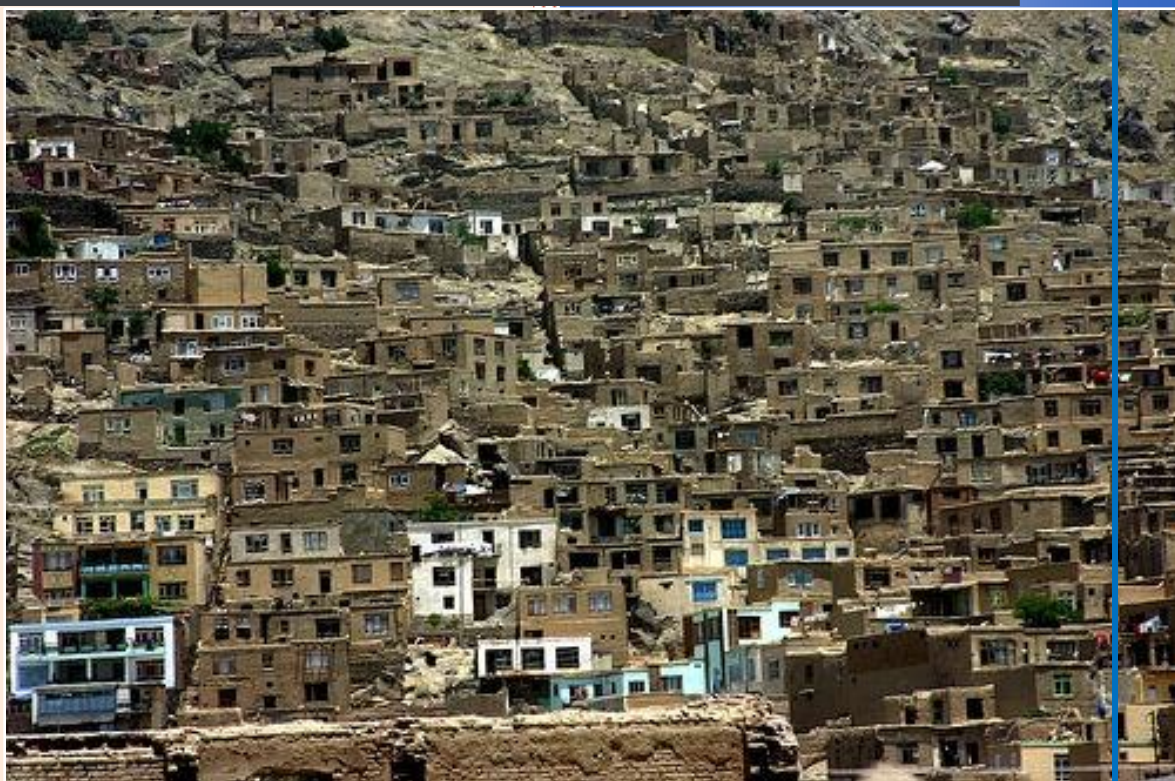




2012

Final Report



Anti-Corruption
Afghanistan

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Disclaimer

The views expressed in this publication are those of the author and do not necessarily represent those of the United Nations, including UNDP, or their Member States.

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Afghanistan by the Numbers

Transparency International Corruption Perception Index Rating	180th of 183
Economist Intelligence Unit Democracy Index	135th of 167
Reporters Without Borders Index	150th of 179
Save the Children State of the World's Mothers Report	164th of 165
Social Watch Gender Equity Index	154th of 154
UNDP Human Development Education Index	172nd of 187
World Bank Doing Business Survey Rating	160th of 183
Worldwide Governance Indicators	210th of 213
Standard & Poor's Government Bond Rating	Not Rated
Moody's Government Bond Rating	Not Rated
WSJ/Heritage Foundation Economic Freedom Index	Not ranked in 179 countries
World Economic Forum Global Competitiveness Report ...	Not ranked in 144 countries

Minority Rights Group International (MRG) Ranks Afghanistan as the worst country in the world ahead of only Sudan, Iraq, and Somalia.

Executive Summary

A recent survey by Integrity Watch Afghanistan stated, “There is absolutely no trust between the people and the government, and accordingly, the citizens do not believe in the anti-corruption efforts of the government¹.” Similarly, a secret NATO report entitled “State of the Taliban--2012” recently reported “Afghan civilians frequently prefer Taliban governance over the Afghan government, usually as a result of government corruption.” Consequently, the future of successful anti-corruption initiatives in Afghanistan is in community-led, non-governmental initiatives. After the 2014 withdrawal of international forces, the sphere of influence wielded by the central government will certainly diminish. It is conceivable that the government will only control select regions of the country. Other, more rural areas, may be tacitly ceded to the Taliban. To be successful with these political uncertainties requires that future anti-corruption initiatives in Afghanistan be two-pronged: one focused on developing a comprehensive framework within the central government; and, a second, equally robust one, focused on community-led, sub-national programs that are not affiliated with the government. The purpose of this report is to summarize an anti-corruption initiative focused on the central government that will be successful in diminishing corruption and increasing public services. The long-term success of the Afghan government is predicated upon severely reducing administrative corruption. To realize that objective, this initiative must be administered simultaneously with a community-led anti-corruption initiative.

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Acronyms

ACU:	Anti-Corruption Unit
AGO:	Attorney General's Office
CAO:	Control and Audit Office
FinTRACA:	Financial Transaction and Reports Analysis Center of Afghanistan
GoIRA:	Government of the Islamic Republic of Afghanistan
HOO:	High Office of Oversight & Anti-Corruption
IARCSC:	Independent Administrative Reform and Civil Service Commission
IHRC:	Afghanistan Independent Human Rights Commission
IWA:	Integrity Watch Afghanistan
JJAARAC:	Parliamentary Commission on Judicial and Justice Affairs, Administrative Reform and Anti-corruption (JJAARAC Commission)
MCTF:	Major Crimes Task Force
MEC:	Independent Joint Monitoring and Evaluation Committee
NACS:	National Anti-Corruption Strategy
NATO:	North Atlantic Treaty Organization
NDS:	National Directorate of Security
NGO'S:	Non-governmental organizations
OAA:	Office for Administrative Affairs
UNCAC:	United Nations Convention against Corruption
UNDP:	United Nations Development Programme
UNODC:	United Nations Office against Drugs and Corruption

1. Summary of Contracted Activities

During the period of execution the Senior Policy Advisor (Anti-Corruption) successfully completed three primary objectives.

- First, the Senior Policy Advisor provided the High Office of Oversight & Anti-Corruption (HOO) with expert advice and information on anti-corruption. This was evidenced by three professional papers¹. The first paper, “*Developing a Strategic Implementation Plan for Anti-Corruption;*” was written with Dr. Lodin (head of the HOO) and was presented to the 4th Conference of the States Parties to the United Nations Convention against Corruption in Marrakesh, Morocco. This paper successfully educated the HOO leadership on the elements necessary to develop a world-class anti-corruption agency². The second paper: “*A Primer on Models and Strategies for Anti-Corruption Agencies*” assisted Dr. Lodin and the Senior Minister in understanding the models and strategies different countries have adopted to combat corruption. The objective of this paper was to inspire the GoIRA to adopt a national anti-corruption policy prior to the Tokyo Conference. The third and final paper, “*Anti-Corruption in the Economic Cooperation Organization: A Confluence of Security, Intelligence and Investigation*” was written to assist the HOO in deciding if they wanted to participate in the newly launched ECO Anti-Corruption initiative. While this final paper was somewhat controversial, it was part of the regular policy information provided to HOO senior management.
- Second, the Senior Policy Advisor (working with Deputy Director General, Mr. Khuramji) developed a comprehensive anti-corruption action plan for the HOO to assist the institution in effectively carrying out its mandate of strengthening transparency, reliability and integrity within the government agencies as a component of corruption prevention. This action plan was developed only after the Senior Policy Advisor had conducted a capacity development needs assessment with particular attention on corruption prevention. Consequently, the anti-corruption action plan was briefed to appropriate stakeholders and was approved by UN Representative Michael Keating, UNDP Country Director Manoj Basnyat and the Director General of the HOO.

¹ See Addendum 1

² The HOO translated this paper and published both English and Farsi on its website

- Third, the Senior Policy Advisor developed international and inter-institutional relationships to enhance the effective implementation of anti-corruption initiatives. The inter-institutional relationships were evidenced by the HOO deploying five, ministerial Anti-Corruption Units (ACU) at the Ministry of Mines; Education, Finance, Interior and the Control and Audit Office.

In addition to these primary objectives, the Senior Policy Advisor developed individual leaders within the HOO to ensure the institutionalization of anti-corruption knowledge. For example, the Senior Policy Advisor was able to arrange for a HOO employee to attend (all expense paid) a summer program at the International Anti-Corruption Academy (IACA) in Vienna; and, subsequently, become matriculated in the IACA Masters of Anti-Corruption Studies Program.

Finally, the Senior Policy Advisor provided this report at the request of UNDP Afghanistan Integrity Initiative.

2. Leadership and Anti-Corruption in Afghanistan

2.1. Politics

That the legitimacy of a given government depends upon the support of the people is fundamentally true of all forms of government at all times in historyⁱⁱ. The support of the people is not monolithic but is divided into factions. Successful leaders are those who develop the greatest number of coalitions between these different factions.

Consequently, no political leader (no matter how authoritarian) has absolute control of unbridled power. The power of a political leader ebbs and flows with the strength and size of his coalition. Politicians often develop these coalitions by appointing factional representatives to their administration. Recent examples of this type of coalition building include President Obama's appointment of Hilary Clinton to the position of Secretary of State and Robert Gates' appointment as Secretary of Defense. In Afghanistan, the situation is similar; although a weak national government juxtaposed with strong tribalism means that the factional leaders are more popular within their constituencies than the President. Additionally, there is no real trust in the central government because

there are no properly-functioning civil institutions; therefore, the people look to local leaders to represent their interestsⁱⁱⁱ. In Afghanistan, factional leaders usually represent tribal ethnic groups such as the Pashtun, Tajik, Hazara, Uzbek, Aimak, Turkmen and others. The administration of Hamid Karzai gains its strength from appointment of these factional leaders to high-level government positions: ministers, commissioners, etc.

An administration that is largely comprised of ethnic representatives is at a grave disadvantage when trying to impose uniform anti-corruption standards across the government. If not handled with extreme care, the prosecution of a factional leader can easily be manipulated into the persecution of an ethnic group. This not only weakens the administration but can also undermine the legitimacy of the government itself (if major portions of an ethnic group withdraw (or threaten to withdraw) from the process). The political complexities associated with high-level prosecutions require, therefore, that the evidentiary record be almost irrefutable. Even then, a politically costly battle will ensue. A factional leader, especially a corrupt one, will use all methods at his disposal (ethical and unethical) in order to extricate himself from legal limbo.

If a high-level prosecution is undertaken, the cost of a failure can be tremendous: the possible marginalization of an ethnic minority, erosion in the legitimacy of government, and loss of trust in government institutions. Obviously, the political complexities surrounding high-level prosecutions are fraught with hazards that require adept political acumen. It is a situation that is difficult for even the most seasoned leaders. When confronted with exceptionally difficult decisions, such as sacking a minister who represents an important constituency, leaders often revert to decision avoidance, thus adopting a natural bias for the status quo^{iv}.

Decision avoidance is usually manifest in one of four primary ways: 1) decision deferral; 2) a decision resulting in the status quo; 3) a decision requiring no action; or, 4) action inertia^v. Whether it is for these reason or others, President Karzai has not yet taken action in response to allegations of corruption against several of his ministers and massive

corruption within his government. As a consequence, corruption is not only affecting government services, it is now a strategic threat to national security.

2.2. National Security

In measuring threats against the government, corruption is second only to the threat posed by the Taliban and Haqqani Network^{vi}. Inexplicably, while a kinetic battle is raging against the insurgency, no appreciable action has been recorded in the battle against corruption.

In early 2012, a secret NATO report entitled “State of the Taliban” reported “Afghan civilians frequently prefer Taliban governance over the Afghan government, usually as a result of government corruption^{vii}.” More alarmingly it notes “in the last year there has been unprecedented interest, even from members of the Afghan government, in joining the Taliban cause^{viii}.” Ironically, the report also states that corruption fed by international spending helps fund the insurgency^{ix}.

Similarly, in its 2012 annual survey of the Afghan people, IWA noted “One third of respondents reported [some] form of conflict generated in their town or village due to corruption. This has been the case for land, water, and electricity. The Taliban certainly are aware of the connection, and repeatedly denounce corruption within the state^x.”

So bad is corruption that many Afghans are already bracing themselves for an eventual return of the Taliban^{xi}. The “State of the Taliban” report candidly acknowledges that while the Afghan government continues to declare its willingness to fight, many of its personnel have secretly reached out to insurgents, seeking long-term options in the event of a possible Taliban victory. The Taliban recognize this trend and have formalized their own reconciliation system^{xii}.

Through inaction, the Karzai Administration now finds itself in a Catch-22. Taking action against high-level officials may result in a chain reaction, one that imperils the regime and bolsters the Taliban. On the other hand, the failure to take action is seriously

undermining the legitimacy of the government, which, in turn, supports the Taliban. With this reality, it is obvious why so many Afghans are “bracing themselves for an eventual return of the Taliban^{xiii}.”

With nearly 80% of the general population viewing corruption as a major problem in their lives, the government is quickly becoming the opposition^{xiv}.

With international support the Karzai Administration will likely survive intact to 2014 without taking action against corruption. However, any follow-on government deriving from the current power structures will have serious legitimacy issues. Equally important, international assistance and aid, which is tied to anti-corruption progress through the Tokyo Conference, will be seriously jeopardized by foreign governments whose populations are weary of the war and the corruption.

2.3. Political Will

President Karzai’s failure to respond to serious corruption allegations against several of his ministers and family members is perceived by the general public as a complete lack of political will (at its best) or complicity in the corruption (at its worst). A recent survey by IWA stated “There is absolutely no trust between the people and the government, and accordingly, the citizens do not believe in the anti-corruption efforts of the government. This is the predominant perception that people have about the state^{xv}.” While President Karzai has been strong on rhetoric, no action has been taken affecting the public’s perception. While the President’s inaction may be due to political complexities or action inertia, it is equally as likely that President Karzai’s inaction is the result of a strategic decision to affect regional influence after 2014^{xvi}. Regardless of the motivation, the political will to tackle corruption is being suppressed. Consequently, programs that envision high-level prosecutions or otherwise threaten factional leaders are not realistic.

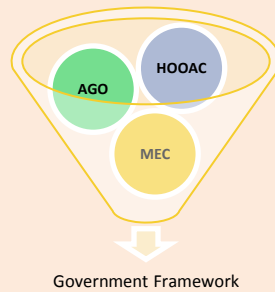
2.4. International Community

Nearly every international donor has taken some action to combat corruption in Afghanistan. However, there has not been a holistic approach to anti-corruption built upon internationally recognized models and strategies. Accordingly, the initiatives have been fragmented and not part of an international strategy, which, in turn, incorporates a national strategy.

Successful investments in Afghanistan anti-corruption initiatives must be well coordinated and must acknowledge political uncertainties. After the 2014 withdrawal of international forces, the sphere of influence wielded by the central government will certainly diminish. It is conceivable that the government will only control select regions of the country. Other, more rural areas, may be tacitly ceded to the Taliban. To be successful with these political uncertainties requires that future anti-corruption initiatives in Afghanistan be two-pronged: one focused on developing a comprehensive framework within the central government³; and, a second, equally robust one, focused on community-led, sub-national programs that are not affiliated with the government (thus enhancing long-term sustainability). By ensuring development within the framework of the central government and community-led initiatives, UNDP will increase the likelihood that professional anti-corruption programs will be sustained despite an uncertain future.

³ Developing a comprehensive framework is not synonymous with law enforcement prosecution.

Developing a Comprehensive Anti-Corruption Framework within the Central Government



3. National Anti-Corruption Policy

The United Nations Convention Against Corruption (UNCAC) requires that each state party ensure the existence of a body or bodies to prevent corruption and to combat corruption through law enforcement^{xvii}. Unfortunately, for developing countries like Afghanistan, there is no uniform model for creating such an anti-corruption body. Consequently, there are no right answers—only a measurement of success or failure. Each country must examine what has worked and what has not worked in the panoply of international anti-corruption agencies. Based upon the various models, each country develops an anti-corruption body which is fitted for its legal, social and political circumstance. There is no “one-size-fits-all” model. A government can imbue one body with all the powers and responsibilities of anti-corruption, including prevention and law enforcement; or it can distribute these powers and responsibilities among several bodies. After discussion and debate, the country will publish a national policy that describes its vision for anti-corruption. Based upon that policy, the country will then develop comprehensive legislation to ensure effective enforcement.

In Afghanistan there is no published national policy on anti-corruption^{xviii}. Consequently, there is uncertainty as to strategy, mission and authority between the different anti-corruption entities. The Office of the President has tried to clear some of this ambiguity through Presidential Decrees. However, these decrees are not comprehensive and they do not answer essential questions necessary for the development of legislation or national policy. Foremost among these questions is what strategy will Afghanistan adopt to combat corruption?

3.1. National Anti-Corruption Strategies

Internationally, there are three primary strategies: 1) *enforcement-led* strategy; 2) *prevention-led* strategy; and 3) *intelligence-led* strategy. Presidential Decrees have not addressed what strategy the country should adopt; therefore, there is no consensus between the different anti-corruption entities. If it is an enforcement-led strategy, should the Attorney General’s Office (AGO) be the lead agency? If it is a prevention-led strategy

should the HOO be the lead agency? A well thought out national policy will address questions of strategy as well as a myriad of other issues that are necessary for the formulation of comprehensive legislation. For example, what is the relationship between the HOO and the Independent Joint Monitoring and Evaluation Committee (MEC)? What are the boundaries between a *probable cause* investigation conducted by the HOO and a criminal investigation conducted by the AGO? Other questions that must be addressed include:

Organizational alignment	Should the HOO be organizationally aligned to the president, the parliament, the judiciary, or completely independent?
Criminal Investigative Powers	Should the HOO have criminal investigative powers (i.e. investigators permanently assigned from the Attorney General or some other arrangement)?
Search Warrants	Should the HOO have the authority to serve judicially authorized search warrants?
Subpoena Powers	Should the HOO or the MEC have subpoena powers?
Powers of Arrest	Should the HOO have the power to arrest government officials?
In Personam Jurisdiction	Should the HOO have authority over private actors involved in corruption (e.g., corporations, individuals, contractors) or just over government officials?
International Individuals and Corporations	Should the HOO have authority to investigate and/or arrest foreigners and foreign corporations involved in corruption?
International Jurisdiction	Should the HOO or the MEC have authority to investigate national companies and individuals involved in corruption outside of the country? (i.e., foreign bribery?)
Asset Recovery	Should the HOO or FinTRAC be engaged in asset recovery?
Civil Asset Forfeiture	Should the HOO or the AGO be engaged in civil asset forfeiture?
Centralized Provincial Enforcement	Should the HOO enforce corruption laws at the provincial level?
Prevention	Should the HOO be engaged in prevention of corruption among private actors (e.g., “private on private” or “private on public”)?
Prevention	Should the HOO be engaged in developing Civil Society Organizations?

While nearly all recognized international anti-corruption experts agree that an *enforcement-led* strategy is most effective in quelling corruption, political realities in Afghanistan gravitate toward the adoption of a *prevention-led* strategy. This is a decision with which the Afghan government must grapple. However, a UNDP initiative to develop a framework for anti-corruption within the central government must incorporate adoption of a national policy to include a national strategy.

4. Concept of the Operation

Goals and Objectives

There are six primary objectives to developing a framework for anti-corruption within the central government.

1. Adoption of a national anti-corruption policy and strategy (that also addresses sub-national elements).
2. Adoption of comprehensive anti-corruption legislation;
3. Adoption of an implementation strategy for the HOO;
4. Creation of an institutional development plan for the HOO;
5. Implementation of the institutional development plan; and
6. Implementation of the requirements and recommendations of the United Nations Convention against Corruption (UNCAC).

Phase I:

The first phase of the operation is the creation and adoption of a national anti-corruption policy and strategy. This necessarily includes creation of a comprehensive sub-national policy and strategy. There are several policy considerations that must be addressed during the formative phase of the initiative. For example, the policy should identify whether the anti-corruption agency reports to the president, the parliament, or the judiciary. The policy should also present a vision for anti-corruption activities at the sub-national level (i.e. provincial and municipal). Additionally, the policy should describe agency responsibilities and include a vision of how different agencies will interact. The strategy, which overarches the various agencies, should identify whether Afghanistan wants to

adopt an *enforcement-led* strategy, a *prevention-led* strategy, or an *intelligence-led* strategy.⁴ These are but a few of the issues that a national policy should address. To ensure success, each phase of the operation must be sequential. To begin Phase II before completion of Phase I is a prescription for failure.

Phase II:

The second phase of the operation is the provision of a legal framework to implement the national policy; that is, the development and implementation of comprehensive anti-corruption legislation. This legislation should include both authorizing legislation, as well as enabling legislation. The legislation should reflect the national policy, and should ensure compliance with UNCAC to which Afghanistan is a signatory state. The international community will provide model legislation based on the policy decisions of the Afghan government; however, the MOJ (Taqnin) and other involved ministries and agencies must take ownership of the law before it can be successfully passed by the Parliament.

Phase III:

The third phase of the operation is the development of an implementation strategy for the HOO. This broad-based strategy will outline the priorities of the HOO in accordance with the national policy and in accordance with its legal authorities. The strategy should incorporate organizational vision; mission and values. Additionally, it should define the approach it will employ to achieve clearly identified goals, objectives, and targets; and how it will allocate its resources to achieve those goals. Depending upon the national policy, a separate strategy should be developed addressing anti-corruption activities at the sub-national level.

Phase IV:

The fourth phase of the operation is the re-organization of the HOO, and the creation of an institutional capacity development plan. After the policies, laws, and strategies have been clearly articulated, the HOO must organize itself to focus on core mission

⁴ See: Jeffrey Coonjohn, "A Primer on Models and Strategies for Anti-Corruption Agencies" 2011 UNDP

requirements. However, re-organization only allocates resources, it does not build capacity. Therefore, an organization-wide effort to increase the HOO's capacity and effectiveness must be undertaken. This effort must be careful to delineate between Institutional Development, Technical Assistance, and Infrastructure Development. This phase of the operation is primarily focused on institutional development, and; therefore, takes precedence over, Technical Assistance and Infrastructure Development for the time being. Complete organizational capacity development must result from the compilation of department and sub-department development plans. Therefore, in this phase of the operation, an institutional development plan must be created for each unit.

This development plan should include:

- A description of the unit's specific duties, responsibilities, and functions
- Consideration of the unit's placement within the existing organizational diagram
- An organizational wire diagram for the unit
- A staffing table and staff gap analysis
- A staffing budget (based upon Tashkil grades)
- A training plan for each position
- A training budget for each position and for the unit
- A travel budget for the unit
- A Gantt chart to identify when the unit becomes operationally functional
- Equipment requirements for each position and for the unit
- An equipment budget for each position and for the unit

The unit development plan should be careful to include functional interoperability, battle rhythm, process development, and standard operating procedures. For operational success, each unit must be technically and functionally competent. Given the various dimensions of the HOO, creating an institutional development plan requires a multi-agency approach, wherein each agency concentrates on that aspect of the HOO in which it has some expertise. For example, UNODC might agree to create the institutional development plan for the "Investigations" unit, while USAID might agree to create the institutional development plan for the "Strategy and Planning" unit. Using a common format, the coordinating agency will combine the various unit plans to create a holistic,

integrated institutional development plan that includes, among other items, a three-year line-item budget, a three-year training plan, staffing tables, and job descriptions.

Phase V:

The fifth phase of the operation is implementation of the re-organization and development plan. This phase of the operation is critical to the immediate operational success of anti-corruption initiatives in Afghanistan. If done correctly, results will be readily apparent. It is imperative that strong international guidance be provided to each unit during the implementation process. Top-level support is also crucial to ensure implementation in accordance with mission intent. At this phase, there will be a divergence between the national and sub-national components, with the sub national component developing its own identity and mission.⁵

Phase VI:

The sixth phase of the operation is implementation of UNCAC requirements and recommendations. This final phase of the operation is the only phase that is not sequential in nature. That is, it begins with Phase I and continues indefinitely. As a signatory to the United Nations Convention against Corruption, Afghanistan has a legal obligation to carry out the requirements and recommendations of the convention. Consequently, while other aspects of the national anti-corruption policy, law, and strategy are being developed, there must be an ongoing focus on executing the requirements of UNCAC.

⁵ The sub-national component will always be a part of the National strategy, however at this phase the relationship will be established.

Timelines

Phase I Expectation

Optimal: ~~6 months~~*
Target: ~~9 months~~*
Failure Point: ~~12 months~~*

Phase III Expectation

Optimal: ~~60 days~~*
Target: ~~90 days~~*
Failure Point: ~~120 days~~*

Phase V Expectation

Optimal: TBD
Target: TBD
Failure Point: ~~48 months~~*

Phase II Expectation

Optimal: ~~9 months~~*
Target: ~~12 months~~*
Failure Point: ~~18 months~~*

Phase IV Expectation

Optimal: ~~5 months~~*
Target: ~~6 months~~*
Failure Point: ~~7 months~~*

Phase VI Expectation

Optimal: Workplan Benchmarks
Target: Workplan Benchmarks
Failure Point: Workplan Benchmarks

*Times have not yet been endorsed by the Office of the President

Expected Outcomes

- Primary Outcomes (Long-term, Sustainable Development, and Anti-corruption Reform)

The primary outcomes of the initiative are:

1. Afghanistan has a clear and unambiguous anti-corruption policy that it is technically competent and functionally capable of administering.
2. Afghanistan has comprehensive anti-corruption legislation that clearly delegates authority to designated agencies, as well as identifies their responsibilities.
3. The HOO is technically competent and functionally capable to carry out its legal mandates and is responsive to the Afghan people.
4. Afghanistan reaches acceptable levels of compliance with UNCAC.

- Secondary Outcomes (Improved Business Environment)

The secondary outcomes of the initiative are:

1. Transparency International Corruption Perception Index – Currently ranked 180 out of 183
 - a. Recognition by the people of Afghanistan (as reflected on the TI CPI) that Afghanistan is making substantial and material improvement in anti-corruption.
 - Expected Movement:
 1. Phases I, II & VI – Approximately five positions
 2. Phases III, IV & V – Approximately five positions
 - b. With demonstrations of political will through the prosecution of high value targets Afghanistan can potentially increase its ranking an additional five to ten positions in the Transparency International Corruption Perception Index.
2. World Bank – Doing Business Survey – Currently ranked 160 out of 183

- a. The implementation of Business Process Management as part of the institutional development plan should result in efficiencies and simplification that are manifest in a more business-friendly environment. For example, “Trading Across Borders,” Afghanistan is ranked 179 out of 183. However, if the HOO is operating effectively, we could see this number drop precipitously which will effect the overall score.
 - Expected Movement:
 1. Phases I – V: Improvement of approximately eight positions to 152.
 - b. Afghanistan is currently ranked last in the world (183 out of 183) in “Protecting Investors.” This is due in large part to corruption and the lack of adequate internal controls within government. Developing the legal structures for combating corruption will have secondary and tertiary benefits that are difficult to quantify. Consequently, the improvement may be significantly higher.
3. Worldwide Governance Indicators – Ranked 210 out of 213 of the World’s Economies
- a. The Worldwide Governance Indicators (WGI) reports aggregate and individual governance indicators for 213 of the World’s economies for six dimensions of governance:
 1. Voice and Accountability
 2. Political Stability and Absence of Violence
 3. Government Effectiveness
 4. Regulatory Quality
 5. Rule-of-Law, and
 6. Control of Corruption
 - b. Although Afghanistan is currently ranked close to the bottom in Control of Corruption (210 out of 213); the initiative should result in a significant numerical jump as a result of both substance and perception.
 - i. Expected Movement:
 1. Phases I, II & VI – Approximately 15 positions
 2. Phases III, IV & V – Approximately five positions
 - c. With simultaneous development in the Office of the Attorney General and the Judiciary, Afghanistan can potentially increase an additional 25 to 30 positions in ranking.

Developing Community-Led Anti-Corruption



5. Community-Led Anti-Corruption

The immediate future of anti-corruption initiatives in Afghanistan are to be found in community-led, non-governmental initiatives; although the focus of this report is the central government some general comments about community-led anti-corruption may help to guide UNDP development of such a program. First, it is important to distinguish between *community-based* initiatives and *community-led* initiatives. Community-based programs are located in a community setting but are managed and directed by an outside element. For example, the HOO office in Herat is a community-based office but it is directed by Dr. Lodin at the central office in Kabul. Another type of community-based initiative is a program that is locally operated but by a small group of people who may not represent the whole community. In contrast, a community-led program gives community members direct control and responsibility over all aspects of the decision-making within the program^{xix}. This means that the community controls the strategy and implementation of the activities at all stages, most commonly through a consultation and decision-making process that works toward consensus. Community-led initiatives are empowering for the community and the people. Transparency International has outlined several components in community-led anti-corruption programs: monitoring; education; and coalition development.

5.1. Community-Led Monitoring & Reporting

Community-led corruption monitoring and reporting programs empower communities and citizens to scrutinize government organizations and officials and report on corrupt acts as well as vulnerabilities to corruption. Effective monitoring programs also facilitate transparency in government and accountability of public servants. Often, senior government managers are eager to learn of corruption weaknesses in their organizations. Their interest in stopping corruption and subsequent action fosters an ethical environment for middle-level bureaucrats as well as officials engaged in public contact (i.e. police, vehicle registration officials, etc.). Community-led monitoring and reporting can take many forms including watchdog units, citizen report cards, whistleblower programs, public hearings and complaints programs.

5.2. Community-Led Education Programs

A linchpin in successful community-led, anti-corruption programs is the development and provisioning of education programs. This includes both public education as well as school-based education programs. The spectrum of activities may include dissemination of information to: increase awareness about corruption; change perceptions and attitudes toward corruption; train on the skills and abilities needed to combat corruption. These programs almost always have a secondary result of developing an understanding of governance and interest in the political process.

5.3. Coalition Building

In conflict environments like Afghanistan, development of local and regional alliances and coalitions are exceedingly helpful for community-led anti-corruption programs. In addition to the “strength in numbers” advantage, coalitions are less susceptible to local intimidation and can multiply resources and skills. Often, alliances and coalitions are able to exert pressure on local officials where the community-led organization, working independently, could not.

6. Conclusion

The window of opportunity for the Karzai administration to mount an effective campaign against corruption has past. Corruption has grown into a national threat. It threatens the legitimacy of the government and perhaps its ability to govern nationwide. Notwithstanding, to pull itself back from the abyss, the GoIRA must initiate a credible anti-corruption program which is founded on more than rhetoric, allegations and a few prosecutions. Creation of an effective anti-corruption program within the national government requires national policies and strategies; institutional development, technical assistance and infrastructure development. As corruption and the perception of corruption tear at the fabric of the central government, the Taliban, who have a zero tolerance policy toward corruption, become more acceptable to many Afghans. At the provincial level, the Afghan government has little or no credibility and any anti-corruption initiative emanating from the regime in Kabul would be unlikely to succeed. However, an anti-corruption initiative that is community-driven will both be effective and will build bridges to a constituency that has forsaken the international community. Consequently, the future of anti-corruption

programs in Afghanistan must have a two-pronged agenda: development within the central government and community-led initiatives. Working simultaneously, these two initiatives can reinvigorate anti-corruption in Afghanistan.

ⁱ Integrity Watch Afghanistan, *Afghan Perceptions and Experiences of Corruption, A national Survey 2010*. http://www.iwaweb.org/corruptionsurvey2010/Main_findings.html

ⁱⁱ *Democracy in Asia* by Michele Schmiegelow; St. Martin's Press, Jul 15, 1997 , p. 81

ⁱⁱⁱ A Long View of Afghanistan's Wars by Richard Opiel, NY Times 13Sept 2012

^{iv} Also known as the "old sergeant's syndrome."

^v "The Psychology of Doing Nothing: Forms of Decision Avoidance result from Reason and Emotion" by Christopher J. Anderson, American Psychological Association, Inc., Psychological Bulletin, 2003, Vol. 129. No. 1, 139-167.

^{vi} The Growing Challenge of Corruption in Afghanistan, July 2012, by Integrity Watch Afghanistan for the Asia Foundation: <http://asiafoundation.org/resources/pdfs/FNLcorruptionchapterOccasionalPaperJuly30.pdf>

^{vii} <http://www.bbc.co.uk/news/world-asia-16821218>

^{viii} <http://www.bbc.co.uk/news/world-asia-16821218>

^{ix} <http://www.gq.com/news-politics/big-issues/201203/nato-report-state-of-taliban-afghanistan>

^x The Growing Challenge of Corruption in Afghanistan, July 2012, by Integrity Watch Afghanistan for the Asia Foundation: <http://asiafoundation.org/resources/pdfs/FNLcorruptionchapterOccasionalPaperJuly30.pdf>

^{xi} The State of the Taliban, <http://www.gq.com/news-politics/big-issues/201203/nato-report-state-of-taliban-afghanistan#ixzz26lIThQYm>

^{xii} The State of the Taliban, <http://www.gq.com/news-politics/big-issues/201203/nato-report-state-of-taliban-afghanistan#ixzz26lIThQYm>; see also: E-ariana.com; 10 September 2012: "Taliban Prepared to Work with US on Security in Afghanistan"

^{xiii} The State of the Taliban, <http://www.gq.com/news-politics/big-issues/201203/nato-report-state-of-taliban-afghanistan#ixzz26lIThQYm>

^{xiv} The Growing Challenge of Corruption in Afghanistan, July 2012, by Integrity Watch Afghanistan for the Asia Foundation: <http://asiafoundation.org/resources/pdfs/FNLcorruptionchapterOccasionalPaperJuly30.pdf>

^{xv} Integrity Watch Afghanistan, *Afghan Perceptions and Experiences of Corruption, A national Survey 2010*. http://www.iwaweb.org/corruptionsurvey2010/Main_findings.html

^{xvi} See *Anti-Corruption In the Economic Cooperation Organization: A Confluence of Security, Intelligence and Investigation* by Jeffrey Coonjohn 2012

^{xvii} United Nations Convention Against Corruption: Articles 6 and 36, respectively.

^{xviii} The "Strategy and Policy for Anti Corruption and Administrative Reform" in Afghanistan (commonly called the Azimi Report) notwithstanding.

^{xix} "What Works and Why in Community-Based Anti-Corruption Programs" by Kathy Richards for Transparency International, 2006. http://www.transparency.org.au/documents/What_works_and_why_FINAL_Report.pdf