Has Afghanistan really made progress in the fight against corruption?

Sayed Ikram Afzali, Executive Director

Recently, Transparency International (TI) released its annual Corruption Perceptions Index (CPI) indicating that Afghanistan has slightly improved in the index and ranking. Has Afghanistan really made a progress in the fight against corruption as suggested by some enthusiastic supporters of the National Unity Government (NUG) and some desperate people within the government? It is important to examine what the CPI measures in order to understand what this year’s results really mean for Afghanistan.

The mystery of Corruption Perception Index (CPI)

The CPI is a composite index that uses data from 13 different surveys conducted by various organizations. This year, data from five sources was used to calculate Afghanistan’s score; these sources are: the World Bank’s Country Policy and Institutional Assessment, Global Insight’s Country Risk Ratings, the Bertelsmann Foundation’s Transformation Index, the World Justice Project’s Rule of Law (ROL) Index, and the Verities of Democracy Project.

The most significant change (+11 points) is in the Rule of Law Index score which increased from 2 to 13. According to TI, only one component (Absence of Corruption) is used in calculating the CPI. However, the Absence of Corruption component score remained unchanged from last year. TI explained that this component is calculated based on inputs from “expert assessments” and “citizens’ survey responses.” TI uses only the expert assessments part in calculating ROL score for CPI. This means that there was a significant change in expert assessment in only one survey. All other surveys indicated a similar score for 2016 compared to 2015.

Therefore, the change in 2016 CPI is not significant and could be misleading. The surveys used in CPI are based on perceptions. Unless there is a big change in the majority of the indicators in the same direction, one cannot confidently conclude that there has been progress in the fight against corruption in any given country. For instance, North Korea’s score has increased by four points – does this mean that North Korea has made progress in the fight against corruption? Certainly no; at least this cannot be concluded from the CPI results. Also, the improvement in ranking of Afghanistan can be associated to the low score received by countries like Libya, Yemen, Syria, and South Sudan. Therefore, unless there is consistently an increase in CPI score over several years, it is premature to consider a slight increase as an improvement in the fight against corruption.

An alternative measure to CPI

An alternative measure to understand whether the level of corruption and the fight against corruption has improved, is Integrity Watch’s biannual National Corruption Survey which is based on both perceptions and experiences of corruption by Afghan citizens. According to the 2016 results, citizens reported a significant increase in the level of bribes they had to pay to public institutions (from approximately 2 billion to 3 billion dollars). In addition, three out of four citizens responded that there has been no improvement in “reducing corruption in any public institution during the last 12 months.”

The forgotten promises of NUG
Although the NUG has taken some important steps in the fight against corruption such as establishment of a presidential oversight on procurement process and has reshuffled a number of judges, prosecutors, and civil servants, there has been no independent assessment of these efforts which would indicate that such steps have been effective in reducing the high level of corruption. The NUG leaders do not have a clear vision for fighting corruption. They have shown no interest whatsoever to support the establishment of independent institutions or in paving the way for the rejection of corruption by society. The anti-corruption law is in a limbo while there has been no progress on an anti-corruption strategy that the Afghan government promised to produce by mid this year during the Brussels Conference on Afghanistan. There has also been complete silence on the part of NUG and donors on the establishment of an independent anti-corruption commission that the NUG promised during the London Conference more than two years ago. Overall, the fight against corruption has not been institutionalized and therefore there has not been much progress. The NUG and its international supporters must realize that brushing the promises under the carpet is not going to solve the problem, it will only intensify it.

Community-based monitoring prevents great amount of fraud in infrastructure projects in Mazar-e-Sharif

By Ajmal Afghan, Community Mobilizer – Balkh Province

A road is being built in Yalmareb area in Mazar-e-Sharif city. This road which is planned to be 2,100 meters long and 12 meters wide is expected to cost almost USD 1,500,450 from the Balkh Municipality’s budget and is set to be ready for public use by end of 2017. This project is being monitored in cooperation with local elders, the Yalmareb local council and by local volunteers working with the provincial office of Integrity Watch in Balkh province.

During the monitoring of the construction process, local monitors noticed that the construction company’s workers were using too much gravel and too little cement in building the covers of the two sides of the road, which is an integral part of construction. They were doing so in order to bring down their costs but which would ultimately result in a low road quality. Local monitors protested and did not allow any further work on the road until this problem was resolved. They also raised this issue with the Chief Engineer at the construction site. This resulted in the issue being taken to the construction company and from then onwards, the field workers did not repeat the same mistake and the issue was solved and the proper, and standard, amount of cement and gravel were used in the construction of road’s side panels.

In another similar case, local monitors reported use of low quality material on a construction project of roadside reinforcements of a 48 kilometers long road. This was initially flagged by local monitors and by a few other local residents who recommended (and the donor agreed and approved) installing stones in order to strengthen the roadsides but the local monitors later found out that the bricks and stones used for the roadside reinforcement were of very low quality. The issue was then raised with the construction company and with higher officials until they replaced these stones with better quality material. On top of not using the same low-quality material again, the company was forced by local monitors to replace any low quality brick and stone they used in the previous areas with new, better material.

With all this having been said, it is safe to assume that community monitoring of infrastructure projects can save lives if projects are monitored properly and flaws are noticed early on.
Community engagement results in identifying resources and quality construction of a school in Parwan

Walidullah Rahmani, Integrity Watch staff, Parwan

Abdullah Amiri and Hazrat Bibi Hafasa schools which were separated into two schools in 2009 are still in one building where one of them is for boys and the other is for girls. Utilizing one building resulted in a number of problems, such as, difficulties of coordination among two school principals, not allowing male students to use the toilets, negative propaganda about the schools and so on. With the commencement of the Community Based Monitoring of Schools (CBM-S) in Parwan province. The problem was raised with local elders. Eventually, construction of a separate building was agreed upon by the community.

Following the initial meetings, local volunteers and Integrity Watch staff held many joint meetings with community representatives and school authorities to implement the decision taken in the initial meeting and to seek the resources necessary for it. Taking the decision of the community into consideration, a team was selected to find the resources for construction of the building. The team approached the Department for Anti-Narcotics in Parwan province which assisted by providing more than USD 300,000 to construct the new school building.

The main driver behind the construction of this new school building were the community monitoring representatives who played a vital and active role in bringing this initiative to a successful conclusion. In addition, community representatives monitored the construction of this school building which prevented a great deal of potential waste by the implementing constructing company.

During the construction of the school building, one of the problems identified was that the construction company was pouring concrete during cold weather which is contrary to accepted technical construction norms. The volunteer local monitors after identifying this problem, approached the engineers of Provincial education department and outlined this situation. The engineers then visited the area and suggested to stop concreting the stairs of the school and only pour the concrete when the weather was suitable for the concrete to properly settle. As a result of delaying this activity, until it could be carried out appropriately, the construction company lost around USD 4500 but the school was built in a proper way.

Abdullah Amiri School was established in 1981 and there are 2,100 male students studying in this school. Meanwhile Bibi Hafasa School still use the same building and there are 1,874 girls students studying in this school.
Cement Ghori contract cancellation: too little, too late

By Naser Temory, Advocacy Manager

On 12 December 2017, the Afghan Cabinet cancelled the contract of Ghori Cement Company as well as the nearby coal contract with Afghan Investment Company (AIC). According to the government, AIC had caused damage to the mining site and which in turn has reduced the amount of cement which can be extracted. The contract was declared null and void mainly due, however, to a “lack of royalty payment, rent, and fees”. The contract was signed in 2006 and was effective from 21 March 2007 for 40 years.

However, this single cancellation is too insignificant within the overall mining landscape to have much of an impact. This is due to several reasons: the lack of cancellation of several other major contract abuses, little attention to hundreds of illegal mining sites, decreasing support to the Afghanistan Extractive Industries Transparency Initiative (EITI), and the long delay in the appointment of a mining minister.

Integrity Watch conducted extensive field research in 2015 on five large mining contracts and the associated abuses by the respective contractors, including the Ghori cement and coal operation. Although this particular contract was cancelled, the government has done little on four other major contracts including Qarazaghan Gold, Kohi Safi Chromite, Nuraba Samti Gold and Western Garmak Coal. The abuses in these contracts are equally significant, extensive, and widespread.

According to Plunderers of Hope, the research report by Integrity Watch, the five contacts were awarded to politically connected individuals, the tender documents were designed to provide an advantage to a particular winner, and the government information was leaked to the companies before tendering. Furthermore, some of the companies started exploitation of the mining sites during the formal exploration phase (as a means to avoid paying royalties or taxes on the mined product). Between 2007, when the first contract was awarded, and late 2014, the five companies are estimated to have warranted the payment of a combined royalties of more than USD 50 million.

In addition to the more than three hundred formally contracted mining sites, there are thousands of illegal mining sites under development or production across the country. Such illegal mining prevents revenue collection by the government and even worse it fuels (and funds) the insurgency. Under the National Unity Government, civil society organizations have seen little improvement in this regard.

The Afghan government joined AEITI seven years back (2010) and it still has not become a full member due to lack of high level political support. The fourth validation report identified around USD 37,878 discrepancy between the revenue declared by the government and the companies’ reports. Although the AEITI Multi-Stakeholder Group continues to meet and its secretariat maintains its efforts, the lack of interest, especially from the Minister of Finance as the supposedly champion of the initiative, has drastically slowed the initiative’s momentum in the country.

Afghan civil society and the media have faced a serious information gap in regard to the resignation of the former Minister of Mines & Petroleum. The government has not explained or shared any information on the reasons for his resignation. This has caused rumors to proliferate and confuse the stakeholders in the sector. Worse even is that the government has not decided to introduce a new minister after 11 months although based on Afghan law, an acting minister can only serve for a maximum of two months.

The mining sector requires strategic vision and high level political support to become a source of national hope and needs fundamental mechanisms to prevent a resource curse. The government of Afghanistan should decide on the four other large contracts, appoint a competent minister known for his/her integrity, the Ministry of Finance should reinvigorate its high level support to AEITI, and there is a need for all stakeholders to join hands and stop illegal mining.
Five Years of Community Based Monitoring of Trials in Kapisa province: Achievements & challenges

Ali Ahmad Mashalafroz – Provincial Coordinator, Kapisa

Five years ago, I was witnessing the first days of implementation of Community Based Monitoring of Trials (CBM-T) at Integrity Watch Afghanistan’s provincial office in Kapisa. During those days, most of the people were not aware of one of their natural rights to monitor and observe government-provided services. At the same time, the government too was behaving under the classic notion that they were the people’s masters’ and they would not allow the people at all to monitor their activities. I very well remember that in the first community mobilization meeting for the monitoring of trials, the participants were insisting that they could not monitor government activities and after hearing what we were advocating for, even the Chief Judge of Kohistan-e-Awal district made it clear that he was against any such monitoring.

Both of the aforementioned challenges were threatening the goals of starting this initiative. Integrity Watch’s provincial office, in concert with the head office in Kabul, discussed possible solutions and practical courses of action that could be taken to solve these problems. First the Integrity Watch team started with individual meetings with key members of local councils and spoke one-on-one to these members and other influential elders in the area. They provided them with reasonable explanations of the benefits of such monitoring and advised them of their right to monitor trials. We reached out to the local community and in time achieved one of our main goals which was to mobilize the community for the purpose of monitoring generally, and monitoring trials specifically.

The second problem which was created for us by the courthouses was resolved through a number of discussions with, and by creating an understanding with, the Supreme Court. They agreed to allow the monitoring of trials but their real support for this program arose gradually over time when the Judges and the Chief Judges came to realize that Integrity Watch, as a facilitator, was working – together with local monitors and community mobilizers – to curb corruption and promote the proper implementation of the law.

Eventually, the program developed a strong relationship with the courts which have since come to accept the open monitoring of their sessions. In addition, by sharing problems with the judges and conducting special meetings to review issues which were
observed, a range of problems in court procedures were solved. One other serious issue which was a challenge for the program was the lack of capacity in monitoring trials. Local monitors who were introduced to the program did not only need further training but also needed to know the precise art of monitoring a trial. To solve this problem, Integrity Watch conducted a number of training sessions for each of the monitors and provided them with an array of tutorial material to boost their knowledge of trial procedure and of how to monitor trials. All of this preparation work eventually caused the local monitors to gain a great deal of experience and to be able to conduct trial monitoring with the expertise that they developed through years of dedication and hard work. They monitor open trial court sessions, through to the last stages of the trials, with ease and professionalism and are able to follow up with cases on their own all the way through to the final hearings.