



National Advocacy Committee for Public Policy
Open Forum: Multi-stakeholder Approach to Combating Corruption in Afghanistan

October 9, 2019
Mazar-e-Sharif, Afghansitan



Introduction

On October 9, 2019, National Advocacy Committee for Public Policy (NAC-PP) held an Open Forum in Mazar-e Sharif to discuss the findings from three studies by Afghanistan Public Policy Research Organization (APPRO) on corruption in Afghanistan. The event was attended by 110 individuals and representatives from civil society organizations, private sector, academia, and local state authorities. Reporters from the local radio and TV stations were also present.

The first presentation examined the potential for the private sector to play a leading role in fighting corruption through adopting Corporate Social Responsibility principles. The second presentation was based on a critical analysis of Afghanistan's National Strategy for Combatting Corruption. The third presentation explored the relationship between conflict trauma and endemic petty corruption. All three studies were carried out for the Citizens' Forum Against Corruption (CFAC) project, with funding support from the European Union Delegation – Afghanistan and UNDP – Afghanistan.

The presentations were followed by a panel discussion consisting of the Director of Industry and Commerce from the Ministry of Industry and Commerce, Director of the provincial chapter of Afghanistan Chamber of Commerce and Industries, and the Head and Deputy Head of the Civil Society Network of Balkh province. The Deputy Director of the provincial Directorate of Finance had been invited as a panel member but could not attend due to other obligations.

The key points raised in the presentation of the findings from the three studies were as follows.

Corporate Social Responsibility:

- There is some awareness within private sector about corporate social responsibility and what it entails in terms of responsibility to toward corruption and human rights violation.
- There is broad agreement that moving toward corporate social responsibility by private sector requires formal mechanisms and guidance from the government and Afghanistan's donors.
- There is de facto practice of corporate social responsibility by some private sector entities in the form of zakat (religious tax on wealth) and donations to feed the poor during religious events or build mosques and schools.
- It is now abundantly clear that private sector must play a key role in multi-stakeholder efforts to fight corruption in Afghanistan.
- Efforts should be made by the government and donors to encourage and enable private sector to formally adopt corporate social responsibility as an obligation to the community consistent with religious principles and with potential rewards for businesses adopting it.

The full report of Corporate Social Responsibility and the fight against corruption in Afghanistan posted [here](#) on the APPRO website.

National Strategy for Combatting Corruption:

- The concerns of civil society are not adequately accommodated in the Strategy and outreach efforts to engage with civil society have been insufficient.

- Lessons learned from fighting corruption in other countries strongly suggest that citizens must play a central role in efforts to curb corruption.
- The process to implement the Strategy was rushed and lacked prior consultation with multiple stakeholders, particularly civil society and private sector.
- The Strategy was drafted in haste and was not based on a situation analysis to establish the main drivers of corruption and whether and how they could be brought under control.
- Despite insufficient baseline information and a lack of consultation with various stakeholders, the Strategy's benchmarks are realistic though narrowly focused on government ministries.
- The Strategy is heavily focused on legal and procedural reform as the main means for fighting corruption, despite the fact that weak governance disallows implementation of the vast majority of laws, rules, regulations and procedures in Afghanistan.

Conflict Trauma, Fear of Authority and Petty Corruption:

- For many decades, fear has been used by successive regimes and governments as an instrument of governing. Combined with conflict and insecurity, the overwhelming majority of ordinary citizens choose not to confront power and authority, including those of the government.
- Fear of authority inhibits confronting authority, resulting in avoidance of situations that could result in disagreement, argument, and conflict with authority.
- The brunt of the adverse impact of corruption is felt by the most vulnerable, such as small businesses, street vendors, shopkeepers, vehicle drivers, and ordinary citizens.
- Most citizens view the numerous legal provisions to protect basic rights as having no utility for victims of corruption since the formal legal system is also highly corruptible.

During the discussion the following main points were raised by the panelists and participants.

- No one has been successfully prosecuted under the provisions of the National Strategy for Combating Corruption and in rare occasions when culprits are imprisoned on corruption charges, they are soon released.
- The Strategy has not been effective [in part] because of its focus on governmental departments.
- There are far too many governmental entities with mandates to fight corruption and none seems to be effective.
- Importers of goods to Afghanistan want their imports to be tested for quality and health but the vast majority of government inspectors are preoccupied with how much they can extort from the importers.
- Civil society is particularly active in anticorruption despite intimidation and sometimes humiliation.
- Directorate of Industries and Commerce and industries reiterated that Afghans and particularly citizens in Balkh province should promote and use domestic products. It is the social responsibility of people also to promote quality products and delineate inferior imported products.
- Government departments are not at all clear about their roles and responsibilities relating to the National Strategy for Combatting Corruption.
- Many NGOs are guilty of the same crimes of corruption and private sector entities.

The findings from the three studies and the subsequent discussion confirm that corruption in Afghanistan remains poorly understood while efforts to tackle corruption have narrowly focused on legislation reform and establishing various formal mechanisms, both of which have had little or no impact on systemic corruption. Most victims of extortion want to complain and claim their legal rights but are discouraged by cases of people who have contested corruption and have subsequently been subjected to retaliatory action by corrupt officials that were the subject of their complaints.

Most victims would consider registering their complaints as victims of corruption if there were provisions and mechanisms to protect them against likely retaliation. There is broad agreement that better use could be made of pre-existing arrangements and structures to curb corruption.

Fighting corruption in other contexts clearly shows that corruption cannot and must not be viewed as merely a technical problem that can be fixed by capacity building, equipment support, or legislation. Fighting corruption has to be a multi-prong, multi-actor intervention, adequately resourced, and long term oriented. As such, fighting corruption necessitates a sea change, driven by technical intervention, ongoing dialogue, re-education aimed at cultural change, civil society push and participation, committed and responsive state authorities and, in the case of Afghanistan, committed international donors in action as well as words.