“Despite the fact that we now have an apparently democratic state, the occurrence of corruption is much more frequent and on a larger scale than ever before.”

(Focus Group Discussion participant)

Although there is no doubt today that corruption in Afghanistan poses a serious risk to current efforts to rebuild state institutions and ensure stability and security, little is known about what the Afghan population actually considers as corrupt practice. What is acceptable and what is unacceptable behaviour in the local context? Do Western definitions of corruption and the associated behavioural standards apply to Afghanistan? These are important contextual issues, and Afghan perceptions, beliefs, values and attitudes must be taken into account in designing and implementing effective anti-corruption measures that are suited to the country.

A study was conducted by Integrity Watch Afghanistan with the financial support of UNDP to address these questions. This research was carried out using a combination of two qualitative techniques. Focus Group Discussions (FGD) were the primary information gathering method, which was complemented by in-depth interviews, used as a back-up mechanism. The combination of both tools allowed a more complete exploration of what Afghans think about corruption.

The study was conducted in Kabul and seven provinces (Herat, Baghlan, Bamyan, Logar, Balkh, Badakhshan and Nangarhar) with different economic, ethnic, religious and social backgrounds.
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About the author:
Manija Gardizi has been working on Afghanistan since 2000. Her Master thesis in Political Science focused on the conflict in Afghanistan. As a research fellow of the Free University of Berlin she is conducting her PhD thesis on the transformations of Afghan local level governance structures. She has worked both in Afghanistan and in Germany as a researcher, program officer and consultant for several organizations and NGOs, including the Center for Development Research (ZEF), the Agha Khan Foundation (AKF), Tribal Liaison Office (TLO), Integrity Watch Afghanistan (IWA), German Technical Cooperation (GTZ), and the German Ministry of Defence.

About IWA
Integrity Watch Afghanistan is an independent Afghan research organisation whose mission is to increase transparency, integrity and accountability in Afghanistan through the provision of policy-oriented research, monitoring and facilitation of policy dialogue.

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The views expressed in this report are attributed to the author and do not necessarily reflect those of the United Nation Development Program and Integrity Watch Afghanistan.

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Integrity Watch Afghanistan (IWA)
Ansari Watt, Kabul, Afghanistan
Contact: Lorenzo DELESGUES,
Website: www.iwaweb.org

United Nation Development Program (UNDP)
Shah Mahmood Ghazi Watt, Kabul, Afghanistan
Website: www.undp.org.af

*The Pictures are both taken from the drawings of Siyah Qalam, XIV century.*
Table of Contents

Glossary of Dari/Pashto Terms ........................................................................5
Executive Summary .................................................................................................9

1 Introduction ........................................................................................................12
2 Acceptable and unacceptable behaviour ...........................................................15
  2.1 Different attitudes towards petty corruption ..............................................15
  2.2 Corrupt practices viewed with unease ......................................................19
  2.3 Corruption in former times and today ......................................................20
  2.4 Could female public officials make a difference? ...................................22
3 Types, manifestations and loci of corruption ....................................................24
  3.1 Different types of corruption ....................................................................24
  3.2 Protective networks ....................................................................................27
  3.3 The institutionalization of “commissionkar” ............................................27
  3.4 District versus provincial level corruption ..............................................30
  3.5 Aid money and corruption .......................................................................32
4 Causes and effects of corruption .....................................................................34
  4.1 Low salaries, greed and lack of accountability ..........................................34
  4.2 The vicious circle of buying and selling positions ....................................35
  4.3 Insecurity as cause of corruption ..............................................................36
  4.4 The ripple effect -- undermining state legitimacy ....................................37
  4.5 Negative effects on the private sector ......................................................38
5 Remedies ...........................................................................................................41
  5.1 Strengthening provincial councils ..............................................................41
  5.2 Greater devolution to Sub-National Administration ................................42
  5.3 The claim for exemplary punishment .......................................................44
  5.4 Perception of ongoing reform programs and institutions .......................45
  5.5 As a last resort: religious scholars, media and civil society? .................45
6 Conclusion ..........................................................................................................48

Annex I
Methodology ..........................................................................................................50
Annex II ..................................................................................................................54
Interview Questionnaire ..........................................................................................54
Glossary of Dari/Pashto Terms

Arbakai: Tribal Police, mostly belonging to South-Eastern Pashtun tribes in regions such as Paktia Province. Arbakai is the informal executive organ in a traditional governance structure within the tribal areas of Afghanistan. The institution of arbakai is based on rules laid down by the Tribal Council (Qaumi-Shura) and the tribes.

Bakhsheesh: This Dari term can be translated as 'gift' or 'present' and was most often used by officials when they indicated that a gift would be required.

Band / Band-bazi: A comparable western phrase would be “Mafia”. The phrase suggests a group which is well networked and connected to official key positions.

Hizb-e-Islami: One of the leading former Mujaheddin parties during the war. Hizb-e-Islami’s former leader, Gulbuuddin Hekmatyar, is still actively operating from Pakistan. See Tanzimi

Hizb-e-Wahdat: This Shiite group (party) is mainly composed of ethnic Hazaras. This party received strong financial support from Iran during the period of civil war and during the Taliban regime. Currently the most popular figure of the Hizb-e-Wahdat is Vice-President Khalili. See Tanzimi

Jamiat-e-Islami: Synonym for Northern Alliance, famous for preventing the Taliban from taking control of Northern Afghanistan and for bringing together most relevant Mujaheddin groups from that area at the end of the civil war. Jamiat-e-Islami was one of the leading factions of the Northern Alliance and was under the command of Ahmad Shah Massood and Ustad Rabbani. This party is perceived as being mostly Tajik. See Tanzimi

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1 The term Mujaheddin was used for resistance warriors who fought against the Soviet occupation from 1978 to 1988. There were multiple Mujaheddin groups loyal to different leaders many of which did not disband after the ousting of the Russians and subsequently engaged in the civil war from 1992-1996.
**Jirga:** A Pashto expression which means assembly or convention. This term became internationally popular through the “Loya Jirgas” or “Grand Councils” held in the aftermath of the ousting of the Taliban to select a transition government in June 2002 and to debate and approve the new Constitution in December 2003. The Dari term referring to the same institution is Shura.

**Kamissionkar /Commissionkar:** This term comes from the English “commissioner” and refers to a person who acts as a broker between two parties and aims at making the biggest profit of the subject in dispute.

**Kheshkhor:** This is a Dari expression referring to nepotism or favouring kinship members when allocating official positions.

**Komandan /Commandan:** An expression meaning “warlord” which implies that a considerable number of armed troops supports/supported the particular person. The results of this research indicate that many official key positions at sub-national level, but also in Kabul, are occupied by influential commandants.

**Komandan-Salary:** This term entered into the Afghan language through the war. It can be translated as an informal structure of war-entrepreneurs. The term has mostly negative connotations.

**Maslahti:** “Maslahti” can be best translated as “pre-arranged” and refers to the assigning of official positions without taking into account merit, professional background or competence of the individual.

**Mushkil-tarashi:** “Making difficulties” in order to extract bribes. The extortion of money was one of the most commonly mentioned mechanisms used by officials.

**Qaumi:** Kinship

**Saranwal:** Prosecutor

**Shenas:** Shenas means ‘acquaintanceship’ which is key in Afghan administration to get things done. However, shenas is often not sufficient. It may speed up procedures, but bribe money is often also required.

**Shirini:** Meaning “sweets” is another euphemism for a bribe.

**Shahrwali:** The central municipalities of provinces (provincial “capitals”) are called shahrwalis.
**Shura:** Dari term, similar to the aforementioned meaning of “jirga”. A distinction can be made between traditional village shuras, composed of elders and the educated of the village, the Shura-e-Qaumi, which is mainly a gathering of one coherent kinship group or tribe, and finally the Shura-e-Wollayati, which are better known as the Provincial Councils.

**Stera Mahkama:** Supreme Court

**Tanzimi:** This term found entry into both Dari and Pashto as a result of the civil war. It refers to the diverse war-related parties in Afghanistan which still exert important influence on the political and development processes in Afghanistan. The selection of officials for key positions is to a certain degree still dependent on the tanzimi background of the individual.

**Tchai:** Means tea and is often used by officials as a paraphrase for bribe money. The use of tchai or “tea-money” can be categorized as petty bribes.

**Tofa:** Same meaning as bakhsheesh, also refers to a gift or present.

**Ulema:** Muslim religious scholars.

**Wasseta:** Wasseta is similar to “shenas” and refers to a proper relation with an official. Wasseta refers to a strong and specific acquaintance while shenas can be understood as a weaker and more general relationship. Wasseta is also crucial to obtain a job in the public sector and is to a lesser degree used to aid the completion of bureaucratic formalities.

**Wali:** Provincial governor.

**Woleswal:** District governor.

**Woleswali:** District government.
Executive Summary

Although there is no doubt today that corruption in Afghanistan poses a serious risk to current efforts to rebuild state institutions and ensure stability and security, little is known about what the Afghan population actually considers as corrupt practice. What is acceptable and what is unacceptable behaviour in the local context? Do Western definitions of corruption and the associated behavioural standards apply to Afghanistan? These are important contextual issues, and Afghan perceptions, beliefs, values and attitudes must be taken into account in designing and implementing effective anti-corruption measures that are suited to the country.

The objective of the present project was, therefore, to address the following main research questions: i. What constitutes corruption, as Afghan see it?, ii. What are its main forms and manifestations?, iii. What are the main causes and effects?, iv. What could be the most suitable remedies? To this end, focus group discussions and in-depth interviews were organized in Kabul and seven provinces with different economic, ethnic, religious and language backgrounds. The results can be summarized as follows:

Corruption in Afghanistan is a wide-spread problem that has permeated all sectors and all levels of the public administration and, in the opinion of many, taken root in Afghan culture. Although small scale bribery or petty corruption is often socially justified on the grounds of low public service salaries, there is no social tolerance for “disproportionate” extraction of bribes or outright greed. Furthermore, corruption is in general condemned as being immoral and against Islam even though many people do not find an easy way out of the trap of corruption.

The following statement reflects the strong consensus that corruption has grown to an unprecedented level: “Despite the fact that we now have an apparently democratic state, the occurrence of corruption is much more frequent and on a larger scale than ever before.”
Though the periods of the Mujahiddin and the Taliban were often mentioned as the most difficult times, current levels of corruption are perceived as the most delegitimizing factor for the state.

Corruption networks or *Band-Bazi* have spread in the administration and now constitute a wide and interwoven web of heterogeneous groups that use their positions largely for private or small group gains and effectively block reform. A “bazaar-economy” has developed where every position, favour, and service can be bought and sold. One corrupt practice can be a cause and / or consequence of another corrupt practice, leading to a vicious cycle of self-perpetuation.

Suggesting possible measures for tackling corruption was considered a very difficult task. People often emphasized with a certain resignation that due to the strong and interwoven spider web of illicit networks, which are closely collaborating from district to provincial and central level, it was difficult to identify feasible solutions. Aware of the fact that the whole administrative and political system needs to be changed, interviewees believed that small steps, like strengthening the provincial councils, aiming at behavioural change through religious education, and awareness raising via media could build the ground for reform programs and a slow change in culture.
1 Introduction

Corruption (defined as “the abuse of public position for private or group benefit”) is a very important and growing problem in Afghanistan\(^2\). Based on available indicators, Afghanistan appears to fall near the bottom of international measures and indexes of corruption.\(^3\) The opium economy and other illicit activities as well as large inflows of international aid and pressures to spend it quickly provide for new and increased opportunities for corruption. But more “normal” forms of corruption, as in the delivery of public services or the selection of public officials, seem to be on the increase as well.

Irrespective of its incidence and level, public perceptions of widespread corruption result in disenchantment with the Government. A survey of perceptions of corruption conducted in 2006 by Integrity Watch Afghanistan found that corruption is perceived to be widespread and damaging. For example, half of the respondents in the survey indicated that they had paid bribes within the last six months, and the majority felt that corruption erodes the moral fabric of society and undermines the legitimacy of the state.

Although there is no doubt today that corruption in Afghanistan poses a serious risk to current efforts to rebuild state institutions and ensure stability and security, little is known about what type of practices Afghans consider as corrupt. What is acceptable and what is unacceptable behaviour in the local context? To which extent does the western definition and understanding of the concept of corruption and the associated behavioural standards apply to Afghanistan? There are important contextual issues about the definition and scope of corruption

\(^2\) See “Afghan perceptions on corruption”, a perception survey published by Integrity Watch Afghanistan in March 2007.

\(^3\) See Governance Indicators of Kaufmann, Kraay, Mastruzzi from 1996 to 2005 (World Bank), Corruption Perception Index of Transparency International (2005), and Investment Climate Assessment for Afghanistan (2005).
in Afghanistan, and Afghan perceptions, beliefs, values and attitudes must be taken into account in designing and implementing effective anti-corruption measures that are suited to the country.

The objective of the present research project is to identify what corruption means in the Afghan context, including the establishment of different terminologies for various corrupt practices. Further, the different forms, root causes, manifestations and possible measures to overcome corruption are analyzed. This project proposes to address the following main research questions:

- What is acceptable and unacceptable behaviour in Afghanistan with regard to corrupt practices, favouritism, baksheesh, etc?
- What are the main loci of corruption, its forms and manifestations?
- What are the main causes of and justifications for corruption?
- What feasible counter measures could fight corruption?

The research methodology (see Annex I) was qualitative in nature and used a combination of focus group discussion and semi-structured interviews with key actors to gather information on the above mentioned questions. The study included Afghan people from all walks of life, social strata, professions and gender. The selection of the provinces (Herat, Balkh, Nangahar, Logar, Baghlan, Badakhshan and Bamyan) in addition to Kabul City was based on criteria such as main economic activities, religion, language, ethnic group, etc. in order to achieve, if not statistical representation, a cross-country profile. The combination of focus groups and selected interviews was aimed both at laying a basis for a national-level understanding of the corruption as a phenomenon, and at providing regional mapping of the problem as well as recommendations on how to address it.

Chapter 2 of this report presents what Afghans consider to be acceptable or legitimate behaviour and what they consider as unacceptable practices. In Chapter 3, particularly widespread types and manifestations of corruption are identified. Chapter 4 outlines perceived causes of corruption and its effects on people’s lives. Chapter 5 suggests
policy recommendations in order to tackle corruption in a sustainable way.

The Annexes include relevant information on the provinces and Kabul City in which the research project was carried out. Eight regional studies are summarized there. The provincial studies are largely focussed on those sectors most affected by corruption in each province. During the design phase of the project, these provincial priorities were determined using key informant interviews. Throughout the process of qualitative research interviews were conducted both with focus group participants and key-informants. The cross-checking between focus groups and key informants interviews ensured a consistent coverage of the most affected sectors in each province.
2 Acceptable and unacceptable behaviour

This section will present a summarized analysis of what Afghans, as represented by the participants of the focus groups and by key informants, consider to be acceptable and unacceptable behaviour with regard to corruption. The study will use internationally accepted terms and definitions of different types of corruption, and brief working definitions of these typologies are provided below.

**Grand corruption:** A form of corruption form that pervades the highest levels of a national government leading to a broad corrosion of confidence in good governance, the rule of law and economic stability.

**Petty corruption:** Can involve the exchange of very small amounts of money, the granting of minor favours by those seeking preferential treatment or the employment of friends and relatives in minor positions.

**Bribery:** Is the bestowing of a benefit in order to unduly influence an action or decision.

**Active bribery:** Usually refers to the offering or paying of a bribe.

**Passive bribery:** Refers to all forms of receiving a bribe.

**Favouritism, nepotism and clientelism:** Involve abuses of discretion. Such abuses are governed not by the self-interest of an official, but the interests of someone linked to him or her through kinship, political party, tribe, or religious groups.


2.1 Different attitudes towards petty corruption

Both bribe taking and giving is largely condemned by Afghans on moral grounds based on the rules of Islam. However, there is a certain
degree of tolerance towards corrupt practices, in particular when used as survival strategies by public officials at the lower end of the salary scales and as long as certain limits in demanding “decent” or “affordable” “tea-moneys” are not overstepped. It is the observance of these limits that appears to determine the social acceptability of both bribe giving and taking. Thus, bribe takers are mostly viewed as the more immoral partner in the exchange, but there is widespread sympathy for bribe taking public servants who are struggling on very low salaries but less tolerance and social justification for those involved in larger scale scams. Similarly, there is sympathy for poor, weak clients who have no other way to complete a bureaucratic process or formality than to pay a small bribe. But then there are those clients who pay larger bribes to an official in order to secure an illicit procedure. This type of bribe-giver was clearly considered as a corrupt individual, as s/he acted against the law and only for his or her own profit.

Concepts that have entered into the Afghan language describing corrupt practices can be divided into three categories. First, notions paraphrasing the demand for a bribe; secondly, terms describing the systematic tools and means of corrupt procedures; and lastly, words describing the procedure of a corrupt practice.

• Thus, terms like “baksheesh” or “tofa” , which translate as 'gift' or 'present', are in the first category. Most often used by officials when they indicate the requirement of a gift, both these words are used as common expressions for either petty bribery or grand scale corruption. Whilst expressions like “tchai” (tea) or “shirini” (sweets) are often used by officials as a euphemisms for bribe money refer mostly to petty bribery.

• Expressions like “kheshkhori” belong to the second category and can be translated as nepotism or favouring kinship members when official positions need to be filled. The notions “wasseta” and “shenaz” can be ranked in the same category and refer to a priviledged relation with an official. However, “shenaz” is often not sufficient. It may speed up procedures, but bribe money is often also required. “Wasseta” refers to a strong and specific
acquaintance while “shenaz” can be understood as a weaker and more general relationship. “Wasseta” is also crucial to obtain a job in the public sector and is to a lesser degree used to complete certain formalities. In the same category the term “Maslahti” can be included. It could be best translated as “pre-arranged” and refers to assigning official positions without taking into account merit, professional background or competence of the individual.

The main term emerging from the research research in the third category was “mushkiltarashi” which can be best translated as “making difficulties”, in order to extract bribes.

A large number of interviewed civil servants do not think that petty bribery really constitutes a corrupt practice that deserves condemnation. Small bribes although illigal, are considered by most civil servants as a means to ensure daily survival and they pointed rather to the dysfunctional administration system as the main source of corruption. Civil servants view themselves, to a certain degree, as being compelled to take bribes. This interpretation was rejected, however, by some civil servants, especially in Kabul City. In all, two-thirds of the civil servants interviewed thought that the demand of bribes in the amount of 50-200 Afghanis (USD 1-4) could not be considered as an example of corruption.

Nevertheless, a sharp differentiation was made by the civil servants between petty bribery and large scale corruption. While the former was considered mainly as a livelihood strategy and therefore justifiable and even quasi-legitimate, large scale corruption was clearly condemned.
It is interesting to note that civil servants themselves are obliged to pay bribe money to their colleagues. This is particularly the case when they are asking for public services that are delivered through a department/agency/sector different from their own. A civil servant from Badakhshan presented an example where he was forced to even pay a bribe to one of his relatives.

Given that the prohibition of corruption through the regulations of Islam was frequently mentioned, the question of how petty bribery could be justified was raised. The civil servants interviewed often stated that the ones who demand bribes are not proud of their action. However, they also stated that the pressures caused by low salaries are too extreme and that people should show more understanding of the miserable situation of civil servants. Hence it could be concluded, that civil servants seem to extract bribes with full awareness about their illicit nature.

Although bribe taking and giving is largely considered to be immoral, the bribe giver appears to have no alternative means of securing essential procedures if s/he is not willing to pay the demanded bribe. 90 percent of all non public sector interviewees stated that bribes are required for any bureaucratic or legal formality. Thus, petty corruption in Afghanistan cannot be reduced to “greasing the wheel” in order to get things done faster, rather it is needed to get things done at all.

Furthermore, perceptions of the virulence or intensity of corruption in different sectors are context-dependent. That is they are largely influenced by the kind of interactions that an individual has to engage in with the state administration. For instance, traders may be mainly faced with corrupt practices in customs departments and hence think that customs is the most corrupt sector of the Afghan administration. On the other hand, farmers exercise their economic activities in a far more limited geographic space and have mainly to deal with public service delivery systems that are usually more corrupt.

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4 FGD with civil servants in Herat city 10.10.2006.
5 The relative was working as an official for the traffic police and asked for a bribe when the interviewee presented a formal application for car papers.
with the district administration, e.g. to resolve land disputes or apply for an ID-Card. Hence, farmers think that the district administration is the most corrupt level of the Afghan public sector. The research data indicate that a consensus on what Afghans think are the most corrupt sectors in their country can only be achieved in a contextualised manner, mainly in groups with similar socio-economic backgrounds or economic activities. Nevertheless, given the wide variety of people from all walks of life who participated in our research, it is reasonable to assume that both the civil servants and the ordinary citizens feel threaten by corruption and that corruption is a common and widespread phenomena in the Afghan state administration at all levels.6

Finally, corruption was seen as an extreme manifestation of a habit that could be viewed as part of Afghan culture. But this was not a unanimous view across all types of interviewees. Highly educated interviewees saw corrupt practices that take place in any public agency of Afghanistan as a bad habit of bribe givers and takers, whilst less educated interviewees often voiced the opinion that corruption was an obvious characteristic of Afghan culture. Thus, some but not all interviewees differentiated between habits of behaviour that develop in small groups and within institutions and cultural manifestations implying characteristics of a national identity.

2.2 Corrupt practices viewed with unease

Both urban and rural Afghans consider any corrupt practice as unacceptable practice. All forms of corruption are considered as illicit acts, which contravene Islamic and constitutional law. There is no sympathy amongst Afghans for those officials who demand bribes out of greed and not because of poverty. However, non public sector participants in the research repeatedly mentioned that they understood the dilemmas faced by many public officials as a result of low salaries. In spite of this sympathy, Afghans would prefer to decide themselves

6 This outcome has also been reconfirmed by the corruption perceptions survey. “Afghan perceptions on corruption” published by IWA in March 2007.
whether to provide extra “support-money” as a type of gratuity to poor officials, rather than being obliged to pay a bribe.

The following two types of bribery are considered least acceptable by ordinary Afghans. First, there are the situations where ordinary and/or poor citizens are continually forced to pay bribes to different officials within a network. Complaints about this type of bribery were often voiced in economically poorer provinces like Bamyan and Badakhshan, while in wealthier provinces like Herat, Mazar-e-Sharif or Nangahar interviewees felt most uncomfortable with bribes that were demanded in a coercive way and were due immediately. “Band-bazi” was the main type of extortion used by Mafia-type structures. Citizens from all strata knew who were members of these structures, as they claimed to have been repeatedly subjected to demands for bribes from members of these networks.

In urban areas the view was commonly held that official taxes would be bearable and would make good economic sense, while bribes only served as a source for enrichment of corrupt officials. In rural areas (district level and below) people tended to want to avoid any contact with the administration, in order to avoid “being forced to fill the pockets of officials”.

2.3 Corruption in former times and today

Based on the assumption that types and forms of corrupt practices change over time depending on different opportunities emerging in varying political contexts, this project explored in which way corruption was thought to be different in recent history, compared with the current level and forms of the phenomenon. Focus group participants and key informants were interviewed about the last four decades of the Afghan political history encompassing the periods of King Zahir Shah (1933–1963)–1973), the communist regime with Dwaood Khan (1973–1978) and Dr. Najib (1986–1992) under Soviet occupation (1979–1988), the Mujaheddin and civil war (1992–1996) and the Taliban regime (1996–2001).

7 Interview with farmer in Bamyan Province. 29.10.2006.
While most of the interviewees agreed that the King Zahir Shah and communist regimes (1933 – 1992) as the least corrupt ones of Afghan contemporary history, opinions on the levels of corruption under the Taliban regime diverged depending on the regional, religious and ethnic background of the people interviewed. An important factor influencing perceptions was whether or not a ruler or group of power-holders was regarded as particularly cruel.

For instance, in Bamyan the political eras perceived as least corrupt and most legitimate were the Zahir Shah, Dawood Khan and Dr. Najib regimes. It was emphasized that corruption was only latently visible during those times, in particular when contrasted with today’s levels of corruption. On the other hand, the Taliban regime was considered as the cruelest time of Bamyanis’ lives. Even though it was acknowledged that a proper state was not in existence then, people felt exploited and discriminated because of their ethnic background. Corruption and discrimination within state administration was considered to have been as serious as discrimination suffered from outside the official administration. However, interviewees emphasized that the social dimension of the state was not in existence, so that state services were provided only in a limited sense, implying a far lesser degree of interaction between citizens and civil servants.

Conversely, in Pashto areas like Logar, Nangahar and parts of Mazar-e-Sharif the Taliban regime was seen with sympathy and was often described as one of the least corrupt periods in the political history of Afghanistan. The Zahir Shah regime was also perceived as less corrupt. Ethnic Pashtuns seemed to approve of the Taliban rule precisely because they felt the Taliban had kept petty corruption, previously a persistent problem for the vast majority of the population, largely under control. However, there are no signs that corruption did not exist under the Taliban as patron-client relationships continued to exist throughout the country.

In Badakhshan, which was controlled by the Northern Alliance and never under the rule of the Taliban, corrupt practices occurring in the period of rule of the Mujaheddin group Jamiate-Islami under the leadership of Rabbani and Masood were singled out. However,
Badakhshonis like Bamyanis, considered that the current administrative system is the most affected by corruption.

Results of the study further indicate an important gap between expectations that Afghans have towards the current state administration and the actual capacities of this state to deliver. While a democratic state, with an elected president and parliament as well as massive international support is expected to bring benefits to all citizens, the de facto situation still diverges importantly from this legitimate desire. Hence widespread disappointment has been both caused by and further aggravated by the common extortion of bribes.

Part of the problem is that state organs and institutions are riddled with all sorts of networks that are well connected through all administrative levels. Even civil servants indicated that punishing corrupt civil servants is almost impossible because most positions in higher grades are bought and therefore “protected” in return for the price they had paid for the position.

2.4 Could female public officials make a difference?

The question of whether or not female public official could make a positive difference in curbing corruption was answered with scepticism, if not negatively.

On the one hand, it was felt that employing more women in public positions could make a positive impact on reducing corruption. One of the arguments supporting this opinion was that women would be more morally binded than men and would feel more ashamed about participating in illicit practices. On the other hand, though, interviewees thought that women would quickly adjust or succumb to the corrupt system and in the absence of courage they would not dare to revolt against it.

Furthermore, in all provinces corruption was considered to be the result of pervasive practices in the administrative systems and structures and respondents were doubtful that corruption be circumvented or changed by individual initiatives. Rather it was feared, that women would
adjust to the corrupt system and their behaviour would soon be contaminated by illicit and immoral values and practices.

Interestingly enough, women themselves were sceptical about the morality of other women in the public administration. Even female civil servants voiced the opinion that women adapt rapidly to the corrupt context, because they are not strong enough to stand up against the corrupt structures.
3 Types, manifestations and loci of corruption

This chapter focuses on what types of corruption Afghan citizens identify, which sectors they think are most affected by it and which actors are involved. This section will describe the “faces” of corruption which Afghan citizens see in their state administration. All arguments presented are based on the opinions, perceptions and statements made by the interviewees and participants of focus groups. Particular manifestations of corruption are presented in order to provide insights into how Afghan citizens interact with corrupt systems of administration. It also presents findings about “protective networks” and the organization of Commissionkars and elaborates on the systems that sustain the selling and buying of official positions or position-buying. We will attempt to illustrate how different mechanisms of corruption can become so entrenched that they are perceived as a ‘set of rules’ in themselves. Further, district level versus provincial level corruption will be explored and Afghan perceptions about corruption in the spending of international aid money will be touched upon.

3.1 Different types of corruption

Focus group discussions and interviews from around Afghanistan indicate that most public officials, whether in a high, middle or low-level position, are thought to extract bribes. Some 95 percent of all interviewees did not know about any anti-corruption laws and said that corruption was an accepted practice. The fact that this is true even in higher administrative positions is considered as a sign that nobody is scared of penalties. Nevertheless there was some variation in responses: interviewees stated that corruption taking place at higher levels of the administration is embedded into particular systems or networks, while lower level corruption was seen as a more arbitrary or spontaneous practice, not based on any particular mechanism or system.
At the aggregate level of all focus group discussions and interviews, the following sectors of the Afghan public administration were thought to be most affected by corruption.

1. Justice sector
2. Security Sector
3. Municipalities
4. Customs

Again as stated above, the context, such as regional background, economic activities and social status, of the interviewees need to be taken into account. In important border areas, for example, the customs sector is thought to be most corrupt, while in Bamyan, Badakhshan or Logar justice, security, municipalities led the list of the most corrupt sectors. Poor farmers face problems in different areas compared to entrepreneurs and traders.

The purpose for bribe takers of the corrupt practices in these sectors can be summarized in two broad categories 1. the extraction of a bribe as a sine qua non for the achievement of a bureaucratic formality or public service, and 2. the exchange of illicit favours for mutual benefit, illicit land-distribution, securing of discretionary tax rates or tax avoidance, etc. These types of illicit transactions are generally achieved through the following common means identified by the interviewees:

1. Petty bribery (asking for Shirini, Tofa or small Baksheesh)
2. Position Buying
3. Nepotism, favouritism and clientelism (Kheshkhori)
4. Offering and asking for preferential treatment (i.e. illicit purchase of land, the reduction of tax to a discretionary, minimal level etc.)
5. Grand corruption (foremost in NGOs and the central government)

The list starts with petty bribery which was the most commonly cited form of corruption and also impacts most on the daily life of the people. Other forms of corruption up to grand corruption were also frequently mentioned, but grand corruption, in particular, was only referred to through anecdotal evidence. The nature differs between
position-buying (2) and nepotism/clientelism (3): In comparison to nepotism, which is often based on kinship or political or social factionalism, position-buying does not imperatively require any clientelistic boundaries. Positions can be bought by whomever can afford to pay the highest amount for the position. In general, people tended to regard these five forms of corruption as an interwoven informal network or system, with serious negative impacts for the legitimacy of the Afghan state. Accordingly, a large number of interviewees thought that the system itself needed to be reformed instead of focusing efforts on replacing individual officials.

This informal system was thought by respondents to extend through the entire state structure and to be based on a web of numerous and heterogeneous nepotistic networks, composed of individuals tied by their affiliation to 

\( j i \), political factions or to \( q e um \) (kinship) groups, among others.

Of particular interest were the statements of two focus group discussions with civil servants, where a sharp distinction was made between two different expressions of corrupt practices. Respondents distinguished forms of corruption that implicate entire groups or networks of people from the corrupt practices of single individuals acting without the backing of any group. Accordingly, it was indicated that \( B e \) \( B a i \) (Mafia-structures) on particular administrative levels were responsible for grand corruption, which is more harmful than petty bribery carried out by individual officials. This was particularly the case as customers were forced to pay bribes to several officials belonging at times to different \( B e \) \( bai \) groups. Thus, these types of practices were considered the worst form of corruption, with the most serious adverse impact on the lives of respondents.

The above is primarily valid for urban areas. At the level of rural districts there are far fewer administrative units and the layers of administrative procedures are less complex making the development of multi-layer networks more difficult. However, people in some of the rural areas researched complained that they were forced to communicate every small dispute to the high authorities of the district, thereby providing him an income from birery. This appeared to be the case for some districts of Badakhshan and Baghlan Province.
3.2 Protective networks

Well-informed interviewees (civil servants and ordinary citizens) indicated that the corruption networks or Band-Bazi provide protection through a crucial contact person, usually in a position of high authority or a person with important political backing. This person has contacts with relevant high-ranking people in key positions at central, provincial or district level, or has an influential official position himself, such as that of provincial governor or minister. Other public officials who were “under the wings” of this particular protector in the public administration could be sure of a certain protection against prosecution, or against losing their position before the end of their term (which was usually bought). They even had the capacity in some cases to get rid of “uncomfortable” colleagues.

This scheme of “protective networks”, considered to be symptomatic of almost all administrative units of the Afghan state, was often criticized during the focus groups and individual interviewees because it effectively prevented reform or restructuring. Interviewees indicated that existing networks mostly reached from district to provincial level and from provincial level to Kabul, and constituted something like a large spider’s web.

As the Ministry of Interior is mainly responsible for the administration and provision of security (police section) at provincial and district level, albeit in coordination with other line ministries, interview partners suggested that the former was a key source of corruption in Afghanistan. Accordingly they stated that efforts aimed at merely reforming specific parts of the network are doomed to failure. Therefore, respondents suggested remedies focusing on reform projects that address corruption in the networks as a whole existing in the country’s administration.

3.3 The institutionalization of “commissionkar”

The study shed light on some relatively new illicit forms, such as the commisso σ’s, that have evolved in many administrative
departments where certain discretion in decision-making is given to public officials.

The perceived increase and spread of corrupt practices over the past years in Afghanistan have contributed to shaping a new term for the country’s public administration: “bazaar-economy” where every position, favour, service, from judicial rulings, prosecutor’s evidence to police decisions can be bought and sold, as in a classical market economy characterized by a system of supply and demand for goods and services. Given that the bazaar-economy is dominated by the above-mentioned protective networks, ordinary citizens without s e or wassita or without a sufficient proportion of it often find it difficult to manoeuvre through the changing and often arbitrary prerequisites imposed by public officials. This situation has become the breeding ground for a new institution, the “commissionkars”, who act as brokers between public officials and citizens or private sector actors. These brokers earn sometimes hefty commissions for their “services”.

Some respondents reported that the current rise of commissionkars started some 2-3 years ago, when corruption began to evolve into a prosperous shadow economy in Afghanistan. However, a high ranking official of the Ministry of Justice insisted that the rise of commissionkars can be traced as far back as the Taliban period.

The commissionkars are not in any formal sense a legal institution, but are accepted by administrative officials as brokers to secure high prices for the delivery of (official) state services. The system of payment and responsibilities can be described as a vertical agreement between the official in the key position, the commissionkar, and the customer, who must first approach the broker through relatives, friends or the recommendation of officials, the customer can ask for a service such as, for

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8 This notion was several times used by the Heart and Mazar-e-Sharif FGD and different in-depth interviewees. Interestingly enough, the Herat FGD was a civil servant oriented FGD (see the provincial case studies available at: www.undp.org.af).

9 Interview with high ranking official of the Ministry of Justice, Kabul City, 19.11.2006.
example, the faster processing of a passport or the fast-tracking of goods through customs. The *omni sś o ṣ* demands a certain amount of money (in the case of an interviewee it was 3700 Afs for a passport) and provides the demanded service within the required timeframe. The *omni sś o ṣ* is in close work-relation with the official in charge of delivering this service and shares the money with this particular official. An interview with a Ministry of Justice official\(^\text{10}\) in Kabul even revealed a lack of clarity on the de facto position of *omni sś o ṣ*. At the beginning of the interview the official was not entirely sure whether or not the position of a *omni sś o ṣ* could be defined as an official one. In the end he admitted that every Ministry in Kabul and line Ministries at sub-national level were using the services of commissionkars, but the position was not officially recognized. This is illustrative of the lack of awareness of even high-level officials about public laws and regulations.

*Commi sś o ṣ*s offer their services first and foremost in Kabul, to a lesser degree also in provincial centres, but only rarely at district level due to the small number of state institutions operating there. On a provincial level, economic wealth and productivity seems to exert a strong influence on the supply side of commissionkars as the few provinces where they are found, such as border provinces like Nangahar, Herat or Balkh, have important customs operations.

While in Kabul most administrative processes can be achieved in a timely fashion through the service of a *omni sś o ṣ*, customers with more patience and less money can also choose the more difficult, independent way of paying several small “bakhshesh”, in order to complete a formality. In the provinces *omni sś o ṣ*s mainly mediate between the civil service and people in lucrative sectors, such as customs. Herat, for example, in comparison with other Afghan provinces, has a strong “culture” of *omni sś o ṣ*s. Herat is one of the wealthiest provinces of Afghanistan offering manifold incentives for corruption in different services.

*Commi sś o ṣ*s operate currently as a profit maximizing institution within extremely well organised hierarchical structures, capable of defending themselves from those seeking their elimination.

\(^{10}\) Ibid.
3.4 District versus provincial level corruption

The highest levels of perceived corruption concentrate on Kabul City, whereas the provincial level was perceived as the second most corrupt level of public administration. The fact that Kabul spends 70% of the total state expenditure, excluding salaries\textsuperscript{11}, provides an explanation for these perceptions.

Regarding the district administrative levels, interviewees indicated that these were less corrupt with regards to the quantity of corrupt proceedings. However the pressure exerted by corrupt practices was higher then at provincial levels. First, competition over positions within different state sectors at the district level is considered less significant, as fewer positions with prosperous illicit profits are available compared to the provincial and central levels. Consequently, officials holding these particular positions try to extract the maximum of bribes in their district administration. Secondly, central state control is weaker and although district governors are in a formal sense appointed by the President, faction fact the provincial governor has the final say on their appointment. Thus if the district governor has good relations with the provincial governor, he or she is likely to enjoy greater support and more leverage to engage in corruption.

Moreover, at local or district level, traditional, non-state shuras and jirgas are still the main institutions for conflict-resolution and decision-making, while the urban population is forced to communicate most of their interpersonal disputes to state institutions\textsuperscript{12}. As a result, the district administration is required to resolve only a small number of less expensive issues. In some southern provinces (like Paktia) a situation can be found where the tribal police (\textit{Arbakai}) and not the ANP has a lead in maintaining security at district/village scale.


\textsuperscript{12} An estimated 80% of the Afghan population still lives in rural areas, source FAO (2003).
A further key factor is the remoteness of most districts in Afghanistan. An inhabitant of Wakhan or Shugnan (districts of Badakhshan) needs a minimum of a week's travel by horse, donkey and car to reach the provincial centre, in order to ask for public services which cannot be provided by the district level administration or which require the involvement of a higher authority, for instance, a judicial decision. In these cases the added cost and effort of distance provide the provincial administration with enormous power over the people, as they do not want to return home with empty hands (just as inelastic demand equals higher prices for other commodities in a free market, it has the same effect for bribes).

However, at district levels, the recurrence or size of bribes seems to be an important difference with the provincial or the central level. In the opinion of interviewees, the rare sources for corrupt revenues in the district administration tend to be lavishly exploited by officials in charge. For that reason, bribes for formal procedures within the district administration tend to be higher than at other levels.

This was further explained by an official from Bamyan who reported that district governors in most cases have to buy their official positions. As a result, they are compelled to pay back the “credit” for this investment and at the same time ensure the accumulation of enough capital to live on after finishing his term. Both objectives are achieved through the extraction of bribes.

Furthermore, those services provided at district level can require a significantly higher bribe than what would be required at the provincial level, because district officials know about the difficulties, time and price involved for somebody to travel to the provincial capital and exploit that situation. A well informed and educated key-informant provided an illustrative example stating that customers of the district level administration are obliged to pay up to 300 Afs for the issuing of an ID-

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14 This allegation was prevalent in almost all interviews, when a discussion or question about district administration came up. (see the provincial case studies available at: www.undp.org.af).
15 Interview with an influential Afghan entrepreneur in Kabul City, 20.11.2006.
card, compared to only 100-150 Afs at the provincial level administration.\textsuperscript{16}

3.5 Aid money and corruption

The research project revealed widespread resentment against the aid sector, mainly based on the perception that most of aid money is embezzled by the implementing agencies. But the research revealed that Afghans do not always fully understand what ‘aid money’ and ‘implementing organisation’ mean. Apart from some educated representatives of the Afghan civil society, hardly anybody made a proper differentiation between national or international non-governmental organizations, International Organizations (IOs), religious international foundations, and construction firms (often called NGOs) or National Solidarity Programme implementing partners. Therefore, the use of 'NGOs' by Afghan citizens implies several forms of “aid money” in a general sense. In order to respect as much as possible the views of the interviewed people we prefer to use their own language, although we will include some corrections, where necessary.

Interviewees perceived NGOs to be amongst the most corrupt institutions in Afghanistan. This assessment was based on the argument that this form of institution often deals with large amounts of money and in many cases subcontracts projects to private entrepreneurs, such as construction firms. In the case of construction companies it was reported that corruption takes place in a hidden manner, but with damaging consequences, such as the collapse of a school after one year of construction, because of the low quality of the material which was used for the construction of the walls.

Multiple complaints were made about the high salaries of NGO staff. Civil servants interviewed complained repeatedly during the study

\textsuperscript{16} For a detailed insight on possible corruptive machinations taking place on Afghan district level, please see the case study of the provincial report about Badakhshan Province. (The provincial case studies are available at: www.undp.org.af)
about the unfair salary difference between their positions and NGO positions, as a justification for corrupt practices.

Complaints voiced by ordinary citizens focused mostly on the “senseless disbursement of aid money through NGO’s”\(^{17}\). In this connection, people identified many projects such as workshops and seminars for gender programs or democratization projects as a waste of money. Within these complaints the following subtext could be discerned: “We are dying of hunger, we do not have enough streets or hospitals and the international community in collaboration with the government only invests in senseless projects!” These practices were viewed as corrupt because the aid money was not being spent in meeting the needs of the people.

Furthermore, it was often mentioned, particularly in Badakhshan and Herat, that corruption takes place both in the disbursement of aid money and in the implementation process, and workshops were also mentioned. Interviewees in Herat city \(^{18}\) gave an example for the latter which echoed responses from other provinces. Interviewees claimed that if 100 people were required for a planned workshop, the implementing partner at provincial, district or local level might invite only 20 participants, but demand money for a workshop with 100 participants. However, the study also showed that whereas people in poorer regions hold this view, educated people in wealthier and more developed regions such as Mazar, Herat or Nangahar viewed these programs as eminently reasonable.

An interesting testimony about larger scale corruption at ministry level was provided by an ex-official from a ministry. He reported that in his former career he had observed the disbursement of millions of dollars of aid money based on ethnical, jihadi or kinship boundaries.

\(^{17}\) This was an often voiced allegation made by civil servants and ordinary citizens.

\(^{18}\) Interview with two high ranking employees of the an NGO in, Herat City, 09.10.2006.
4 Causes and effects of corruption

This part of the report sheds light on what Afghan citizens think are the causes of corruption and the effects it has on their individual lives. The focus will be causes and impacts that were most often mentioned.

4.1 Low salaries, greed and lack of accountability

One of the most frequently mentioned perceived causes for corruption was the low salaries and resultant poverty of civil servants. However, the economically poor situation of public officials was only given as a reason for petty bribery, whereas the causes for grand corruption were mostly viewed as being motivated by greed or as a result of the political system, which enabled and perpetuated corrupt practices at high levels.

Another frequently mentioned cause of corruption was the genuine lack of accountability of the government to the Afghan population. Respondents referred to the fact that there had been no proper punishment of corrupt officials, and to the existence of a general culture of impunity for corrupt officials. Furthermore, even anti-corruption institutions of the Afghan state, such as the General and Independent Administration of Anti-Corruption and Bribery (GIAAC) and the Priority Reform and Restructuring (PRR) programme, were well-known for their corrupt practices. Interviewees felt neglected by the government, or even perceived the government as threatening.

Political nepotism, including political co-option of warlords, was seen as another leading cause for corruption. This was seen as a factor preventing punishment of corruption and undermining government accountability. Educated interview partners, however, expressed a certain understanding for Karzai's policy. “The government cannot act without involving all the war-based networks, which are now deeply anchored inside the whole state administration” reported one interviewee.19

19 Among several other interview partners a particular interview with an AKF (Agha Kahn Foundation) high ranking staff in Badakhshan Province (Faizabad, 16.10.2006) shed light on the boundaries of this very policy.
A very different view was put forward by several interview partners who affirmed that the current level of corruption and its entry into Afghan culture was largely based on the influence of the culture of corruption in Pakistan which had been “imported” by Afghan refugees. It was assumed that refugees, who are now increasingly returning to Afghanistan, had adopted corruption as a way of life in Pakistan. This allegation prevailed in Nangahar, a border province with Pakistan.

4.2 The vicious circle of buying and selling positions

The selling and buying of positions illustrates particularly clearly the vicious circle of corruption. Positions in the current political and economic structures of Afghanistan can be seen as economic goods and public positions, specifically the higher ranking ones, have enormously appreciated in value. Interviewees from poorer provinces like Bamyan and Badakhshan also reported that low-level positions had appreciated in value, so that people were willing to pay considerable sums even for lower level positions.

The case of a Woleswali (district governor) was an frequently cited example to illustrate the self-perpetuating circle of corruption. In some cases, a district governor of an average district pays around US$ 20,000–25,000 to the Wali (provincial governor) or the relevant department of the MoI (Ministry of Interior) in order to occupy this position. However, the bribe sum to get such a position differed from province to province according to the different sources of potential “revenues”, such as customs, drug cultivation, etc. Thus, in Herat or Nangahar a district governor at a main border entry post would pay much more. Due to this initial “investment” a district governor is virtually obliged to collect the money he already spent on the purchase of the position, whilst also making as much profit in the position as possible. The post of security commanders of drug-cultivating provinces could cost, according to estimates made by several key-informants, between US$ 100,000-400,000. The post of a district governor in these provinces was said to be of similar value. If an important border exists, the district governor (in close collaboration with the province governor and the security commander) more often than not had a large share within illicit cross
border transactions. Private entrepreneurs were also forced to deliver a certain share of their profit to the “bought-in” district governor, respondents reported.

Therefore, one main cause of the current forms of corruption as perceived by respondents was the vicious circle of position buying that had became a profitable source of income and political dominance in contemporary Afghanistan. One corrupt practice could be cause and / or consequence of another corrupt practice, and corruption had become self-perpetuating.

4.3 Insecurity as cause of corruption

Interestingly enough, the current increasing security threat is also perceived to be a possible cause of corruption. According to one high-ranking civil servant the fear that the government may change from one day to the next means that civil servants had no sense of job security and therefore everybody working for the governmental administration, irrespective of his position, was trying to fill his or her pockets as quickly as possible. According to another key civil servant informant, 70 percent of all formal state revenues of Badakhshan Province were not delivered to Kabul.

Unlike civil servants in developed countries unaffected by conflict, the long civil conflict in Afghanistan did not allow for the provision of pensions for Afghan civil servants. The civil servant is therefore, in the opinion of officials interviewed, forced to extract as much money as possible in bribes in order to survive after the leaving employment.

Thus, job insecurity, limited public faith in the durability of the current regime and the absence of pensions or any social security nets

20 Interview with national director of livelihood programs of the Ministry of Agriculture, Kabul, 07.08.2006. Apart from this interview this mentioned allegation were pointed out also in several further interviews; not only by civil servants, but by ordinary citizens and people with less education.

21 Interview with middle-level official of the line Ministry for Finance of Badakhshan, Faizabad, 16.10.2006.
Afghans’ Experience of Corruption

have contributed over the past five years in turning state positions into commodities to be bought and sold for their money spinning potential.

4.4 The ripple effect -- undermining state legitimacy

Increased corruption as a result of the causes outlined above has played a serious role in undermining state legitimacy in Afghanistan. Most respondents said the state had limited legitimacy or even no legitimacy in the eyes of the people as a result of corruption, among other factors.

Corruption has a particularly negative effect on ordinary citizens without any power or influence. The ordinary citizen who is not interwoven in ethnic, political or other influential networks, feels completely powerless vis-à-vis the state. Consequently, state legitimacy decreases and people use all means to circumvent the state. The fear is that such anti-government resentment could lead to a public backlash and in a worst case scenario to support for violence or even active participation in anti-governmental actions. The possibility of such a scenario was raised by respondents in Logar, where the Neo-Taliban are wielding more and more power. A focus group of several shopkeepers in Logar told researchers that people felt so powerless vis-à-vis the state that they would be willing to support anti-governmental units in order to stop the exploitation of ordinary people by Afghan officials.

That such a scenario can escalate into violence has been witnessed in the troubled provinces of southern Afghanistan where a full scale insurgency has developed. Security, one of the core public goods, cannot be provided by the state anymore. While the anti-terrorism units of the state in close collaboration with the US-coalition forces are in charge of the search for Al-Qaida and other insurgents, the provincial/district administrations responsible for these operations tend to misuse their official roles by extorting innocent Afghans, in order to get a bribe. Several anecdotal reports in Logar province indicate that public officials may have been involved in blackmailing ordinary citizens by accusing them of cooperation with the Taliban or Al-Qaida. Since most ordinary Afghans would find it difficult to disprove such an accusation in an official process, the official wields significant power over the falsely accused individual and can extract significant bribes.
This type of corrupt practice is considered one of the most intolerable for any citizen of Afghanistan, in addition to the aforementioned extraction of bribes from very poor citizens, because state officials play with the deepest fears of people. However, respondents also frequently reported that in southern parts of Afghanistan ordinary citizens would also engage in this type of blackmail against their personal enemies during land disputes or trade issues.

4.5 Negative effects on the private sector

The economic consequences of corruption are evident in state revenues, but also impact enormously upon the private sector. Due to corrupt practices that take place in customs posts in the main border areas, the private sector incurs high losses. Research results from Herat, Balkh and Nangahar province provide evidence of this.

Two big traders interviewed separately in Herat province reported that the Afghan state was not receiving the full amount of tax revenues because of bribery in customs ports and in the customs house. This situation has not only a negative effect upon state revenues, it also impacts upon market prices for commodities and other goods. The mechanism of corruption in customs benefits the trader who imports goods into Afghanistan and disadvantages Afghan entrepreneurs exporting or producing the same goods. Entrepreneurs interviewed indicated that this distortion of normal trading conditions makes the business of national entrepreneurs unviable. Corruption has a negative impact on the private sector and, consequently, on the livelihoods of Afghan people. Further, an interview with a high-ranking customs official in the main custom department in Kabul revealed that an estimated 50 percent of custom revenues were not regularly transferred to Kabul. Here again the vicious circle of corruption results in reduced efficacy and legitimacy of the Afghan state.
Herat is one of the most lucrative border regions of Afghanistan. The borders to Iran and Turkmenistan are served by a number of customs ports which show a high level of corruption with a dire impact on state revenues. For instance, trucks transporting goods from Iran to Afghanistan formally have to pay a customs tax of around 10,000 Afs. However, in most cases the customs official offers the payment of bribe money in order to "turn a blind eye" to truck-drivers evading this charge. Consequently, every day the state loses large amounts of revenue.

A further tactic of extracting bribes at the border is the "incorrect declaration" of goods. The customs administration must first determine and control the goods awaiting entry into Afghanistan. In the case of vegetable oil, for example, each barrel entering from Saudi Arabia incurs a charge of USD 50 in customs duties, while a barrel originally from Turkey costs USD 60. The civil servant at the customs can thus propose to the truck driver that he could declare the oil as Saudi Arabian, in order to save money. At this point bribe money is demanded.

These types of corruption harm the private sector and as a consequence the livelihood of people. Goods are not declared in a formal way, so that a truck carrying plaster, for example, must only to pay 200 Afs in comparison with the formal sum of 10,000 Afs. Consequently, an Iranian trader of plaster can sell his commodity at a much cheaper rate than Afghan local traders or producers.

An individual interviewee (big trader) reported having incurred huge losses in his plaster manufacturing business due to anticompetitive corrupt practices within the customs at Herat. Of 80 original employees only 20 were currently left and production had decreased to a small level. Thus, corruption indirectly undermines the already fragile Afghan economy.

The above mentioned corrupt practices can be viewed as petty bribery and middle level corruption, whilst the grand scale corruption in the particular sector of customs involves much larger sums. In order to occupy an executive position in the Customs of Herat the person concerned must
provide between USD 30 000-50 000 to the customs administration or to the provincial governor.

Anecdotal reports provide evidence of grand corruption in the Herat customs service. A middle level civil servant in customs (average monthly income USD 50) can currently afford a house for USD 150 000, after working in the customs administration for around four years. The comparison was made by an administrative officer working for a large NGO in Herat and earning around USD 300 monthly, who after 10 years is still not able to afford to build a house.

In spite of reform already undertaken at Herat Customs and a new system for the payment of duty, corrupt practices still prevail. The new USAID sponsored system has streamlined the bureaucratic process of paying customs taxes. Only a single form must be filled in the customs office, in order to pay the required duty. However, it appeary that this reform has not succeeded in eliminating corruption within the customs service of Herat province.
5 Remedies

Bearing in mind the requirements of the UNDP approach for sustainable governance\textsuperscript{22}, which is key for any anti-corruption approach, Afghanistan is lacking all three institutional pillars (civil society, private sector, and functioning state institutions) needed to enable such an environment. Moreover, Afghanistan an example where infrastructural and capacity-development effort has had to start from scratch. Almost three decades of war and the absence of proper functioning state institutions has left the country with an unorganized and weak administration which is not equipped to deal with the challenges that lie ahead.

The fourth and last part of this report concentrates on the suggestions made by Afghans themselves regarding possible measures to break the vicious circle of corruption. We will concentrate on recommendations that were most popular amongst respondents.

5.1 Strengthening provincial councils

Most interviewees regarded the central administration as the source of most corruption in Afghanistan. Kabul and its Ministries, state institutions and the government itself were seen as the most corrupt stakeholders in Afghanistan. Accordingly, researchers asked interviewees whether and how they saw a feasible and effective way out of this scenario. Raising approaches like devolution or decentralisation gave rise to ambivalent responses. On the one hand, there was a certain fear of a more powerful provincial and district governments, while on the other

\textsuperscript{22}According to the governance concept of UNDP, governance includes the state, but transcends it by taking in the private sector and civil society. All three are critical for sustaining human development. The state creates a conducive political and legal environment. The private sector generates jobs and income. And civil society facilitates political and social interaction– mobilising groups to participate in economic, social and political activities. Because each has weaknesses and strengths, a major objective of our support for good governance is to promote constructive interaction among all three. In: UNDP, Governance for Sustainable Human Development, New York, 1997.
there were frequent demands for more active and powerful provincial councils (PC) and the formal institutionalization of district and local councils.

Although the Constitution of Afghanistan does not forbid decentralisation as such, de facto efforts at decentralisation are limited to the election of provincial councils, in which most interviewees of the study did not feel represented.

Many interviewees argued that corruption had taken place within the election process. Consequently, several cases were mentioned of current parliamentarians in Kabul, but also provincial councillors, who allegedly occupied seats which they had bought. Apart from Bamyan province, where most interviewees from different social strata did feel adequately represented by the provincial councillors, an estimated 75 percent of interviewees from the other six provinces did not feel adequately represented by their PC. The main reasons for this dissatisfaction were perceived corruption within the election process, and also a general feeling that PCs were incompetent and ineffective in fighting corruption.

Provincial councillors naturally defended their positions. Provincial councillors from Herat, Badakhshan, Bamyan and Logar province emphasized the crucial role of councillors in the fight against corruption. However, some of them said they felt powerless, as the PC has no de facto mandate to interfere in corrupt practices taking place within the administration. In Bamyan province a provincial councillor indicated that he received dozens of complaints from the people about their problems with corruption in the administration. However, he indicated that his weak legal status did not allow him to exert influence on corrupt officials.23

5.2 Greater devolution to Sub-National Administration

23 Interview with a member of the provincial parliament of Bamyan Province, Bamyan City, 30.10.2006.
Fiscally, Afghanistan is highly centralized, except for the municipalities, which are responsible for their own budget expenses and revenues. Every other state body on sub-national level has to deliver all revenues to the central government. The latter is in charge of the complete annual budgeting for each district, provincial and central administration including all line Ministry representations at sub-national level.

At local level traditional shuras and jirgas are in charge of most forms of conflict-resolution and decision-making, while the government on behalf of the World Bank has initiated the establishment of Community Development Committees (CDC, part of the National Solidarity Programme, NSP). The latter, however, have only a quasi-legal status and cannot be classified as organs of local administration. As seen above, the remoteness and the fear of bribes creates a big distance between people and the state in terms of contact at district level.

Against this context, interviewees suggested that decentralization could be a fruitful strategy to tackle corruption on sub-national level. The provincial administrations might benefit from a greater degree of responsibility for their own revenues and might therefore install stronger and better control mechanisms in order to get rid of corrupt civil servants. Theoretically, this approach could be feasible. However, bad governance is also prevalent at sub-national level which is largely influenced by informal, illicit networks of officials and non-officials (such as influential warlords who provide protection) creating a fruitful environment for corrupt practices.

Furthermore, the corrupt practices of these networks are protected by stakeholders working as high-ranking officials at the level of the central administration. In the opinion of the author, were decentralized structures to be introduced within this landscape, revenues would be shared directly, without any control from Kabul, between the active operating illicit networks. Therefore, the question of which local strongman holds which governmental position has to be assessed as well as the extent to which that person can have leverage over different networks and groups.
Afghanistan is rather a good example of a hybrid mixture of different forms of local and provincial governance. Therefore, programmes aiming to tackle corruption should contextualize their approaches to the given circumstances of each province as far as possible. Bamyan, for instance, has a different set of corrupt administrative departments compared to Herat or Balkh. Consequently the author thinks that tackling corruption in Bamyan by implementing programmes in the customs service would not work. Putting aside the fact that each province has its own particular forms of corruption, there are three sectors that are apparently the most affected by corrupt practices in all researched provinces: justice, security and municipalities.

Focus group members and informants suggested that all administrative and security units on sub-national and central level of the Ministry of Interior, the courts (law departments) and the municipalities must be taken into account for restructuring and reform. In this context, control mechanisms such as those that were in place during the Zahir Shah era could potentially represent an effective tool. During this era, civil servants were forced to disclose their personal estates and wealth during their time as civil servants, in order to prevent large-scale corruption.

5.3 The claim for exemplary punishment

Exemplary punishment was considered as one of the most useful means of combating corruption, if effectively implemented. It was repeatedly noted that corrupt high-ranking civil servants are shown in television, but with hidden faces. Interviewed people often asked back: “Who knows if this is really the corrupt governor XY, who was involved in grand scale drug-trafficking and corruption?”

Some people referred to the exemplary punishment methods of the Taliban regime, which ensured less corruption in their opinion. This may not be a viable option given the extreme nature of Taliban punishments, including public executions. Nevertheless, even representatives of civil society demanded more exemplary punishments. In this respect, interviewees stated that Afghan people were quite influenced by harsh conditions they had endured during 25 years of war.
Therefore, civil society representatives indicated that corruption could not be tackled only by means of replacements or demotions.

5.4 **Perception of ongoing reform programs and institutions**

Interviewees expressed their opinions on public administration reform programmes. The Priority Reform and Restructuring (PRR) program was perceived by most interviewees as one of the most corrupt programs implemented in Afghanistan to reform the administration. Allegedly, up to 70 percent of all official positions of PRR were filled through corrupt practices. According to a research officer of the General and Independent Administration of Anti-Corruption and Bribery (GIAAC), the principal form of corruption was based on nepotism, as well as extra money paid for the favour of securing a high-level official position.

GIAACC itself, as a newly-established anti-corruption institution, was only known by a few civil servants interviewed and civil society representatives. Ordinary citizens, like farmers or teachers, were not aware of the existence of this particular institution. However, those who were informed about GIAACC criticized its work and questioned its effectiveness. Also, most of the ordinary citizens interviewed, and astonishingly some civil servants, were not aware of anti-corruption laws.

5.5 **As a last resort: religious scholars, media and civil society?**

**Religious Institutions**

Most of the interviewees, except for active religious authorities, emphasized that religious scholars themselves were not absolutely free of corruption. Examples were given of mullahs in villages who used their position of the final arbiter in disputes to extort bribes in return for a decision in favour of the bribe-paying party. Even a highly respected religious scholar working in the Criminal Court in Kabul City indicated that

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24 Even civil servants in individual or FGD interviews voiced a bad opinion about PRR.

25 Interview with a Research Officer of GIAAC, Kabul, 19.11.2007.
religious institutions in Afghanistan were not free of corruption. Nevertheless, religious institutions enjoyed a widespread acceptance despite the oft-mentioned local reality of bribe-taking mullahs.

The suggestion that Sharia laws and regulations could most likely help to curb corruption was frequently made. Additionally, educated citizens often emphasized that the state should engage Ulemas by paying them an appropriate salary in order to spread the idea that corrupt practices were immoral and un-Islamic.

Another remedy suggested by a group of Ulemas in Logar was an approach adopted by the Saudi Arabian state which institutionalized a state organ named “Amre-Bel-Mahrup (Hukum bar Neki)”. It was reported that this particular administrative body was exclusively entrusted with the task of spreading the Islamic prohibition of corruption through religious institutions. The members of this institution were mostly Islamic scholars and Mullahs, who received high state salaries in order to combat corruption in all areas.

**Civil Society**

As the system itself was considered corrupt, interviewees often mentioned that at present no particular group or non-governmental institution was in a position to tackle corruption in a decisive way. Important actors in the central state administration could easily circumvent anti-corruption initiatives, respondents repeatedly stated.

Interviewees from most provinces criticized the idea of only relying on civil society in anti-corruption initiatives, with one respondent arguing that “civil society is pointless in a country where you can hardly find literate people.” Afghanistan’s estimated literacy level of just 17 percent, certainly does cast some doubt on the capacity of civil society alone to fight corruption.

Taking a step back from the western approach to civil society, a more Afghan approach to civil society could be identified: respected

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26 High-ranking official of the Criminal Court of Afghanistan, Kabul City, 19.11.2006.
27 Among further interviewees the FGD in Badakhshan Province, constituted by traders and shopkeepers, reinforced this very opinion.
elders and Ulemas at local level were clearly perceived by Afghans as a major part of civil society. If anti-corruption programmes were to include these groups in their activities, according to most respondents and FGD participants in rural areas, corruption could be fought in a much more effective way. This contrasted with views in urban centres and in Kabul City, where respondents felt that a civil society consisting mainly of journalists and educated scholars could better tackle corruption than Ulemas.

**Media**

Most interviewees regarded awareness-raising through the media as an effective tool to tackle corruption. However, such was the strength of corrupt networks in the general administrative system, that the media was seen as too weak to challenge corruption.

Media was seen more as a means of obtaining and disseminating information about anti-corruption laws, regulations or even trials of corrupt officials. Ordinary citizens often indicated that better information, about their rights vis-à-vis the administration, perhaps communicated through television could give them some ammunition in their interaction with public officials and enable them to protect themselves.
6 Conclusion

The cross-provincial research on Afghans perceptions of corruption reconfirmed the urgent need for immediate action in this sphere. If the current levels of corruption administration prevail, the already weak legitimacy of the government will be reduced yet further. In this sense, the voices of Afghans reflected in this report should be heard as an alarm bell.

Civil servants, traders, farmers, teachers as well as ordinary citizens perceive the administrative and political system as dysfunctional, providing many opportunities for corruption. Given that the different types of corruption are largely carried out as part of interwoven networks (Band-bazi), ordinary citizens face increasing pressure as they lack the financial means or leverage to influence the plethora of competing networks. If the government does not succeed in tackling this enormous problem, an already growing security threat may further deteriorate. People feel insecure, exploited and neglected by the state. A commonly repeated line illustrating this impotence was the statement: “when the government is not able to give us help, so please help us to at least avoid exploitation by the government”

Contrasting views were expressed by civil servants. They also felt neglected by the state in some respects. However, civil servants repeatedly justified bribe taking on the basis of low salaries. Interviews with officials confirmed that a constant misuse of public position / space for private gains was taking place in the Afghan administration. But officials frequently claimed that small “gifts” the so-called baksheesh could not be considered as real examples of corruption.

Interviewees believed that tackling corruption was an extremely difficult task. There was a distinct sense of resignation and powerlessness of the individual when confronted with the strong and interwoven web of heterogeneous corrupt networks, which were closely collaborating from district to provincial and central level. Many respondents could not see a feasible way out of this circle of corruption. Aware of the fact that the whole administrative and political system needed to be changed, interviewees believed that small steps, like strengthening of the
provincial councils and awareness raising via media could lay the ground for further reform programs.

From the perspective of the author the government is currently trapped into a vicious circle of different layers of corruption, which are tightly interwoven. High level officials often act with impunity and do not fear punishment or replacement. As an unintended consequence of its attempts at bringing key powerholders into the mainstream political system, the government has become dependent upon power-holders from war-times and their networks. This leaves only limited space for manoeuvre in terms of targeting corruption and its practitioners. Reform-processes, like the PRR, have been easily turned into vehicles for further corruption and nepotism. As long as clear and effective penalties are not adopted and implemented, corruption will continue to flourish, with all of its negative consequences for livelihoods, state legitimacy and ultimately also for security.
Annex I

Methodology

As briefly mentioned above, this research project was carried out using a combination of two qualitative techniques. Focus Group Discussions (FGD) were the primary information gathering tool, which was complemented by in-depth interviews, used as a back-up mechanism to avoid the disadvantages of FGDs. The combination of both tools allowed a more complete exploration of what Afghans think about corruption.

To ensure coverage of the geographic, ethnic, religious and linguistic diversity of Afghan society, the list of provinces included: Kabul, Herat, Balkh, Nangahar, Logar, Baghlan, Badakhshan and Bamiyan.

All together nine focus group discussions were carried out (seven in the seven different provinces and two in Kabul). Interviewees for the 61 in-depth interviews were drawn from a sample of public servants and from the Afghan population at large. In order to be able to focus on the specific provincial corruption-related problems, which had been identified during the phase of pilot interviews, some questions from the semi-structured interview concept were adapted to the provincial context.

All FGD participants as well as all individual interviewees of the study were Afghan citizens. The research framework included the following main interview groupings:

Preliminary in-depth interviews in Kabul were conducted as a pilot exercise, in order to test a contextualized questionnaire. These first

28 The disadvantages of Focus Group Discussions in the Afghan context are to the result of hierarchical structures within different social strata: i.e. the young farmer does not dare to say anything against the Mullah. It was also often observed that generally ordinary citizens are very careful in what they say in front of an official. Therefore, the researchers decided to choose FGD, but to complement these with in-depth interviews.

29 A detail list of participants of FGD and in-depth interviewees is included in each provincial report in the methodological section. (The provincial case studies are available at: www.undp.org.af)
in-depth interviews were conducted with a sample of public servants and the public at large, including Ulema and civil society representatives, as well as with small and large private sector entrepreneurs (nine interviews with civil servants and eight with the general public). Key informant interviews were also held at leading international institutions. Following these interviews, the questions for the focus group discussions and in-depth interviews were refined. Additionally, the research team determined the main themes, and the areas that needed to be prioritized.

The composition of FGDs was based on the following criteria: age, sex, education, state/civil society distinction, conservative/moderate politics, rural/urban and private sector. The number of participants in each FGD did not exceed 7-9 persons, as the research team had observed that larger FGDs would not generate adequate results as certain participants were not able or willing to speak and the quality of the information became opaque. To address these problems the research team organized FGDs that included a mixture of similar interviewees in different groups. This method allowed discussions to take place more openly.

The same FGDs were divided into 4 sessions in order to cover each of the above mentioned research questions. This approach was necessary as the diversity of views on what corruption is and how it should be treated, in the absence of public debate over the question, required lengthy discussions over time.

Complementary in-depth interviews were conducted in parallel with the FGDs. In each province in-depth interviews took place in most cases prior to the FGDs. This allowed the collection of information and analysis that was not obtained through FGDs. This methodology was especially useful in gaining a better insight into high level officials’ views on corruption and proposed solutions, which they would not have been able to discuss in company of other officials.

Between 5-8 in-depth interviews were conducted in each of the seven provinces, and 17 individual interviews in Kabul. The in-depth interviews followed the same structure as the FGDs, with the same themes and questions, designed in a structured interview sheet. This
allowed a comparison of the results in each province and facilitated the analysis for the National Synthesis Report. The complementary in-depth interviews captured the views of Afghans from all walks of life and different social strata.

At this point it must be mentioned that some difficulties were faced in conducting interviews. People were afraid to discuss corruption since this is such a sensitive issue. Initial requests for an interview were often rejected at first, and the team was only able to carry out crucial interviews through persuasiveness in many cases. Corruption appeared to be a particularly sensitive issue in Logar and Herat provinces.
Annex II Interview Questionnaire

Introduction: Integrity Watch Afghanistan (IWA)

We are social scientists and researchers of Integrity Watch Afghanistan (IWA) which is an independent Afghan social organization aiming to reduce corruption in Afghanistan. Our organization collaborates with UNDP and is interested in your experiences and perception regarding corruption within the Afghan government. Whilst the results of this study will be public, we will keep confidential your names and your personal identifications.

The discussions will take place during two days and four separate sessions, each dedicated to a specific theme regarding corruption. First, we will discuss what is your understanding of corruption, what you can accept and will not consider as a corrupt practice or behavior and what you cannot accept as such. Second, we will be interested in discussing your experiences or that of your close-by friends and family members about the way you or others encountered corruption. These include types of corruptions, situation in which they occurred and where they appeared. Third, we’ll discuss the causes of corruption and understand whether certain justifications of it are acceptable to you. Last, we’ll consider the ways you’ll identify to curb corruption, avoid bribe and find solutions.

Equal participation of all is important in these discussions and every opinion and experience matters to us. Discussions will be led by one of us while the other will take notes.

Interview Scheme (in-depth)

a) Date:
b) Place of Interview:
c) Name of Interviewee:
d) Place of residence:
e) Civil status:
f) Age:
g) Gender:
h) Education:
i) Ethnic Group:
j) Profession:
k) How many family members:
l) Economic Status:
Perceptions of corruption: legitimate and illegitimate

1. Name the terms which are usual and common for corruption? Are there other notions than “fesat-e-edari”?
2. Which words do you use in which context?
3. What are the practices and behavior which you would value as corruption?
4. Please describe your observations of corrupt practices in the space of your work and social environment?
5. Which behavior is acceptable and which is not acceptable? For what reasons, you cannot accept it? Have you talked about this in family or with friends?
6. What are the three domains and services you’ll ask from the State institutions in which corruption is the most unbearable to you?
7. Which kind of corruption practice put you most at unease: bigger bribe by one individual once or smaller bribes by many? Why?
8. When you anticipate that within the legal framework, your participation as a citizen may partially lead to sustain corruption, what will you do? Will you, for instance, pay taxes which won’t go to government? How do you justify?
9. Which kind of corruption you’ll never be involved in, even out of necessity?
10. Will you accept corruption when acting against it will undermine public security?
11. Have you personally suffered from corruption? How often? How much did it cost you?
12. What are the experiences of your family members? How did they affect the household?
13. How do you assess the effects of bribing somebody on your daily life?
14. Would you consider your practical gains when you are faced by corruption?
15. Do you feel ashamed, relieved, proud, angry or exploited immediately after you gave a bribe? Are you discouraged and feel powerless? What are the deep experiences of your close friends? Do you talk about such experiences easily?
16. Are corrupt practices affecting the social prestige of a bribe taker? How does the society perceive such a person? Do you know bribe takers gaining more power within their social environment through corruption? How do you explain this?

17. Does bribe taker or a person committing corruption feel guilty? Does he suffer psychologically? Which categories of civil servants should not be considered guilty by law?

18. Do you believe women are less corrupt than men? Why?

19. What sort of developments and changes has taken place in the forms of corruption, if you compare past and current (post-Taliban) situations? Do you have examples regarding the changes between Zahir Shah, communist regime, Mujahiddin and Taliban periods?

**Types and manifestations of Corruption (corrupt practices)**

20. What are the different types of corruption you know of? Do you believe that corruption is always similar or can it be distinguished in its different forms?

21. What are the actors participating in corruption? Do you see differences in corruption between private sector, public sector, NGO and foreign aid?

22. NO RATING, but which type of corrupt practices do you find in this… sector? What are the sectors / public services most affected by corrupt practices? Which kind of activities within public administration has the highest rate of corruption? Why?

23. How is the corrupt act motivated? Are you asked for a bribe or do you offer a bribe, or both? Under which circumstances and why and by whom?

24. In which the sectors (health, education …) do you experience more corruption? Why? In which way?

25. Which level within civil service is responsible for most of corruption? Decision-makers or executing officers? Why and what is your experience?

26. Do you think there are difference between corruption in Rural areas and urban? If yes, what and why?
27. What are the places or individuals that allow you to make an act of corruption? Is it during the official time or after?
28. Is there nepotisms done by public official? Do you think this is a correct behavior of a Civil servant?
29. Where do you think that nepotism practices take place? District, Provincial, Central, or/and ministry branches.
30. What is nepotism based on? Ethnic, linguistic, political or profit (common profit of a group) based?
31. Do you believe that there is an organized system behind the different forms of corruption taking place in the public administration? How can you identify this network and how do they work?

**Causes and effects**

32. What are the causes of corruption in your opinion?
33. Do you think that there is an impact of modernization of the country and corruption? If yes, what?
34. Which kind of intermediary relationships (relatives, personal or political links, commission takers) is a dominant factor in spreading corruption?
35. Why do you think people engage in corrupt practices?
36. What in your opinion are the effects of corruption?
37. Which of them are the most detrimental to Society/ economy/ political system (rating?)
38. Would you value the impact of bribes as advancing the process of getting things faster done? In which cases and how?
39. Would you value an economic low standard of as a reason for corruption to exist? Why?
40. Who is in the end responsible for the first step of bribe? Who, the bribe giver or the bribe taker causes most often corruption? Why?
41. Are too numerous procedures increasing corruption? Which types of them play a crucial role?
42. Are you informed about corruption law? Do you think civil servants are corrupt because they are not fully aware of these laws? Do you believe
that a weak status of law-abiding within the population and the civil servants leads to corruption?

43. Why is the state not able to punish corruption?

44. Is the lack of state authority in provinces a cause for corruption? How dominant is that factor?

45. What effect, if any, does the presence of the International community in Afghanistan has on the phenomenon of corruption.

46. Do you think corruption in state institution exist because government lacks genuine accountability towards the Afghan population?

**Remedies and ways to avoid the bribe trap and corruption**

47. What kind of remedies would you give to reduce corruption?

48. Which are the areas were you would start with to fight corruption?

49. Who would be responsible to make this work should do it? (CSO, Parliament, Government, Specialized institutions, Media, Private sector, Citizens…)

50. Do you think that religious and social values can be used to fight corruption?

51. Has the reduction of administrative procedures in certain ministries helped reduce corruption? How?

52. Do you believe that an increased salary for civil servants will help reduce corruption? Why? And why people who receive good salaries are still corrupt?

53. Do you consider that the monitoring of the government expenses by external contractors has decreased corruption in procurements and frauds?

54. Will recruiting more women in public administration decrease corruption or at least limit the requests for bribe in the office? If yes, why?

55. Do you believe exemplary punishment will reduce corruption? Do you consider prosecuting of big fish as an argument in favor of curbing corruption?

56. What useful tools and means are existent in your environment to support anti-corruption efforts?
57. What kind of personal or social relationships do you use when you want to get rid of corruption?
58. Please tell us the arguments you use to circumvent or avoid bribe giving? What are the grounds you will use to successfully refuse corruption?
59. Can Media awareness fight corruption? Can media monitoring be an effective tool?
60. Please assess the role of civil society? Which forms of corruption can it voice and combat?
61. Within the components of the Afghan society which groups or
62. Will you consider using international agencies and resources as an effective means to fight corruption in the country? Why?
63. What positive experience or success story do you have?