afis [US\$20] so that cables for electricity could be provided. Two months later electricity was only available to a few residents at the foot of the hill. A second approach was made, this time for 2,000 Afis [US\$40], “to extend the cable network to higher levels.” The informant who recounted this incident was unable to afford the payment at that time and eventually ended up buying a generator.

There is something of a gap between the legislation governing the roles and responsibilities of municipalities and the realities of urban management on the ground. There is also some considerable variety from one urban centre to the next. Much depends on both adherence to and interpretation of the Municipal Law, the resources at the disposal of or utilised by local authorities, and the extent to which these are supplemented by funds from the centre (apparently rarely) or provincial coffers (seemingly significantly in the case of Herat).

### 3.4 National government and urban policy and planning

The vision for the urban sector as articulated in the National Development Framework (Physical Reconstruction and Natural Resources) is to:

- Invest in a balanced urban development programme across the country to create viable cities that are hubs of economic activity, and organically linked to rural areas; and
- Develop urban areas in a balanced manner through housing and infrastructure investments, thereby reducing overcrowding, improving access to basic services and generating employment and economic growth.

A number of government line ministries also have responsibilities for urban policy and planning. These include the MUDH, the MoI

(which controls municipal administration and traffic management, except in Kabul), CAWSS, the Ministry of Transportation (MoT) and the Department of Public Works. Confirmed in interviews and as pointed out in the Technical Annex on Urban Development of *Securing Afghanistan's Future*: "Functional responsibilities and roles remain unclear or inappropriate and, as a result, there is a lack of appropriate urban policy."<sup>35</sup> This was unequivocally confirmed by the present research.

An urban policy is beginning to take shape through the development of the National Urban Programme (NUP). The NUP is ambitious in scope and was conceived largely in Kabul. A number of interviewees outside the capital had not heard of the NUP although this may be because it was only beginning to come together in June 2004, not long before research for the study took place. The NUP also constitutes an attempt to provide a framework for informing the wide range of ongoing urban activities and initiatives at the community or neighbourhood level that are largely uncoordinated and without clear direction from the centre. The NUP has six priority sub-programmes to achieve its strategy of sustainable, secure, prosperous and inclusive urban centres in Afghanistan. These are focused on areas such as governance, land, urban revitalisation and infrastructure.

The NUP is clearer in terms of its goals than in guidance as to how its sub-programmes might realistically and practically be implemented. Moreover, a number of constraints exist that relate to the current management structure of the urban sector that threaten to retard the admirable intentions for the urban sector contained in the combined vision of the National Development Framework and the NUP.

While municipalities are primarily responsible for *implementation* of the policies and plans of line ministries operating in the urban sector, the following are the somewhat contradictory responsibilities of the MUDH:

- Formulation *and implementation* of urban development policy;
- Development of master plans;
- Development of rules for the preparation and implementation of urban projects for the construction of industrial and civil buildings;
- Improvement and control of quality of construction;
- Construction supervision;
- Renovation of public buildings; and
- Construction of public buildings through its construction enterprise.

There is also potential confusion over land registration, which is implemented by a number of agencies. For example, municipalities distribute land and maintain records for tax purposes, but the registration of ownership has to be formalised by the Supreme Court or District Courts, depending on the case, as well as the national surveying and mapping agency (Afghanistan Geodesy and Cartographic Head Office) that historically has undertaken cadastral mapping.<sup>36</sup>

An expatriate engineer engaged in urban reconstruction in Kabul spelt out the implications of poor communication and coordination for day-to-day delivery:

*We do not have sufficient staff in the ministries and municipalities. The main obstacle is coordination and cooperation. In Kabul I encounter a problem with the*

<sup>35</sup> Ibid, 5.

<sup>36</sup> The issue of land is taken up in more detail in Section 4.

*municipality not wanting to cooperate with those agencies that have to solve several problems inside the city like water, electricity and telephones. They are blocking each other through lack of knowing who is responsible for what and they are not able to share responsibility and it makes it really complicated. They do not compete but just ignore each other and if they cannot decide who does what, things just stop unless someone from above solves the problem.*

The national government's move towards the development of a cohesive urban policy is further put at risk by financial constraints within the urban sector and the need for greater strategic control to ensure policy cohesiveness. The central government in Kabul attempts to centralise locally generated funds but in fact there is de facto decentralisation. In the provincial municipalities studied, it was clear that local governors retained considerable autonomy over local revenue collection and expenditure and that city mayors were more certain of resource flows from this quarter than from Kabul.

The pace of urban growth, institutional weakness and limited financial and human resource capacity all suggest that a flexible and partnership-oriented approach to city management is required. However, this represents relatively new thinking in the context of Afghanistan where bureaucrats exhibit a strong desire for central steering and a fixation on the order and certainty provided by master planning. Master planning rarely keeps up with the spontaneous growth of cities and has given way to strategic approaches to development and planning that is consultative and communicative. In Afghanistan, however, disillusionment with political structures and factionalism after more than two decades of fighting has left professionals suspicious of participatory processes and with a preference for technical solutions. While understandable, this is problematic in terms of moving towards an urban development strategy based on partnership rather than state delivery.

### 3.5 The role of international development agencies

The vision for the urban sector in Afghanistan is being taken forward with significant support from international agencies. Several donors and implementing organisations are currently involved in urban issues and capacity building: the United Nations Assistance Mission in Afghanistan (UNAMA), the World Bank, the European Commission, UN-Habitat, the governments of the United States, Japan, Sweden and Switzerland, the German Development Bank, international and regional organisations (such as the Aga Khan Development Network, Aga Khan Foundation, CARE, Afghan Civil Society Forum, Bangladesh Rural Advancement Committee and Caritas Germany), as well as local organisations such as the Afghanistan Research and Evaluation Unit and a number of others engaged in construction and engineering projects. So far there is no institutional framework for project coordination among these different actors, apart from the Urban Management Consultative Group (UMCG), which is a critical arena for coordinating and harmonising work in the sector. Working groups on more specific urban issues have been proposed but not yet implemented. This is a matter of some urgency, as coordination of the international actors and sequencing of their activities, in concert with Afghan sector specialists, is a priority.

Despite a discussion forum for the urban sector there is still a tendency for some agencies to simply get clearance from the Ministry of Foreign Affairs and get on with their own projects. This may well be because of problems within the MUDH and its functioning. But for urban development to be effective and sustainable, coordination of the urban sector has to be reclaimed for the ministry. One urban professional interviewed reported a senior official in the urban sector saying the following in a meeting with a donor agency:

*Listen, understanding is the precondition for ownership. I do not understand what*

*you are talking about. You need to explain things better if you want us to have ownership.*

A prerequisite for understanding and ownership is information and this needs to be shared.

Members of the international organisations mentioned above were as likely to express concern over coordination and information sharing as staff of municipalities and the MUDH. A critical issue in this regard is communication and here the UMCG, among others, can play an important facilitative role. Better communication among urban actors may also help to address political resentment on the part of Afghans over donors spending the bulk of resources on setting up their own programmes rather than investing in Afghan reconstruction. It would also prevent such bitterness spilling over into technical debates, for example, over planning priorities and sequencing or ways of visioning the city. Some tension was also evident between NGOs on the one hand, and donor agencies, private companies and consultants working with the MUDH and municipalities on the other. An engineer illustrated this through an example of water supply in Mazar-i-Sharif:

*In Mazar we have over 400 hand pumps installed and in the network just some wells but there is no control over them, no maintenance, no water quality checking which should be the responsibility of the municipality but it is not there. It is some kind of emergency measure but a dangerous one in a water scarce city because they lack understanding. They leave it to NGOs and even they do not obey international standards and regulations. So even if they are doing good it is out of control and no one feels responsibility for it and all the tools for maintenance and operation and control are completely missing.*

In the end, it is the everyday citizen that suffers. The resentment of ordinary people



Photo – Daniel Esser

towards development processes over which they have little understanding and less control can be seen through the words of a father of three in Mazar-i-Sharif, District 7 who said:

*We are really angry at all these foreign NGOs that have come here; they conduct lots of surveys but nothing happens. There are more NGOs than people in Afghanistan. They should either work harder or close their offices and go back to their home country and stay with their families.*

One reason that NGOs in particular are seen not to be delivering effective urban services is that although located in the cities, their work is often targeted at rural areas. However, the security situation has prevented many NGOs from being able to leave their headquarters in the cities and some have turned to providing support to low-income urban settlements. Yet being relatively new to the urban field, they sometimes lack the expertise to coordinate their activities with other urban agencies and effectively represent and serve vulnerable communities.



### 3.6 Socially embedded institutions

The term “socially embedded institutions”<sup>37</sup> is used to refer both to social networks of support such as among families and kin or neighbours and friends, as well as cooperative and collective activities undertaken towards providing community-level management of urban infrastructure and services in the absence of government provision. Elsewhere a wide range of social and associational sites have been harnessed in the interests of development programmes, or relied upon in the absence of them. In Afghanistan too there is increasing interest in the developmental potential of social networks and community-level organisation for urban management and local governance.

Despite the commonly held view that kinship networks, reciprocity and community-level risk pooling are eroded by urbanisation and less evident in urban areas, it has been shown more recently that this is not necessarily the case and cooperation is alive and well in many cities of developing countries.<sup>38</sup> However, this occurs where there is something to share or to organise around in the first place. In the wake of war this is not always the case and heightened vulnerability and insecurity can erode this potential. Prior research in Afghanistan,<sup>39</sup> as well as the findings of this study, show that urban social networks have become severely fractured by hostilities and the displacement of people.

#### 3.6.1 Reciprocal relations and networks of support

Outside of formal organisational structures, people at the street and community level only occasionally team up to pool resources. Residents were found to have very limited resources and were reluctant to see demands

made upon them. As one community elder in Herat District 6 stated:

*We have limited communication among each other. When we talk, we talk about problems – but we cannot help each other because we are all poor.*

A 25-year-old woman in Herat District 7 said:

*We have some contact with our neighbours. When we have problems such as borrowing dishes and using them for a night, then they help us. But, you know, everyone here is poor. Whenever there is a bigger problem like crime or sanitation, then we turn to the wakil and he appeals to governmental offices, but I haven't seen any results so far.*

Increased social fragmentation is a cause for serious concern. Vulnerability leaves little room for largesse. Statements such as “some family members live here as well, but they are too poor to help us” are as common and alarming as the widespread disintegration of *gozar* or neighbourhood level social structures. Declining mutuality was a particular problem in Kabul where it appears to be a product of both forced and voluntary in-migration and the resulting diversity of settlements.

While some respondents reported occasional discussion and even collaboration with their neighbours, many also said they didn't know anyone else in their street. One man living in District 3 said, “Yes, we do have neighbors around us and they are looking like good people to us, but we don't have any specific relationships with them.” He went on to say that once the neighborhood got together to do some street cleaning because the trucks from the municipality never came “but you can't say that we talk or help each other on a regular basis.” Another woman in Kabul District 16 lamented:

<sup>37</sup> This term is borrowed from Cleaver, F. “Moral Ecological Rationality, Institutions and the Management of Common Property Resources.” *Development and Change*. 2000; 31:361-383.

<sup>38</sup> Beall, J. “From Social Networks to Public action in Urban Governance: Where Does Benefit Accrue?” *Journal of International Development*. 2001. 13(7):1015-1021.

<sup>39</sup> See, for example, Boesen, op cit., Hunte, op cit., Schuette, op cit., and d'Hellencourt et al., op cit.

*We are not in touch with anyone here and we have no one who supports us. We also haven't sat together with other families to make a joint decision. I don't talk to our neighbours regularly because the men in my family would not like that. There's no one to trust. Only our men can go to some places to complain. I don't know these places; maybe my husband knows better. Ask him.*

As a response to the attrition of mutual support and an increasing dependence on the urban cash economy, residents often turn to shopkeepers to borrow money, although the preferred means of support remained the (extended) family. This is the case even when kin are widely scattered, as appears common.

### 3.6.2 Community-level collective action

Conflict-induced migration and social fragmentation not only left urban dwellers without close and trusted social contacts but also deprived them of political access. Vertical connections between government officials and residents were mixed. Respondents' comments suggest a widespread perception that links with government entities are almost entirely absent. Access to local decision-making structures remains blocked for those lacking *wasita* (political connections and leverage). *Wasita* tended to rest with the male elders. In Kabul, where the majority of male respondents said they trusted their *wakil-e-gozar* (neighbourhood "advocate" formally representing a certain number of families), female respondents regularly demanded more say in local decision-making processes.

The capacity of *wakil-e-gozars* (*wakils*) or *kalantars*<sup>40</sup> and the local *shuras* – community-level groups of elders often linked to local religious bodies such as the mosque – to solve problems was acknowledged as important. However, they were also signalled

as problematic. Several respondents complained about the self-interest and ineptitude of their representatives. Said one man in Kabul District 16: "In case of problems with water or electricity we should go to the *wakil*, yet he just listens to people but doesn't do anything about it." Although a number of elders did seek benefits on behalf of their communities, others did not. Moreover, many residents did not perceive them to be legitimate representatives, either because they made no visible effort on behalf of their communities or because their interventions had little impact. Critics were often younger men or women. Said one adolescent male respondent in Kabul District 17:

*The wakil is responsible for this area. He recently collected money from most of the houses saying he would try to bring us electricity, but so far we have not seen anything happening except having some cables in some of the streets, for some of the houses.*

Almost all female respondents felt that their concerns were not listened and responded to by the *wakils*. A 14-year-old girl in Herat District 9 explained:

*I think it's a problem to be poor and to be a woman. You see, the men team up in the mosque and they have a shura boss, but the girls and women are not allowed to be members of the shura.*

A female teacher and the oldest of three wives in the same Herat district complained:

*We have a shura here but women are not allowed to become members so they cannot defend their rights. The men can do what they want. The women are also not allowed to contact the municipality.*

Another woman, a mother of three in Herat District 6, confirmed this view:

<sup>40</sup> The term by which elders are known in Mazar-i-Sharif.

*There is a shura but just the men can decide, not the women. Actually, there is not a single female member in the shura... The men who are shura members do nothing for the area, nor have we received any service from the municipality.*

In Kabul District 17 a mother of four illustrated how neglect on the part of elders is not simply benign but prevents collective action on the part of women wanting to help themselves:

*Once all the neighbours got together to go to the municipality because we had no water and no electricity, but the wakil did not support us... We also don't have any proper sanitation system and our toilets are in bad condition. Yet, because the wakil said we wouldn't achieve anything by talking to the municipality we did not go. The problem is, we can only turn to our wakil or to our elders to help us, but nothing is happening.*

Newly arrived respondents also said they felt "disconnected," sometimes underlining that the *wakil* would refuse to speak out on their behalf. A mother of seven in Herat District 9 complained:

*We moved here more than a year ago, but we have no relationship with the neighbours. Neither they come to us nor we go to them. We cannot rely on the community at all. The wakil of the gozar is the person to whom we could tell our problems to but he does nothing. There is a shura but they are only there for the rich people.*

The role of the *shuras* as legitimate representative institutions, while deeply entrenched, is increasingly questioned given their lack of connectedness and representation of poor individuals, vulnerable groups such as ethnic minorities or recent arrivals in their areas, and women. To a limited extent, alternative grassroots civil society organisations (CSOs) have emerged

in some urban areas and are challenging old ways of doing things. They have been nurtured by international organisations but many operate under funding constraints. All CSOs risk interference on the part of local authorities and provincial leaders. Furthermore, there is a tendency in urban settlements for communities to be encouraged to support particular political factions or leaders en masse and this potential exists as much for CSOs as for *shuras*.

It is important not to over-romanticise the role of community organisations. Social networks and local-level organisations are frequently embedded in asymmetrical social relationships. Often engagement with politics or government bureaucracies means that existing hierarchies or inequalities simply get reinforced. This is confirmed by the effectiveness with which less vulnerable urban citizens are able to organise themselves in relation to urban management and governance. For this reason people in poor urban communities often assign a high value on external agents and it is in this role that intervention by donors and NGOs can be particularly useful.

### 3.6.3 Corruption and connections

Corruption was found to be an area of serious concern in the context of service provision. Respondents in the household-level interviews in Kabul mentioned that they had gone to Kabul Municipality and had been asked to pay for a particular service (e.g. for their names to be put on the land distribution list, for the provision of water and electricity, upgrading of the sewage system). Payments can reach up to 7,000 Afghanis (US\$145). However, having paid, they then never hear back from the municipality, nor have they received any land or service. It is suspected that public officials use the payments to support their admittedly meagre income (between US\$35 and US\$100 per month). A male Pashtun respondent in Kabul District 17 said:

**Box 2: An example of intra-district inequalities: Hazaras in Mazar District 10**

Mazar-i-Sharif's tenth district, southwest of the city centre, is both ethnically and spatially divided in two. A Pashtun father of three who lived in the district explained: "This area is divided into two parts, one part where the Sunnis live and the other where the Shi'ites dwell. It is like a desert there and looks quite scary! I wouldn't go there."

Ariana is indeed inhabited mostly by Sunni Muslims, the majority living in middle and upper-middle class households, with formally constructed houses, shops and workshops close by. Ahle Chapan, on the contrary, is made up almost entirely of Hazara households, many involved in carpentry and brick making. Here one-storied mud houses dominate the architectural landscape. Ahle Chapan is located further away from the main paved road and sources of transport. It can only be reached by crossing one of two small concrete bridges. Cars are virtually absent; donkey carts are the main means of transportation. The already weak mobile phone reception dies out shortly after crossing the creek that divides the two neighbourhoods.

The task of conducting comparable interviews in the two areas immediately became a challenge when residents of Ahle Chapan expressed anxiety, saying they did not want to be interviewed. Less than a minute after approaching them an armed guard rushed towards the group, asking what the three researchers wanted. He subsequently explained that due to recurrent attacks on residents and a recent case of murder some men were now patrolling the dust roads by foot to "protect" the approximately 800 families.

A widow was tearful when relating the devastation to her family and their assets as a result of the conflict with the Taliban. Her disadvantage was compounded by her exclusion from local-level assets and structures. The male head of the local education centre, located in Ariana, explained: "The Sunnis who live in this neighbourhood are richer than the Hazaras of Ahle Chapan. The reason for this is the Taliban regime's cruelties; they suppressed them and also killed a lot of them." He also pointed to significant differences in service delivery and quality:

*We have a Karachi system here, but over there in Ahle Chapan people are too poor to pay the collectors, so no one goes there and does the job. The same with sanitation: they don't have any contacts in the municipality and cannot pay for private collection of night soil, so they end up having lots of hygiene problems.*

One of the key themes of this study is illustrated by this example from Mazar: even though social cooperation or cohesion can reduce certain risks, it cannot substitute for investment in basic services or replace private or collective financial assets. The head teacher emphasised:

*Here in Ariana the situation is better than in Ahle Chapan. But this doesn't mean that we don't have any issues. For example, we were promised by the local community organisation that they would dig a deeper well but nothing has been done. So in the end we rely on what we earn ourselves to make things happen.*

*I have not gone to the municipality for help yet because I know that the municipality is not going to listen to us, because we are poor people and we don't have any type of recommendation or money.*

A respondent in Kabul District 16 made a very similar statement:

*Cemet Khana [where he lives with his family] does not have any public transportation lines, so we are using the Macrorayan or Qala-e-Zaman Khan lines.*

*I have gone to the municipality several times, but so far there has been no response. Without paying them money or showing recommendations from influential people you cannot tell them anything.*

Nonetheless, the types of corruption described above are particularly worrisome, for three reasons. First, they undermine the already weak confidence of residents in the system of urban management. Indeed, both female and male respondents repeatedly pointed



out that the “municipality people [such as workers, waste collectors or tax collectors] have never come to this neighbourhood.” Moreover, there are no provisions within institutions of government to establish mechanisms for dealing with residents’ concerns, complaints and suggestions. Second,

corruption reduces the prospects for establishing sound taxation systems, thus significantly depleting the municipal resource base. Lastly and significantly, corruption reduces the asset base of already vulnerable people.

## 4. Critical Challenges for Urban Management in Afghanistan

### 4.1 Insecurity of tenure, affordable housing and urban land management

Millions of people in developing countries live without adequate security of tenure or property rights. The problem is particularly acute in urban areas where the costs of access to legal land and housing are high and rising faster than incomes. This is very much the case in urban Afghanistan, which has seen housing destroyed through decades of war, as well as high rates of urbanisation as the conflict abated, through refugees and IDPs coming into the cities. In Afghanistan, as in other developing countries, this has led to housing shortages and high land prices and rentals, while leaving local authorities overwhelmed by the demand for land, services and housing. Strict building standards and regulations deriving from the days of master planning, as well as burdensome administrative procedures based on ideal norms rather than the realities of local circumstances, have made inevitable a rise in informal construction, even among middle-income urban dwellers, as people help themselves in the absence of alternatives.

Informal settlements are estimated to house between 30–60 percent of the population of cities in developing countries and in the short term at least, regularisation policies are widely recognised as the only realistic solution to improving the housing conditions of the urban poor.<sup>41</sup> This is increasingly the case for urban Afghanistan as well, although there is still considerable resistance to the recognition, regularisation and servicing of informal settlements. Wariness is

understandable given that people do not always construct homes in areas that are suitable for servicing. The hillside settlements of Kabul are good examples of the challenges posed for Kabul Municipality and government departments concerned with extending services. Nevertheless, the concentration of urban settlements also offers opportunity, given the lower per capita costs of infrastructure development and services when physical conditions are hospitable.

Problems in accessing affordable shelter and insecurity of tenure were found to be immediate sources of vulnerability among many of the people interviewed. High rents were prevalent across all three cities. In the capital city, a diminished housing stock alongside the influx of returnees, IDPs and the arrival of expatriate development workers has meant that the availability of accommodation is squeezed at every level. This has exerted both an upward and downward pressure on rents, which has a devastating impact.

In terms of urban vulnerability the qualitative evidence suggests that a distinction needs to be made between those who own and those who rent. Both may face financial pressures but the latter also run the risk of “forced mobility”.<sup>42</sup> A male household head in Kabul District 17 recalled his experience:

*I have been living here for almost six years. Before that, we were living in Panjshir in our own village, but due to the flooding of our village we lost everything, including our land, home and gardens. Therefore we had to move into this house... The prices have been going*

<sup>41</sup> Durand-Lasserve, A. and V. Clerc. *Regularization and Integration of Irregular Settlements: Lessons from Experience*. Urban Management Programme Working Paper Series No. 6. Nairobi: UNDP/UNHCS/World Bank-UMP. 1996.

<sup>42</sup> See Alden Wily, L. *Land Rights in Crisis*. Kabul: Afghanistan Research and Evaluation Unit. March 2003 and d’Hellencourt et al., op cit.



Photo — Daniel Esser

*up during the past two and three years. Now, we would not be able to buy property anymore.*

A 32-year-old woman from the same district further illustrated the situation:

*This is a rented house for which we pay 3,000 Af\$ [US\$60]. Before we came here a couple of months ago we lived in Baraki, also in a house that we were renting. The Taliban had burnt down our own house in Shomali. We moved to this one because the house owner of our former place had asked us for an advance payment which we could not afford.*

A 50-year-old father of seven, living in the destroyed city centre (District 1) expressed his anxiety that he might end up without shelter for his family:

*Every day the owner of this house is coming and asking me to move out, but*

*what should I do? I just can't afford to pay him anymore, but you know how difficult it is to find an affordable place for nine people.*

Kabul Municipality provides little assistance with regard to shelter provision. Several respondents reported visits to Kabul Municipality to put their name on a list of future beneficiaries of land distribution, but so far to no avail. In some cases, applicants were told that they would have to pay a fee for this "service", which some could not meet. Financial constraints are exacerbated by the lack of income opportunities. Quite a few returnees and newly arrived Kabul residents found their hopes of a decent job disappointed. A young father of four in Kabul said:

*As you know, during the past two years lots of people have come back to Afghanistan, therefore there is no work opportunity. I try making money at the*

*bazaar, but the chances there are quite bleak as well because people can also hire Pakistanis who come from the borderland. It's not just Afghans at the bazaar!*

In the meantime people are getting on with building homes informally and repairing houses destroyed in the war, whether their own, those of their landlords or on land belonging to people who have not yet returned.

A critical consideration in making choices about housing is security of tenure. This is regarded by UN-Habitat as a fundamental requirement for the progressive integration of the urban poor into city life and a basic component of housing rights.<sup>43</sup> Three issues complicate the right to housing in urban areas. First, land and housing are not just shelter but are valuable assets and subject to the vagaries of both formal and informal land and housing markets. This can stand in the way of efforts to address housing poverty, particularly under conditions of housing scarcity as in urban Afghanistan. Second, most countries have cultural and religious practices that intersect with statutory land law, which influence access to land and tenure security. For example, ownership of land and rules of inheritance often restrict equitable access on the part of women, as is the case in Afghanistan. Third, in many developing countries, multifaceted land management systems are complicated by the absence of land records, corruption associated with housing allocation, and the operation of both legal and illicit land markets. This further skews access to land and insecurity of tenure.

In conflict cities such as in Afghanistan, access to land and security of tenure are exacerbated by the legacy of war and ongoing social

tension. In addition to problems that might have existed in the past — such as land shortages, inadequate access to infrastructure and services, or the concentration of land in the hands of a privileged elite — additional insecurities and inequalities arise. These include damaged or destroyed houses, giving rise to housing shortages and land disputes due to lost or traded land records leading to multiple claims. Many urban residents who left the cities during decades of war could not access the land or homes they used to own on their return. IDPs who fled the countryside for the relative safety of urban centres and settled in abandoned houses, war-affected structures or informal settlements now face chronic uncertainty in terms of their tenure security. This is exacerbated by: escalating disorder created through wrongful occupation, land grabbing, the production of illegal land titling documents, the uncontrollable tactics of private developers, confusion over land administration systems and planning procedures and no clear land policy. A strong argument has been made for putting land issues on the public agenda and to use the Constitution as a vehicle for establishing general principles of property rights and land tenure security.<sup>44</sup>

The absence of an effective and coherent land management system in growing cities such as Kabul, Herat and Mazar-i-Sharif has provided room for illicit dealings whether by politicians, government officials, private militias or unscrupulous land developers. In addition to insecurity of tenure for the urban poor, ineffective land management means reduced land revenue for the city, civic disengagement from urban governance, a deteriorating urban environment for urban dwellers, and the potential for social unrest. Under such conditions urban land clearly requires special and urgent management.

<sup>43</sup> Kajumulo Tibaijuka, A. "A Message from the Executive Director UN-Habitat." *Habitat Debate*. 9(4): 2.

<sup>44</sup> Alden Wily, L. *Land and the Constitution: Current Land Issues in Afghanistan*. Kabul: Afghanistan Research and Evaluation Unit. November 2003.

#### 4.1.1 Land management systems and dispute resolution

Urban land policy and administration in Afghanistan needs to be placed in historical context. Inequities in land distribution have been reinforced over time by misdirected policies that in turn have helped fuel conflict over land, which cannot be disassociated from decades of war and political violence.<sup>45</sup> Even prior to the war years land management was complicated in Afghanistan by several legal regimes being applicable, including customary law (*rawaj*), civil law (*qanoon madani*), religious law (Shariat or Shar'ia) and statutory or national state law. Shariat is largely embodied in civil law in the form of the Civil Code of Afghanistan, a compilation of Islamic law texts that constitutes the main handbook of all courts of law in Afghanistan. It comprises 2,416 articles and as many as 1,000 of these are relevant to land matters. Customary law sometimes departs from Shariat and the Civil Code and all are applicable only where state law does not apply. Frequent regime change in Afghanistan over the last century has had a confusing impact on state law and has given rise to 60 or more different land laws and amendments.<sup>46</sup> It is worth noting the formal institutional processes governing land administration. These are dealt with at length elsewhere and are covered in less detail here.<sup>47</sup> At the same time it is important to recognise that informal institutions and practices often predominate in urban land management and this report points to a number of examples illustrating this.

Formal land administration is carried out in Afghanistan by the following organisations:

- The Cadastral Survey Department;
- The Land Office (Imlak);
- Municipalities;
- Primary courts; and
- The Special Property Disputes Resolution Court.

Yet the responsibilities of these organisations are often confusing and overlapping, therefore much of land administration remains informal. More on these organisations is provided below.

#### *The Cadastral Survey Department*

The Cadastral Survey Department is responsible for organising land surveys, land settlement and land registration affairs. The Ministry of Finance in collaboration with USAID established the department in 1963. The intention was to categorise and manage landed property for taxation purposes. In 1965 land was surveyed in Kabul and eight other provinces, expanding into further provinces at a later date. Today the Cadastral Survey Department is located in Kabul, with 16 Regional Directorates in Kabul, Kandahar, Herat, Balkh, Nangarhar, Parwan, Kapisa, Ghazni, Helmand, Farah, Faryab, Jawzjan, Kunduz, Takhar, Badakhshan and Paktia. Based on cadastral survey law, land ownership is distributed as follows:

- Private land (*arazi shakhsi*) (agricultural and gardens);
- Government land (*arazi dawlati*) (agricultural and gardens);
- Government barren land (*arazi lamazro dawlati*);
- Residential areas (*sahaat-e-maskoni*);
- Industrial and professional works (*kasaba kari wa sanati*);
- Pasturelands (*alafture*); and
- Forests (*jangalaat*).

<sup>45</sup> For a fuller discussion of land policy, planning and management in Afghanistan see Alden Wily, *Land Rights in Crisis*, op cit.

<sup>46</sup> Ibid, 23-25.

<sup>47</sup> For a detailed study of urban land tenure see d'Hellencourt, et al., op cit.



The cadastral maps and documents were widely used in the course of the first and second rounds of land distribution during the 1978 land reform process. Large parcels of land were sub-divided and ownership transferred, changing completely the cadastral maps, documents and registration system with the Land Office. However, changes were made on blueprint copies with the original standard maps being left untouched. Two decades of conflict saw the destruction of documents held in the provincial Cadastral Survey Regional Directorates, leaving as the only source the Cadastral Survey main archive in Kabul. However, these are in relatively good condition and possibly can be used for land titling purposes, although this does not appear to be automatic practice.

#### *The Land Office (Imlak)*

Imlak is an independent office that was set up and supervised directly by the Ministry of Finance. During the 1978 land reform it came under the Ministry of Agriculture and Land Reform and remains under the (now) Ministry of Agriculture and Animal Husbandry. However, today it deals with land registration in both urban and rural areas. Transfer and registration procedures are intricate and exacting.

#### *Kabul Municipality*

Kabul Municipality has responsibility for land acquisition and distribution in the city, being the relevant public juridical entity according to the Land Acquisition Law (LAL), Official Gazette, Issue No. 794, 1421HQ (1379 HS), (2000 AC). Land acquisition is the responsibility of the Municipality's Property Department, which comprises two directorates, Acquisition and Technical and Cost Estimation. Working in collaboration with the Cadastral Department the Acquisition Directorate prepares property plans both for government and private properties and facilitates the issuing of title deeds. According to existing municipal law, male citizens reaching the age of majority have the right

to a housing plot or apartment provided certain steps and criteria are followed. The documents issued by the municipality are valid for three years and the owner is not authorised to sell or mortgage the plot until receiving the title deed. This is forthcoming once the owner has completed at least 40 percent of the construction. If this does not occur the land returns to the government. This regulation, which is widely known among Afghan citizens, is one of the reasons for the boom observed in the context of micro-level and small construction projects in provincial centres. Even though those who build do not necessarily possess a title deed, respondents to the household-level interviews frequently expressed the expectation that "the government" would be unable to evict them and destroy the buildings once they had erected and completed a significant share of the overall project.

#### *Primary Courts*

Primary courts undertake the registration of land. Both buyer and seller together confirm the location of the property and officially request the transfer of title deeds. A court order is obtained on the basis of a circular form being filled out by the Imlak, the municipality, the revenue office of the Finance Department, the Water and Electricity Departments and the Microrayon Maintenance Department. The buyer and seller each provide two copies of a recent photograph and two persons as witnesses. These persons go before a judge, who endorses the payment of a deed tax to the bank, after which the title deed is transferred to the buyer.

#### *The Special Property Disputes Resolution Court (SPDRC)*

The SPDRC was established in 2002 and is accountable to the Afghan Supreme Court. In September 2003 President Karzai decided to divide it into two parts: the central court for Kabul and the provincial court for the rest of the country. The impetus for the SPDRC was a sharp increase in the number

of returning refugees and IDPs and resultant property dispute cases arising out of multiple land claims and squatting. They work in liaison with the responsible local courts and the Supreme Court, which also delegates cases to the SPDRC. At the time of the study, it appeared that only 113 cases had been dealt with since the provincial chamber was established, and only two cases solved. Although the number of cases is small it should be noted that the number of claimants affected could be quite high. For example, in Mazar-i-Sharif, one case involves nearly 500 claimants. The case argued that a Junbesh field commander and his soldiers had moved in and forced local people off land allocated to them by the municipality.

The chairman of the provincial court explained that there are two ways in which disputes are resolved. In the case of overwhelming evidence, there is a straightforward winner and loser. The chairman indicated that in his 40 years of experience, in 80–90 percent of cases, the claimant won. If the situation is less clear, the elders of the area in question are invited to a group meeting. If no clear solution can be found, the court tries to facilitate compensatory measures through the land-occupying party making a payment to the benefit of the losers. As the chairman explained: “Our goal is to bring about peaceful arrangements. We are judges, we are responsible for people’s property but also for ensuring functioning relationships between government, society and business.” However, an interviewee from an NGO concerned with land restitution cases said of the SPDRC:

*It is functioning in Kabul but not very well or not at all outside Kabul. And it does not deal with IDPs. Also it does not cover disputes if one side is the government. If there is a case where the government is one of the parties the case will be addressed in the regular courts. So the latter are dealing with a lot of the cases that should go to the special*

*court. If the problem is with the municipality – which is a government department – you have to go to the municipality itself for redress.*

This interviewee went on to say that even when a court or municipal order was obtained it was difficult to enforce: “The police will not necessarily enforce it. There are other people telling them not to enforce it. A lot of our work is going to the police or the Ministry of the Interior over such matters.”

#### 4.1.2 Constraints to systems of land management

The official system of land acquisition, transfer and registration, and dispute resolution described above, though complex, is well documented and understood. However, a number of factors work against its effective operation and development. There are historical and contemporary forces at work. Over the years land legislation has been successively overruled. For example, during the Communist era, private property was appropriated and although compensated this was at less than the market rate. Mujaheddin leaders also appropriated property during the 1980s and 1990s, rarely compensating the owners. During the Taliban regime, between 1996 and 2001, both government authorities and armed commanders took private property by force. Land and houses were transferred many times over by way of forged title deeds in which the Land Office was complicit, and made available through the primary courts. In recent years the problem has increased further, with growing examples of the occupation of private and government properties by armed commanders and government officials that have been widely reported in the media.<sup>48</sup>

A generally held view was that despite confusion over competing legal frameworks and the difficulty in obtaining land titles, the real problems were associated with

<sup>48</sup> Bashir Malik [no date]. *Report on Land Administration* (mimeo).

implementation of the law or lack of it. One informant stated that “we can get Karzai to issue decrees about this land, or that project, and those beneficiaries, but it is a guideline not a rule book in the end.” A government employee explained things this way: “The problems do not come from a lack of laws as some say. It is the misuse of the existing laws. People just grab the land, and then the laws are not applied.” Another government official went further:

*If you want to obtain a title deed for a piece of land that you legally possess, what you have to do is pay at least US\$3,000. Then you might get a duplicate if you are lucky. Seventeen thousand documents still have to be entered into the computer system, so there is plenty of opportunity for additional incomes. Yet corruption cannot be crushed because the government is so weak. You need a lot of coordination to do something against it. The wars have destroyed our political and social cohesion.*

Consequently, the issues of urban land rights and security of tenure for the urban poor are severely affected by problems of corruption and lack of enforcement of existing laws. There is a lot of coercion of vulnerable people to leave valuable land on which they are settled and illegal occupation both with and without the tacit support of the legitimate authorities. Take the example of a female household head in Kabul District 17 who says:

*We have been living here for 15 years now...During the last two or three years the income of people working in the city has been increasing, therefore the rents have increased as well. There is no one to control them, because lots of people who would have the power to do so are just taking money and are involved in corruption...Everyone living here is poor; they cannot do anything against each other, except for the powerful people of course, who can do anything they want to do, like telling us to go elsewhere or asking for money so we can stay. I don't*

*want to name these powerful people. I think you yourself know better than us who they are.*

Subsequently, this also creates insecurity of tenure for those who move in. One male respondent in the same district explained:

*We haven't got enough money to buy a private house so we have been renting this house for two years now, but the rent keeps rising every month. I live here with my two brothers and their wives and children. The original landowners claim that they have title deeds from President Rabbani's time. I doubt that because as far as I know this neighbourhood is part of an unplanned area. So if you ask me who rules, I tell you it's the people with the guns. They sell them the land but they can also take it back if they want.*

Indeed, there is a close relationship between land grabbing, power and politics. For example, the governor of Balkh Province at the time of the study, who is also an important commander exercising significant control over the city of Mazar-i-Sharif, is engaged in an assiduous process of “buying up” land. As he seeks to consolidate his political position distribution of land will undoubtedly help enhance his power. Minor commanders are involved in land grabbing as well, often for immediate gain to compensate for an increasing loss of influence as a result of the recent partial appeasement of the country. Either way, some informants reported that land taken by commanders was often grabbed rather than purchased. For example, a 50-year-old mother living in Kotale Khair Khana (Kabul District 17) whose son is an officer in the Afghan army reported: “This is our own house; we built it last winter [2003–04]. However, we don't have the title deeds for the land. It was just distributed by the government to one of the commanders, who then gave it to others.”

Ownership is consequently contested, often violently and sometimes fatally. A male

respondent living in a hillside neighbourhood in Kabul District 16 explained:

*This here is government land, but they are building houses on the top of the hill, which used to be our rainfed land. When they had finished building these houses they were selling them to other people. Now they are trying to get the whole area under their control. One day they came and destroyed the wall of one of our houses. They wanted to occupy it; therefore we had to fight them. They injured one of our relatives but we persisted, because we want to keep this*

*land to build a clinic or at least a school. However the authorities don't help us, and the pressure by those who try to occupy it is increasing day by day.*

An older male in Kabul's destroyed centre in District 1 warned:

*We are having good neighbours around us; none of them do us any harm. But in the parallel street, there are some people who are powerful because they are involved in selling opium and poppy, so no one can stop them, not even the government authorities, because they*

### Box 3. Insecurity of tenure among the Kuchis of Shadayee Refugee Camp

The Kuchis of Shadayee Refugee Camp are a telling example of how people can become powerless as a result of struggles between local commanders, provincial authorities and the limited remits of international agencies. The Kuchis originally came from the Gulran District of Herat Province, about 80km from Herat City. A nomadic cattle-rearing people, they lost access to their rural livelihoods through drought. They also lost most of their own animals as well as rural employment opportunities and in 1978 they moved by choice to Iran. Here the Iranian government confiscated their surviving animals but the men easily found work as labourers. They were not war refugees and in fact expressed some support for the Taliban. However, they had to return to Afghanistan at the same time as war-affected returnees and therefore settled in Shadayee Refugee Camp on the outskirts of Herat District Six, which is located to the far east of the city.

The Kuchis have been there for about three years but the camp is now being closed. While other refugees have returned to their places of origin, this was not a possibility for this nomadic community, which has no land or home to which they could return. Testimony to the temporary nature of the camp is the lack of services. One unemployed male saw it as follows: "The municipality does not do any work in this area; the centre is so beautiful but they don't pay attention to District Six where the poor live!"

As representatives of the community, the elders from the *shura* petitioned the Ministry of Repatriation in writing and the then Governor of Herat, Ismail Khan, paid for them to travel to Kabul to put their case before President Karzai. The president allegedly told them they could stay. However, the local commander in charge of the area, who is said to be linked to Ismail Khan, has refused them permission and has engaged with them only by force. In addition, the majority of the land has subsequently been given to government employees and soldiers, as one of the former governor's projects to reward loyalty and strengthen his political clout. The Kuchis, however, still believe they are entitled to a proportion of the land but are neither clear about the size and boundaries nor the legality of the documents they hold in this regard. In the meantime, as one of the elders explained:

*They keep coming. There was a bulldozer destroying the houses around here. We are from Herat. Those who are from other provinces they can go to their houses but we have nowhere else to go ... but they say to us "you must go because the land belongs to the commanders."*

To be sure, this is a deprived rather than a destitute community and their insecurity points to vulnerability rather than absolute poverty. The men work as porters in Herat's central bazaar and the children attend the local school. One of the women put their case unequivocally: "We don't want anything. We can solve all our problems ourselves. But we have nowhere to go and we want to stay here. This is what we want from the government: we want to live here."



Table 4. Current NRC land dispute cases in Kabul<sup>49</sup>

<i>Type of Cases</i>	<i>Proportion of Cases</i>
Cases of land grabbing involving commanders	13%
Cases involving disputes with government officials, people from political parties or court judges	16%
Cases of “pure” corruption, for example, demand for bribes from municipal or court officials	7%
Cases involving problems with the municipality, for example, compensation claims from people being evicted from land allocated to a road or development project*	13%
“Not sure” category because the client has not come back or the case is not concluded	15%
Ordinary people with disputes – for example, two people disputing ownership of the same house or piece of land or family members quarrelling over inheritance issues	36%
<i>Total</i>	100%

\*This is on the low side as some municipality cases will fall into the cases involving government officials or corruption.

*know all of them. They are occupying other houses and if the owners of these houses come back and demand that they leave they will kill them. No one dares to stand up to them.*

A senior UN figure in Mazar concluded that even when disputes are taken to Kabul for resolution, the rulings “are not effective because you cannot get people to agree with the outcomes” and “with no enforcement it reverts back to the rule of the strongest.” A similar relationship between political competition and power and tenure insecurity for the most vulnerable urban dwellers is highlighted in a case study from Herat, presented in Box 3.

Land grabbing is also prevalent in Kabul. The Norwegian Refugee Council (NRC) assists poor and vulnerable people with land disputes. Their analysis of recent cases dealt with in Kabul (Table 4), which they see as representing only a fraction of land disputes, is revealing.

As can be seen from the NRC caseload, not all land disputes are the result of public and private corruption or political machinations. A lot of the cases handled arise out of family and inheritance squabbles or because people have been away for years on end and others have occupied their abandoned houses. So there are running disputes over who has the right to live in a place or to sell it. As one of the caseworkers lamented, “It is difficult to know the right answer in these cases. So it is chaos out there.”

Housing shortages, high land prices and escalating rents are putting pressure on housing at every level. A widow living in the remnants of a destroyed building in Bagh Ali Mardan in the centre of Kabul explained:

*I was living in Qalai Zaman Khan before I came here. That was in a rented house and I was paying 300 Afs [US\$6] per month. Then the rent increased, so I eventually had to move here with my*

<sup>49</sup> This table is compiled from information provided verbally by the Norwegian Refugee Council in 2004.



*children. This is a private house that belongs to my neighbour. He is my cousin. I am not paying him any money for living here, but now he and his wife want to rebuild it and have asked me to leave. I don't know where to go.*

Among high-income groups, an increase in the number of returnee Afghans who for the last decade or more have resided in the West, as well as a large and growing expatriate community, has put pressure on rents at the high-income end of the housing market. This in turn has put pressure on housing costs at the middle-income level and so on down.

Add to this the massive damage of housing stock by war and conflict as well as the return of less well-off refugees and the extent of IDPs still living in the city, it is not surprising then that there are tensions within communities and families over access to or ownership of land and houses. Hence a number of land dispute cases involve squabbles between family members over who has the right to live in or sell a house or piece of land. Invariably in such cases it is the more vulnerable family members who lose out, as evident from the case in Box 4.

**Box 4. Insecurity of tenure on the part of vulnerable family members**

A widow used to live in Wardak in her husband's property but moved to Kabul during the war. Her husband died and her house in Kabul was destroyed during the war. Her husband's brothers took over the house in Wardak and tried to cement their ownership of it through arranging the marriage of one of her daughters to one of their sons. They also tried to sell her plot in Kabul. The widow's case was referred to the Norwegian Refugee Council, who were able to protect her and her property... "for the time being at least".

#### 4.1.3 Addressing land management and security of tenure

Urban land management is seen as critical because, in addition to issues of urban poverty and vulnerability, many among the Afghan elite lost property. High- and middle-income refugee families returned to find that their homes had been handed over to others. From the perspective of urban management it is seen as a vital component of the overall urban revitalisation strategy because it is not possible to set up a proper local revenue system without some idea of property values and ownership. Interesting comparisons can be drawn with the experiences of Kosovo and Timor-Leste, related in Box 5. Nevertheless, urban land administration is difficult to address for two critical reasons. First, land grabbing and land disputes involve very powerful and well-defended interests. Second, the institutional infrastructure for coordinating land administration and management and enforcing the decisions of courts and other dispute resolution mechanisms is weak. In other words, even when the courts or public authorities issue fair decisions, there is no guarantee they can be enforced because of the lack of a rule of law, with powerful commanders and other elites seeing themselves as above the law.

As a result, many land and property transactions take place without official court approval, using customary documents or traditional dispute resolution mechanisms such as the *shura* or *jirga*.<sup>50</sup> The *shura* and *jirga* are the "products of Afghanistan's patriarchal, tribal society, which lays a strong emphasis on solving conflicts 'privately', within the family, village or clan."<sup>51</sup> Some argue that given the current lack of institutional capacity within the official system and widespread land grabbing and corruption, these customary institutions are

<sup>50</sup> A *shura* is a consultative forum restricted to the elders of a community. A *jirga* is a wider decision-making forum at which, theoretically at least, all adult males can participate. They are said to base their decisions on Islamic law but they are also heavily influenced by Afghan tribal custom.

<sup>51</sup> Foley, C. *Land and Property Disputes in Eastern Afghanistan*. Kabul: Norwegian Refugee Council. 2004, 4.

**Box 5. Post-conflict land management: lessons from Kosovo and Timor-Leste**

Post-conflict administrations in countries like Afghanistan, South Africa, Kosovo and Timor-Leste have had many urgent land-related challenges to resolve. These have included the establishment or restoration of legal frameworks, accommodating people dispersed by violence and resolving or pre-empting land disputes. The latter involves establishing rights, drafting laws and formulating policies and this is only possible in the context of effective institutions. In Tajikistan, for example, reliance was placed on existing institutions, while in South Africa and Kosovo entirely new institutional arrangements were put in place to deal with housing, land and property issues.

In Kosovo the Housing and Property Directorate and Claims Commission (HPD/HPCC) was designed, developed and implemented with the cooperation of UN-Habitat to assist in the overall regularisation of the residential property market. The HPD and HPCC have jurisdiction to receive and settle three categories of claims involving residential property disputes: discriminatory practices of the former regime, informal transaction on residential property and property loss through usurpation, or illegal occupation, during the period March 1989 to March 1999. Additionally the HPD places vacant or abandoned property under its administration for the placement of families in humanitarian need of housing, as well as provides a resource to the United Nations Mission in Kosovo and other institutions in relation to property law in Kosovo.

In Timor-Leste, although new institutions were created to deal with land and property, they did not have sufficient authority to address housing and property matters and destabilising disputes have persisted. In August 1999 the people of East Timor voted overwhelmingly for independence from Indonesia in a referendum supervised by the UN. Chaos and the displacement of a vast number of people followed the vote and the violent and destructive withdrawal of Indonesia in December 1999 included the killing of many East Timorese, the burning and destruction of countless properties and the loss of public and private land administration documents and records. The need to deal with uncertainties around land rights was identified by the Timor Leste Joint Assessment Mission as one of the most immediate and urgent reconstruction priorities. Uncertainty about land ownership and the lack of a working land registry represented a real obstacle and a Land and Property Unit (LPU) was established, alongside the drafting of a land, housing and property policy.

A particular challenge facing the LPU was the large-scale invasion of abandoned houses and buildings and an application and allocation procedure was developed. Mr Scott Leckie of the Centre on Housing Rights and Evictions stated that "few issues confronting the people of East Timor are more pervasive and potentially contentious than those relating to the successful resolution of land disputes and relevant verification of ownership and tenure claims." Nevertheless, resolving such claims has proved to be a real challenge for the Transitional Administration and the current political leadership. Reflecting the urgency, when the Democratic Republic of Timor-Leste gained full independence on 20 May 2002 it was swift to pass new land laws that same year. However, although UN-Habitat assisted the Constituent Assembly with advice on land and property clauses for the formulation of a post-independence constitution, the final version contains only the following singularly unhelpful reference to land and property: "The property, use and useful tenure of land shall be defined by law." Ultimately progress has been frustrated by the lack of political will, so that uncertainty over land rights has become pervasive and debilitating for citizens, government and development organisations alike and a serious threat to ensuring a stable foundation for future development.

Sources: duPleiss, J. "Land Plays a Key Role in Post-Conflict Reconstruction," and Meeuwissen, J. "Land Management in a Post-Conflict Society: The Timor-Leste Story." *Habitat Debate*. December 2003; 9-10.

potentially useful mechanisms for settling land disputes:

*At their best, they are the closest thing to democratic institutions in the country today. They can reach decisions much faster than the official courts, are virtually cost-free, are less susceptible to bribery and are accessible to illiterate*

*Afghans. Afghanistan's legal system is based upon principles of Islamic law and both the courts, on the one hand, and shura and jirga, on the other, formally base their decisions on Shari'a law. Although shuras and jirgas are not officially recognised within the Afghan legal system, judges often instruct two*

*parties to a dispute to first try resolving his or her differences through this mechanism.*<sup>52</sup>

In terms of how they can assist with security of tenure, customary institutions do not always work easily with the concept of individual property rights and require careful intervention. This may serve to protect vulnerable urban dwellers in the short term at least. However, the *shura* and *jirga* are problematic arenas of decision-making not least because participation is restricted to men (and mainly the elders) and tend to serve ethnic majorities in their communal interest, often to the detriment of other ethnicities – in particular with respect to Kuchis. Furthermore, their deliberations rarely operate in favour of women and there is little to suggest that they are less open to manipulation or corruption than other institutional forms. Nevertheless, as long as there is such widespread distrust of the courts among ordinary Afghans and as long as government officials and the police are virtually absent from the everyday lives of average residents or worse, are part of the problem rather than the solution, the informal mechanisms towards resolving land disputes provided by the *shura* and *jirga* remain important, including in urban areas.

USAID together with Deloitte and Touche are undertaking a vast formal land titling exercise in Kabul. This is an important initiative. However, development projects, land disputes and the growth of informal settlements are continuing apace. With this in mind a good example is being set by the World Bank's Kabul Urban Reconstruction Project (KURP), which is including land management alongside the upgrading process. While the documents issued do not constitute legal title to the land according to Afghan law, they afford some security of tenure. It is intended that there can be harmonisation of land records and titles in the longer term, which is not an exaggerated expectation given the dynamics

governing such processes in the recent past. Something that needs to be monitored over the course of KURP and other similar projects is whether the upgrading process itself might lead to further tenure insecurity as improved services potentially give rise to increased rents.

Furthermore, putting in place a coherent land management system is complicated by the fact that different government departments adopt different approaches to the issue. Taking Kabul by way of example, the municipality has sold off land at knock down prices to municipal and ministerial staff. The current mayor has a rather sceptical attitude towards private sector development in terms of land, which, in the context of both regional history and local customs, he sees as a resource and a source of power for local government. He aims to accumulate and develop as much municipal land as possible, sell it off and buy and develop further land, in the interests of swelling the municipal coffers. A similar strategy is being pursued in Herat City, where the mayor reported land purchase and property development – for example banqueting halls and hotels – as a key strategy for achieving local financial autonomy and sustainability. Not only might this strategy prove more difficult in Kabul but also the municipality is operating with a model that contrasts with that of the MUDH, which is very private sector oriented in relation to land and property development. Not only does the ministry aim to support large private sector developments in partnership with international consulting companies, but many of the staff in the ministry themselves are involved in private construction and property development companies.

Addressing the issues of land management and tenure security can be assisted by drawing on the experience in these matters of donors currently working in Afghanistan. In addition

<sup>52</sup> Ibid. This indeed resonates in the practices of the Special Property Disputes Resolution Court as described above.

to USAID support for a large scale formal land titling programme, the World Bank has taken a lead in incorporating informal tenure security exercises within an area-based development strategy. UN-Habitat has a long track record in undertaking community-led informal land titling, within an incremental process of formalising informal land administration arrangements. This would be feasible in Afghanistan in coordination with NGOs working in urban communities and involving the Loya Jirga and *shuras* in a process led by the MUDH.

## 4.2 Extending and sustaining urban services

The urban services challenge involves addressing both the maintenance backlog in already serviced areas as well as extending services to more recently occupied and informal areas. Critical to encouraging the participation of urban residents in urban services provision, whether through involvement in delivery or maintenance or payment of user charges, is a level of security in urban living. Fundamental here is security of tenure because insecurity induces reluctance on the part of urban residents to invest physical and emotional energy or resources of any kind into an area of which they may not remain a part. Where security of tenure exists, this research demonstrated that many Afghans have learned to cope with financial insecurity and prioritise investments that have a sustainable impact on their living conditions. For example, reviewing a range of activities at the project level, it is clear that some communities prioritise initiatives with long-term effects (such as fixing the sewerage and water supply) over projects that aim to improve individual incomes, for example through cash-for-work schemes. Infrastructure improvements that focus on repairs, road maintenance or temporary shelter, for example, and also provide

employment and skills development obviously meet the preferences of residents with greater and lesser financial and tenure security.

### 4.2.1 Water supply and sanitation

In addition to the issue of access and entitlement to land, extending urban services involves recognising the prevalence of large informal settlements and engaging with them. Putting pressure on residents by threatening to remove existing houses is not only politically unviable, but constitutes a step in the wrong direction in terms of realistic urban management given that informal settlements house well over half of all urban residents. However, people construct informal settlements in areas where it is not always easy to extend infrastructure and services, which has to be undertaken in the context of prudent urban management and anticipated issues of environmental sustainability. For example, in Kabul the water supply is limited and a falling water table is in evidence. This is also of concern given plans for a satellite city for 200,000 inhabitants to the north of the capital, a project pushed by a major bilateral donor. One key informant heavily criticised the project, calling it an unviable pursuit and a “real estate deal” involving influential Afghan investors who were buying cheap land in the designated area with the aim of bailing out later on. The informant also claimed that the cost per family would be ten times the average cost of usual housing schemes.

Efforts by UN-Habitat to introduce eco toilets, in the form of twin tank latrines, constitute a low tech and prudent response to issues of sustainability. However, they require both education and commitment on the part of community members and are difficult to sustain without ongoing support.<sup>53</sup> Community education projects on basic hygiene have

<sup>53</sup> As these toilets involve separating wet from dry night soil they are easier for men to use than women and more likely to succeed among adults than children.



also been launched, e.g. run by the NGO Action Contre la Faim in Kabul and Mazar, and seek to create an understanding of the need to maintain minimum distances between latrines and wells. Even in Herat, arguably the best serviced large city in Afghanistan, some residents continue living in dire hygienic conditions. Says a mother of seven in Herat District 9:

*... there is also no proper sanitation facility – the children go to the desert; the older people have to go in the yard of the house and then cover it up.*

#### 4.2.2 Solid waste management

While secondary waste collection<sup>54</sup> is well managed in Herat, this is not the case everywhere else. For example, in Kabul, collection from transit points is not always timely. Moreover, after the resistance of nearby village residents, the initial site for the largest waste facility in the Kabul area had to be relocated. Rubbish is currently being dumped eastwards of the city, but due to an inefficient collection system and capacity shortages, about half of the daily amount of litter remains in the city. There are some positive signs that primary collection<sup>55</sup> of solid waste has been well developed in some of the low-income areas of Kabul through community mobilisation and management.

Problems of solid waste management in Afghan cities were found to be similar to those found elsewhere. As a woman in Herat District 9 put it: “We really have a problem with litter here in our street. We just put it anywhere we want.” However, there were also some areas of success in this arena. A lorry driver in Kabul District 16 pointed out that there was occasional collaboration among residents and that they were using their own resources in the process:

*Sometimes we do get together and do some work in our streets. For example, when the municipality had not come here for a long time and the waste was piling up, we collected everything and I used my own truck to transport the waste to that place near the main road where the municipality could see it.*

UN-Habitat introduced a system of primary waste collection known locally as the “Karachi system” into a number of cities. It appears to work best when it does not rely on the community itself but rather when the community contracts with a micro-entrepreneur. A mother of five in Herat District 6 explained their situation:

*Waste is not collected here by the municipality, but by people with wheelbarrows. Every family has to pay ten Afghanis [US\$0.20] per week for this service. Sanitation facilities are insufficient; the waste is taken away by the farmers who use them for agriculture, but we have to pay for this removal as well. There is also no electricity. During the winter we buy wood for heating; this is really expensive – every four kilos costs us 20 Afs [US\$0.40].*

Community mobilisation can be difficult to organise and sustain in contexts of vulnerability, insecurity and low levels of trust. The issue of affordability is equally important, as explained by a Mazar housewife from District 10:

*Waste is really a problem here. There was the Karachi system but it finished and the municipality did not step in to collect the waste, even though this would have to be done every ten days... Fortunately we can afford electricity and water because of my husband's income*

<sup>54</sup> Secondary collection is from a transit point or transfer station within a city to a final dumping site outside it.

<sup>55</sup> Primary collection refers to the removal of garbage from the neighbourhood. This can either be through a door-to-door collection service, most common in better off areas or through street level collection, for example from bins or a designated plot where waste is dumped.



**Box 6. Connecting the “urban village”: Chahar Asyab and Shewaki in Kabul’s District 7**

Chahar Asyab and Shewaki are neighbourhoods located in the outskirts of Kabul District 7. Residents are predominantly Pashtun; mujaheddin leader Gulbuddin Hekmatyar had one of his strongholds in this area when the battle for the capital became increasingly intense during the early 1990s. Due to security concerns the principal researchers were unable to conduct interviews in these areas; the team of three interviewers therefore consisted of one Afghan senior researcher and two Afghan assistants.

One of them described their initial impression when they arrived in the area:

*We went to Elyas Khail, which is a rural settlement in the Chahar Asyab District, almost like a village. It was far away from the main road and included 600 households. After talking to various people on the street our impression was that it was not possible to do interviews in respondents’ homes. They preferred us to sit down and talk with the authorised people, such as the representative of the village. They were very doubtful of us.*

The elders subsequently stated that they were unaware of the legal status of the land they settled on but insisted that all houses were “private”. They pointed out that they did not receive any municipal services but were in contact with the district representative. However, they claimed not to have received much assistance so far. “We went to the district representatives to get connected to the public transportation system, but they did not accept our request, even when we told them that we would be willing to pay five Afs per person [the usual fare is 2–3 Afs per person], they did not accept that” says one respondent. Another man stressed the absence of potable water, saying: “We don’t even have drinking water, and we are carrying water with our donkeys and cars to the village from wherever water can be found. No one has asked us about our problems so far or has come to help us.”

The team then moved on to Shewaki, which according to the researchers appeared slightly more “urban” due to a higher density of buildings and a somewhat more structured outline of roads and settlements. Three in-depth interviews were conducted, one of them with the *wakil* of a neighbourhood. He said:

*The land here belongs to two men. Most of the people have their own houses and have built them without assistance from organisations or the government. But for those who are renting expenses have risen steadily. Two years ago the monthly rent for a shop was 400–500 Afs [US\$8–10] but right now it is around 1,200–1,500 Afs [US\$24–30]. On top of this shop owners have to pay taxes. Some of the people had to move away because of the high rents. I have nothing to do these days. I was relying on the income of my land, but right now I am jobless because of the recent drought.*

As in other districts visited, basic collective action worked particularly well in the context of waste collection. More surprisingly however, the access to and use of water, a potentially more controversial pool resource than maintaining a clean environment, has not caused any significant conflicts so far despite its scarcity. Says the *wakil*, “the water system is terrible here, because in this whole area there are just three hand pumps and one well. One hand pump was built by an international agency some years ago, so all of the people were going and getting water from here. Still, so far there has not been any major dispute about water. People manage to get along.” In general, disputes among the residents were clearly regarded to be less pressing an issue than the need to connect the neighbourhood to basic urban services despite its remote location and to provide both political stability and security of housing.

*as a traffic policeman. He earns 3,500 Afghanis [US\$70] a month, which is enough to pay for these services. Our two daughters go to school and our son goes to the kindergarten. We also have a good doctor who is our neighbour, so we can easily see him and he treats us well.*

Some large neighbourhoods are not serviced at all and when residents are poor or insecure they are either unable or unwilling to invest in their immediate environment. One example encountered in Mazar-i-Sharif was half of an entire district being without services. It is perhaps not coincidental that the unserved section was home to another excluded

minority in the city, the large Hazara community. Here, people lived in relative isolation and without electricity, waste collection, regular transportation or protection by the local police.

#### 4.2.3 The wider urban environment

An important aspect of the urban environment is public safety. Despite anecdotal evidence that the level of crime was increasing in Kabul, very few respondents in the neighbourhoods studied actually mentioned feelings of insecurity. Some pointed to occasional robberies in the street, although these seldom lead to casualties or resulted in injuries. While people saw crime as less significant among their myriad problems, insecurity was nonetheless a problem, especially in the case of groups that were vulnerable as a whole. For instance, in the Hazara community of Mazar, the young men had formed themselves into a local militia and were patrolling the area because incidents against residents were reported regularly.

Local policing is poorly provided at the neighbourhood level. When arrests are made the system of law and order fails to prosecute or impose sanctions. For example, three respondents complained that those arrested by the police had been freed after paying a bribe. It is unclear whether these accounts reflected a general dissatisfaction with institutions of public security, or whether they were confined to specific incidents. However, a number of respondents expressed fear of their children being abducted, whether for ransom, child labour, prostitution or organ transplantation. Two of those interviewed claimed that they personally knew of cases where children had disappeared and later been found mutilated. A woman telling her story in a community centre in Kabul's east district said:

*Our children go to school, but we don't feel secure here because recently some children got kidnapped. Residents of this area managed to arrest the three kidnapers and informed the security people, but after a couple of days the men were released. They probably bribed the security personnel. The residents eventually decided to capture them again and killed them.*

While it is difficult to validate these claims, kidnapping is a source of wide anxiety that has been reported in other studies as well.<sup>56</sup> Moreover, it was a concern for respondents in all three cities studied. Those who raised this issue emphasised that short distances to schools were important to decrease the risk. In addition, long distances travelled by children mean they have to cross main roads, exacerbating not only their vulnerability to drive-by abductions but also physical danger from traffic accidents.

Indeed, another crucial urban management issue is the increasing density of traffic, particularly in Kabul. In a recent study on youth vulnerability, children mentioned that their greatest fear was to be run over by a car. Pollution (mainly from car and truck emissions) is an additional health risk factor that has to be countered by developing and implementing effective regulative frameworks and standards. This will require coordination with the Ministry of Public Works and ideally, given the problem of unemployment in the city, should be pursued in the context of labour intensive strategies. However, public transportation in Kabul and Herat (to a lesser extent also in Mazar) received a positive response from residents in terms of reliability and affordability. This included provision both through public transportation systems and informal private transport networks.

<sup>56</sup> See, for example, Human Rights Research and Advocacy Consortium (HRRAC). *Take the Guns Away*. Kabul: HRRAC. September 2004.

Working towards sustainability also requires taking limited energy resources into account, a significant challenge in Afghan cities that cannot be avoided. Poor electricity means those who can afford it use their own generators. Not only are fuel resources for generators limited but the practice leads to a dependency on global markets. In the case of low-income households where generators are not an option, winter vulnerability to the cold stands to remove sources of wood and other local options for fuel for heating.<sup>57</sup> These issues are important in illustrating that the dangers inherent in the urban environment in Afghanistan relate not only to the legacy of war but the hazards of reconstruction.



Photo — Daniel Esser

### 4.3 Planning and managing Afghanistan's urban future

The most critical challenge facing the urban sector in Afghanistan is to update current approaches to urban planning and management. In effect this means giving up the commonly held commitment both to existing master plans and the professional practice of master planning. There is a widely held view among urban professionals in Afghanistan of planning as design. There is a need to extend the imagination of planners towards thinking about strategic urban development, as well as responsive management that can engage with changes at the city level. This in turn entails a more collaborative and communicative approach to planning and management, both at the city and sub-city levels.

Clearly this constitutes a challenge, as many current urban planners are wedded to existing and familiar approaches and practices. Further, there are few young professionals coming into the system who have capacity in new methodologies, systems and equipment. Yet Afghanistan is blessed with a wealth of well-trained Afghan returnees who represent an opportunity for the modernisation of urban planning, management and practice. As one advisor put it:

*We should hire more exile Afghans with 20 years of international experience in Germany, Pakistan or France and pay for English interpreters if necessary, rather than have more international staff who do not necessarily understand our culture and who don't speak our languages.*

The impatience with central and master planning preferences on the part of some expatriate donors and advisors has not been helpful, as changes take time and effort and occur only once new ways of doing things are internalised and owned.

A public sector reform process has begun through the creation of an Independent

<sup>57</sup> See Grace, J. *100 Households in Kabul: A Study of Winter Vulnerability*. Kabul: Afghanistan Research and Evaluation Unit. August 2003.

Administrative Reform and Civil Service Commission funded by the Open Society Institute. At present it is at the stage of conducting research, with research units in Kabul and the field areas (which include the provinces Herat, Balkh and Nangarhar) and is targeted at provincial governments. Ultimately the process will be extended to other levels of government. As one of the researchers explained, capacity building is the main goal but if this is not successful then at least organisational change will ensue, despite the fact that it will be a challenge:

*If you cut an old person he will not agree. If you say you are not capable and do not have skills he will be angry. If you cut someone and say we do not want this function they will also complain and stand against us. In the restructuring if you have one person selected the chief will stand against us because we chose in the open system. It will take a very long time – up to ten or fifteen years. It is not a short-term programme.*

Both Afghan and international staff involved in urban policymaking and planning have lamented the fact that the call for capacity building has so far not been met in practice. There is a prevailing and unsustainable reliance on non-Afghan expertise. While this was an appropriate response to immediate post-war reconstruction, the shift from emergency conditions to development now needs to be made, in the recognition that conflict (if not war) is and will remain a part of Afghan life for the foreseeable future. Hence, expatriates need to be replaced or redeployed over time through a process of hiring a higher percentage of returning refugees with the necessary qualifications, supporting at the same time their immersion into the challenges of contemporary urban

Afghanistan, as well as enhancing the capacity of educated Afghans.

In this context, the tendency to rely on short-term training fixes has to give way to a sequenced and more strategic approach to capacity building, which will have to be planned, budgeted for and implemented in the short, medium and longer term. The foundations for this approach exist in the

The shift from emergency conditions to development now needs to be made, in the recognition that conflict (if not war) is and will remain a part of Afghan life for the foreseeable future.

NUP and it is important that the goals and action defined therein are implemented, for example: seminar- and workshop-based capacity building in the short term, a clear commitment to on-the-job training in the context of ongoing programmes and projects in the medium term, and in the longer term, skills development and education through curricula development and support to universities and technical colleges.

Capacity building is ultimately about creating understanding and commitment by gradually devolving responsibility within clearly defined and realisable frameworks. The NUP is an important starting point for the creation of better functioning cities in Afghanistan, but its lack of concreteness and its unclear financial viability leave room for question. There are also institutional issues at stake. Rejuvenation of urban planning and management promises to be difficult because remuneration and working conditions in the public sector are not optimal. While Afghans who remained see government jobs as the employment option of choice, not least because they have found ways of supplementing their income with private development activities in the sector, returnees or younger professionals of calibre are unlikely to be attracted to low paid positions in a fairly moribund public sector. Hence capacity building and institutional restructuring in the urban context is critically linked to strategies towards public sector reform.



## 5. Moving Forward: Addressing the Challenges to Urban Governance



Photo — Daniel Esser

### 5.1 Creating links between state and society

Achieving effective urban management in Afghanistan means balancing and prioritising limited resources against overwhelming needs. This is above all a political process and one that requires attention to urban governance in a context where expectations of and trust in government is at low ebb. Under such circumstances an urgent task is to improve channels of communication between government agencies and agents and organisations of civil society. Traversing various levels of authority are traditional systems of accountability and justice. These also need to be taken into account.

Community organisers interviewed for this study repeatedly underscored the importance of moving from local-level conflict to local-level cooperation. In practice, reported

experiences were mixed. Three key challenges were identified:

- First and foremost, beneficiary identification and coordination with municipal employees were frequently held up or completely stymied by local-level corruption.
- Second, reliance on community mobilisation to supplement or substitute for poor municipal or other government services requires trust among neighbours and long-term commitment to living in an area. Both are in short supply in mobile and insecure post-war urban environments.
- Third, community development in cities needs to be harnessed and coordinated with a diverse landscape of public and private players at multiple levels: ministerial, city, district and



neighbourhood. However, existing mechanisms of interaction lack legitimacy and inclusiveness of all citizens. As such, they are not likely to render desirable results in terms of reducing vulnerability.

Turning things around will involve a gradual process but persistence may well be rewarded. A number of urban residents interviewed for this study expressed understanding over the backlog in service delivery and slow responsiveness to their needs. In fact, only a few shared the opinion offered by a 35-year-old woman in Kabul District 16: "We want the government to help us in every aspect of our life." Most respondents were realistic if pessimistic about the situation in which they found themselves. Said a male respondent in Kabul District 17:

*I can understand that the government doesn't come here. The government doesn't have time to think about this area, because they have to deal with so many things. They need more time. Maybe in the future they will help us, but for now there is peace at least. We have to help ourselves.*

Citizens were also aware of problems at higher levels of governance. For example, a journalism student in Mazar District 7 shared his views about the lack of local-central accountability when he said:

*Our kalantar spoke with the mayor about our problems regarding waste collection, sanitation and hygiene, but the municipality hasn't done anything for this district so far. The central government should replace the mayor, but they cannot do it because there is no central government!*

Nevertheless, the fact that the government is somehow absent in people's lives is something that needs addressing. Indeed this was one of the main themes that emerged from the household-level interviews and many respondents reiterated the need to develop alternative routes for decision making and

mechanisms for implementation. A crucial issue for government, donors and NGOs is how relations between government and the people and among residents themselves can be strengthened.

Not only is there awareness among everyday people about the strengths and weaknesses of government but also a willingness to be engaged in a process of reconstruction that holds some advantage. Building on shared experience and understanding of the constraints of a post-war environment there was evidence of the (re)emergence of a shared identity. Said one Mazar respondent:

*We are all Afghan brothers, so we have to help each other. Here in this neighbourhood we meet regularly in the mosque to solve the problems of the community, and it doesn't matter to which tribe you belong.*

Even though such sentiments might still be rare and often contradicted by ethnic and tribal contestation, they do indicate the potential for the reconciliation necessary to build social cohesion and trust in urban areas. This may be possible particularly in districts with high percentages of newly arrived IDPs, whether permanent rural in-migrants or labour migrants who "commute" between their village and the city.

Similarly, residents were often found to have shared interests but lacked the basic motivation or incentives for collective and reciprocal action. Where this is evident is in areas such as waste collection, local infrastructure improvement, maintaining security and low-cost examples of neighbourhood assistance. There is a tendency for urban policy to rely or build on such examples of reciprocity and self-help. This can erode the scant resources of the poor and it is important that urban policy and planning takes this into account and that in their interventions donors consider ways of encouraging and embellishing the efforts of vulnerable urban dwellers. On the part of

government agencies and particularly municipalities, it is important that processes and mechanisms are established through which citizens are given the opportunity to express their concerns, learn through experience and where the municipality can demonstrate it has taken their priorities seriously. Incentives need to be put in place that encourage both community-level and municipal entities to cooperate, for example through processes of “co-production”<sup>58</sup> in the context of targeted or area-based local development and through means that reduce the potential for political interference.<sup>59</sup>

Micro-level mobilisation and collective action were the main goals of the UN-Habitat-funded community development councils (CDCs). These were first established in Mazar-i-Sharif in 1995. UN-Habitat subsequently withdrew from their management, which now falls under the National Solidarity Programme (NSP) coordinated by the Ministry of Rural Rehabilitation and Development. Different organisations are responsible for the oversight of different regions and Afghan-led community fora (CF) maintain the local and micro-level structures. The extension of the CDC model to rural areas has left experience in the cities somewhat patchy. For example, CDCs are still quite strong in Mazar-i-Sharif where they originated but are less robust in Herat. Local community centres still function in accordance with basic democratic principles, including gender equality, elections and fair representation. As such, they offer an alternative vehicle for those such as women and youth who are less able to work through the *shuras*. However, tight resources and unskilled or inexperienced management have meant that these councils are less involved in community mobilisation and advocacy and more focused on practical activities. Depending on the area these might include

sewing circles or educational activities such as English lessons or computer classes.

The fora enjoy widespread acceptance within many neighbourhoods, despite occasional attempts by local leaders to discredit them through allegations as to their prudence or honesty or through clandestine interventions with local authorities. One CF worker in Mazar explained:

*We have a big problem with the local government. Commanders and gunmen do not like us. The governor is also not supportive of our communities because he thinks we take power from him, and the commanders interfere with the CFs through the mullahs, who say people in the CFs are Christians. This is ridiculous, because we are all Muslims! Fortunately the central government is supportive of us, and we work with the Ministries of Women, Labour and Social Affairs, and Education. We are important to them because more than 3,000 students study in CFs in Mazar. Once the local education department wanted to close down all the CFs, so we had to get a letter from the ministry in Kabul to stop them.*

For the CDC model to grow and evolve it clearly needs sound management and sustained funding that includes organisational and operational costs. This in turn is contingent to a degree upon the local political environment in which CDCs are immersed. As illustrated by the statement above, urban–national links can help ease the pressure under which local civil society organisations are operating. The CDC model is by no means the only one. NGOs are working with communities and community organisations in a variety of ways. However, similar problems to those reported in relation to CFs were found across a number of other NGO

<sup>58</sup> Ostrom (1996) describes co-production as a system in which state and society members cooperate around a task or project, according to what they can offer and what each does best.

<sup>59</sup> A bilateral donor is currently involved in building capacity for elected representatives that link up with the *shuras*. However, *kalantars* and *wakils* are still the major communication point for municipal employees, and processes of prioritisation and allocation remain vulnerable to manipulation.

initiatives. In Kabul, for example, implementing agencies reported problems with sustainability and scaling up due to high staff turnover. Organisation-wide capacity building and training at all levels of urban governance thus becomes crucial.

Developing engaged urban citizenship in Afghanistan is not merely a theoretical aspiration but an urgent task. Achieving it depends on strengthening the visibility of the view from below in terms of informing government and fostering grassroots level mobilisation and understanding of the strategic imperatives of urban development, not only in individual neighbourhoods but at a citywide level as well. As evidenced by the interviews, urban residents in Afghanistan would warmly welcome efforts in this direction and demonstrate encouraging scope for institutionalising local-level cooperation.

## 5.2 Creating links between actors involved in urban management and governance

The future of Afghanistan's cities does not lie with urban citizens and municipalities alone. Inter-governmental relations are equally important. In an international context where the trend is towards promoting greater decentralisation, the thrust in Afghanistan is towards centralisation. This is part and parcel of the nation-building project and efforts to strengthen the authority and reach of government in Kabul. A tug in the opposite direction, what above has been called *de facto* decentralisation, comes from local power brokers, commanders and forces seeking to maintain or extend regional power and resources. Among urban citizens there was considerable sympathy for a strong Afghanistan but a pragmatic acceptance that their own fates were often sealed at provincial or municipal level rather than by decisions made in the capital.

Among officials and bureaucrats there was a strong understanding of *de jure* workings between central, provincial and local

government departments as well as some of the confusions and overlaps leading to inefficiencies in inter-governmental relations. An important forward trajectory in order to reduce these, as well as to strengthen the coordinating role of the centre, must involve increasing municipal and ministerial capacity at sub-national levels, in terms of both resources and skills. This is necessary if the views, insights and demands of citizens are ever to be taken seriously at different levels of government and for citizens to become appreciated and cooperative partners in urban development.

Improved communication and coordination need also to include actors in international organisations, whether donor agencies or NGOs. Comparative perspectives and experiences from other international contexts are absolutely critical in helping Afghans decide on processes and priorities for themselves. However, how they are used and shared is equally important. To date, structures and mechanisms for linking the wealth of locally generated knowledge, information and experience with knowledge at the policymaking level are underdeveloped.

Immediate efforts are needed towards greater communication and cooperation between different government agencies, different tiers of government, between the centre and the regions, and between Afghan and international actors and organisations involved in urban development. This must be seen as a prerequisite for increasing the leverage of limited funds. Actionable recommendations for improvement in this key area of urban governance are provided in the next section.

While these are worthy goals that require relentless pursuit, it is also important to recognise the immediate reality of urban governance in Afghanistan and to work with it creatively, identifying the room for manoeuvre within it to address issues of urban vulnerability. There is a blindingly obvious need for urban development deriving from urbanisation and the legacy of war. However, it is also the case that the current

political context demands immediate and visible development projects. Both the government in Kabul and international donors need to demonstrate with some urgency investment on the ground. Both the peace and the nation-building project depends on the effective roll out of the National Priority Programmes.

There is a huge temptation under such circumstances to skip the early stages of programme management in order to see fast results, to implement from above without attention to what is going on below, or even to the side. In Afghanistan this may well be reinforced by the involvement of planners in military structures in the urban sector. Well meaning though they might be, their approach is one that is concerned with ends rather than means. This could have long-term implications for urban governance and the sustainability of the urban development, as well as on approaches to urban management and governance that become entrenched. It is important that the rigidity of master planning is not simply replaced with other kinds of rigidity in cities that are in a state of social, economic and institutional flux and where iterative approaches are most appropriate. As one urban professional put it: "There is no end state in the urban sector, it is all process and the end state constantly changes."

### 5.3 Recommendations

Some recommendations apply across the board while other strategies are particularly urgent in respect to each of the three cities studied. This section begins, therefore, by identifying challenges and possible responses that are especially urgent for each of the study cities, before providing an overview of immediate measures, intermediate approaches and forward-looking strategies for the urban sector as a whole.

#### 5.3.1 City-specific priorities

In **Kabul**, a first priority is security of tenure. While the issues discussed here hold for the other cities as well, the situation is particularly urgent in the capital. The issue of sequencing activities is important here. It is not necessary or even possible to hold off on engaging with informal land markets and systems of land titling until a formal titling process has taken place. If efforts are underway or can be started in the meantime, a process of ex post facto harmonisation can take place. A second priority for Kabul is to clarify the relationship between Kabul Municipality and the MUDH and to enhance communication and coordination between them.

In **Mazar** large sections of the city are not connected to water and sewerage systems and rely on private generators. In addition, employment generation is critical in a context where a vast number of citizens are unemployed and where the city is a potential source of alternative jobs than those to be found working with or cultivating opium poppies. Again, the imperative of local economic development and employment creation is not confined to Mazar but was particularly evident in that small city where alternative livelihoods were either scarce or difficult. Institutional and budgetary relationships between provincial and central government and between the province and the municipality merit particular scrutiny in Mazar, where residents are being penalised by poor performance in relation to the city. This is both on the part of the central government that has been unable to coordinate or control the activities of factional leaders acting in and on the city and on the part of provincial and municipal government themselves. Incentives for improved urban management and governance could be created in provincial cities in particular, through an "urbanisation" of the NSP.<sup>60</sup> It

<sup>60</sup> The NSP's main goal is to circumvent rural strongmen and to link local communities with the central government so that policy leverage is increased while simultaneously supporting local development; see, for example, Boesen, op cit.



may be worth considering this further in relation to expanding the breadth of concern in the MUDH.

The situation in Herat warrants a critical look at the dominance of privatised (re)construction and the liberal ideology guiding the development process. Cushioning these practices with programs facilitating social inclusion appears expedient, in conjunction with affordable housing initiatives that ensure that less affluent and connected residents can still live and work in the city centre. However, the single most important measure in Herat is undoubtedly the creation of a local civil society that provides a forum for voicing dissent and that includes social, political and ethnic diversity.

### 5.3.2 Immediate measures, intermediate approaches and forward-looking strategies

Certain common themes evolved across or relevant to all three cities that are best dealt with by coordinated, complementary action. The following lays out some key parameters for programming and implementation.

#### *Immediate Measures*

- Work with and build on existing master planning skills (but not the master plan), for example, knowledge of regulations, roles and responsibilities, while at the same time encouraging risk-taking behaviour. For example, this could involve working to service and secure unplanned areas.
- Work towards updating practice and creating experience through existing area-based development programmes such as the Kabul Urban Reconstruction Programme (KURP).
- Promote educational visits to other countries and demonstration projects, particularly in the region.
- Work towards immediate security of tenure for vulnerable urban dwellers at the micro-level and in the context of projects, alongside larger land titling exercises.
- Conduct issue-based workshops bringing together government employees (both municipalities and ministries), private sector, NGOs and CSOs with a view of identifying the contribution of different actors to urban partnerships.
- Conduct capacity-building workshops on citywide imperatives in urban development and management for actors less experienced in the urban sector.
- Create commitment to the NUP among all urban sector actors through facilitated discussion, workshops and application to real-life problems in Afghanistan so that ownership, communication and coordination are promoted.
- Set in place organisational mechanisms for involving local representatives alongside government officials in decision-making processes that involve them. This should ideally involve intermediary organisations with access and reach and be backed with resources and concrete activities.
- Ensure staff within the MUDH and municipalities are aware of the work of the Independent Administrative Reform and Civil Service Commission and its implications so that there are opportunities to respond.
- Build on public awareness of corruption as an important cause of inefficiency and poor delivery by setting up an urban monitoring group that can help tackle the issues through exposure (e.g. media expertise), community-level tracking (e.g. a report card system) and enforcement.
- Work to avoid the worst excesses of politicised funding of infrastructure and services in the urban sector by continuing



to prioritise proper consultation and coordination through a strengthened urban coordination group.

- Extend the work being done on revenue generation and collection through the MoF to include the commissioning of a study on municipal finances.

### *Intermediate Approaches*

- Introduce participatory and collaborative planning as well as more strategic planning approaches through a “learning-by-doing” approach in the context of new project development and implementation, linked to an operationalised NUP.
- Develop skills in working with informality in housing, infrastructure and service provision in the context of integrated area-based development projects such as KURP.
- Begin to harmonise informal security of tenure measures undertaken at the neighbourhood level or in the context of projects with formal land titling exercises.
- Develop integrated area-based projects involving multi-sector partners and with tangible skills development and capability building dimensions.
- Create organisational structures for regular consultation and communication with urban dwellers about local priorities and budgets.
- Strengthen the position of the MUDH so that it can take on a stronger strategic planning and coordinating role. This will require investment in skilled staff, equipment and advisors of an order enjoyed, for example, by the Ministry of Rural Rehabilitation and Development.
- Clarify the role of the MUDH vis-à-vis municipalities, especially in Kabul.
- Assess the growth and effectiveness of the urban monitoring group on corruption

via appraisals and consultation with relevant agencies.

- Implement the NUP through government departments and donor coordination, with clear milestones and performance benchmarks.
- Ensure the implementation of the NUP remains compatible with local priorities particularly as they affect urban vulnerability.
- Encourage local revenue generation activities on the part of municipalities so that fiscal sustainability in the medium term accompanies improved contributions to and a better return ratio of resources from the Mol in Kabul.
- Strengthen the coordinating function of MUDH in parallel with a development programme run from the centre, equivalent to the NSP. The delivery of such a programme through MUDH provincial departments would have the effect of improving vertical inter-governmental relations and create visibility of and trust in the capacity of central government.

### *Forward-Looking Strategies*

- Ensure all urban projects, programmes and plans are harmonised within the context of an operationalised NUP guided by a strategic urban policy framework.
- Integrate on-the-job capability enhancement with curriculum development in Afghan universities and technical colleges focused on urban planning and urban management but where relevant, still located within existing faculties of architecture and/or engineering.
- Introduce and monitor infringements or violation of land titles and security of tenure within an ongoing process of land titling.

- Extend integrated area-based project approaches to citywide development strategies with local authorities coordinating a wider array of urban development partners.
- Strengthen citizens' ability to engage proactively with the NUP and urban planning and management processes, through ongoing support and civic education by intermediary and advocacy NGOs.
- Strengthen and institutionalise structures for regular consultation and communication between government organisations and urban dwellers.
- Streamline MUDH and monitor the effectiveness of new structures through peer reviews and citizen satisfaction surveys.
- Enforce anti-corruption measures through sufficient funding, regular consultation among regulatory and executive agencies and monitoring accountability to citizens.
- Work towards a sustainable resource base for the implementation of the NUP in all provincial centres and ensure institutionalisation of performance improvement mechanisms.
- Extend local revenue generation activities for some enhanced fiscal autonomy on the part of municipalities while ensuring returns to central government and cohesion with national policies through coordination by a streamlined MUDH.

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## Appendix A: Interview Guide for Key Informants

### (1) Priority assessments

Political, economic, and social development issues and challenges as they pertain to urban governance in Afghanistan (current state; political, financial and organisational bottlenecks):

- Security of land tenure and access to land; role of planning
- Employment and income generation
- Sewerage, sanitation and health
- Basic services provision: water, electricity, policing, transportation
- Social inclusion and support networks

(2) Inter- and intra-organisational structures of competence, accountability, cooperation and conflict resolution among and within local (urban) and national-level institutions of government, e.g. municipality-Ministry of Interior; role of MUDH.

(3) Management issues with regard to efficiency of service delivery in the urban realm: coverage, frequency, quality, and responsibility.

(4) Links and leverages between governmental (local, national) and non-governmental institutions (local civil society, international agencies) in the context of urban governance – degree of communication and cooperation in (re)construction, accuracy of needs assessment, extent of joint agenda-setting, accountability relationships and complaint management mechanisms.

(5) Additional issues that the respondent would like to point out or comment on.

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### Lead questions:

- What are the three most urgent issues in [city] that [actor, agency] is responsible for and that you think need to be addressed in the immediate future?
- How are you/they going to address them?
- Can these issues be solved? How? If not, why not? What would be needed to deal with these issues successfully?
- Do you think that [actor, agency], at the current stage and in the future, has
  - [a] enough financial resources
  - [b] enough human resources
  - [c] enough equipment
  - [d] enough political influence?
- To what extent is capacity building taking place? Through which channels and mechanisms is [actor, agency] in touch with residents?
- In which areas is [actor, agency] cooperating with other agencies, organisations, governmental offices, local initiatives? Has this cooperation been satisfying for you so far? What should and can be improved, and how?



## Appendix B: Key Informants Interviewed

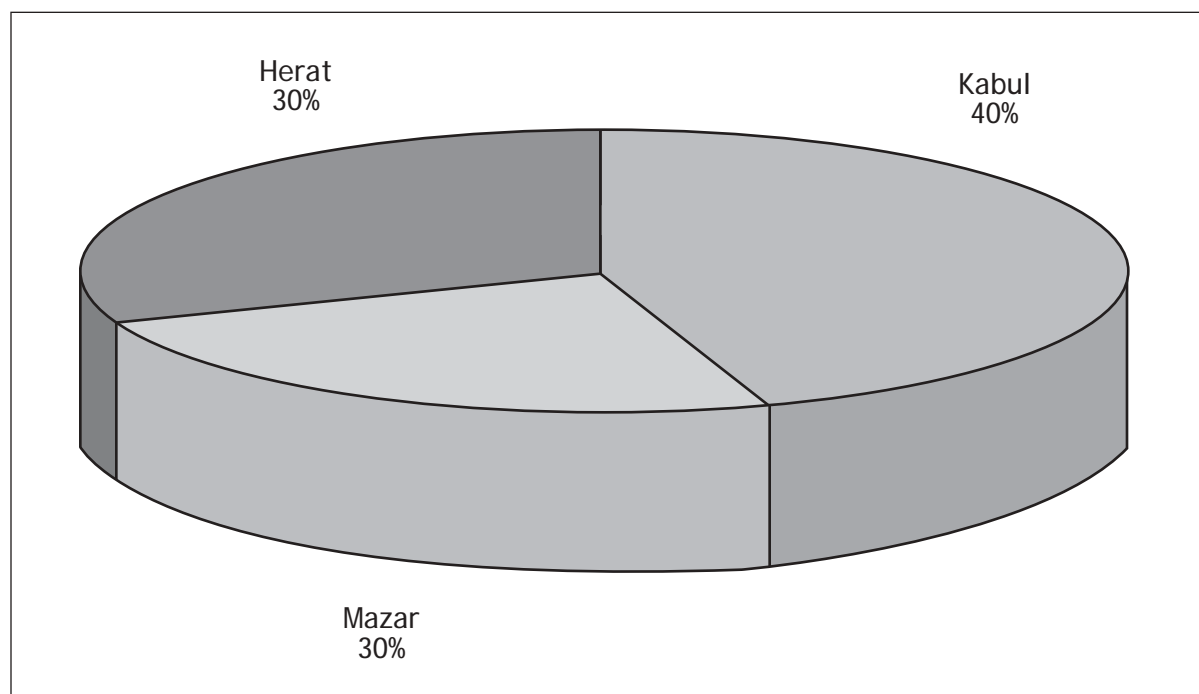
### a) List of key informants

Urban Governance, Urban Management and Vulnerability – List of Key Informants		
Kabul		
<i>Name</i>	<i>Function</i>	<i>Organisation</i>
Dr. Qiamuddin Djallalzada	Deputy Minister	MUDH
Tom Carter	Advisor	
Waheed Sultan	Advisor	
Eng. Assadulhaq Ezmarai	Head of Town Planning Dept.	
Khuja Faizuddin	Head of Housing Dept.	
Wali Mohammad Akseer	Head of Planning Dept.	
Ghulam Sakhi Noorzad (n.a.)	Mayor	Kabul Municipality
Mohammad Ali Niazi	Head of Policy and Coordination	
Dr. Saheb Nazar Muradi	Head of Control of Constructions	
Abdul Basir Farahi	Provincial Court Chairman	SPDRC
Shahm Mahmood Miakhel	Senior Advisor on Policing	MoI
Katherina Lump	Senior Protection Officer, OCM	UNHCR
Soraya Goga	Urban Specialist	World Bank
Robin Rajack	Urban Specialist	
Jason A. Girard	Urban Advisor	USAID
Charles Setchell	Disaster Management Specialist	
Rob Hager	Team Leader Taxation and Municipal Finance	Bearing Point
Pushpa Pathak	Senior Urban Advisor CG Focal Point, MUDH	UN-Habitat
Eng. Mohammad Sharif	National Human Settlement Officer, CG	
M.Y. Safar	Land Management Consultant, CG	
Lalith Lankatilleke	Chief Technical Advisor	
Nick Leader	Advisor	UNAMA
Antonio Giustozzi	Consultant	
Bas Rozemuller	Chief Technical Advisor, SEED	International Labour Organization
Bijay Kumar	Country Director	ActionAid
Jolyon Leslie	Program Manager	Aga Khan Trust for Culture
Anna Soave	Project Leader	
Mir Ahmed Joyenda	Deputy Director, Communications	AREU
Frank Steiner	Project Manager	Beller Consulting
Jalaluddin Ahmed	Country Director	BRAC
Michelle Kendall	Project Manager	CARE
Eng. M. Farid Safi	Program Manager	
Anita Anastasia	Project Manager	GTZ, fr. Mercy Corps
Jennifer Escott	Legal Advisor	NRC

Mazar-i-Sharif		
<i>Name</i>	<i>Function</i>	<i>Organisation</i>
M. Younus Moqim	Mayor	Mazar Municipality
Eng. Mohammed Malik	Head of Construction Dept.	
Mohammed Sarwar	Head of Planning Dept.	
Faisal	Programme Coordinator	ActionAid
n.n.	Head of Office	Action Contre la Faim
Mr. Amomuddin	Regional Director	Aga Khan Development Network
Eng. Mohammed	Director	AREA
Glenn McKenzie-Frazer	Customs Advisor	Bearing Point
Eng. Islamuddin	Regional Manager	CFDO
M. Jawed	CF Manager District 2	
Mr. Jaffar	CF Manager District 10	
Abdul Rahman Rasikh	Commissioner	Civil Service Reform Commission
Volker Huefing	Head of Projects	GAA
Martin Guth	Construction Project Coordinator	
Martin Ocaga	Head of Office	IOM
Simon Russell	Head of Office	NRC
Col. John Henderson	Head of PRT	PRT
Mr Aziz, Mr Mariam	Project Leaders	Save the Children UK
Michele Lipner	Regional Head	UNAMA
Eng. Zia Radyar	Provincial Manager	UN-Habitat
Anne Campbell	Head of Office	UNHCR
Dr. Miwas	Project Coordinator	
Mr. Osman	Project Coordinator	
Nisa, Rasia, Obtal	Field workers (focus group)	
Siria Maniam	Head of Office	UNOPS
Herat		
<i>Name</i>	<i>Function</i>	<i>Organisation</i>
Alhaj M. Rafiq Mujadidi	Mayor	Herat Municipality
M. Haqiq	Regional Programme Manager	AIHRC
Steve McKennan	Taxation specialist	Bearing Point
Mr. Mohiuddin (n.a.)	Programme Manager	BRAC
David Boyes	Project Coordinator	Catholic Relief Services
Selwyn Muckath	Project Leader	
Jawed Ganji	Head administrator	DACAAR
H. Brommer	Head of Mission	Diplomatic mission of Germany in Herat
Franz-Xaver Vogl	Head of Police Reconstruction project	

Peggy Sieller	Head of Office	IOM
Abdul Khaliq Stanikzai	Regional Manager	Sanayee Development Foundation
Tim Williams	Project Coordinator	
Abu Diek	Head of Office	UNAMA
Sayed Sadullah Wahab	Provincial Manager	UN-Habitat
Claire Bourgeois	Head of Office	UNHCR
Maurizio Molina	Associate Repatriation Officer	
Elizabeth Cossor	Consultant	
Baba Danbappa	Resident Programme Officer	UNICEF
Altaf Hussain Joya	Regional Coordinator	UNODC
Graham Livingston (n.a.)	Head of Office	UNOPS
Anne Bodine	Head of Mission (Herat)	USAID/PRT
Andrés González	Head of Office	War Child Netherlands
Chris Mastaglio	Project Leader	
Gabriele Chrupala	Head of Office	World Vision International
Mr. Shafiq	Director of Operations	

b) Distribution of key informant interviews



## Appendix C: Interview Guide for Household-Level Informants

*This research is part of a study of a policy-oriented research organisation (AREU) through which we try to understand the concerns and problems of people living in Afghan cities. While we are not going to provide any direct assistance to you as a result of this study, we will inform the municipality and the ministries about our findings. We hope that they, together with international agencies, will follow up on our recommendations. The interview comprises five areas and will take about 45 minutes of your time.*

*We would like you to tell us your story with regard to five topic areas and focus on those issues that are of greatest importance to you. We can assure you that we are not going to pass on any names nor disclose anyone's identity. No data on a single identifiable household will be passed on; apart from exemplary responses (quotes) we are only going to pass on aggregated data. We encourage you to answer our questions as accurately as possible, tell us when you want us to repeat or rephrase a question, and share with us any additional concerns you might have.*

### (0) Observation during the interview

- Number, size and equipment of room(s)
- Number of people in the room; what are their relationships?
- General state of facilities, hygiene/cleanliness, running water, electricity

### (1) Access to land / shelter

*Please tell us what it is like to live in this neighbourhood, why you moved here, where you lived before, and whether you intend to stay here.*

Areas that we want to cover:

1. Since **when** do you live here?
2. Where are you from **originally** (location/age; rural or urban)?
3. How many times have you **moved**/been moved and why?
4. How did you decide to live here? Do you know what **type of land** this area is (e.g. government land, municipality land or private)?
5. Have you **built** the house yourself, **bought** it (do you have a title deed?), **maintain** it for exile relatives, **rent** it, or **teamed up** with others (whom?) to afford the rent?
6. How much on your monthly income do you **spend** on housing? How has this **changed** throughout the last two years?
7. Have you heard of people in this neighbourhood who had to **move away**? Do you know **why**? Do you think you will be allowed to stay here? Do you have to pay anyone or any agency in order to be able/allowed to stay here? If you think you will not stay here, where do you **plan to go**, and why?

### (2) Social networks and collective action

*Please give us an idea of who you are in touch with regularly and who you can rely on for help and support. Are you making decisions together with other people, and are you then trying to act collectively as a group to make your voice heard?*

Areas that we want to cover:

8. Do you know your **neighbours**? Do you talk to them regularly? If not, why? Who do you **talk to** on a day-to-day basis?

9. Do you consider yourself part of a **group** or a community that you can rely on if you need **support or help**? What makes you rely on or trust the other people?  
→ family, ethnic, neighbourhood, same work or skill, other?
10. Who do you turn to if there is a **problem** that concerns not only the people in this house but also your neighbours (e.g. waste piles up, sewage is not working, no electricity)?
11. Would you **team up with others** to address these issues? If yes, with whom would you team up? Why? If no, why? Have you actually teamed up with others to solve problems? Which problems were you trying to solve? Have you solved them? How? If not, why couldn't you solve them?

### (3) Livelihoods

*Could you now please explain to us how you afford your expenditures, and who in this house is contributing to your income?*

Areas that we want to cover:

12. Which **skills / formal training** do you have?
13. How does this household currently generate its **income**? Has this **changed** during the past two years?
14. Do you consider your income source **sustainable**? If yes, why? If no, why?
15. If you could, what type of work you like to perform? What **prevents** you from performing this work now?
16. Who else is currently **contributing** to your income?
17. Who in this house (this family) is **working**, and who isn't? What **type of work** are those who are working performing? Why are the others not working –  
→ e.g. no demand for skill, disability, not allowed, child care, other?

### (4) Service delivery

*Now we would like to know which services you receive, and under which conditions you receive them. Do you have to pay for them? And do you feel secure in this neighbourhood?*

Areas that we want to cover:

18. How often is **waste** collected in this street? Is this happening regularly? Is it sufficient, or is some of it left over? How often would it have to be collected to be sufficient? Is anyone asking you to pay for waste collection?
19. How many people are using the same **sanitation** facilities? Have you experienced problems with these facilities? If yes, which problems? What have you done about it?
20. Do you have access to running **water**? Since when? Who arranged it? Are you paying for it? How much? Did you have to pay someone to get it?
21. Do you have **electricity**? In all rooms? How did you get electricity? Are you paying for it? How much? Did you have to pay someone to get it?
22. Do you have **heat** during the winter? How did you obtain it? Are you paying for it? How much are you paying?
23. Do the children go to **school**? Where is the school? How do they get there? Are you paying for the school? How much are you paying? If they are not going to school – why?
24. When you need to see a **doctor** or go to the **hospital**, is this possible? Do you have to pay for these services? Whom do you have to pay? If you do not have access to a doctor and/or a hospital, why?
25. Do you **feel secure** in this neighbourhood? If no, why are you feeling insecure? Has there been any violent incident in this neighborhood? What happened? Has there been any response or investigation by the authorities?
26. Is **public transport** within reach? Are you using it? If yes, do you have any suggestions



how to improve it? If no, why are you not using it? What would have to happen so you would/could use it?

(5) Representation, accountability, complaint management and improvement

*We would also like to understand whether you can get in touch with people from the district or the government, and whether anyone is representing you and your interests. Who has been helpful to you in the context of your housing, income and service situation?*

Areas that we want to cover:

27. Is anyone/any agency or public body **formally representing** you? Do you have a **shura**?
28. Is anyone/any agency or public body **informally representing** you? In which setting does this happen?
29. Do you feel **fairly represented**? If not, why? When would you feel properly represented?
30. Have you ever **contacted the municipality** in case of a problem (e.g. waste piles up, sewage is not working, no electricity)? Have they listened to you? Could you contact them? If not, why not?
31. Which (other) officials, agencies, individuals have been **useful** to you and how?
32. Which officials, agencies and individuals have **not** been useful and why?
33. Do you have to **pay** in order to obtain support from officials, agencies, and individuals? Has the amount **changed** over the last couple of months?

– Priority assessment

*Finally, we would like to know which of the following issues is most important to you. What is the problem that should be solved first or the service that is absolutely crucial for you, and why? What comes next? Please help us prioritise these issues from your perspective, and add anything that is equally or even more important to you.*

34. Which of the following factors is most important to you in order to feel at ease (not worried) – and why? Can you rank these issues?
  - Security of tenure (having a secure place to stay)
  - Stable source of income (earning enough to live without anxiety)
  - Receiving public services (such as schooling, access to health services, electricity, water, waste collection)
  - Being represented, listened and responded to
  - Physical protection against violence and harassment
  - Other: (please specify!)

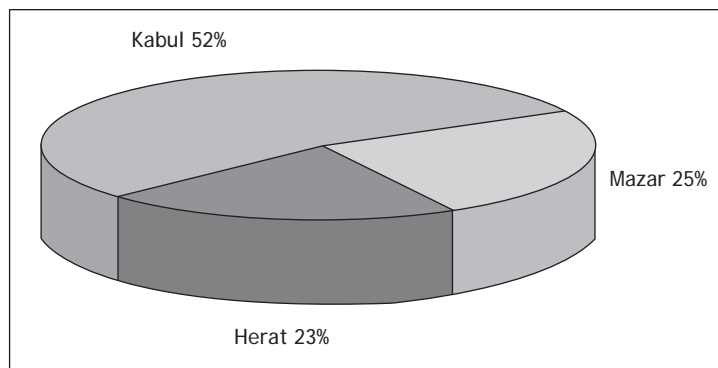
– Additional information

*Is there anything else that you would like to address regarding your housing situation, contacts and people who can help you, your income and expenditures, the services you receive or don't receive, or your relationship with the authorities? What is it, and why is it important to you?*

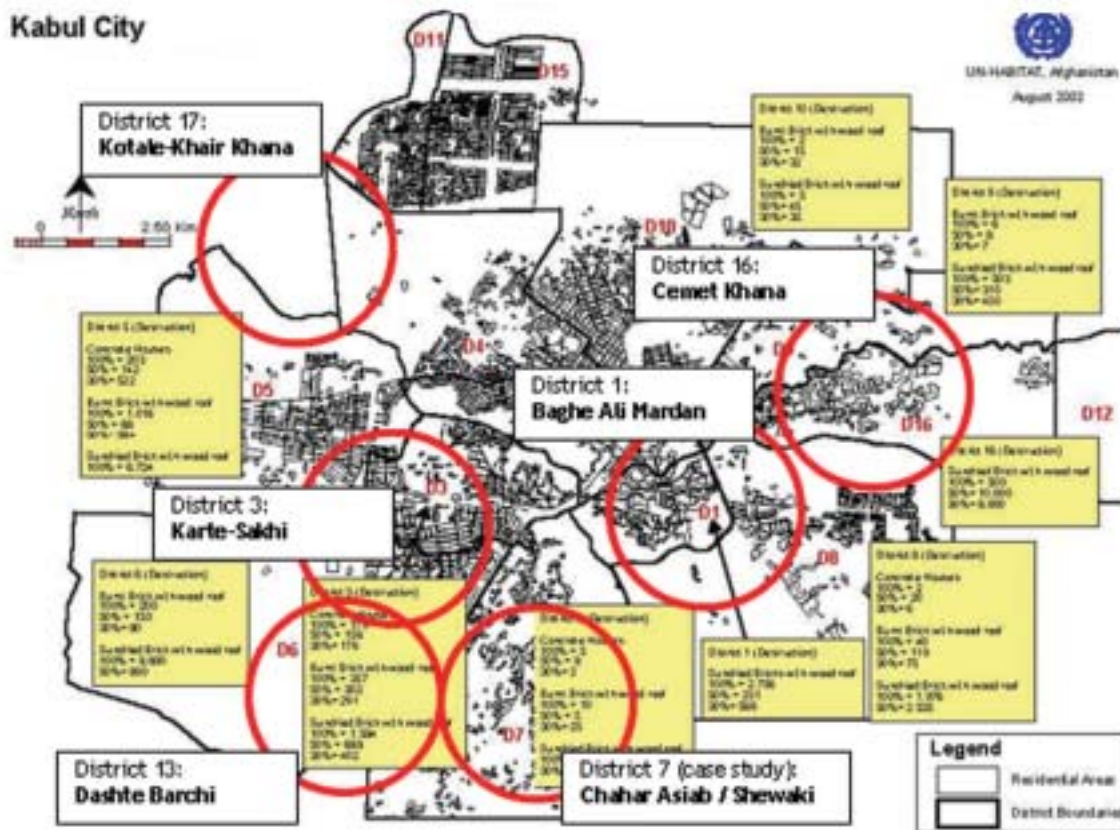
## Appendix D: Distribution and Location of Household-Level Interviews

### a) Distribution of Household-Level interviews

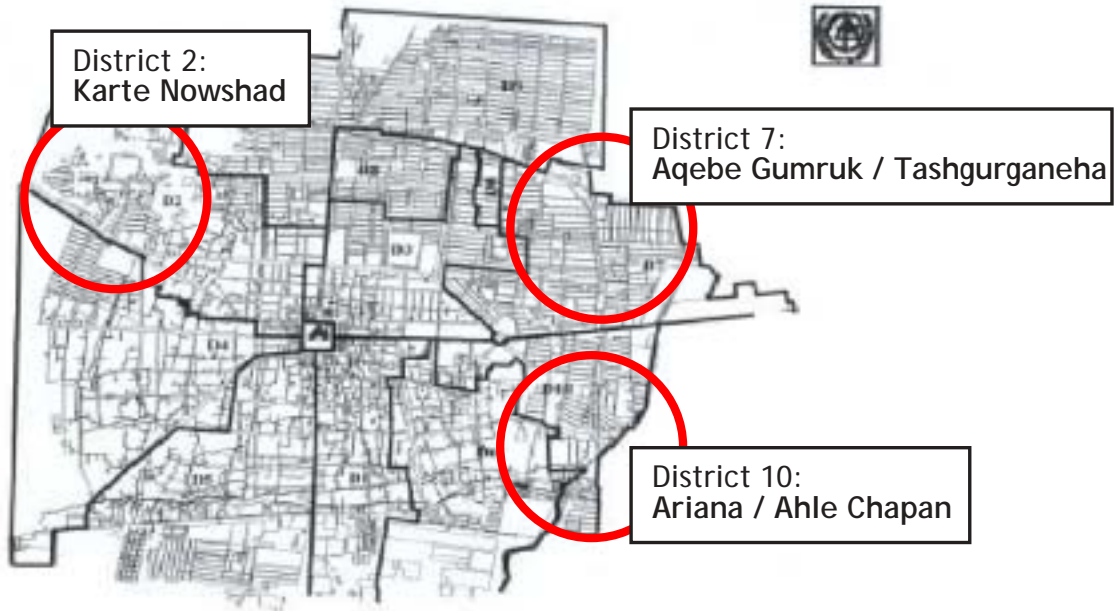
City	Districts				Total
Kabul	D1 (11)	D3, D13 (7)	D16 (11)	D17 (9)	38
Mazar-i-Sharif	D2 (5)	D7 (4)	D10 (4)		13
Herat	D6 (5)	D7 (2)	D9 (5)		12



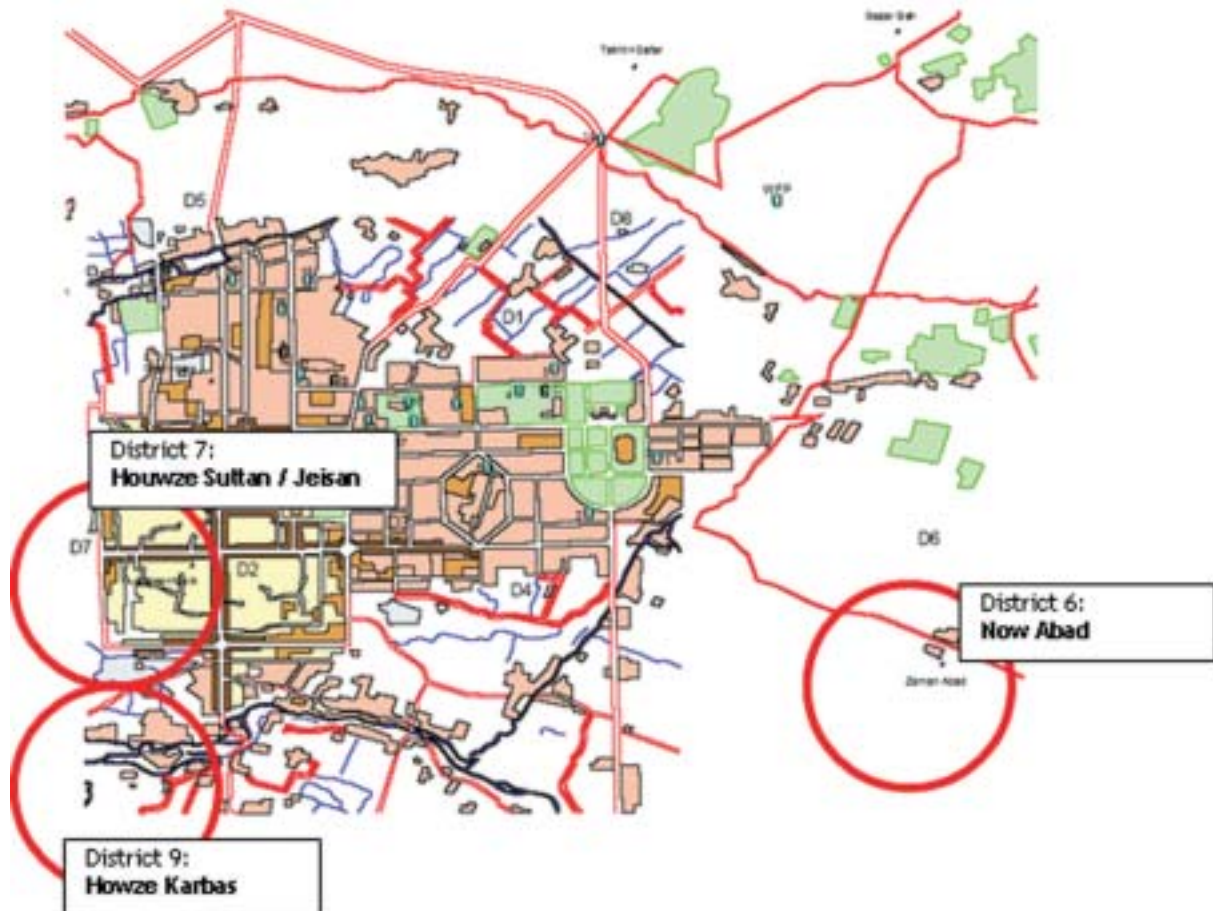
### b.1) Location of Household-Level Interviews in Kabul (map courtesy of UN-Habitat)



b.2) Location of Household-Level Interviews in Mazar-i-Sharif (map courtesy of UN-Habitat)



b.3) Location of Household-Level Interviews in Herat (map courtesy of AIMS Kabul)



## Abbreviations and Acronyms

ACF	Action Contre la Faim
AREU	Afghanistan Research and Evaluation Unit
CAWSS	Central Authority for Water Supply and Sewerage
CDC	community development council
CF	community forum
CSO	civil society organisation
HPD/HPCC	Housing and Property Directorate and Claims Commission (Kosovo)
IDPs	internally displaced persons
IOM	International Organization for Migration
KURP	Kabul Urban Rehabilitation Programme
LPU	Land and Property Unit (Timor-Leste)
MoF	Ministry of Finance
MoI	Ministry of Interior
MoT	Ministry of Transportation
MUDH	Ministry of Urban Development and Housing
NGO	non-governmental organisation
NRC	Norwegian Refugee Council
NSP	National Solidarity Programme
NUP	National Urban Programme
UMCG	Urban Management Consultative Group
UNAMA	United Nations Assistance Mission in Afghanistan
UNDESA	United Nations Department of Economic and Social Affairs
UNDP	United Nations Development Program
UNHCR	United Nations High Commissioner for Refugees
USAID	United States Agency for International Development



**Afghanistan Research  
and Evaluation Unit**

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Charahi Ansari  
(opposite the Insaf Hotel and Popolano's Restaurant)  
Shahr-e-Naw, Kabul, Afghanistan  
Phone: +93 (0) 70 276-637  
E-mail: [areu@areu.org.af](mailto:areu@areu.org.af) Web: [www.areu.org.af](http://www.areu.org.af)