

## **Administrative Reform in Afghanistan: Issues and challenges**

Munir Ahmad Fetrat, Student, Department of Government and Public Administration, School of Humanities, Lovely Professional University

E-mail: munir.fetrat@gmail.com

Dr. Deepak Sharma, Assistant Professor, Department of Government and Public Administration, School of Humanities, Lovely Professional University

E-mail: deepak.24762@lpu.co.in

### **Abstract**

Rule of law, human rights, good-governance, transparency and accountability are extremely important for the stability and development of Afghanistan. There is a requirement to reinstate the confidence of Afghan citizen in government institutions, fight corruption effectively and reform to improve the daily lives of the people. It is not enough for the reforms to remain in the form of speech and writing and not to be implemented in Afghan cities and villages. This study reveals that one of the major challenges in the reform process has been the existence of a traditional and conservative platform in Afghan society and administration, which does not address change processes in general and in particular in the context of reform. This study analyses and reviews the Administrative Reform Issues and Challenges in Afghanistan; the research is mainly a library and qualitative approach, particularly desk review and main resources used in this research are journal articles, books, newspapers, national and international academic articles, and reports to conduct qualitative analysis and substantiate the argument.

**Key Words:** Afghanistan, Administrative Reforms, Challenges, Commission

### **Introduction**

Reform is not an event; it is a process that requires constant changing environmental and organizational conditions. Every individual or entity needs reform; we need, not only today, but also new, ever-changing environmental requirements to constantly change, revise, and refine our foundational, managerial, and organizational foundations. Public Administration is one of the

most important cogs in the machine called the government and the success or failure of the government machinery depends on economic, efficient and effective administration. The administration is the most important active arm of the government which translates the governmental policies into action for the achievement of good- governance. So there is always a need to ensure administrative reforms through structural and functional changes for making it more citizens centric by increasing its efficiency, effectiveness.

The political and administrative reforms process in Afghanistan starts with the international commitment to ensure self-reliance, governance, rule of law and human rights, inclusive and sustainable growth and development in the form of International conferences. But still the administration of Afghanistan is facing so many problems because of political instability, social challenges, cultural problems, corruption, and excessive external interventions, so this research work is an attempt to analyse the issues and challenges in the administration in Afghanistan and to examine critically the initiatives taken by the government of Afghanistan for ensuring administrative reforms. A qualitative approach has been employed particularly desk review. Research for this study mainly used journal articles, books, newspapers, national and international academic articles, and reports to conduct qualitative analysis and substantiate the argument.

### **Administrative System of Afghanistan**

The Islamic Republic of Afghanistan is mountainous country bordered by Pakistan, Iran, Turkmenistan, Uzbekistan, Tajikistan, and China. It is landlocked and multi-ethnic country which is situated in the heart of south-central Asia. The population is appraised at about 36 million composed of Pashtuns, Tajiks, Hazaras and Uzbeks and other minority ethnics.

The political history of modern boundaries starts from the late 19th century in the context of a rivalry between imperial Britain and the USSR. Afghanistan has endured many years of war, which started with an attack and occupancy by the Soviet Union forces (1979–89). A surviving Afghan communist regime opposed Islamic insurgents in consequent armed struggles (1989–92); the Communist establishment in Kabul fell in 1992 and was briefly ruled by Mujahidin's,

fighting between the various Mujahidin offshoots helped to spawn the Taliban (1996–2001), The Taliban grasped Kabul in 1996 and then to captured most of the country, and some part of the country was ruled by Northern Alliance after 11th September 2001 terrorist attacks, the Taliban regime collapsed in December 2001 due to U.S. military attack. In 2001, a conference in Bonn, Germany, the Northern Alliance agreed to establish a course for political restoration that resulted in the adoption of a new constitution and presidential election in 2004 (Marvin G. Weinbaum Louis Dupree Nancy Hatch Dupree Frank Raymond Allchin Mohammad Ali Victor P. Petrov, 2019).

The Afghanistan's' administration is centralized in both administrative and monetary lines. The centre government determines the authorities and responsibilities of the provincial and district administrations. The cabinet is the highest decision making body of the government provinces and districts are legally recognized units of sub-national administration.

Article 137 of the constitution of Afghanistan, provides a measure of decentralization by delegating certain authorities to local administrative units for implementing and promoting social, economic, and cultural affairs, for increasing the participation of people in the development of the nation" (Jirga, 2004).

The local government structure is composed of provinces, districts and villages. The whole country divided into 34 provinces, with a total of 375 districts; governors head the provinces which are appointed by the president.

Currently, due to a lack of proper management and security problems, social welfare, and service delivery are not good. Afghanistan lacks long-term security stability, which has reduced government authority in Afghan provinces and has challenged local public administrations. The recent research says, the authority of the Afghan government is restricted in many parts of Afghanistan, and the Taliban and other terrorist groups turned in to real treatments against the public administration and the good governance in Afghanistan. Thus, instability in these parts of the country is considered as a major obstacle to the delivery of government services and good governance.

## **Administrative Reforms Process in Afghanistan**

The political and administrative reforms process in Afghanistan starts with the international commitment to ensure self-reliance, governance, rule of law and human rights, inclusive and sustainable growth and development. Afghanistan government is committed to implementing strategies for self-reliance, governance, growth and development. In this direction the Afghanistan government took certain initiatives to ensure administrative reforms to strengthen the administration.

### **Independent Administrative Reform and Civil Service Commission**

As a result of the war and insecurity in Afghanistan, the administrative system had almost completely disappeared, and there was no system that could lead a new post-war country, (Mohammadi, 2018) so the Independent Civil Service Commission was the result of Bonn agreement, established for the purpose of Administrative reforms in Afghanistan through the Decree No. 257, 23 May, 2002 of Interim Government of Afghanistan. It was established for a healthy administration, recruiting civil servants based on merit and skill, establishing the core civil services, and organizing the issues related to civil servants.

The name of the Independent Civil Administration Commission was changed to Independent Administrative Reform and Civil Service Commission by article 2 of the Head of Transitional Government of Afghanistan's Decree No. 25 on 10 June 2003.

On the basis of Article 1 of the decree, designing, setting up, leading, and execution a countrywide reform program, such as identifying, selecting, and recommending senior civil servants, reviewing and approving civil servants 'proposals, monitoring low-ranking civil servants' appointments and reviewing cases are the duties of the IARCSC (Commission, 2014).

### **IARCSC Objectives**

The Independent Administrative Reform and Civil Service Commission designed to achieve the following goals:

- ✓ Leadership in Administrative Reform
- ✓ Develop and draft a policy on reforming the public administration system
- ✓ Overseeing the implementation of administrative reform programs (Commission, Civil Servants Law, 2008)

## **Organizational Structure**

As per Art.5, the commission comprises of nine members appointed by the president of Afghanistan for the term of three years. Five members and the President of the commission are appointed by the President whereas the other three members are assigned the responsibility of the Complaints Board. Qualification for appointing as the member in the commission includes citizenship of Afghanistan, completing thirty years of age, having good education and sufficient experience, good reputation and good behaviour and not being convicted of a crime with inhuman crimes Art.8. Commissioners are also dismissed by the President in future terms: Failure to perform their duties; abuse of authority, the conviction of criminal, criminal or inhumane crimes while in office Art.10.

As per Art.6 the commission consists of three sections

- Civil Service and Management Department
- Civil Service Appeals Board
- Civil service Appointments Board

## **Powers and Functions**

The Commission is independent in its functioning and is responsible to the President. Here are the general competencies of the main sections of the Commission

**Civil Service and Management Department** is responsible for establishing, and managing the provisions of public services, drafting, executing and monitoring of civil service laws, decrees, processes and policies.

**Civil Service Secretariat** performs all financial, administrative, and executive duties under the Chairman of IARCSC in accordance with the programs, schemes, procedures, and administrative reform and submits the action taken reports of these projects and programs to the IARCSC Chairman.

**Civil Service Institute** is the training and academic institution which works for capacity building of the bureaucrats and graduates from the university. Also, assists in formulating plans, development policies, and training guidelines for civil servants.

**Civil service Appointments Board** is accountable for recruiting high-level civil servants on merit basis, observing the lower-grads civil service recruitment(s), and executing reform programs as well as supports these civil service institutions in establishing a strong and effective organization.

**Independent Appeals Board** is accountable for redressing complaints of civil servants stopping them from unfair disciplinary actions taken against them, violations of rules and regulations and code of conduct, illegal orders, refusing orders without valid reasons, discriminatory behaviours and decisions by Civil Service Appointments board, recruitment committees in ministries and other valid grievances by civil servants (Commission, Civil Servants Law, 2008).

Presently the Commission has 7 regional offices, 34 provincial offices, and 27 training centers across the country. The main responsibility of the commission includes building a functional, transparent, effective, accountable, responsible, stable and transparent civil service administration for achieving good governance in the country.

After the inauguration of the National Unity Government in 2014, based on Presidential Decree (Number 82 on 6th September 2015) and Cabinet Resolution (Number 21 on 5th September 2015) the Civil Service Law was amended. The new law shifted the recruitment of higher-level

servants (Grades 1 and 2) from the commission to ministries and independent government agencies. The ministries and other independent government agencies carry out the appointments of grade 3 and below with the same decree, the commission has conferred a monitoring role in the recruitment process. After the enactment of the Decree Number 82, proposed by the Independent Directorate of Local Governance to the President resulted in Presidential Order (number 1629, 9 November 2015) which authorized the commission to carry out the recruitment process of district chiefs and deputy governors through its Civil Service Appointments Board. The overall assessment of the Commission has been remarkably successful in formulating policy and strategy in the field of administrative reform, but in the field of law enforcement and implementation of reform plans based on the goals and strategies formulated and still lacking in the recruitment and retention of dedicated and skilled staff (Mohammadi, 2018).

### **Assessment of Administrative Reforms in Afghanistan**

One of the major challenges in the reform process has been the existence of a traditional and conservative platform in Afghan society and administration, which does not address change processes in general and in particular in the context of reform.

Administrative reforms include reforming the central government, reforming and restructuring ministries and government departments, as well as administrative reforms around which include strengthening provincial governance offices, enhancing the capacity of the Provincial Administration and Civil Service Reform Commission and expanding reforms in key ministries' offices at the provincial level.

### **Achievements**

The commitment to reforms by the senior leadership of the government of Afghanistan and the global community in London, Kabul and Tokyo Conferences in 2009, 2010 and 2012, respectively, emphasizes the importance of leading reform agencies and their international partners in Afghanistan policy. The commitment of the international community at the Tokyo

Conference (2012) to allocate funds for 22 National Priority Programs and the reforms and capacity building.

Since 2002 IARCSC has accomplished the following:

- Developing of reform policies and legal framework based on service-oriented administration and good governance principles.
- Implementation of three deferent stages of reforms (Priority Reform and Reconstruction, Public Administration Reform and Pay and Grading).
- Development of merit-based and competitive recruitment system.
- Presenting of performance appraisal mechanism for evaluation of employees performance
- Training and capacity building of senior administration in leadership and middle administrators in basic management, computer literacy and English.
- Providing technical assistance to ministries/ agencies in business process simplification.

The Commission established Joint Monitoring and Evaluation Committees in 22 ministries for implemented pay and grading systems, trained over 2,000 civil servants, and held a national conference to promote the role of women in civil service institutions in 2012.

The Civil Service Institute in 2013 trained over 5,000 Afghan civil servants in computer skills, English language proficiency, management, finance, and accounting, Civil Service Personnel are sent to other countries for capacity building training. In the same year, 32 deputy governors and 17 provincial governors and in 2014, 213 district governors were appointed based on merit by the commission

Furthermore, various reforms such as E-recruitment, Human Resources Management Information System (HRMIS), Computer- Based exam, facilitating Communication by Voice over Internet Protocol (VoIP), Centre-provinces and the creation of One Stop Shop are also undertaken by the commission. Besides, to achieve gender equality in the government, the recruitment process has been made flexible for women. To women applicants, a positive

discrimination score of 5 was conferred in the written exam. The new policy also reduced the requirement of working experience as one of the criteria for women which will encourage and make women applicants eligible for civil service positions.

In overall commission has made achievements in the areas of administrative reforms, legal reform, monitoring and evaluation, merit based civil service appointments, civil servant training, capacity-building for results, programme implementation, redress the grievance of civil servants and public awareness-raising(IARCSC Annual Report, 2018).

## **Administrative Challenges**

After the formation of the new government in Afghanistan in 2001, the International community continuously support the Afghan government for continuing efforts to enhance the quality of governance in the country, but the development of Afghanistan is still suffering from numerous and different governance-related inefficiencies and complication including structural and non-structural challenges.

### **Structural Challenges**

#### **a) Centralized Administrative System**

In order to choose the type of administrative system for a country, it is scientifically necessary to consider several elements and the administrative system of a country must be selected according to the realities and needs of the society but the administrative system in Afghanistan is the copy of western administration system, thus this system does not conform with realities and needs of the society (Hayat, 2018).

#### **b) Corruption**

One of the biggest challenges which slow the development and good governance in Afghanistan is corruption (Bahman, 2013). According to the report of “Transparency International” from 2013 up to 2016, among 175 countries, Afghanistan introduced as one of the five most corrupted

countries in the world and in 2018, ranked 172th at global ranking. Although the government has made efforts to curb corruption and reform the environment under the pressure of international donors, the anti-corruption and enforcement agencies have been established to implement anti-corruption actions in 2008, but so far, there is no obvious result (Sigar, 2018).

#### **c) Lack of Capacity Building of Human Resource**

Lack of skilled human resources and familiarity with new managerial and organizational norms and values is one of the most fundamental challenges in Afghanistan, especially in its civil administration. The recruitment system is mainly based on relation and nepotism rather than merit. Thus, these mechanisms will prevent skilled and qualified persons without relation to the political leaders to enter the administration system.

#### **d) Lack of Strategic Planning**

Currently, the lack of strategic plans in government structures is another major dilemma for good governance in Afghanistan. Most government agencies suffer from a lack of long-term plans and targeted solutions. That is why many projects cannot complete timely and in a proper way, and also cannot manage the resource of the country.

#### **e) Lack of Adequate Supervision**

Lack of proper oversight of the executive: The President's responsibility in controlling the bureaucracy and the administrative system is beyond the implementation of the Constitution. He has the power to exercise control over the ministers' performance and, if necessary, to dismiss them, so the role of the president in the overall efficiency of the administrative system is very valuable. And this role has often been influenced by political strife (Danida, 2012).

#### **f) Lack of Rewards and Punishment Mechanisms**

Reward and punishment are two contradictory concepts and effective mechanisms in public administration but Afghanistan public administration suffers due to a lack of clear mechanisms

for rewarding and punishment for the personnel. In Afghanistan government institutions, there is no difference between good and bad employees. In contrast, they receive the same salary and the same rewards. In the long term, if the administration continues to conduct employees equally, it will affect the motivation of excellent employees.

## **Non-Structural Challenges**

### **1. Managerial challenges**

#### **a) Lack of Transparency**

Transparency is not only an essential principle in public and government departments but also includes the private sector. In the shadow of transparency, all citizens - even those who are not affected by the decisions and actions of public and private institutions - should be able to access documents and information in various sectors. The entire government is facing with lack of transparency in work processes and the staff valuable time spends on doing redundant administrative work, and their main tasks cannot be completed (Etimadi, 2017).

#### **b) Lack of Familiarity with Information Technology**

Most civil servants are now senior citizens, making it impossible to advance in modern offices to those unfamiliar with modern science and technology. Familiarity with modern technology and science is not the only problem among civil servants. Rather, more than 40% of grade 12 graduates are completely unfamiliar with new management practices, so this is another challenge and problem in the administration of Afghanistan (Bahman, 2013).

#### **c) Non-Observe the Rule of Law**

Afghanistan has many more laws and regulations in different fields and these beautiful rules have never been implemented. In Afghanistan Collision is defined based on ethnicity, language, bribery, officials don't observe properly the implementation of law themselves, unlike they expect, which this observe should done by the common people (Yusufzada & Xia, 2019).

## **d) Ethnic Discrimination and Nepotism**

Discrimination in Afghanistan has a long history. Discrimination and injustice in Afghanistan are not limited to employment in government departments, but cover all social and political networks. Many government offices are monopolized by one tribe. Those who are at the head of an office for whatever reason are trying in every way to prevent other people. Unfortunately, despite spending a great deal of money on this commission for administrative reform and civil service, it failed to perform its responsibilities as expected (Zaki, 2018).

## **e) Lack of Participation Public in Government Decision-Making**

The government takes authoritative measures and does not listen to citizens' opinions on social issues. The policy of the government cannot fully reflect people's needs; besides, sometimes, although civil society demands the government, and government policymakers have no response to the people; this kind of behaviour by the government has caused strong dissatisfaction among the citizens.

## **Recommendations**

As the most important institution responsible for reforming the Afghan administrative system, the Afghan Independent Commission on Administrative Reform can address the growing problems arising from the inefficiency of the existing bureaucracy. Office in Afghanistan and this may include:

- ❖ Institutionalizing organizational culture based on human values and social capital.
- ❖ Improvement in recruitment methods to attract a capable, committed and competent human resource, and avoiding stereotypes and unprofessional attitudes.
- ❖ Knowledge and meritocracy in the installation and promotion of administrators.

- ❖ Develop human resources and improve their knowledge, expertise and skills through proper training.
- ❖ Observe justice in the wage and salary system.
- ❖ Facilitate the recruitment and retention of specialist forces in less developed and deprived areas of Afghanistan.
- ❖ Maintaining the dignity and dignity of the persuaders and benefiting from their views and useful experiences.
- ❖ Paying attention to family solidarity and balancing work and living in the administrative system.
- ❖ Developing the electronic administrative system and providing its requirements for the optimal provision of public services.
- ❖ Knowledge establishing the administrative system by applying the principles of knowledge management.
- ❖ Superior, modern and quality service to enhance people's satisfaction and confidence in the system Administrative Office of Afghanistan.
- ❖ Transparency and awareness of the rights and obligations of the people and the administrative system with emphasis on Easy and lawful access to the right information.
- ❖ Institutionalization of work conscience, social discipline, self-control culture, lending, saving, simple living, and the preservation of life

## **Conclusion**

For sustainable development in Afghanistan it need to effective public administration. This study reveals that the administration of Afghanistan is facing with the lack of strong structure and poor bureaucracy. It is also found that administration of Afghanistan is still facing many challenges such as corruption, the lack of professionalism; miss using of rule and law, the lack of strategic planning for institutions, politicization of the institutions, discrimination, lack of transparency, and lack of stability, nepotism and concentration of power. In order to create a good public

administration system, it is necessary to take some important strategic steps to ensure sustainable and efficient administration in the country, such as eradicating corruption, solution of insecurity stability, strengthening the oversight role of parliament, localizing administration system, establishment of efficient bureaucracy, stopping interrupting in judiciary system, implementation of rule of law, capacity building of human resource, decentralizing power, stopping interruption on the national commission, empowerment of women, creating access information system for the citizens, and implementation of electronic government.

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