ON THE WAY TO A NEW LIFE
Comparative analysis on DDR post-war reconstruction processes

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Summary

The end of armed conflict presents an array of complex challenges for those working to develop a lasting peace. It can be relatively simple to conceptualize the importance of negotiations, troop deployments, and peace accords when seeking to end violence and achieve cold peace. Much more difficult is the process of working toward long-term peace, or warm peace which involves the complex task of rebuilding society, healing the wounds of war, and creating the conditions necessary for a sustainable peace.

The changes in the international system and the nature of contemporary conflict, including global terrorism, have fragmented the traditional boundaries that defined the post-World War II system. In this scenario, peace is not just the process of restoring relationships between states, but also the mainstream to properly address specific related issues such as physical infrastructures, political systems, economic markets, social tissues and psychological wounds at the sub-national, even individual level.

Peace must also address the global and regional dynamics that have an impact on the conflict: global terrorism is often founded in the perceived antagonism or incompatibility between religious and/or cultural values that span across borders. Some have argued that the inequities of the global economic system pushes the disenfranchised to terrorism and violence. The focus on democratic reforms, Human Rights, and free trade, key elements of U.S. foreign policy, is one way of addressing peace at the sub-national level while recognizing the global dimensions of the sources of conflict, but at the same time, failure or disruption of the process can have a negative impact on the regional stability of the region.

Ten years from the signature of the Dayton Agreement and thirteen years after the end of the conflict in Mozambique, the first “complex emergency” in history, reflection on the process of post-war reconstruction and peace-building in the wake of international peace missions has become a necessity.

The crises of the last fifteen years clearly show the enormous human, physical and political costs of stabilisation and reconstruction processes, borne by the International Community and especially by the war-affected people. The most recent one in Syria brings into sharp focus such consequences, while we are still waiting for consistency over the last 12 years effort spent by the International Community and the International NATO Coalition Forces in rebuilding the political, economic, social and security structure of the post-anti-terror war in Afghanistan.

The reconstruction process aims both towards physical reconstruction and the promotion of regional and national capacity for conflict resolution, and frequently, these initiatives lack a strategy. Accordingly, a detailed evaluation of post-war reconstruction should identify a methodological framework to analyse the impact of peace and conflict in the affected countries, taking into consideration the “complexity” of the context.

In many cases, donors and the international cooperation agencies neglect and minimize the lessons learned and the principles of development co-operation: ownership, participation, and sustainability.

The present study is based on three assumptions. Firstly, that in order to promote peaceful co-existence, post-war reconstruction requires a time frame which cannot be precisely determined, as it begins before the peace process starts and may need decades to be
completed. Secondly, that reconstruction needs to incorporate a strategic view of
development in its various aspects: economic, social and political. Thirdly, that the analysis
of the selected crises – Afghanistan, Kosovo, and Mozambique – might highlight new trends
in peace keeping operations both as regards the humanitarian action and the reconstruction
process.

Reconstruction is carried out, at the field level, by a wide variety of actors, including: the
war-affected community, which often does not guide or chose the modality of the
reconstruction; civilian and military operators; combatants and merchants; politicians and
humanitarian operators. In addition, it is indispensable to identify a suitable methodology in
order to analyse the impact of peace and conflict on the reconstruction process.

This study seeks to contribute to the identification of the approaches and means necessary to
promote a positive outcome for the reconstruction processes, therefore trying to providing
valuable lessons in the light of the recent international trends on the issue of security.

This study undertook a comprehensive analysis of the relevant post-war reconciliation
processes, assessing in particular the role of civil society organizations in the reconciliation
and reconstruction process, the role of the international political process and the
demobilization initiatives, including the reconstitution of police and army forces, focusing
also on actions taken in favour of individuals exposed to war zone-related traumatic events
and at risk for a variety of psychological problems, including post-traumatic stress disorder
(PTSD).

Some relevant reconstruction processes issues which have been took into account to define
the context of the investigation, are directly related to the key role played by the military
mandate and the rules of engagement as they have a strong impact on post-conflict
reconstruction, the role of civil society in the reconciliation processes within local
communities and its commitment towards sustainable development processes, and the need
to analyse the links between the negotiation process among the parties at conflict, and the
post-conflict reconstruction, as they interact and influence each other.

One or more conditions contribute to determining an uncertain and ambiguous context, in the
so called transitional grey zone, while others contribute towards the creation of structural
stability. This research pointed its interest to analyse some of these conditions that can be
divided into four groups: Peace process, Governance and democratisation, Reconstruction
and Security, and this in order to better understand the overall context, its dynamics, and
determine possible outcomes and Lessons Learned, taking into account that the
reconstruction process can be affected by several factors: the financial resources made
available by donors, the coherence of the long term policies applied and the adoption of
methodologies appropriate to the single context.
Zusammenfassung


Die Veränderungen im internationalen System und die Art der zeitgenössischen Konflikte, einschließlich des globalen Terrorismus, haben die traditionellen Grenzen fragmentiert, die die Nachkriegsära nach dem Zweiten Weltkrieg definierten. In diesem Szenarium ist Frieden nicht einfach der Prozess der Wiederherstellung von Beziehungen zwischen Staaten – die besondere Aufmerksamkeit gilt den begleitenden Themen wie der physikalischen Infrastruktur, der politischen Systeme, der Märkte aber auch sozialen Themen und psychologischen Verletzungen auf subnationaler wie auch auf individueller Ebene.


Der Prozess des Wiederaufbaus zielt sowohl auf den physischen Wiederaufbau als auch auf die Förderung der regionalen und nationalen Fähigkeiten für Konfliktlösung ab, gleichzeitig fehlt diesen Initiativen oft eine Strategie. Dementsprechend sollte die Evaluation eines Wiederaufbaus nach einem Krieg ein detailliertes methodologisches Raster aufzeigen, um die
Auswirkungen von Frieden und Konflikt in den betroffenen Ländern unter Berücksichtigung der "Komplexität" des Kontextes zu analysieren.

In vielen Fällen lassen Geldgeber und in der Internationalen Zusammenarbeit tätige Agenturen sowohl die bereits vorliegenden Erfahrungen als auch die Grundsätze der Entwicklungszusammenarbeit: Eigenverantwortung, Partizipation und Nachhaltigkeit ganz oder teilweise außer Acht.


Wiederaufbau wird auf der Feldebene durch eine Vielzahl von Akteuren ausgeführt, einschließlich der durch den Krieg betroffenen Gemeinschaften, die oftmals die Art des Wiederaufbaus weder wählen noch führen. Darüber hinaus gibt es zivile und militärische Vermittler; Kombattanten und Kaufleute; Politiker und humanitäre Vermittler. Außerdem ist es unerlässlich, eine geeignete Methodik zu identifizieren, um die Auswirkungen von Frieden und Konflikt auf den Prozess des Wiederaufbaus zu analysieren.

Diese Studie versucht zur Identifizierung der Ansätze und Mittel beizutragen, die erforderlich sind, um ein positives Ergebnis von Wiederaufbauprozessen zu erreichen. Sie versucht, wertvolle Lektionen zum Thema Sicherheit vor dem Hintergrund aktueller internationaler Trends zu vermitteln.


Einige relevante Fragen im Zusammenhang mit Wiederaufbauprozessen, die berücksichtigt wurden um den Kontext der Untersuchung zu definieren, stehen in unmittelbarer Beziehung zur Schlüsselrolle des militärischen Mandats und der Vorgaben für diese Einsätze, da sie einen starken Einfluss auf den Wiederaufbau nach Konflikten haben. Ebenso beeinflussen sie die Rolle der Zivilgesellschaft im Versöhnungsprozeß innerhalb der lokalen Gemeinschaften; das Engagement für nachhaltige Entwicklungsprozesse; die Notwendigkeit, die Interaktion und gegenseitige Einflussnahme zwischen dem Verhandlungsprozess der Konfliktparteien und dem Wiederaufbau nach dem Konflikt zu analysieren.

Eine oder mehrere Bedingungen bewirken die Entstehung eines ungewissen und mehrdeutigen Kontextes in der so genannten Grauzone, einer Übergangsphase, während andere zur Schaffung struktureller Stabilität beitragen. Die vorliegende Arbeit zielt auf die Analyse einige dieser Bedingungen ab, die in vier Gruppen unterteilt werden können:
Friedensprozess, Regierung und Demokratisierung, Wiederaufbau, Sicherheit. Die Analyse soll den Gesamtzusammenhang sowie seine Dynamik verdeutlichen; darüber hinaus sollen mögliche Ergebnisse und Erfahrungen bestimmt werden, wobei berücksichtigt wird, dass der Wiederaufbauprozess durch verschiedene Faktoren beeinflusst werden kann: die zur Verfügung gestellten finanziellen Mittel, die Kohärenz der langfristig angelegten Politik und die Übernahme einer Methodik, die dem einzelnen Kontext entspricht.
1. Introduction

The end of armed conflict presents an array of complex challenges for those working to develop a lasting peace. It can be relatively simple to conceptualize the importance of negotiations, troop deployments, and peace accords when seeking to end violence and achieve cold peace. Much more difficult - both to achieve and to conceptualize - is the process of working toward long-term peace, or warm peace. It involves the complex task of rebuilding society, healing the wounds of war, and creating the conditions necessary for a sustainable peace.

The changes in the international system and the nature of contemporary conflict, including global terrorism, have fragmented the traditional boundaries that defined the post-World War II system. As a result, peace is not just the process of restoring relationships between states. Peace must also address physical infrastructures, political systems, economic markets, social tissues and psychological wounds at the sub-national, even individual level.

In addition, peace must address the global and regional dynamics that have an impact on the conflict: global terrorism is often founded in the perceived antagonism or incompatibility between religious and/or cultural values that span across borders. Some have argued that the inequities of the global economic system pushes the disenfranchised to terrorism and violence. The focus on democratic reforms, Human Rights, and free trade, key elements of U.S. foreign policy, is one way of addressing peace at the sub-national level while recognizing the global dimensions of the sources of conflict. Recognizing the link between peace at the national and regional level, the United States has argued that the removal of Saddam Hussein will initiate a process of democratization in Iraq that will spill over to other countries in the Middle East. At the same time, failure or disruption of the process can have a negative impact on the regional stability of the region.

Ten years from the signature of the Dayton Agreement and thirteen years after the end of the conflict in Mozambique, the first “complex emergency” in history, reflection on the process of post-war reconstruction and peace-building in the wake of international peace missions has become a necessity.

The crises of the last fifteen years clearly show the enormous human, physical and political costs of stabilization and reconstruction processes, borne by the International Community and especially by the war-affected people. The most recent one in Syria brings into sharp focus such consequences, while we are still waiting for consistency over the last 12 years effort spent by the International Community and the International NATO Coalition Forces in rebuilding the political, economic, social and security structure of the post-anti-terror war in Afghanistan.

The reconstruction process aims both towards physical reconstruction and the promotion of regional and national capacity for conflict resolution, and frequently, these initiatives lack a strategy. Accordingly, a detailed evaluation of post-war reconstruction should identify a methodological framework to analyse the impact of peace and conflict in the affected countries, taking into consideration the “complexity” of the context.

In many cases, donors and the international cooperation agencies neglect and minimize the lessons learned and the principles of development co-operation: ownership, participation, and sustainability.

This study is based on three assumptions. Firstly, that in order to promote peaceful co-existence, post-war reconstruction requires a time frame which cannot be precisely determined, as it begins before the peace process starts and may need decades to be
completed. Secondly, that reconstruction needs to incorporate a strategic view of development in its various aspects: economic, social and political. Thirdly, that the analysis of the selected crises – Afghanistan, Kosovo, and Mozambique – might highlight new trends in peace keeping operations both as regards the humanitarian action and the reconstruction process.

Inasmuch as each crisis is unique, recent cases suggest answers to some key questions: Which were the political, social and economic conditions which guaranteed success? Which was the strategic framework for the reconstruction process? Generally speaking, which mistakes were made and which methods proved to be efficacious? What kind of interaction among the actors present on the field (international, local, civilian, military, governmental and non-governmental) has been constructive? Which policies by large international institutions have proved successful?

Reconstruction is carried out, at the field level, by a wide variety of actors, including: the war-affected community, which often does not guide or chose the modality of the reconstruction; civilian and military operators; combatants and merchants; politicians and humanitarian operators. In addition, it is indispensable to identify a suitable methodology in order to analyse the impact of peace and conflict on the reconstruction process. This study seeks to contribute to the identification of the approaches and means necessary to promote a positive outcome for the reconstruction processes, therefore trying to providing valuable lessons in the light of the recent international trends on the issue of security.

1.1. Research Methodology

This study undertook a comprehensive analysis of the relevant post-war reconciliation processes, assessing in particular three domains – (1) The role of civil society organizations in the reconciliation and reconstruction process, (2) The role of the international political process and (3) the demobilization initiatives, including the reconstitution of police and army forces, focusing also on actions taken in favour of individuals exposed to war zone-related traumatic events and at risk for a variety of psychological problems, including post-traumatic stress disorder (PTSD).

The research aims to analyze three case studies, incorporating the three domains, which can provide recommendations for current and future crises to the key stakeholders involved in the process.

Divided by regional areas, the three case studies have been selected according to their importance in order to identify a trend of peace support operations:

– Mozambique: selected because of the nature of the intervention;
– Kosovo: selected because of the geo-strategic relevance for the international community and the role of NATO;
– Afghanistan: selected because of the multilateral reconstruction intervention and the International Community role as well as the NATO one as Security provider.

Dynamics in the three key domains, is the focus analysis, to identify which determine the success or failure of the post-war reconciliation process, as well as the tools needed to manage violent conflict, promote institutions stabilization, and establish a course of sustainable development, and long-term reinsertion of ex-combatants.

The respective methodologies details adopted for the three domain analyses is presented in the following sections.
1.2. Civil society, reconstruction and reconciliation: the methodological framework

1.2.1. Defining the context

Some relevant issues regarding reconstruction processes have been taken into account while defining the context of the investigation, and can be summarised as follows:

- Relevance of the international intervention on peace building. The key role played by the military mandate and the rules of engagement as they have a strong impact on post-conflict reconstruction;
- Specific initiatives within the reconstruction process. The role of civil society in the reconciliation processes within local communities and its commitment towards sustainable development processes;
- Interrelation between conflict, humanitarian action and development. The need to analyse the links between two processes: the negotiation process among the parties at conflict, and the post-conflict reconstruction, as they interact and influence each other.

The analysis of the role played by civil society in the grey zone has been further explored for each case study. The grey zone is the period following to a violent conflict, in which the affected communities do not enjoy a sufficient level of stability such as to allow a safe transition to peace. This means that the grey zone is a transitional phase which duration cannot be predicted. In the grey zone, one or more conditions contribute to determining an uncertain and ambiguous context, while others contribute towards the creation of structural stability. Some of these conditions are of specific interest to this research, and can be divided into four groups: Peace process, Governance and democratisation, Reconstruction and Security. In order to better understand the context, particularly the conflict dynamics, a conflict analysis approach has been adopted.

Moreover, a comprehensive analysis assessing the actions of two macro categories, civilian and military, was developed. The respective tasks and their distribution between the two have been considered, as well as the balance between security and confidence-building in the stabilization processes. Furthermore, the international and national contexts, together with
the local dynamics, were considered as relevant factors for the evolution and solution to the crises.

As experience shows, the outcome of the reconstruction process is affected by several factors: the financial resources made available by donors, the coherence of the long term policies applied and the adoption of methodologies appropriate to the single context.

In the case of Mozambique, considering the process after fifteen years from the peace agreement, the study will start from the analysis of the grey zone and will move further to the results of the reconstruction process. Indeed, this case study will focus on structures and processes which are able to promote an environment favourable to social and economic development³.

1.2.2. Definition of stakeholders

The definition of civil society in each of the selected cases and in the reconciliation process will be followed by an identification of possible stakeholders in each country. In broad terms, a stakeholder can be defined as “those groups, who share a common interest towards the conflict or are affected by it in a similar way.”⁴ In order to identify them specifically, has been followed the definition adopted by the Commission of the European Communities in the Communication from the Commission to the Council, the European Parliament and the Economic and Social Committee. Participation of non-state actors in the EC development policy⁵: Regional and national local authorities, NGO’s, community-based organizations and their representative platforms in different sectors, social partners as well as trade unions, employers associations, private sector associations and business organizations, associations of churches and confessional movements, universities, cultural associations, media and association of vulnerable groups. These actors can be local stakeholders or and development partners.

1.2.3. Areas of investigation

After this, will be analysed the progress of the post-war processes through four main indicators: political and institutional reconstruction, economic reconstruction, social reconstruction and peace and reconciliation processes. Indicators and the areas of potential influence on the post-war, reconstruction and development processes has been identified starting from the assumptions of the Peace and Conflict Impact Assessment (PCIA) Methodology, and from the definition of Peacebuilding of the Utstein Group⁶.

³ During the implementation of the research, it became clear that the starting assumption of considering the three case studies – Mozambique, Kosovo and Afghanistan – post conflict realities was, for the latter two, misleading. Indeed, the outcomes of the research show that Kosovo can only partially be considered a post conflict reality, and that the situation in Afghanistan is far from being a post conflict one. As a consequence, while the methodology of the research remains valid, the first outcome of the research highlights that one of the assumptions on which the research started has, over the research period, proved to be no longer applicable. We believe this clarification will help the reader gain fuller understanding of this research project.


⁵ COM (2002) 598 final, Brussels 7.11.02.

As explained above, some of these structures and processes will promote the creation of a peaceful environment, therefore reducing the possibility of a new violent conflict, while others may create a more favourable environment for the crisis. In each area of potential influence, both conflict and peace-promoting factors at national and local level will be identified, as well as the degree of international support to the peace-building process which involves civil society. Therefore, the four indicators and subsequent areas of influence will be as follows:

**Peace process**
Grass root dialogue and participatory processes that involve all the concerned parties
Appropriate methods for the resolution of controversies and effectiveness of the reconciliation process
A fair justice system and other pacific mechanisms for the resolution of conflicts
Social reconstruction of war-torn communities
Gender issues
Political factionalism

**Governance and democratisation**
The establishment of good governance and the rule of law
The enforcement of political and civil rights (including free elections, parties, trade unions, etc.)
Civil liberties
Democratisation process
Institution building
Corruption, transparency and accountability
Freedom of press
Decentralisation process and local authorities’ empowerment
Organized civil society and civil society organizations (csos)
Consultation with / participation of csos

**Reconstruction**
Progress in the physical reconstruction
Political commitment of the international community
Attention of the international media
International aid and Development programmes
Sustainability of the development process

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7 According to what stated above, in the case of Mozambique, the focus will be on the development analysis as to identify the appropriate indicators.
Education
Labour market

**Security**
Threats for the citizens’ security (residual combats, criminality, landmines, demobilised soldiers, circulation of small arms, etc.) and perception of security
Enforcement of national and local police or equivalent, progress of the security sector reform
Large numbers of displaced persons and/or refugees
The persistence of humanitarian needs (shelter, food security, W&S, health, etc.)
The persistence of human rights abuses
Organized crime
Hostility against the international force, international civil organizations and/or local NGO’s

The identification of good practices and lessons learned as well as the analysis of relevant literature and of the data collected during the country visit and through the interviews, will complete this work.
1.3. Disarmament, demobilisation and reinsertion: the methodological framework

The analysis of post-conflict situation usually presents peculiar difficulties. First of all, as far as the preliminary data-collection is concerned, there is often a shortage of reliable sources of information or even a lack of credible counterparts. The disruptions created by conflicts easily affect the ability of local entities to collect information and preserve archives. Moreover, conflicts frequently occur in regions or countries with a low level of resources, even before the start of the war. Basic elements for any comprehensive survey, as the demographic tables or socio-economic indicators, are only seldom available in the requested quality.

On the other hand, the intervention of International Organization, Governmental and non-Governmental institution and Armed Forces, usually allow the re-establishment of a elementary skeleton of governance, thus the possibility to find critical information on the most relevant issues.

As for the field research, obviously the post-conflict areas present logistical shortages and sometimes also security problems.

While differing from one theatre to another and from one day to the day after, the combined troubles posed by disrupted infrastructures and enduring lack of security could easily hamper the efforts of field-researchers.
The stabilization process and the build-up of new political institutions is an endeavour that the United Nations and the international community are practicing for decades. Nonetheless, every new experience presents a peculiar set of constrains and requires a tailored approach.

In the wider context of the research, a primary task was to investigate on the demobilisation and reinsertion of the Armed and Police forces.
This subject is inherently fascinating and challenging, since it puts together rather different domains.

The demobilisation, or more correctly the disarmament and demobilisation, has been traditionally studied as the necessary pre-condition for a successful reduction of sources of instability, but usually linked to the reintegration of de-mobilized people into the civil societies. In this case, has been analyzed the complex and fragile process of transformation of former militias, guerrilla parties or private armies into legally-controlled and recognized armed organization. This requires both the scientific severity in the assessment of quantitative data, as the collection of weapons, the number of regular soldier or policemen recruited etc., and the political understanding of the demobilisation-reinsertion course, in the wider framework of the stabilization process.

Moreover, the former soldier reinsertion or reintegration into civilian life impose a scientific approach as to prevent their reinsertion collapse because of the difficulty to overcome war zone-related traumatic experiences with adequate health programme including specific psychological approach to deal with a variety of related problems of which also the so called post-traumatic stress disorder (PTSD).

As for the creation of a new Army, this kind of activity has been traditionally carried-out during the colonial era and post-colonial period, when major western powers tried to hand
over security responsibilities to their local allies. During the cold war, several regional conflicts were fuelled by the opposite efforts of major global powers, aimed either at the destabilization of unfriendly regimes or at the sustainment of the friendly ones. Both cases required highly skilled military tools, capable of operating in foreign countries for protracted periods.

Clearly, these operations maintained very high operational-security standards. Hence, the unclassified literature available on the subject is pretty limited. The creation, or at least the substantial overhaul of a police organization is perhaps an even more challenging effort. While major power militaries are able to project their capabilities abroad, thus are implicitly able to sustain themselves in a dangerous environment, while training and mentoring local forces, police organization usually lack these capabilities. Even the few police organization of Gendarmerie-type, with a military structure but with law-enforcement duties, seldom possess those combat-support and combat-service support capabilities that make them self-sufficient in a expeditionary-like context.

Finally, the interaction of different foreign actors, plus International organization, further complicates the overall complexity of the reinsertion of armed and police forces. As a consequence, this subject requires a case-by-case analysis, able to discern the political intricacies of domestic and international landscape, together with the technicalities of a complex, risky and rarely lectured military activity.

For the execution of the present study, the further challenge of the analysis of three, historically and geographically distant case-studies has been experienced. While the case of Mozambique could be essentially investigated with a historical approach, Kosovo and Afghanistan present an open-ended reality. As for the Balkan region, the research has been carried out pending the definition of its final status. Clearly, it proved to be rather difficult to make a precise assessment on the effectiveness of Kosovo’s para-military formations, in the absence of a definite indication about the final political settlement.

In Afghanistan, the political and legal framework has been sufficiently defined, after the approval of the new constitution and presidential and parliamentary elections in 2004. However, the enduring confrontation between legal authorities and international forces, on one side, and criminal and terrorist groups on the other, maintains the country in an uncertain situation. Besides, the announced reduction of Coalition Forces as well as the US Forces by mid 2015, along with the incoming political election in the spring 2014 to define the Karzai successor, are furthermore disseminating uncertainty across the Afghan and the International Community.

The practical execution of the study has been greatly facilitated by the existent knowledge of the researcher, as far as military and regional issues are concerned. A comprehensive analysis of the existent literature on the subjects can be defined as the starting point. Then, relevant information and data have been adequately organized, in order to prepare a general skeleton of the research report. To fill the gaps in this preliminary outline, a series of interviews with key informants, both in Italy and abroad have been planned.

The large availability of data from UN Agencies, NATO and Afghan government has greatly facilitated the collection of information from this remote and rather unsafe theatre. In the case

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8 In the US Special Operation Command terminology, these two activities are defined and “unconventional warfare” and “assistance to foreign militaries”. For practical scopes, the two kinds of action are often very similar each other.
of Mozambique and Kosovo, the confirmation of collected data by specific “points of contact - PoCs” have been useful in order to validate the preliminary activity.

1.4. Data Collection

For Afghanistan, a considerable number of official documents have been analyzed. Particular attention was paid to UN Security Council/General Assembly Resolutions, official letters exchanged between UN Secretary General and other UN System bodies, dealing with the security issue and the need to reach a better coordination between UN agencies, funds and programmes operating in and for Afghanistan.

Based on these, a chronological overview of the crucial steps undertaken by the UN system and their national and international consequences in terms of coordination effectiveness, was prepared. The deep dive case prepared might not be completely comprehensive, but should provide useful entry points upon to reflect and discuss within a deep dive case discussion context.

The methodology used to collect the data for Kosovo could be summarized into a process of data collection, issues from different sources, to build up the structure of the case, and contributions by specific pocs on the field who interviewed the main actors involved on IDP returns and reintegration processes.

For the first step, data collection and analysis of diverse sources, such as UN official documents, other International Organization sources (EU, ICRC) and specialized think tank on IDP issue (International Monitoring Displacement Centre) and others was carried out. For the second step, a “first hand” data collection by selected field pocs was conducted with the specific aim to provide additional information and material. Key actors involved with Internally Displace Persons (IDPs) were interviewed – members of UNDP, OCRM/UNMIK, PISG/MRC, UNCHR, Housing Property Directorate and others from international and local NGO’s. Field visits to some territorial spots, where some projects on reintegration were in force were undertaken.

For Mozambique, desk reviews of documents specific to the case topic (UN development and humanitarian agenda) was carried out. The specificity of the topic greatly helped to narrow and focus the search of relevant documentation from the outset, including UN primary sources (e.g., UN Development Assistance Framework 2002-2006 and its reviews and various Common Appeals from 2000 to 2004) as well as other sources of information (e.g., newspapers’ articles, documents from OECD, academic institutions).

1.5. Missions

Mozambique missions

March - April 2006.

The researcher met around thirty key informants, most of them individuals belonging to the civil societies such as academics, journalists, NGO’s and network representatives, political parties and in particular:
The Italian Embassy, Grupo da Dibida, Rede das Crianças, Associação Crianças Família e Desenvolvimento, Kulima, RENAMO parliamentary group, Universidade Eduardo Mondlane, Alisei, Movimondo, the Italian Cooperation, FARE, Ministry of Foreign Affairs, ISCOS, Fundação Desenvolvimento Comunitário, G20, USAID, CEDE (Centre for the Study of Democracy & Development), Comunità di S.Egidio.

Three interviews to key actors of the peace process and GPA were also carried out in Rome and Brussels between May and June 2006.

Kosovo missions

April - May 2006.
Information gathered by field military professionals working in the areas of Djakova/Djakovica, Pec/Peja, Decani, Pristina/Prishtine, Mitrovica, Prizren, Velika Hoca. During the mission a total of 24 key informants were interviewed. They belonged to the following institutions: UNHCR, UNMIK, UNDP, EAR, OSCE, NATO, Kosovar Stability Initiative, Kosovo Foundation of Civil Society (KSC), Institute of Human Studies Research, Intersos, Danish Refugee Council (DRC), American Refugee Council (ARC), USAID, Civil Rights Programme (CRP).

Afghanistan missions

2003 – December 2013

Information gathered by field military professionals working in the areas of Kabul, Heart, Bala Murghab, Bala Baluk. During the period examined informations provided by military unclassified “releasable to public” informations were collected.
CASE STUDIES: Mozambique, Kosovo, Afghanistan
2. Mozambique

Population (2011 est): 18,255,098 (the 1997 Mozambican census reported a population of 16,099,246)
Area: Km² 801,590
Per annum/per capita income: USD 634 (2012)
Human Development Index: 2,442% (2012)


2.1. Historical background

The Portuguese presence in Mozambique dated back to the 16th century. In that century, the Portuguese crown began the occupation of the lower Zambezi and established the two garrisons and trading posts of Sena and Tete.

Since then, the Portuguese crown granted land in Mozambique to Portuguese settlers, guaranteed them almost total control over the indigenous labour force and built up private armies, also described as slave armies. The so-called prazo-system, started in 1629, developed into Africanized autonomous kingdoms, ruled by Afro-Guan-Portuguese descendents and sustained by slave armies. With the beginning of the 19th century, the prazeros increased the export of slaves.

The Mozambique borders were settled in the late 19th century, during negotiations between the German and British colonial powers in Africa. Between 1895 and 1897, Southern Mozambique fell under the control of Portugal. Nonetheless, like the Gaza state, other groups, such as the Barue of central Mozambique, the Afro-Portuguese of the Zambezi-prazos, the Yao of Mataka, and the Makua chieftains throughout the north, resisted the union under the Portuguese crown.

During this whole period of time, prazo holders and Arab and Portuguese traders tried to advance their positions. In summary, the Portuguese rule between 1880 and the 1930s was characterized by the exploitation of people and resources by private parties, whether foreign company shareholders or colonial bureaucrats and settlers.

At the Berlin Conference in 1884-1885, the Portuguese colonial forces maintained a minimal presence in most of what is Mozambique today. During this period two european companies (the Zambezi Company and the Niassa Company), scrambled for control over African resources, raw material, human labour force and markets.

* The context has been elaborated through the analysis of the following sources and on line site:
  War and peace in Mozambique in www.c-r.org/accord/moz/accord3 (date 12.12.05)
  Mozambique: History and politics in www.iss.co.za; www.crisisstates.com
  Mozambique Country Brief: chronology of history in www.iasa.ac.at (date 12.06.06)
  Jane’s Review
  Social and Political context: www.bertelsmann-transformation-index.de
  HDR Statistics: hdr.undp.org (date 12.06.06)
  Mozambique. History and politics in www.isss.co.za (date 12.06.06)
  Chissano biography in www.cibod.org (date 28.06.06)
  Peace process and GPA in www.panagea.org
  Information on the context also from: http://ec.europa.eu; http://en.wikipedia.org
Through the years Portuguese abuses continued and intensified. By the late 1950s, the African leadership, composed of exiled political groups, founded the FRELIMO (Frente de Libertação de Moçambique) in order to resist the colonial power.

In 1964, under Eduardo Mondlane’s leadership, FRELIMO launched an armed struggle for independence from bases in the United Republic of Tanzania. Portugal answered with enormous military power when the first guerrilla attack took place in Northern Mozambique.

After the killing of Eduardo Mondlane in 1969, Samora Moïses Machel arose as the new leader. Under his leadership, FRELIMO proceeded in its struggle against the Portuguese colonial regime. In 1974, the party forces almost completely infiltrated North and Central Mozambique, ultimately claiming them to be "liberated zones". That year, FRELIMO took advantage of the disorders in Portugal, that eventually led to a coup-d'état, to claim the right for independence. The Lusaka Accords, signed on 7 September 1974, formally ended the colonial regime and handed over to FRELIMO the administration of the country.

One year later, on 25 June 1975, Samora Machel was elected president of the independent People’s Republic of Mozambique.

In 1977, the Liberation Front was transformed into a Marxist-Leninist party, giving a start to the state mass socialism experiment. The unique party system and the socialist scientific doctrine became the two pillars of Machel’s Chabinet. FRELIMO’s policy basically focused on state farms and communal cooperatives. By the mid-1980s, state ownership over markets and state control over the economy had had devastating consequences on both the economic and social situation. By 1982, FRELIMO’s forces were active in most of the country. In accordance with this domestic policy, FRELIMO’s foreign policy promoted economic and military relations with the USSR.

Legacy of the war and FRELIMO’s foreign policy

On the external front, FRELIMO’s foreign policy supported the independence of Rhodesia as well as the African National Congress (ANC) in South Africa. Such support was one of the triggering factors of the war. In fact, the Rhodesian government in response attacked refugee camps and military training bases inside Mozambique, and sustained the creation of the Mozambique National Resistance - Resistência Nacional Moçambicana (RENAMO) with the aim of destabilizing Mozambique.

Since the late 70s, RENAMO has been the principal opponent of FRELIMO and of Machel’s politics. However, initially it did not pose a serious threat to peace. After the independence of Zimbabwe, RENAMO was transferred to South Africa to destabilize Mozambique and to end FRELIMO’s support to the ANC. To this end, RENAMO also undermined extensive government investments in the health sector, education and services by attacking administrative posts, health centres, schools, and infrastructure projects throughout central Mozambique.

In the early ‘80s, the South African government revitalized and increased RENAMO’s forces. As regards the Mozambican government position, Chissano, the Minister of Foreign Affairs, supported the implementation, at the regional level, of the Nkomati non-aggression
pact, signed in 1984 by Mozambique and South Africa\(^9\). The aim of this pact was limiting the consequences of the military pressure coming from the presence of South African troops and RENAMO.

In the meantime, RENAMO overcame its role as “an instrument of Rhodesian and South African foreign policy”\(^10\), and adopted an insurgency tactic based both on the exploitation of the local population provisions and on conventional military operations against civilian targets.

The dynamics of the conflict showed RENAMO and FRELIMO’s strategy centred on exerting their influence over specific regional areas.

While the civil war continued, there were relevant shifts in the political scene. In 1986, Joaquin Chissano replaced Samora Machel, who had died in a plane crash\(^11\). The government under Chissano abolished colonial rules, such as forced cultivation, forced labour and racial discrimination, and the majority of settlers left Mozambique. Still, the Republic emerged as a fragile entity. Over 90% of the population were illiterate and the exodus of the Portuguese settlers left the country without a technical and managerial elite.

President Chissano slowly turned the Marxist-Leninist FRELIMO party into a more socialist one, and turned the country towards the West. FRELIMO adopted a strategy which was basically founded on modernisation, the overcoming of the self-sufficient production in the rural areas through new approaches to education, health, social services.

Changes at both the national and international level influenced the internal conflict. At the national level, by 1990 the weakness of the socio-economic context forced FRELIMO to abandon its Marxist-Leninist ideology. Indeed, by then the annual pro capite income had shrunk down to USD 150 and infant mortality had become the world second highest.

At the international level, the Soviet Union collapsed, and the apartheid was coming into question. For Mozambique, that meant the withdrawal of the Soviet bloc military advisers who had heavily supported FRELIMO government forces until 1989. This collapse and the opening of political dialogue in South Africa facilitated negotiations to settle the war.

Consequences of the war were dramatic, as showed in *The United Nations blue books series, “The United Nations and Mozambique 1992-1995”*. According this document, “hundreds of thousands of Mozambicans died as a result of the war (..). By late 1986, at least 3.2 million Mozambican rural dwellers had been displaced or otherwise affected, the number rising to 4.6 million by 1989 as many families from rural areas from Zambesia, Tete, Sofala and Manica provinces found relative safety in district towns and the Beira corridor. By this time, more that 1 million Mozambicans had fled to Malawi, the United Republic of Tanzania, Zambia and Zimbabwe to escape fighting. (..) About 250,000 children had been either orphaned or separated from their parents. School enrolment was reduced by an estimated 500,000 and medical facilities serving approximately 5 million people were destroyed (..). (In 1990, Mozambique appeared) dependent on external aid for 90% of its cereal needs (..).

\(^9\) The Agreement’s relevant achievements were: 1) reciprocity in the monitoring of the own borders in order to impede hostilities against each other. 2) Mozambique expelled from its borders exiled members belonging to the anti apartheid front called African National Congress.


\(^11\) The crash plane cause is still controversial, as showed João Cabrita in *A morte de Samora Machel*. Edições Novafírica, Maputo 2005.
(In the same year), annual per capita income was estimated at 150 USD, very nearly the lowest in the world, and infant mortality was the world’s second highest”\textsuperscript{12}.

**General Peace Agreement**

The road to peace was difficult and took a long time. The above mentioned Nkomati Accord can be considered a very first step for the negotiation peace process, promoted by South Africa. “Under Nkomati atmosphere, the South African authorities tried to bring together the government of Mozambique and RENAMO to the first face-to-face negotiations in Pretoria in October 1984”. This attempt had failed. The late 1980s was characterised by informal and explorative meetings among belligerents through the facilitation of the Mozambican Churches, and the attempt of a joint mediation by Zimbabwe and Kenya.

When S. Egidio Community, under the auspices of the Italian government, offered Rome as a place for a face-to-face meeting to FRELIMO and RENAMO, they accepted the mediation\textsuperscript{13}. So the Peace talks began in 1990 (by 8-10 July) and were protracted until 1992\textsuperscript{14}.

Formally, the war ended in October 1992 with the signing of a General Peace Agreement (GPA) in Rome between President Chissano and RENAMO leader Alfonso Dhlakama. The Italian government, the United States, Great Britain, France, Portugal and the United Nations also provided political and technical support for the GPA’s implementation.

The agreement called for an immediate cease-fire; demobilization of the militaries; creation of a new and national military (the Mozambican Defence Force); described how elections should be held and it made arrangements for the demobilisation and reintegration of ex-combatants. It was remarkably comprehensive, because it included also provision for the formation of political parties; stipulated freedom of movement and freedom of press.

Immediately after the signing of the peace agreement the Government of Mozambique invited the United Nations (UN) to undertake a peace-keeping operation that would ensure the implementation of the peace process. For this purpose, the UN Security Council approved the establishment of a UN peace-keeping force (ONUMOZ) of 7,500 military personnel and 354 observers, leaded by the Italian diplomat Aldo Ajello. The mission, estimated as one of the most complex ever undertaken until then, was financed with USD 260 million. In accordance with its mandate, that included political, military, electoral and humanitarian objectives. ONUMOZ operations lasted from 1992 until 1995.

The need to secure the corridors of Beira and Nancala emerged as the principal task of the military component of the operation. This task had till then been the responsibility of Zimbabwean, Malawian and Tanzanian forces which, during the 1980s, had been sent to Mozambique, with the consent of the local government, to patrol these corridors because of their importance for foreign trade.

By mid-1993, peace was still being maintained and the spontaneous return of refugees from neighbouring countries continued, despite the hazard posed by land-mines. By late November 1994, the demobilisation process monitored by the UN was nearly complete.

\textsuperscript{14} At the first formal meeting in S. Egidio, Frelimo’s delegates were Armando Guebuza, Teodato Hunguana, Raul DomíNGO’s, Vincente Ululu, Agostinho Muralia and João Almirante. Jaime Gonçalves, Mario Raffelli, Andrea Riccardi and Matteo Zuppi were observers. Roberto Morozzo della Rocca, Mozambique da guerra à paz. História de uma mediação insólita. Maputo 1998
From a total of 91,691 registered troops, of which 67,042 were from the government army and 24,449 from RENAMO, demobilisation accounted a total of 78,078, of which 57,540 government and 20,538 RENAMO soldiers.

The electoral process and multi-party elections were a crucial test for peace. They required an extension of two years of ONUMOZ’s mandate. The General Peace Agreement foresaw a new electoral law that became effective in January 1994.

2.2. Overview of the political context

During the transition from war to the peace, a new phase started. The first challenge was RENAMO and FRELIMO reciprocal legitimization. In addition, both parties faced the challenge of strengthening their international position. They wanted to be perceived by the International Community as modern, pluralist and evolved parties. Nonetheless they both “emerged out of armed experience”.

The dualism between FRELIMO and RENAMO shows a social conflict within the Mozambican population. Since 1994 the electoral context was dominated by FRELIMO and RENAMO, and they continued to play a central role also in the post-war process. Despite some intimidations, parliamentary elections were held in October that year. Of 5.5 million registered voters, 85% turned out. Results indicated a lead for FRELIMO, which took 129 seats, to RENAMO’s 112. After the UN certified the elections “free and fair” Joaquim Chissano became President of Mozambique. FRELIMO candidates’ electoral list was inclusive as regards local ethnic consideration; indeed, most of its candidates had represented groups of interests as well as Islamic traders.

Indeed, FRELIMO is currently internally fragmented because of the different interests represented in it such as Antigos combatants, so-called Wamakonde, new well trained technocrats, Officials veterans, desmobilizados, discriminated and a group of interest that wants to epurate the corrupted political elite16.

FRELIMO won also the second (1999) and third sets of democratic elections (2004). Still, RENAMO’s performance was impressive, as the guerrillas managed to rapidly turn into a party, becoming the second political force in Mozambique.

RENAO was originally a military organizations, as seen above, which progressively succeeded in gaining legitimacy among brad sections of populations. The process of its transformation into a political party was supported by UN Trust funds amounting to USD 17 million (1994), handed to the former rebel group. Its undisputed leader has been since the beginning Alfonso Dhalakama, who has retained a personalised control over the party by undermining the creation of a real democratic party organization. He unified the different groups who hardly communicated with each other: groups such as the ‘resistance’, from the cities, former expatriates known as the ‘Lisbon group’, demobilised soldiers as well as those who joined the new Mozambican army17.

Currently, Mozambique can be considered a two-party system; in fact “the preponderance and the stability of FRELIMO-RENAO competition in Mozambique is also evident across

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16 See op. cit. B. Mazula
17 Cit. Carbone
types of elections”\textsuperscript{18}. This dualism is often interpreted as a manifestation of a conflict within the Mozambican society\textsuperscript{19}.

The 2004 parliamentary and presidential elections were considered the most controversial, because of initial allegations of fraud\textsuperscript{20}. In spite of this, RENAMO eventually accepted the defeat that saw Armando Guebuza elected president.

The 2004’s elections “demonstrated that a major challenge for all political parties, government and international community continues to be strengthening the electoral institutions and to address deficiencies that put the transparency of Mozambique’s electoral process at risk. FRELIMO comfortable majority in 2004, served to strengthen its hegemony”\textsuperscript{21}.

In conclusion, Mozambique’s political process since independence has been characterized by a “one-party dominant system (where) the boundary between party and state (cannot be seen)”\textsuperscript{22}.

2.3. Overview of the form of government, civil liberties and human rights

Institutional and political system

The Constitutional reform was carried out in 1990. The process starting point was the end of the state’s formal commitment to the Marxist-Leninist single-party system. The new Constitution separated the functions of the executive, legislative and judiciary powers, also establishing freedom of the press and the abolition of the death penalty. The president is directly elected, and may serve a maximum of two five-year terms. The current form of government is a Republic with a unicameral National Assembly composed by 250 members. These are directly elected by popular vote on secret ballot. The legal system is based on the Portuguese civil law system and customary law.

In the perspective of a real decentralised reform, there are several ongoing processes focused on reviewing the general status for civil servants, the implementation of a system for training public administration, rehabilitation of buildings for district administrations and administrative posts. At the moment, the implementation of the justice sector is ongoing, with the Integrated Strategic Plan for Justice completed in 2001.

At the administrative level, Mozambique is divided in 10 provinces (províncias); the capital; 128 districts (distritos); 23 cities; 387 administrative posts, 68 towns. Provinces and the capital are (in alphabetical order): Cabo Delgado (capital Pemba); Gaza (capital Xai-Xai); Inhambane (capital Inhambane); Manica (capital Chimoio); Maputo City, Maputo Province, Nampula (capital Nampula); Niassa (capital Licinga); Sofala (capital Beira); Tete (capital Tete); Zambézia (capital Quelimane).

\textsuperscript{18} Cit. Carbone
\textsuperscript{19} Cit. Carbone. “(...) political system is still characterized by an ambiguous relationship between ruling party and state apparatus, a heavy centralization of power, increasingly rampant corruption, and the feeble independence of the legislative, media and judicial system, belong to the states that made significant changes by adopting and partly implementing democratic reforms, but still have a long way to go before they might be labelled liberal democracies”.
\textsuperscript{21} Cit. Bertelsmann Foundation report.
\textsuperscript{22} Cit Bertelsmann Foundation report.
Administrative Reform: de-centralisation process

The process decentralisation genesis dates back to 1991, when the government embarked on administrative reform through the *Programa de Reforma dos Órgãos Locais (PROL)*, financed by the World Bank, contextualising it within the necessities and efforts of peace consolidation and poverty reduction in the post-war era. The reforms aimed at the abolition of the centralism and the top-down system of government that previously characterised the institutions as a legacy from the past.

The very first step of the reform, so called de-centralisation process, was the law n.3/94 that provided for the creation of both rural and urban municipalities with administrative, financial and patrimonial autonomy and with executive and legislative organs elected by local communities.

Instead of the far-reaching administrative reform and de-centralisation (devolution) of power to local governments initially legislated in 1994, a constitutional amendment of 1996 and the legislation revised in 1997 basically restricted local self-government to cities, secondary towns and district centres, simultaneously maintaining structures of central administration in the latter.

The districts can be considered the basis of the state because they “should represent politically and legally (for the sector policies under PARPA) the interests and needs of the poor majority of Mozambicans”, because districts coincide/overlap with rural areas in so far as the productive base of the Mozambican economy, where people live in absolute poverty lacking of representation through institutionalised voice.

Within the scope of good governance, the launching of the public sector reform programme should be highlighted, as well as commencement of the application of decree 15/2000 of June 20th. The reform, so-called the public sector reform programme, aims at legitimising the community authorities by the communities themselves. The institutionalisation of participatory district planning is now ongoing (Nampula and Cabo Delgado were pilot cases).

Still in progress, de-centralisation process demonstrates that the central government functions have been vested in the new local structures, but the *autarquias*, namely the local elected autonomous authorities, only have limited autonomy in reality. It should be noted that despite the visible efforts by the authorities to keep themselves autonomous, *de facto* there are still serious gaps between their functions and their capability of generating revenues.

The financial matter and the sustainability of the municipalities are key issues in the reform process. Municipalities have a lot of deficiencies in terms of fiscal decentralisation, so that they do not have the funds to finance their functions. To provide them financial support, the central government has feeble and very negligible tools as well as municipal compensation fund and local initiative investment fund.

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**In order to better understand the de-centralisation see Rondinelli and Cheema 1984, and A. Evans 2003. These authors have considered the de-centralization process as a transferring of power. De-centralisation has different form: 1) De-concentration: local authorities nominated and deeply dependent from the central government. 2) Delegation: local authorities elected and controlled (presence of parastatal agencies. 3) devolution: transfer of functions from public to non-governmental institutions. See also: I. Sorri, "Moçambique aprender a caminhar com uma bengala emprestada? Ligações entre descentralização e alívio pobreza" in ECPDM Working Paper 14/98. Maastricht 1999.**

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**Bernhard Weimer see note 12**

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**See Mazula**

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**See. Mazula**
As a matter of fact the government approach to the reform is still more a case of de-concentration and less a process of de-centralisation, as confirmed by the adoption of the law n. 8/2003 that “defines the districts as the basic planning unit for development of the country, and indeed with the provision for the transfer of funds from the central government to the district administration. So, what should be expected of municipalities is in fact being given to the district administration, led by appointed officials by central government and not legitimated by the local communities”27. According to political scientists “the current prevailing scenario concerning the reform process of the Mozambican governance system continues to be that of cooptation. In other words, the political classes, despite efforts and attempts to carry out profound reforms in support of a scenario of real democratic cohabitation/democratisation culture, ended up by wasting the unparalleled chance created by AGP to democratise and decentralise the governance system”28.

Administrative Structure and local elections

The autarquias locais are structured along the same lines as the national government. They possess their own executive bodies:

- Mayor, directly elected every five years
- Municipal Council, half of whose members are members of the Municipal Assembly with the other half appointed by the Mayor
- Municipal Assembly, which is directly elected every five years

The first municipal elections in 1998, boycotted by RENAMO and other opposition parties, had 85% of abstention, thus implied municipal governments dominated by FRELIMO. In the rural areas, however, the administration is the responsibility of a District Administrator, appointed by the government, the Municipal Assembly and the Municipal Council. Still, the Provinces and the Districts are far from being real 'local governments', since they are administrative units of the central government which appoints the Provincial Governor who then appoints the chefe de posto, who is the district authority29 representing the central government at the local level.

The Municipal Elections were the second municipal elections in Mozambique to take place (November 19, 2003) in the 33 Municipalities (23 cities/cidades and 10 towns/vilas) and comprised approximately a quarter of the national electorate (2,371,839 voters called for these elections; national electorate approximately 8.4 Million). These elections were the first to involve a wide political spectrum which included the ruling political party FRELIMO, the main opposition force RENAMO, small political parties and groups of citizens, and EU observers.

Human rights and civil liberties

In spite of improvements, the human rights situation remains floating. The media are now becoming more open and outspoken than in the recent past. In the field of good governance there are still insufficiencies and deficiencies. Corruption is evident in the absence of an

27 See E. Sitoe, C. Hunguana.
28 Brazao Mazula (Ed.), Mozambique. Ten years of peace. CEDE 2004
appropriate public financial management system. The lack of resources is also reflected in
the weakness of the judiciary system and law enforcement institution.

According to the evaluation of national and international observers, elections are generally
free and fair, despite some irregularities. There were several instances of politically
motivated violence in the run-up to elections, some involving members of the bodyguard of
RENAMO leader, Afonso Dhlakama, in Sofala province. This prompted calls for the
disbandment of 200 former RENAMO soldiers, authorized to continue as an armed unit as a
temporary measure under the 1992 peace agreement.

Human rights violations attributed to the police included beatings and other ill-treatment,
deaths in custody and excessive use of force and firearms. In most cases the authorities
apparently fail to take appropriate action to investigate such reports and bring the perpetrators
to justice, thus reinforcing a sense of impunity. However, dozens of officers have been
expelled for disciplinary offences and some also faced criminal charges, including rape.
Amnesty International and the US Department of State underlined in their own reports that
human rights abuses remains a delicate issues.

There are a few reports of police being prosecuted for human rights violations. De facto,
police impunity remains a problem to be faced. For instance, authorities often use violence
and arbitrary detention to intimidate persons who would report an abuse. There are cases of
detentions by the police solely to extort payments. In particular, police excessive use of force
and abuse result in some unlawful killings and injuries. While the law prohibits torture and
other cruel or degrading treatment, the police continue to perpetrate some abuses. Procedures
to determine the causes of deaths in custody appear to be inadequate. Autopsies or medical
examinations are not automatically carried out, or are not supported by inquiries by an
independent official.

Although the government took measures to discipline corruption at different levels,
corruption is widely perceived to be endemic. It results from the balances among the three
branches of government, minimal accountability of the officials, and culture of impunity.
Opposition party members allege that governmental intelligence services and ruling party
activists continue to perpetrate arbitrary interference with privacy, family, home and
correspondence.

Government and civil society representatives debate the need for a law on people trafficking
in response to reports of women and children being taken to South Africa for forced labour or
prostitution. There are reports of extraction of human organs for ritual purposes in Nampula
and Niassa provinces.

Offices for Attending to Women and Child Victims of Violence have been established in all
10 provinces with police specially trained to deal with violence in the family. The
government’s Offices for Women and Children and Social Action and a range of non-
governmental organizations (NGO’s) also provide protection and assistance to victims of
domestic violence. Cases reported in the media and to NGO’s include forced marriages of
girl children, sometimes as young as six years old.

Although the law provides for freedom of speech and of the press, and significant
improvements in press freedom have happened, police harassed and arbitrary detained

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US Department of State, Bureau of democracy, human rights and labour, Mozambique, in www.staet.gov/g/drl/rls/hrpt/2005/61583.htm
journalists. Recently, an expanding network of community radios is strengthening civil society and supporting community development and social change in Mozambique. The increase from one community radio station in 1994 to nearly fifty in 2005 means that more than a third of the population now lives within reach of a station. Regular, sustainable, impact assessments are essential if these stations are to be effective. Mozambique has also finally put together a draft Freedom of Information Bill, which media experts hope will pave the way towards greater transparency and government accountability.

2.4. International context

Mozambique’s foreign policy has been characterised by two folders: the maintenance of good relations with its neighbours, particularly South Africa, and the expansion of ties to development partners. In the years immediately following its independence, Mozambique received economic, military, and political support from the Soviet Union. However, the country benefited from considerable assistance from some Western countries, notably the Scandinavians. In 1984 Mozambique joined the World Bank and International Monetary Fund. Western aid quickly replaced Soviet support, with the Scandinavians, Finland the United States, the Netherlands, and the European Union becoming increasingly important sources of development assistance. The Italian diplomacy also maintains a profile in Mozambique as a result of its key role during the peace process. Relations with Portugal, the former colonial power, are complex and of some importance as Portuguese investors play a visible role in the economy.

Chissano can be considered one of the relevant personalities in Mozambique’s foreign policies. He has applied his considerable diplomatic skills to build productive relations with DAC donors, having benefited from the fact that donors have latched on to the country as their 'African success story'. As a result their financial support to Mozambique in 2001 exceeded the government's request. In 2001 according to the World Bank, international donors had pledged more than USD 700 million, and the IMF qualified Mozambique under the heavily indebted poor countries initiative (HIPC). In 2002 the United States contributed USD 30 million to fight malaria and HIV/AIDS, and Belgium gave about USD 6.7 million in December for health care reconstruction.

Chissano also contributed to create the current strong relations with South Africa. These relations date back the Nkomati Accord (1983) that opened initial diplomatic contacts between the Mozambican and South African governments, although it was violated by South African officials. This process culminated in the establishment of full diplomatic relations in 1993 after the end of the apartheid regime. At the economic foreign policy level, relations improved immeasurably when South Africa offered to buy hydroelectric power from Mozambique's Caborra Bassa Dam. It has also established with Mozambique a joint Security Commission to protect the Dam from attacks and to sustain power transmissions. Illegal immigration to South Africa is still a bone of contention between the two countries.

Mozambique’s foreign policy has been strongly guided by the need to strengthen its presence in the economic international scene and in its integration within the Southern African Development Community (SADC).

Relations with Pretoria are therefore vital, and Mozambique has often backed President Thabo Mbeki’s pursuit of negotiation in regional conflicts. In 2003, Mozambique contributed 200 infantry soldiers to the African Mission in Burundi (AMIB).

After all, Mozambique is considered a successful case of peacemaking, post-conflict reconstruction and development and sees its own experience as a valuable asset to be used in the resolution of current African conflicts. Keen to share this experience, post-war Mozambique has become an active player in regional diplomacy and peacemaking, most notably in the Democratic Republic of the Congo, Angola and the Great Lakes. Active participation in the AMIB will also strengthen Mozambique’s credibility vis-à-vis the outside world, and in particular towards the G8, with whom the AU will have thorny and difficult negotiations to kick-start the New Partnership for Africa’s Development (NEPAD).

Mozambique is a member of the Non-Aligned Movement and ranks among the moderate members of the African Bloc in the United Nations and other international organizations. In 1994, the Government became a full member of the Organization of the Islamic Conference, in part to broaden its base of international support but also to please the country’s sizeable Muslim population. Since 1996, Mozambique maintains close ties with other Lusophone states.

Mozambique is:

- Co-founder of Southern Africa Development Community (SADC) since 1980
- Member of the Commonwealth since 1995
- Member of the UN
- Member of the World Bank and the International Monetary Fund
- Member of the Common Market for Eastern and Southern Africa (COMESA) since 1988
- Member of not alligned movement
- Member of the Organization of African Unity/African Union
- Member of NEPAD
- Member of the World Trade Organization (WTO)
- Founding member and the first President of the Community of Portuguese Language Countries (CPLP)

International players and donors

Mozambique is highly aid dependent; it receives more than half a billion USD each year in development assistance (ODA). ODA represents 69% of the country’s GNI and half of government budget.

A large number of donors are active in the country. EU Member States are represented in Maputo (excluding Luxembourg and Greece), with Switzerland, Norway, USA, Canada, the World Bank, the International Monetary Fund (IMF), the African Development Bank (afdb) and the UN system also contributing more or less substantial funding.

Donors’ coordination in the provision of budget support and other forms of programme aid commenced in mid 1990’s. Donors are committed to supporting the Government’s PARPA

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and the Mozambican poverty reduction strategy (PRS). Over time the Development Partner’s Group has seen the emergence of a group of donors who provided development assistance in the form of direct budget support. The process was formalised in 2000 with the establishment of the Joint Donor Programme for macro-financial support. The number of donor agencies contributing to this program has grown from 6 to 18 (G18) members. They provide about 27% of total aid, but their share is expected to increase to 60% as a result of multilateral debt relief and promised to increase aid flows.

Financial disbursement under the Joint Donor Programme were USD 156 million in 2002, USD 160 million in 2003 and USD 167 million for 2004. World Bank budget support is delivered in the form of Poverty Reduction Support Credit (PRSC-1).

At the end of 2004, a Memorandum of Understanding (MoU) for programme aid on the direct budget support and balance of payment support was signed. The MoU set out the procedural arrangements for the budgetary support program.

To monitor progress to reduce poverty, the most important process in place is the Annual poverty reduction strategy progress report, issued by the Ministry of Finance and Planning.

Relations with the EU

The EU is the main trade partner of Mozambique. In 2002, trade with the EU accounted for 64% of all Mozambican exports and 12% of all imports. Since 2001 that the aluminium production is changing the structure of Mozambican exports: traditionally, exports have been dominated by seafood and non-staple agricultural products. These sectors had poor performance during the last few years due to low productivity and the bad international market. Aluminium is now the country’s major single-category of export.

The EC is the biggest single grant donor overall, with the World Bank providing significant amounts of credit funding on IDA terms.

As a member of the G18 to Mozambique, the European Commission has been playing an important role in the programme’s implementation and co-ordination, and in supporting the Government, in particular in the main areas of policy dialogue: Poverty Reduction, Public Expenditure Management and Internal Revenue Collection.

Several financial instruments will be used to finance the EC co-operation with Mozambique. The following is an indication of their mobilisation as presently envisaged.

- EDF 9, Envelope A (€ 274 million). The indicative allocation of this envelope to the elements of the strategy is proposed as follows:
  - Transport infrastructure, 25-35%.
  - Macro-economic support, 45-55%.
  - Food security and agriculture, 0-15%.
  - Other programmes (Health and HIV/AIDS, governance and Non-State Actors), 10-15%

34 Belgium, Denmark, EC, Finland, France, Germany, Ireland, Italy, Netherlands, Norway, Portugal, Sweden, Switzerland, UK, WB are the G-15 members, now three new members joint the group known as G18.
35 Cit. Driscoll R.
36 Main source for this section is the information found in www.ec.europa.eu
EDF 9, Envelope B (€ 55 million). To cover unforeseen needs as indicated in the Cotonou Agreement, Annex IV, Article 3.2 (b).

EC budget lines could be used to finance specific operations, in particular for food security within the focal sector food security and agriculture, and for human rights and democratisation. Mozambique has been selected as a focus country for 2002-2004 support from the European Initiative for Democracy and Human Rights. Apart from the above-mentioned financial instruments, of which the A-envelope is the main programmable basis for the Indicative Programme, the 9th EDF also includes the “Investment Facility” as a financing instrument managed by the European Investment Bank (see details in Part A, Chapter 5). The Investment Facility does not form part of the Indicative Programme.

2.5. Economic context

While Mozambique shows an impressive economic growth averaging 8% over the past decade, according to the World Bank Report, it is a country still in transition with limited infrastructure and high unemployment rate. Due to this it is a least developed country with a per capita income of USD 290 in 2003-2005 which increased up to USD 593 in the period 2009-2013.

The estimated population growth rate is 2.44%; by 2014 the population is expected to reach 26 million, without estimating the impact of HIV/AIDS. This is considered one of the most devastating threats to the country’s 19.8 million people, with the potential to wipe out all past and current gains. At present, the incidence of HIV/AIDS is higher among young females (in 1997, 14% of the population was infected with HIV/AIDS). The lack of access to healthcare services and drinking water has worsened the spread of such diseases as malaria, intestinal diseases and acute respiratory infections, which are among the highest causes of death in the population.

Approximately 80% of the population live in the rural areas. Poor people depend on agriculture and small-scale informal trading for their livelihood. “The battle against absolute poverty will never be victorious, because the participation of the intended beneficiaries is barred. The struggle waged against AIDS nationally, is just a discriminatory struggle, because the messages are all expressed in a language which is only understood by the majority of residents in the cities”37.

As regards employment, “reliable data on Mozambique’s labour market hardly exists. Estimates assume that about 520,000 Mozambicans are employed in the formal sector, and approximately 95% of the total labour force depends on the informal sector for their subsistence. This distortion also results from a poorly educated workforce with limited skills. Although large companies are prepared to invest in training of their workers it is mainly the small and medium sized enterprises that lack the necessary resources for training”38.

Economically the mid-1980s were characterized by structural adjustment plans; for instance, the Economic Rehabilitation Program in 1987 by the World Bank and the International Monetary Fund (IMF). In 1984, Mozambique joined the IMF. In 1992, Mozambique, like the rest of Southern Africa, experienced the worst drought since the beginning of this century.

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37 See Mazula pag.17
Since the end of the civil war (1992), which lasted for 15 years, the Mozambican government has embarked on a liberalisation and privatisation policy, hastening the process of opening up the market economy, which, according to the World Bank and the International Monetary Fund, is moving forward successfully.

As early as 1993, the year following the Rome Accords, Italy launched the Extraordinary Programme to Support the Mozambican Peace Process, to back the Mozambican government, and took on the financial commitment of providing the emergency food assistance and support for the displaced persons.

These were medium-term operations that were intended to link the emergency phase and the development phase, mainly to help demobilise the army and reincorporate the war veterans, as well as resettling the refugees and displaced persons. The programme also made provision for capacity-building operations to support the Mozambican institutions, particularly at the Ministry of Health, focusing on the areas and the communities that had been most severely affected by the war.

Since 1994, Mozambique has been the second recipient of ODA in Sub-Saharan Africa after Tanzania, with USD 6.6 billion between 1991-1994. Donors’ aid has averaged more than USD 820 million per year, reaching about 22% of GDP. This has attracted foreign direct investment, which over the period 1998-2001 averaged USD 300 million. Per capita income also reflects this trend. In 1996, per capita income stood at USD 90, in 1997 it had reached USD 125, rising in 2000 to USD 220. Inflation in 1996 stood at 16.6%, but by 1999 this had fallen back again to 5%.

In 2001 the GDP grew of 13.9%, while the inflation rate was 21.9%, combined with a depreciation of 31% of metical exchange rate to the dollar. In 2002, according to the available data, economic growth reached 10%, while the inflation rate decreased to 9.1% and the Metical was stable against the USD. The efforts to replace infrastructures destroyed by the floods and the recovery of agricultural production, together with the start-up in aluminium production by Mozal, made feasible the re-launching of the economy from 2001 onwards.

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40 The Extraordinary Programme to Support the Peace Process. The purpose of this Programme was national reconciliation and its objectives were:
- to increase employment and raise incomes in the rural areas, to encourage resettlement;
- to create social and healthcare infrastructure to promote more evenly balanced development;
- to improve public and private managerial capacities in order to enhance and make the best use of local resources.

The measures under the Programme were to be used to link emergency relief to development, which required a medium-term plan. The extraordinary plan was intended to link into other previously implemented ordinary activities, and taken together with ordinary future activities they were intended to form part of a joint strategy.

The work was concentrated in four provinces: Maputo (social infrastructure in peri-urban areas of the city, Sabie and Umbeluzi projects); Manica (the re-establishment of confidence in the provincial government, institutional support at Mossurize, healthcare operations in Gondola and Maccosa); Sofala (healthcare programme, a census of the drinking water points, services and infrastructures around Beira); Zambesia (work at Morrumba and Mopeia). The central government had asked other provinces to draft Provincial Reconstruction Plans to be used to constitute the National Reconstruction Plan.

Italy committed USD 7 million to this effort. Following October 1993, 15 contracts were signed totalling USD 3.6 million, out of a total number of 27 activities worth USD 9 million.

The programme was intended to contribute to national reconciliation by easing the tension caused by the demobilisation of the war veterans, and the return home of the displaced and the refugees, and to contribute to the implementation of the National Reconstruction Plan for national economic and social development.

41 This was in compliance with the covenants set out in the preliminary agreement for the emergency in Mozambique, signed by Italy in 1993.
42 It involved the provision of aid to support the repatriation of refugees and displaced persons from Swaziland (65,000), South Africa (250,000), Tanzania (72,000), Zimbabwe (84,500), Malawi (940,000) and Zambia (25,000). Source: UNHCR.
Economic growth has also been underpinned by a substantial flow of bilateral and multilateral international aid which in 1998 alone totalled USD 1,093 million, more than twice the value of Mozambique's exports.

The country’s macro-economic performance has been positive: real GDP growth was 7.5% in 2004, 7.7% in 2005 and 10% in 2006. Annual inflation decreased from over 54% in 1995 to 6.3% in 2005. Over the last two years some substantial progress in fighting poverty and improving human development has been made. The incidence of absolute poverty reduced by 15.3%, from 69% in 1996/1997 to 54% in 2002/03.

According to the Bertelsmann Foundation Mozambique’s country profile, inflation is influenced by the South African rand’s exchange rate. This is due to the fact that the majority of food imports originate from South Africa. In relation to the USD, the Metical (the local currency) remained relatively stable.44

In 2005, according to two surveys45 by the Instituto National de Estatística, the incidence of poverty decreased from 69% in 1996-97 to 54% in 2002-03. Although rural and urban poverty rate are similar (53%), there are relevant regional variations. Manica, Sofala and Zambesia provinces have the lowest poverty rate of the country.

The overall primary and secondary school enrolment rate is 68% for boys and 64% for girls, 79% for urban children and 60% for rural one. In addition there is a marked north and South divide for enrolment rates. Infant mortality is 178 per 1000 live births; this rate is still quite high by international standards. Life expectancy at birth is 44 years for men and 47 for women.

According to the African economic outlook 2006, fiscal management improved in 2005, with increased expenditure in education, tax revenues and decentralisation – increased from 63% of total expenditure in the first half of 2004 to 66.9% in the first half of 2005, exceeding the Poverty reduction strategy (Plano de Acção para a Redução da Pobreza Absoluta - PARPA) target of 65%, as a result the country will be included in the G8 debt initiative that is expected to reduce the net present value of debt to 10% of GDP46.

The Mozambican economy has a huge public budget deficit, and also a chronic trade balance deficit. The current account deficit dropped to 5% of GDP in 2004 from 9.2% in 2003. Exports rose from USD 1.04 billion to 1.50 in 200447.

In 2004, aluminium from Mozal project accounted for nearly two-thirds of exports revenue - the principal export market is the Netherlands -. Despite sluggish exports in prawns, sugar, tobacco in the first half of 2005, and a jump in the oil import bill, the trade balance improved slightly. Imports are dominated by mechanical machineries, vehicle, iron and cereals.

Over the past five years, substantial progress has been made in macro economic stability as mandated by 2001-05 PARPA and the three-year Poverty Growth Facility agreed with IMF. “Reporting and management of expenditure has improved considerably, in areas such as the wage bill and, as seen, debt management. The 2005 joint review (government, donor and civil society) noted that the overall performance of fiscal policy was encouraging.

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44 Cit. Bertelsmann, country report on Mozambique.
47 Cit. African Economic Outlook 2006
In 2006, according to AfDB/OECD, the government has extended the new computerised system for recording expenditure (e-SISTAFE) to all ministries’ spending and increasing fiscal decentralisation. It has allocated USD 300,000 per year to each district to finance small scale infrastructure projects. The 2006 budget also calls for recruiting 10,000 teachers and 200 health workers.*48

Despite this trend, the National Human Development Report 2005, launched in Maputo in September 2006, underlines four issues:

- A balance between macroeconomic stability and sustainable broad-based economic growth;
- Investments in responses to HIV/AIDS, malaria and tuberculosis
- A rethink of the agricultural development strategy in distribution of the state budget
- Promotion of a partnership between government, development partners and civil society

The poverty reduction strategy Action plan for 2006 – 2009 (PARPA II), launched in May 2006 is expected to address the above mentioned issues, and the improvement of the formal market flexibility issues.*49 To pursue a more inclusive growth beyond the Strategy implementation plan 2008-2010, the plan has been followed by the Poverty Reduction Strategy (PARPA 2011-2014), aimed at introducing patterns of inclusive growth by increasing the allocation of funds for investment under the following pillars:
  1. Enhancing production and productivity in agriculture and fishing;
  2. Creating employment; and
  3. Enhancing social and human development,

focusing at specific indicators measurements to assess progress toward strategic aims.

PARPA

Before the PARPA, an important survey conducted for the period 1996-1997 on a sample of 8,000 households, gave a very precise picture of the state of the poverty in Mozambique.*50 It transpired that an average of 69.4% of Mozambican households lived under the poverty threshold and 90% of the rural population and 79% of the urban population lived on a per capita income of USD 200*51. Seven Mozambicans out of ten had a disposal income of USD 0.40 a day, while one-third of the population, which is considered extremely poor, disposed of 60% less than the USD 200 national poverty line figure.

In the period 1992-1997, school enrolment levels sharply slumped for children between 7 and 11 years of age from 51% (1980-1985) to 40%, while the illiteracy rate amongst adults aged between 18 and 65 is 60%. In education, too, there is a marked inequality between the rural and the urban zones: 32% of the adult rural population are literate, compared with 71% of the urban population.

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51 USD 200 indicated the national poverty threshold.
By the end of 2001, inflation was still at 21.9%, combined with a strong depreciation of 31.3% in the Metical exchange rate to the US dollar. As far as exports are concerned, in 1999 they were worth USD 559 million compared with USD 1,579 million in imports.

In 1999, Chissano’s government launched the *Plano de Accao para a Reducaão da Pobreza Absoluta* (PARPA), which objective is to reduce absolute poverty levels from 70% of the total population to less than 50% by the end of 2010. The PARPA strategy includes policies targeted to the establishment of an enabling environment to investment and productivity, and to the achievement of a comprehensive average annual growth rate of GDP of 8%, combined with low inflation. At the same time, the strategy covers other basic dimensions of poverty, namely gender, vulnerability and environment.

The PARPA monitoring matrices regard the performance of sectors and follow the Plano Economico e Social (PES) balances. It is based on the projections for the demographic and macroeconomic context of Mozambique targets households.

In 2001, the weight of priority sectors in total expenditure, excluding debt interest, was 2.4% below the goal of 68.2% set by PARPA. Sluggish economic growth, the low level of education of the members of the economically active age group, the low level of productivity of the rural families, the lack of employment opportunities in agriculture, and the poor state of infrastructure development in the rural areas, are all factors responsible for the poverty of the Mozambican population.

PARPA and PARPA II lay out the country’s strategy for reaching the Millennium Development Goals (mdgs). For the future, over 2010-2014, the *Programa Quinquenal do Governo* will include the PARPA. In line with the *Programa quinquenal do governo para 2005-2009*, the PARPA II has the following priorities for 2006-2009:

**Macroeconomy and Poverty:** economic growth and macroeconomic stability, poverty analysis and monitoring system, public sources management

**Governance:** sector reform, justice sector reform, decentralisation

**Economic development:** private and financial sectors, agriculture, infrastructure

**Human capital:** Health, Education, water and sanitation

**Mainstreaming issues:** demining, environment, natural disaster impact reduction, HIV/AIDS, gender, food security, Science and technology, rural development.

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- to sustain economic growth by promoting the industrial sector and enhancing agricultural productivity,
- to develop the human capital through investment in education, healthcare, and improved access to drinking water and basic services,
- to increase household agricultural productivity,
- to develop infrastructures in the rural areas,
- to protect vulnerable groups under social welfare programmes,
- to promote employment in the rural and urban areas through micro-projects,
- to improve the technical and institutional capacity to monitor and appraise poverty.

53 Cf. *ibid*.

The targeted households are those with a single source of income, headed by a woman, or a casual labourer. As far as the demographic structure of Mozambique is concerned, in 2004 the population will be about 19 million, of whom 32.5% will live in the North, 41.8% in the Centre, 19.5% in the South, and 5.6% in Maputo city. Over the next four years the population is expected to grow at an annual 7%-9%, with a 5% GDP growth rate.

According to PARPA II, poverty was expected to reduce from 54% (2006) to 45% in 2009. National economic integration and productivity increasing were the two new priorities included in this plan.

According to a mid year review (September 2005), the overall of performance against PES/PAF has been encouraging for the expansion of primary education, the improvement of some health indicators, the improvement of the revenue collection. However remain some concerns. Just to underline some emerging bottlenecks: low mid-year budget execution rates for funds in investment budget, delays in the roll out of e-SISTAFE to the Ministry of education and culture, quality of education, slow progress in public and justice sector reform, failure to meet the water and sanitation 2005 PES/PAF targets. In addition, HIV prevalence rates are increasing.

The Poverty Reduction Strategy Implementation (PARP 2011-2014), by introducing the following pillars mentioned before, set specific provisions as to develop each single pillar with a tailored approach to the specific issue. To enhance production and productivity in agriculture and fishing a development strategy for 2011-20 has been adopted and an agricultural investment plan 2013-17 was launched to gradually help the production to shift from subsistence to commercial farming; while in the social and human development field, the programme effort was mainly focused to boost primary school enrolment, the creation of an increasingly gender-equitable system, particularly in secondary schools55.

G20 and poverty observatory

Since the concept phase of PARPA, the government has been seeking a dialogue with civil society. In order to create a platform for open debate the Poverty Observatory was created56. It elaborates an annual report, with the objectives to convey concerns and opinions of eight thousand people from 102 districts (rural/urban). Information is collected by members of religious group, member of unionised workers, peasants, entrepreneurs and people who belong to civil society, called G2057.

The 2004 Report underlines the increasing participation and the agrarian growth as the two cornerstones to be implemented. The G20 also suggests that an incentive package be created to benefit enterprises whose activities have a direct effect upon the poor, such as generation of employment. In addition they recommend promoting the national entrepreneurial sector, with an emphasis on small and medium enterprises and cooperatives.

The report underscores the need to increase the productivity of the family sector to improve food security. More than half the Mozambicans interviewed turned to their families to resolve social conflicts rather than the state's legal system because of a lack of trust in the government institutions, many of which were perceived to be corrupt. While more than 75% of respondents had land for cultivation and approximately 80% had a stand to live on, 40% of them did not have security of tenure.

57 G20:Conferência Episcopal de Moçambique, Conselho Islâmico de Moçambique, Conselho Cristão de Moçambique, Movimento Islâmico de Moçambique, Organização dos Trabalhadores Moçambicanos - Central Sindical, Confederação dos Sindicatos Livres de Moçambique, CTA - Confederação das Associações Económicas, Associação Industrial de Moçambique, Associação Comercial de Moçambique, Associação Moçambicana de Bancos, União Nacional dos Camponeses, TEIA - Fórum Nacional de ONGs Moçambicanas, LINK - Fórum de ONGs, FÓRUM MULHER, FÓRUM TERRA, Rede Nacional do SIDA, Grupo Moçambicano da Dívida, Fundação para o Desenvolvimento Comunitário, ORAM - Associação de Ajuda Mútua, KULIMA, ABIODES, CRUZEIRO DO SUL - Instituto de Investigação para o Desenvolvimento.
A majority of households reporting that a member of their family had been ill also declared they had had insufficient food and a large number of Mozambicans could not afford to buy medicines, despite government's efforts to subsidise medication.

On the basis of the data collected, the G20 has proposed the creation of consultative councils comprising representatives of NGO’s, political parties and other interest groups to identify actions to combat poverty and corruption, and participate in the allocation and use of land.

2.6. Security

Since 1994 there have been no real external threats to Mozambique and the country enjoys good relations with all its neighbours. Heavy spillovers since the war’s period remain in the easy availability of firearms and in organized criminal networks penetration, but also in the political, social and economical marginalization of Northern provinces supporting RENAMO. These factors are potentially very dangerous combined with the government’s inability to provide realistic security or surveillance over most of its territory, coasts and borders.

Some crime facts have sometime strongly involved high-ranking politicians, bureaucrats and police officers. As a matter of fact, corruption and organized crime (not rarely linking Mozambicans with networks of Pakistanis immigrants and South-Africans in activities such as drug trafficking, drug production, money laundering and car theft) are merged in a dangerous mixture gaining ground in the country.

Another spillover since the war end is related to the landmines laid by the Portuguese Army, FRELIMO and RENAMO. This problem is sharpened by the flood threats, so common especially in the more developed south of Mozambique. In particular, it is widely alleged that widespread flooding in 2001 and in 2003 have displaced many devices from known minefields on to previously cleared land. This was not the only legacy of the problem: the substantial incapacity of FADM (Portuguese acronym for Armed Forces for the Defence of Mozambique) to carry out the most elementary forms of civil protection has established a widespread debate among political forces and public opinion about the role of FADM in the modern Mozambique.

There are some signals related to a slow (and not too much publicized) government dismissing policy of former RENAMO personnel from the FADM. Further, RENAMO has always strongly criticized the non-integration of his former personnel in the police and intelligence units. On the other hand, RENAMO is often accused to have not demobilized all his soldiers, since some people are still exclusively controlling in arms the Maringue area in the Sofala province.

59 RENAMO has a traditional influence in these regions because it was able since the past decades in involve that portion of local population stricken and defrauded by nationalization and collectivization policies of Frelimo Marxist-Leninist period. As in the central as in the northern regions, traditionally not strictly linked to the capital or some of the most important cities of the country, RENAMO managed to gain support from landowners, chieftains, and also catholic, protestant and traditional churchmen (see: Bellucci Stefano, 2006, Storia delle guerre africane. Dalla fine del colonialismo al neoliberalismo globale, Roma, Carocci, p. 65).
2.7. Civil Society

Introduction

The field research\(^{62}\) aims at focusing on the involvement and on the empowerment of the civil society\(^{63}\), that is to say the role played by the Mozambicans as factor of stability. Besides, the focus is on the presence of a party system, not in every respect pluralistic yet, and on NGO’s and associations, as two groups of stakeholders.

More specific aspects being highlighted are the main characteristics of Mozambican society, the role of civil society in the post-war reconstruction process, the level of grass root dialogue and the local authorities’ empowerment. Furthermore, the study draws attention to health and sanitation, HIV/AIDS and malaria, university and education and crossing economic activities.

As per the statements recorded in the field, considering Mozambique under the light of the post-conflict reconstruction process is still realistic. In spite of a common will to keep the peace, the length of the conflict froze the country’s path to economic-social development, protracting the persistence of unbalanced wealth distribution, which is considered one of the reasons for the conflict. Precisely because the macro stability of the country retains some internal conflictual dynamics, not immediately evident though, the external aid is being run as if Mozambique were a developing country and not a post-conflict one.

Since the Mozambican peace process as such was patently successful, yet it comes out that the existence of a plurality of powers in Mozambique is still critical in association with the limited extent to which Mozambican society welcomes inner critical behaviours. In addition, the overlapping of the conflict geography with the development geography shows the level of persistence of the conflict, in terms of latent tension\(^{64}\). Concerning the threats for the citizens’ security, the major concern is certainly the vast presence of landmines all over the country.

Peace agreement and subsequent level of stability

As indicated by several interlocutors the inner causes of the conflict persist even now. The war exploded not only due to structural grounds and to domestic factors, but there is a wide consensus on the fact that the conflict in Mozambique had been exploited from abroad. In support to this there were RENAMO’s troops in Botswana, Malawi and Zambia too. The confrontation was focused on ethnic connotation along with a polarisation of powers in the North and in the South of the country, but much less in the Centre. Although there is an apparent consolidated stability in terms of the establishment of political powers throughout the country as a consequence of the successful peace process, the structural issues of the conflict do not seem to be addressed yet. The most controversial point is that there is no

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\(^{62}\) The outcomes of the field research are being supported by the Bertelsmann Transformation Index (BTI) country report on Mozambique 2006: [http://www.bertelsmann-transformation-index.de](http://www.bertelsmann-transformation-index.de).

\(^{63}\) See BTI: “Mozambican citizens have a very weak relationship to political institutions as well as to civil society. […] Participation is further restricted by structural constraints such as poverty, isolation and illiteracy”.

\(^{64}\) See BTI: “The outbreak of large-scale violence in Mozambique seems rather unlikely, particularly since the memories and scars of the civil war are still fresh. An ideological war instigated by the political elite and fought with forcefully recruited soldiers, there is general confidence that such a mobilization would now be unlikely. Mozambicans are more interested in securing their daily economic survival, and politics receive secondary importance. However, this fact does not prevent the outbreak of violent clashes – such as in Montepuez – where people feel continuously neglected and marginalized by the government”.

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accord about the causes of the war among the parties yet, be it internal or externally driven. It is not a case that RENAMO talks about a civil war, whereas FRELIMO considers it a war of aggression. This is an indicator that no historical analysis of the recent past has adequately occurred yet, in spite of a high level of intellectual production within the Mozambican society.

In regards of the persisting mutual influences and interdependency in the region, Samora Machel used to talk about the contrast between the struggle for liberation on the one side and on the other side about the oppression coming from the apartheid in South Africa, which occurred after the conflict in Mozambique.

Neighbouring countries are now in peace. There is a reciprocal support among all the governments of the Southern African region. Moreover, Mozambique belongs to the Commonwealth, as it is surrounded by English speaking countries. Borders have opened in 2010 and 2012 within the implementation of the Cotonou agreement in the regional integration process. The regional integration process can stimulate fair trade together with free circulation of people. To give an example, reality shows that potatoes produced in Licingha cost more than those imported from South Africa and are also preferred by consumers. In addition, around five hundred thousand Mozambican workers work in South Africa. About 90% of the jobs in Mozambique do not pertain to the informal sector; anyway, according to some local actors, there is an illegal trafficking of workers too.

According to João Cabrito the main cause of the conflict is to be found in the Soviet Union idea of considering Mozambican traditions a sort of obscurantism. Moreover, in relationship with the local traditions, it results that a cultural, economic and religious discrimination had undeniably taken place.

The disappearance of the traditional powers that FRELIMO wrongly considered conservative and not dynamic as they actually are, has become today a major issue for RENAMO. FRELIMO had wiped out traditional local authorities (e.g. The Regulos), replacing them with formal officials; people particularly in the rural areas found it disagreeable and subsequently RENAMO started being against it.

To some analysts it is necessary to make a distinction between causes and symptoms as far as the conflict is concerned. One has to distinguish between theory, a desirable peace, and practice, the kind of peace that has been actually constructed in 1992. Always for the same analysts during the negotiations Chissano showed to be particularly patient, due to his own personality. Another relevant issue was the determination of the political negotiators, who made extensive use of tolerance and self-control.

Some other actor stated that, in order to end a war, both sides have to be exhausted, like it happened in Mozambique; as long as negotiations are being held, that is to say form 1989 until 1992, both contenders can carry on fighting each other, unless they start to look for the acceptance of political accommodation.

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66 See international context.

67 For example, one of the activities of Kulima, a local NGO, is to focus on workers’ training in general and on miners’ education in particular, providing assistance in terms of reintegration once their contract is expired.

68 See international context.

69 ‘Communist Colonialism’ means the ideological colonialism imposed from abroad in terms of an unbroken progression from the former Portuguese colonial system to the embracing of the paradigm of the Marxism; both cases were not domestic courses of action at all.
Psychological effects of the conflict are significant too. Peace comes from the heart of the people. Deep arguments and profound convictions are the axis to accept reconciliation with former enemies. The agreement was translated into dance and dramatic performances, so that both the illiterate population and those who could not speak Portuguese could profit from them.

As a consequence of the war fatigue, the desire for peace prevailed. There were no more bases in any neighbouring countries for the guerrilla. Although the importance of peace can be understood after a war, it is not easy that this message reaches the new generations who did not go through it. It can be said that youth has inherited a culture of peace anyway.

Several actors, when asked, affirmed that Mozambicans are peaceful people, who are just looking for work, development and serenity, without any more use of violence. Nevertheless, some believe should Mozambique not be able to work out all its contradictions straight away, it might soon blow up in the next five or ten years.

Current profile of the political parties

Often remarked by those interviewed is a strong demarcation between ‘party policies’ on the one hand and ‘political policies’ on the other. That underlines the dramatically increasing gap between the no longer existing political ideals that brought the country to independence and the overwhelming narrow-minded dynamics internal to the main political parties. Chissano is claimed to have created too much corruption anyhow. Many say that he would have really liked to be elected President for a further term; however he took a false step, by giving for granted his strategy to be voted again, whereas an unexpected outcome came about. Afterwards the current President Mr. Guebuza has limited Chissano’s nomenkatura in the ministries.

The ruling party has set up a long-term strategy, in order to maintain its power. From several interviews it clearly comes out the idea that the State is run by FRELIMO only. The party is reluctant to share its power and to accept RENAMO as a counterpart for political discussion. FRELIMO maintains strong internal cohesion in spite of internal opposition. For instance, it was stated that, in order to belong to FRELIMO, no belonging card is necessary, unless one has a RENAMO id; in order to belong to RENAMO, instead, there is need to hold a RENAMO card, otherwise one is subsequently considered fitting in the FRELIMO. It was also remarked that it is impossible to find any job as civil servant (i.e. 8,000 posts), if not belonging to FRELIMO. An implication of this situation is that a new political opposition could only come from an internal opposition within FRELIMO itself.

70 See BTI: “Despite a history of civil war and a bipolarized party system, Mozambique’s society currently does not show any irreconcilable cleavages”.
71 See BTI: “The overwhelming FRELIMO victory in the local elections gave the FRELIMO candidate, Armando Guebuza, a boost for the 2004 presidential election. This was an important step since Guebuza’s candidacy did not have unlimited party support. This was particularly the case of his predecessor Chissano, who would have preferred a candidate from the younger generation”.
72 See BTI: “FRELIMO comfortable majority in the 2004 elections, served to strengthen its hegemony. An effective opposition with significant weight is not yet visible on the political horizon, and political institutions that could provide the necessary checks and balances within the system remain weak. There is now the danger that Mozambique’s political landscape will fall once again into a vicious circle of overwhelming one-party dominance with all its unfavorable implications for democracy. […] The continued identification of the state with the ruling party is also related to the fact that an independent and apolitical state bureaucracy has not yet developed. However, according to Max Weber, an independent and efficient state bureaucracy is one of the core elements of democracy. Most public servants in Mozambique are members of the ruling party and benefit from association this in one way or another. The lack of separation between the state and the ruling party is a leftover from the communist principle of democratic centralism and the double subordination of administrative units under the state and the party”.
73 See overview of the political context.
74 See overview of the political context.
Out of the motto *proudly Mozambican* a vast action of ‘frelimisation’ of the country is presently taking place. According to several interviewees, FRELIMO is rebuilding its electoral basis via the decentralisation process and, other less transparent ways. RENAMO has always been considered the less ‘educated brother’ of FRELIMO, in terms of acquaintance with governance and rule of law, before the peace agreement was achieved⁷⁵. RENAMO has a lack of capability, as its leaders were left behind without being trained, and does not have any clear national agenda. For example during the conflict RENAMO with its military leadership had always been highly hierarchical, whereas FRELIMO’s military ranks were constantly depending upon civil political leaders. Mozambican intellectuals backed RENAMO from abroad; however, after the peace agreement they did not come back home, therefore RENAMO’s domestic policies were not influenced by their views, which as a result led to the shortage of an adequate ruling class within the party. Another reason is that independence was negotiated between the Portuguese with FRELIMO leaders only⁷⁶.

Surprisingly, RENAMO has turned out to be the left wing party of the political system: according to its representatives RENAMO only is nowadays supporting democracy in Mozambique. They also claim that members of RENAMO are continuously set apart and marginalised at all levels, which worsens in rural areas, where frequently the access to water is denied to RENAMO’s supporters. RENAMO say to have shown some naïveté in the immediate aftermath of the peace agreement, without being able to become visible enough⁷⁷.

In summary, the main reason why Mozambique is now facing the establishment of a single party culture is that there has not been any satisfactory dialogue among the parties until now.

### Conflict geography and development geography: persistence of the conflict

According to Joseph Hanlon, while universities all over the world want to treat Mozambique as a post-war country, Mozambicans want to move on and consider development issues. As a matter of fact, the post-conflict period in Mozambique can be considered a successful story, while, as regards the development phase, the positive trend cannot be confirmed. There is an increasing disparity between power and powerless. The regional asymmetries created by the Portuguese have never been sorted out. Disparities are greater within each village (intra) rather than among different villages (inter) today as well as in the past.

One can say that a progressive stability taken place over the last years. However, possible conflicts may arise over natural resources and regional asymmetries. This is also due to the fact that the underneath issues of conflict are potentially ongoing. The belligerent discourse may predictably take place, mixing up oil and water resources by both FRELIMO and RENAMO through a complicity in a mutual interplay that will soon happen to be a zero sum game. The scenario is nowadays de facto characterised by strained relations between the two parties that is why in a long view the conflict may emerge again.

According to several interlocutors, in prospective some risks may arise from either the offshore oil prospecting or the gas production. In fact, the detection of oil basins in the

⁷⁵ See Mazula /Carbone (p.12 – paper n°23)
⁷⁶ See historical background.
⁷⁷ See BTI: “But Mozambique’s latest elections demonstrated that RENAMO is not perceived as a credible governmental alternative. This was the conclusion despite the small margin between of victory between FRELIMO and RENAMO in 1999. The growing dissatisfaction of Mozambicans with the FRELIMO government instead transforms into a silent protest of voter abstention”.

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Centre of the country (i.e. Sofala basin), may lead to a civil war aiming at secession of the central provinces from the southern part of the country.

As reported in the Bertelmann Transformation Index (BTI), after the 1994 elections Brazão Mazula developed five scenarios\textsuperscript{78}, ranging from military instability to a real democracy, and inspired hopes that Mozambique would develop towards a real democracy, even though, until recently, Mozambique’s transition has mainly oscillated between a state of destabilization and political co-optation and re-patrimonialization.

According to some different political analysts, a scenario may foresee a 35% of possibility of a low-intensity conflict, where commanders in the outback might support a new RENAMO leadership, while within FRELIMO a new guidance, less accommodating, might have taken power.

Threat to the peace might also find its grounds within RENAMO’s ranks and files; RENAMO’s basis is actually highly ethnic oriented, nevertheless its leadership does not seem to be able to politically benefit from it, as, on the contrary, FRELIMO does. A new element of conflict is somewhat becoming more intense not between FRELIMO and RENAMO, rather within FRELIMO itself: (a) the more upright FRELIMO and (b) the more corrupted FRELIMO. The former, (a), reflects the discontent not always appropriately interpreted by RENAMO, the latter, (b), because of its tight links with the donor community, has lost sight of the interests of the people of Mozambique.

A further cause for tensions is the social economic disparity between the Northern and Central provinces, and the better off South. On this regard, the most critical area is still the Centre of the country. To some other people interviewed, there is by and large a North-South ideology, according to which the North is marginalised and less developed than the South, even if it is misleading: in truth the development index is random along all of the country. Moreover, in spite of the decentralisation process, the central government elite are not representative of local communities. Most of the opposition parties are from the North, while FRELIMO is the party of citizens in urban areas in the South of the country. The areas that used to be under RENAMO’s control are still alike today. In spite of this, some other interlocutors affirm that in relationship to the many social differences of the country, Mozambique as a historical and political entity is a forcing. The separation in three different Mozambique, South – Centre – North, would be likely fictitious as well\textsuperscript{79}.

Mozambique is almost ineffective in terms of redistribution of wealth. It would be vital for governments and donors to make efficient the bottom-up approach, in order to overcome the lack of resources local authorities suffer from. In fact, international NGO’s can dispose of much larger funds for the implementation of projects than local authorities themselves. This is why people have begun to trust much more the former rather than the latter. Mozambique is facing two features showing its dependency from the public development aid (PDA): on the one side the typical mindset of the government seeking assistance and on the other side the fact that poor people remain poor, due to the coerced mentality they were inculcated, leading them to constantly plead for mercy.

\textsuperscript{78} “[...]

\textsuperscript{79} See BTI: “However, the centralism inherent in Mozambique’s state structure, politically concentrated in the south of the country, as well as the dominance of the southern ethnic groups in government and administration, has led to the alienation of regional groupings”.
Electoral process and threat to stability

The latest presidential and parliamentary elections were considered risky by some locally based international observers. Forthcoming appointments will be Provincial elections, Municipal elections and General elections always under international observation.

Some analysts suppose that there is the risk of control of FRELIMO over the new electoral commission that, on the contrary, should be neutral. Indeed, Majors’ candidates are chosen in Maputo and then have to run locally in the Provinces for the elections.

The ruling party is suspected to abuse the door-to-door census operations in terms of intimidation, by getting out of it a black list of opponents. Within the Mozambican society as a general rule there is no fear to speak out, although it is difficult for anyone to take a clear position in the public sphere.

A high level of Pre-, During- and Post-Electoral violence in terms of threats around the whole election process enlightens the existing tension in Mozambique. More precisely there are reciprocal accusations of electoral frauds and growing degree of voters’ abstention on the one hand and there was widespread apathy among voters for the general elections held in 2004 on the other hand: to the youth political parties has fallen into disrepute, which is why young people do not vote at all. Yet the key issue is the electoral reform. According to RENAMO the new electoral law has to be proportional to the %age of the parties.

Decentralisation/deconcentration process

Until the 1992 Peace Agreement, the Mozambican State was highly centralised and members of the parliament as well as ministers were not proportionally representative of the rest of the country. In fact, Samora Machel’s government FRELIMO had more than 90% of ‘white’ ministers and members of the parliament, the majority of which was not representative of the principles of the local communities. That situation changed a lot since the decentralisation process has been implemented and elections at the local level took place.

The Autárquias are thirty-three municipalities, which are established in all the provincial capitals, that is to say eleven provinces plus twenty-two major cities. The Autárquias suffer from financial problems: there is a poor management capacity of the decentralisation process that is still entirely under control of the central government, in spite of the non-political nature of the public administration.

81 The UN Population Fund (UNFPA) March the 24th donated equipment worth about USD440 000 to the Mozambican National Statistics Institute (INE) in support of the country's population census, scheduled for August 2007. The latest census is dated 1997.
82 See BTI: “[...] From a structural, institutional and even sociological perspective, the possibility that Mozambique will develop into a “society of fear” cannot be totally disregarded”.
83 See overview of the political context.
84 See BTI: “Mozambique is moving toward a crucial stage of its democratization process ten years after its first multiparty elections in 1994. The country is considered by the international donor community one of the rare success stories on the African continent, and can undoubtedly be characterized as an electoral democracy with regular, free and more or less fair elections. However, the consolidation of its democratic structures has been continuously challenged by a political culture shaped by neo-patrimonial structures and endemic corruption within the state apparatus. This not only has a negative impact on the sustainable development of Mozambique, which requires stable and accountable political institutions, but it also affects the state-society relationship and leads to an erosion of the state’s legitimacy. The latest Afrobarometer survey shows increasing discontent with 39% of the interviewees characterizing the political system as a democracy with major deficits. Only 10% of survey participants regarded Mozambique as a fully entrenched democracy. Until 1999 however, this rather skeptical attitude did not result in high voter abstentions in national elections (1999: 69.5%). The low voter turnout in the 2003 local elections (24.16%) and the high abstention rate in the national polls in 2004 that was won by FRELIMO and its candidate Guebuza with an absolute majority, are both a red flag for those entering political competition”.
85 See overview of form of government, civil liberties and human rights.
86 See BTI: “Within the reform of the public administration the lack of skilled labour remains a problem for public sector management on higher levels”.

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The administrative structure of the country is made of Central government, Provinces (governors), Districts (the administrator has the power to negotiate on his own), Administrative Posts, Localidades and Barrios.\(^{87}\) Just to give an example, in terms of international-decentralised cooperation the Province of Maputo together with Mpumalanga in South Africa became twin cities, as well as the Province of Trento (Italy) with the District of Caia (Sofala).

There are no funds allocated for the delocalisation process. Another example of bad attitude towards the traditional powers is the mistreatment of traditional authority for party-political ends, rather than making use of traditional methods of conflict management and reconciliation. That tells a lot about the urgency to regain the local knowledge, before it is too late, as several Mozambican intellectuals denounce.\(^{88}\)

As far as the decentralisation is concerned what is crucial is the budget self-rule (we are at the initial phase for the districts, which receive straight from the central budget - a strong support like three hundred thousand dollars per year) and the participation of advocacy groups to the District Development Plans. Districts are economic and political aggregating points, capable of creating ad hoc laws. Also, it was reported that Districts are, in most cases, pro RENAMO. According to RENAMO’s representatives decentralisation in itself is advantageous, but it does not simply exist in practice, because money, without any parliamentarian approval, goes straight to the districts and all of them are under FRELIMO control, so that auditing the budget at the Ministry of Finance and at the Ministry of Planning would be advisable.

In spite of the much more autonomy today than in the past, the ongoing decentralisation process is somehow affected by the still persisting bureaucratic mentality inherited from the Portuguese domination. Some believe the Autarquias are not functional, having been imposed from abroad.

The decentralisation is going on and is evolving step by step. Besides, PDHL is seen as the basis for the decentralisation of the country.

**Socio-economic environment**

Since Mozambique is described by the majority of the interlocutors as a top-down society, a de facto two-ruled parties system, the only pacific way for actors of the civil society to balance the situation is to gather into advocacy groups and urge the government on specific issues.\(^{89}\) To give an example, mixed marriages depend on the status of the people concerned and on the post held: if somebody is a high rank officer, he/she will certainly not get married with somebody belonging to the opposition party. Another aspect always to bear in mind is that according to the hierarchical structure of the society, the authority can hardly be criticized in Mozambique as well as in many other African countries.

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87 For instance, Maputo - a melting pot of different cultures, coming from all over the country - is an Autarquia directly elected by the people, meanwhile the Province of Maputo has some Autarquias.


89 “To some scholars Mozambique can be considered an ‘electoral democracy’ that, despite its fundamentally competitive elections and partial constitutionalisation of politics, falls short of fully democratic and liberal practices”. (See Larry Diamond in Giovanni M.Carbone, quoted).
The government does not consider civil society as a whole a fully legitimate partner yet, whom it has to come to an agreement with. Not only because of the facts having recently occurred,90 but also due to the lack of inclusion inside the political system. Moreover, it turns out a strong link between economical and financial powers and the political authority itself: the outcomes of the latest election round show that those who control the political power are the same people who run the finance too, which is explained by the fact that several politicians come from the entrepreneurial class91.

A job creation process should be fostered: as long as Mozambicans are not been given fair opportunities, they will feel insecure and will have a view for the present only, but not for the future. In fact, there is a ‘Brazilian like’ gap between a minority of rich people and a majority of extremely poor people and between the two there is no cohesion.

Because of organized crime, whose characteristics the research conducted in the field could not detach, people are afraid to speak up and behave carefully: they tend not to denounce92 loudly their concerns; rather they do it in indirect ways. An example: although taxation has increased, hence also prices have gone up, yet even the most unsatisfied people do not blame the government for that. One more public claim is that there is no detailed coverage about how public money is really spent93.

Another major issue, which is to be considered as such at all levels in Mozambique, is the Capacity Building. Moving from such assumptions, it is crucial to invest on the political parties, funding their cadres training, and providing capacity building. For a long time two German foundations have been supporting respectively both parties. The Friedrich Ebert Foundation94, close to the SPD, the Socialist Party in Germany, assists FRELIMO, whereas the Konrad Adenauer Foundation95, close to the CDU, the conservative Christian Democratic Party in Germany, backs RENAMO.

A further issue emerging from the interviews conducted in loco is the non-inclusion of the remote areas in the decision making processes actually centralized in the capital: people in the rural areas are either politically or socially excluded, whereas urban centres, being closed to the elite, are privileged compared to the rest of the country. The point is whether such issues are unintentionally not addressed by the central government or not. To some expert the best way to create a wider and more influential participation of the people to the political agenda of the country, in opposition to their damaged rights, would be demanding the safeguard of basic rights through non-violent and non-partisan public demonstrations.

The overall situation concerning the freedom of expression in Mozambique must take into account that thanks to the Portuguese language96 there had been a linguistic unity all over the country, even though nowadays such unity is much more random, also because of the high rate of illiteracy. That aside, there seems to be an increasing growth of newspapers and

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90According to RENAMO representatives, for the very first time in the history of Mozambique last March (i.e. 2006) the Parliament was closed for one day.
91 See BTI: “The dialogue between the government and the business community in Mozambique began in the mid-1980s when the country embarked on the free market experiment after more than a decade of socialist planning”.
92 See BTI: “As far as the relationship between citizens and the police, it is noteworthy that PRM sees itself primarily as an authority of the state to which the citizen must obey. The role of the police as providers of services has yet to gain momentum”.
93 See BTI: “Although the separation of powers (legislative, executive and judicial) is formally enshrined in the constitution, the relationship between them is characterized by partially overlapping functions and this creates a politically defined grey zone. The salaries of High Court judges, for example, are not published”.
94 Friedrich Ebert Stiftung: www.fes.de
95 Konrad Adenauer Stiftung: www.kas.de
96 The vast majority of the population belong to Bantu. Non black-African groups are about 0.4% of the total population. Some 52 different dialects are spoken, even though about one-half of the population understands Portuguese. The Mozambican society does not have a clear-cut class division, although in recent years there has been an increase in the urban middle class, mainly composed of the Mugnè community (Mozambicans of Indian and Pakistani origin) which runs most of the commercial activities in the country.
magazines being dispatched via fax or via Internet, like ‘Mediafax’. There is no journalists’ register and the main trend in the media is the general denounce, without getting to any survey.

The freedom of press\(^{97}\) in Mozambique goes along with the two aforesaid tendencies: (a) the more upright FRELIMO and (b) the more corrupted FRELIMO; interviewees affirmed that FRELIMO (a) is supported by Savana, Zambeze, Mediafax, Canale de Moçambique, Vertical, Demos, whereas FRELIMO (b) is encouraged by Noticias, Diario de Moçambique, O País, Domingo.

**The poverty reduction strategy and the PARPA\(^{98}\)**

The poverty reduction strategy is a government cornerstone, thus PARPA’s key issue is the fight against poverty focusing on the different fields through the national budget. The five pillars of PARPA are strictly aligned with the Millennium Development Goals and with the Agenda 2025. To those critical to PARPA its five pillars are a collected work, the sets of which are not interconnected among each other. To some other local observers it is a very well written document, although it does not always seem to reflect the wishes of the people. Methodologically, in fact, it was conceived to envisage any popular involvement. The only crossing issue is HIV/AIDS, also because attracts funds from external aid.

An important matter is the relationship between the first and the second edition of PARPA in terms of perception of the civil society. Compared to PARPA1, the objectives of PARPA 2 received immediately a stronger consensus by the G20 and economic and social experts. However, one critic was its lining up with the governmental positions should have been overcome.

In particular, when the government invited some twenty organizations belonging to the civil society (NGO’s, associations, advocacy networks, foundations, private sector, universities and trade unions) to take part to the meetings regarding PARPA 1, they expected to be welcomed as effective partners to draw and review the programme, which happened only at the time of PARPA 2. In this case the opening of the government is significant, letting civil society take part to the public debate. A considerable example of this momentum was the relevant support coming from the ‘Observatory against Poverty’\(^{99}\) in opposition to the government’s proposal to sell the lands. However, according to some intellectuals, such opening is in some measure controversial, inasmuch PARPA does not seem to properly take into account the regional asymmetries of the country. The involvement of civil society may run the risk either of not being genuine or of unintentionally sustaining the government.

Generally speaking, because of the great concern of the stakeholders about the implementation of PARPA 2, it can be said that the major task of the G20 advocacy group about poverty reduction is to facilitate the participation of civil society using the Poverty Observatory, to actively take part to the PARPA and to yearly publish a report on poverty. Such documents are normally prepared through focus groups, collecting data at district and provincial levels, by way of common reviews; a website is also about to be ready.

\(^{97}\) See overview of form of government, civil liberties and human rights.

\(^{98}\) See economic context.

\(^{99}\) See economic context and BTI: “[Nevertheless], in certain cases Mozambican civil society has successfully struggled to make its voice heard, and to gain some influence on government policies as well as having a say in the policy dialogue between government and donors. A visible example of such a case is the Poverty Observatory established in 2003, in which CSOs held the same number of seats as government and donors (namely 20). At this meeting representatives of the CSOs presented their own poverty assessment that critically questioned that of the government, based on the household survey”.
According to NGO’s participating to advocacy groups, these are more and more taking part to the steering committees of a number of public institutions. The political influence over the base is functional to the involvement of the base as far as decision-making processes are concerned. G20 regularly monitors PARPA and is constituted by twenty representatives of the civil society organizations, twenty donors’ representatives and twenty representatives of the Ministry of Finance.

Another element coming out form the interviews is that the swaps (Sector-Wide Approaches) are related to the five pillars of PARPA.

In terms of performance, there is an improvement of the education network as well as the sanitation network, whereas the training for the public administration is not getting any better. So far, it is still hard for the man of the street to be able to notice any positive consequence from PARPA’s implementation and few more years are needed, to assess whether PARPA has concretely been a success or a failure.

In fact, Mozambique is facing a remarkable poverty-wealth gap, and life expectancy has lowered. Many children are not in the register of births, and there has been a rise of orphans in the country. These represent an interdicted generation, whose educational responsibilities unload on the chief of the family’s shoulders, usually too immature to bring up younger brothers and sisters. Also as a consequence of it, the young crime rate is on the increase and together with child labour is becoming a leading preoccupation in Mozambique. Some extra features recorded in the filed tell us that talking about sexual education in the family is not a taboo, especially in urban areas; in line with this, some religions and even Islam\textsuperscript{100} are moderately opening towards family planning.

The Structural Adjustment Programmes (SAP) consist of rigorous temporary standards along with structural standards such as liberalisation, privatisation and opening of the borders. Privatisation\textsuperscript{101} processes are perceived to be at the origin of the rise of the unemployment rate; specifically, no monitoring about the modalities employers dismiss workers has ever been done yet.

Health

Access to sanitation is limited. In some districts of the central provinces only centres de saude exist. Dialysis machines cannot be found in Maputo. As far as HIV/AIDS is concerned, compared to five years ago there is now an increasing perception of governmental improvements in terms of strategies and actions: Mozambique is the tenth mainly affected country in the world. Some local NGO’s report that unofficial sources allege that 33% of the population is infected by HIV/AIDS; almost 53% of women in the Manica Province are infected\textsuperscript{102}. Although a number of NGO’s is focusing on the matter, the situation is stagnating, if not worsening. Although there is a large awareness in urban areas, where anyone can do a free of charge test, information on HIV/AIDS prevention does not reach the countryside and the most remote areas. Anyhow, recently a shocking campaign with preventive purposes, meant to arouse strong feelings of repulsion for the syndrome, was extensively broadcasted. Also a major concern is the diffusion of malaria throughout the

\textsuperscript{100} Around 40% of the entire population are Muslim.

\textsuperscript{101} FARE (Fundo de Apoio à Reabilitação da Economia) was set up with the privatisation, making use of their revenues, with the task of rebuilding the architecture of the agricultural market in rural areas; it also promotes rural finance and micro credit. Agriculture is not the priority anymore; now it needs to be assisted and sustained by means of services and agro-system. Agriculture is not a giver any longer; rather, it became a receiver.

\textsuperscript{102} See economic context.
country. Experience shows that the most affordable remedy against malaria is the distribution of Artemisia to the families.

University system

From 1975 until 1989, as Minister of Education and Culture, Samora Machel’s wife, Graça Machel, had the monopoly of the education with a strong Marxist orientation. Nowadays poverty is strictly depending on illiteracy. In 2004 the government launched a programme to devote the 20% of the whole education time to local knowledge. There is a shortage of teachers all over the country. Not only the level of teaching is lowering, but also there is a decrease of political involvement of new generations of students in public universities and a subsequent increase of private universities.

Some belonging to RENAMO denounce that at universities lectures and courses are extremely ideological and ruling party driven. Professors belonging to RENAMO claim to be deliberately left out of teaching and researching within the academia. There has been a worsening of teaching, due to the widespread ‘frelimisation’ of the professors in public universities that explains the constant increase of private universities exclusively for middle-class students, where political influences as well as political debate are subsequently absent by design.

Economy

Although the penetration and the diffusion of the banking system are still at the beginning, one of the most frequently recorded claims among those interviewed regards the fact that high rate loans to private business, to be in short time returned, do not allow the necessary growth and let enterprises languish. As far as Micro credit is concerned, it is moving its first steps in the country. On the other hand new sectors of the Mozambican economy are the heavy sands. In Maputo there is a strong perception that making good business is feasible.

Civil society and impact of external aid

Summarizing the outcomes of the interviews conducted in the field, it comes to light the view for which there must be some limitation to the external aid; that NGO’s have no specific

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103 A primeira reforma compreensiva do sistema educativo (1983) estabelecia como objectivos os seguintes: 1) Formar cidadãos com uma sólida preparação política, ideológica, científica, técnica, cultural e física e uma elevada educação patriótica e cívica; 2) Erradicar o analfabetismo de modo de proporcionar a todo o povo o acesso ao conhecimento científico e ao desenvolvimento pleno das suas capacidades; 3) Introduzir a escolaridade obrigatória; 4) Difundir a utilização da língua portuguesa, contribuindo para a consolidação da unidade nacional; 5) Fazer das instituições de ensino bases revolucionarias para consolidação do poder popular. De acordo com a filosofia marxista-leninista a finalidade ultima da educação e da formação do Homem Novo. (See p.312, Brazão Mazula).

104 See historical background.

105 See BTI: “Access to credits remains problematic for entrepreneurs. Most banks incurred a high level of debt, and are wary about lending. The banks charge excessively high borrowing rates, for example 32% in June 2003, where credit rates stood around 12%. The difficulties to recover loans due to the lack of efficient judicial procedures, as well as a complex and problematic land tenure system, impede access to bank credits and discourage agricultural investments. In 2003 the state turned its attention to substantive banking reforms to improve the state of the system; however, despite these efforts Mozambique has a long way to go in terms of competitive banking considering that the market is dominated by Banco Internacional de Moçambique”.

106 See BTI: “The banking sector in Mozambique is heavily “dollarized” and more than 50% of deposits are still held in foreign currencies”. Moreover, in accordance with several local NGO’s, external aid does not assure any sustainability, inasmuch it conceives projects, the costs of which are bigger than its production capacity. On the other hand, it is also true that some local NGO’s show their lack of skills, by turning out to be too emotionally driven; as a result their actions happen to be not sustainable and too often run by influential people.
mission for the country and that the international community has always legitimized FRELIMO\textsuperscript{108} and rarely RENAMO\textsuperscript{109}.

According to the BTI, “Mozambique has seen a proliferation of civic organizations in light of a phase of peace and democracy. The increasing emergence of NGO’s since 1991 (approximately 200 in 1991, 400 in the late 1990s and 813 registered in 2002) does not necessarily mean the existence of a vibrant civil society, since many of the NGO’s are almost entirely donor dependent. Only toward the end of the decade did NGO’s begin to perform activities linked to development and advocacy (e.g. Activities related to external debt, the campaign against landmines, HIV and AIDS, land and electoral and family law discussions) with the aim of influencing public policy. Despite these developments, civic organizations (csos) are neither “self-organizing” nor entirely autonomous. Most NGO’s comprise of urban elites and lack a sense of mission and clear socio-political objectives, not to mention their weak management capacity. This raises concern about their ability to engage proactively in advocacy activities and to react promptly to major government policies that may be decisive for society. Most NGO’s are service providers orienting their activities along the interests of donor agencies, even if they are complementing the role of the state in the performance of delivering services. An additional shortcoming is that most donors provide support and financing on a project-approach basis instead of on a program basis, which would allow for longer-term activities and simultaneously for the creation of capacity building. There is also poor coordination among donors with regards to their support activities to NGO’s\textsuperscript{110}.

At the same time it is also evident that Mozambique must be a buttonhole, a successful story\textsuperscript{111} for the entire international community, so that political stability has become a converging interest or a shared involvement of both ruling party and donors, giving birth to a vicious circle between them, which could be all together harmful for the whole society. A feeling of cold relationship between the EU and international NGO’s as implementing agencies is witnessed too. It is actually quite difficult for European NGO’s based in Mozambique to negotiate the lines of possible projects to be held in the future with the European Commission representative, unless jeopardizing their relationships in terms of transparency between givers and executors. The accountability benefits donors and not the real beneficiaries. Democracy is considered by some actors a façade, precisely because is donors driven; again, the government accountability strategy is primarily favourable to donors, some state\textsuperscript{112}. Therefore, for example, USAID adopted the strategy to give aid straight to the municipalities, without being filtered by the big unreliable umbrella of the general budget of the State.

On the other way round, precisely because no European NGO working in Mozambique seems to have any country related strategy - as they used to - in recent times the European Commission has started asking to every NGO for its own long-term country programme. However, quite a lot of NGO’s keep on denouncing the lack of independency anymore; they say to be forced to adapt themselves to the donors. Subsequently a vicious circle is

\textsuperscript{108} In relation to some international NGO’s view, there is a strong perception of unfairness regarding the international cooperation, too much in favour of pro FRELIMO regions to the detriment of all the other areas.

\textsuperscript{109} According to some interlocutors it seems that IOM was expelled, because the government considered it close to RENAMO.

\textsuperscript{110} See BTI.

\textsuperscript{111} See international context.

\textsuperscript{112} See BTI: “Mozambique’s democracy is fragile, yet it is important to acknowledge that a constructive potential for change does exist. It is particularly important to not only focus on the institutions but to look for actors of potential change. The first of these potential actors for change is the growing civil society sector. If strengthened and made more independent, this sector could constitute an effective check on state activity, and would serve not as an alternative to it, but rather a “compelling” voice of “awareness”. A second positive development is the work of various CSOs, NGO’s, religious groups and traditional authorities in maintaining a conciliatory position concerning polarized issues, both at the national and local levels. These organizations also provide social services and help alleviate poverty, especially in the rural areas”. 

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inevitable, as long as all possible positive outcomes for the beneficiaries of the projects are of no genuine interest to both donors and executors.

As said before, Mozambique is the pilot country for the international community and in line with this, presently, the preferred aid modality is the Budget Support\(^\text{113}\) (Danish, Dutch, UK, etc.)\(^\text{114}\), which - according to what an increasing number of national and international analysts assert - encourages bad governance and promotes corruption.

As per the relationships between international NGO’s and the Mozambican government, the latter, in accordance with the law n°55/1990, registers and authorizes the former, having anyway some difficulties in monitoring every one of the about 240 NGO’s presently working in Mozambique. Until 1990 the few NGO’s present in Mozambique were concerned with refugees and IDP’s. The major coming of NGO’s occurred immediately after the end of the conflict, more precisely in the reconstructions and in the normalisation period, from 1992 till 1999.

According to Joseph Hanlon\(^\text{115}\), NGO’s are "the new missionaries", epitomizing an old-fashioned way of being and acting as expatriated cooperation experts. Since Africans in general had been persuaded to be inferior to whites\(^\text{116}\), still people in Mozambique are convinced they need to be helped by those who presumably have the right answer in any case. Paradoxically, people in Mozambique used to feel more self-reliant from 1975 until 1995 that is from the independence until the arrival of the international community. Mozambique suffers from a dependence syndrome: what would happen, if all the international aid decreased in figures?

Most of the time each NGO’s annual reports, to be handed out to the government, do not provide any detailed budget, as they should. International NGO’s ought to hire more extensively local labour force, and indigenous ways to the development should be fostered. For most of the international cooperation, the mere self-reproduction of projects as such is not appropriate for the places they have to be effective in. An additional recommendation is that intercultural mediators are the most needed skills for international cooperation, as far as cultural sustainability of any project is concerned. At the end of the project cycle it is advisable the follow up of quality monitoring.

2.8. Disarmament, Demobilization and Reinsertion: the analysis

Overview

It is useful to recall what the politico-military context of Mozambique was before the Disarmament, Demobilization and Reinsertion (DDR) process took place following the General Peace Agreement (GPA) signed in Rome in October 1992.

At that time, the country was in extreme distress and close to collapse, with economic activities substantially at a halt throughout nearly all regions and the government heavily

\(^{113}\) The other system is the Project Support.
\(^{114}\) The Budget Support method is sponsored by Canada the most.
dependent on foreign aid and assistance. FRELIMO forces controlled all the major cities and provincial capitals, but were unable to ensure the safety of the other areas, including the essential internal transportation network, so important for the economic exchanges with Zimbabwe and Malawi. A partial cease-fire agreement was in existence since December 1990, essentially due to the inability of the parties to prevail over each other. Besides, there was evidence that RENAMO was becoming not only a guerrilla force but also a political actor in the areas it controlled. To point out the most impressive issues (from a military and security standpoint) of this situation on the eve of the peace process (and the related DDR process also), the following conditions have to be kept in mind: (1) government forces were really prostrated and widely threatening mutiny and revolts over unpaid wages; (2) RENAMO obstinacy about the exclusivity of control over the proper territory also caused these areas to suffer from lack of food storage; (3) large parts of the country were dangerous because of the presence of mines and unexploded ordnances; (4) an impressive number (in the order of millions) of automatic weapons and small arms were in the hands of civilians, a serious risk in the case of social breakdown.

Prelude to the DDR process: the GPA framework and the implementation mechanism of DDR process in the UNOMOZ mission.

The most complex protocols of the seven contained in the GPA were those covering military matters. The detailed Protocol IV, on Military Question the parties had agreed on, called for: the formation of a single joint army under the acronym of FADM; a maximum troop strength of 30,000 (of which 24,000 in the Army; 4,000 in the Air Force; 2,000 in the Navy), with the personnel for each service provided by the FAM (the acronym for Mozambican Armed forces from 1975 until the GPA) and the forces of RENAMO, each side contributing 50 per cent; the demobilization of former FAM and RENAMO troops unwilling to serve in the FADM; the establishment of a timetable for the withdrawal of foreign troops in the country (Zimbabwe and Malawi); the dismantling of irregular and private armed groups; the democratic functioning of the State Information and Security Service (SISE); the democratic restructuring as well as the separation of the FRELIMO party structure and the Police of the Republic of Mozambique (PRM); the establishment of the organs and the road map for the

117 As stated in an UNDP publication, taking into account solely the sixteen years of civil war (and not also the independence war), the struggles had “caused more than 1.7 million Mozambicans to seek refuge in neighboring countries, four million others to be displaced internally and brought the local economy to a virtual standstill. By the time the peace agreement was signed, more than half of all social infrastructure (schools and health facilities) had been destroyed or forced to close, while 60% of the national territory could only be reached by militarily protected convoy or by air.” See Christie Frances, Barnes Sam, 2000, From Warmongers to Peace Builders. The Reintegration of Demobilized Soldiers in Mozambique, Maputo, United Nations Development Programme, available at http://www.unsystemmoz.org/soldiers/index.html.

118 This cease-fire was related only to the transportation corridors leading into Zimbabwe and Malawi (see: Synghe Richard, 1997, Mozambique, UN peacekeeping in action 1992-1994, Washington D.C., United States Institute of Peace Press, p. 16).

119 Indeed, a substantial stalemate was in place: on one hand, after losing the South African support they had had during the 1980s, the RENAMO forces had no chance to seize the major cities in which governmental forces were still acting; on the other hand, Frelimo was rapidly losing the military support of those communist countries that had sustained it and, not only was unable to control large portions of Mozambique, but was also psychologically prostrated by the permanent threat of disruption and surprised attacks.

119 In fact, it had established some degree of administration and was enhancing the support provided by traditional chiefs and significant portions of the rural population. It is still being disputed the exact amount of the country actually controlled by RENAMO forces. The movement has always claimed to control more than 80 percent of Mozambique, but it is more probable that it permanently controlled only the central provinces of Sofala and Manica, thus dividing the country. Further, at times various zones scattered throughout Mozambique fell under RENAMO rule, but it is widely accepted that the movement never extended its permanent control to more than 25 percent of the country. However, the 80 percent figure is valid in considering the portion of Mozambique subject to any type of action by RENAMO forces outside its sanctuaries. At any rate, evidence collected by UNOMOZ authorities showed that RENAMO control over the provinces of Mozambique was, in 1992, more than 50 percent in Zambezia and Sofala, more than 40 percent in Manica, and more than 30 percent in Nampula. In the other provinces (including the southernmost province of Maputo) there were only small (although strong) pockets and sanctuaries of RENAMO forces, from which it could undertake hit-and-run guerrilla operations. It is also important to note that the movement persisted during the entire civil war in denying any international, bilateral or nongovernmental organization access to its territories, notwithstanding the purpose of humanitarian relief or help (see Synghe, op. cit., p. 16; Minear Larry and Weiss Thomas G., 1995, Mercy under fire: war and the global humanitarian community, Boulder, Westview, pp. 199-226; and, for a synoptic map on this issue, Hanlon Joseph, 1996, Peace without profit: how the IMF blocks rebuilding in Mozambique, London, International African Institute, pp. 20-21).

demobilization and reintegration of former combatants. Moreover, Protocol IV on Cease-Fire provided, too generically,\(^\text{122}\) for: the end of the armed conflict; a 180-day calendar for the cease-fire; other indications regarding separation, concentration, and full demobilization of RENAMO and government forces.

Both Protocols, moreover, called for a certain number of commissions on security and military matters. Two types of commissions were set up: one under the United Nations (UN) chairmanship (the Cease-Fire Commission and the Reintegration Commission, for demobilized soldiers); and the other without any UN participation (Commission for the Joint Armed Forces for the Defense of Mozambique, for FADM; National Information Commission, for SISE; and National Police Affairs Commission, for PRM). But these commissions took a certain amount of time before becoming operational, and, as we shall see, UN coordination became important also for those organisms projected to have UN chairmanship.

The DDR process in Mozambique was viewed as a special issue of the peace process. Indeed, Angola’s rapid return to civil war, despite the recent peace process closely resembling that of Mozambique, indicated that any electoral process should not take place before an effective DDR of combatants and the creation of new armed forces. Therefore, once Aldo Ajello was appointed Special Representative of the UN Secretary General (SRSG)\(^\text{123}\) and arrived in Maputo, he concurred with the concern of the United Nations Department of Peacekeeping Operations (DPKO) regarding the creation of a satisfactory verification system of the assembly areas of combatants and was determined that they should be completely disarmed and demobilized before returning to civilian life. Ajello then began to draw up plans for increasing the UN military presence in connection with this matter, as well as for the purpose of demining and rehabilitating roads and replacing Zimbabweans and Malawians troops along the transportation corridors. This was a very sensitive issue, because on one hand RENAMO was continuously declaring that it would not start to demobilize until UN “blue helmets” arrived in large numbers,\(^\text{124}\) while on the other hand some FRELIMO exponents regarded these troops as an infringement of national sovereignty.\(^\text{125}\)

However, although sometimes there were major violations of the agreements, the cease-fire appeared to be holding and both FRELIMO and RENAMO fulfilled their promise to indicate their preferred locations for the forty-nine assembly areas for demobilization of their soldiers. Then, in order to consolidate these aspects, the SRSG started to promote a series of informal and formal meetings between FRELIMO and RENAMO representatives, in which the two parties met as bilaterally or together with the SRSG. On 4 November 1992, Ajello also appointed the Supervision and Control Commission (CSC),\(^\text{126}\) in order to: guarantee the implementation of the GPA; hold the responsibility for authentic interpretation of it; settle any disputes that might arise between the parties; guide and coordinate the activities of the other Commissions, that were appointed the same day as the Cease-Fire Commission (CCF),

\(^{122}\) Indeed, the Protocol’s “failure to identify the assembly areas had already created the potential for prolonged further negotiations. Protocol VI also failed to give a realistic framework for the disarmament of the two sides’ forces.” See Syenge, op. cit., p. 24.

\(^{123}\) Less than ten days after the GPA signature.

\(^{124}\) For example, on January 7 (that is, after the December Resolution establishing the UNOMOZ), in a letter Dhlakama (leader of RENAMO) sent to UN Secretary General Boutros-Ghali, he indicated RENAMO’s intention not to move its troops to assembly locations until 65 percent of the UN blue helmets were deployed in the country (Syenge Richard, op. cit., p. 36).

\(^{125}\) This was not the only difficult issue in the relations between the two parties and among the two parties and other actors. For example, on one occasion the government was angered by a bilateral arrangement between RENAMO and the International Committee of the Red Cross (ICRC) for de-mining RENAMO areas, arguing that the GPA did not allow RENAMO to have independent links with international agencies, and consequently blocked the British “Defence System Ltd.” agency from starting works.

\(^{126}\) The CSC was chaired by the UN and its composition was initially limited to the Frelimo and RENAMO delegations and representatives of Italy, France, Portugal, the United Kingdom, the United States and the Organization of African Unity (OAU). A month later, also Germany became a member of CSC.
Reintegration Commission (CORE), and Commission for the Joint Armed Forces for the Defense on Mozambique (CCFADM).

Then, the UN Security Council approved the Resolutions 797 of December 16, that provided for the establishment of UNOMOZ as a mission with several interlinked functions: political, military, electoral, and humanitarian. Among them, the military and the humanitarian ones will be examined. The UNOMOZ military function entailed the monitoring of the cease-fire; the separation, concentration, and demobilization of combatants of the two parties; the monitoring of collection, storage, and destruction of their weapons; the monitoring of the implementation of foreign forces withdrawal and the provision of security in the transport corridors with the deployment of UNOMOZ infantry battalions in their place; the monitoring of disbandment of private and irregular armed groups; the authorization of security arrangements for vital infrastructures; and the provision for security for UN and other international activities in support of the peace process.

In operational terms, all this meant that UNOMOZ verification system was to be carried out mainly by teams of military observers at the 49 assembly areas in three military regions and elsewhere in the field. At any rate, these military aspects were to be closely linked with the humanitarian efforts, because the combatants who were to come to the assembly areas were not only to be disarmed, demobilized and reintegrated into civil society, but would also need to be provided with food and other logistical support, as soon as the assembly areas were established. An UNOMOZ technical unit, staffed with civilian personnel, was established to assist in implementing the demobilization program and to collaborate closely with the United Nations Office for the Coordination of Humanitarian Assistance (UNOHAC) for the humanitarian aspects. However, for a long series of reasons, UNOMOZ took a certain amount of time to start effectively, and the operational component of the mission became fully able to act only on May 1993.

By Resolution n. 850 of July 9, the Security Council, concerned over persisting delays in the assembly and demobilization of combatants and in the formation of the new FADM, approved a series of recommendations that had been formulated by the Secretary General’s report of June 30: UNOMOZ to chair the CCFADM; the cantonment of combatants in the assembly areas to start in September 1993 and their demobilization to be initiated a month later; the whole process to be completed by May 1994 (therefore with a certain amount of time before the elections), with 50% of combatants to be demobilized by January 1994; the demobilized combatants not to be part of the new FADM, in order to have access to the electoral registry for the forthcoming elections, to start returning home in October 1993, to be concluded by April 1994; the training of the FADM should have been in place at the earliest possible time, in order to be operational by the middle of May 1994, and fully operational by September 1994.

However, the usual problems between the two sides persisted and every stalemate was continuously followed by another stalemate as soon as the first was solved. The UNOMOZ operational component deployed on the ground was doing as good as it possibly could, but politically the UN actors were facing every day all kinds of problems with both the

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127 This formula was accepted after a 2 December UN Secretary General’s report, stressing that the operational concept of UNOMOZ must be based on a fully integrated approach coordinated by the SRSG, because “without sufficient humanitarian aid, and especially food supplies, the security situation in the country might deteriorate and the demobilization process might stall. Without adequate military protection, the humanitarian aid would not reach its destination. Without sufficient progress in the political area, the confidence required for the disarmament and rehabilitation process would not exist. The electoral process, in turn, required prompt demobilization and formation of the new armed forces, without which the conditions would not exist for successful elections.” See: http://www.gmu.edu/departments/t-po/resource-bk/mission/UNOMOZ.html#n2.

128 Suspicions, delaying tactics, broken promises, and escalating demands by both sides, unrealistic timetables established in the GPA, plus some bureaucratic problems in the mission financing, etc.

129 For the following information, see: http://www.gmu.edu/departments/t-po/resource-bk/mission/UNOMOZ.html#n2.
Government and RENAMO. Visits by the UN Secretary General, extensions of time for the UNOMOZ mandate, and patience and conflict management ability finally proved fruitful and the cantonment of combatants formally commenced on 30 November 1993, following Resolution 882 of November 5, in which it was established to renew the UNOMOZ mandate for a period of six months, subject to a clause that the UN Security Council would review the status of the mandate within 90 days based on further reports elaborated by the UN Secretary General; to elaborate these reports, after the first scheduled for 31 January 1994, every three months thereafter on whether both sides had made sufficient and tangible progress in accordance with the GPA and the DDR process; to schedule the demobilization of 50 per cent of combatants by 31 March 1994, in order to complete demobilization by 31 May 1994; and to complete the formation of FADM by August 1994.

The cantonment

The cantonment of combatants in the assembly areas was a process that from time to time took place in a confused manner. Indeed, if some of these areas became soon overcrowded, others remained instead virtually empty. Moreover, in provinces like Manica, Sofala, Zambezia, and Tete (those that had seen in the past the most fierce clashes), the process went on very slowly, in particular due to RENAMO suspicions towards its past adversary. On the other hand, the Government troops initially moved to the areas at a slow rate, and only in the period comprised between mid-January and mid-February they accelerated the process, that was almost stopped already during March. RENAMO combatants, that proved to be much more disciplined once they seriously embraced the process, reached the assembly areas at a superior rate than the Government forces, and by mid-April, 81 % of the combatants expected were there. In the meantime, only 55 % of the FAM troops (then not including militia and paramilitary forces, that had begun their process behind schedule almost in mid-January) had reached the assembly areas.

The assembly areas were places where weapons were to be collected, and consequently transported to regional arms warehouses either for destruction, storage or used in re-equipping, under UN control, the new FADM. As usual, both sides rose every kind of objections once the combatants assembly began, and only when security deteriorated in the assembly areas (as it will be explained in the next paragraph), the sides managed to agree that all military equipment in excess of 200 weapons from each assembly area, could be transported to the warehouses and deposits by military observers, under escorts of UNOMOZ forces. And, when in July 1994 a joint UNOMOZ-CCF plan, detailing the verification procedures for assembly areas, military installations and weaponry, was finally formulated, only a short time to implement effectively and satisfactory checking action, was available before the elections were due to take place.

In the presence of these problems, UNOMOZ was immediately able to pint out that the quantity of weaponry that combatants carried with them was insufficient, and their quality was also substandard. This meant that it was very probable that catches of the best arms were being kept back for initiative of local commanders and/or groups and individual soldiers.

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130 It must be taken into account that the Government forces not only numbered in soldiers in arms under the FAM, but included also the impressive amount of 156,000 (estimated) persons serving both in militia formations and any kind of paramilitary forces (see: Synge, op. cit., p. 95).

131 Information provided by: Synge, op. cit., p. 95.

132 See: Berman Eric G., 1996, “Disarmament and Conflict Resolution Project—Managing Arms in Peace Processes: Mozambique”, UNIDIR Disarmament and Conflict Resolution Project Series, Geneva, United Nations, pp. 72-75. Synge, for example, impressively underlines: “it was estimated that in the north of the country over 90 percent of the weapons handed in were unserviceable”, in: Synge, op. cit., p. 95.
The first reports on this issue would have proven that such weak point would have put into question the validity of the whole process in exam, because both sides were always strongly reluctant in allowing UNOMOZ inspections on probable arms stores sites, and neither the GPA nor the UNOMOZ plan of operations had taken into consideration how to deal with this possibility. Eventually, the SRSG and the UNOMOZ staff decided to regard the completion of demobilization as the main ring of the peace process chain, de facto postponing the issue for better times. UNOMOZ encountered similar problems also when in May began to register the non-assembled troops, which included personnel serving in military bases, headquarters, barracks hospitals, centers for disabled and all those facilities usually viewed as “auxiliaries". In this sense, UNOMOZ was also tasked for the collection or deactivation of weapons that could be found, and, in the following months, while more than 30,000 troops were registered in these installations (a bigger number than the 25,000 that both sides had anticipated), several episodes of resistance and delaying tactics were faced for sites where large quantities of equipment like artillery, mortars, or tanks were located. Eventually, total weapons registered both in the assembly and non-assembly areas numbered to 111,531, of which 157 were tanks or armored personal carriers, and 30 were artillery systems.

At any rate, for these issues UNOMOZ role was planned to be a “monitoring” programme. Never such mission was given the whole responsibility and the means to supervise comprehensively the disarmament process. Therefore wasn’t difficult for both sides to obstruct UNOMOZ’s checking job. On one hand, the Government always proved to be openly reluctant to allow collection of weapons not directly belonging to troops coming to the assembly areas; on the other hand, RENAMO provided misleading information about the location and the nature of its deposits. In order to try to face these problems, the CCF managed to implement the joint UNOMOZ-CCF plan of July 1994 in a series of visits on sites previously indicated by the two parties as having been in military use. These visits took place in the period between August 30 and October 20, and were successful in finding out also an impressive amount of undeclared sites belonging to both parties.

But the whole issue about the weapons hiding would never be resolved and some data allow understanding on the problem dimension. By the end of the disarmament process, the CCF had checked 744 sites belonging both to RENAMO and FRELIMO forces, of which 141 undeclared. The time window was insufficient for checking all the declared or undeclared sites belonging to RENAMO, and at the end the verifying activities managed to cover 498 FRELIMO locations and 246 RENAMO locations. The amount of equipment it had found

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133 The Government had declared 172 of such installations, while RENAMO had claimed 27 (see: Synge, op. cit., p. 97).
134 It is worthwhile now to delineate the structure and organization of the operational component of UNOMOZ: “the original authorized strength of UNOMOZ was between 7,000 and 8,000 military and civilian personnel. On 23 February 1994, the Security Council, by its resolution 898 (1994), authorized the establishment of a 1,114-strong civilian police component. The initial reduction of the military component of UNOMOZ, amounting to some 2,000 troops of all ranks, began in April and was completed in July 1994. Following the election, the Mission started the major withdrawal of its personnel. As of 30 November 1994, the military component of UNOMOZ totalled 204 military observers and 3,941 infantry and military support personnel. There were also 918 police monitors […] The Office of the Special Representative was comprised of a small number of international professional and support staff as well as an adequate number of locally recruited personnel. The UNOMOZ Electoral Division included some 148 international electoral officers. During the polling itself, UNOMOZ deployed approximately 900 electoral observers throughout the country. They were supported by some 1,400 various international observers assisting in the verification. The Office for the Coordination of Humanitarian Assistance had a small number of international professional staff to coordinate and monitor all humanitarian assistance in Mozambique; an UNOMOZ technical unit in the humanitarian aspects of the demobilization process assisted it. In addition, international professional and support staff and an adequate number of local staff provided secretariat functions and administrative support to the military, electoral and humanitarian components of UNOMOZ, as well as to the Commissions chaired by the United Nations […] The rough cost to the United Nations of UNOMOZ in 1994 was approximately $294.8 million. The costs of the operation were met by assessed contributions from United Nations Member States. As at 30 November 1994, contributions outstanding to the UNOMOZ Special Account for the period from the inception of the operation to 15 November 1994 amounted to approximately $105.9 million”, in: http://www.gmu.edu/departments/t-po/resource-bk/mission/UNOMOZ.html#n2.
135 “In the first five weeks of verification, the CCF found 130 unreported arms caches. Some were large, including truckloads of arms”, in: Synge, op. cit., p. 110.
137 The efficient Colonel Pierluigi Segala of the Italian Army, chairman of the CCF, in his final report of December 5 pointed out “the commission’s inability to complete verification of RENAMO bases and arms dumps. RENAMO had halted verification on September 22,
in these sites numbered to 46,193 weapons systems with 2,7 million rounds, plus 19,047 mines, without mentioning the impressive quantities of hand grenades and bombs. Of the weapons collected from both these sites and the assembly areas, only around 24,000 were destroyed, while the rest was turned over to the new FADM: an amount too large for a force that, as it will be discussed further on, would be constituted in small number of effectives (all this eventually would turned to become another problem adding to the never well calculated amount of weapons that were certainly not to be found because the hiding strategy carried by both parties).

A number of issues contributed to these aftermaths. For example, in a study undertaken by UNOMOZ it was stated that the disposal of weapons locally was not economically viable. However, perhaps the main reason could be found in the SRSG’s claim according which UNOMOZ would have “wanted to destroy a much larger number of weapons but this had not been allowed by the government”. Probably, with the elections days coming, the government became increasing suspicious (in a measure even greater than in the past) about RENAMO’s intentions, considering the issue of CCF failure to discover and/or investigate all RENAMO’s arms locations, and preferred to obstruct with several means the arms destruction UNOMOZ policy, including the transferring arms to the new FADM deposits, to the PRM (which must not be disbanded or reformed in an integrated organization), and to the numerous private police.

Demobilization and Reintegration process

Even before the troops assembly process began, one of the problems that affected the assembly areas was the fact that UNOMOZ inspections were able to underline that the side’s choice of cantonments had been undoubtedly based on political-strategy rather than practical needs. Indeed, both FRELIMO and RENAMO tried to counterbalance the advantage of the other in any region, and regarded the proposals of the other as an attempt for its consolidation in certain territories. This resulted in a situation for which a very small number of the agreed assembly areas had an easy access to water and other essential facilities tailored for temporary habitation by a large amount of combatants waiting to be demobilized. A strict cooperation between the CCF and CSC was then promoted, and, after an extensive campaign of inspection-for-approval, a lot of initially nominated areas were rejected. Every time this happened, it was necessary to set up for each case a complex and time-consuming process based both on political and logistical considerations.

When in June 1993 UNOMOZ managed to declare open a first group of assembly areas, an “attractive” strategy was immediately chosen: in each site food and medicine were stored, in permitting only a limited resumption after October 10. Of RENAMO’s declared locations of 287, the monitors had visited only 116, or 40 percent of the total. In Manica and Sofala, the CCF had visited only 30 percent of RENAMO sites. By contrast, it had visited 99 percent of the government’s declared locations around the country. At the conclusion of the peace process, the United Nations offered to provide a small unit to complete the job, but the government declined the offer, in: Synge, op. cit., p. 111.


139 In: Synge, op. cit., p. 110.

140 For example, in that autumn the Government became particularly concerned about the RENAMO’s possibility in coordinating a major armed struggle in the case of its refuse about an unsuitable electoral verdict. Instead, RENAMO had managed to maintain intact the proper military communication radio system, because, although it had agreed to provide lists of such equipment, on the other hand it was continuously refusing to surrender any devices, claiming they were necessary for its electoral campaign, otherwise blocked by Frelimo supporters’ violence, Government provocateurs and boycott strategists. Fortunately, the following electoral facts proved Government’s fears to be groundless.

141 Also some UN shortfalls however hampered the whole issue sometimes, essentially linked to an inadequate bureaucratic approach. Indeed, many items essential for combatants’ assembly, “had to be obtained through UN headquarters in New York, which eventually opted for accommodation equipment that was to be transported by air from a supplier in Canada, at extraordinary high cost”, in: Synge, op. cit., p. 50.
order to exert a sort of pressure on the combatants of each side for their demanding of the start of demobilization. It was a decision containing two orders of risks: the combatants could rise up some forms of revolts (not excluding potentially bloody revolts) against their leaders, the supplies stored in the sites could deteriorate if the combatants’ cantonment would not initiate in the date agreed. But the hazardous strategy eventually proved itself successful, and a first echelon of almost 13,776 soldiers, were demobilized well before the formally combatants cantonment started off on 30 November 1993. In this case, the cantonment, registration and demobilization of these troops proceeded quickly, and the event ultimately provoked further troubles among a lot of Mozambican “man-at-arms” of any kind: former FRELIMO and RENAMO combatants, conscript and professional government soldiers unsatisfied about the irregular pays, and also private guards working for the Government. All these revolts eventually proved to be manageable, and undoubtedly reached their ends in the decreasing the delaying tactics for the start of demobilization rose by both sides till that moment.

At any rate, this first experiment of troops demobilization showed the role of a new organism: the TU (Technical Unit for Demobilization). Collocated directly under the SRSG, the TU was set up in order to act as an essential support for the UNOMOZ military observer teams, by working out the procedures for establishing the assembly sites. In short terms, the TU had to play an important part in organizing the provision for basic and health care facilities, food procurement and distribution, transport organization. The most important tasks related to administration were those of registration, on the arrival of the troops, and of demobilization. In this way, the SRSG proved itself able to set up an effective “burden sharing” logic between the civilian and the military components of UNOMOZ about the demobilization issue, and all this succeeded in a planning activity mainly focused on funds to be given to the unpaid soldiers.

In the following months, other problems rose up with the impoverishment of starving Government’s troops, which continuously rioted from Tete to Sofala regions. The peak of such violent uprisings was reached during the month of October. However, since most cases regarded FRELIMO forces as easily inclined to riots and to violent demands of demobilization, RENAMO was perceived itself in a better position to continue in its policy...
of not showing any interest in hurry to start demobilization. The necessity according which
the process would take place only the both sides would comply in parallel ended in the above
mentioned Resolution 882 of November 5: because of this resolution combatant’ cantonment
finally became a reality on November 30. At that date, twenty-six Government and ten
RENAMO assembly areas were approved, for a total of thirty-six, of which the most of
those proposed by Government had been approved, while almost those proposed by
RENAMO were changed because unsatisfactory in terms of accessibility and
manageability.

At any rate, as the demobilization process started, it was also harder to sustain than it had
been to initiate. During the first three weeks of December 5,894 FRELIMO troops were
registered out of 6,844 arrivals, while 1,357 RENAMO combatants were registered out of
2,518 arrivals. But soon both parties rose up again a posturing, accusations and
counteraccusation strategy. The CSC had then to care itself for the monitoring the private
security organizations’ activities. In effect, as the process was going on (by January 27
assembled government troops were 11,567 while for RENAMO were 7,199) it became
clear that both parties were not assembling their most important forces. For example, the
Government’s nine main brigades and its all special forces remained operative in their
strength, while FAM officers were in several occasions refusing to conduct their troops to the
assembly sites until the Government would not have clarified the issues related to the
selection of soldiers for the new armed forces and the back pay. This last point in particular
began in January to be responsible of riots among several military barracks around the
country. The crucial point was lying on the fact that UN wanted a major commitment of the
Government in pay its troops not to trouble the whole process. While instead, donors,
creditors and World Bank were pressing the Government for a limited defense budget in
order to tighten credits. This problem was never solved, and remained on the ground
throughout the process of recruitment into the new armed forces. On the RENAMO side,
there were accusations against UNOMOZ because, since some of the assembly sites become
overcrowded, food and water proved to be scarce. Some pressures were made to the World
Food Programme for increasing rations, while combatants in the assembly areas became to
show signs of anxiety and troubles. At the same time, however, both parties showed to be
reluctant to start effectively demobilizing combatants after assembling them until they were
assembled in large number. Eventually, the TU’s initial strategy, according to which there
should have been a steady flow of troops through each assembly site, had to be abandoned,
and UNOMOZ had to plan another approach. In this sense, the combatants “would stay for at
least eight weeks, to allow time for registration, the compilation of lists, the selection of
troops for the new joint army, and the organization of the demobilization packages, including
pay”.

In this way, demobilization became a subsequent and separate phase from the
assembly process, with the Reintegration Support Scheme (RSS) activities allocated between
the two.

The RSS was projected as a three phases strategy.

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147 See: Synge, op. cit., p. 61.
148 Further, the approval of the other assembly areas previewed was not reached, essentially because it was not possible to bypass the both
sides' disputes over the territory control.
149 In: Synge, op. cit., p. 62.
150 Initially the government complained on the base that the process lacked a geographical equilibrium approach, and in this sense,
RENAMO was assembling its combatants only in the north of the country. RENAMO, on the other hand, alleged that government was
assembling only FAM troops, and not militias and paramilitary forces.
151 In: Synge, op. cit., p. 63.
152 In: Synge, op. cit., p. 65.
153 Planning for reintegration strategies of demobilized soldiers were not new in Mozambique. Indeed, already in December 1990
Mozambican Government had consulted Switzerland for assistance for demobilization of some of Government soldiers, and in 1991 also a
Reintegration Unit was established within the Ministry of Finance in this sense, with the responsibility to propose a strategy for the
reduction of FAM, taking into account for those demobilized soldiers their demographic characteristics and skills levels in order to build up
In the demobilization phase, the TU was responsible for an Information and Social Reintegration Project, which organized services to the soldiers in the assembly sites. In this sense, sixty Mozambican monitors from both sides were trained to disseminate information on the GPA, health education (including AIDS and family planning), the demobilization process, the rights and duties of demobilized soldiers and, moreover, information on entitlements and programs for demobilized soldiers. Literacy programs, sports and cultural activities in the assembly sites were covered by this project, as well as arranging a program to assist the Demobilization and Reintegration of Vulnerable Groups, in order to register and evaluate the physically handicaps and child soldiers to reunite them with their families.

In the reinsertion phase, the IOM acting on behalf of the TU, was responsible for: distribution of civilian clothing, transport of the former combatants to their chosen destination; the provision of a seed and tool kit and a two-week food ration at the time of demobilization plus a three-month ration once the combatants had arrived at their destination. Further, in this phase the Government committed itself in providing six months severance pay for each combatant, plus a cash subsidy for a further 18 months based on actual salary levels.

In the reintegration phase, the Occupational Skills Development Project, a program approved by the Commision for Reintegration (CORE) with medium and longer-term perspectives, was implemented, providing for vocational and business training in order to encourage self-employment.\(^{154}\)

### Capacity building by the UN system

Several major programs were developed to support reintegration, either by offering new marketable skills, or through direct funding. The Occupational Skills Development (OSD) project was implemented by the International Labor Organization (ILO) and the UNDP to provide vocational and entrepreneurial training. The Provincial Fund (PF) was a decentralized mechanism to finance local initiatives (employment, training, education, and business start-up). Self-employment was the main aim of the program, because few jobs were readily available. These programs were designed to offer “a quick impact” to facilitate the social inclusion of the demobilized in their communities and to provide economic stability. The Information and Referral Service (IRS) was intended to be the link between demobilized soldiers and the programs, by directing them to employment and training opportunities and by promoting realistic expectations.

While the mandate and stated objectives of at least some of the above programs extended beyond the demobilized to their families and, to some extent, wider groups in the community, there is little evidence that any significant effort was made to extend beyond a correct reintegration into civilian life. And, in December of that year, during the Consultative Group Meeting in Paris, the Government had also presented Demobilization and Reintegration Programme (DRP) for the unilateral demobilization of 45,000 troops, but the donors had considered this programme too much costly. When the UN machinery was deployed on the ground, there was for a long time a lot of disagreement among local and international actors on how to arrange a satisfactory reintegration programme. For example, in several occasions the most important donors had declared that, in their point of view, and in contrast with the approach agreed by the two sides in the GPA, the demobilized combatants should not receive privileged treatment in relation to returning refugees and displaced people in the reintegration phase. This attitude changed only between the end of 1993 and the early 1994, following several violent incidents involving soldiers waiting to enter and/or leave assembly areas, which showed the necessity for reintegration approaches with special consideration for demobilized soldiers. Also in the UNOHAC (which had to share these issues with the TU) framework there had been some problems. Indeed, the CORE, which was chaired by ONUHAC, although had held its first meeting in January 1993, became operational only during the summer of that year, when, as outlined in the GPA, it approved tripartite mechanisms for policies and programs preparation, and delineated mandates for central, provincial and regional structures. The main reason of this delay was determined by the withdrawal of RENAMO from all commissions from March to July 1993. So, still when the combatants assembly had begun, there were no shared policies about reintegration, although UNOHAC had developed with the CORE staff a three year reintegration strategy including vocational training, employment creation and credit funds, etc. But the main donors rejected this scheme, and what eventually was chosen to be implemented (in the early 1994, after a meeting among UN agencies, UNOMOZ authorities, the SRSG, the donors and the parties involved) was a scheme structured on three overlapping phases. For major information and data see: Chistie, Barnes, op. cit.\(^{154}\)

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\(^{154}\) This project included a toolkit component, depending on the type of training received.
demobilized individuals as the main target groups for benefits. As Sally Baden points out, this reflected a narrow and misconceived understanding of the process of reintegration, which acts to reinforce a male breadwinner model, and is a missed opportunity for skills-development of women and wives of ex-combatants\textsuperscript{155}.

Demobilization implied special problems for the so-called “child soldiers” or ex-child soldiers. At recruitment, 28 percent of the demobilized combatants had been younger than 18 years old. Some had been recruited at only eight years of age. This means that many of them reached adult life during combat life\textsuperscript{156}. For a small group of child soldiers, UNICEF started a program with the then Secretariat of Social Welfare, the Mozambican Red Cross, the Save the Children Fund and the International Committee of Red Cross to care for them because they were not recognized as soldiers and could therefore not formally be demobilized. A databank was established and children were placed in special transitory centers. Posters with a photo and information on the child were displayed around the country asking for help in identifying their parents or other relatives. In less than six months, eight-hundred families had been identified. When leaving the centers, the children received a kit with clothes for themselves, capulanas\textsuperscript{6} for the women in the family, and food for two months. The Save the Children Fund followed up and monitored the development of their 6. A piece of cloth married women wrap around the waist that functions as a skirt. 33 life inside the communities. However, many children left the army when the pressure to fight was no longer there, and very little is known about what happened to them after the war\textsuperscript{157}.

The existing capacity for skills training in Mozambique is weak and poorly linked to the labor and product market demand. Much of the training provision is still poor in quality and does not provide a sufficient level of skill development to support a viable livelihood. This is the legacy of lack of education and skills development, of earlier planned economy models, and of wartime destruction. In the immediate aftermath of the conflict, training programs were hurriedly established under the pressure to demobilize over 90,000 soldiers. While they have had some success, they have also created frustration and unfulfilled expectations on the part of some trainees, particularly women. There is also the danger that, faced with competition from a flood of newly trained entrepreneurs equipped with free tool kits, existing businesses will be negatively affected. The training initiatives are beginning to recognize some of these weaknesses, to provide more support and follow-up to trainees, and to make links to credit programs and upgrade training skills and capacity.

With regard to the specific needs of women, most training provisions were in skills conventionally recognized as male. Where training has been specifically provided for women, this has been in the stereotypical activities. A depressing number of programs across a range of agencies set up sewing classes for women, in spite of the obvious limitations of this trade as a source of a livelihood.

**Reintegration into Civilian Life**

Once the ex-combatants are demobilized and have settled together with their families in the area in which they want to begin a new life, the reintegration process starts. Although often at least some support is being provided, most of the effort rests on the shoulders of the excombatants and their families. They have to build up a new livelihood. Field level research shows indeed that the reintegration is not one general process, but consists of thousands of

\textsuperscript{155} Baden, 2003:99

\textsuperscript{156} UNDP, 1997:14

\textsuperscript{157} Lundin, et al. 2000:196
micro-stories, with individual and group efforts, and with setbacks and successes. Some interesting and useful research has been done at this level, but to really value the distinct circumstances and particularly assess the support received from communities and the role of women in the reintegration process, additional research should focus at specific groups of ex-combatants in specific regions.

Reintegration has economic as well as social aspects. Social reintegration is the process through which the ex-combatant and his or her family feel part of, and are accepted by, the community. In Mozambique some ex-combatants spent a good part of their initial demobilization money on gifts to village elders. That played an important contribution to being accepted in the village, becoming part of the ‘social security’ and sometimes being allowed to marry one of the young women in the village.

The latter had also important economic implications, because in some regions land is passed on through the female line. Most ex-combatants had to undergo cleansing rituals in order to be accepted. These rituals have an impact both on the acceptance by the community as well as on the ex-combatants themselves.

Economic reintegration is the process through which the ex-combatant’s household builds up its livelihood, through production and/or other types of gainful employment. The economic reintegration is for ex-combatants often difficult in societies where it is already difficult to start an economic activity or find employment. It is important to note that in some cases, the combatants released are the ones with the worst perspective for reintegration, because of little skills and education, or health problems. Factors such as the availability and accessibility of agricultural land, housing and business space are also often constraints. Despite the above constraints, the experience with reintegration has not always been very negative. Recent research in Ethiopia shows that the ex-soldiers are indeed generally poor, but they are not significantly worse off than civilians in the same location without a military background (Ayalew and Dercon, forthcoming).

Also the status of the (new) armed forces and civil-military relations could play a role in demobilization and reintegration processes. Retraining and reorientation of the armed forces personnel and balancing the ethnic and regional composition of the armed forces might be required. In addition, it might strengthen people’s confidence in the future if human rights violations of members of the armed forces are dealt with. But this might create a dilemma. They should be appropriately punished, but heavy punishment might also increase tensions between the military and the rest of society.

Mental health problems and psychosocial support

Psychological adjustment also appears to be hard - it might be difficult for ex-combatants to adjust their attitudes and expectations. Military personnel and guerrilla fighters are trained in top-down methods of management, which often contradict the appropriate approaches for management and entrepreneurship in the civilian sector. Ex-combatants go through a personal process of adjustment, after losing a predictable environment with a certain social status - positive or negative. They are forced to rethink their ambitions and capabilities. In addition, large numbers of the demobilized suffer from psycho-social problems due to post-traumatic stress disorder (PTSD). For example, a very high incidence of this disorder is

158 Building a national framework for the psychosocial rehabilitation & reintegration of ex-combatants in Rwanda Prepared by the NGO vivo, www.vivo.org in collaboration with the University of Konstanz, Germany.
proved to exist among ex-combatants in Mozambique. Empirical data on this phenomenon is still very limited and the most effective types of counseling or other therapies remain subjects of debate.

In this framework the Occupational Skills Development (OSD) project under the Labour Organization (ILO) and UNDP umbrella, was aimed at facilitating self-employment among former combatants and creating a self sustainability process, financed by special Provincial Funds for employment, training, education, business start-ups initiatives. Cleansing and welcome rituals were performed in rural areas as deemed very important to reintegrate former combatants into their communities of origin by improving the acceptance of the ex-combatant within the community. However, it is generally believed that reintegration of soldiers in Mozambique, especially in the urban centres, was very problematic and failed in many cases so that drug trafficking and other forms of crime served quite a number of ex-combatants to provide for their income159.

The child soldiers situation on the other hand, was difficult to define due to their non status of ex-combatant. Since they were not recognized as soldiers they could therefore not formally be demobilized. A databank was established thanks to the programme established by UNICEF to track all child soldiers still under age. Moreover, the programme envisaged the placing of children in special transitory centres. In this programme took parto also Save The Children Fund which followed up and monitored the development of their life inside the communities, the Mozambican Red Cross and the International Red Cross Committee.

The challenge of children soldier has been dealt within the years by numerous psychosocial support programs implemented by NGOs160 which were focused on providing them self sustainable education on problem management by applying to groups interactions dynamics. Due to a public consciousness gap on the child soldiers problems, several educational programmes were set as to improve the general awareness on this issue161.

As far as the ex-combatants are concerned a specific project was carried on by the NGO “ProPaz” which successfully contributed to provide them the solution of their own psychosocial problems, developing the project applying for veterans’ organizations support162.

Psycho-trauma approach163

Back in 1997 a research was conducted among the population of some small villages in the district of Gorongosa in the Province of Sofala. The armed civil conflict was centred on this region, because both parties had located their troops there, and there had been heavy fighting for almost the duration of the war. The mental health care was at a minimal level in this

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159 See: www.vivo.org, op. cit., p. 63

160 Former child soldiers assistance programme have been established thanks to the ‘Reconstuindo a Esperanca’ and ‘Projecto de Assistentica Psico-Social de Crianças e Jovens Vitimas da Guerra - Ilha Josina Machel’ which helped the reintegration process in Maputo. Initially psychodynamic therapeutic approaches were included in the programme while the main focus shifted on self-sustainable help providing them basic skills to be confident with an interactional approach to personal problems discussion and mutual exchange of information as to find possible solutions from groups dynamics.

161 Awareness initiatives took place to educate the public, by the NGO ‘Reconstuindo a Esperanca’. The access to such programs was particularly difficult in rural areas where quite often traditional rituals were the only possible support for psychosocial problems suffering like war-related trauma, guilt, fear or family problems etc.

162 PROPAZ has trained ex-combatants as peace promoters in six of Mozambique’s ten provinces. Each province is divided into four districts served by a peace promoter team of five individuals. These promoters are working in over 100 communities to organize conflict resolution teams made up of community members including those who were not combatants. Through this structure, PROPAZ now involves over 1.000 individuals in peace building activities throughout the country.

163 Research report written as part of the Violence and Transition Series as a literature review on Ex-combatants Transition and the Question of Violence, Center For the Study of Violence and Reconciliation, 2002.
region, which meant that concepts such as psychological trauma and PTSD were unknown to the people. Traditional ways of healing were still widely embedded in the society.

Direct contact with the local authorities for permission to carry out the study and the help of a local inhabitant was a sine qua non condition and invaluable for the success of such a difficult research project. Difficulties of carrying out such research are as interesting as the results obtained. These difficulties not only threw light on the differences between the context and treatment settings of the psychological consequences of war the Mozambican society, but they also emphasised the limitations of Western research methods in settings that greatly differ from those in Western societies.

Because of the lack of phenomenological studies in the Mozambican society, the study was mainly focused on analysing the prevalence and phenomenology of post-traumatic nightmares. People suffering from nightmares were identified and the traditional way local healers treat these phenomena have been further studied. However the risk of this approach is about the results interpretation due to a western society orientation to specific nightmares analysis, and by posing questions in a Western style frame of reference, by asking for complaints and symptoms from a nosological perspective, and using Western approach terminology related to concepts of psychopathology.

In the region of our study, dreams and nightmares had more impact on the way people think about and organise their daily lives and plan the future than in Western societies. The most important aspect of this is the way in which people used to think about themselves, their living family and their ancestors. Ancestors are part of everyday life and respect for their ancestors motivates people's thinking and behavior as traditional healers believe that dreams perform various functions.

Dreams were also conceived as a way in which people get information about their relationships with their ancestors. Bad dreams for example, might be taken as a sign that a person had not behaved in a respectful way with regard to an ancestor. Thus, (bad) dreams are often seen not so much as disturbing phenomena intruding into the mind; rather, they are interpreted in a meaningful context of the behaviour of the dreamer.

Mozambican soldiers, were described performing “traditional” rituals and ceremonies for ex-combatants to reconnect them with civilian life. After the demobilisation process the ex-combatants visit the traditional healer (curandeiro), who washes their bodies to free them from bad spirits that persecute them in their dreams. It is believed that bad spirits are a consequence of killing innocent people. The ceremonies can also clean the body of memories of the war, and they mark the transition from military to civilian life.

The Gorongosa study showed that these rituals and ceremonies are seen not as a healing mechanism, but as a preventive action. The ex-combatants visited the healers to prevent the things they had seen and experienced during the war from returning to their heads and hearts and interfering in their civilian lives.

Often, the interventions of traditional healers are aimed at restoring people's bonds with their families and ancestors. Some traditional healers made a distinction between bad dreams containing some indication of what might happen in the future and bad dreams about past war experiences. The healers reported that the latter are very resistant to treatment. This seems to be in line with findings from Western mental health care: nightmares as a symptom of PTSD are treatment resistant. It was interesting to see that some interventions by the healers were similar to the kinds of intervention in the Western practice of family therapy.
Moreover, the experience highlighted that important words as “anxiety”, “fear” and “suspicion” were difficult to translate into the local language due to the existence of many synonyms for these words, each with slightly different meanings.

In a cross-sectional design, data collected were in one semi-structured interview per person, reporting about different aspect of the interviewers memories. Questions were on memories of war and about their physical and psychological well-being. Psychiatric morbidity was measured using the Self-Reporting Questionnaire (SRQ), which was originally designed by the World Health Organization's Collaborative Studies for Extending Mental Health Care as a research instrument in a two-stage case-detection procedure. In the study a significant difference on mean SRQ scores was found between people with and without Post Trauma Nightmares (PTNMs) (Fig. 1).

![Fig. 1: Self-reported symptoms and anxiety dreams experienced by Mozambicans during the past 4 weeks](image)

Five years after the end of the civil war in Mozambique, a high prevalence of PTNMs was found in a random sample of the population in one of the areas of heavy fighting. The phenomenological characteristics of the PTNMs recorded here, such as replication and hyperarousal, closely resemble those found in PTSD patient cohorts in Western societies. However, the way the Mozambican sample coped with post-traumatic symptoms is completely different from common Western treatment strategies.

**Theoretical considerations**

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164 Almost everyone (97%) of the Group members was able to recall the content of the dreams. Half of this group (47%) experienced their nightmares as a replication of experiences they went through during the war. The accounts they gave resembled replicative PTNMs. Symptoms of hyperarousal were reported at various frequencies: perspiration, 24%; palpitations, 71%; tightness of the chest, 90%. Motor activity during nightmares was reported by 32%, while 82% experienced a feeling of paralysis on waking from them. This latter finding might indicate that the nightmare originated in REM sleep. Interestingly, the number of daytime repetitive thoughts related to traumatic war experiences was quite high, at 48%, Dolan & Schafer, 1997.

165 Harding *et al.*, 1980.

166 Self-Reporting Questionnaire (SRQ) scores out of measurements of people with and without Post Trauma Nightmares (PTNMs) was reported as t=12.12, P <0.001 , Research report written as part of the Violence and Transition Series As literature review on Ex-combatants Transition and the Question of Violence, Center For the Study of Violence and Reconciliation, 2002.
The Mozambique study is one of few carried out in the non-Western home country of survivors of trauma and in a community setting. Outcome provided by many different studies approach shown that the PTSD concept is basically useful in non-Western societies and gives a context for a therapeutic approach. Although these studies generate important information on cross-cultural phenomena in post-traumatic stress symptomatology, influences pertaining to being an asylum seeker or refugee in a foreign country are also involved.

An important question in this kind of cross-cultural research is whether diagnostic procedures and instruments of Western origin are applicable in a non-Western population. In our Mozambique study, quantitative means of assessment were used in combination with qualitative methods, such as interview and observation. Comparison between these two methods helps to avoid blind spots and is strongly recommended.

**Diagnosis and treatment**

As mentioned above, in diagnosing post-traumatic stress symptoms in patients from Western and non-Western societies, questionnaires such as the HTQ and HSCL–25 can be used in addition to a clinical interview. Once the diagnosis of (partial) PTSD has been made, the patient (and partner) needs information about the symptoms of PTSD and about possible treatments. Symptoms of hyperarousal and re-experiencing, including nightmares, might have negative effects on a relationship, so a partner should at least be invited to attend when information is given. Often the partner will also be involved in the treatment process. The treatment of partial or complete PTSD often uses multiple methods: which combination of treatments is used depends on several factors.

In deciding whether psychotherapy is indicated, to deal with traumatised war victims, one has to take into account the circumstances in which individuals are living which in some cases could be additional stressors like the uncertainty of the asylum seekers, awaiting the decision on their right of asylum for example; in cases like this they may live in a very insecure situation, with an additional burden of stressing factors like feelings of not being safe, by adjustment problems, bad housing, aggression, discrimination and so on. In such circumstances, only supportive therapy is usually indicated while the traumatic experiences directly addressed might be an additional destabilizing factor for the patient.

Particular attention should be paid to the attributions patients make to their symptoms. In the case of a patient who attributes bad dreams to angry ancestors, a quite different therapeutic intervention is required than in the case of a person who thinks that nightmares are simply frightening and annoying and wants to get rid of them. In a later phase of therapy, when intense re-experiencing and nightmares have subsided, testimony therapy might be indicated; this aims at integrating traumatic experiences into the individual's life history.

**Reintegration and new security concerns**

In most cases, the reintegration process takes a number of years and involves not only the ex-combatants themselves, but also their family units. Social reintegration is understood as the

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167 In a study of 169 traumatised refugees and asylum seekers, showed that it is possible to use standardised psychological and psychiatric instruments to measure the prevalence of symptoms of anxiety, depression and PTSD in patients from non-Western countries. The population was very diverse in language, culture and education. The level of post-traumatic symptoms, including the prevalence of nightmares, was particularly high., Kleijn et al, 1998.

168 As Shalev et al, 1993.

process through which the ex-combatant and his or her family feel part of and are accepted by the community. Political reintegration refers to the process through which the ex-combatant and his or her family became a full partner in the decision-making processes. And finally, economic reintegration is the process through which the ex-combatant’s household builds up its livelihood, through production and other types of gainful employment.

The primary objectives of the reintegration support programs were to guarantee a minimum cash income, encourage the demobilized soldiers to stay in the district of his or her choice, and “keep them quiet and out of trouble”. From that perspective, the programs were relatively successful. However, from the perspective of long-term development, they left a lot to be desired. First, the UNDP study found that about 71 percent of all demobilized soldiers were still unemployed by 1997\textsuperscript{170}. In more general terms, due to low levels of schooling and formal training in marketable skills, it was difficult for ex-combatants to integrate themselves into productive life in urban areas. To become a security guard often seemed the only solution available for the majority who decided to remain in town. Second, despite internationally supported efforts, post-war reconstruction had not reached the remote rural areas where the majority of the ex-combatants and the population live\textsuperscript{171}. Third, the integration support was pieced together rather than developed as a coherent program from the outset. There was reluctance on the part of some donors to involve local sectors and the government in “their programs”. Some decided to give financial support only to programs implemented by international organizations or NGOs. There was also a rampant lack of coordination between local and international organizations or NGOs and as well as among sectors of the government\textsuperscript{172}.

The reconstruction of new armed forces was a process managed by the Joint Commission for the Formation of the Mozambican Defence Force (CCFADM). Although this organism was chaired by UNOMOZ officers, after a clear request formulated by both FRELIMO and RENAMO, the most important role for its output was played by France, Portugal and United Kingdom since, from the beginning they had worked with both parties in composing it. These countries held a meeting in Lisbon in March 1993, during which they agreed to deploy some advisory teams on the ground in order: to provide for the training of officers and non-commissioned officers (Portugal); to deal with some administrative tasks about the former combatants of the two sides (Portugal); to involve directly in the training of three special forces battalions, one marines company, as well as some naval gunners (Portugal); to train 540 instructors in Zimbabwe (UK); to train one de-mining engineering company (France).\textsuperscript{173}

But, as soon as the process of recruitment of volunteers for FADM started among the former combatants just assembled and registered, a surprise for both sides involved in the conflict occurred. Indeed, on one hand the Government was confident that it would recruit much more volunteer than the 15,000 agreed, and on the other RENAMO was all the same sure that a large part of its former combatants would join FADM because the possibility of meeting better living conditions and gaining the first salaries they ever had in their life. But all these proved to be misperceptions on the ground of facts, because, as soon the process started, the former combatants proved to be reluctant to join FADM. The dimension of the problem was so relevant\textsuperscript{174} that soon both sides began to state they would resort to compulsory service,

\textsuperscript{170} UNDP/RSS, 1998.
\textsuperscript{171} Hanlon, 1997.
\textsuperscript{172} USAID, 1995:62.
\textsuperscript{173} In: Synge, op. cit., p. 51. Like the demobilization, UNOMOZ and all international actors viewed the build up of new FADM as process by which was to be essentially concluded before the general election. So, the start of the Portuguese commitment in this sense was scheduled on December 1993, and the goal of FADM operational capability was aiming to be implemented by September 1994.
\textsuperscript{174} Synge affirms that just during the first demobilizations episodes “fewer than 7 percent of the government’s soldiers and fewer than 13 percent of RENAMO’s troops”, for a total of fewer of 10 percent of former combatants, choose to volunteer, with the rate dropping further in the following months. See: Synge, op. cit., p. 65.
but, in the troubles’ period that took place in many assembly areas until July 1994 among the combatants waiting for demobilization, there were also episodes relating to troops physically resting being drafted into the FADM. 175 The conscription model project of FADM was then soon abandoned, but not exclusively because of such troubles. Indeed, among the first “core” of FADM some phenomena of disaffection for the military service had already taken place: among the 540 instructors of both sides that were training in Zimbabwe by British officers, a lot were not choosing to enlist. Also, in the battalions that were formed in the following moths, the rate of desertion proved to be high. 176

This resulted in concerns about too small armed forces, substantially unable to guarantee internal security after the elections. Both parties boosted the international community in the help for the strengthening of FADM, but, on the other side, agreed to choose that a 30,000 model force should not be a precondition for the elections holding. So, in November 1994, the total of FADM personnel was 11,579, of which around 3,000 provided by RENAMO. 177 However, the troops were trained in a too much basic level, being suitable neither for crowd control or major patrols of roads (each battalions had only two vehicles), and with huge limits in communications and headquarters staff capability. And, as the data above shows, the balance from two parties required was not satisfied. However, if the Government was contributing in a twice proportion than the RENAMO combatants, those who had been serving in the previous FAM numbered only 10 %, while RENAMO was contributing for around 15 % of its previous guerrilla force.

By any rate, the whole issue of demobilization and reconstruction of armed forces was a process essentially more successful than the disarmament one, as the following table shows:

<table>
<thead>
<tr>
<th></th>
<th>Government Troops</th>
<th>RENAMO Troops</th>
<th>Totals</th>
<th>%age of Total</th>
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<tr>
<td>Initial group (1993)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Registered</td>
<td>13,727</td>
<td>-</td>
<td>13,727</td>
<td>100.00</td>
</tr>
<tr>
<td>Demobilized</td>
<td>13,727</td>
<td>-</td>
<td>13,727</td>
<td>100.00</td>
</tr>
<tr>
<td>Assembly Areas</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Registered</td>
<td>43,409</td>
<td>17,524</td>
<td>60,933</td>
<td>100.00</td>
</tr>
<tr>
<td>Demobilized</td>
<td>39,301</td>
<td>14,142</td>
<td>53,453</td>
<td>87.72</td>
</tr>
<tr>
<td>Joined FADM</td>
<td>3,922</td>
<td>3,010</td>
<td>6,932</td>
<td>11.38</td>
</tr>
<tr>
<td>Absent</td>
<td>186</td>
<td>361</td>
<td>547</td>
<td>0.90</td>
</tr>
<tr>
<td>Non–Assembled Areas</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Registered</td>
<td>23,633</td>
<td>7,125</td>
<td>30,758</td>
<td>100.00</td>
</tr>
<tr>
<td>Demobilized</td>
<td>18,260</td>
<td>6,386</td>
<td>24,646</td>
<td>80.13</td>
</tr>
<tr>
<td>Joined FADM</td>
<td>4,594</td>
<td>651</td>
<td>5,245</td>
<td>17.05</td>
</tr>
<tr>
<td>Absent</td>
<td>779</td>
<td>88</td>
<td>867</td>
<td>2.82</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Registered</td>
<td>80,769</td>
<td>24,649</td>
<td>105,418</td>
<td>100.00</td>
</tr>
<tr>
<td>Demobilized</td>
<td>71,288</td>
<td>20,538</td>
<td>91,826</td>
<td>87.11</td>
</tr>
</tbody>
</table>

175 Soon, troubles of this kind sparked as well among units that both parties were still holding out of FADM and demobilization as forces for potential war contingency after the elections, and these troops sometimes went on to threat also UN personnel for being demobilized, not to speaking about some moments in which such combatants mutinied against their officers, taking them into hostage and beating them.

176 Although an official ceremony had appointed a General Commander of FADM from FRELIMO and a RENAMO officer as his Deputy, the lack of volunteer had denied the establishment of full capable battalions, which were in training since March 1994. So, at the end of July 1994 there were only three infantry battalions, all under-strengths for desertion of soldiers.

177 See: Synge, op. cit., p. 106.
| Joined FADM | 8,516 | 3,661 | 12,177 | 11.55 |
| Absent     | 965   | 449   | 1,414  | 1.34  |


About the police and information services, the efforts were conducted at a much lesser extension, not only because they were not to be dismantled and reconstructed again, but also because the two commissions set up (COMPOL for PRM and COMINFO for SISE) for their democratization did not make a great work. Indeed, “neither the government nor RENAMO considered COMPOL important. The same can be said about COMINFO”.  

### 2.9. Major Findings

There is no doubt that the case of Mozambique constitutes a success story for both the UN system and the commitment of all international actors involved in the peace process. However, many scholars too often forget that this success is largely due to Mozambican people. The historical reconstruction of the entire DDR process reflects this point.

In fact, on very few occasions, if any, international involvement in a peace process has encountered such popular revulsion vis-à-vis war and conflict as in Mozambique. Moreover, the end of external support to both parties had placed them in a situation virtually without solution, because of the impossibility to draw on domestic resources. And also:

- Mozambique is profoundly characterized by a poverty-wealth gap and a top-down hierarchical structure of society.

- Cultural contamination and change in traditional costumes is a critical issue in terms of oppression and exclusion of traditional authority.

- The structural issues of the conflict have not ever been addressed. The post-conflict period in Mozambique can be considered a successful story, while we can not say otherwise as regards the development phase. Risk of future conflicts over regional asymmetries is not unlikely, although a Culture of Peace has been established.

- The ruling party is reluctant to share its power and to accept RENAMO as a counterpart for political discussion. A new political opposition might most probably come from an internal opposition within the ruling party itself. As far as local authorities’ empowerment through the decentralisation process, there is need to strengthen Capacity


179 This was true in particular for the Government forces that had to suffer much more complex logistical problems than those who had to face a guerrilla force like RENAMO. A recent work depicts an impressive image of the situation of FAM during that period: “Towards the end of the war the problem got so serious that almost all jet fighters, transport aircraft and helicopters were paralyzed due to lack of spare parts and jet fuel, and less than 5% of defense vehicles were in running order. The continued dependence on foreign technicians and advisers, many of whom were not deployed in combat zones, had or operations and morale. By 1991, Nacala—the strategic airbase for the Mig-21s with more than 40 units—was in a state of disrepair and had only two serviceable vehicles. The concrete runway was badly cracked and seeped with water, radios were unserviceable, security was lax and pilot training was not carried out for months on end. Throughout the units, the dismal situation meant that military personnel had to adapt to the almost impossible conditions that existed in the barracks. For instance, in Zumbo, an isolated area in the western Tete province, one battalion had been reduced to 40 men who did not receive their pay for more than a year; they dressed as civilians, had almost all married locally and subsisted through occasional fishing, gardening or petty trade. According to local sources, a foreigner could hardly distinguish them from local militia. Deprived of uniforms, weapons and any other supplies, they fought with the few ammunition cartridges that occasionally arrived from Zimbabwe.” See Malache Adriano, Macaringue Paulino, Borges Coelho Joao-Paulo, 2005, “Profound transformations and regional conflagrations: The history of Mozambique’s armed forces from 1975–2005”, in Rupia Martin (Ed.), *Evolutions & Revolutions. A Contemporary History of Militaries in Southern Africa*, October, Pretoria, Institute for Security Studies, p. 176.
Building within the public sector at the local and central level, in order to contrast the poor management capacity of both political parties and public administration.

- In regards of the enforcement of political and civil rights, Mozambique is purely formally, but not substantially, a well-established electoral democracy, with violence and growing degree of voters’ abstention.

- Persisting of a Dependence Syndrome from external aid. Mozambique is a donor driven civil society: projects’ accountability is to donors rather than to beneficiaries. Hence, it is fundamental the regain of local knowledge, through a bottom-up approach and local ownership of the development processes. Regarding the sustainability of the development process, a large number of European NGO’s have not any specifically dedicated mission for the country. It is therefore a priority to strengthen dialogue between local communities, donors, and institutional actors in order to better set the strategies in terms of effectiveness and avoid any kind of resentment against international civil organizations. An attempt has been made through the significant involvement of the civil society in relation with PARPA’s review.

- There is an imperative need of mass education for all, due to the high rate of illiteracy and to the shortage of teachers all over the country. As regards higher education, lowering of the level of teaching in public universities has caused a subsequent increase of private universities. As for sanitation, the access to sanitation is limited. Approximately the 30% of the population is supposed to be infected by HIV/AIDS.

- Reintegration was not totally successful due particularly to two reasons. Misperception on the ground of facts due to the reluctance of former combatants to joint FADM at the very first stage of the process despite the original aim freely manifested. This resulted to be a process able to build foundations for armed forces far away to be able to provide sufficient internal security.

- In a cross-cultural research on a post-conflict trauma is necessary to carefully balance and adapt diagnostic procedures and instruments of Western origin as to be applicable in a non-Western population. A combination of qualitative and quantitative means of assessment along with a constant comparison between these two methods is strongly recommended to avoid blind area of evaluation.
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3. Kosovo

<table>
<thead>
<tr>
<th>Total population: 1,775,680 (2012)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Area: area Km² 10,887</td>
</tr>
<tr>
<td>Per annum/per capita income: USD 7,400 (est. 2012)</td>
</tr>
<tr>
<td>Human Development Index: not applicable</td>
</tr>
<tr>
<td>Population below the poverty line (below USD 1.75 per adult equivalent per day): 37%</td>
</tr>
<tr>
<td>Population in extreme poverty (below USD 1.14 per adult equivalent per day): 15%</td>
</tr>
</tbody>
</table>

*Source: Statistical Office of Kosovo, IMF and World Bank staff estimates, Kosovo Brief 2013

3.1. Historical background

Since the creation of the Yugoslavian State, Kosovo became part of Serbia. The 1946 Yugoslav constitution, in fact, did not grant territorial autonomy to Kosovo, nor did it grant Albanian status as a recognized nationality. The 1974 Constitution transformed Kosovo in an autonomous province, so that the Socialist Federal Republic of Yugoslavia was made up of six republics (Serbia, Montenegro, Bosnia and Herzegovina, Croatia and Slovenia) and two autonomous provinces (Kosovo\(^{180}\) and Vojvodina).

In 1989, however, the President of the Republic, Slobodan Milosevic\(^{181}\), managed to abolish Kosovo’s autonomous status, making Serbian the only official language and subsequently purging Kosovo Albanians from State institutions and publicly owned enterprises. When violent demonstrations broke out against these decisions, Belgrade imposed a curfew and the state of emergency in the whole region.

Things changed with the outbreak of Yugoslavia: in September 1991, the Kosovo Albanian population held a clandestine referendum which declared the “Republic of Kosovo” fully independent. A few months later, in May 1992, underground parliamentary elections were held: the results saw Ibrahim Rugova\(^{182}\) elected President of the Republic and Bujar Bukoshi\(^{183}\) declared Prime Minister. Although the Parliament never met, from that moment on Kosovo experienced the existence of new structures and institutions that worked in parallel with those of the Serbian government, which were also boycotted by Kosovo Albanians.

This situation was tolerated by the Serbian government so far as its attention was more urgently needed in other areas of the federation. This parallel system was mainly financed by the Diaspora through the so called “Republic of Kosovo Fund”. Therefore, the peculiarity of the region was that, during all the years of war in the other former Republics of Yugoslavia – Slovenia, Croatia and Bosnia Herzegovina – Kosovo remained almost quiet, thanks to

\(^{180}\) The Autonomous Region of Kosovo is populated by a large majority of ethnic Albanians, and officially it is still part of the Serbian Republic.

\(^{181}\) Slobodan Milosevic, Former official of the Communist Party, was President of Serbia from 1989 to 1997, President of the Federal Republic of Yugoslavia from 1997 to 2000 and leader of Serbia’s Socialist Party since its foundation in 1992 up to 2001. Indicted by the International Criminal Tribunal for the former Yugoslavia (ICTY) for war crimes, Milosevic died in March 2006.

\(^{182}\) Ibrahim Rugova was the leader of the Democratic League of Kosovo (LDK), the moderate nationalist party which currently leads the Provisional Institutions of Self Government. He was elected president of the self-proclaimed and self-funded Republic of Kosovo in 1992 and re-elected in 1998. After the end of the war, his party won a majority in the 2000 elections and he was again appointed President in 2002. He died in January 2006.

\(^{183}\) Bujar Bukoshi was one of the founders, together with Rugova, of the LDK. He was appointed Prime Minister of the parallel government of Kosovo in 1992, but he performed his duty from his exile in Germany. In 1997 he broke with Rugova. In the first years of 1990s he founded the Armed Forces of the Republic of Kosovo (ARFK – FARK).
Rugova’s policy of passive resistance. Rugova, in fact, repeatedly declared the determination of Kosovo Albanians to achieve their independence by peaceful means.

Things changed when, in April 1996, a first planned assault against the Serbian Police (MUP) took place and, from then onwards, a series of attacks targeted and hit uniformed MUP personnel. The assaults were reported to have been masterminded by an émigré group operation out of Switzerland. Still, as insurgents increasingly target police forces, rumours began about a new organization, calling itself Kosovo Liberation Army – KLA – which eventually, a year later, admitted responsibility for the attacks.

The situation escalated after the collapse of Albania in late 1997, when military stockpiles were looted with impunity and much of the hardware ended up in western Kosovo, so boosting the growing KLA arsenal. The conflict soon took on the character of a guerrilla war, although it was still largely confined to western Kosovo. In 1998 the rebellion worsened and the Serbian answer hardened, with Milosevic ordering the uprising to be suppressed: the war in Bosnia Herzegovina had finished and Belgrade could concentrate its attentions on the rebelling province of Kosovo.

At the same time, the repressive measures implemented by Belgrade against Kosovo separatists, and the Kosovar political situation and aspirations, i.e. Independence of Kosovo, evolved into a military objective, with the hardliners gaining consensus while Rugova loosing his influence and its policy of passive pacifism becoming less relevant. Since then, a vicious circle began with the KLA attacking Serbs – military, police, civilian or Albanians who pledged their loyalty to the Serbian administration – as revenge against the Serbian attacks, while Serb military and paramilitary forces assaulted Kosovo Albanian civilians who were believed to be members of the KLA.

The result was that civilians flew their villages and took to the hills, provoking a mass exodus of unarmed Kosovo Albanians from affected areas. Displaced people moved within Kosovo, or reached Montenegro or other parts of Serbia, and a great number of them took refuge in Bosnia Herzegovina and Albania. Overall, between 1998 and early 1999, about 775,000 Kosovo Albanians left their home.

By the second half of 1998 the KLA had become the most important player in the starting conflict. In fact, when the KLA began its actions, it was soon able to grow in strength and respect and support of Kosovo Albanians. Still, it was not the only guerrilla group operating in the country. There had been, in fact, a first attempt to create a territorial defence system in the first years of 1990, financed through the Diaspora. These were the Armed Forces of the Republic of Kosova (FARK), which were built up by the Kosovar Prime Minister in exile Bukoshi. The FARK and the KLA, however, had different ideas on how to reach independence and since their very origin fought one another.

In order to prevent all popular support from going to its rival group, the FARK decided to join the military actions in the first half of 1998, while also trying to get all the other combatant groups under their control. Their strategy failed as the KLA was, in fact, stronger.

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184 Also known by its Albanian-derived acronym, UÇK (Ushtria Çlirimtare e Kosoves).
185 A series of attacks which gave the KLA real credibility took place during the night between 10 and 11 September 1997, with ten coordinated operations against police barracks. The first public and overt appearance of KLA members happened at the end of November that year, during the funeral of a Kosovo Albanian killed by Serbs. See ICG Report, Kosovo’s long hot summer, number 41, September 1998.
186 See www.nato.int/kfor/kfor/objectives.htm retrieved 24/05/2006
187 At the end of June 1998, some 300 FARK combatants entered Kosovo, fighting against Serbian forces. Since then, “some 3,000 fighters joined the FARK”. See Heinemann-Gruder Andreas and Paes Wolf-Christian, Wag the dog, BICC, 2001, p. 10.
better armed, better disciplined and commanded, better financed, and it never approved the legitimacy of the Rugova’s leadership.

The humanitarian emergency that followed the conflict urged the international community to intervene. On the diplomatic side, the second half of 1998 saw the intervention of US special envoy Richard Holbrooke who, using the threat of NATO air strikes, negotiated with Milosevic to allow the deployment of a nominally 1,700 strong OSCE-led verification mission led by American William Walker and overflights by NATO reconnaissance aircraft. The aim of the unarmed verifiers of the Kosovo Verification Mission (KVM) was to monitor the human rights situation, to attempt to forestall further violence, and to control the reduction of MUP and VJ assets to pre-conflict levels, as negotiated by Holbrooke with Milosevic.

However, the discovery of over 50 bodies in the village of Racak in January 1999 prompted the international community to convene peace talks in March that year in Rambouillet (France). The negotiations were inconclusive. As a consequence, on 23 March 1999, NATO Secretary General issued orders for the start of the air campaign which started on the following day. The Federal Parliament accepted NATO demands and the campaign ended after 77 days, on 10 June 1999.

Two days later, on 12 June, the United Nations Security Council authorised through Resolution 1244 the deployment of NATO Kosovo Force (KFOR), which became responsible for establishing and maintaining a secure environment in Kosovo, including public safety and order; to monitor, verify and when necessary, enforce compliance with the agreements that ended the conflict; and to provide assistance to the United Nation Mission.

Resolution 1244, in fact, established the UN Interim Administration Mission in Kosovo (UNMIK), to govern the country in the absence of indigenous authorities, while at the same time developing indigenous structures which would in due course be capable of providing self-government. So, Formal sovereignty is maintained by Belgrade, and Kosovo is technically still a province of Serbia, but it is run by UNMIK and, since 2001, by the Provisional Institutions of Self-Government (PISG).

3.2. Overview of the Political Context

In the report presented at the seminar “Kosovo: decentralisation as the key to future status negotiations” in October 2005, the International Commission for the Balkans gave an overview of the constitutional frameworks in the countries belonging to the former Yugoslav region. According to the Commission, the constitutional framework defined in Kosovo by international negotiations presented three main features. First, it is the result of negotiations between the international community and the elite members of the parties at conflict. Secondly, political parties are divided on ethnic lines. Thirdly, it has proved to be weak, often with parallel structures being created, as is the case for Kosovo Serb enclaves. The

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188 The negotiation group was composed by the Contact Group, Serbian authorities (first of all Slobodan Milosevic) and ethnic Albanians from Kosovo (Ibrahim Rugova and Hashim Thaçi, Rexhep Qosja). The Contact Group first came together in response to the crisis in Bosnia. Composed by France, Germany, Italy, Russia, the United States, Britain, and representatives of the EU, it is an informal group of countries that currently monitors and supervises international policy in Kosovo. For more information and Contact group Statements see the official site of the US Government: http://www.state.gov

commission believed that responsibility for this situation had to be shared also by the International Community which, in this area, where it guarantees security, increased its institutional weakness. Under the UN administration, Kosovo political parties used to operate within this framework, and the political scene in Kosovo was shared between the elected PISG and the Special Representative of the Secretary General (SRSC), who still maintains the rights of approval of all decisions taken by the PISG.

This situation brought on 10 February 2007 to experience protests against the plan proposed by the United Nations chief negotiator, Martti Ahtisaari, which would in effect grant independence to the Kosovo province. Some militant ethnic Albanian groups, like Vetevendosje (Self-determination) that led the Saturday ethnic Albanian protests in Pristina, opposed UN sponsored talks and wanted the Kosovo parliament to declare independence immediately. On Tuesday 13 February 2007, Kosovo interior minister Fatmir Rexhepi resigned after two people died of injuries suffered in clashes with police during the protest, while on 17 November 2007 elections were held to gain official acknowledgement of the Kosovo independence across the International Community. After early results on the morning of the 18th indicating opposition leader Hashim Thaçi was on course to gain 35% of the vote, he claimed victory for PDK, the Albanian Democratic Party, and stated his intention to declare independence.

During the UNMIK Administration the Democratic League of Kosovo (LDK) led the PISG as main party of the governing coalition made with the Alliance for the future of Kosovo (AAK). Historically, the LDK has been headed by Ibrahim Rugova. Following his death, Fatmir Sejdiu, one of the authors of the Constitutional Framework of Kosovo in 2001, was appointed President by the Assembly.

The Democratic Party of Kosovo (PDK) grew out of the KLA and is headed by Hashim Thaçi, KLA political leader. As such, in March 1999, he participated to the Rambouillet negotiations. When the conflict ended in 1999 and before UNMIK arrived, his party took over de facto power in many municipalities. Soon after, his party transformed into the PDK, and after the election which saw Rugova’s victory in 2001, party nominee Bajram Rexhepi became Prime Minister. After the LDK announced in November 2005 that it would govern with the AAK and without the PDK, the latter became the first proper opposition party in Kosovo.

The Alliance for the Future of Kosovo (AAK), also grown out of the war, is the current ally of the LDK. The party is headed by Ramush Haradinaj, former Chief of Staff of the FARK, and former KLA regional leader. When the Kosovo Protection Corps (KPC) was created, Haradinaj became deputy commander. He resigned to found the AAK in 2000, and was elected President of the party. He was elected Prime Minister with a broad majority of votes in 2004 but resigned in March 2005 after he was indicted for war crimes by The Hague tribunal.

Other smaller parties are the Parliamentary Party of Kosovo (PPK) and the United Democratic Movement (LBD). PPK’s deputy chairman is Bajram Kosumi, who became president of the party in 1993, and as such participated to the Rambouillet negotiations in early 1999. Although he did not take up arms, he was a supporter of the KLA. He was appointed Prime Minister after Haradinaj’s resignation, and held the post until early 2006. The LBD instead is headed by Rexhep Qosja. The party was formed in 1998 as a coalition of seven

190 The adoption on 17 November 2005 of the “Resolution on Reconfirmation of Political Will of the Kosovo People for Kosovo as an Independent and Sovereign State” by the Kosovo Albanian parties, determined a unification of the competing KLA and LDK traditions.
parties, including many who left the LDK that year. He also participated to the Rambouillet negotiations. His party competes with the LDK.

As regards the former Prime Minister (PM), Agim Çeku took charge on 10 March 2006. Until then, he had been Commander of the Kosovo Protection Corps (KPC). Indeed, Çeku was a professional soldier. After resigning from the Croatian Army, he became KLA’s Chief of Staff, maintaining this position from May 1999 till the end of the war. Following the end of the war, he oversaw the demilitarisation of the KLA and the creation of the KPC.

Vote distribution in the October 2004 parliamentary elections was: LDK 45% of the vote, PDK 29% and the AAK 9%\textsuperscript{191}.

Following years of failed negotiations on the status of Kosovo in Serbia, Provisional Institutions of Self-Government Prime Minister of Kosovo Hashim Thaçi announced on 16 February 2008 that the Assembly of Kosovo would declare independence the following day, 17 February 2008 at 17:00h. The independent Republic of Kosovo has since been recognised by several states.

Despite official UN and Russian disapproval, the US, UK, and France appeared likely to recognize Kosovar independence if it had been declared on 28 November 2007 or on 10 December 2007, the deadline for an agreement between Kosovo and Serbia set by UN Secretary General Ban Ki-moon. In February 2008, Hashim Thaçi said that about 100 countries were ready to immediately recognise Kosovo's independence after declaration.

Kosovo's declaration of independence from Serbia was enacted on 17 February 2008. International reaction was mixed, and the world community continues to be divided on the international recognition of Kosovo.

The last Kosovan parliamentary election was held in Kosovo on 12 December 2010 following a vote of no confidence in the government that brought forward the election. Incumbent Hashim Thaçi's Democratic Party of Kosovo (DPK) won a plurality amidst controversies and a partial re-poll, while he was still in the process of trying to form a government. The election was seriously hampered by a number of irregularities and election fraud, and a second poll was held on 9 January 2011 at 21 voting stations in 5 municipalities. The new vote was still positive for Thaçi in 4 out of 5 municipalities.

The election was marred by reports of drugs-, weapons- and human organs trafficking by an organization linked to Thaçi, which led to the re-opening of a formal investigation by the EULEX mission.

As of 13 August 2014, the Republic of Kosovo has received 110 diplomatic recognitions as an independent state. Notably, 108 out of 193 (56%) United Nations (UN) member states, 23 out of 28 (82%) European Union (EU) member states, 24 out of 28 (86%) NATO member states, and 34 out of 57 (60%) Organization of Islamic Cooperation (OIC) member states have recognised Kosovo. The Government of Serbia does not recognise it as a sovereign state, but has begun to normalise relations with the government in Pristina in accordance with the Brussels Agreement.

\textbf{Assessment} \textsuperscript{192}

\textsuperscript{191} The Economist Intelligence Unit, Serbia and Montenegro Country Profile, 2005, London, UK.
Kosovo political leaders have shown their maturity, first through their commitment to the implementation of the standards; then, through their public appeals for full respect of the rule of law.

As regards to the Serb participation to Kosovo political processes, significant progress has been achieved since October 2004, when less than 0.5% of the minorities participated to the elections, especially the Serb minority, preferring to boycott the elections, position promoted by Serb premier Kostunica and the Orthodox Church. Kosovo has actively and constructively worked towards a visible and sustainable improvement of relations with Serbia. In April, Kosovo’s engagement in the EU-facilitated dialogue resulted in the landmark 'First agreement of principles governing the normalisation of relations' with Serbia (the First Agreement), which was complemented in May by an implementation plan.

Kosovo has delivered on important policy reforms. In April, the Commission and the High Representative of the Union for Foreign Affairs and Security Policy confirmed that Kosovo had met the short-term priorities on the rule of law, public administration, protection of minorities and trade as identified in the feasibility study of October last year. In April, the Commission also issued its recommendation to the Council to sign and conclude a framework agreement allowing Kosovo to participate in European Union programmes.

In the context of the political criteria, the Kosovo government has increased its capacity to address priorities of the European integration process. It has demonstrated this capacity by its follow-up to the short-term priorities of the feasibility study and the preparations for the negotiations of the Stabilization and Association Agreement. Steps have also been taken to improve the Assembly’s oversight of the government’s work. However, the decision of the Assembly to debate the outcome of a judicial case was a setback to Kosovo’s efforts to strengthen its institutions of democratic governance.

3.3. Overview of form of government, civil liberties and human rights

Form of Government

The Republic of Kosovo is a Parliamentary Democracy formed of 34 Municipalities. The Constitutional Framework is granted by the Assembly and is the highest legal act of the Republic Institutions. Laws and other legal acts are in accordance with the Constitution which is a system of government, which lays the basis of fundamental rules and principles of an autonomous republic. Through its Constitution the Republic of Kosovo determines the fundamental principle policies, structure, procedures, power and responsibility of the government.

192 The report is based on information gathered and analysed by the European Commission. Many sources have been used, including contributions from the Kosovo authorities, the EU Member States, the EU rule of law mission (EULEX), European Parliament reports and information from various international and non-governmental organisations. European Commission Staff Working Document KOSOVO: 2013 Progress Report, Brussels, October 2013.

193 This view prevails in spite of the existence of two Kosovar-Serb parties, the SKLM (Serb-Kosovar List), and the Slavisa Petkovic List, founded by the former Minister for Returns as an alternative to the SKLM, more closely linked to Belgrade.

The Republic of Kosovo is composed by the Assembly, the President of Kosovo, the Government, the Courts and other bodies and institutions set forth in the Constitution. After the independence declaration its status has been recognised by a number of Countries, International Institutions as well as Governamental and non Governamental organizations. To date, Kosovo has been officially recognised by 104 UN Member States, including 23 EU Member States.

The NATO-led International Forces in Kosovo (Kosovo Force - KFOR) contingents were originally grouped into 4 regionally based multinational brigades. The brigades were responsible for a specific area of operations, but under a single chain of command under the authority of Commander KFOR. In August 2005, the North Atlantic Council decided to restructure KFOR, replacing the four existing multinational brigades with five task forces, to allow for greater flexibility with, for instance, the removal of restrictions on the cross-boundary movement of units based in different sectors of Kosovo. Then in February 2010, the Multinational Task Forces became Multinational Battle Groups and in March 2011, KFOR was restructured again, into just two multinational battlegroups; one based at Camp Bondsteel, and one based at Pec’. The KFOR has continued to help ensure security in Kosovo and its presence amounted to about 5 000 personnel. The Kosovo police have progressively been taking over from KFOR the responsibility for protecting several cultural and religious sites.

Steps have been taken to improve the Assembly’s oversight of the government, alignment of legislative plans between the Assembly and the government, and openness of the Assembly to civil society. The Assembly has been also undertaking activities to scrutinise the work of the government, notably as regards the results of the dialogue between Belgrade and Pristina, being able to demonstrate political and institutional unity on issues of key importance. The number of thematic parliamentary debates and interpellations of ministers has been increased, and in 2013 the committees have undertaken further activities to monitor the implementation of laws and have produced reports, some of them based on Assembly members’ field visits.

Kosovo still needs to finalise the electoral reform process that was launched in 2011. It needs to ensure that the legal framework for elections better reflects best practice in the EU and that implementation is in line with international standards. Oversight of the government needs to be improved, including follow-up to committee recommendations to ministries. The Assembly also needs to improve its understanding of its role in the supervision of independent institutions and regulatory authorities.

In January 2013, a new court system was introduced and a new criminal code and criminal procedure code entered into force. The Supreme Court issued a formal opinion to rectify ambiguities concerning the retroactive application of transitional provisions regarding the admission of pre-trial evidence in cases that started before the new procedure code entered into force. Focus now needs to be on implementation of the legislation. In general, a review of the new court and prosecutorial system is needed to assess progress.

A law on the state advocacy office was adopted, and the Kosovo Judicial Institute has continued to provide legal education training focusing on capacity building. Kosovo concluded bilateral agreements on mutual legal assistance with Albania and Italy. The Ministry of Justice acts on requests for mutual legal assistance received from non-recognising countries, either directly or via EULEX. The United Nations Interim Administration Mission in Kosovo (UNMIK) remains the formal point of contact with
Interpol. Kosovo needs to enhance its capacities and experience to be an effective partner in the context of mutual legal assistance.

The government, in close cooperation with the Assembly, still needs to improve its capacity to verify and confirm acquis compliance of legislation. Forward planning and cost analysis of implementation of legislation remains a challenge. Strategies need to be better coordinated to avoid overlap and contradictions. The implementation of policies and legislation involving several ministries needs to be improved.

Local government has also improved its capacity. This includes examples of addressing returns and reintegration, transparency of information on management and budget, and reporting on municipal decision-making. In this respect, Municipalities would benefit from clearer guidance from central level and integrated planning (policy priorities coupled with budgeting) but the work and decisions of municipalities need to be more transparent. The small and rural municipalities established in 2009 – 2010 need alternative institutional solutions so that they can deliver equitable access to services for their constituents. Land management needs to be addressed to ensure their economic development.

The fundamental structures for governance at both central and local levels are in place. Capacity varies across different ministries. The municipal level is still weak. Data collection, financial impact assessments, policy objectives and inter-ministerial coordination need to play a greater role in the legislative process. Further efforts are needed to improve implementation of legislation, accountability and transparency of government, including at municipal level. Local authorities need more support to continue the process of decentralization.

Kosovo enacted secondary legislation of laws on the civil service and on salaries of civil servants. Public administration reform continues to be characterised generally by a lack of professionalism and motivation on the part of staff. There is also political interference in the civil service. Kosovo needs to focus on priorities set out in the feasibility study, notably implementing legislation, as well as the strategy and action plan.

Civil liberties

The European Commission 2012-13 Kosovo Progress Report offers a good overview of current civil and political rights in Kosovo. The law established that there is no death penalty in Kosovo. As for the Correction System, although sometimes overcrowded, prisons in general meet international standards.

Freedom of assembly was established both by UNMIK Regulations and PISG’s Constitutional Framework. According to the European Commission assessment, this right is still weak as regards its capacity and influence, and is mainly a donor driven process, as it is mostly promoted by local non-governmental organizations.

Property rights are one of the hardest legal issues faced by the Kosovar institutions. Indeed, “the institutional framework regulating and protecting property right is very weak […] there is a general sense of lawlessness and a perceived culture of impunity surrounding property issues.” This is a major issue, as “the illegal occupation of property, including agricultural

195 European Commission, Kosovo (under UNSCR 1244) 2005 Progress Report, SEC (2005) 1423, p. 16-23. This will be the main source for this section.
196 Ibidem, p. 18.
land and commercial property continues to affect individuals’ rights to property and hamper economic development, the return process and the establishment of the rule of law.197

With regards to employment conditions, in spite of the rampant unemployment, there exists a legislative framework providing labour standards, protection of workers’ rights, prohibition of child labour, rights of association and equal opportunities. Regarding children’s rights in particular, the government approved a new Kosovo youth strategy and action plan 2013-2017. The Ministry of Culture, Youth and Sports has set up 34 local youth action councils including some in municipalities established in 2009-2010.

Freedom of religion is provided for by UNMIK Regulations and the Constitutional Framework. Still, the association of religion with ethnicity creates problems of religious expression to Kosovo Serbs and the Serb Orthodox Church.

Health care in Kosovo suffers from insufficient funds and lack of access, a problem especially for minorities. A clearer legal framework protecting people with mental and physical disabilities is also needed. Infant mortality is of 35 per 1000 live births. This is due to poor delivery practices and low quality level of new born care. Other problems regard increasing cases of child labour and cases of child trafficking.

Formal education is a fundamental issue which faces hard quality problems. The regulatory laws passed have assigned responsibility to the municipalities for administration and financial issues of primary and secondary schools. Still, municipalities lack the necessary administrative skills. Moreover, the lack of infrastructure has forced to up to three daily shifts, compromising the quality of schooling. There is also a high level of school leavers.

As for gender equality, women in Kosovo suffer from serious disadvantages. This regards fields such as participation in the labour force, earning, schooling, domestic violence, human trafficking. As regards women's rights and gender equality, the government adopted implementing legislation for the law on protection against domestic violence. The Judicial Institute has provided training on these issues for judges, prosecutors, victims’ advocates and social workers. The Agency for Gender Equality prepared an action plan on the implementation of the relevant UN resolution. The aim is to strengthen the position of women in decisionmaking processes and in security structures, and to provide redress to survivors of conflictrelated sexual violence by means of improved access to justice and rehabilitation and integration.

The government’s strategy and action plan on cooperation with civil society for 2013-2017 was prepared with the involvement of civil society representatives. It was adopted in July. Cooperation between civil society organizations and the institutions of Kosovo continues to be ad hoc. Even when public consultations on draft legislation take place, follow-up is often unsatisfactory. There is limited public funding for e.g. social services delivered by civil society on behalf of the authorities. The central and local authorities need to improve cooperation with civil society, notably as regards defining and executing public policies.

Human rights situation

Kosovo legislation is broadly in line with international standards, although some important laws require improvement. Kosovo needs to focus on implementation. The structures dealing

197 Ibidem, p. 18.
with the protection, promotion, enforcement of and reporting on rights need to be streamlined, both at central and local levels. Political and economic interference with the media, threats to journalists and the long-term sustainability of the public broadcaster’s financing remain issues that need to be addressed urgently. The mechanisms and the overall consciousness and willingness to address anti-discrimination issues have to be further strengthened. There also needs to be more focus on investigating offences against religious sites. Enforcement and protection of property rights is a key challenge and one of the priorities of the feasibility study. In particular, Kosovo’s judiciary needs to improve its efforts to resolve cases rapidly. Kosovo authorities need to do more to reach out to displaced persons regarding expropriation of their real estate.

Following the end of supervised independence in September 2012, Kosovo’s legal framework continues to guarantee minority representation. It upholds the rights of persons belonging to minorities, and protects vital interests and cultural rights, including those of the Serbian Orthodox Church. The Serb-majority municipalities in the south of Kosovo have been gradually strengthening their capacity. They also participate in bodies such as the Association of Kosovo Municipalities. The Office for Community Affairs increased its assistance to socially vulnerable families and infrastructure projects. Kosovo needs to increase the proportional representation of minorities in the police and judiciary.

Access to education for minority communities remains limited. Language barriers and the lack of relevant school materials are major obstacles to the integration of returnees and readmitted children into the education system. There has been no progress on Serbian-language instruction within the Kosovo curriculum. Serbian is still not available as a second official language outside areas predominantly inhabited by Serbs. Students from the Serbian community and a majority of Roma and Gorani students are enrolled in schools administered by Serbia.

Kosovo needs to focus on the implementation of the priorities of the feasibility study. Implementing legislation on protection of minorities and cultural rights remains an important challenge. Inter-institutional coordination, including between central and local selfgovernment institutions, needs to improve. Security incidents and crimes targeting persons belonging to minorities and their property need to be investigated and prosecuted thoroughly and promptly. Spatial planning needs to take into account the requirements of historic and cultural heritage sites. Robust action needs to be taken to stop illegal construction and to correct illegal construction which has already taken place. Resources and efforts need to be more focused to make progress in implementing the strategy and action plan for the Roma, Ashkali and Egyptian communities. The overall focus needs to be on education, social service and civil registration of these communities as Kosovo currently relies heavily on support from the international community in this area.

Returns

The civil liberties and human rights situation is strictly linked to the returns issue. With the great demographic change Kosovo underwent after the NATO bombings, it currently faces the challenge posed by the returns of those Serbs that in 1999 left the province for fear of retaliation. Indeed, most of displaced Kosovar Albanians returned to Kosovo as soon as the war ended, while about 200,000 Serbs, Roma and other minorities from Kosovo fled the province for fear of retaliation. At the moment and in spite of the many efforts made so far,
the Serbs that remained or returned to Kosovo live in closed guarded enclaves, with little or no freedom of movement.

Since 1999 the international community is engaged in attempting to reach a compromise that would allow, if not forgiveness or reconciliation, at least for peaceful coexistence. Security Council Resolution (SCR) 1244 affirmed the need for “establishing a secure environment in which refugees and displaced persons can return home in safety”. As a corollary from SCR 1244, UNMIK established its policy towards return in the concept paper “The Right to Sustainable Returns” on 3 May 2002. It also drafted the first “Manual for Sustainable Return” in 2003. The manual established the right of refugees and IDPs to return to their places of origin.

Since the establishment of the PISG, updated return policies have been promulgated. Moreover, as the riots of March 2004 persuaded the international community to abandon the idea of supporting an Albanian Kosovo as the key to multi-ethnicity, adopting instead the idea of decentralisation along internal ethnic boundaries, the returns issue also embraced a new perspective. So, rather than returns to areas they used to live in, the international community, backed by the findings of Special Envoy to the Secretary General Eide’s report, has pushed for returns to areas where minorities can actually live today.

A result of this new approach has been the signing of the “Protocol of Cooperation on Voluntary and Sustainable Return” between the PISG, the Government of Serbia and UNMIK, on 6 June 2006. The document is very important also politically, as a first tripartite agreement among the three main political actors regarding this issue. The Protocol “acknowledges that successful return of IDPs is based on three elements: ensuring safety of returnees; returning property to the displaced and rebuilding their houses; and creating an environment that sustains returns.”

Following the signing of the Protocol, and in accordance with the PISG revised policies of 24 May 2006, UNMIK has updated its return policy, through the “Revised Manual for Sustainable Return”, issued in July 2006. As expected, the Revised Manual presents a significant policy change, as it establishes that “every displaced person has the right to make his/her own free decision as to where to return”, in opposition to the previous “going back to where you came from” policy.

The Manual also describes the organizational process that has been set up in order to facilitate the returns. So, returns are classified as “organized”, “facilitated” and “spontaneous”, according to the level of planned assistance that they receive. Such assistance is decided and organized through the collaboration of many organizations, as well as of government institutions. In fact, there exist a specific return Coordination Mechanism, composed of the following ad hoc organs, each with specific roles and functions: Municipal Working Groups (MWGs), the Central Review Mechanism (CRM), and the Communities’ Outreach and Communication Group (COCG). At the institutional level, institutions that have an active role in return implementation are: the PISG, the Office of the Prime Minister, the Ministry of Communities and Returns (MCR), the Ministry of Local Government Administrations (MLGA), Local Municipal Administrations, UNMIK, UNHCR, UNDP, KFOR, OSCE, and the NGO Returns Coordination Group (NRCG).

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199 Ibidem, p. 4 and 8.
Since 2004 another return typology has also taken place. It is called “forced return” and regards mainly Kosovo Albanians who had sought asylum in European countries previously or in 1999, which are now eligible for being forcibly returned to Kosovo.

3.4. International Context

The international presence in Kosovo, although reduced when compared to the years soon after the war, is still impressive. International actors have played a fundamental role before but especially since NATO’s intervention. This section gives us a brief view of which are these actors and what role they play in Kosovo today.

The Contact Group first came together in response to the crisis in Bosnia. Composed by France, Germany, Italy, Russia, the United States, Britain, and representatives of the EU, it is an informal group of countries that currently monitors and supervises international policy in Kosovo. During the conflict period, it was one of the promoters and negotiators at Rambouillet. Composed by four permanent members of the UN Security Council, the major contributing nations to KFOR and assistance donors to Kosovo, since its creation the Group has coordinated the policies of the key states interested in the Balkans. The Group still plays an important role today, and its public statements have strong political influence. In its "Guiding Principles" for a settlement of the status of Kosovo the Contact Group has stated that any settlement should ensure Kosovo's multi-ethnicity and the protection of the cultural and religious heritage, strengthen regional security and stability, ensure that Kosovo can cooperate effectively with international organizations and international financial institutions, and be acceptable to the people of Kosovo. In April 2005 the Group announced that Kosovo would not be partitioned; it would not unite to any other state and would not go back to the pre-1999 status. This position has been interpreted as an agreement that Kosovo should become independent. Still, the Group shares with the UN the opinion that the new status will come only after much work is done to include the Serb and other minorities. As regards the Group’s influence on the status process, as much as it has made it clear to Albanians that they need to engage in order to achieve independence, it has tools also to influence Serbia’s position on the matter. While it does not wish to support a forceful solution, it has made it clear that Serbia will not join NATO unless it has resolved the Kosovo issue first. It is also clear for the Group as well as for the UN that whatever the outcome of the status process, Kosovo will maintain an international civil presence.

The United Nations entered Kosovo in 1999, after the accords between NATO and the Serb government, and the deployment of NATO forces. Entrusted to create the system that would have run Kosovo’s civil administration through SCR 1244, the UN created the UN Interim Administration Mission in Kosovo (UNMIK), where the UN collaborates with NATO, the EU and OSCE.

In spite of the establishment of the PISG, as explained in the previous section, UNMIK has retained major powers in the province, and used to play a fundamental role in Kosovo politics. In December 2003 UNMIK established the Standards before Status, identifying the basic standards to be achieved by Kosovo before it can become a stable, democratic and multi-ethnic entity. Eight standard areas were identified: the creation of representative public

201 For more information and Contact group Statements see the official site of the US Government: http://www.state.gov.
institutions; the return of displaced persons free from harassment; the establishment of a functioning market economy; the creation of dialogue with Serbian parties; the institutionalisation of representative security services (Kosovo Police Service); the protection of life and property through an independent police force; the strengthening of an independent media free of government interference; and the creation of a judiciary operating within the rule of law.²⁰³

In June 2004, the UN Secretary General appointed Kai Eide UN special envoy in order to assess the status of the standards implementation in Kosovo. The results of the report are hardly encouraging, and certainly do not match the standards established by the UN. Very important though, the report concludes that the situation was not likely to improve unless the process towards independence evolves in parallel with the implementation of standards. This was the starting point of the process that led to the nomination of Martti Ahtisaari as UN special envoy to lead status negotiations, and prepared the ground for the first round of talks held in Vienna on 20-21st February 2006.

Besides UNMIK, with its particular role, many other UN agencies are present and, together with the World Bank and the IMF form the UN Country Team in Kosovo. These are: Food and Agriculture Organization (FAO), International Organization for Migration (IOM), International Labour Organization (ILO), UN Human Settlement Programme (UNCHS), Office of the UN High Commissioner for Human Rights (OHCHR), UN Population Fund (UNFPA), UNHCR, UN Children’s Fund (UNICEF), UN Development Fund for Women (UNIFEM), UN Office of Project Services (UNOPS), UN Development Group (UNDP), and World Health Organization (WHO).²⁰⁴

The OSCE led the Kosovo Verification Mission (KVM) under the Command of William Walker in 1998 that led to Milosevic’s accusation of ethnic cleansing at Rambouillet. Its current mission in Kosovo was established by the OSCE Permanent Council on 1 July 1999. Security Council Resolution 1244 establishes its role within the overall framework of UNMIK as the institution responsible for "matters relating to institution- and democracy-building and human rights and rule of law." In achieving these tasks, the Mission is composed of four departments: Democratisation (with Central Government Support, Local Government Support, Civil Society Development and Media Development sections); Human Rights and Rule of Law; Elections; Police Education.²⁰⁵

During the conflict NATO undoubtedly played a leading role. Threatening the use of force, NATO was a main actor in all negotiations, with and between the parties at conflict. At the moment, KFOR is composed by 4,962 members of the military belonging to 31 Troops Contributing Nations, divided into four military regions and Multi-National Brigades: Central (Pristina), North-eastern (Kosovska/Mitrovica), East (Urosevac), and South-eastern (Prizren/Pec, under Italian and German alternate command). KFOR General Headquarters in Pristina depends directly from the Southern Europe NATO Supreme Commander.²⁰⁶

²⁰⁴ For information regarding the UN Country Team in Kosovo see http://undg.ks.undp.org.
²⁰⁵ See http://www.osce.org/kosovo
²⁰⁶ NATO-KFOR’s mission is to contribute to maintaining a safe and secure environment as mandated by United Nations Security Council Resolution 1244. In carrying out its mission, NATO cooperates and assists the United Nations, the European Union and other international actors, as appropriate, to support the development of a stable and peaceful Kosovo. To date, KFOR has also supported the development of the Kosovo Security Force (KSF) as an all-voluntary, professional, multi-ethnic, lightly-armed force which possesses no heavy weapons. Its basic missions are set out by the law on KSF and include crisis response, assistance to civilian authorities in responding to natural and other disasters and emergencies, Explosive Ordnance Disposal and civilian protection. KFOR also supports the development of professional, democratic and multi-ethnic security structures in Kosovo.
KFOR tasks include guaranteeing security; implementing the Military-Technical Agreement, establishing a suitable environment for the return of refugees, guarantee conditions such as to allow the transfer of responsibilities as regards security and order to the International Civilian mission and to the Provisional Self-Government.

The European Union (EU) is responsible for the implementation of the Reconstruction and Economic Development Pillar within UNMIK’s IV Pillar. The management of the EU cooperation in Kosovo is handled by the local EU Office, and the implementing institution is the European Agency for Reconstruction (EAR). At the moment, the EU is headed towards becoming the future leading institution after status determination.

3.5. Economic Context

Kosovo Economy

The main difficulty when assessing Kosovo’s economy is the lack of official statistics. This is due to the fact that Kosovo is not an independent State. In fact, there are no official statistics on any macroeconomic aggregates, including national accounts, inflation, trade, and other financial flows with the rest of the world.

There are, however, some points that can be shortly described, notwithstanding the lack, or possible incorrectness, of data:

- **GDP and economy trends.**
  
  Soon after the end of the war it seemed that Kosovo economy could know an exceptional growth, especially thanks to the massive infusion of foreign inflows. This, however, did not come true: as suggested by the available data, in fact, today’s economy is propped up almost only by the international assistance. The presence of KFOR military structures, of UNMIK and OSCE personnel, and many other international staff, is helping shoring up the demand for local goods and services and supports private consumption, so creating an artificial market, which has been estimated to affect for about 20% of the GDP.

  On the other side, however, the GDP is slowly being revised downwards, as “normal” economy is stagnating, if not even contracting. The post-war economy, in fact, was centred in the construction sector, as it usually is. But, it lasted only for the first few years: “by 2001, spending on construction in Kosovo had dropped to only 40% of its 2000 high, and in 2002 it was expected to reach only 13 per cent”. As evaluated by ESI, even the private sector that emerged after the end of the conflict is constituted by “predominantly small scale, low capital-intensive ventures in trade and construction small-scale”.

- **Employment.**
  
  As for the general economy analysis, the employment situation is severe, with high rate of unemployment. Generally speaking, the headline unemployment figure is of about 55
%, even if it is possible that some of the unemployed people work in the grey or black economy.

- **Fiscal strategy.**
  Taxes are raised by the Kosovo General Budget, which is an autonomous fiscal institution, which importance is rapidly growing: since its constitution in 2000, it has increased the revenues almost fivefold, even if it is highly dependent on taxing imports at the borders.
  As far as the banking system is concerned, after the end of the conflict no financial intermediation existed in Kosovo and the great part of the transactions were made in cash.
  Even if this practise has not completely disappeared, some\(^{211}\) banks and finance institutions are operating in the region, and they appear to be profitable and healthy.

- **Monetary development.**
  Since the end of the conflict, UNMIK legitimized the use of the European currencies in the whole Kosovo region, and in particular of the deutsche mark. This, in turn led to the following rapid introduction of the Euro as the current currency.

**International Aid and economic effects of the international presence**

According to the World Bank, Kosovo’s total external transfers amount to 87.1% of GDP, of which 43.1% are private transfers (much of Kosovo’s population rely on remittances from relatives working abroad), of more or less clear nature, and 44.0% come from international assistance\(^{212}\).

While for the International Monetary Fund (IMF) the figures are different, with current economic activity propped up by foreign assistance and external private inflows up to 50% of GDP, both organizations agree on the fact that Kosovo’s economy is heavily dependent on these sources of income\(^{213}\). Besides, the IMF highlights this weaknesses as, within the 50% GDP made up of foreign assistance, 20% GDP is created by an artificial ‘export’ market for Kosovo goods and services created by the donor sector; moreover, again within that 50% GDP, foreign assistance is also contributing about 3% of GDP to tax revenues from taxes on the local spending of the donor sector\(^{214}\). This is equivalent to about 10% of total tax revenues, “attributed to the local consumption of the large communities of expatriates, the KFOR soldiers, and donors’ local employees […] Kosovo’s tax base is, therefore, as vulnerable as the rest of the economy to its structural weaknesses”\(^{215}\). This structural weakness is also confirmed by the overall conclusion of the Economist Intelligence Unit’s assessment that “in the foreseeable future, Kosovo will remain dependent on the outside world for both security and financial assistance”\(^{216}\).

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\(^{211}\) In 2001, there were seven licensed banks and fifteen micro-finance institutions. See IMF, Kosovo, December 2001, p. 13. Because of the growing presence of banks in the region, this area is also becoming more and more important for money laundering: just to give an idea of the importance the banking system is having, “deposits grew at an average annual rate of 67 % in euro terms during 2001–03 and reached a level estimated at about 32 % of GDP (8600 million) at end-July 2004” - Moalla-Fetini R., Hatanpää H., Hussein S. and Koliadina N., KOSOVO, op. cit., p. 39. Some part of this money come from workers’ remittances, other from various form of investments by the Kosovo Diaspora, but it can not be forget the role played by organized crime in the area.


\(^{215}\) Ibidem, p. 23.

Still, international aid to Kosovo has dropped by 70% since 1999, reducing from over € 1 billion in the year 2000, to 640 million in 2002, to 150 in 2003. This trend is worrying as, as the IMF explains, “for the economy to continue to grow, foreign assistance needs to continue to supplement available non-debt-creating private inflows until the economy’s capacity to generate its own domestic savings phases out, gradually and over time, the need for such support. Withdrawing foreign assistance prematurely and letting the economy fend for itself run the risk of deepening the unemployment problem and renewing the fraying of the social fabric.” Kosovo’s foreign debt stands at USD 1.17 billion.

Unemployment is in fact a major problem. Although the percentage of unemployed population varies according to the sources, it is never encouraging. The unemployment ratio varies between 30% according to the IMF and 60-70% of the population, even 90% among the minorities according to NATO Parliamentary Assembly.

Another important factor is also that although Kosovo mostly functions like a state already, it cannot get loans from international institutions because it is not a sovereign state. This is an issue also as regards foreign investments, which are basically lacking. There needs to be established also a commercial law framework in order to encourage local businesses. At the moment, Kosovo’s biggest problems are lack of economic expertise, lack of foreign investment, and a very high corruption level. According to the IMF, the issue of foreign investment could improve once the status issue is resolved. As it is not a State, access to Human Development Index data for Kosovo was not realistic.

Major Donors

The aim of this section is to give an overview of which donors have participated to the developments in Kosovo since the end of the war. Far from being omni-comprehensive, the list aims at showing which are the main donors, what is the extent of their contribution and expenditure, and what was it is intended for.

The IMF estimates that UNMIK spending in 2003 was €356 million. Moreover, the Donor Coordination Sector at the Ministry of Finance and Economy estimates that spending by other donors outside UNMIK’s umbrella (the PIP – the donor-driven Public Investment Programme) was €275 million, of which: “€106 million was for reconstruction and rehabilitation, €2 million for the supply of equipment, €113 million for training and technical assistance, €20 million for other expenditures, and €5 million for participation in commercial banks’ capital. Ddgs (Donor Designed Grants) amounted to €29 million”; data on KFOR spending are unavailable.

The European Commission has been the leading donor, gradually shifting away from physical reconstruction towards support for institutional development. Since February 2000,
The European Agency for Reconstruction (EAR) has managed a cumulative portfolio of €1.07 billion\(^{225}\), in different projects and programmes across Kosovo. Responsible for the Reconstruction and Economic Development UNMIK Pillar, EAR’s role has increased over time and is destined to continue to do so as the status definition becomes closer. Indeed, EAR will remain in Kosovo also after status definition, and will be guiding Kosovo in its implementation of the European standards.

The United States Agency for International Development (USAID) is the largest bilateral donor. Operating under a five-year strategic plan for 2004-2008, USAID Kosovo operates in two major areas: economic growth and democracy and governance. Economic growth initiatives are focused on improving the policy and institutional climate for productive investment and accelerating the growth of the private sector. Democracy programs are designed to support a more open and responsive government acting according to the rule of law and also to assist civil society and government in becoming more effective partners in achieving good governance. Special initiatives are directed at anti-trafficking measures, management of the electric utility, and targeted health interventions. All of the Mission's programs integrate five critical cross-cutting issues: gender, youth, corruption, returns and reconciliation, and human capacity development\(^{226}\).

The World Bank has committed over USD 80 million in grant assistance to Kosovo since the end of the conflict. Bank assistance to date has been heavily focused on directly providing opportunities for the poor and those most affected by conflict, and improving critical social services and the ability of poor people to gain access to those services, including the minority ethnic Serbian population and other minority groups. Assistance has also been directed towards building up the capacity of local institutions, which is increasingly important as they assume more responsibilities from the international community. Under the current Transitional Support Strategy, USD 15 million is being provided to support three key objectives: promoting broad-based economic growth and employment; helping restructure the energy and mining sectors; building capacity to strengthen economic and public expenditure management\(^{227}\).

The Department for International Development (DFID) engagement in Kosovo began in June 1999 with a large programme (£108 million) of emergency and humanitarian assistance. During 2000-01 DFID made the transition to longer-term development assistance. A new range of activities were initiated, concentrating mainly in support for UNMIK. Since 2002 the focus of the programme switched to the provision of technical assistance to the PISG to build policymaking and administrative capacity as well as improving the quality of public expenditure management\(^{228}\).

The United Nations Development Programme (UNDP) work in Kosovo aims at restoring confidence amongst Kosovo’s key stakeholders through programmes that target security and rule of law, job creation, sustainable assistance to minorities and returns, and strengthening local institutions at the central, municipal and community level. UNDP works very closely with the Government and the Civil Society Sector, and plays a fundamental role in the return programmes currently underway\(^{229}\).


\(^{226}\) See: http://www.usaid.gov

\(^{227}\) See: http://www.worldbank.org

\(^{228}\) See: http://www.dfid.gov.uk

\(^{229}\) See: http://kosovo.undp.org

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Sweden's development cooperation (SIDA) supports the EU Stabilization and Association Process in order to help Kosovo integrate in Europe, something that is considered as a precondition for political stability and sustainable economic development. The cooperation aims at promoting co-existence between all ethnic groups in society and their participation in social life.\(^{230}\)

### 3.6. Security

There are many threats to Kosovo’s security, even if it is almost impossible to completely separate each other. The first and most important one is political and regards the final status of the area. However, this is tightly linked to one of the other big challenges that Kosovo has to face: the minorities’ issue. The two issues are in a Catch 22 situation – final status has to be reach for solving the minority issue, but the minority issue cannot be afford before a final status is reached.

Other two important issues have to be added: organized crime and terrorism. Either can affect both the result of the present mission, and the future of Kosovo.

#### Past status\(^{231}\)

As already said, the former status of Kosovo was governed by UNSCR 1244, which provided, and still is in some cases, an interim period of autonomy for Kosovo until the declaration of independence took place.

In the original plan, the agreement signing, would have been allowed UNMIK to transfer its actual authority to the permanent institutions of the new Kosovo. The need of an exit strategy from the impasse created by the UNSCR 1244 has prompted the International Community to adopt, in 2002, a policy of “standards before status”, so that, technically, the concrete opening of talks depended on the fulfilment of eight ‘standards’, which were identified in the creation of representative public institutions; the return of displaced persons free from harassment; the establishment of a functioning market economy; the creation of dialogue with Serbian parties; the institutionalisation of representative security services (Kosovo Police Service); the protection of life and property through an independent police force; the strengthening of an independent media free of government interference; and the creation of a judiciary operating within the rule of law.\(^{232}\) The essence of the approach of this policy was to create a concrete multi-ethnic Kosovo, with Kosovo’s institutions taking responsibility for ensuring that minorities can live in the country safely and equally.

After the March 2004 riots, the IC understood that the question could no more be delayed: the same year, in June, the UN Secretary General appointed Kai Eide UN special envoy in order to assess the status of the standards implementation in Kosovo. The results of the report are hardly encouraging, and certainly do not match the standards established by the UN. Very importantly though, the report concludes that the situation was not likely to improve unless the process towards independence evolves in parallel with the implementation of the standards. This was the starting point of the process that led to the nomination of Martti Ahtisaari as UN special envoy to lead status negotiations, who was also given “considerable

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\(^{230}\) See: http://www.sida.se  
\(^{231}\) We have preferred to address this issue with the sentence “future status”, notwithstanding the fact the sentence “final status” is more common both in media, and in the specialized literature. However, as pointed out by the ICG, neither the UNSCR 1244 nor the Rambouillet accords use this expression, “referring only to the need for a ‘final settlement’ to resolve Kosovo’s ‘future status’. See ICG Report, Kosovo: toward the final status, number 161, January 2005, p. 1.  
The main question was what could have happened to Kosovo. On this issue, Belgrade and Pristina’s position were diametrically opposite. The former totally excludes independence as the outcome, proposing instead a high degree of autonomy for Kosovo within the borders of Serbia and Montenegro. In the process, however, Belgrade had limited leverage, although it is likely to have some support from Russia. The latter requests independence as the only possible final result.

But there were not only these two actors. One more is the IC, and in particular the Contact Group, which after consultations with Secretary-General Kofi Annan during the General Assembly session in New York on 20-22 September 2004, proposed a realist statement in the way forward: “Kosovo would not return to the situation prevailing there before March 1999.” The statement has unquestionably a high political value, although it does not figure any concrete solution. What seemed to be sure was the undoubtedly reluctance of the IC to countenance any change of borders: such moves could have lead to claims elsewhere in the western Balkans to redraw boundaries, a process that would have been unlikely to be wholly peaceful.

On its side, the Serb community in Kosovo, although near to Belgrade’s position, may have accepted the partition of Kosovo as a possible and concrete final result. The majority of Kosovo Serbs live, in fact in northern Kosovo, especially in the area of Mitrovica. Those who live nearer to the border with Serbia may see with good eyes the idea of a partition of the area, and the division of the northern area of Kosovo between the new Kosovo state and Serbia. However, this is not well seen by the diplomatic circle: in April 2005, in fact, the Contact Group announced and confirmed that Kosovo would not be partitioned; it would not unite to any other state and would not go back to the pre-1999 status.

This position was interpreted as an agreement that Kosovo should become independent. The Group shared with the UN the opinion that the new status would have come only after much work is done to include the Serb and other minorities. As regards the Group’s influence on the status process, as much as it made it clear to Albanians that they needed to engage in order to achieve independence, it had tools also to influence Serbia’s position on the matter. While it does not wish to support a forceful solution, it made it clear that Serbia would not join NATO unless it had resolved the Kosovo issue first. It was also clear for the Group as well as for the UN that whatever the outcome of the status process, Kosovo would have maintained an international civil presence.

Ethnic minorities

Although affecting in particular the Serbian community, even other minorities – Roma, Ashkaelia, Egyptians, Goranis – are finding more and more difficult to live in Kosovo, so that the project of a multi-ethnic Kosovo seems to become an utopia: before the war, two of

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234 At the talks, the status issue was not addressed, but an agreement was reached as regards the composition of the police forces, that in multiethnic municipalities will be composed by members both the Albanian and Serb community, proportionate to the number of citizens of each ethnicity present in the municipality. The next round of talks has been planned for 17th March.
235 In the formula: “more than autonomy, less than independence”.
236 http://www.state.gov/p/eur/rls/or/37535.htm.
Kosovo’s largest cities, Pristina and Prizren, were home to tens of thousands of Serbs. They are now virtually Serb-free. The highest and most sensitive question, in fact, is related to security of the non-Albanian communities, the lack of which continues to restrict their freedom of movement, so that for many minority communities, movement remains possible only through the provision of special bus lines and escorts.

Although reduced during the years, intimidations, arsons and murders are still used against minorities, even if it appears possible that events like the March 2004 riot could happen again. On that date, in only 48 hours about 33 riots broke out throughout Kosovo, leaving nineteen people dead, 550 Serb homes and 27 Orthodox Churches and monasteries burned, and more than 4,000 people displaced. Serbs and other minorities were specifically targeted. These events have changed Kosovo Serbs’ perception of security. In spite of their participation to the Kosovo Police Service (KPS), Kosovo Serbs consider the international security presence as their major security guarantee, feeling that their life without such a presence would be very hard or even impossible; half of Serbs declare lack of public and personal security as their major concern. We must say though that also the trust in the ability of the international community to protect them has been undermined by the March 2004 events. As a consequence, in the South, most of Serbs are moving from the urban areas to villages and the municipality of Strpce.

The whole 2005 has been relatively calm: there have been few reports of ethnically motivated crimes, especially violent crimes, the great part of which being due more to crime events than real ethnic questions. At the same time, since the first months of 2006 it saw a new development, with some – a few dozens – Kosovo Serbs involved in the Kosovar institutions, especially in the Kosovo Protection Korp and in the Police Service. Notwithstanding, it is not possible to do any prospect or prediction about the future situation. As shown by the March 2004 events, in fact, organized riots or rebellion can break out without any preceding apparent sign.

Actually, after the end of the bombing campaign and the March 2004 riots, the Kosovo-Serb population is composed of nearly 130,000 Serbs, representing 2/3 of the pre-war Serb inhabitants. However, this “community is geographically and politically fragmented”: of the above cited data, about 75,000 people live south of the Ibar River, the great majority of them living in rural, ethnic homogenous and protected enclaves, in small communities of subsistence farmers. The last urban concentration is placed north of the Ibar River. The three northern municipalities of Zubin Potok, Zvecan and Leposavic are predominantly Kosovo-Serbs dominated and, above all, there is the city of Mitrovica, which concentrates in itself all the issues at stake for peaceful coexistence to be possible. Divided in two by the Ibar River, the two banks mark a border that is not simply geographical or physical. The divide is political, social, and ethnic. On ethnic lines, north the Ibar there live 15,000 Serbs, while south Mitrovica is inhabited by about 65,000 Albanians. Politically, since 1999 and the establishment of the UN protectorate for Kosovo through UNMIK and KFOR, north Mitrovica has refused to acknowledge either organizations’ presence or authority. It has remained strongly tied to Belgrade, and has built parallel social structures, such as education, healthcare, social security and justice, that do not recognise the PISG and its institutions. The Serb National Council is the dominant political force in the region. The social divide is strong and there is no contact between the two communities within Mitrovica.

239 ICG, “Kosovo: The Challenge of Transition”, number 170, 17 February 2006. Also in Refugees, The Balkans after the war was over, Volume 3, Number 140, 2005.
240 European Stability Initiative, “The Lausanne Principle”, June 2004, p. 6. As reported in this document, “according to the last Yugoslav census, there were 194,000 Serbs resident in Kosovo in 1991”.
As the ICG reports, one third of the Serbs living in north Mitrovica are displaced from somewhere else in Kosovo, who insist that if they can not return to their homes safely then neither should Albanians. Almost the same feeling of fear is perceived by the other minorities: the Roma have also left and prefer their houses to remain destroyed for fear of being forcibly returned.

The latest round of negotiations between Serbia and Kosovo in Brussels regarding the north of Kosovo has, perhaps understandably, been anticipated as the most important since the dialogue began. Resolving the stalemate regarding the future governance of the three Serb-majority municipalities north of the Ibar River is seen by many as the key to progress for Kosovo, both internally and in a wider regional and international context.

There is no denying the importance of resolving the situation in this part of Kosovo, with almost daily media coverage of violence, protests and unrest. Yet six months after the official end of supervised independence, and five years after Kosovo declared independence the topic of resolving problems in the north still overshadows all other issues affecting Kosovo’s minorities - most of whom actually live south of the Ibar River.

Since the declaration of independence in 2008, Serb communities living in the south have been praised for their increased participation in Kosovo’s political structures. By contrast with the north, Serbs in the south of Kosovo largely embraced the Ahtisaari Plan, with successful implementation of the decentralization component and a considerable increase in turnout in the 2010 parliamentary elections. Deputy International Civilian Representative Christopher Rowan declared after the elections that “the substantial turnout by Kosovo’s Serbs shows that they are increasingly ready to participate and to make Kosovo’s democratic institutions work for them.”

Despite these developments, at the beginning of 2013 the situation has deteriorated for the Serb returnee community of Klina municipality in the west of Kosovo. This municipality has gone from being acclaimed for its successful returns programme, to being the scene of a growing number of crimes against Serb residents.

Kosovo’s media reported in May 2012 that Serbs in Klina received threatening pamphlets from the so-called Albanian National Army declaring that ‘history will judge those Albanians who are making it possible for you to return here’ and pressuring residents to leave. The following week Koha Ditore reported that two house belonging to returnees had been set on fire in the village of Drenoc/Drenovac.

Incidents of intimidation against Serb returnees continued throughout 2012, including reports of houses being robbed in Klinavac/Klinvac in June, and the destruction of houses in Grabac in August. On this occasion residents reportedly called the police, but they never came. Houses were again robbed in Klinavac in September; local representative Jovo Jović stated at the time that he believed that the houses were being robbed following someone’s instructions, and that it was the tenth robbery of returnees’ houses in a row.

More houses were targeted a few days later in Bica, and resident Radoslav Doncić concluded from the increased instances of such attacks that there was a lack of will from authorities to protect Serb returnees, and explained that residents were faced with robberies on a daily basis.

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basis. More recently the property of Jovo Vidić was targeted when a haystack was set on fire in January this year. Vidić explained that looting is also happening quite often.

Concerns about these incidents were highlighted in the most recent report from the UN Secretary-General. The report stated that “the trend in the Pejë/Pec region in the west of Kosovo has been of particular concern, with an increasing number of incidents affecting the Kosovo Serb community in Klína/Klinë and Istok/Istok municipalities. During 2012, 73 incidents, or 20% of all incidents reported, occurred in those two municipalities.”

This trend is in contrast to the overall situation in the rest of Kosovo, which according to the UN has seen an overall decrease in the number of recorded incidents affecting minority communities, dropping from 406 in 2011 to 361 in 2012.

Crime

The other serious security concern regards organized crime and all the security issues related to this theme: crime, in fact, is especially linked to the question of justice and judiciary, of law, of a correctional system. All these sectors had to be developed and re-organized after the end of the war, nothing, or very few, remaining of the former structures. Some sectors needed to be completely reformed, such as the correctional system, which was devastated both by the war – many of the prisons had been damaged during the bombings – and by the lack of experienced and modernly trained personnel.

As the police aspect is concerned, there were some difficulties from the very beginning: the deployment of the IC has not been as rapid as it was necessary. KFOR responsibility for establishing a secure environment was more referred to military aspects and tasks than to policing issues, and UNMIK police was to slow to deploy. At the same time, a serious questions about the legal system existed: first of all, KFOR could detain suspects, but could not try them. Secondly, there was the problem of what laws were to be enforced in the area, as the existing legal system, imposed by the Belgrade government since 1989, was discriminatory against the Kosovo Albanian population. This last question was resolved later, in December 1999, when UNMIK\(^{244}\) established that the applicable law in Kosovo would be UNMIK Regulations and those laws in force in Kosovo on 22 March 1989, in so much as the latter was not in conflict with international human rights standards. The penal law was changed by the International Community\(^{245}\) only in July 2003, but the lack of experienced, qualified and trained judges, or even the complete lack of local judges\(^{246}\), did not help creating a complete functioning system.

To the described difficulties, other top priorities are linked with the development of transnational organized crime associations: Kosovo finds itself in the most favourable geographical position for all kind of illicit traffics. Being so near to a European Union country, Kosovo can be used to transport all kind of goods: the Balkan route, coming from Turkey, bifurcates in Kosovo and Macedonia. This mountainous area, with few streets and porous borders is ideal for transporting drugs, human beings and all other kind of goods – weapons and cigarettes, in particular. The diplomatic tensions between Pristina and Belgrade

\(^{244}\) UNMIK Regulation No. 1999/24, of 12 December 1999

\(^{245}\) UNMIK/REG/2003/26: Provisional Criminal Procedure Code of Kosovo; UNMIK/REG/2003/26: Provisional Criminal Code of Kosovo

\(^{246}\) For the first time ever, UNMIK decided to establish a program of international judges and prosecutors. In fact, when the bombing camping ended, Kosovo tribunals were directed by judges and prosecutors of the Albanian community, who retained exclusive jurisdiction for the administration of justice, but, at the same time “failed to apply the law evenly for ethnic Serbian and Albanian Kosovars”. On this subject, see Hartmann M., “International Judges and Prosecutors in Kosovo”, United States Institute of Peace, Special Report, October 2003.
are not useful to end them. In May 2002 the Kosovo parliament passed a resolution refusing to recognize the Skopje-Belgrade border agreement and UNMIK-Belgrade co-operation agreement, which made more difficult for border guards to check borders.

In this panorama, other questions should be mentioned: the difficult economic situation, high unemployment rates, all these factors contribute fostering the number of people attracted by organized crime. Usually, in a post-conflict environment, crime is able to give to young people job, money and status, more than any other kind of work. However, this implies that, in the long term, the country will have a developed criminal economy but, at the same time, a difficult regular economy. This is even more possible because of the great facility that black and grey economies have to infiltrate the legal one, influencing and distorting it.

Another theme should be at least indicated: one the most important and fastest growing transnational organized groups in the Balkan region and in the entire world is the Albanian criminal group. The physical and cultural closeness between Albania and Kosovo may not help the development of an entirely legal economy of Kosovo, this way mining from the very beginning the future development of the economic and political institutions.

Organized crime remains a serious concern in Kosovo. Witness intimidation continues to be a concern. The most sensitive organized crimes and corruption trials continue to be presided over by mixed panels of local and EULEX judges. The Special Prosecution is in the process of gradually transferring responsibility for high-profile prosecutions from international to local ownership. Kosovo enforcement agencies and institutions need to cooperate in a more structured way with the objective to be more efficient and effective in investigations. Kosovo needs to establish a sound legal framework for the interception of telecommunications. A clear distinction between judicial interception and interception for intelligence purposes needs to be made. This is to avoid possible political influence in criminal cases and to ensure adequate judicial oversight.

Terrorism

The Balkan region, and Kosovo represents no exception, seems to know two different kinds of terrorism menaces. The first one is related to the radical Islamic terrorism: after September 11, in fact, international community sources describe the potential terrorist threat as significant in the Balkans, because of the existence of Muslim populations and, at the same time, a large US and Western military presence that could represent a potential target for al Qaeda. The fact that terrorist cells and networks can operate alone, without a broad base of popular support, as seen both in the New York and Washington attacks and in Madrid, was a further point in favour of this fear. However, it is quite difficult to analyse what kind of danger can be represented by the Islamic presence in the area, given the current “war on terror” and the fact that political opportunism often makes governments and media enlarge the real role played by Islamists in the area.

The other type of terrorism is represented by different guerrilla movements, which have their own political agenda: the primary aim usually is the independence of those territories that see an Albanian majority, such as Kosovo and Macedonia. This kind of terrorism, however, is unrelated with religious meanings, and more linked to territorial and ethnic demands.

247 Although there is not a unique definition of organized crime, the United Nations Convention against Transnational Organized Crime, signed in Palermo in 2000, has clarified that, for its purposes, for organized crime group we “shall mean a structured group of three or more persons existing for a period of time and acting in concert with the aim of committing one or more serious crimes or offences established pursuant to this Convention, in order to obtain, directly, or indirectly, a financial or other material benefit” (Article 2).
Notwithstanding, as the endogenous terrorist groups are concerned, the criminal intentions and connections should not be forgotten nor underestimated.

The groups that are now operating in the area around Kosovo, and in Kosovo itself, emerged from the former KLA in the years since 1999. One of these is the Liberation Army of Presevo, Medvedja, and Bujanovac (PMBLA, UCPMB in Albanian). The region that includes those three districts along Serbia’s southwestern border with Kosovo remained a hotbed of rebel activity even after the UCPMB officially ended armed resistance in May 2001. When the KLA disarmed, in fact, a small number of fighters (300 to 500), mostly originating from those municipalities, decided to continue the fight against Serbia in order to reach their aim: to secure the separation from Serbia and incorporation into Kosovo of three Albanian majority municipalities inside Serbia proper. The decision was made easier by the Military-Technical Agreement (MTA), which established a 5 km zone along the border of Kosovo inside Serbia which was off-bounds to the Serbian Army, the only Serbian force allowed being MUP units with small arms. The UCPMB took advantage of these provisions, establishing itself in the village of Dobrosin, inside the 5 km zone and launching harassment attacks against MUP targets in the zone. Because of its historical origins, although not technically based in Kosovo, the group uses it as its logistical base and safe retreat.

In southern Kosovo, the Liberation Army of Eastern Kosovo and the National Liberation Army of Western Kosovo, formed from the UCPMB, have continued to exert pressure for that part of southern Serbia, which has a large Albanian population, to be added to Kosovo.

The Albanian National Army (Albanian initials aksh) is a shadowy pan-Albanian extremist group, that has been in existence in some form since 1999, although opinions have varied widely on its credibility. It claims responsibility for a series of attacks against Serbian military installations in southern Serbia. Although so far its modus operandi appears to be low-risk, high profile hit-and-run actions, there has been evidence of aksh involvement in the March 2004 riots.

On the Serbian side, should be recall the Bridge Watchers, several hundred well organized young men that guard the Serbian side of the Ibar River bridge in Mitrovica. Although they operate in civilian guise and claim to be just ordinary locals, their organization and communication skills seem to indicate that there may in the past have had some foundation to the Albanians’ claims that the Bridge Watchers were in fact members of Serbian MUP and VJ.

Six years after the declaration on independence a legal framework is largely in place, but implementation is limited. This is partly due to a lack of capacity. Kosovo needs to improve the level of expertise to tackle complex criminal investigations. An increase in resources for the police in its fight against trafficking in human beings has not yet led to improvements. Coordinators of the strategies and action plans need to cooperate better and focus on implementation. Kosovo needs to establish a sound legal framework for the interception of telecommunications. More proactive implementation of the new law on confiscation of assets is needed. Cybercrime is an issue for which Kosovo needs to be better prepared, even if it does not yet occur often. Equally, there needs to be better preparation and monitoring when it comes to the fight against terrorism.
3.7. Civil Society

The context

Civil society organizations’ work in Kosovo is very much linked to the current political developments. At the moment, Kosovo is undergoing some broad changing processes. These are: the decentralisation of government structures, privatisation of State-owned businesses and services, and the implementation of the “Kosovo Standards” after the independence declaration.

These processes are developing at different speeds, but overall the perception is that they are certainly moving slower than the population expected. The overall feeling is that decentralisation and privatisation are happening late and so far have not had the positive expected effect. The economy is stagnant, great part of the population is unemployed and poverty is visible. These are indeed probably the greatest difficulties Kosovo is currently facing.

In 2012 the UN Secretary-General has issued four reports on Kosovo. In his reports, he has expressed appreciation for the key role of the European Union and the High Representative of the Union for Foreign Affairs and Security Policy in facilitating the negotiations that resulted in the ‘First agreement of principles governing the normalisation of relations’ of 19 April. He commended the leadership in both Pristina and Belgrade for demonstrating a serious and steadfast commitment to this dialogue.

In June 2013 the Council authorised opening of negotiations for a Stabilization and Association Agreement between the EU and Kosovo which needed to address a number of priorities set out in a feasibility study (October 2012). It also needed to continue to implement in good faith all agreements reached between Belgrade and Pristina and to engage constructively on the full range of issues, with the facilitation of the EU. It also needed to take steps on several short-term priorities in the area of the rule of law, public administration, protection of minorities and trade.

In April, the Commission and the High Representative issued a joint report on Kosovo’s progress. On this basis, the Commission submitted a proposal for a Council decision authorising the opening of negotiations on a Stabilization and Association Agreement between the European Union and Kosovo. Kosovo now needs to focus on making progress in the following areas identified by the feasibility study to meet its obligations under a Stabilization and Association Agreement: the rule of law, judiciary, public administration, electoral reform and the Assembly, human and fundamental rights, protection of minorities, trade and internal market issues, and phytosanitary and veterinary issues.

Returns

The Status definition process influences basically all aspects of Kosovar life. Prior to the independence declaration this was due to the fact that defining the status was linked to the

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249 The study mainly derives from the interviews undertaken to relevant stakeholders and civil society members during the field mission carried out in Kosovo. As regards the bibliographic references, four main sources will be used as most relevant to our field of interest: a) Agger, I., Madesn, B., and Tahynslyaj, A., Civil Society Study, Final report, EAR, September 2003; b) Besnik Pula, A changing society, a changing civil society: Kosovo’s NGO sector after the war, KIPRED Policy Research Series: Paper 3, July 2004; c) Kosovar Civil Society Foundation (KCSF), Mapping analyses of civil society in Kosovo, September 2005; and d) Sterland, B., Civil society capacity building in post-conflict societies: the experience of Bosnia and Herzegovina and Kosovo, INTRAC, June 2006.
accomplishment of the Standards established for Kosovo. In general, although a massive campaign by UNMIK was performed in order to make the Standards known to the population, what was the perception of them and if have they been assimilated was hard to assess. Two of the Standards mainly influence the development and outcomes of the research: Standard 3 – Freedom of movement; and Standard 4 – Sustainable returns and the rights of communities and their members, establishing that all refugees and IDPs who wish to return must be able to do so in safety and dignity.

The returns process involves Kosovar IDPs belonging to all communities. One point that deserves to be highlighted is the high fragmentation of society in terms of ethnicity, with little improvement since the end of the conflict. Therefore, all institutions and csos distinguish between the Albanian majority, the Serb minority and population belonging to other minorities such as Roma, Ashkalis and Egyptians (commonly denominated as RAE), Goranis and Bosniaks. This identification fragmentation, if on one side proves the recognition of different needs for each group, seems also to have maintained the usual divisions, with a somewhat defined hierarchy among minorities.

The return process has been given a strong push since the status talks started, and various factors interwine, as they had the PISG and various Ministries, local and international NGO’s, UN agencies (UNMIK; UNDP, UNHCR, IOM), OSCE and EAR all working towards this aim. This is a new development that results from the idea of consultation with civil society, which has been involved, together with IDPs associations, in the assessment of the returns issue. This is an attempt by UNMIK to link PISG’s activities on returns, for which it is responsible, with the work of civil society.
Organisations involved in return issues

Municipal Working Group (MWG): the local coordination and implementation forum for all return related issues, projects and activities.

Central Review Mechanism (CRM): it shall review all voluntary return projects and other initiatives endorsed by MWGs in order to ensure consistency with the existing returns policies and overall operational framework. It shall also act as donor liaison on returns and reintegration projects and initiatives, and keep the donor community abreast of return initiatives, strategies and developments. It is chaired by the Ministry of Communities and Returns (MCR). It is composed by: the MCR, the Office of the Prime Minister (OPM), the Ministry of Local Government Administration (MLGA), UNMIK, UNHCR, UNDP, other members with observer status.

Steering Group: it is a Policy Guidance Body with the role of reviewing the return process and policies, reviewing and supporting the work of the CRM, acting as the protection mechanism to ensure compliance with applicable policies and overall returns framework, ensuring inter-ministerial coordination. He SRSG and the PM co-chair the Group. It is composed by: MCR, MLGA, the Ministry of Public Services (MPS), Ministry of Labour and Social Welfare (MLSW), Ministry of Finance and Economy (MFE), KPS, Kosovo Property Agency (KPA), UNMIK; UNDP, UNHCR, KFOR, OSCE and representatives of the displaced communities.

Communities’ Outreach and Communication Group (COCG): its main objective is to implement in a coordinated manner the outreach and communication strategy regarding returns related issues, projects and activities. It is chaired by the MCR. It is composed by the OPM, MLGA, the Association of Kosovo Municipalities (AKM), UNMIK, OSCE, KPA, UNDP, UNHCR, NGO Returns Coordination Group (NRCG), DRC, UNIJA, IDP Centres, IDP information centres, KPS and KFOR.

UNMIK: it has a monitoring and oversight task as regards the operational issues of the returns process. This includes programme and project implementation, functioning of the returns and reintegration structures and mechanisms at the local level as well as within Ministries. OSCE will progressively take over the monitoring functions of UNMIK while UNHCR shall continue to perform its advisory role. The SRSG retains full authority to ensure that the rights and interests of the Communities are fully, notwithstanding the establishment of the PISG.

UNHCR: besides its general mandate, in broad terms UNHCR’s role is supervising safe and free return of all refugees and displaced persons. It also plays a central role in making and implementing returns policy and process and is an active player at all level – local, central and regional – of the process. It coordinates Go and See Visits and Go and Inform visits with the relevant international actors and local authorities. It performs returnee monitoring. It is also tasked to assist in the dissemination of objective information about the situation in Kosovo to IDPs in Serbia.

UNDP: it has a global mandate attributed to it by the Inter-Agency Standing Committee to support the long term rehabilitation and recovery of IDPs. It is responsible for the Sustainable Partnership for Assistance to Minority Returns to Kosovo (SPARK) facility, fully funded by the Government of Kosovo, providing tailor made support to Individual Spontaneous minority returnees to their place of origin. This includes housing assistance, socio-economic support and community development.
As explained before, the “Revised Manual for Sustainable Returns” published by UNMIK in July 2006\textsuperscript{250}, provided guidelines for all actors involved in the return process. In general, the returns that took place were defined as organized, facilitated and spontaneous, depending on the level of facilitation provided.

\begin{table}[h]
\begin{tabular}{|l|}
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\textbf{Return categories} \\
\hline
\textbf{Spontaneous returns:} Individuals, families or groups returning with no advance warning and without having received any material assistance prior to return or planned in advance of the movement. \\
\hline
\textbf{Facilitated returns:} upon individual request of the displaced individuals, families or relatively small groups of returnees receive assistance prior to, during and upon return; typically through municipalities and NGO’s as part of an already established programme. \\
\hline
\textbf{Organised returns:} Planned return movements where comprehensive assistance packages are developed prior to return and factors into project proposals and fund-raising to ensure the full coverage of needs. Typically, the identification, developments, implementation, monitoring and evaluation of the sustainability of these projects are coordinated as per the “Manual for Sustainable Return”. \\
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\textit{/* Revised Manual for Sustainable Return, p. 13.}}

As regards civil society, in general programmes for IDPs return have been implemented by international NGO’s in coordination with local NGO’s. NGO’s bridges the gap between the receiving community and the return community. For their work NGO’s follow a multi-sector approach according to UNMIK’s Revised Manual for Sustainable Returns.

One of the first steps in the facilitated and organized return process, common to all NGO’s working on this issue, starts with the so called Go and See (gsvs) and Go and Inform (givs) visits, first promoted by UNDP. Givs happen in the places of displacement of IDPs and intend to inform them on the current situation in their place of origin in order for them to be able to make a more informed decision. These visits are organized through MWG coordination with UNHCR and local authorities, and included the participation of persons

\textsuperscript{250} UNMIK, Revised Manual for Sustainable Return, July 2006. This is an update of the previous Manual for Sustainable Return, published by UNMIK in 2003.
belonging to the receiving, majority community who are willing to talk to potential returnees. Gsvs instead are meant to provide IDPs with first hand information on conditions in their place of origin. So, displaced persons are invited to visit their pre-conflict homes. A security assessment by KPS is conducted prior to the visit, to ensure the safety of participants. Still, responsibility for security assessment remains KFOR’s. UNHCR, its partners, including NGO’s, and PISG will call gsvs coordination meetings, plan and follow up gsvs implementation. In both kinds of visits, a fundamental role is played by the Municipal Working Group (MWG), one of which has been established in all receiving municipalities 251.

If following the visits IDPs show interest, then a concept paper is written and presented for approval. Once approved, then a donor is looked for. According to interviewees, finding donors is becoming increasingly difficult. One problem most NGO’s working on returns is facing regards funding, as justifying their cost to the donors is becoming increasingly difficult. Returns mean not only physical reconstruction but also assistance, legal support, inter-community dialogue: these “soft” aspects of returns are most expensive of all.

Recently, on movement of persons, Kosovo negotiated bilateral social security agreements with Austria, Germany and Switzerland. It concluded an agreement on insurance periods on entitlement to benefit from pension rights with the former Yugoslavia Republic of Macedonia. Considerable efforts are required to ensure alignment and implementation of legislation by Kosovo in this area. In general, the alignment with European standards on movement of persons, services and rights of establishment, as well as company law, is still at a very early stage. Administrative capacity and a gap analysis are needed, especially in facilitating an organized return process.

The law on asylum was revised to better reflect international standards and the acquis. Information leaflets in nine languages are distributed at relevant crossing points, police stations and offices that deal with foreigners. The asylum centre has adequate capacity and satisfies technical standards for accommodating asylum seekers. There were 41 asylum requests in the first half of 2013 (45 in 2012). Cooperation between institutions involved in the return policy needs to be improved at all levels. Kosovo has not granted a refugee status to anyone. The majority of asylum seekers leave Kosovo before a decision is taken. In April, the second instance body, the National Commission for Refugees, granted for the first time subsidiary protection to one asylum seeker whose claim had been rejected at first instance. Kosovo has yet to develop protectionsensitive entry mechanisms to manage mixed migratory flows and to allow individuals truly in need of international protection access to asylum procedures. There is a lack of communication between the different institutions and a lack of capacity and training. The Asylum Centre needs adequate funding and trained staff.

Kosovo readmitted nearly 4 200 nationals in 2012 (over 2 500 from Western Europe). Up until July 2013, over 2 000 persons were repatriated (over 1 400 forced and nearly 600 voluntarily, over 730 from minority communities). The airport reintegration office of the Ministry of Internal Affairs has operated well. Awareness campaigns targeting irregular migration have been organized and need to continue. The new department of reintegration lacks adequate staffing and capacity. There is a lack of coordination and communication between the airport office and the ministry’s division for readmission. Not all arrivals are announced in time, leaving some repatriated persons unregistered upon arrival. Salaries for some staff in the reintegration office were paid from the 2012 reintegration fund, a practice which needs to stop. The reintegration case management system developed by the Ministry

of Internal Affairs has been introduced, but is not yet fully operational. Harmonisation of the implementing legislation with the revised law on foreigners remains outstanding.

**UNMIK**

From the field mission derived the clear message that dissatisfaction with UNMIK’s administering work was high among the Kosovar population.\(^{252}\) This feeling was constantly growing overtime. Two accusations were most common; that of being a paternalistic institution\(^ {253}\), and of having been unable to transfer its knowledge to the local institutions, undermining future sustainability. It was often criticised for promoting a short term vision and being unable to adapt to specific contingencies and needs. Because of its very bureaucratic structure, one common definition of UNMIK among interviewees was “organized chaos”.

In fact, dissatisfaction is linked, first of all, to the very UN structure and approach. The hierarchical system, its international nature, and the procedures for turnover of personnel are all seen as negative factors, which have contributed to undermine its effectiveness as an administrative body. Turnover of personnel in particular was seen as having undermined the creation of institutional knowledge and memory, as well as of lessons learned that could have been driven for the future Kosovo. There is also the widespread opinion that turnover of personnel has also deprived Kosovo of the stability, commitment and vision it would have needed. This was seen as a treachery of the very spirit UNMIK was born with, and has deeply undermined Kosovars respect and appreciation for the UN in general.

In general though, the main complain as regards the nature of UNMIK regards its inability to contextualise and assimilate into its working system the local features and experience, importing an external mechanism instead, stranger to the local population and traditions, expecting it to be accepted, understood and supported. This is obviously a source of frustration for all parties involved, local and international.\(^ {254}\) Lastly, the critical economic situation for all of Kosovo undermines UNMIK’s credibility at all levels.

The handing over of responsibility from UNMIK to the PISG was also a very much criticised process. The most common critic on this issue was that the process is slow. One reason for this, may have been that there was widespread doubt on all sides regarding the actual capability of Kosovo’s politicians to actually lead and govern. This seems to have slowed the transfer of responsibilities and the stepping aside of UNMIK personnel to a solely advisory role.

As regards to Kosovar authorities, there is the conviction that the PISG was quite comfortable in this situation especially in discussing all issues regarding the government of Kosovo, and the need for the independence decision that should have been ratified by the SRSG, who also maintained a veto power and the right to dissolve the Kosovo Assembly.\(^ {255}\) Crucially, this allowed the PISG not to assume full responsibility and accountability to its voters for the government of Kosovo. This rather made them accountable to UNMIK, as the judge of their decisions. This situation seems to have led to the point where UNMIK was

\(^{252}\) Dissatisfaction is also visible, as shown by the graffiti on the walls of Pristina, Prizren, and Pec/Peja.

\(^{253}\) Also in Besnik Pula, A changing society, a changing civil society: Kosovo’s NGO sector after the war, Kosovar Institute for Policy Research and Development, July 2004, p. 25. “The paternalistic scolding of Kosovo’s Albanian population was the first step in alienating and politically marginalising Kosovo’s civil society.”

\(^{254}\) A common assertion among local interviewees as regards UNMIK’s approach as the war ended was: “we were traumatised, but we were not stupid”.

blamed for basically everything, also when responsibility should have been shared with the PISG, and paradoxically makes neither of them accountable to the Kosovar people.256

A factor that has contributed to this situation seems to have been the lack of local consultation regarding the elections system, as well as on the system eventually chosen. The closed list system chosen by the OSCE, responsible for democratisation and institution building, is thought to have promoted corruption rather than transparency. This is widely seen as a huge chance lost for Kosovars’ empowerment and democratisation. The perception by locals was that of a great lack of trust in their ability to handle the election process, undermining ownership and their identification with the elected government. This has further supported the sadly common view among the local population that Kosovo, more that anything else, is an international community’s experiment.

Security

As regards the security situation, in general we can say that the surface looks stable but there are still unresolved underneath issues. Although the security situation is good, it is very volatile. The perception of those dealing directly with security issues is that every event might trigger a reaction. Moreover, there is a clear, different security for each minority and human category, with the Serb minority security situation being the worst of all. The Serbs perception is that they are in continuous threat. The Roma are in a similar situation, as they are tolerated but not integrated, and are also a forgotten category.

While there is widespread belief that the police service is improving, this does not mean that there is a control on the situation on the ground. Still, on this regard the implementation of the Standards is improving. As regards the KPC, the police is widely perceived as the most trusted ‘rule of law’ institution in Kosovo. It established a special unit to protect and secure cultural and religious sites. The police has become more proactive in creating and maintaining partnerships with all communities. The basis for this approach is the community policing strategy and action plan for 2012-2016 and the municipal community safety councils. Most municipal community safety councils have been set up. Some need to enhance their activities.

Prior to the independence achievement, there was little doubt among internationals and locals that Kosovo will be independente, and was paradoxically generally seen positively as it would have allowed all IDPs to finally make a fully informed decision on whether they wish to return or stay in Kosovo or not, being a stabilising factor for all communities, as “the worry is that, if sovereign independence is not forthcoming, stability and order in Kosovo will quickly unravel.”257

After the independence, the Government of Kosovo has put in place new structures within the police, notably the witness protection directorate. It has also improved structures to deal with community policing. The police need to focus on delivering results in the fight against organized crime (including drugs, trafficking in human beings and weapons), and the fight against corruption. More resources are needed for witness protection. Implementing

256 The Kosovar Civil Society Foundation (KCSF), has expressed this concept in its Mapping analyses of civil society in Kosovo, September 2005, p. 22-23: “…This dual system of government undermines the ability of citizen groups to affect public decisions purposely undertaken in their interest. Compounding this problem is the complex division of responsibilities between UNMIK and the PISG in areas where competencies are shared. It is often difficult to sort out exactly which institution is responsible for what. Kosovars often resolve this confusion by assigning ALL powers to UNMIK, an authority that is unfortunately also perceived as highly opaque and inaccessible […] Official deliberations thus are not only poorly explained to the public, but also almost impossible for them to contest.”

257 Kosovar Civil Society Foundation (KCSF), Mapping analyses of civil society in Kosovo, September 2005, p. 17.
intelligence-led policing remains a particular challenge. Enforcement of disciplinary measures needs to be ensured.

Kosovar Civil society in Kosovo before 1999

An important issue for understanding current Kosovo civil society is its experience before the war. Traditionally Kosovo did not have an independent civil society because of its Communist past. During the 1990s a great volunteer movement was born in Kosovo in order to support the parallel Government efforts. So, a strong network of people and activities mobilised, creating what can be defined as a civil society network. Mother Theresa volunteers and the Council for the Defence of Human Rights and Freedoms were often given as examples of very well organized civil society action. As asserted by Besnik Pula, “Kosovo’s “parallel society” […] did create the embryo of independent organization, a legacy which proved critical in the post conflict period.”

All those who participated to these activities constitute a strong social capital, and it was a natural development that many of them would be involved in civil society also after the conflict ended. Indeed, before their current role as staff of local or international NGO’s, research institutions or governmental agencies, big part of current civil society members developed an important experience during the 1990s. In spite of whatever the outcomes of this experience, it can not be ignored when assessing Kosovo civil society today. As regards the younger ones, while the general educational level is poor, there is also a small minority of young, strong willed Kosovars with an excellent academic background, often achieved in foreign universities and institutions, which they now put into practice throughout their activities as civil society active members.

Civil society since 1999

As explained before, after the 1999 war there was an unprecedented inflow of money into Kosovo. This brought a new approach to the civil society concept and turned around the previous idealism. As explained by the Kosovar Civil Society Foundation (KCSF), “poverty and unemployment together with dependency on foreign donors have […] altered the culture of voluntarism, with civil society work having become for many primarily an economic opportunity.” Indeed, the astounding flow of international NGO’s and funding into the province as the war ended made working for civil society profitable, producing very much needed jobs.

Still, there is a very strong feeling of NGO’s being locally created or coming into Kosovo from abroad because of the great availability of funding, especially in the phase soon after the war. Many of them seem to have now left, closing down or looking for another funding opportunity, with little or no control exerted by the authorities or donors to make them accountable for the results they had actually achieved. This seems to have been particularly so during the reconstruction period following the end of the war. Because of this, there is a widespread feeling of civil society organizations often leaving things half-done. While this behaviour can not be generalised, it does create a negative precedent for the civil society as a whole. Moreover, many organizations working as service providers have now left, leaving a gap that has not been filled.

As regards local NGO’s, many grew after the war, but only very few were functional. The very fact that the process of creating one and registering it is pretty simple seems to undermine their credibility. Indeed, there is a widespread belief that this encouraged the creation of a great number of NGO’s in order to apply for funding made available for a specific type of project, without a longer term vision of actions and sustainability.

The NGO Liaison Unit, responsible for NGO’s registration, has since its creation suffered from understaffing and financial restraints, and lacks the ability to monitor the hundreds and even thousands NGO’s registered in Kosovo. Indeed, the contact list of NGO’s provided by the Kosova Community Information Centre (HCIC) lists 83 pages with name and contact for local NGO’s and 20 pages for international NGO’s. With about 18 NGO’s listed per page, this overwhelming number is certainly indicative, especially when taking into consideration the geographical extension and population of Kosovo. Until 2005 the exact number of NGO’s active in Kosovo was unknown. As the KCSF pointed out, “all of this indicates that public regulation of NGO activities is fairly lax and permissive in Kosovo. While this gave csos remarkable freedom to act and pursue their goals, the level of control to ensure legitimate and proper civil society activities is probably not ideal.”

According to interviewees, the single, most criticised feature to the international organizations that came into Kosovo after the war, as well as of those currently active, is having brought into Kosovo a stranger, de-contextualised working approach and method. International NGO’s brought a new working approach and method, imported from previous experiences in other areas of the world, without necessarily taking into consideration the civil society experience in Kosovo previous to the war.

This combined with the fact that “the overwhelming dominance of foreign donors in the post-war civil society scene, their policies and preferences have exerted almost unsurpassed influence in shaping the course of csos development.” Over time, this seems to have led to a process where mutual frustration has developed: the internationals frustrated by their work not achieving the expected results, and the locals, in particular civil society workers, frustrated by the feeling of being patronised and even colonised by those that they suppose should be there to support and empower them. These perceptions do not ease the consolidation of a solid civil society as an actual advocator of the Kosovar people, and this is well known by those that work at the field level, as much as it is seen as a lost chance that may not present itself again.

Donors have and have had a major role in shaping and guiding Kosovar civil society also today. In fact, both local and international civil society organizations working in Kosovo are evidently donor driven. This has many consequences, as, “despite their respective missions, NGO activities are often not in accordance with the needs of the communities. The root of this problem is often that Kosovar NGO’s are primarily dependent on projects not based on proper needs assessments, but based on agendas of international donors.”

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260 Also in Besnik Pula, Op.Cit. Registration was initially handled by UNMIK, and is now under the aegis of the Ministry of Public Services (MPS).

261 At the time the mission was carried out (April 2006), UNMIK’s website indicated the location of the Unit with its old address, when it was still part of UNMIK.

262 KCSF estimates that over 3000 NGO’s have registered with UNMIK since 1999, and that approximately 500 are currently active. KCSF, p. 24-25.


265 Kosovar Civil Society Foundation (KCSF), Mapping analyses of civil society in Kosovo, September 2005, p. 27.
This is a characteristic of basically all civil society at present, and seems to have been so since NATO’s intervention in 1999. The evolution in their activities, from humanitarian aid after the war to the current support to the return programmes, show that their activities have in many cases been shaped by the funding available, in spite of the actual capacities of each organization\textsuperscript{266}. Donor-dependency has also created a report-based approach, blamed by interviewees to many NGO’s and organizations. As a consequence, “driven by needs of adequate reporting to their home base, donors tend to measure success in terms of a variety of bureaucratic benchmarks that may be irrelevant to actual conditions in Kosovo, and local NGO’s are forced to perform under those benchmarks, regardless of their better judgement”\textsuperscript{267}.

The de-contextualised methodology and donor driven approach have had, over time, a negative impact on the potential of civil society to grow. A 2005 analysis showed in fact that “the experience of individual donors and development agencies suggests that many, if not most, registered csos are either moribund or dormant, or lacking sufficient capacity to carry out meaningful activities. Civil society’s voice is incoherent and its actions uncoordinated, and as a sector it has been unable to attract serious attention from either the fledging local government or the UN administration (UNMIK).”\textsuperscript{268}

Still, local NGO’s also blame donors for their inability to become sustainable, as donors themselves often have seen NGO’s purely as means for the delivery of external support, without encouraging or sustaining attempts to create longer term, self-sustainable organizations. KFCS’ civil society assessment has reached this same conclusion as most civil society and donor representatives interviewed for their mapping analysis agreed on the fact that donors tied to foreign governments follow their own agenda, that funding is given to organizations that draft proposals following the specific project profile proposed by donors at that specific time, and that donors are not meticulous in checking that local implementers have the most suitable capabilities\textsuperscript{269}. Besnik Pula’s analysis also suggested that, with little exception, foreign-led, government controlled development agencies, as well as foreign offices in Prishtina and foreign-based religious organizations “largely base their local priorities on the basis of their respective funder’s or government’s global policy goals.” All this has certainly undermined the capacity of Kosovar csos to develop into self-sustainable institutions, capable for long-term planning.

Civil society organizations, reconciliation and reconstruction

As regards reconciliation and reconstruction, civil society seems to play an uneven role. According to Besnik Pula, as the war ended, “The paternalistic scolding of Kosovo’s Albanian population was the first step in alienating and politically marginalising Kosovo’s civil society, in that party leaders were always the favoured interlocutors, at the cost of marginalising other parts of Kosovo’s society. Arguably, such a policy served to further maintain ethnic divides and ethnic party representation, and tended to ignore the potential to strengthen moderate forces found within civil society. The potential role that could have been

\textsuperscript{266} Some emblematic answers on this regard can be found in Besnik Pula’s research, Op.Cit. p. 16. For example: “our [NGO’s’] goals change, depending on what donors want” and “whatever the donor wants, we deliver”.
\textsuperscript{267} Besnik Pula, A changing society, a changing civil society: Kosovo’s NGO sector after the war, Kosovar Institute for Policy Research and Development, July 2004, p. 16.
\textsuperscript{268} Kosovar Civil Society Foundation (KCSF), Mapping analyses of civil society in Kosovo, September 2005, p. 11.
\textsuperscript{269} Kosovar Civil Society Foundation (KCSF), Mapping analyses of civil society in Kosovo, September 2005, p. 38-39.
played by civil society in the question of interethnic reconciliation immediately after the war is one of the most important opportunities missed by UNMIK.\(^{270}\)

Moreover, both the majority and minority populations in Kosovo feel that the question of post war justice has never been addressed properly; this undoubtedly undermines attempts for reconciliation and peacebuilding. Besides, a common opinion among interviewees on this regard is well expressed by Pula’s work when asserting that “UNMIK continues to overemphasise the problem of interethnic relations, as if this issue can be treated in isolation from Kosovo’s enormous problems of post war trauma, massive unemployment, acute levels of social dislocation, and the fragile state of its public institutions, as well as the underlying insecurity created by Kosovo’s undefined political status.”\(^{271}\) Civil society actors working on these fields instead have to face all of these issues at once, and find therefore, undisputable difficulties when developing their activities. The Revised Manual for Sustainable Return also addresses the difficulties of the peacebuilding process as it clearly states that “although every interaction between the majority community and the IDPs/refugees community has the potential to improve reconciliation objectives, it can also reinforce division if not prepared carefully”\(^{272}\).

In spite of this, the interviews made it clear that the majority of the peacebuilding and reconciliation aimed projects developed so far have overwhelmingly concentrated on the construction of infrastructure as a first step to involve all communities in a common interest activity, especially as regards the interaction between returnees and receiving communities. This seems to derive from the widespread view that dialogue of any sort will lead to reconciliation and Peacebuilding, while this is not necessarily so.

As regards to the reconstruction per se, a concept that deserved being stressed is that although the financial effort put into reconstruction since the end of the war has been impressive, the results are in many cases well under public expectations. The need for infrastructure is still evident all throughout Kosovo. Even recently built structures show strong need for appropriate maintenance, if not complete restructuring. At this stage, it can be easily concluded that the actual reconstruction carried out in Kosovo in no way mirrors the financial effort put into it\(^{273}\). Civil society actors who are currently present in Kosovo are not involved in physical reconstruction activities as were those involved in the first post conflict phase. Those who are involved in reconstruction issues are linked to the returns process, where in some cases the return projects include the physical reconstructions of the houses of returnees. Even in this case though, civil society actors are directly involved only in the following part of the process, taking care of the social aspects of returns.

There is a small number of local NGO’s working on conflict prevention, but they have little opportunity to receive appropriate training. The opportunity to apply for a grant for a project for longer term reconciliation and Peacebuilding activities is new. As said above, so far donors have concentrated more on returns than reconciliation, assuming coexistence would trigger reconciliation. Only some UNDP projects have specifically supported Peacebuilding.

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\(^{270}\) Besnik Pula, A changing society, a changing civil society: Kosovo’s NGO sector after the war, Kosovar Institute for Policy Research and Development, July 2004, p. 25. The author further affirms: “UNMIK could have used its unique position to start, in close cooperation with all segments of Kosovo’s society, a process of grassroots reconciliation […] while such efforts may no have produced the type of tolerant society one may ideally wish to see in Kosovo, they would have nonetheless started a process which may have eased some of the interethnic tensions that continue to exist.”.

\(^{271}\) Besnik Pula, A changing society, a changing civil society: Kosovo’s NGO sector after the war, Kosovar Institute for Policy Research and Development, July 2004, p. 25.


\(^{273}\) For reconstruction standards things do not seem to have improved over time. During the field mission (April 2006), the author visited one location near Pec/Peja where a return project is taking place. A few houses for Serb returnees have been built, and it was clearly visible that the building quality was pretty low. It is easy to imagine that living in those houses, especially during the harsh Kosovar winter, will be, to say the least, a challenge.
As explained above, the issue of reconciliation is controversial. It is impossible to separate the work of civil society organizations from the developments (or stalling) of the political sphere. In this sense, there has been little empowerment as, as explained in the context section, the dual nature of the Kosovo government, SRSG-PISG, undermines citizens’ groups’ ability to affect public decisions, and even undermines the very creation of such groups, in a widespread feeling of disillusion.

Overall, the reconciliation process *per se* has not gone very far. None of the parties involved has recognised its responsibilities as regards the violence perpetrated. The economic and political situations have not helped it either. One view of the March 2004 riots saw them as the demonstration of a widespread discontent among the Albanian majority which, after five years of UNMIK administration, expressed their frustration on the usual enemies and their symbols, still seen as the original cause of their current situation. Another view of the events of March 2004 was that they aimed at pushing the international community to act, as a reminder that conflict in Kosovo could still escalate. Most importantly of all, what the riots made certainly clear was the detachment between the institutional environment and the reality and feelings on the ground.

The start of the Status Talks somehow changed the situation. There was a widespread belief that Eide’s assessment was correct. The concrete perspective of independence, which was seen by the Kosovars as the only possible outcome of the Talks, created an openness that probably before had been unthinkable. The fact that the fulfilment of the Standards was no longer a prerequisite for the starting of the discussions on the future status of Kosovo, but rather that the very Status Talks were an incentive for the implementation of the Standards, seemed to have had great influence on people’s approach to reconciliation and its promotion through projects.

This openness is evident when we look at the returns processes currently under way. From the interviews, it is evident that the return of IDPs is a very central issue in Kosovo politics as much as it is in civil society activities. Two important issues arise. First, that organizations which had never dealt with displaced or refugees before are now working on the return process, once again confirming their donor driven nature. The second issue, more closely linked to reconciliation, regards the sustainability of this process. Success and sustainability basically depend on whether returnees will finally stay in Kosovo once the return project and assistance has ended or if they will rather move away.

From the sustainability issue, two other issues arise. First, that there probably lacks a deeper analysis of why returnees are accepted into the receiving community: if there is actual reconciliation, for everybody’s benefit and with a long term perspective, or if it is simply a way to comply with a rule in order to obtain a bigger objective, i.e. Independence. At the same analytical level there should be an assessment of why IDPs return, and specifically on whether they return because they mean to stay and are ready to live side by side with the majority population, or rather because their current condition as IDPs is such that going back to Kosovo is simply a way to improve, even temporarily, their life standards. These two positions are crucial as we talk about reconciliation and sustainability. While civil society workers do raise these issues at an individual or working group level, in a more or less critical manner, institutions do not seem to have done as much.

A second issue is linked to the international community and its push for returns. While it was clear that prior to the Status definition there would’t be no certainty as regards the sustainability of returns, now the international community is pushing hard towards a process on which it has little control and on which many within it, many working on it, have many
doubts. In fact, many also believe that the funding devoted to this open-ended process could be used to promote reconciliation through different activities, like economic development, employment and education, which are major worries for both the majority and minorities’ population.

UNHCR position on returns

Within this debate, it is important to highlight UNHCR’s position on the return issue, and especially as regards the phenomenon of force returns. UNHCR has expressed its opinion on returns in its Position Paper on the Continued International Protection Needs of Individuals from Kosovo, issued in June 2006. The stated purpose of the paper was to “provide updated recommendations to the relevant authorities in asylum countries to assist them in the determination of claims for international protection of persons originating from Kosovo.”274

The Position Paper pointed at an improvement in the security situation as the Ashkaelia and Egyptian communities in Kosovo are not considered by UNHCR among the categories at risk any longer. UNHCR instead has expressed strong concern as regards security for Kosovo Serbs, Roma and Albanian in a minority situation. Because of this, UNHCR asserted that they should continue to be considered at risk of persecution, and should therefore continue to enjoy international protection in the countries where they have found asylum.

UNHCR’s position is of fundamental importance as to the return categories explained in previous sections, “forced returns” under UNMIK coordination have been added, involving individuals currently in third countries. According to UNHCR’s analysis, “a large-scale forced return of persons originating from Kosovo, regardless of their ethnicity, could represent another destabilising factor in the months to come. Moreover, the forced return of persons originating from Kosovo to other areas of Serbia and Montenegro, prior to the conclusion of negotiations, may result in additional obstacles to achieving durable solutions for those concerned. States should consider placing the issue of forced return within a wider political perspective.”275 And also “the circumstances faced by internally displaced persons in Serbia, leads UNHCR to maintain its general conclusion that internal flight in such conditions does not offer a relevant or reasonable alternative to international protection.”276

In broad terms, it is important to notice that UNHCR, although it is assisting the returns process, has expressed its doubts about its active promotion because of its concerns regarding the security situation for minorities in Kosovo, as explained in its “Position Papers”. This is due to the fact that the security situation remains unpredictable in spite of improvements. From the interviews it derives that microclimate is a very important issue in Kosovo, as each village has a different history. This is very important when assessing return feasibility, as the history of the conflict and previous interaction will probably determine the receiving community’s approach to potential returnees.

UNHCR is the only institution to have posed the fundamental question of why do people return, concluding that there is certainly a relation between what people lack as IDPs and what they are offered to return. As explained above, this is fundamental question when trying to ensure sustainability for the return process. So far, elderly people have been the first to return, most probable because “home’s home”. Especially among the young instead there is a

276 Ibid. p. 8.
concern on security but also on economic sustainability. This is a very important aspect, which is critical to people’s decision.

As regards Kosovo Albanians acceptance of returnees, the main driving motivation seems to be definitely compliance with the Standards for the future status. Moreover, the fact that all returns include “balancing” projects for the receiving community seems to underline that the whole return question is seen as an exchange between parties, rather than the promotion of interethnic dialogue and reconciliation.

3.8. Disarmament, Demobilization and Reinsertion: the analysis

Overview

The disarmament, demobilization and reinsertion (DDR) process in Kosovo might be defined as quite peculiar, because it dealt with only one of the two parts involved in the conflict, the Kosovo Albanian combatant groups.

At the end of the conflict, 9th June 1999, in fact, a Military Technical Agreement was signed between the International Security Force (the Kosovo Force – KFOR) and the Governments of the Federal Republic of Yugoslavia and the Republic of Serbia. Under such MTA, Serbia agreed to a phased withdrawal of all its Forces from Kosovo to locations in Serbia outside Kosovo, and that such withdrawal would have been synchronized with the entering KFOR military forces.

Moreover, the MTA designed demilitarized zones such as the:

- Air Safety Zone (ASZ), which was “defined as a 25-kilometre zone that extends beyond the Kosovo province border into the rest of FRY territory. It includes the airspace above that 25-kilometre zone”; 277
- Ground Safety Zone (GSZ), which was “defined as a 5-kilometre zone that extends beyond the Kosovo province border into the rest of FRY territory. It includes the terrain within that 5-kilometre zone”. 278

Consequently, it was forbidden to all Serbian forces, “enter into, reenter, or remain within the territory of Kosovo or the Ground Safety Zone (GSZ) and the Air Safety Zone (ASZ)”. 279

So that, between the days of the withdrawal of Serbian forces and the complete takeover of NATO forces, Kosovo was virtually in the hand of the only remaining armed group: the one related to the Kosovo Albanian fighters, the KLA militia. 280

The disarmament of this group was decided only few days later, on 12th June, under the UN Security Council resolution 1244, which demanded that “the KLA and other armed Kosovo Albanian groups end immediately all offensive actions and comply with the requirements for demobilization”. 281

Moreover, in the case of Kosovo, the International Community, for the specific political reason outlined in the background, opted not to constitute any “armed force”, but to create ex novo what was planned to be an unarmed civil protection force.

277 Military Technical Agreement, article I, 3, point d.
278 Military Technical Agreement, article I, 3, point e.
279 Military Technical Agreement, article I, 4, point a.
280 As reported in the historical background, in Kosovo were two Albanian groups operating during the war, the KLA and the FARK - Armed Forces of the Republic of Kosovo. Although theoretically linked by the same target, the two groups did not cooperate. On the contrary, during 1998, the “KLA was able to consolidate its power as the predominant military wing of the violent movement” (Grüder Heinemann A. – Paes W-C., Wag the dog the mobilization and demobilization of the Kosovo Liberation Army, Bonn International Center for Conversion, Brief 20, Bonn, 2001, p. 11) but the relationship has never been easy, especially during NATO air attacks: the two groups proposed and wanted to follow different courses of actions: “whereas the FARC opted for a regular type of armed resistance, the KLA commanders chosen the guerilla tactics” and did not hesitate to involve and deliberately put the civilian into danger.
281 UNSCR 1244, art. 15.
In the complex Kosovo’s situation, it is important to clearly separate the issues under analyses: on one side, the establishment of the Kosovo Protection Corps (KPC) and, on the other side, the constitution of the Kosovo Police Service (KPS). Furthermore, there are at least two reasons for which these issues needs to be divided: first of all, the completely different background of these institutions and, secondly, the fact that different international organizations worked, and are still working, with them.

Disarmament

The disarmament phase began few days after the UNSCR 1244 was approved. On 20th June 1999, a more detailed agreement, “Undertaking of Demilitarisation and Transformation by the UÇK”282 was signed by Lieutenant General Sir Michel Jackson, the Commander of KFOR, and by the leader of KLA, Hashim Thaci. The Undertaking provided for a ceasefire by the KLA, their disengagement from the zones of conflict, subsequent demilitarization and reintegration into civil society.

As far as the disarmament phase is concerned, the agreement established that within 90 days of the day of the signature “all automatic small arms weapons will be stored in the registered weapons storage sites”.283 During period of disarmament and demobilization, the KLA had to store all the prohibited weapons into registered weapons storage sites, which were under the joint control of KLA and KFOR. Three months later, the full control of these areas passed to KFOR284, which is still controlling them.

On 20th September, 90 days after the agreement was signed, KFOR could say that KLA had "respected their word" and that “the disarmament aspects of demilitarization required by the Undertaking are complete”.285 On that time, over 10,000 weapons were held by the KFOR: they consisted of “nearly 9,000 small arms, over 800 machine-guns, 300 anti-tank weapons and 178 mortars. Over 27,000 hand-grenades, 1,200 mines, over 1,000 kg of explosives and nearly 5.5 million rounds of assorted ammunition”.286

As for the small arms, most of them seem to have been of the Kalashnikov family, but there were even some old weapons, dating back to the Second World War, such as PPS-41 automatic rifles and MP-40, although the number of the new arms seems to have been much larger. There seems to have been also different kinds of weapons,287 such as Barrett .50in sniping rifles, Steyr AUG and Heckler & Koch G3 assault rifles, which confirm a multitude of sources of procurement.

As far as weapons systems are concerned, it is possible that KLA possessed some shoulder-launched anti-aircraft missiles (“mostly SA-7/14s but including several Stingers”288). Although arms were procured from all sources, an important channel came from Albania: during the collapse of the pyramid schemes in Albania in 1997, most of the armoires were looted and only very few of the guns taken had been recovered by Albanian authorities, so that it is estimated that more than half a million weapons ended in the regional arms market.

282 Although UNSCR 1244 explicitly name “other armed Kosovo Albanian groups”, their number was very limited, especially if compared with the KLA, so that even the “Undertaking of demilitarisation and transformation by the UÇK” included also FARK combatants. Tensions between the two groups, however, raised during the reintegration phase, because “recruitment for the KPC gave preference to KLA members at the expense of those coming from the FARK”, Grüder Heinemann A. – Paes W-C., p. 23.

283 “Undertaking of demilitarisation and transformation by the UÇK”, art. 23.f.iv.

284 “Undertaking of demilitarisation and transformation by the UÇK”, art. 23.g. The weapons inside these storage sites are cleared every two month by KPC members.


286 Maj. Lavoie R., KFOR Press Statement, 20 September 1999, on www.nato.int/kosovo/press/1999/k990920a.htm. Until now, these are the only available data of the disarmament: there are no public data with the precise quantity and type of weapons surrounded by KLA to NATO. These information are still classified.


288 Kusovac Z., p. 15.
Porous borders and ethnic liaisons between Kosovo Albanians and native Albanians had facilitated this operation. Even now, it is believed that the bulk of KLA’s arsenal is still stored in Albania.289

Another source of weapons seems to have been the Serbs themselves: the Belgrade government, in fact, “distributed an estimated 75,000 rifles to Kosovo Serbs”290 for self protection, but the last sold the weapons to their Albanian neighbours “relying on the might of the VJ”.291

Demobilization

The demobilization process has been arranged under the same Undertaking signed in June 1999. Under that agreement, the KLA would cease to exist as a military organization from 20th September that year. And so it did, even if it is maybe more correct to say that it only transformed itself into something new.292

On 14th July 1999, UNMIK and KFOR designed the International Organization for Migration293 – IOM, as the focal organization for the demobilization and reintegration processes. IOM developed a program named Information, Counselling, and Referral Service (ICRS), which began to operate on 1st August 1999 and ended on 30th November 1999, with the initial surveying, registering, and profiling of former KLA combatants.294

In order to proceed to the registration of former KLA fighters, IOM created initially 49 Assembly Areas, which were later reduced to seven IOM sub-offices.

In the period of actuation of the program, IOM received 25,723 applications for reintegration assistance.295 Of them, the great majority was composed by males (96,7%) younger than 39 years of age (88,06%).

The program’s main aim was to assist demilitarized combatants in reintegrating back into civilian life, which meant, above all, to help those people to find a job.296 For this reason, the ICRS program offered assistance both in providing information about reintegration opportunities, including access to job referrals, and offering teaching and training in specific fields. This latter job was done in cooperation with eleven training centres displaced all over Kosovo.

Moreover, these services were combined with a broad range of capacity-building activities for Kosovo’s municipalities, ranging from infrastructure building and health care management to information-technology initiatives, in order to enhance their competencies and support the ongoing reconstruction and economic development efforts within the heavily war-damaged province.

For those who decided to reintegrate in the civilian life, the former KLA members had different possibilities for their future employment, inside the “public administration”: in fact,

289 Grüder Heinemann A. – Paes W-C., p. 21.
290 Kusovac Z., p. 11.
291 Kusovac Z., p. 11.
293 The International Organization for Migration is an independent, intergovernmental agency, headquartered in Geneva, Switzerland, which closely cooperates with the United Nations and other international organizations, especially in the humanitarian and development-oriented migration issues, including post-conflict rehabilitation efforts.
295 The number is in open contrast, however, with the estimate done by many observers, not last the same Agim Ceku: “the gap has never been fully explained” (Grüder Heinemann A. – Paes W-C., p. 14) even if it is possible that, during the very last few days of the conflict, many men decided to join the KLA, knowing that the end, and the victory, were near and preferring to profit by the good occasion to enter in the winning party.
296 On this regard, article 25 of the “Undertaking of demilitarisation and transformation by the UCK” specifies that “(...) the international community should take due and full account of the contribution of the UCK during the Kosovo crisis and accordingly give due consideration to: a. Recognition that, while the UCK and its structures are in the process of transformation, it is committed to propose individual current members to participate in the administration and police forces of Kosovo, enjoying special consideration in view of the expertise they have developed”. 104
many tried to enter into the KPS, others in the Kosovo Protection Corp (KPC). Others, especially the leaders and the commanders, founded winning political parties. Finally, some were attracted by organized crime, a winning activity in all war-torn societies.

IOM, with its ICRS program, was in charge of the screening applications for the KPC, so that the IOM began a “KPC Recruitment Battery Test” in November 1999, in order to avoid any delay.

At the end of the screening, IOM provided the names of 13,739 qualified persons to a Joint Commission (made up of UNMIK, KFOR and KPC), which made the final selection of KPC members.

Reconstruction and Reinsertion

A. The construction of KPC
Before analysing the present structure of the KPC, it is important to underline three fundamental issues.
First of all, the transformation of the KLA into a Protection Corps was previewed by the same Undertaking signed at the end of the war, so that the KLA had never completed demobilization but it just transformed itself, maintaining the same structures as before.
Secondly, considering that at the beginning of the process Kosovo was still a province of Serbia, the only possible model was the one of a Protection Corp, modelled on the French Sécurité Civile, and not a new and effective defence army. At the same time, however, there was a very big ambiguity on the effective role of the KPC, ambiguity accepted both by the International Community and by the Kosovo Albanian population.
For the former, the KPC was just and only a protection corp without any defence aim. For the latter, it constitutes the bulk for the future Kosovo army, as its very same name suggests in the Albanian translation: Trupat e Mbrojtjes së Kosovës (TMK), which can also mean Kosovo Defence Corps.

The KPC was constituted on 21st January 2000 and was designed to be a multi-disciplinary, multi-ethnic, non-sectarian, indigenous civil emergency service. It is defined as “a civilian emergency organization, which carries out in Kosovo rapid disaster response tasks for public safety in times of emergency and humanitarian assistance”.
It fell within the reserved powers of Special Representative of the Secretary-General and it was organized under UNSCR 1244 and the “Undertaking of demilitarization and transformation by the UCK”. In particular, it is based on the following legal documents:
- UNMIK Regulation 1999/8 (20th September 1999), amended with Regulation 2006/3300;
- Commander KFOR Statement on Principles (20th September 1999);
- Paragraph 7 of the Constitutional Framework of Kosovo;
- The Benchmarks of the SRSG;
- The Standards for Kosovo.

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It constitutes a force of 5025, of which 3025 regulars and 2000 reservists. There were also about 100 civilians.

Strategic policy for the KPC and its development is determined by the KPC Development Group, which is co-chaired by the SRSG and the KFOR Commander (COMKFOR) and meets every two months.\footnote{Membership includes the Prime Minister of Kosovo, the Principle Deputy SRSG, KPCC, Heads of Liaison Offices of the QUINT Nations, the Netherlands and the EU, and the Special Representative of the EU High Representative for Common Foreign and Security Policy (CFSP).}

KPC is mandated to be a civil emergency service, which tasks shall be to:
- Provide disaster response services;\footnote{Since its constitution, the KPC has intervened during three big emergencies: in the Gjilan/Gnjilane region after the earthquake in 2003; during a fire in the KEK powerhouse; and during the floods that hit Kosovo, particularly in the Obilić Obilić and Mitrovica regions.}
- Perform Search and Rescue operations;
- Provide a capacity for humanitarian assistance in isolated areas, providing medical assistance,\footnote{In the smallest and more isolated villages a doctor is provided to go 1 day a week in order to control and check the local population, as explained by Brig. Gen. Kadri Kastrati, meeting of 26th April 2006.} blood donation, disinfections, residential and industrial clearance;
- Demining\footnote{The demining activity is completely in the hands of KPC since June 2005. KPC has 7 teams operating from April to November, while during the other months of the year – during which it is not possible to work on the unexploded devices – the teams undertake their training. During the 2005, the demining team cleared over 1.7 million square metres of land.}
- Contribute to rebuilding infrastructures and communities\footnote{In this field KPC, in particular, deals with housing, schools, fire stations, road construction and renovation; bridge demolition and rebuilding; water supply construction and renovation and sport field construction.}

\textbf{B. KPC’s major challenges}

Since its creation, but increasingly over the past few years, KPC was asked to fulfil Standard 8 Implementation Plan.\footnote{Standard 8 states that: the KPC performs its mandates functions in full compliance with the law; all Kosovo communities are fully and fairly represented in the KPC without being subject to discrimination; funding is independently audited; the number of KPC installations has been reduced by at least 1/3 (…); all misconduct are punished according to the rigorous Disciplinary Code and Performance Review System; the KPC is engaged in a comprehensive campaign to recruit members in ethnic minority communities; the Terms of Service and the Law for active and reserve members has been adopted and implemented.}

Some specific points, in particular, were considered of extreme importance in order to contribute to the creation of a stable and multi-ethnic society in the region.

First of all, KPC was asked to promote a multi-ethnic workforce and a non-discriminatory environment within its ranks. This refers both to minorities and to gender equality.

For the former, KPC continues to make efforts to recruit, retain and support ethnic minorities, especially Kosovo Serbs. Standard 8 Implementation Plan required that KPC had at least 10\% of ethnic minorities. Notwithstanding all the efforts\footnote{KPC created a special task force – Task Force 8 – that has to deal with Standard 8 requirements. Through Task Force 8, KPC has implemented the following project: tri-lingual barrack signs at 42 KPC installations; tri-lingual web site; Kosovo-wide billboard campaigns; tri-lingual leaflets; media campaign; basic training courses in Serbo-Croatian.} on December 2005, there were only 185 ethnic minority\footnote{The 185 ethnic minority members were: 34 Ashkali, 4 Roma, 10 Egyptian, 13 Croat, 26 Bosniak, 14 Muslim, 35 Turks, 3 Goran.} members of the active contingent, which equals 6.1\% of the total work-force. The biggest obstacle remained intimidation of Kosovo Serbs KPC (and KPS) members from Belgrade and members of their own community.\footnote{“Minorities are still very few: not because KPC is keeping minorities away but because minorities do not want to join”, conversation with Mr. Ponziani, IOM.}

However, something began to change since the Talks for the Future of Kosovo initiated in Vienna: after years of uncertainty, the Kosovo population understood that things were changing and the ethnic extremism was slowing down, all over Kosovo but in the Mitrovica region.

As far as gender equality is concerned, on June 2005, COMKPC issued an order establishing a Gender Equality Board with the KPC, and instructed that two coordinators be appointed within each Unit to be responsible for matters relating to Gender Equality.\footnote{Up to December 2005, there were 88 female members of the active contingent, which equals 2.9\% of the total work force, while the female composition in the reserve contingent is approximately 3.5\%.}
The second challenge KPC is facing is linked to its transformation into a professional and modern army. With the talks for the future of Kosovo already on the way, KPC needs to find its appropriate role in the future Kosovo. Curiously, all the parts involved in the renovation process (KPC, KFOR and UNMIK) are already working hard to change the existing structure of the Kosovo Protection Corps.

With the creation of the CPB on June 2005, in fact, “the remainder of the KPC is largely without a real role or focus”. For this reason, all the international organizations involved into the process are trying to “keep them busy”, for example building bridges and roads, mainly in minority areas.

These actions achieved, however, an important target: through these interventions KPC was conquering more and more popularity among minorities and the public perception of the Protection Corps became favourable to it.

The transformation process, however, is not an easy task. On one hand, the organizational structure gives heavy emphasis towards HQs, which appear far from an efficient structure in the 21st Century. On the other hand, the major problem KPC is facing is to reduce its force. KPC, in fact, can be imagined like an inverted pyramid with 2/3 of its working force as officers. Moreover, the number of KPC members is considered too high for an effective modern army, which implies that a big effort has to be made to reduce its personnel, with the assurance, however, that those leaving the organization over its transformation period “are treated with honour and care, to ensure that they continue to be a force for good in the future of Kosovo”.

The resettlement is, in fact, one of the most difficult points to be afforded. Financial reasons impede that pensions could be paid to members of KPC who leave earlier than the normal pension age, 65 years. There is a difference between those who leave at 55 and those who desire to get retired before that age. For the former, in 2006 there will be 80 members of the KPC to be retired at this age, the cost seems to be affordable. For the latter, on the contrary, the expenses might be too high to be supported by the Kosovo Government. A possible solution has been found involving the International Organization for Migration, which should help those under 55 to find alternative employment.

C. The KPS

As soon as the war ended, Resolution 1244 demanded that the Federal Republic of Yugoslavia began a “complete and verifiable phased withdrawal from Kosovo of all military, police and paramilitary forces”. One reason for dismantling also the police force, and not only the military and paramilitary groups, laid in the fact that, since 1989, the police operating in Kosovo was almost entirely composed by Serbs, and the institution was strictly linked to Belgrade.

However, since the complete departure of the Serbian police, there were no longer any police officers to maintain public order in the region, so that this duty had to be taken first of all by the KFOR troops and secondly by UNMIK. Nevertheless, during the first months after the war, given the difficult internal situation, the primacy of police patrolling had been given to KFOR, which was substituted only in July 2000 by UNMIK. The deployment of UNMIK, in fact, included that of an international police component, named UNMIK Police (UMNIK-P) which was given by Resolution 1244 two primary tasks:

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311 Although the Talk for the Future of Kosovo are not finish yet, KPC preparation for transformation is on its way. KPC coordinator as well as KIKPC are already working on it.
313 Conversation with Mr. Ponziani, IOM.
314 Office of the KPC Coordinator, 16th January 2006. As pointed out during a conversation (dated 26 April 2006) with Brig. Gen. Kastrati, KPC members played an important role during the 1999 fightings and for this reason they worth all possible attention.
315 Resolution 1244, art. 3.
316 UN Police Commissioner, in fact, was responsible for the creation of both departments: UNMIK-P and KPS. While the OSCE was in charged of the training.
- to maintain civil law and order;
- to establish a new police force.

The recruitment of the new KPS began immediately after the war and on 5th September 1999 the first class of KPS officers started their training on a renovated police school in the city of Vushtrri/Vucitrn. The Organization for Security and Cooperation in Europe (OSCE) was, and still is, tasked with training the KPS. Half of the first group of KPS Officers came from the demobilization of KLA. The decision to introduce 50% of KLA members in the new KPS has proven to be correct, first of all, because a new loyalty has been created towards the latest institution. Secondly, because this solution permitted to reintegrate many former KLA combatants into the civil society. Finally, a completely new uniform, without any allusion to any kind of previously existing organization, encouraged a new perception among the population winning their trust. Since the end of the first course, the new officers were sent to the police stations, where they worked jointly with UNMIK-P personnel.

During the years since the end of the conflict, more and more importance has been given by UNMIK-P to the local staff and, at the moment of this report, the transition of power from UNMIK-P to KPS is almost completed.

Two issues remain open: the control of the Border Units and the command of the Mitrovica region. In both cases, for political and operational reasons, the command is still hold by international personnel.

As far as the organization of the Kosovo Police Service is concerned, it is divided into four Departments:
- Administration;
- Crime. This includes the department of major crime, of criminal intelligence and of organized crime;
- Border police, which depends directly by the Police Commissioner, who still comes from international personnel;
- Operations. It is divided into two main departments: special police units and public order.

As KPC, even KPS worked hard in minority participation and in gender equality, but, because of the different perception of KPS among civil population and among minorities, in both cases KPS succeeded in reaching, and in the case of minorities exceeded, the minimum quota of participation.

318 To date, more than 7,900 officers have graduated from the KPS School (KPSS). The data has been given by Mr. Steve Bennett, Director of the KPSS, during an interview dated 28 April 2006. The courses last from four to six weeks.
319 The OSCE Mission in Kosovo, the third pillar of the UNMIK is mandated with institutional and democracy building and promoting human rights and rule of law. Its Department of Police Education and Development is in charge of the KPS training.
320 As pointed out by Mr. Steve Bennett on 28 April 2006.
321 Up to May 2006, UNMIK-P was composed by about 1,600 members only.
322 The Police Commissioner Kai Vittrup directed, on November 2004, all Regional Commanders to form a Regional Operation Support Unit (ROSU). Completely operative ROSU is a public order unit, highly mobile and trained available within each single region (but Mitrovica) and that can be used as a reserve for the other regions in the event of disorder.
On a possible psycho-trauma approach

Civilians surviving exposure to a war zone often suffer from the lack of basic needs such as food and shelter. Furthermore, the new warfare bears in its wake the loss of social and cultural foundations that are meant to provide connectedness and stability. These hardships have long-lasting effects on the mental health of civilian war survivors even after the war. In post-war societies, social adjustment can be difficult when people are uprooted from friends and family through forced separation, displacement, imprisonment, and death. This is what happened to residents of Kosovo during 10 years of segregation and ethnic cleansing imposed by the Milosevic-led Serbian government.

Residents of Kosovo have a long tradition of being a collectivistic society where maintaining meaningful social relationships and attending to family are core values. During war, Kosovars were exposed to intense social disruptions including the death of family members, being forcefully separated from home and family (whose destiny was unknown) to go to unfamiliar places. These wartime social stressors might exacerbate pre-existing psychiatric conditions or influence their onset. People’s need for social support intensified at the same time that their support system was disrupted. The presence of psychiatric disorders and chronic use of experiential avoidance were expected to disrupt the process of trauma recovery and increase the difficulty of building the elements linked to high quality of life.

Although PTSD is important in understanding reactions to and recovery from war, other psychological processes may be equally disruptive. In recent study, PTSD, social anxiety disorder (SAD), and major depressive disorder (MDD) in Kosovo have been analyzed in war survivors and their influence on mental health and quality of life.

T. B. Kashdan in a research funded by the European Community examined PTSD, SAD, and MDD and their associations with distress and quality of life in 174 Albanian civilian survivors of the Kosovo war. Evidence for experiential avoidance was found as a partial mediator of the respective effects of SAD and PTSD on quality of life; experiential avoidance did not mediate the effects of disorders on global distress. Also, support for a moderation model showing that only war survivors without SAD and low experiential avoidance reported elevated quality of life was registered; people with either SAD or excessive reliance on experiential avoidance reported compromised, low quality of life. This was the third independent study, using a different methodology, to find empirical support for this moderation model. Overall, initial evidence for the importance of addressing PTSD, SAD, MDD, and experiential avoidance in primarily civilian war survivors were provided.

The first objective was to examine prevalence of PTSD, SAD, and MDD in Albanian civilian war survivors. The second objective was to examine how these conditions were related to experiential avoidance, general distress, and quality of life. Examining multiple disorders within the same study allowed for tests of whether SAD or MDD show equal or greater

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323 Post-traumatic stress disorder, social anxiety disorder, and depression in survivors of the Kosovo War: Experiential avoidance as a contributor to distress and quality of life. T. B. Kashdan, N. Morina, and S. Priebe, Journal of Anxiety Disorder, 2009. The study included testing of conceptual models suggesting that experiential avoidance might influence associations between anxiety and mood disorders with psychological functioning. Each of the three psychiatric disorders was associated with greater experiential avoidance and psychological distress, and lower quality of life. Being a refugee was associated with a higher likelihood of having social anxiety disorder (SAD) and major depressive disorder (MDD).

324 Murray, King, Lopez, Tomijima, & Krug, 2002.

325 Johnson & Thompson, 2008.

326 See note 348.

327 The EU research programme was set within the Framework Programme 6, contract N: INCO-CT-2004-509175, principal investigator: Stefan Priebe. Additional support was provided by National Institute of Mental Health grant MH-73937 to Todd B. Kashdan.

328 Kashdan & Breen, 2008; Kashdan & Steger, 2006.
importance than PTSD in trauma survivors in terms of positive associations with experiential avoidance and general distress, and negative associations with quality of life.

The third objective was to test competing mediation and moderation models, in the same study, of whether and how experiential avoidance influences the effects of anxiety and mood disorders on health outcomes. The mediation model was based on theory and empirical evidence suggesting that experiential avoidance appears to be an important maintenance factor for problematic outcomes associated with anxiety disorders and mood disorders. Of those studies examining experiential avoidance as a mediator of PTSD effects on psychological outcomes, the primary focus was on convenience samples of college students in the United States. Using a sample of Kosovar Albanian civilian war survivors, it has been hypothesized that one mechanism responsible for the association of anxiety and mood disorders with elevated general distress and diminished quality of life would be an over-reliance on experiential avoidance as a regulatory strategy that interferes with meaningful goal-directed activity (other than controlling emotions and thoughts).

Mediation models are one approach to examining the potential operation of experiential avoidance in trauma survivors. Instead of focusing on mechanisms, a moderation model would account for omitted variables that explain heterogeneous outcomes associated with PTSD, SAD, and MDD in trauma survivors. The degree to which disorders are associated with global distress and quality of life may be dependent on how people regulate their emotional experiences. Emotions can be attended to for the meaningful information they provide in everyday life and in the pursuit of meaningful life goals. Failing to attend to this important source of information or carefully attending to and using this information is relevant to the successful pursuit of goals that rely on this information.

There is tentative support for a model suggesting that disorders and experiential avoidance might interact to predict the worst outcomes of trauma survivors. In the presence of PTSD, SAD, or MDD, habitual tendencies to avoid unwanted internal experiences might be particularly maladaptive. As support for this model, people possessing both high anxiety sensitivity and an over-reliance on experientially avoidant emotion regulation strategies report the most frequent and intense anxiety pathology. Similarly, people possessing high anxiety sensitivity report less anxiety pathology when they carefully attend to the information provided by emotional experiences with a stance of openness and acceptance.

Participants and interview method

Data collection occurred in 2006, seven years after the war, across different regions of Kosovo. A random walk-in technique was utilized in the general population that had been exposed to war-related traumatic experiences in 1998 and 1999. First, six out of 30 possible administrative units or municipalities in Kosovo were randomly chosen. These six regions were Prishtina, Glogovc, Fushë Kosova, Podujeva, Vushtrri, and Lipjan. The majority of the 825,000 inhabitants in these units lived in the capital of Kosovo, Prishtina, (ca. 500,000).
Altogether, the population of these regions constituted 41.3% of the Kosovar population (about 2 million altogether). In each of these regions a list of settlements (i.e., the particular town and the villages) was secured and three were randomly chosen for further sampling. Then, a street was randomly chosen to begin recruitment. Every fourth house on the right was approached until a maximum of 15 interviews for that particular street were completed. If a building with many flats rather than a house was approached then the number of flats in the building was identified and one flat was randomly chosen to start an interview. In one particular building up to six participants were interviewed.

The potential participants were directly contacted at home without advance notification for the following reasons. There exists telephone and postal communication in Kosovo, however, they still do not function effectively, especially when it comes to the inhabitants living in the countryside. Furthermore, the Kosovars have the habit of visiting each other without prior notification and the Kosovar team of this study decided that direct contacting at home is in accordance with Kosovo customs.

The interviews were conducted by four masters-level psychology students. Prior to conducting the actual study interviews, the research assistants conducted more than 450 interviews using the MINI for the purpose of the large non-related project mentioned above.336

The assessment instruments were completed in an interview format by the interviewer, including the self-report questionnaires. First, the Life Stressor Checklist-Revised (LSL)337 was administered. Then, the interviewer conducted the MINI International Neuropsychiatric Interview (MINI)338. Finally, three questionnaires were administered: the Brief Symptom Inventory (BSI)339; the Manchester Short Assessment of Quality of Life (MANSA)340; and the Acceptance and Action Questionnaire (AAQ)341. All the interviews were conducted at the respondent’s home in the absence of any other individuals besides the respondent and the interviewer.

336 The interviewers were intensively trained by the second author in use of the Albanian version of The MINI International Neuropsychiatric Interview (MINI). Before starting, the research assistants completed two days of training under the guidance of the tutor. Following this training, they each completed five interviews each with war survivors. Any difficulties were discussed in individual and group supervision. The training process was completed until adequate inter-rater reliability was reached with more senior interviewers. Unfortunately, there has not been an evaluation on inter-rater reliability for interviews with participants in the field. This was due to ethical reasons as to not to try to persuade survivors or organized violence to record interviews. Concerns about potential societal consequences are not unreasonable.

337 A modified version of the Life Stressor Checklist-Revised (LSL) was used to assess potentially traumatic events before, during and after the war. The LSL contains a list of 26 war-related events (such as “lack of food or water”, “shelling”, or “life threatening illness”) for participants to report as present or absent. In addition, participants report the frequency and degree of distress at the time of the first, last, and most stressful event. The LSL was translated by the second author for use in the current study. The LSL was used to determine study eligibility (the presence of at least one war-related event) and was not used in analyses for this particular study.

338 The MINI International Neuropsychiatric Interview (MINI) is a structured diagnostic interview designed conjointly by scientists in the United States and Europe to assess psychiatric diagnoses according to DSM-IV (APA, 1994) and ICD-10 (WHO, 1992) criteria. The MINI has two to four screening questions per disorder and additional symptom questions within each disorder are asked only if the screening questions are passed. The Albanian version (Morina, 2006) was developed in collaboration between the second author of this paper and the authors of the original MINI. The authors of the original MINI coordinated the back translation process. The PTSD module of the MINI has been used before among Kosovar students where 16.4% of the participants met criteria for PTSD (Morina & Stangier, 2007); the authors did not report further results related to the diagnosis of PTSD.

339 The Brief Symptom Inventory (BSI) is a 53-item scale of global distress experienced during the prior week. The nine dimensions of the BSI are somatization, interpersonal sensitivity, obsession-compulsion, depression, anxiety, hostility, phobic anxiety, paranoid ideation, and psychoticism.

340 The Manchester Short Assessment of Quality of Life (MANSA) was used to assess subjective quality of life. The MANSA is a short and modified version of the Lancashire Quality of Life Profile (LQLP, Oliver, 1991-1992) containing 12 questions to assess subjective quality of life including social relationships, family relationships, work, leisure, sex life, financial situation, living situation, personal safety, and physical and mental health.

341 The Acceptance and Action Questionnaire (AAQ) is a nine-item scale of experiential avoidance. Items assess tendencies to negatively evaluate unwanted feelings, thoughts, and sensations, an inability to tolerate these private events, the desire to alter the nature of these events, and the unwillingness to pursue valued actions because of them.
For the 174 participants in the present study, which is part of a larger multi-national project with more than 4,100 respondents, only one data point was missing. We imputed the missing value with the mean item score for the specific questionnaire in question (BSI). Missing data was a minor problem in the study as a function of the interview format used to collect data. The entire interview was read to the participants by interviewers who at the end of the interview checked for missing values.

In the analysed study, all of the continuous measures in the study for outliers and assumption violation for subsequent analyses were examined. The skewness and kurtosis statistics for ratings of traumatic life events, experiential avoidance, global distress, and quality of life, suggesting normal curves.

Psychiatric Disorders and associated demographic characteristics

The point prevalence rates of meeting diagnostic criteria included 8.6% for SAD, 26.4% for PTSD, and 41.4% for MDD. Participants were asked to think about the most stressful or traumatic event in their lives prior to interviewing about PTSD symptoms. In every single case, the event selected was war-related and thus, our PTSD diagnoses entirely reflect the result of war-related traumas. Unfortunately, the data collected did not allow to determine the prevalence rates of these disorders before the war (this would have required an assessment at least 7 years prior to our data collection).

Demographic characteristics associated with PTSD, SAD, and MDD were examined and this reported that a greater percentage of people with SAD were refugees during the war (80%) as opposed to being internally displaced (20%), whereas similar percentages were found for people without disorder (51 vs. 49%); and a greater percentage of people with MDD were refugees during the war (66%) as opposed to being internally displaced (34%) whereas similar percentages were found for people without disorder (44 vs. 56%); no significant differences were found for PTSD. Also, for people suffering from PTSD, less income was reported, and people were older; no significant relations were found with SAD or MDD. Each psychiatric condition was not significantly related to gender, marital status, education, employment status, or combat experience status.

Finally, effects of PTSD, SAD, and MDD on global distress and quality of life were examined and mediated or moderated by the degree of experiential avoidance.

Final considerations

Drawing on a community sample of Albanian civilian survivors of the Kosovo War, and the exam on whether PTSD, SAD, MDD, and experiential avoidance were associated with mental health and quality of life outcomes. Extending previous findings on PTSD, SAD, and depression, each of these conditions was associated with greater experiential avoidance, global distress, and compromised quality of life.

Focusing on the alleviation of psychological distress and disorder fails to address the full continuum of health. With the appropriate configuration of psychological traits, a subset of civilian survivors of war was able to reach this highly desirable outcome. However, difficulties were experienced to find support for any statistically significant moderation effects on global distress. This may be partially attributed to the substantial variance
accounted for by PTSD, SAD, and MDD in predicting global distress (41%) compared with quality of life (13%). This is not unexpected, as quality of life can be considered further downstream and more independent from disorder than ratings of global distress.

In Kosovar Albanians, SAD (8.6%) and MDD (41.4%) were shown to be considerable problems that warrant consideration similar to the more widely studied diagnosis of PTSD (26.4% in this sample). The prevalence rates of MDD and PTSD in this sample converge with other epidemiological studies of Kosovo War survivors and are substantially higher than prevalence rates of these conditions in a nationally representative sample of the United States (Kessler et al., 2000). Considering the extensive conflict and social upheaval in Kosovar Albanians, the divergence in psychiatric disorders should not be surprising.

It is important to note that the homogeneity of the current sample (Albanian, mainly civilian war survivors) may ultimately limit the generalizability of these findings. Yet, this was one of the first studies to examine psychiatric conditions such as SAD in trauma survivors other than American male combat veterans. The target population is arguably an important one for whom PTSD, SAD, MDD, and experiential avoidance are especially salient given the stress of adjusting in a post civil war environment. Although measures demonstrate good reliability and construct validity, the sole reliance on interview and self-report measures was a methodological limitation. In addition, there were minimal published data on the Albanian versions of instruments. All data were cross-sectional which does not allow to draw conclusions on causal relations between variables. The use of broader assessment strategies would allow for determination of whether the current pattern of findings replicates across response systems (cognitive and neurological activity) and context (behavioral assessments). This includes experimentally inducing states of social anxiety or depression and providing instructional sets for participants to avoid or accept unwanted negative experiences, or to think more positively. The artificial nature of laboratory tasks raises external validity concerns. Thus, as an initial entry point in studying complex models in a foreign high-risk population, there is value in focusing on interview and self-report methodologies.

3.9. Major Findings

The analysis of the disarmament, demobilization, reconstruction and reinsertion of armed and police forces in Kosovo may be useful to outline the major challenges faced by the international community on these issues and that emerged from the on the ground conversations.

Three points need to be considered:

- As already pointed out, different international organizations worked on the reconstruction process. UNMIK, KFOR and IOM cooperated to the creation of KPC, whereas UNMIK (UNMIK-P) and OSCE managed the KPS. This situation has

342 Cardozo et al., 2003.
343 Only disorders associated with being a refugee during the time of the Kosovo War were SAD and MDD. Yet, without pre-trauma assessments, we could not evaluate which survivors developed SAD and mood disorders before, during, or after becoming a refugee. Regardless of whether being a refugee is a risk factor for these conditions or pre-existing SAD or MDD increases the probability of being a refugee, there is a sad irony that SAD and MDD increases the difficulty of making friends and developing a secure social base in new surroundings (when the physical and economic hardships are difficult enough on their own). Health care for conditions such as SAD and depression may be essential to the resilience and recovery of refugees. Nonetheless, conclusions to be drawn from the current study are limited by the cross-sectional design.
created both duplication of duties and sometimes incomprehension among the international organizations, all of this producing tensions and distortions within the institutions the international community wanted to create. This issue clearly emerged with the constitution of the KPS: the organization in charge of the instruction was, and still is, not involved in the decision process, so that there are too deep divisions between the education policemen receive in the KPSS and on their on the ground instruction. Cooperation between those organizations working on the same issues would have facilitated the job of both.

- Besides, there is not dialogue between KPC and KPS, which are used to refer to the international organization they work with and not to speak to each other. The emerging “Department of Emergency” is trying to become a liaison between the two institutions.

- The analysed study demonstrated links between several anxiety and mood disorders, experiential avoidance, and trauma, with important implications for theory and research. In Albanian civilian survivors of the Kosovo war, PTSD, SAD, and MDD were each associated with greater experiential avoidance and global psychological distress, and lower quality of life; controlling for shared variance, each condition was uniquely related to global distress. Associations between SAD and PTSD with lower quality of life outcomes were shown to be a partial function of experiential avoidance, and this represents an important, albeit preliminary step toward identifying more complete models of vulnerability and resilience in trauma survivors of war.

- The parallel government structures present in Kosovo until NATO’s intervention survived over the years thanks to strong social cohesion and commitment. This factor seems to have been underestimated by the International Community when establishing UNMIK and its local counterparts. This has undermined the potential for growth of a strong civil society.

- The very fact that the process of creating a civil society organization and officially registering is pretty simple seems to undermine their credibility, even more so as de-registering is not a common practice. During the mission, it was clear that this situation contributed towards a negative view of the sector as a whole, caused by a perceived lack of accountability and vision.

- Widespread feeling of international civil society organizations often leaving things half-done, especially during the reconstruction process. Indeed, there is a very strong feeling of NGO’s being created or coming into Kosovo because of the great availability of funding, especially in the phase soon after the war. Currently, many local and international civil society organizations working in Kosovo are donor driven, with donors following their individual agendas, and often report-aimed. There

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344 Other two issues, strictly related to the international community on the round, emerged during different conversations: first of all, the rapidity of rotation among the international personnel and especially among key position (“it’s like every year, this mission is recreating”). Secondly, another matter is related to the orientation of leaders in key staff: too many people comes with models and they do not want to listen to the specific needs of the region.

345 As a complementary model, experiential avoidance also moderated the effects of SAD on quality of life such that the only trauma survivors at high functioning were those without disorder and low in experiential avoidance; this is the third empirical study to support this model, each with different outcome variables and methodologies (Kashdan & Breen, 2008; Kashdan & Steger, 2006). Dovetailing with prior work, the interpersonal problems, diminished positive experiences, and self-regulatory resource drain linked to SAD appears to be a neglected consideration in the study and treatment of trauma survivors (e.g., Green et al., 1992; Kashdan, Frueh et al., 2006; Kashdan, Julian et al., 2006; Orsillo et al., 1996).
lack participatory mechanisms for decision making. Again, this contributes to the negative perception of the sector as a whole.

- Since the end of the war there has been no improvement as regards ethnic identification: as before 1999, people identify themselves as belonging to specific ethnic categories (Albanian majority, Serb minority and population belonging to other minorities such as Roma, Ashkalis and Egyptians, Goranis and Bosniaks). The use of this identification fragmentation at all levels, where it has been useful to identify specific needs, has maintained the division of Kosovars through ethnic lines, with a somewhat defined hierarchy among minorities.

- Both international institutions, including UNMIK, and international civil society organizations coming into Kosovo seem to have brought a de-contextualised working approach and method, without taking into account local features and experience, importing an external mechanism instead, stranger to the local population and traditions, expecting it to be accepted, understood and supported. This has been a constant source of frustration for all parties involved, local and international.

- The reconciliation process *per se* has not gone very far. So far, none of the parties involved has openly recognised its responsibilities as regards the violence perpetrated. There has been an effort to involve all communities though infrastructure. This is the only effort for reconciliation that has been made. There is a little number of local NGO’s working on conflict prevention and they have little opportunity to get training. The opportunity to apply for a grant for a project for reconciliation and Peacebuilding activities is new. So far donors have concentrated more on returns than reconciliation; returns were assumed to be a factor that would trigger reconciliation.

- Civil society organizations which had never dealt with IDPs or refugees before are now working on the return process. The sustainability of this process is questionable. Success and sustainability depend on if the returnees will finally stay in Kosovo once the return project and assistance has ended or if they will rather move away. There lacks a deeper analysis of why returnees are accepted into the receiving community, as well as of why IDPs return. While civil society workers do raise these issues at an individual or working group level, institutions do not seem to have done as much.

- Political and diplomatic necessity seems in some cases have prevailed over the principle of sustainability when important institutional decisions have been taken. This seems to be the case also as regards the returns process.

- The financial effort put into reconstruction since the end of the war has been impressive, but the results achieved are unsatisfactory. The need for infrastructure is still evident all throughout Kosovo, and the quality of the houses rebuilt for returnees is also questionable.

- For Kosovo in general the security situation is good but very volatile. It is possible to affirm that the surface looks stable but there are underneath issues. There is a clear, different security for each minority and human category.

- Lack of an accountability system: neither UNMIK, the PISG nor civil society organizations are accountable to the Kosovar people. This undermines empowerment and ownership.
In spite of all of the above, the potential for growth of a sustainable civil society in Kosovo is still present, and is very much needed. Much commitment by the International Community and by Kosovar csos is required to fulfil this potential with a long term vision.

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4. Afghanistan

<table>
<thead>
<tr>
<th>Total population: 31,411,744 (est. 2012).</th>
</tr>
</thead>
<tbody>
<tr>
<td>Area: 652,864 Km²</td>
</tr>
<tr>
<td>Per annum/per capita income: USD 634 (est. 2012)</td>
</tr>
<tr>
<td>Human Development Index: 2.22% (2012)</td>
</tr>
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Sources: World Bank 2012, UNDP 2012
Population living below USD 1 (1990-2002); calculated by the Da Afghanistan Bank on estimated data

4.1. Historical background

Afghanistan's history has largely been determined by its geographic location at the crossroads of Central, West, and South Asia. Over the centuries, waves of migrating peoples passed through the region leaving behind a mosaic of ethnic and linguistic groups. In modern times, as well as in antiquity, vast armies of the world passed through this region of Asia.

Although it was the scene of great empires and flourishing trade for over two millennia, the area's heterogeneous groups were not bound into a single political entity until the reign of Ahmed Shah Durrani, who in 1747 founded the monarchy that ruled the country until 1973. In the nineteenth century, Afghanistan lay between the expanding might of the Russian and British empires. This was called the Great Game, a century-long contest for domination of Central Asia and Afghanistan between Russia, which was expanding to the south, and Britain, which was intent on protecting India. During this period, Afghan rulers were able to maintain virtual independence, although some compromises were necessary.

King Amanullah (1919-1929), proclaiming unilaterally the independence of his country in 1919 without waiting for the reaction of the English, established strong relations with Moscow, and Afghanistan was the first country to recognize the Soviet Union, which in return offered the young state of Afghanistan moral and material support. This was the beginning of a sort of "special relationship" between the two neighboring countries which lasted, with ups and downs, for sixty years until the invasion of Afghanistan by the units of the Red Army in December 1979.

Amanullah moved to end his country's traditional isolation in the years following the Third Anglo-Afghan war. He established diplomatic relations with most major countries and introduced several reforms intended to modernize Afghanistan but was forced to abdicate in January 1929.

After World War II, in which Afghanistan remained neutral, the long-standing division of the Pashtun tribes caused tension with the neighboring state of Pakistan, founded on the other side of the Durand Line in 1948. After a failed attempt to establish closer relations with the US, Afghanistan shifted its foreign policy again toward the Soviet Union.

In 1964, King Zahir Shah promulgated a liberal constitution and produced few lasting reforms, which permitted the growth of unofficial extremist parties on both the left and the right. These included the communist People's Democratic Party of Afghanistan (PDPA), which had close ideological ties to the Soviet Union. In 1967, the PDPA split into two major rival factions: the Khalq (Masses) faction, supported by elements within the military, and the Parcham (Banner) faction led by Babrak Karmal. The split reflected ethnic, class, and ideological divisions within Afghan society.

Amid charges of corruption and poor economic conditions, Mohammed Daoud Khan seized power in a military coup on July 17, 1973. Zahir Shah fled the country eventually finding refuge in Italy. Daoud abolished the monarchy, abrogated the 1964 constitution, and declared Afghanistan a republic with himself as its first President and Prime Minister. His attempts to carry out badly needed economic and social reforms met with little success, and the new constitution promulgated in February 1977 failed to quell chronic political instability.

On 27 April 1978, the PDPA initiated a bloody coup, which resulted in the overthrow and murder of Daoud and most of his family. Nur Muhammad Taraki, Secretary General of the PDPA, became President of the Revolutionary Council and Prime Minister of the newly established Democratic Republic of Afghanistan, strongly supported by the USSR.

The PDPA promulgated reforms abolishing usury, banning forced marriages, state recognition of women’s rights to vote, replacing religious and traditional laws with secular and Marxist ones, banning tribal courts, and land reform. These reforms and the PDPA's monopoly on power were met with a large backlash, partly led by members of the traditional establishment. Many groups were formed in an attempt to reverse the dependence on the Soviet Union, some resorting to violent means and sabotage of the country's industry and infrastructure. In 1979 the Afghan army was overwhelmed with the number of incidents, and the Soviet Union sent troops to crush the uprising, install a pro-Moscow government, and support the new government.

On December 25, 1979 the Soviet army entered Kabul and set up a new Government led by Babrak Karmal. Almost immediately, a popular resistance against Soviet forces and the central government affected every province in the country, fuelled also by a clandestine US-sponsored programme of support to the Mujahiddin (holy Muslim warriors). Pakistan’s Intelligence Service organized on the ground the resistance, distributed weapons between several factions and provided them with safe havens. Osama bin Laden was a prominent Mujahiddin organizer and financier; unsubstantiated claims have been made that his Maktab al-Khadamat (MAK) (Office of Order) funneled money, arms, and Muslim fighters from around the world into Afghanistan, with the assistance and support of the American, Pakistani, and Saudi governments, a claim which is vehemently denied by both governments stating they were only funding the local Afghan resistance fighters. In 1988, bin Laden broke away from the MAK with some of its more militant members to form Al-Qaeda, in order to expand the anti-Soviet resistance effort into a worldwide Islamic fundamentalist movement.

The Soviet occupation of Afghanistan ended in 1989 with a full withdrawal of Soviet troops, under the Geneva accords reached in 1988 between Afghanistan and Pakistan, but continued to aid the government, led by Mohammed Najibullah. Massive amounts of aid from the CIA and Saudi Arabia to the Mujahiddin also continued. After the collapse of the Soviet Union, the Najibullah government was overthrown on April 18, 1992 when Abdul Rashid Dostum mutinied, and allied himself with Ahmed Shah Massoud, to take control of Kabul and declare the Islamic State of Afghanistan. The rebel forces immediately an even more brutal
confrontation among them, leading to the further worsening of economic and security situations.

In 1994 the Taleban, a Pakistan-backed militia of ultra-orthodox Sunnit Muslims, launches military operations along the Pakistani border and western Afghanistan. In 1994-95, capitalising on a frustrated people’s desire for an end to the civil war and anarchy, and with the overt support of external powers that required the end of the chaotic situation in Afghanistan, the Taleban quickly defeated most of Mujahiddin factions and took control of the country. In 1996 they captured Kabul and established the Islamic Emirate of Afghanistan. The Taleban occupied 95% of the territory, the remaining 5% belonged to the rebel forces constituting the Islamic Republic of Afghanistan, which the United Nations had recognized as the official government in exile.

Only small areas in the North remained under the control of those warlords that had fought against the Soviet invasion, but who were now supported by Russia. In 1998 the Taleban massacred thousands as extended their reach to North. In the same year, the UN security council imposed economic sanctions against the Taleban for refusing to turn over Osama bin Laden who was wanted for attacks on US embassies.

In 1998, after the bombing of US Embassies in Africa, the United States severed any support to the Taleban and attacked with cruise missiles the al-Qaeda’s training camps in the country. In 2000, the Security Council imposed a ban on arms sales to the Taleban. Draught, shortfalls in humanitarian aid and international isolationism contribute to growing hunger and a current refugee population estimated at over two million. For the past 20 years, Afghans have comprised the largest single refugee group in the world.

In September 2001, the most renown leader of Afghan anti-Taleban forces, Ahmadshah Massoud, was mortally wounded by a suicide bombers.

After the events of September 11, 2001, and the Taleban's refusal to hand over Osama bin Laden to the US for his suspected involvement in the terrorist attacks, a US-led international coalition was formed, aimed at the destruction of al-Qaeda structures and the overthrow of Taleban’s regime.

In about eight weeks of aerial bombings and military operations on the ground, carried out mostly by US Special Forces and anti-Taleban militias, grouped under the “United Front” military alliance, the Taleban regime started to collapse. In the North, the Taleban-held city of Mazar-i-Sharif was occupied by the United Front on November 9, trapping about 15,000 Taleban in a pocket in the northern provinces of Kunduz and Baghlan. There are widespread reports of the murdering of hundreds, if not thousands of Taleban, Pakistani, Arab and other foreign fighters in Mazar-i-Sharif.

The Taleban collapse in the northern Afghanistan dealt the movement a military and psychological blow. Having lost some 15,000 troop from a nationwide force of 45,000, the Taleban’s political prestige was severely damaged. As a result, the way was left open for the rapid advance of United Front’s forces toward the capital. In November 13, the Taleban retreated from Kabul and UF police and military forces occupied the city.

By November 26, the United Front’s forces secured the northern city of Kunduz. Further movement of anti-Taleban forces toward the southern Taleban stronghold of Kandahar was prevented by the airlift of United States Marines into the Forward Operating Base of Dolangi. The presence of American forces avoided a further penetration of Persian speaking fighters in the Pashtun-dominated southern Afghanistan.
The rapidity of the military collapse of Taleban forces and the resulting swift expansion of United Front control over the country left the international community floundering in its effort to create an administration reflective of Afghanistan’s ethnic complexity.

In late 2001, a conference in Bonn, sponsored by the UN, established a process for political reconstruction: the establishment of the Afghan Interim Authority (AIA); a thirty-member cabinet headed by Hamid Karzai, which was inaugurated on 22 December 2001 with a six-month mandate - to be followed by a two-year Transitional Authority (TA). Representatives of four ethnic groups had decided the composition of the Interim Cabinet. Although led by a Pashtun, Tajiks dominated the Cabinet.

In the following months, the re-emergence of regional warlords risked to push back the country to the chaotic period of pre-Taleban era. US provided bodyguards securing the physical survival of President Karzai, due to the suspicions of involvement in assassination attempts for his Afghan protectors.

As for the struggle against the remnants of Taleban forces and al-Qaeda operatives, the UF forces that had proved to be rather effective in the sweeping of northern regions, clearly showed their operational limits in the eastern and southernmost part of the country. As a consequence, rebel forces succeeded in escaping from the pocket and re-emerged three months later, near Gardez, Paktia province.

In 2002 a meeting was held of the Loya Jirga (Grand National Assembly), a political body extrapolated by Afghanistan’s tribal institution that allows broad representation and consensual decision making. That Assembly selected the Transitional Head of State and Administration, confirming Hamid Karzai in his role.

4.2. Overview of the Political Context

Important steps in the political normalisation of the country were the adoption of the new Constitution (January 2004), the Presidential election (October 2004) that again confirmed Karzai as the Head of State, and the elections for the National Assembly (Shura-e-Milli) and Provincial Councils (Shura-e Weelayati), held on September 2005, where some 6.4 million voters took part.

However, regional warlords and large areas of Afghanistan remain beyond the control of the Karzai government. Despite substantial international aid, the Afghan government was unable to address numerous social and economic problems. The parliamentary elections of September 2005 gave regional warlords substantial power in both houses of the National Assembly, further jeopardizing Karzai’s ability to unite the country. Following a reorganization in early 2006, the government included 25 ministries; appointments to these ministries have been distributed among influential regional and military groups. The National Defense Commission, headed by Karzai, is a six-member advisory board that includes leaders of the main regional groups.

The Bonn Agreement lapsed after the 2005 elections. The agreement’s successor, the Afghanistan Compact, went into effect in January 2006 to set forth goals for international assistance in economic development, security, protection of human rights, and the fight

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348 During the battle at Tora Bora, where a significant group of al-Qaeda fighters where trapped, the harsh climatic conditions concurred to make ineffective the military encirclement. According to reliable sources, local tribal leaders paid by US forces, sub-contracted the responsibility to seal the escape routes from Tora Bora to Pakistani nationals, who were closely linked to al-Qaeda.
against corruption and drug trafficking through 2010. In the meantime, the Taleban intensified combat activities in areas beyond government control.\textsuperscript{349} In March 2006, the United Nations renewed for one year the mandate of its Assistance Mission in Afghanistan (UNAMA), designed to provide political and strategic guidance.

In 2005 there were some 43 parties. Most political groupings are based on alliances that formed during the military struggles of 1979–2002. The Northern Alliance is an influential loose confederation of several Hazara, Tajik, and Uzbek groups who fought against the Taleban. Factions of the alliance were key forces in the parliament of 2006.

In the 2004 presidential election, the largest parties were:

- The Islamic Party of Afghanistan,
- The National Congress Party of Afghanistan (represented in the presidential election by fifth-place finisher Abdul Latif Pedram),
- The National Islamic Movement of Afghanistan (represented in the election by fourth-place finisher Abdul Rashid Dostum),
- And the National Movement of Afghanistan (a coalition of 11 parties known variously as the Afghan Nationalist Party and the Afghan National Understanding Front, represented in the election by second-place finisher Yonous Qanuni),
- The Afghan Social-Democratic Party,
- The Communist Party of Afghanistan,
- The Liberal-Democratic Party of Afghanistan,
- The Revolutionary Association of Women of Afghanistan,
- And the Socialist Nationalist Afghan Party.

President Karzai has declined to form a party to advance his programs.

In 2005 important non-party political pressure groups were:

- The Society of Islam under former president Burhanuddin Rabbani,
- The Islamic Union for the Liberation of Afghanistan under military leader Abdul Rasul Sayyaf.

The first parliament featured a broad division between leaders of previous military conflicts and younger “modernists” who emphasized future development of the country. Another important division of political power is between the Pashtun-dominated south and the Tajik- and Uzbek-dominated north. Substantial realignment of political factions was expected during the 2006 session of the Wolesi Jirga.

Hamid Karzai
Afghanistan's first elected president is a moderate Pashtun leader from Kandahar initially supported the Taleban but hardened against them after the assassination of his father. He has built up a considerable international profile, especially in the West and is backed by the United States.

Ashraf Ghani Ahmadazai
Former Minister of Finance from 2002 to 2004 and World Bank official after his return to Afghanistan he run as one of the main candidate for the 2014 presidential election.

Yunus Qanuni
A former minister, Mr Qanuni is now Member of Parliament of the Wolesi Jirga, the lower house of parliament, he stood against him in the presidential elections of 2004.

Sigbatullah Mojadidi
A former mujahideen leader, Mr Mojadidi is the Speaker of the upper house of parliament, the Meshrano Jirga. He has played an important and influential part since the fall of the Taleban.

Rashid Dostum
The Uzbek general remains a powerful figure in the country. He was one of the most high-profile candidates to challenge Mr Karzai in the presidential elections in October 2004. Mr Dostum still heads the Junbesh-e Melli Islami (National Islamic Movement).

Mohammed Qasim Fahim
The former defence minister used to be one of the most powerful men in the country but has been sidelined. He is now one of the First Vice Presidents.

Atta Mohammad
A rival of Gen Dostum, Atta Mohammad is the governor of the northern province of Balkh.

Mohammed Mohaqiq
A member of the minority ethnic Hazara community, Mohammed Mohaqiq is the head and founder of the Wahdat-e-Mardum political party.

Gul Agha Sherzai
Nangarhar province Governor Gul Agha Sherzai, in December 2004, he was appointed as governor of Kandahar with an added, though symbolic, portfolio of minister adviser to Mr Karzai.

Ismail Khan
Herat's former governor retained his post as energy minister in the 2006 reshuffle. It was his independent power base and apparent refusal to join hands with the Karzai government that led to his eventual removal and reappointment as energy minister in September 2004.

Abdullah Abdullah
Serious contender into the 2014 elections. Speakers of both house of the Parliament.

Abdul Rassoul Sayyaf
A former mujahideen leader, Mr Sayyaf is now an elected member of parliament, leader of the Islamic Union for the Liberation of Afghanistan. He is now one of the Presidential candidates for the incoming 2014 elections.

Gulbuddin Hekmatyar

BBC News - Key Afghan players: Who's who. July 2013
Leader of the Hezb-e Islami faction, Mr Hekmatyar is a warlord who is in hiding - evading American forces - and is believed to be somewhere along the Afghan-Pakistan border.

Taliban
Supporters and remnants of Afghanistan hardline former rulers are still active in many southern and eastern parts of the country. They have carried out numerous attacks on government forces, coalition forces, peacekeepers and aid workers.

The second presidential elections under the present constitution of Afghanistan were held in Afghanistan on 20 August 2009 on the same day as elections for 34 provincial council seats. The election resulted in victory for incumbent Hamid Karzai, who won 49.67% of the vote, while his main rival Abdullah Abdullah finished second with 30.59% of the vote. Lack of security characterized this turn of election, along with a poor voter turnout and low awareness of the people about the election process. A widespread ballot stuffing intimidation, and other electoral fraud plaied an important critical role in the legitimacy of the electoral process. A second round run-off vote, announced under heavy U.S. and ally pressure, was originally scheduled for 7 November 2009, but it was cancelled after Abdullah refused to participate, and Hamid Karzai was declared President of Afghanistan for another 5 year term. Taliban called for a boycott of the election, describing it as a "program of the crusaders" and "this American process".

The Afghan parliamentary election to elect members of the House of the People (Wolesi Jirga) took place on 18 September 2010. The Afghan Independent Election Commission (IEC) - established in accordance with the article 156 of the Constitution of Afghanistan for the purpose of organizing and supervising all elections in the country - postponed the poll from its original date of 22 May to September 18. The results were delayed on several occasions due to fraud allegations and and vote-rigging. The election commission voided more than 20%, or 1.3 million, of the ballots, after fraud investigations. Twenty-one elected parliamentarians were also disqualified due to fraud. A spokesman of the electoral commission said that 19 of the candidates were winning or leading their races, while two others had failed to win seats. The electoral process was finalized on October 31.

The end of the Hamid Karzai presidential second and last mandate was the 22 May 2014. In this respect presidential elections were held in Afghanistan on 5 April 2014, with a second round held on 14 June. The registration period for presidential nominations was open from 16 September 2013 until 6 October 2013. A total of 27 candidates were confirmed to be running for office. However, on 22 October Afghanistan’s Independent Election Commission (IEC) disqualified 16 of the candidates, leaving only 11 in the race. By April 2014 three candidates gave up the race and decided to support some of the eight remaining candidates. Opinion polls showed Abdullah Abdullah and Ashraf Ghani as the front-runners and indeed the results of the first round election had Abdullah in the lead and Ghani behind him. The results of the second round election will determine the new leader of Afghanistan. The second set of results will come after the run-off on 14 June, two months after the first round. Preliminary results were expected on 2 July and the final result on 22 July. However, widespread accusations of fraud are likely to delay these results. Either Abdullah Abdullah or Ashraf Ghani Ahmadzai will be the winner, but because of electoral fraud, a winner will not be declared until August 22. The election would be the first time in Afghanistan's history that power will be democratically transferred
4.3. Overview of form of government, civil liberties and human rights

Form of Government: According to the new Constitution he president and two vice presidents are elected as a ticket by popular vote to five-year terms. The president appoints ministers, subject to the approval of the lower house of the National Assembly. The constitution calls for a bicameral legislature, the National Assembly. Members of the lower house, the 249-member Wolesi Jirga (People’s Council), are elected directly for five-year terms. Some 68 seats are designated for women and 10 for the Kuchis. The 102 members of the upper house, the Meshrano Jirga (House of Elders), are appointed by provincial councils (one member for each of 34 provinces, serving four-year terms); by district councils (accounting for another 34 members, each serving three-year terms); and the president.

The government can convene a Loya Jirga (Constituent Assembly) to decide urgent matters of independence, national sovereignty, and territorial integrity. Such an assembly, which can amend the constitution and bring charges against the president, must include members of the National Assembly and chairpersons of the provincial and district councils. A 1,650-member Loya Jirga chose the transitional government that took office in 2002, and a second one formulated the 2004 constitution.

In 1996–2001 Afghanistan’s justice was administered by strict Islamic law during the Taliban era. To replace the ad hoc system in place under the transitional government, the constitution of 2004 stipulated that the Supreme Court include nine justices appointed by the president, with approval of the Wolesa Jirga, for 10-year terms. Those justices have particular importance because they are responsible for managing the personnel, budgets, and policy decisions of the entire national, regional, and local court system. At the urging of his Western partners in the 2006 Afghanistan Compact, President Karzai replaced several Supreme Court justices in 2006. However, the head of the court, responsible for appointing judges of the other national courts, remained the ultraconservative Fazel Hadi Shinwari, a staunch advocate of Islamic law. At the level below the Supreme Court are high and appeals courts. A National Security Court handles cases of terrorism and other threats to national security.

Administrative Divisions: The major subnational administrative division is the province (velayat), numbering 34 in 2006. The two newest provinces were added in 2004. Each province has between five and 15 districts; in 2006 some 361 districts were in existence. Each province has one designated provincial municipality; some but not all provinces also have a single rural municipality. The municipalities fall under the direct jurisdiction of the Ministry of Interior.

Provincial and Local Government: According to the constitution, provinces, districts, and villages are governed by directly elected councils. The first elections for those councils, which totaled 420 seats, were held concurrently with the national parliamentary elections of September 2005. The chief executive at the province level is the governor, who is appointed by the president. As is the case with the national cabinet, the president has distributed governorships among influential regional and military groups. Province and district administrations have the same basic structure as the national government. According to the constitution of 2004, the central government, which theoretically stands at the centre of a highly centralized system, delegates authority to the subnational jurisdictions in (unspecified) matters where local or regional action is more efficient. In actuality, the structure and government of the provinces have varied greatly; in most cases, provincial governance in
2006 was based on the financial and military strength of local leaders as well as personal and tribal loyalties.

Judicial and Legal System: Although every province has a lower and a higher court, judicial procedures are influenced by local authorities and traditions. The supply of trained jurists is very limited. In 2002 the transitional government established an education program run by Italian judicial experts to prepare judges, prosecutors, and defence lawyers. Although some individuals received secular judicial training in the early 2000s, the majority of local court officials came from Muslim religious schools and lacked judicial skills. The respective roles of Islamic and secular law in the new national judicial system have not been well established; a large portion of the current law code is based on laws passed under the last king, Mohammad Zahir Shah (ruled 1933–73). In rural areas, where local elders and tribal authorities resolve criminal cases, Taleban laws have remained in effect. According to a 2006 estimate, in all provinces some 90% of local cases are based on Islamic and tribal law.

Electoral System: Suffrage is universal for male and female citizens 18 years of age and older. A new electoral and political party law went into effect in May 2004. About 77% of registered voters participated in the direct presidential election of 2004, the first since 1969. That election was managed by the Interim Election Commission appointed by Hamid Karzai, then the head of the interim government. Although some incidents of intimidation were reported in elections for the constitutional Loya Jirga in late 2003, the constitutional referendum of January 2004, and the presidential election of October 2004, monitors found those voting processes to be basically fair. In 2004 Karzai appointed an 11-member Joint Electoral Management Body to permanently oversee election registration and procedures. The first parliamentary and local elections were held in September 2005 after being postponed for nearly a year for security reasons; technical assistance was provided by the Organization for Security and Cooperation in Europe (OSCE). Although the election commission ostensibly disqualified individuals commanding armed groups from the parliamentary elections, several of the most powerful regional warlords gained seats. The complex voting system for those elections, in which about 50% of eligible voters participated, received substantial criticism. Because all candidates ran as individuals and no party representation was allowed, substantial fragmentation resulted.

Civil Liberties and Human Rights: Afghanistan has always had an appalling record in this field. After the 2003 war, human rights violations have continued, particularly outside the region controlled by the central government. Warlords in the north have used looting, property destruction, rape, and murder to discourage displaced Pashtuns from reclaiming their homes. Child labour and trafficking in people remains common outside Kabul. Civilians frequently have been killed in battles between warlord forces.

Refugees and IDPs
There are still 1.908.052 Afghan refugees, mainly hosted in Pakistan and Iran. Returned refugees, in 2005, were 752.084, while 142.505 persons are accounted for as internally displaced. According to the UNHCR, the return of refugees and IDPs is continuing at a satisfactory pace351.

Women
Women’s right to work outside the home, including political activity, has received increasing acceptance in the early 2000s. The constitution of 2004 makes an explicit commitment to the advancement of women and to gender equality, and 25% of the seats in the lower house of

351 UNHCR – Status of the World Refugees. 2005
the National Assembly are designated for women. However, conservative elements in the judiciary have demanded separate education and a strict dress code for women.

**Media**

In 2004 a media law - criticized by journalists and legal experts – formally lifted restrictions on media activity but the government has limited freedom of the media by selective crackdowns that invoke Islamic law. The media remain substantially government-owned, and harassment and threats continue, especially outside Kabul. Self-censorship of the media has been encouraged, while the National Security Directorate has often been accused of harassing journalists. Government censorship is allowed by law. The commission that oversees the press includes no representatives of the news media.

**Prisons**

A prison rehabilitation program began in 2003, but poor conditions in the overcrowded prisons have contributed to illness and death among prisoners. In the absence of an effective national judicial system, the right to judicial protection has been compromised as uneven local standards have prevailed in criminal trials. Local militias also have their own prisons and have been accused of torture and arbitrary killings. The National Security Directorate has been accused of running its own prisons and use torture.

**Religion**

Freedom of religion is granted by law and no registration of religious groups is required; minority religious groups are able to practice freely but not to proselytize. In 2006 a Supreme Court decision to free an Afghan citizen accused of apostasy for having converted to Christianity received substantial criticism and threats from the conservative Muslim community.

The Afghanistan Compact also includes a medium-term strategy to address the rights problems of vulnerable groups, which enjoy – at present – little if any protection: like the disabled (aimed at providing assistance and reintegration) and the vulnerable women (the plan provides that by end-2010, the number of female-headed households that are chronically poor will be reduced by 20%, and their employment rates will be increased by 20%).

*The Afghan Independent Human Rights Commission (AIHRC)*

The Bonn Agreement of 2001 established the Independent Afghan Human Rights Commission to investigate human rights abuses and war crimes. AIHRC - a national constitutionalized human rights institution, governed by its Board of nine Human Rights Commissioners, and chaired by Dr Sima Samar - has established a three-year national action plan (2005-2007) for achieving relevant progress, based upon six programs:

1. Monitoring and Investigation
2. Transitional Justice
3. Human Rights Education
4. Women’s Rights
5. Child Rights
6. Disabled People’s Rights

These programs are managed and carried out by dedicated program units with staff in 8 satellite and 3 provincial offices. The units cooperate for training, research, and policy submissions, and are supported from the Kabul head office by the: Human Rights

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Commissioners providing technical advice, Media and Press Unit and Research and Policy Unit.

Partnerships are central to this three-year action plan, reflecting the recognition that the AIHRC must build strong working relationships with national and international actors. The Commission’s primary focus is on building strategic partnerships within Afghan civil society for research, education and promotion of human rights, and building closer working relationships with government departments and ministries to strengthen protection of human rights and facilitate advocacy and promotion efforts.353

4.4. International context

Regional actors

Neither the Soviet-supported regimes in Afghanistan, in 1979–89, nor the Taleban regime (1996–2001) received wide international recognition. After the fall of the Taleban in 2001, Afghanistan established diplomatic relations with most countries of the world. In December 2002, the six nations bordering Afghanistan signed a Good Neighbour Declaration, guaranteeing the country’s independence and territorial integrity.

Since 1948, Pakistan has been a key neighbour with which Afghanistan has had substantial differences. During the Soviet occupation, Pakistan was the main supply point for the Mujahiddin insurgency. In the late 1990s, Pakistan supported the Taleban regime, reversing its support only in late 2001. Both partners have a vital stake in friendly relations: for Afghanistan, Pakistan remains a vital corridor to the Arabian Sea, and for Pakistan, Afghanistan is a vital connection to the hydrocarbon and other resources of Central Asia. Nonetheless, relations between Afghanistan and Pakistan have been strained by the ongoing separation of the Pashtun tribes and by disagreements on border procedures and smuggling. Other relevant issues are the continued presence of Taleban and al Qaeda forces in Pakistan’s border provinces, and Afghanistan’s relations with India. A United States-sponsored Tripartite Commission is the main arena for discussion of these issues.

In the early 2000s, India has moved aggressively by offering a range of assistance projects worth USD 600 million and establishing diplomatic missions throughout Afghanistan. India further expanded the assistance package in 2006.

Relations with Iran generally have been positive. Iran opposed the Soviet-backed and Taleban regimes in Afghanistan, and it has actively supported reconstruction efforts of the early 2000s. Trade relations also have improved in this period. The main issues are the ongoing presence of Afghan refugees in Iran, Iranian support for certain warlords in Afghanistan’s border provinces, and Iranian concerns for the Shia minority in Afghanistan. Beginning in 2005, the Karzai government felt substantial Western pressure to eschew closer relations with Iran, which in turn endeavoured to create new bilateral links.

In the early 2000s, official relations have improved as Russia pledged assistance in building Afghanistan’s military and business establishments, clearing landmines, and developing oil and gas extraction. However, residual mistrust and issues such as outstanding Soviet-era debts to Russia, which Afghanistan has not officially recognized, have limited improvement.

Relations with Tajikistan were complicated by Afghanistan’s role in its neighbour’s long civil war of the 1990s. Tajik insurgents used Afghanistan as a base for military operations, and about 100,000 Tajiks took refuge in northern Afghanistan in the early 1990s. In the early 2000s, Afghanistan has sought improved commercial relations; a planned bridge over the Amu Darya River will enhance the trade route north into Tajikistan.

Relations with Uzbekistan have been limited by the harsh border controls enforced by Uzbekistan to prevent the entry of narcotics smugglers and Islamic fundamentalists from the south and by Uzbekistan’s ongoing support for Abdul Rashid Dostum, the Uzbek warlord who controls parts of north-eastern Afghanistan.

International actors

The London Conference On Afghanistan (31 January – 1 February 2006) established a new political framework for the Afghan transition, called The Afghanistan Compact, based on partnership between the Afghan Government, with its sovereign responsibilities, and the international community, with a central and impartial coordinating role for the United Nations. The Compact identifies three critical and interdependent areas or pillars of activity for the five years from its adoption:

- Security;
- Governance, Rule of Law and Human Rights; and
- Economic and Social Development.

A further vital and cross-cutting area of work is eliminating the narcotics industry, which remains a formidable threat to the people and state of Afghanistan, the region and beyond.

The Afghan Government commits itself to realising this shared vision of the future; the international community, in turn, commits itself to provide resources and support to realise that vision. Annex I of the Compact sets out detailed outcomes, benchmarks and timelines for delivery, consistent with the high-level goals set by the Afghanistan National Development Strategy (ANDS). The Government and international community also commit themselves to improve the effectiveness and accountability of international assistance as set forth in Annex II.  

United Nations Assistance Mission in Afghanistan (UNAMA) was established on March 28, 2002 through United Nations Security Council resolution 1401. Its original mandate was aimed at supporting the process of rebuilding and national reconciliation outlined in the Bonn Agreement of December 2001. As of 23rd March 2006 UNAMA’s mandate, which is renewed annually, contains six main elements. These are: providing political and strategic advice for the peace process; providing good offices; assisting Afghanistan’s government towards implementation of the Afghanistan Compact; promoting human rights; providing technical assistance; and continuing to manage all UN humanitarian relief, recovery, reconstruction and development activities in coordination with the government. Many of the major UN agencies work in Afghanistan with Afghan counterparts and with national and international NGO partners.

UNAMA is a Political Mission, directed and supported by the UN’s Department of Peacekeeping Operations. As an ‘integrated’ mission, UNAMA has two main pillars, one

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dealing with development issues, and the other handling political matters. UNAMA’s priorities include strengthening Afghan institutions and building the capacity of the Afghan Administration at all levels, including the development of institutions of good governance, of law and order, and of security. Emphasis is also given to increasing employment and cash for work schemes.355

Currently, the United States is the most influential international actor in Afghanistan. The Karzai governments have received substantial US support to re-establish the infrastructure and strengthen government control of outlying regions. The United States has granted Afghanistan considerable preferential trade treatment. Since entering Afghanistan in late 2001, the US military’s Operation Enduring Freedom (OEF) has pursued its objectives of eliminating Taleban and al Qaeda forces from Afghanistan and providing assistance. Monthly expenditures for US military engagement are running at roughly USD 1 billion. To help rebuild the country, in fiscal years 2002 and 2003 the United States spent USD 900 million on humanitarian and reconstruction projects. In June 2004, the US Government Accountability Office reported that US humanitarian and short-term assistance over the 2-year period had helped Afghanistan’s vulnerable population but that longer-term reconstruction efforts achieved limited results in creating a stable Afghan society. In October 2003, to speed reconstruction and produce visible signs of progress before Afghanistan’s first presidential elections in 2004, the United States implemented the “Accelerating Success in Afghanistan” initiative. 356

On 16 November 2005, the European Union and Afghanistan adopted a Joint Declaration setting out an increased co-operation, based on Afghan ownership, across a range of areas. These include support to political and economic governance; security sector reform and justice sector reform; counter-narcotics; development; human rights, civil society and refugee return; education and culture. It also establishes a regular political dialogue, with annual meetings at Ministerial level, and reaffirmed the EU’s long-term commitment to Afghanistan as the Bonn process drew to a close. On 30 January 2006, just ahead of the London conference, the Council adopted conclusions welcoming the launch of the Afghanistan Compact The Council reaffirmed the EU’s support for the key pillars of activity identified by the Compact. The EU and its member states collectively accounted for about 30% of the USD 12.5 billion in grants pledged by the international community for Afghan reconstruction at international conferences in Tokyo (2002) and Berlin (2004). This funding for reconstruction and development is in addition to more than €200m in humanitarian assistance delivered since 2001.357

There are some 16 UN agencies in the country working together with their Afghan government counterparts and with national and international NGO partners. Among UN’s agencies, there are:

- The United Nation Development Program (UNDP);
- The UN High Commissioner for Refugees (UNHCR);
- The UN Office for the Coordination of Humanitarian Affairs (OCHA);
- The UN Food and Agriculture Organization (FAO);
- The UN Children's Fund (UNICEF);
- The UN Population Fund (UNFPA);
- The UN World Food Programme (WFP).

355 http://www.unama-afg.org/Index.htm
In an effort to integrate all UN activities in Afghanistan, the United Nation Assistance Mission to Afghanistan (UNAMA) was established. The Special Representative of the Secretary-General for Afghanistan (SRSG), who leads UNAMA, has overall responsibility for all UN activities in the country.

The Humanitarian Information Centre for Afghanistan is a UN sponsored part of the Project Management Information System Project (promis), initiated in 1997 to enhanced the capacity of UN agencies, NGO's and the donor community to undertake analysis and planning for operational and emergency activities.

In the security field, the two main actors are the United States, who are leading a military coalition deeply involved in the active fight against the insurgents (opposing forces), and the North Atlantic Treaty Organization, which deploys in the country over ten thousand troops from 35 countries.

The US – led coalition’s HQ is based in Florida, United States, where the coalition partners have their senior representatives.

As such, the military operations carried out by this coalition are only co-ordinated with Afghan authorities at strategic level, while there is a stronger co-operation at operational and tactical level.

NATO is leading, since the August 2003, the International Security Assistance Force (ISAF), originally deployed in 2001 following a resolution of the UN Security Council.

The political leadership is exercised by the North Atlantic Council, in co-ordination with those non-NATO countries that provide troops.

On January 31 and February 1, 2006, 66 states and 15 international organizations participated in the London Conference on Afghanistan, which was chaired by British Prime Minister Tony Blair, Afghanistan's President Hamid Karzai and UN Secretary-General Kofi Annan. The government of Afghanistan provided an overview of developments in the country and of its strategies, priorities and plans for economic and political development in the following five years. At the end of the conference, the delegates adopted the Afghanistan Compact, a political agreement between the international community and the government of Afghanistan, confirming the commitment of both the Government of Afghanistan and the international community to cooperate in creating conditions allowing the people of Afghanistan to live in peace and security under the rule of law, with a strong government which protects human rights and supports economic and social development in the country.

The compact followed the formal conclusion of the Bonn process, which had launched the reconstruction process in 2001 and reached its goal in the parliamentary and provincial elections in 2005. It served as a basis for the next stage of reconstruction, which was to rely more strongly on the country's own institutions. The donor countries and institutions promised to support this process with a total of 10.5 billion US dollars.

In 2010 the period in which the international community had come to agree during a conference in London to follow a mutual strategy (called the Afghanistan Compact) with the Afghan government had come to agree to follow a mutual strategy would end.

The 2009 conference in The Hague was than an opportunity to restate and intensify the engagement of the international community in Afghanistan. Therefore all countries were invited which were involved with Afghanistan, NATO ISAF partners, neighboring countries
but also countries which were essential for logistical support of amongst others the ISAF mission. In total 73 countries of which only one (Uzbekistan) declined the invitation.

NATO Secretary-General Jaap de Hoop Scheffer urged the delegations to help finance a special NATO fund of 1.6 billions US dollars, which would be spent on equipment, training and building an infrastructure for the Afghan National Army (ANA). The growth of the Afghan National Police (ANP) would follow after the strengthening of the armed forces. The police should grow from 76.000 partly poorly trained officers to a well-trained force of 82.000 officers.

During the conference, president Karzai acknowledged that Afghanistan suffered from corruption and poor governance and promised to change that. This act among other official statements was seen as a declaration of intent which increased the support for the new Afghanistan policies of the United States, which had announced before the conference to send 21,000 extra military personnel to Afghanistan (of which 4.000 would provide education). Almost all invited countries declared to give this initiative of the new American government a serious chance, and made a commitment to further efforts in the country, pledging a stronger military offensive against the Taliban insurgency, to invest in civil reconstruction, to tackle the drug trade and to stabilize neighbouring Pakistan.

10 months after The Hague Conference, a new conference followed on January 28, 2010 in London which aim was to draft plans to hand over security responsibilities from ISAF to Afghan forces and to lure Taliban members to renounce violence. During the conference, a schedule was drafted for the improvement of government in Afghanistan. The conference laid out a plan for what was hoped to be "a new phase" in the Afghan conflict, in which the government in Kabul would take over, province by province, responsibility for security over the next five years. A follow up-conference would then be held in Kabul with existence of Taliban's representative, to evaluate the results.

More than 70 countries and international organizations present agreed with the government of Afghanistan:

- To develop a plan for phased transition to Afghan security lead province by province to begin, provided conditions are met, by late 2010/early 2011.
- Targets for significant increases in the Afghan Army and Police Force supported by the international community: 171,000 Afghan Army and 134,000 Afghan Police by the end of 2011, taking total security force numbers to over 300,000.
- Confirmation of a significant increase in international forces to support the training of Afghan forces. In total, the US have increased levels by 30,000 and the rest of the international community by 9,000, including the German contribution taking total force levels to around 135,000.
- Measures to tackle corruption, including the establishment of an independent Office of High Oversight and an independent Monitoring and Evaluation Mission.
- Better coordinated development assistance to be increasingly channelled through the GoA, supported by reforms to structures and budgets.

Following The Hague Conference, on 5 December 2011 the International Conference on Afghanistan took place in Bonn. The conference was hosted by Germany and chaired by Afghanistan as a result of a formal request addressed at the NATO Summit in Lisbon in
November 2010 by the Afghan President who asked the Federal Chancellor Angela Merkel to host a follow-up conference ten years after the 2001 Bonn Conference.

The conference, which was attended by 85 states, 15 international organizations and the United Nations, focused on three main issues involving the conclusion of the Afghan War and the transition of security responsibility to the Afghan Government, scheduled to occur in 2014. These were: civil aspects of the transition process, the role of international community in Afghanistan after the handover, and long-term political stabilization of the country. The conference concluded by issuing a statement affirming continued international support for Afghanistan for the next decade. Progress was hindered by Pakistan's boycott of the conference following the 2011 NATO attack in Pakistan.

The NATO Lisbon Summit in 2010, was followed by the Summit held in Chicago in 2012 on the 20 and 21 May 2012, and was the first time ever that a NATO summit has been held in the United States outside of the nation's capital, Washington, D.C. Among other points on the agenda such as the Arab Spring, Libyan civil war, the global financial crisis, and a missile shield system for Europe, the Summit discussed the impact of the transition for NATO forces in Afghanistan to seek routes out. The Afghanistan issue in particular faced a public relations timeline due to a declaration by Barack Obama that NATO activities in Afghanistan would be concluded by 2014, but 28-nation military bloc was clearly divided, as the new French President, Francois Hollande, indicated that he will pull out all 3,400 French troops at the end of 2012 or 2 years ahead of NATO's timetable.

As an outcome of the Summit the leaders of the NATO-member countries endorsed an exit strategy for the War in Afghanistan and declared their long-term commitment to Afghanistan. The NATO-led ISAF Forces will hand over command of all combat missions to Afghan forces by the middle of 2013, while shifting at the same time from combat to a support role of Training Advising, and Assisting the Afghan National Security Forces including the Afghan Special Operations Forces and then withdraw most of the 130,000 foreign troops by the end of December 2014. Nations with troops in Afghanistan such as Australia, Denmark, Germany, Italy, the Netherlands, Estonia and others had made pledges that added "almost" $1 billion to fund Afghan security forces after 2014, while the majority of the funding Would have come from the United States and International Donors as lately declared in June 2012 after the Summit. The annual aid of 4.1 billion U.S. dollars was pledged to pay for ongoing training, equipment and financial support for Afghanistan's security forces after 2014.

Along with the Commitment confirmed at the Chicago Summit, in July 2012 the Afghan Government and the International Community reaffirmed their partnership in the economic growth and development of Afghanistan through a process of mutual accountability in achieving mutually decided goals as laid out in the Tokyo Mutual Accountability Framework (TMAF) document. The document concretized the mutual commitments decided in the Kabul Process and reaffirmed at the Bonn Conference in December 2011 by stipulating shared development and governance goals and a mechanism to hold parties accountable for achieving them. The Participants reiterate that the Afghan Government have special, significant, and continuing but declining fiscal requirements that cannot be met by domestic revenues in the years following Transition as has been estimated by the World Bank and the Afghan Government in preparation for the Tokyo Conference. To help address the budget shortfall, the International Community commits to directing financial support towards Afghanistan’s economic development through the Transformation Decade.
The Tokyo Mutual Accountability Framework is based on broadly accepted principles of inclusive and sustainable economic growth and development:

- Governance has a direct bearing on development performance;
- International assistance aligned with national priority programs enhances efficiency and sustainability of development assistance;
- International assistance through national budgets can improve national institutional capacities, development performance, and accountability to its citizens;
- Monitoring of development and governance benchmarks in a transparent manner is a powerful means to enable accountability to the Afghan people, and reinforce reciprocal commitments of donors and the Afghan Government to improved development performance;
- Private investment both domestic and foreign is key to sustainable economic growth; and
- Regional cooperation facilitates the integration of regional economies, thus contributing to the sustainability of development efforts in Afghanistan.

International NGO’s

There are over 150 International NGO’s working in Afghanistan, at the present time. The overwhelming majority of them are involved in emergency and reconstruction aid. NGO’s have played a primary role in implementing assistance projects for Afghans over two decades, in large part because donor governments have been reluctant to enter into direct cooperation with governments which they have considered illegitimate.

4.5. Economic Context

Gross Domestic Product (GDP): Excluding illegal poppy production, for fiscal year (FY) 2004–5 Afghanistan’s GDP was estimated at USD 5.22 billion or USD 232 per capita.

Economic statistics for Afghanistan traditionally are inexact. Afghanistan’s economy, which always has been heavily agricultural and one of the poorest in the world, was shattered by the wars of the 1980s and the 1990s. Industry, much of which depended on agricultural output, suffered as well. After the wars, small-scale trade in urban centres and agriculture in some regions revived quickly. However, damage to the infrastructure will take much longer to repair. The post-Taleban’s subsistence economy is not even capable of meeting the basic food requirements of the population, which survive extensively on foreign aid.

The country ranked 173 of 178 countries in the UN 2004 Human Development Index. Average life expectancy is 44.5 years, at least 20 years lower than in neighbouring countries. One out of two Afghans can be classified as poor, and 20.4% of the rural population gets less than the benchmark of 2,070 calories a day to eat. Most glaring are inequalities that affect women and children, some of the worst social indicators in the world. One woman dies from pregnancy-related causes about every 30 minutes, and maternal mortality rates are 60 times higher than in industrialized countries. One-fifth of the children die before the age of five, 80% of them from preventable diseases, one of the worst rates in the world.358

Afghanistan's economic outlook has improved significantly since the fall of the Taleban regime in 2001 because of the infusion of over USD 2 billion in international assistance,

358 UNDP - 2004 Human Development Index
recovery of the agricultural sector, and the reestablishment of market institutions. Agriculture boomed in 2003 with the end of a four-year drought, but drought conditions returned for the southern half of the country in 2004. Despite the progress of the past few years, Afghanistan remains extremely poor, landlocked, and highly dependent on foreign aid, farming, and trade with neighbouring countries. Much of the population continues to suffer from shortages of housing, clean water, electricity, medical care, and jobs.\(^{359}\)

Agriculture traditionally has been the foundation of Afghanistan’s economy, employing as much as 80% of the workforce and contributing at least half of the gross domestic product (GDP). Because of the poor quality of most agricultural land, subsistence agriculture predominates. Although many displaced Afghan farmers returned to their land in the early 2000s, land mines and the destruction of irrigation systems had made much agricultural land unusable.

The smuggling and other illegal economic activities that were pervasive during the war periods left a very strong residual black-market economy specializing in moving goods illegally into Pakistan and moving illegal drugs northward into Central Asia and ultimately Russia and Western Europe. Expanding poppy cultivation and a growing opium trade (accounting for between 75 and 87% of the world supply) represent one of Kabul's most serious policy challenges. The impact of opium on Afghanistan’s economy, governance, and society is profound. Cultivating opium poppy helps supplement subsistence-level incomes derived from other agriculture-based pursuits. Yet, the opium trade has a harmful impact on Afghanistan’s security, its political normalization, the process of governance and state-building, as well as its longer-term economic development.

Also, the illegal trade between Afghanistan and Pakistan is a major activity in the informal economy. Duty-free goods imported in Afghanistan from Pakistan due to free trade agreements are sold back in Pakistan avoiding customs taxes and generating huge profits. Timber is another object of illegal trafficking. War, illegal exploitation, and the need for firewood have removed an estimated 50% of the limited forest resource.

Afghanistan is relatively rich of minerals, like coal, copper, lead, zinc and precious stones, but the extent of richness is unknown in most cases. However, mining activities are minimal and the whole sector is underdeveloped, with the exception of some precious stones that are illegally mined by local chieftains, generating considerable profits for those warlords, which control the territory.

In terms of transportation infrastructures, Afghanistan has approximately 18,000 kilometres of paved roads, most in precarious state of maintenance. After the fall of Taleban regime, several donors are investing in the reconstruction of a functional transportation system, building new roads, bridges and trans-border connections.

Energy is another deficient sector. War damage depleted Afghanistan’s energy generation infrastructure, particularly generators and power lines. Less than 10% of the population has access to the electricity and 85% of Afghanistan energy needs are met by imported kerosene, for the independent power generators. During the Taleban era, high-voltage lines were built for the import of electricity from Turkmenistan and Uzbekistan, but the supplies were discontinued due to payment arrears. Few hydroelectric plants are still working, mainly in the Helmand and Kandahar provinces, but are often affected by periodic droughts. In 2004

energy shortages were a critical obstacle in resuming economic activity, but in 2005 the electricity supply improved significantly.

Some natural gas wells and 31 oil wells that were active during the Soviet occupation have remained capped since that era. In 2004 natural gas reserves were estimated at 5 trillion cubic feet. Oil reserves were estimated at 95 million barrels and coal reserves at 73 million tons. Although Afghanistan is a natural pipeline route between Central Asian natural gas fields and the Arabian Sea and the often-discussed Trans-Afghan Pipeline clearly would be an economic boon, security issues have prevented construction. Afghanistan’s domestic pipelines connect gas fields only with local consumers.

Afghanistan’s banking system, collapsed during the civil war of the early 1990s. With the collapse, money-changers became the main source of financing, and opium and wheat became the primary forms of capital for the agricultural population. In mid-2004 the Afghanistan International Bank (AIB) began operating with the backing of the Asian Development Bank and 75% ownership by Afghan businessmen. The AIB began making corporate loans in 2004.

Because of the very large black-market economy, statistics on the labour force are incomplete. In 2004 the labour force in the legitimate economy was estimated at 15 million. The conflicts of the 1980s and 1990s seriously depleted the supply of skilled labour.

Foreign Economic Relations: in 2004 Afghanistan had USD 8 billion in bilateral debt. The United States has given Afghanistan status as a least-developed beneficiary developing nation, and signed a bilateral Trade and Investment Framework Agreement. The European Union also gives Afghan products preferential trade status.

Iran has given Afghanistan the use of its Arabian Sea port at Chabahar under favourable conditions.
In 2003 Afghanistan, Iran, and Uzbekistan established a trans-Afghan trade corridor. Trade with Pakistan is complicated by a high level of smuggling across the border; in 2004 an estimated 80% of goods entering Afghanistan from Pakistan were subsequently smuggled back into Pakistan.
In the last fiscal year (2004-05), the volume of Afghanistan’s exports (including re-exports) were worth USD 1.7 billion, and its imports USD 3.9 billion. The main commercial partners were Pakistan, India, the United States, and Germany, Turkmenistan, Kenya, the Republic of Korea (South Korea), and Russia. Aside from opium, the main export commodities were fruits and nuts, carpets, wool, cotton, hides and pelts, and precious and semi-precious gems. The main imports were capital goods, food, textiles, and petroleum products.

As for International Aid, the 2004 International Conference on Afghanistan pledged USD 8.3 billion for economic infrastructure reconstruction during the following three years. At the 2006 London Conference on Afghanistan, international donors pledged USD 10.4 billion to the Afghanistan National Development Strategy, which includes economic and social components, during the ensuing five years. In 2006 some 22 provincial reconstruction teams led by Western civilian and military personnel were working to restore economic infrastructure and security in Afghanistan. A major economic problem is replacing the income generated by opium production, which in 2005 yielded an estimated 52% of the country’s gross domestic product (GDP). Smuggling, particularly across the Pakistan border, also was an important part of the “black economy.” In early 2005, a significant regional step was the establishment of an economic coordination council by the governors of four provinces in resource-rich and strategically vital eastern Afghanistan.
Against this bleak landscape, according to the international economic institutions there are positive hints of economic growth. The IMF estimates that GDP growth reached 8% in 2004/05. Good agricultural growing conditions got 2005/06 off to a strong start, and the IMF forecasts growth of 13.6% in 2005/06 and 11.2% in 2006/07. Such rapid growth rates look attainable, security permitting.

However, the increase in gross domestic product would not necessarily improve the ability of the government to address the huge problems affecting Afghan society. In 2005, fiscal revenues are just 40% of the expenditure in the core budget of the government. This, in turn, is only 5.6% of GDP, one of the lowest level in the world.

The government of Afghanistan claims that the country holds up to $3 trillion in proven untapped mineral deposits, which could make it one of the richest mining regions on earth. However, due to the conflicts, it remains one of the least developed countries in the world, ranking 175th on the United Nations' Human Development Index. The nation's GDP in 2011 stood at about $34 billion with an exchange rate of $19.85 billion, and the GDP per capita of about $1,150.

4.6. Security

There are many security concerns in Afghanistan, threatening the stability of the present political settlement and the physical safety of the population.

In terms of international relations, between Kabul and its neighbours there are not contentious issues able to menace the internationally recognised borders. On the contrary, the present Afghan authorities enjoy a large consensus among both regional and global players, and many military powers, including the United States and NATO countries, are committed to the defence of the country.

Nonetheless, several threats to Afghanistan stability comes from armed militias that are based across the international border with Pakistan; as a consequence, there is a certain attrition with Pakistani authorities on the respective inability to properly fight against these armed groups.

On the western and northern borders the security issues seem less relevant; however the demarcation of the border is rather vague, thus illegal trafficking and cross border criminal activities are blended with domestic problems.

The internal security of the country is endangered by the violent confrontation with illegal armed groups, either with a political or essentially economic motivation.

The rapid overthrow of the Taleban in 2001 succeeded in crashing the military organization of the ultra-fundamentalist regime. In the subsequent year, the remnants of Taleban fighters that successfully escaped in Pakistan tried to regroup and launch very limited military actions against the coalition troops operating in the eastern part of the country.

Slowly, the military capabilities of the Taleban were regenerated and their operatives started to re-enter in Afghanistan during the good season, conducting the typical hit-and-run attacks against coalition troops and Afghan authorities.

During the 2006, the Taleban militias, or perhaps the pro-Taleban fighters locally recruited in the southern provinces, seem increasingly effective in their attacks, being able to dislodge Afghan police based in remote areas and exert some level of influence over the population. This worrisome trend is perhaps the combined effect of two different patterns.
Taliban are probably improving their military efficiency, thanks to better training, improved planning and the use of modern tools like cellular phones and tactical radios. Clearly, this kind of increased effectiveness would not be possible without some sort of external support from formal or informal actors.

At the same time, Afghan legal authorities are gradually expanding their control over the country, sending more troops – both Army and Police – to the troublesome southern regions. As a consequence, clashes for the control of the territory are more frequent. Taliban and “neo-Taliban” forces have a political motivation; they are fighting for the control of the country, starting from the control over the Pashtun-inhabited provinces. Nevertheless, the financial support of their campaign likely requires the illegal trafficking and the drug cultivation; thus some sort of tactical alliance with local chieftains is functional to their strategy.

The presence of al-Qaeda organization in Afghanistan, including its top commanders, training camps and hundreds of operatives, was the main reason for the US military offensive against Taliban regime, after the September 2001 terrorist attacks. Alongside the general collapse of Taliban military forces, al-Qaeda structures were also swept away from the country during the US-led campaign. However, several top leaders safely escaped from the military encircle and the whole organization survived, being able to hide in the uncontrolled border region with Pakistan. After a period of relatively low activity, in the last two to three years al-Qaeda seems able again to operate offensively in Afghanistan, with a purely terrorist tactic. The use of improvised explosive devices, often carried by suicide bombers either on foot or using vehicles, is probably the outcome of the technical expertise gained by the organization in other middle-eastern battlefields and imported in the Afghan theatre. The targets of these attacks are generally the troops of the international coalition or the local authorities, but due to the usual inaccuracy of terrorist bombing, attacks often involve civilian casualties.

Al-Qaeda, like the resurgent Taliban, has a political motivation. At strategic level, the global “jihihad” against western world is fought in Afghanistan, as well as in Iraq and elsewhere in the world. Tactically, this kind of irregular warfare has a destabilising effect on Afghan legal authorities, which are seen by al-Qaeda leaders as the local agents of western powers. The tactical needs of al-Qaeda operatives are probably satisfied by temporary alliances with local warlords, able to provide logistic and intelligence support to the organization. A third, unpredictable threat to the security of Afghanistan, with a mainly political motivation, comes from factional confrontation. The political settlement at central and local level remains highly unstable. Every government reshuffle implies a new distribution of power among the political groups, still divided along ethnic lines. The exclusion from the power centres can easily produce a violent reaction, which could be deceptively associated with the al-Qaeda-borne terrorist actions or Taliban activities. The target of this kind of unorthodox manoeuvre is the actual political settlement. The objective is a different arrangement where the excluded faction gains more political and economic relevance. As such, factional confrontation is not a threat to the survival of the present institutional architecture, but it is highly destabilising for the political life and an obstruction for any effective governance.

Beside the violent struggles with political roots, Afghanistan suffers from the despotic rule of local chieftains and warlords.
The very long period of civil war has left the country’s economy in a desolate condition. Therefore, illegal armed groups, which are usually deeply rooted in the tribal structure of the local communities, often exercise the control over natural resources and trade. Due to the scarcity of legal economic opportunities, informal and illegal activities form the backbone and power base of these groups, which exert their control over the society both through the violence and the distribution of employment opportunities. Due to the nature of their interests, warlords are interested in a non-confrontational relation with other power centres. As such, they are prone to collusion and tactical alliances with either terrorist groups or legal authorities, depending on the advantages they can obtain. Consequently, the widespread presence of illegal armed formations makes difficult the enforcement of legal authority over the country, the collection of taxes and the effective fight against politically motivated rebel groups.

4.7. Civil Society

The evolution of the post-war process is particularly worrying in Afghanistan. Thirteen years after the operation Enduring Freedom and the international intervention, most of the country still lies in a state of war, violence is dramatically increasing, and the living conditions of Afghans have not seen much improvement. Donors’ commitment, although generous, seems largely insufficient to produce a quick upgrading of living standards. And the outstanding military costs inevitably lead to downsizing the resources for civil investment. In terms of international aid, Afghanistan lies in the lower rank of the countries in transition.

Insecurity and human rights abuses

Security in Afghanistan has deteriorated considerably. The Secretary-General has noted that "at no time since the fall of the Taliban in late 2001 has the threat to Afghanistan's transition been so severe." 360 Afghanistan is marked by widespread violence at all levels of social life. More than 1,500 people were killed in the escalating violence in 2005 alone, the largest number in a single year since the fall of the Taliban. The institutions developed to deal with security, such as the Afghan National Army and police, are teetering along with few resources and little experience.

Afghans contend that the US aided and abetted the warlords, providing them with funds and weapons while looking the other way when the warlords abuse power. In fact, many Afghans lament that the war was not meant to liberate the Afghan people from tyrannical forces, but rather to save American lives from terrorist forces who had found safe haven in their land. By day the warlords fight alongside US troops, and by night they rape, loot, and terrorize the Afghan people".361

Although lack of documented information on many forms of social violence is a constraint to analysis, indications are strong that social violence is increasing as a result of a lack of social protection for vulnerable groups.

While the main form of social protection has come from the family, longstanding conflict, civil unrest and displacement have severely eroded the capacity of many families to provide such protection to their members. Even within intact families, severe abuses of members occur. Women and girls are disproportionately affected, exacerbated by their absence from decision making fora at all levels. Police, militia, armed political groups and commanders allegedly continue to use rape and sexual violence as a weapon against women and girls,

their families and communities. Afghan boys also are targets of sexual abuse. Physical punishment of children at home and at school is common, and an increase in child trafficking, kidnapping and exploitation has been reported, in large part because of extreme poverty. Comprehensive research into child abuse is yet to be undertaken. Based on analysis, four key challenges have been identified as inhibiting the realisation of rights to freedom from discrimination for victims of social violence; to life; and to freedom from torture and cruel, inhuman and degrading treatment or punishment.362

Conflicting political and military objectives enhance the power of regional warlords at the expense of overall security and Afghan governance. “That the legislature contains warlords, commanders and drug traffickers is undisputed (...) A policy of co-option over the last four years has entrenched notorious figures in the executive, from the highest central government posts to district level. Those who have committed and are still committing atrocities – in many cases with remarkable continuity – are not held answerable, highlighting the urgent need to reform the third branch, the judiciary” 363

From the outset it was evident that the bargaining power of the warlords was greatly influenced by America’s war on terrorism. By paying militias to hunt for former Taleban members and Al Qaeda operatives, the US military helps local warlords maintain authority in their area of control. This sometimes happen at the expenses of the aid community.

A poppy-based economy

Over recent years, opium poppy cultivation has spread to every corner of Afghanistan. In 2004, poppy cultivation increased by as much as 64%, with USD 2.8 billion in illicit revenue. Afghanistan’s illicit opium economy represented as much as 52% of the country’s legal gross domestic product in 2004. Although the amount of land and labour resources used for opium production is relatively small—only about 7% of the country’s irrigated land area in 2004—as many as two million Afghans are involved in opium production, earning far higher incomes from poppy cultivation than from any other activity. In 2003, the average gross income per hectare (ha) from opium cultivation exceeded that of wheat—the main alternative crop—by as much as 27 times. While the farm gate price of opium plummeted in 2004, opium poppy still remained at least 10 times more profitable than any other cash crop, and also provided wage labour as much as five times the market wage for rural unskilled labour.

364 Curtis, Grant - Afghanistan's Opium Economy. ADB Review. December 2005
The internationally supported program to replace poppies with legal crops showed some progress in 2005. Reportedly, between 2004 and 2005 the area under poppy cultivation decreased by 21%, but production declined by only 2.4%. By contrast, between 2003 and 2004 the area under poppy cultivation had tripled, and the estimated value of the poppy crop more than doubled as output reached 4,200 tons. UNODC has recently published its Afghanistan Opium Survey 2006. This indicates that opium cultivation has increased to its highest level ever, with 165,000 hectares cultivated in 2006 as compared with 104,000 in 2005. This represents an increase of 59%. Total production arising from this is estimated to be 6,100 tonnes which compares with 4,100 tonnes in 2005, an increase of 49%. The comparatively low production level arises from a 6% reduction in average yields, due, in part, to drought conditions. At this level, Afghanistan now accounts for 92% of global production, which, at 6,629 tonnes, has reached its highest point since 1990.

Substitution crop programmes have failed to address the deep economic reliance of rural communities on illegal opium. Opium is the lever for access to land and credit for the poorest farmers. The much championed "Alternative Livelihood" programmes are often disjointed from the real needs and resources of these communities. Cases of mismanaged and/or undelivered alternative development programmes have left farmers in even deeper poverty.

International aid

In a complex and often initially chaotic post-conflict situation, where high priority is given to political and market economy imperatives, the needs of the poor and vulnerable sections of the population are often neglected. In Afghanistan aid has been unevenly distributed between regions and communities. A serious lack of social protection exists for extremely vulnerable groups. This includes widows, women-headed households, IDPs, children without parental care, people with disabilities, former child soldiers and others. In particular, there exists an

365 United Nations Office on Drugs and Crime - Afghanistan Opium Survey 2006
imperative to respond to the social and psychosocial needs of children, few of whom have been unscarred by extremes of violence and poverty.

The majority of aid pledged worldwide is placed in the Afghanistan Reconstruction Trust Fund and administered by the World Bank and the Afghanistan Reconstruction Group. The Afghanistan Reconstruction Trust Fund (ARTF) provides a coordinated financing mechanism to enable the Interim Administration of Afghanistan to fund budget and priority sector and investment projects and programs. The Trust Fund Proposal was jointly prepared by the World Bank, the United Nations Development Programme (UNDP), the Asian Development Bank (ADB), and the Islamic Development Bank (isdb), to succeed the UNDP Trust Fund and provide short-term emergency funding for salaries of civil servants, simplify management and coordinate financial assistance. ARTF is expected to fund development of priority projects which would otherwise go unfunded and act as one of the funding sources to facilitate the return of skilled Afghans interested in helping to rebuild the Afghanistan.367

But effectiveness of aid represents a mixed picture, with the most positive elements coming from the provision of humanitarian aid, in particular regarding the return of refugees and IDPs and the rehabilitation of the water supply. In the health sector, coverage is low. As far as reconstruction is concerned, the result is even more unsatisfactory.

Regarding the cost-effectiveness aspect of efficiency, it has been difficult to obtain information, but all factors point downwards: logistics, security overheads, an inflated price level for support costs and high manpower expenses related to capacity buying. Jean Mazurelle, the World Bank director in Kabul, estimates that 35 to 40% of all international aid sent to Afghanistan is “badly spent”. He told the Agence France Press news agency, “In Afghanistan the wastage of aid is sky-high. There is real looting going on, mainly by private enterprises. It is a scandal. In 30 years of my career, I have never seen anything like it.” Mazurelle said the corruption and fraud have soured Afghans’ feelings toward the international community.368 The development aid provided by the Provincial Reconstruction Teams (see below) appears to have been particularly expensive.

The main factors affecting the performance of reconstruction and development progress are the situation of security, on one hand, and the limited contribution of international donors to this sector, on the other. Current levels of international investment in Afghan reconstruction remain low in relation to other post-conflict settings. While success cannot be guaranteed, failure is a foregone conclusion if the international community is not consistent with its promises to assist Afghanistan in accelerating reconstruction and improving security throughout the country.

The provision of aid has taken place with number of problems369:

- Slow progress in the establishment of the rule of law, continued human rights violations, and land disputes.
- Increased corruption
- Weak management capacity within the Afghan government
- Lack of qualified local personnel
- Difficulty in attracting skilled senior international staff because of hardship postings

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368 France Presse. Kabul, May 2006
• The high visibility and distorted perception of international actors, including their higher living standards.
• Rampant price inflation in Kabul.
• Lack of baseline data, needs assessments and agreed benchmarks for rehabilitation and development, which has inhibited the measurement of progress and impact.
• A sharp increase in opium production, which has negatively influenced the state-building and humanitarian processes.
• The continued conflict, which has increased the security risks, reduced aid provision to large parts of Afghanistan and increased the implementation costs.

Unsuccessful reconstruction and development programmes have also contributed to reinforcing the perceptions among the local population that the international community and central government have failed to improve lives in rural areas. The few success stories of the development effort are lost in the overall negative perceptions of the international community.

The case of the Kabul-Kandahar Highway

The Kabul-Kandahar Highway, a US-funded highway in the northern provinces of Afghanistan, is in five years the only accomplishment in highway building in Afghanistan. The USD 15 million for the project originally came from USAID, which gave it to the United Nations (UN) Office of Project Services, which in turn hired The Louis Berger Group as a consultant. The UN also contracted the Turkish firm Limak to build the road itself, and Limak, in turn, hired a partner, an Afghan-US construction company, ARC Construction.

The highway was featured in the Kabul Weekly newspaper in March 2005 under the headline, "Millions Wasted on Second-Rate Roads." Afghan journalist Mirwais Harooni reported that even though other international companies had been ready to rebuild the highway for USD 250,000 per kilometre, the Louis Berger Group got the job at USD 700,000 per kilometre (the road is 389 km long) on grounds that an American company would do a better work.

Berger subcontracted Turkish and Indian companies to build the narrow two-lane, shoulderless highway at a final cost of about USD 1 million per mile. By the time it came to buy construction materials, project money has trickled through so many agencies and contractors, that all contractors could afford was second rate goods requiring annual maintenance – an expense Afghanistan cannot afford, and anyone who travels it can see that it is already falling apart.

Now, the United States has pressured Afghan government to turn this "gift" into the first “toll road” in the country and collect USD 20 a month from Afghan drivers. In this way, according to US experts, Afghanistan can collect USD 30 million annually.

\[370 3/2006 S. Francisco Chronicle. 3 September 2006\]
The bad performance is also due to the political bias in favour of high spending for quick results. The Joint Evaluation carried out in 2005 by Denmark, Ireland, the Netherlands, Sweden and the United Kingdom on aid to Afghanistan, suggests that “the five Donors would have been required to take an approach that was more independent of the US and the World Bank. It was found that the results obtained were based to a large extent on “capacity-buying”, through consultants on international contracts, rather than capacity building of the staff in the Afghan public administration. This reflected the pressure for quick results, but in the long term this balance must shift to allow for sustainable results”. The need for quick results is also reflected in the creation of the PRTs along with the broader Security Force Assistance Policy focused at approaching in a broader perspective the need for the International Community and Donors commitment’s accountability requests to meet with the Afghan security goals and Afghan Government plans.

In this respect, to create an affordable Afghan National Security Forces (ANSF) Afghanistan is receiving massive international support to build up large security forces - the Afghan National Army (ANA) and Afghan National Police (ANP) - in order to progressively replace declining international troops in the counterinsurgency effort against the Taliban. Funding will be a major topic at the upcoming Chicago NATO Summit in May 2012 as a key issue associated with this ongoing security transition. Ahead of the summit, this paper focuses on the financial dimension - how to pay for Afghanistan’s national security forces.

Fiscal analysis conducted by the World Bank indicates that Afghanistan will be unable to pay for the ANSF at anywhere near existing or targeted size and cost levels from domestic

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resources for the foreseeable future. This would hold true even, for example, at half the previous size and cost targets (total of 352,000 people and annual sustaining cost of around $5 billion). The medium-term cost currently being discussed ($4.1 billion per year, with total staffing of around 230,000)2—and which is likely to be presented in Chicago for donor funding—does not change this outlook. It is equivalent to about a quarter of Afghanistan’s gross domestic product (GDP) and two-and-a-half times total government revenue. Even with continuing rapid revenue growth over time, it will not catch up with projected security sector costs for a number of years, and there are very large demands on government revenues for civilian expenditures as well.

Afghanistan is currently allocating from its domestic revenues around half a billion dollars, equivalent to 3 percent of its GDP, annually to security. This is already not grossly out of line with what many other low-income countries spend on defense and security. The extraordinarily high total expenditures on ANSF (currently and projected) reflect the difficult and challenging security situation and the responsibility for counterinsurgency the ANSF are expected to take over. The Afghan security contribution can increase over time, for example in line with GDP growth. But a very rapid shift of the burden onto Afghan domestic resources would wreak havoc with the national budget, squeeze out civilian spending and precipitate a fiscal crisis.

In this context, in the initial stage of the Transformation Decade, the International Community committed with the Tokio Mutual Accountability Framework (TMAF) document, to provide over 16 billion US dollars through 2015, and sustaining support, through 2017, at or near levels of the past decade to respond to the fiscal gap as estimated by the World Bank and the Afghan Government. The International Community welcomed the Afghan strategy, and reaffirmed its commitment of aligning 80 percent of aid with the National Priority Programs (NPPs) and channeling at least 50 percent of its development assistance through the national budget of the Afghan Government in accordance with the London and Kabul Communiqués.

Participating donors aimed to increase the share of their assistance provided via the Afghanistan Reconstruction Trust Fund (ARTF) incentive program, or other mechanisms as requested or agreed by the Afghan Government, to 10 percent by 2014, with a goal of 20 percent of funding through incentive mechanisms by the end of the Transformation Decade. Incentive programs should seek to provide the Afghan Government with more flexible, on-budget funding in conjunction with progress on specific economic development achievements.

Civil-military relations: the Provincial Reconstruction Teams (PRTs) and the evolution of the Security Assistance Force Advisory Structure

PRTs were first established in Afghanistan in early 2002. Their common purpose is to empower local governments to govern their constituents more effectively. The overall PRT concept in Afghanistan was, and is, to use relatively small joint civil-military units to achieve three objectives. PRT objectives are to improve security, to extend the authority of the Afghan central government, and finally to facilitate reconstruction.

A PRT in Afghanistan is commanded by a military officer, supported by a team of various specialties including civil affairs, engineers, medical staff, public affairs, information operations, logistics and security. The staff generally numbers between sixty and one hundred persons. There is no lead agency or department; the US government civilians and the
military commander form an executive committee of equals which develops a strategy for the PRT, drawing on the expertise of all contributing agencies.

Being the PRTs are a NATO military lead force linked to civilian institution with the following objectives:

- Strengthen and extend the authority of the Central Government;
- Assist in establishing stability and security;
- Enable reconstruction and facilitate the coordination and division of labour between civilian and military actors, including delivery of projects;
- Provide professional expertise and facilitate the work of NGO’s and other actors by improving the security situation.

The PRTs were conceived of as a blend of military frontier posts and humanitarian and development aid providers, but this has proven to be an uneasy combination, from the military point of view as well as in terms of development. It was found that the PRTs have performed very well in the important tasks that lie within their particular expertise – the provision of stability and support for the police – thus promoting an enabling environment for development. Although operational goals and styles may vary according with the national leadership, experience show that by contrast, they have performed less well in development tasks, which have generally not been well prepared and coordinated with the national priorities of Afghanistan, and where the staffing of the PRTs has been critically low in terms of numbers and experience in relation to professional development skills and the magnitude of the political and financial investment.

<table>
<thead>
<tr>
<th>PRT STYLES</th>
<th>US</th>
<th>UK</th>
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<tbody>
<tr>
<td>Principal focus</td>
<td>Security sector reform, disarmament, demobilisation, active patrolling</td>
<td>Quick impact reconstruction, winning hearts and minds, force protection</td>
</tr>
<tr>
<td>Degree of civil-military integration</td>
<td>Joint leadership, operational autonomy, separate reporting mechanism</td>
<td>Integration, civilian personnel embedded in military teams</td>
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<tr>
<td>Military involvement in reconstruction</td>
<td>Limited involvement</td>
<td>Considerable involvement</td>
</tr>
<tr>
<td>Responsiveness to UN and NGO suggestions</td>
<td>High</td>
<td>Limited</td>
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In a paper published in 2003, American NGO’s recommend that within the PRTs humanitarian and reconstruction activities should be the exclusive responsibility of US Agency for International Development (USAID) representatives and any colleagues from other civilian departments of the US government and other coalition members that may be assigned for this purpose. A limitation to PRTs’ effectiveness depends on the lack of a coherent nationwide strategy for the PRTs, and of clear benchmarks for their performance. Each PRT reports to its own national capital and, despite some efforts at coordination, does not share information or lessons learned with other PRTs. Thus far, the PRTs have succeeded

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in improving security and development only in fairly limited areas, primarily in northern and central Afghanistan. U.S. Joint Forces Command Findings, in October 2005, note that “PRTs are most appropriate in a mid-range of violence where instability still precludes heavy non-governmental organization (NGO) involvement, but where violence is not so acute that combat operations predominate. If PRTs are used outside this range, the model needs to be changed.”

By 2009, the military still dominated the role within PRTs as only three to four civilians were posted to each team of eighty to two hundred and fifty personnel. After returning from an international conference in Munich in mid-February 2011, Afghan President Hamid Karzai accused foreign reconstruction teams of undermining efforts to build up the state's institutions, and said they would have to go as Afghan forces take over security. "Afghanistan clearly explained its viewpoint on Provincial Reconstruction Teams and structures parallel to the Afghan government - private security companies and all activities or bodies which are hindering the Afghan government's development and hindering the governance of Afghanistan," he stated.

We can arguably approach the effectiveness of PRTs and the military approach to reconstruction, but numbers speak better than words and as an example, as of March 2014 the last Italian PRT closed having managed and realized 1888 projects in 9 years of activity.

According to a large number of analysts, practitioners and some military experts, even though due to security concerns most of the time this is the only effective way to deliver a humanitarian support, the military members of the PRTs should not be engaged in the long-term in humanitarian and reconstruction activities essentially because of four main reasons:

- Reconstruction and post-war development processes are extremely complicated and fragile, highly sensitive to any interference, and require participatory identification, long-term strategic planning and careful management, in order to make them effective and sustainable. Non-specialists do not have sufficient understanding of the concerned complex cultural, political and social dynamics to be able to foresee the consequences of their interventions, which could undercut longer-term reconstruction goals and otherwise be contrary to the interests of intended beneficiaries. These long term harmful effects would be more frequent and serious when assistance is provided to serve short-term military and political objectives, as frequently occurs.

- Foremost has been the claim that what is sometimes perceived as an occupation force, although legitimated by the UN and the Afghan Government, cannot be simultaneously engaged in military operations and assistance without binding the core humanitarian rules of neutrality, impartiality and independence. The engagement in humanitarian and reconstruction work further blurs the lines between humanitarian workers and a combat military force and related intelligence gathering apparatus, creating increased security risks for NGO’s and other expatriate assistance personnel. The fact that the military members of the PRTs are in uniform, while welcome, does not rule out or eliminate this confusion. Nevertheless, the security situation doesn’t allow especially in particular

378 InterAction – op. cit.
phases of the mission non-military operators to move comfortably in an insidious environment, and this should be carefully taken into consideration by non-military institutions as this aspect should be managed in order to not to have negative impact on the projects accomplishment.

- Focus on reconstruction and “heart and mind” activities, may hamper the capacity for the security forces to stay focussed on major security tasks. For example, PRTs have traditionally stayed clear of the whole counter-narcotics issue. If you identify narcotics as one of the main threats to the stability of Afghanistan, then such a choice sounds inconsistent.

- In addition, there is reason to believe that cost-effectiveness is very low.

Nevertheless, ambitions still seemed to be high, if rather vague, regarding the role of the PRTs in overall societal development, in particular within the governance sector on the level of the provinces where they operate until a certain moment when they started to differently structure themselves, revising the SFA organization as a whole along with the IC and the Coalition partners enduring commitment.

The space for Civil Society

The civil society concept, as applied today, has its origin in the context of modern Western democracies. Its application to other contexts has often been myopic, identifying as civil society only associational forms familiar from the West, mainly Non-Governmental Organizations (NGO’s) and other forms of voluntary association. This has led to controversy, with some arguing that the concept is wholly inapplicable to non-Western settings, and others that the concept has its value but needs to be significantly broadened to cater for other types of association. The identification of civil society organizations is fraught with difficulties in Afghanistan because there are huge variations from one region to another, and between the countryside and the cities.

Community councils

A variety of community councils exist throughout Afghanistan, referred to as a shura, or jirga. Aid agencies are increasingly seeing shuras as their principal partners in community development because it is a familiar concept, which carries certain legitimacy both within the communities and with the authorities. Traditionally, an Afghan shura is a place where all adult men have the right to attend. The members would be mainly elders and people with religious knowledge, as well as those who have economic power or social power. The focus is on immediate problem solving, including the resolution of local conflicts.

Religious networks

Religious networks, like the Taleban, have a prominent role in Afghanistan. The backbone of the Taleban movement was the religious networks, built around loyalties and competence developed during training at the madrasas in Pakistan or Afghanistan. After the fall of Taleban regime, these networks remain mostly loose and fragmented, although traditional

DACAAR’s position on relations to PRTs in Afghanistan. Kabul and Copenhagen, June, 2005

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Islamic leaders, including mullahs and maulawis, have an important role as forces in civil society.

**Voluntary associations and interest groups**

Over the past years there has been the growth of a large number of voluntary associations and interest groups: professional, youth and student associations and women forums. This is largely a phenomenon that is limited to the major cities. It has been greatly encouraged through the selection process that led up to the emergency Loya Jirga in 2002, where the candidates backed by such groups won considerable recognition. One case in point is the Professional Shura of Herat, a gathering of doctors, lawyers, professors and teachers that was set up in early 2002 (Human Rights Watch 2002). The shura’s charter, to which regional strongman Ismael Khan has signed up, makes the point that the shura is not a political party, but that it will conduct meetings, publish a newspaper, and make policy recommendations to the authorities of Herat. Over the first few months of its existence, the shura has become subject to increasingly grave acts of suppression, including arrests of its key members and the prevention of planned meetings by the security forces. This has severely hampered the activities of the shura.

**NGO’s**

The number of NGO’s, including national and international organizations, has exploded over the past years. There were - by November 2003 - more than 1600 NGO’s registered with the Ministry of Planning. There are over 150 International NGO’s, delivering the majority of humanitarian assistance throughout the country. While humanitarian access and size of operations have never been constant, international NGO’s have been working in Afghanistan since the 1960s and today remain a powerful force in determining humanitarian priorities, implementing programs, and influencing longer-term development strategies for the country. Local NGO’s are an extremely important body of organizations that have contributed to development efforts in Afghanistan, and also to the complexity of the humanitarian community within Afghanistan. NGO’s are a relatively recent phenomenon in the Afghan context, with national organizations being established from the late 1980s onwards, mainly within the Pakistan-based aid environment. A few of the more development-oriented Afghan NGO’s and those engaged in Humanitarian Mine Action are, however, rated as highly professional and efficient. Some of the organizations are focused explicitly on issues such as human rights or peacebuilding. While this is true only for a handful of the existing NGO’s, these organizations, some of which have a long history of engagement, already play a significant role in facilitating and encouraging constructive dialogue within civil society, as well as between civil society and the state. The overwhelming majority of NGO’s are involved in emergency and reconstruction aid.  

Article 35 of the Constitution grants Afghans the "right to form social gatherings for the purpose of securing material or spiritual aims in accordance with the provisions of the law." Although there is no specific recognition of a broader freedom of association, the Constitution does protect the closely linked freedoms of expression and assembly (or "demonstration") (Articles 34, 36). Most recently, the legal framework governing NGO’s in Afghanistan reached perhaps its most significant turning point. On June 15, 2005, President Karzai signed a new Law on Non-Governmental Organizations, which became effective immediately upon signing. The Law creates a comprehensive new legal framework for NGO’s in Afghanistan, replacing the Regulation for the Activities of Domestic and Foreign NGO’s in Afghanistan (NGO Regulation), enacted in 2000 by the Taleban regime.  

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382 Frandsen, Grey – NGO’s in Afghanistan. CDHAM, 2006  
383 USI.G. – Afghanistan Country Information. April 2006
A small number of relatively large, sophisticated Afghan organizations collectively expend the lion’s share of the total budget presently available to Afghan csos. The legal enabling environment for civil society is still weak, with many areas of confusion and lack of clarity, exaggerated by the speed with which new organizations are being created by donors in the absence of a clear framework of typology.\textsuperscript{384}

On 30 May 2005, a Code of Conduct for NGO’s working in Afghanistan was officially launched during an event in Kabul. The comprehensive Code of Conduct has been developed on the initiative of ACBAR. Its standards are intended to better regulate international and local NGO’s and create more transparency in their work carried out in Afghanistan. So far 90 NGO’s have signed the Code of Conduct.\textsuperscript{385}

NGO’s have continued to dominate aid implementation since the installation of the Afghan Government, in part because this is seen as the only system in place, and in part because of a lack of capacity in the different ministries. In the popular perception, however, NGO’s are providers which operate in a private market for service delivery on a par with other enterprises, rather than as humanitarian actors which promote specific values and work according to defined codes of conduct.

When NGO’s increasingly become the key implementers of assistance projects at the community level, it also has the consequence that links between communities and local administrators, which were already weak, are further weakened. Rather than filling the gap, most NGO’s tend to relate to local authorities to the least extent possible.\textsuperscript{386}

At central level, many government leaders express quite hostile attitudes to NGO’s. In 2004, Planning Minister Ramazan Bashardost, in an interview with the French news agency AFP, was quoted as saying that violence against NGO’s was "inevitable" as they were behaving like private firms and using 80% of their budgets for administrative costs and staff salaries. He reiterated his allegations in 2005, shortly before resigning from the Government.\textsuperscript{387}

4.8. Disarmament, Demobilization and Reinsertion: the analysis

Overview

More than twenty years of war have devastated Afghan society, reducing the economy to a level of pure subsistence while making the war-related activities profitable.

With the final overthrow of Taleban regime,\textsuperscript{388} the international community committed itself to the reconstruction of the country.

Since the beginning, the security issues emerged as crucial for any long-term stabilization plan, due to the existence of hundreds of thousand armed people in the country, belonging to non-less than two hundred formal and informal militias.\textsuperscript{389} International community convened in Bonn, in November 2001, committed itself to a wide-ranging economic and political support to the country, including also a security sector reform. This, in turn, was to

\textsuperscript{384} USAid. Afghanistan Civil Society Assessment. 2005
\textsuperscript{385} See in attachment 03: Code of Conduct for NGO’s engaged in Humanitarian Action, Reconstruction, and Development in Afghanistan. ACBAR, 2005.
\textsuperscript{386} Frandsen, Grey – NGO’s in Afghanistan. CDHAM, 2006
\textsuperscript{387} The Independent (UK), 13 September 2005
\textsuperscript{388} See “The Context, historical background”.
\textsuperscript{389} According to other sources, illegal militia number more than 1,800.
include a disarmament, demobilisation and reintegration (DDR) program and the creation of new national army and police.

In the Tokyo Conference of February 2003, Afghan authorities as well as the international community reaffirmed the need for an integrated effort aimed at the consolidation of peace. Hamid Karzai, then President of the Afghanistan Transitional Authority, defined the DDR as a critical component of a larger peace-building and reconstruction process. The program actually begun in 2003, known as Afghanistan New Beginnings Program (ANBP). It was supported by the United Nation’s Development Program (UNDP) and was managed by Japan, the main donor for this crucial operation.\footnote{At Tokyo Conference, Japan pledged a contribution of 85 million dollars for the development and implementation of DDR, the United States pledged 10 millions, the UK 3.5 millions and Canada 2.2 millions. See: “Chair Summary. The Tokyo Conference on Consolidation of Peace (DDR) in Afghanistan. Change of Order from guns to plows”, 22 February 2003.}

Since the beginning, the DDR program proved to be a challenging effort. The co-existence of formal and informal militias, the huge share of active population directly involved in armed confrontation, the incredibly large amount of weapons and ammunition available in the country, all concurred to an extremely bleak picture. The first priority was then given to the demobilisation of those people formally part of the “regular” militias and their contextual disarmament. These militias came to power in the wake of Taleban defeat at the end of 2001, often exploiting the security vacuum in the country. Local commanders, who had exercised power at local level during the pre-Taleban period, led these armed groups.

With the creation of an Interim Administration, after the Bonn Conference of 2001, these militias were formally recognised and collectively defined as “Afghan Military Forces”. They were theoretically put under the authority of the Minister of Defence.\footnote{At Bonn, the commander of the largest militia that entered in Kabul after the fall of Talibun, Qasim Fahim, was nominated Defence Minister.}

The objective of this first phase of DDR was to reduce the military and social relevance of ethnic and political factions, in order to improve the chances of central authorities to extend and consolidate their control over the country. In parallel with the demobilisation, the disarmament of the “Afghan Military Forces” was equally crucial for the gradual reduction of the threat to the legal authorities posed by armed factions.

In March 2004, at the Berlin donor conference, the United Nation’s Assistance Mission to Afghanistan stressed that cantonment of all heavy weaponry was an essential precondition for free and fair elections.\footnote{“Afghanistan: getting disarmament back on track”, International Crisis Group, Asia Briefing n. 35.} With the significant help of NATO-led International Security Assistance Force, the collection and cantonment of heavy weapons proceeded rather smoothly. This greatly alleviated the security concerns pending over the peace consolidation process. However, the surrender of heavy weapons was also the outcome of a tactical choice of warlords, who were practically unable to maintain those weapons and preferred to rely on light weapons for exerting their control on illegal trafficking.

This first phase of DDR program was aimed at the “security personnel on active duty”,\footnote{For “heavy weapons” were intended those with a calibre of more than 14.5 mm (armoured vehicles, artillery etc.), including also the ubiquitous rocket-propelled grenades.} that means those in the ranks of armed formations officially recognised as “legal militias” and included in the “Afghan Military Forces”. Also, it was a voluntary program; commanders and militiamen had to voluntary surrender their weapons and demobilise, obtaining money, vocational training and employment opportunities (reintegration in the civilian economy) in return.

\footnotesize{\textsuperscript{390} At Tokyo Conference, Japan pledged a contribution of 85 million dollars for the development and implementation of DDR, the United States pledged 10 millions, the UK 3.5 millions and Canada 2.2 millions. See: “Chair Summary. The Tokyo Conference on Consolidation of Peace (DDR) in Afghanistan. Change of Order from guns to plows”, 22 February 2003.}
In order to extend the reach of the DDR program, by the end of 2005 Afghan authorities in close co-ordination with the international community launched a new program, the Disbandment of Illegal Armed Groups (DIAG). DIAG program is aimed at non-statutory and illegal armed groups, either with a political or mainly criminal end. It does not include direct incentives to individual commanders or member of illegal armed groups. On the contrary, the intent of Afghanistan authorities was to take advantage of the inherent support for DIAG amongst the population, to optimise the influence of development incentives and to threaten the use of legal and enforcement sanctions in order to maximise the extent of voluntary compliance with DIAG.

DIAG is a phased program, led by Afghan government and provincial governors. Step by step, all Afghan provinces should have been gradually involved in the process, upon the completion of a “provincial assessment” that should pair with the overall national plan of disbandment. The Afghan National Police (ANP) is the lead agency in provincial operation. The Afghan National Army (ANA) is the supporting service, but could take the lead in the enforcement of disbandment, if necessary.

This far-reaching and ambitious plan should have been completed by the end of 2007, as stated by Afghan Government at the London conference on Afghanistan, in January 2006. Clearly, the success of the DIAG program, as well as the broader consolidation of peace in the country, was directly related to the substantial increase in the military and law-enforcement capabilities of Afghan authorities. Therefore, beside the disarmament and demobilisation of legal militia and the disbandment of the illegal groups, the creation of a new, ethnically balanced National Army and a capable National Police was a critical component in the broader reform of security sector, as originally envisaged since the Bonn conference of 2001.

Under the lead of the United States, assisted by France, the international community started to rebuild the Afghan National Army during the 2002, establishing the Kabul Military Training Centre (KMTC). After the initial problems related to the high illiteracy rates, desertion and lack of equipment, the recruitment and training of the ANA progressed well and the national force played a pivotal role in providing the security during presidential election in 2004. Gradually, the ANA has established regional headquarters in four strategically located regions, in addition to the Central Corps in Kabul.

The increased effectiveness of the ANA has inexorably led to more frequent clashes between the Army and rebel groups, especially in the troublesome southern and eastern regions. The numerical growth of the ANA, and its improved training, represent the precondition for the gradual take-over of broader security responsibilities by Afghan authorities. The other pillar of security sector, the Afghan National Police, is being rebuilt under the leadership of Germany.

As in the case of the Army, the very low quality of the existing cadres has hindered the early attempts to create an effective force. Nevertheless, reiterated efforts and the firm commitment of the international community, expressed again during the Doha conference in May 2004, slowly delivered results and

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399 Ibid.
starting from the fighting season in 2013 the ANSF in its different components demonstrated a high capability to provide security especially during the first and second round of the 2014 presidential elections.

Five years after the Bonn agreements, a fair assessment of the progress in the reform of security sector in Afghanistan requires a comprehensive analysis of this multifaceted process. For the sake of clarity, this analysis has been conventionally divided in three conceptual blocks. The analysis of the disarmament process takes account of the original effort for disarming the Afghan Military Forces, as well as the parallel cantonment of heavy weapons, supported by international military coalition. Also, it provides a rough evaluation of the disarmament of illegal groups. The aim is to weight the significance of this process in the general framework of weapons diffusion in the country, as far as security and military issues are concerned.

The analysis of the demobilisation of armed militia and the ongoing disbandment of the illegal formation should provide a rough indication of the social impact of these efforts, but also a supporting evidence of the progress in the peace stabilization of the country. Finally, the analysis of the creation of an ethnically balanced and professional national army, together with the reconstruction of a credible police force, could help in estimating the pace of improvement of Afghanistan’s capabilities in defending itself from internal and external threats, gradually relinquishing the present, massive sustain provided by foreign forces.

Disarmament

It is almost impossible to calculate the number and type of weapons available in Afghanistan at the end of Taliban regime. The Soviet occupation led to an enormous increase in the diffusion of weapons across the country. Pakistan and Western powers heavily sustained anti-Soviet guerrilla. They provided Afghan freedom fighters with light weapons (mostly of Soviet design, manufactured in Pakistan and China), Rocket Propelled Grenade (RPG) launchers, mines and some shoulder-fired surface-to-air missiles.

Soviet forces were obviously well equipped, thus they introduced in the country a large stock of heavy weapons like Main Battle Tanks (mbts), Armoured Personnel Carriers (apcs), artillery, multiple rocket launchers, tactical ballistic missiles, and aircraft. Soviet forces used massively the indirect fire (artillery, mortars etc) for the suppression of enemy strongholds, and deployed millions of anti-personnel mines, in order to negate the use of territory to the enemy.

Also, the Soviet troops transferred a huge amount of weapons to their local allies. With the collapse of pro-Moscow government, the Mujahiddin captured the majority of the usable weapons. The rise of Taleban forces was again supported by foreign actors, which donated weapons and provided training. At the same time, anti-Taleban militias received external support from those countries that feared the establishment of an ultra-fundamentalist regime in central Asia.

As a consequence, the total amount of weapons in the country is the outcome of reiterated and massive delivery form abroad, during the last two decades. As far as the light weapons are concerned, it is fair to assume that at the end of 2001 there were more weapons available than the overall amount of militiamen. These, in turn, should have been in the range of hundreds of thousand.
Equally impressive was the stock of ammunitions. It is noteworthy that light weapons and most of the artillery pieces remain operable for decades, even with minimal maintenance. As for the heavy weapons, the Soviet troops left in the country several hundreds mbts and apcs, heavy artillery with related tractors, multiple rocket launchers and aircraft.

The most sophisticated of these systems have gradually lost their usability; the Taleban succeeded in operating just few helicopters, while Mujahiddin had probably none. However, mbts and artillery retain some degree of serviceability even after a prolonged phase of intense utilisation, with limited logistic support. Therefore, all the main players in the civil war had their stock of heavy weapons, to be employed in the most critical battles. The US-led offensive of 2001 destroyed most of the remaining heavy weapons of Taleban forces.

As a consequence, in 2002 the Afghan government and the international community involved in the disarmament process had to deal with an undefined number of heavy weapons, under the control of Mujahiddin and local warlords. Most of these weapons were hidden and of limited serviceability, but nonetheless extremely dangerous. Also, the stock of ammunition (rifle rounds, artillery rounds, rockets, and mines) was virtually uncensored and intrinsically dangerous. Against this bleak picture, the international effort gradually succeeded in delivering results.

Starting in May 2004, the Disarmament, Demobilisation and Reintegration program proved to be rather effective. By July 2005, when the DDR program officially ended, about 33,500 light weapons were collected from military units that had gone through the program. A total of 481,000 boxed ammunition and 1,209,000 unboxed ammunition were collected by the same date.

The majority of ammunition was identified as unserviceable and has been disposed of. The remaining part, as well as the working weapons, has been transferred to the Afghan National Army. The light weapons collection proceeded in the framework of the DIAG program. In one year, the Afghan authorities have collected about 24,000 weapons, 20,000 pieces of boxed and 190,000 pieces of unboxed ammunitions.

Although not part of the original ANBP framework, the cantonment of heavy weapons has been perhaps the most successful part of the disarmament process. Using international military resources – mainly provided by ISAF – and strong political pressures, ANBP officials believe they are close to collect 100% of the heavy weapons in the country.

Beside the problem of the huge amount of light and heavy weapons, the prolonged period of armed confrontation has littered the country with a massive quantity of ammunition of any kind. Much of the abandoned munitions, which has generally not been maintained, is lying in unguarded locations or stored in populated areas. Practical ownership of the ammunition is dubious.

Demobilisation

The cornerstone of the whole peace-building effort in Afghanistan is probably the demobilisation program.

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400 “Fact Sheet: Disarmament and Demobilisation”, Afghanistan Watch – A Project of the Century Foundation.
401 www.diag.gov.af
Demobilisation of the huge number of Afghans directly involved in the armed confrontation of the last twenty years was deemed crucial for the gradual pacification, the extension of central authority over the country and, last but not least, the reduction of the economic burden over the cash-stripped new-government. In the early 2003, in the framework of the Japanese-led Afghan New Beginning Program, the international community established the goal of demobilising 100,000 former combatants, from the so-called Afghan Military Forces. Although the former-anti Taleban groups, collectively defined as Afghan Military Forces, were theoretically under the authority of the Ministry of Defence since the establishment of the Transitional Administration in 2001, their actual number was unknown. Many local commanders used to inflate the number of combatants in their units in order to receive more funds from Kabul. 402

The AMF was notionally structured in regional Corps, Divisions, Brigades and Regiments. However, the actual chain of command followed more their factional affiliation, rather than the official hierarchy. A National Demobilisation and Reintegration Commission presented a draft action plan in April 2004 and the program actually began in May with a pilot phase in selected areas. The goal was to demobilise 40% of the forces by June 2004, another 20% by October and to complete the program by mid 2005. 403

It should be noted that the ANBP’s program of demobilisation was a voluntary process. The AMF units were responsible for providing a comprehensive list of personnel. Then, an independent seven-member Regional Verification Commission had to confirm the name submitted for each unit. Once approved by the RVC, officers and soldiers were expected to voluntary surrender their weapons to the Mobile Disarmament Unit. Disarmed and thus demobilised soldiers received a voucher entitling them to individualised career counselling, an interim job and one of the several assistance packages, including livestock and agricultural implements, vocational training and help in establishing small business.404

By the end of June 2005 the project was completed, in time and within the estimated cost of 141 millions USD. During the process, 259 units of the Afghan Military Forces have been disbanded and 63,380 officers and soldiers have been decommissioned.405

The successful completion of demobilisation of AMF units could not completely resolve the security concerns pending over the country and its legal authorities. There are estimated to be up to 1800 Illegal Armed Groups (IAG) in Afghanistan, with an overall strength of up to 125,000.

The launch of the Disbandment of Illegal Armed Groups (DIAG) took place in June 2005.

402 The number of 100,000 to be demobilised was the upper limit of the ANBP project. It was somewhat between the level of 250,000 requested by Afghan authorities and the 45,000 estimated by the UN Assistance Mission to Afghanistan (UNAMA).
403 “Disarmament, Demobilisation and Reintegration”, www.globalsecurity.org/military/world/afghanistan/ddr.htm
405 Fifty-five thousand eight hundred and four (55,804) ex-combatants chose one of the reintegration options, which further benefited 53,415 of them, leaving aside 2,759 drop-outs. Here following, the official fact sheet of the Reintegration effort:

<table>
<thead>
<tr>
<th>Reintegration</th>
<th>Total</th>
<th>Reintegrated</th>
<th>Agricultur al training</th>
<th>Vocational training</th>
<th>Small business</th>
<th>Demining</th>
<th>ANA</th>
<th>ANP</th>
<th>Contracting team</th>
<th>Other</th>
<th>Teacher Training</th>
<th>Not participating in reint.</th>
</tr>
</thead>
<tbody>
<tr>
<td>55,804</td>
<td>23,940</td>
<td>11,736</td>
<td>64,251</td>
<td>843</td>
<td>2,027</td>
<td>3</td>
<td>574</td>
<td>2,759</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Source: “Reintegration has been completed in time and within costs”, www.undp.org.af
DIAG was implemented by government organizations at the provincial level, under the leadership of Governors, through Provincial Committees which coordinate the activity of all state security agencies assigned to support DIAG operations in that province. In addition, other local state agencies support DIAG as directed by their Ministries. The Afghan National Police (ANP) is the lead agency in Provincial operations. The Afghan National Army (ANA) operates in support of the ANP, but may need to lead operations necessary to disarm and disband IAGs that do not respond to coercion. It was assumed that local Afghan resources would be sufficient to undertake DIAG at the chosen time, though the planning process would identify the requirement for additional Afghan resources, to be coordinated through D&R Commission. International Coalition military forces (CFC-A and ISAF) considered requests for support from the Government. This might include advice and mentoring to DIAG planning and the provision of some enabling capabilities. ANBP is the principal agency for the receipt and disposal of weapons and ammunition relinquished during DIAG.406

After a deep analysis of the local reality, with the realisation of a database on the Illegal Armed Groups active in the province, the Provincial Committees elaborates the disbandment plan, which involved the use of development incentives and the threat of use of legal and enforcement sanctions in order to maximize the extent of voluntary compliance with DIAG. If voluntary compliance fails to achieve the desired outcome, a period of negotiation may be necessary to allow compliance with honour for some Illegal Armed Groups (IAGs). Ultimately, Governors (backed by the central authorities) must be prepared to take aggressive legal and security action to forcibly disarm and disband IAGs.407

When an area (Province, District or Community) have complied with DIAG criteria, the D&R Commission approve development packages forwarded by the Provincial Community Development Teams (PCDTs) for execution by implementing partners. The development packages shall not to be considered as direct incentives to, or rewards for, disarmament, but may serve as a motivation for the community (Shuras, leaders) to persuade the illegal armed group to disarm and disband.408

Just as the Disarmament, Disbandment and Reintegration process helped to start with the formation of the Afghan National Army, so DIAG is intended to be similarly significant to the development of the Afghan National Police. Another important benefit of DIAG, and a key lever within it, is the delivery of economic, social and infrastructure development dependant on an improvement in the local security environment.409

The ultimate goal of the Afghan government and the international community was to complete the DIAG by the end of 2007 but the project was prolonged as to be completed in 2011.

A DIAG District Implementation (DDI) was introduced in the second quarter of 2007, whereby districts identified as more capable of carrying out DIAG with minimal support were targeted. Since the launch of the program, several Provinces have undergone the preparatory phase and started to implement the disbandment, usually with a moderate success.

By August 2006, about 25,000 weapons was collected, together with about 200,000 ammunitions. What is more relevant, most of the local commanders have voluntary accomplished with the request to disband their militia. As of June 2009, DIAG has collected

406 “Concept of Operation for main phase of DIAG”, www.diag.gov.af
407 Ibid.
408 “Guidelines for the implementation of DIAG”, www.diag.gov.af
a total of 44,959 weapons. Also, 599 IAG signed a DIAG Statement of Declaration and announced that they have disbanded their groups and handed over their weapons.

Fourteen large-scale DIAG district development projects (DDPs) and nine DIAG Support Projects (DSPs) were completed during 2010, promoting disarmament through development and enhancing the stability and socio-economic condition of the targeted districts. The total number of completed district development projects was 27, benefiting over 250,000 people directly including ex-IAG commanders, their families and communities.

During 2010, 71 Illegal Armed Groups (IAGs) were disbanded, bringing the total number disbanded since the beginning of DIAG to 759. 7929 weapons were collected and handed over as a result of DIAG District Implementation (DDI) operations and contributions from other stakeholders, bringing the total number of weapons collected under DIAG to 54,138. In 2011, 105 districts were targeted and 73 districts were complied. DIAG made significant progress in enhancing the Government’s capacity to fully implement DIAG on its own. The MoI DIAG Unit was inaugurated in November 2008. A MoI appointments panel with D&R Commission input selected 33 police staff for the central unit to work in the DIAG Unit under the Counter-Terrorism Unit.

Reconstruction of Armed Forces and Police

The creation of a new armed structure able to provide the legal authorities with a reliable tool for the defence of the state against internal and external threats was deemed necessary since the beginning of the reconstruction of the country, in the Bonn Conference of 2001.

The aim of the international community was to create a national Army that was to be ethnically balanced both in the recruitment and in the chain of command. Also it had to be loyal to the legal authorities and ready to confront ethnic militia and illegal armed groups for the sake of national unity and security.

It was by no means an easy task. The modern history of Afghanistan is characterised by the enduring confrontation among the several ethnic and tribal realities of the country. Even during the Soviet occupation, the freedom fighters seldom united their forces for battling the common enemy.

The post-Soviet phase was characterised by the bloody conflict among the victorious Mujahiddin forces and this phase of instability led to the take over of the Taleban. Tajik and Uzbek militia in turn harshly confronted the Taleban, both for political, religious and ethnic reasons.

In the wake of Taleban collapse, victorious factions reunited under the “United Front” quickly occupied Kabul and all the ministries. With the creation of Afghanistan Transitional Authority, the commander of the largest militia that entered in Kabul after the fall of Taleban, Qasim Fahim, was nominated Defence Minister with the theoretical control over the Afghan Military Forces.

The disarmament and demobilisation of the AMF was directly linked with the constitution of a new Army, ethnically balanced professional force and loyal to the legal authorities, the Afghan National Army (ANA).

The led nation in this effort is the United States of America. They created a dedicated Task Force, the TF “Phoenix”, in order to organise and conduct the build-up of the ANA. With the strength of around 2,000, the TF “Phoenix” had its core competency in the Training Advisory

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410 See “The Context. Historical background”.

159
Group, a 300-strong unit tasked with the assistance and mentoring to the Afghan military authorities.411

Initially, the recruitment proved to be relatively easy, but of very poor quality and ethnically unbalanced. The basic training is conducted in the Kabul Military Training Centre and then refined in other facilities.

The initial 10-weeks training has been progressively expanded, in order to improve the skills of the recruits that join the operational units.

In 2006 figure on training procedure, both for the Afghan National Army (ANA or MOD) and Police (ANP or MOI), were like shown in the chart:412

However, other shortfalls hampered the initial effort to create an effective force.

First, the high illiteracy rate – common in the whole Afghan society – made very difficult to train the recruits in other than very basic tasks.

Second, during the first period the ANA was plagued by a very high desertion rate, in the order of 10% in a month.

The explanation for this failure is probably manifold. The loyalty to a new, non-ethnic body like the ANA was in direct contradiction with the previous experience of Afghan people.

The motivation of the recruited people was probably weak, since the warlords retained under their control the most motivated former-combatants.

The pay system, alone, is complicated by the requirement for soldiers to remit money regularly to their families in remote areas without any form of banking or other transfer infrastructure. The culturally acceptable form of conveyance is by granting leave for extended periods and/or by arranging for hand-carried stipends, but such archaic but effective methods do not appear to have been implemented by foreign administrators.413

Moreover, the logistical problems inherent in ensuring a steady intake of suitable personnel, in a country where the basic communications infrastructure is shattered, are significant.414

414 Ibid.
However, with a relevant effort the Coalition’s Office of Military Co-operation succeeded in substantially improve the situation. By 2004, the desertion rate had fallen to 1.2% in a month.\textsuperscript{415}

The pace of increase in the strength of ANA also improved, from two battalions under training at the same time to four. From 14 May 2002 - when the training programme began at the Afghan Military Academy in Kabul - to December 2003, about 6,000 Afghan trainees finished their 10-week and, in the case of the 11th Battalion, their 12-week training sessions. The graduated trainees formed a new battalion at the end of each training session. By December 2003, the ANA had 11 battalions in various stages of readiness.\textsuperscript{416}

By March 2006 the ANA had 38 operational \textit{Kandaks} (Battalions), with an overall strength of 26,900 troops.\textsuperscript{417}

In 2006 the fact-sheet on ANA’s forces and capabilities shown:\textsuperscript{418}

The end-strength of the ANA should have been 70,000 troops, to be reached by 2010. However, this final strength should have been face with a further reinforcement in number despite the initial assessment. While the 70,000 troops should have been reached after the intermediate assessment of September 2007, when the ANA’s strength should have reached 50,000 personnel, in 2010 further adjustment to those figures was made in line to the enhanced sustainability assessment made by the GIRoA and the IC. While at full strength, it was intended the ANA be organized into five corps (the central corps in Kabul and four regional corps in Kandahar, Paktia, Herat and Balkh), other two additional corps were added to the total strength.

The present territorial organization has the 201 Corps in Kabul, and it is composed of the 203 Corps in Gardez, the 205 Corps in Kandahar, the 207 Corps in Herat, the 209 Corps in Mazar-i-Sharif, the 215 Corps in Lashkar Gah, and the 111 Division Central in Kabul.

As at the end of 2013 the Afghan National Army recruited a force of 175,858. This is an increase of more than 78,847 since October 2009, when the ANA strength stood at 97,011.

\textsuperscript{415}“Afghanistan; Getting disarmament .....” Op. Cit.

\textsuperscript{416}“The Afghan Army”, Jane’s World Armies.

\textsuperscript{417}“The situation in Afghanistan and its implications for the international peace and security”, Report of the Secretary General, UN General Assembly, 7 March 2006.

\textsuperscript{418}Source: US Embassy – Rome, 28 July 2006
Plans are under way to develop the more technical elements of the ANA, especially artillery, air defence and engineering. It is expected to take five to seven years to fully establish the regional corps. The process began with four regional corps commanders and some of their key staff being appointed on 1 September 2004.  

In terms of operational art and equipment, the ANA resembles more a gendarmerie-like force than a conventional Army. It lacks many capabilities in the combat support and combat service support branches, thus it is heavily dependant on Coalition support for any significant deployment and operation.

The International Coalition is also heavily supporting the ANA through embedded training and mentoring teams, which operate at Corps level (Central Corps Assistance Groups), at Brigade level (Brigade Training Teams) and as Mobile Training Teams. The key for the development of an effective combat force, able to independently plan and execute complex missions, is to fully exploit the natural leaderships among the recruited people, in order to create an effective Officer and NCO Corps. This requires a deep understanding of the uniquely Afghan conditions. A lack of appreciation of Afghan culture on the part of foreign personnel involved in the training and mentoring activities will likely preclude a successful completion of the program.

The reconstruction of a National Police force (Afghan National Police, ANP), was decided since the Bonn Conference of 2001, as a fundamental pillar of the reconstruction of the State. The commitment war renewed at the Berlin Conference in 2002, when the German Government agreed to lead the program and co-ordinate also the foreign assistance. Since then, Germany has provided technical and financial support and expertise on policing. German initiatives included the re-opening of the Police Academy in Kabul, which has about 1,500 students, including women, on a three-year course. The programme cost EUR33 million (USD42.6 million) in 2002-2003 and a further EUR48 million (USD62 million) was dedicated for the period 2004-2007.

Further support was provided by the United Kingdom, through the ISAF, in order to meet the immediate needs in terms of communication equipment. The UK is also providing advanced technical instruction on narcotics and crime investigation. In parallel with the Germany-led international program, also the United States are supporting the reconstruction of a Police force in Afghanistan, through the assistance of private contractors. Dyncorp, a private US contractor which supplies armed civilian close-protection guards for prominent Afghan figures including President Karzai, opened a USD6.2 million complex at which intended to produce 750 policemen trained in every aspect of police work every eight weeks.

The cost of the contract has not been revealed, but is met by the US government. The project appeared to conflict with the German programme, but no information has been released concerning either interaction or other cooperation, if any. The final target for the program, as envisaged in the London Conference of 2006, was to constitute a professional, functional and ethnic balanced and fiscally sustainable 50,000-strong Afghan National Police, plus a 12,000-strong Border Police, by the end of 2010.

In 2006 the fact-sheet on the strength and capabilities of Afghan National Police shown:

421 “Security and Foreign Forces”, Jane’s Sentinel
423 Ibid.
As at the end of 2013 the Afghan National Police recruited a force of **153,021**. This represents a growth of more than 58,063 personnel since October 2009, when the ANP strength stood at 94,958.

As in the case of the reconstruction of the ANA, the creation of a National Police is indubitably a demanding effort that will require a strong and enduring commitment over the long run. There are no effective shortcuts to the slowly training of a professional Police Officers Corps, while the recruitment of the Policemen should remain as ethnically balanced as possible. There are multiple hints that this slow but unavoidable procedure could be somehow skipped in some circumstances.

According to independent sources, many Afghan Military Forces’ commanders, formally disbanded during the DDR program, have been reassigned to civilian posts, including as police chiefs. From those positions, they can employ their former militiamen as police, retain patronage links with sub-commanders and protect their economic interests. This can easily lead to the collusion between police officials, smugglers and local chieftains, for the control of legal and illegal transactions. Moreover, sometimes the international contractors, which have the responsibility to execute large reconstruction programs like the building of main roads, decide to sub-contract other firms for the security protection. These, in turn, employ locally recruited people, organized and commanded by their former militia-leader.

As a consequence, there is a plurality of security-providers, acting on behalf of central authorities or under contract. This creates a chaotic situation that could seriously hamper the international effort for the Afghan state re-building. While the international commitment toward Afghanistan has been unprecedented in the recent history, the overlapping of too-many actors and strategies of intervention risks to deliver a less-than optimal result.

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President Karzai, stated his commitment to peace in his November 2009 Inauguration speech, and reiterated this at the January 2010 London Conference, where he stated that Afghans need to “reach out to all of our countrymen, especially our disenchanted brothers.” At the National Consultative Peace Jirga (NCPJ) held in Kabul in June 2010, and attended by 1,600 delegates, one of the main focuses was establishing a framework for national peace. With representation from all elements of Afghan society, the Jirga gave its support to President Karzai and provided him with a strong mandate to pursue peace. The Afghanistan Peace and Reintegration Program (APRP) was developed in response to the NCPJ resolution and designed utilizing previously successful peace programs as a guide. President Karzai issued a decree on June 29, 2010 that detailed the APRP structure and directed its implementation. Representatives of the international community endorsed the APRP at the July 2010 Kabul Conference pledging $220 million to APRP. The 12 donor countries are: Japan (largest contributor at $52.1 million), United States, Australia, Finland, Germany, Italy, Denmark, Netherlands, Republic of Korea, Spain, United Kingdom, and Estonia.

The Afghan Government then issued a “Joint Order” on September 6, 2010, that gave detailed instructions to ministries and provincial governors on how to implement the APRP under the oversight of the High Peace Council (HPC) established in October 2010.

Since then there has been significant progress. The first reintegrant joined the program in October 2010 and the first annual budget for the HPC was approved in January 2011. The wider budget, covering some $94 million, was approved by the Financial Oversight Committee in June 2011. In September 2011, the first APRP-funded, Line Ministry Community Recovery project was started in Badghis by the Ministry of Labor, Social Affairs, Martyrs and the Disabled. This project was a vocational training program in 23 centers for a total of 400 reintegrees and community members. As of December 2012, almost 5900 insurgents have left the battlefield, enrolled in the program, and made the deliberate choice to return peacefully and reconcile with their communities, and as of 31 Oct 2012, $41.1 million (23.7% of the initial allocated budget) has been spent.

In support of the 5 years programme ISAF has established partnering and mentoring relationships at every level of the APRP structure. The Force Reintegration Cell (FRIC) engages with the HPC and Joint Secretariat (JS) and its Provincial Joint Secretariat Teams (PJSTs) to support APRP. The Provincial Peace Commeets (PPCs) are partnered by ISAF Joint Command-Regional Commands (IJC-RCs) through Security Committees and supported by PRTs.

In 2011 Security Force Assistance Advisor Teams (SFAATs) came in lieu of the PRTs absorbing their functions in a broader way. Formed into 48-man teams and headed by a Senior officer these teams were to help Brigade and Battalion staffs of coalition forces to work with their Afghan unit counterparts. Each individual SFAT will have eight to eighteen members depending on echelon and type of unit they will be advising.

The SFAATs have been working with conventional coalition units that are "partnered" with Afghan counterpart units to improve their logistics, intelligence, maintenance, administration, rule of law, and training capabilities. SFAATs are composed of Police Advisory Team (PAT) and Military Advisory Team (MAT) which mission is advising, teaching and coaching their counterparts from the Afghan National Army and Police at the tactical level. Moreover, they’ve been acting as a liaison between the International Security Assistance Force (ISAF) and the Afghan National Army/ Police and respective Ministry of Defence and Interior.
So far, 32 PPCs and 32 PJSTs have been established and are operating in the provinces. Over the next few months, a PPC and a PJST should be established in Parwan, leaving Panjshir as the only province without an APRP structure. Since the end of the previous reporting period, the JS conducted demobilization and reintegration missions in Herat, Faryab, Sar-e-pul, Kunduz, Parwan, Wardak, Logar, Paktia, Khost, Paktika, Kandahar, Helmand, Farah, Badakhshan, Kunar, Nangarhar, Kabul, and Daykundi. These visits are held to discuss field operations, coordinate potential reintegration opportunities, and improve APRP-related communication between Kabul and the provinces.

In 2013 the JS development team carried out capacity-building workshops in Kabul for 31 development officers from throughout Afghanistan on the different aspects of community recovery management. Similar training was provided to the PJST finance officers and Public Information officers in an effort to build capacity and improve communications between the national and subnational APRP structures.

Through February 2013, $71.6 million has been expended, a budget utilization rate of 41.2%. Such measurement should be understood in the context of a program that started in October 2010 and did not reach full operational capability until December 2011. Approximately 60% of APRP funds are devoted to Community Recovery projects delivered through small grant projects (SGPs) and Line Ministry programs. To date, the implementation of 136 SGPs has been administered through the JS and PJSTs. In addition, 817 APRP projects have been executed by the Line Ministries, and most of them have dedicated cells to ensure synchronization with the JS initiative.

As per procedure, any Anti-Government Element (AGE) interested in the APRP may make initial contact with GIRoA, the ANSF and ISAF or through a trusted third party. The AGE will begin the interview process with the Provincial Governor (PGOV), PPC, NDS, and/or ANSF. During this time, the insurgent negotiates the terms for his pending entry into the program. Grievance resolution, position/status within the insurgency, plans for other AGEs to join with him, and types of weapons that he is prepared to turn in or register are just some of the topics discussed at this time.

The community to which the potential reintegree wishes to return is also involved in the discussion and will inform the PPC of its intentions to accept or reject the potential reintegree back into society. This conversation, which could require multiple meetings over a significant period of time, will result in the insurgent completing the Intent to Reintegrate form, where the potential reintegree declares in writing his intent to reintegrate, cease violence, live within the laws of Afghanistan, and follow the official procedures of the APRP throughout the reintegration process. Once signed (or thumb printed) by the insurgent/AGE, initial humanitarian needs can be addressed and the demobilization and community assessment process commences.

If the initial interview is successful and terms of reintegration are agreed upon, the matter is turned over to the PJST’s Demobilization Officer. This individual begins the provincial vetting process. During this time, all information and background data is collected from the potential reintegree and included on the provincial vetting form. Weapons are registered per the Weapons Management Standard Operating Procedure. If the PGOV deems that the individual is in danger because of the security within his district/village, he may allow the reintegree candidate to keep one personal weapon for protection. The vetting form is then reviewed and, if acceptable, approved by the PGOV, NDS, MoD, MoI, and the PPC Chairman after they have conducted independent background investigations on the
individual. Each entity must sign and stamp the vetting form verifying that the individuals are in fact insurgents and approving the individuals for enrollment into the APRP. The provincial vetting form is then forwarded to the JS in Kabul, where the candidate is again vetted at the national level by the MoI, NDS, and JS to ensure APRP requirements are met and the candidate is acceptable to be enrolled in the program. If the candidate meets all APRP requirements, the originating PJST is notified and biometric enrollment can be conducted. Once notified by the JS that the candidate can be officially enrolled in the APRP, the PJST will work with the JS to schedule the MoI biometric team to biometrically enroll reintegrees. Upon completion of the biometric enrollment, the JS updates its APRP database, creates a reintegree ID card for the reintegree, and provides the paperwork to ISAF’s FRIC to update the official count in reintegree numbers. It is at this time that the “official” reintegree receives his first month of transition assistance (TA) and is scheduled for disengagement training. During this reporting period, TA was changed from a monthly payment for a 3-month period to a monthly payment for a six-month period. Once the last TA payment is made to the reintegree, there is no formal procedure for monitoring the APRP participants. The JS is currently working on a 180-day survey to provide to the reintegrees at the time of their last TA payment as a way to collect information on the APRP from a reintegree perspective.

The insurgent vetting process has improved dramatically over the 29 months of the program, and there is much review and scrutiny as to who is eligible for the program. Every reintegree fully registered in the APRP has been biometrically enrolled. Although it may take weeks or months to get MoI biometric teams scheduled following initial request, the vetting process is important in preventing re-enrollment of individuals already in the program and allowing recidivists to be tracked. As indicated by the description above, the PPCs are active in the demobilization process, including negotiating with former anti-GIROA individuals and groups. The total number of official reintegrees is 6,277. Of those, 549 are considered mid- to low-level commanders. Currently, it is assessed there are 158 reintegrees who have joined the ALP. In RC-W, the total number of reintegrees is 2,501 or 40% of the total. In RC-S, the total number of reintegrees is 492 (8%). In RC-SW, the total number of reintegrees is 130 (2%). In RC-E, the total number of reintegrees is 765 (12%). In RC-N, the total number of reintegrees is 2,367 (38%). RC-C has 22 reintegrees.

APRP funding provided by international donors is received and divided into three separate funding windows/mechanisms. Window A is administered by the World Bank; contributors are Australia ($5.9 million), Finland ($2.5 million), and the United States ($50 million). Window B is administered by UNDP; contributors are Denmark ($5.3 million), Germany ($26 million), Italy ($5.6 million), Japan ($52 million), Netherlands ($2.5 million), South Korea ($1 million), and Spain ($6.5 million). Window C is administered by Standard Chartered Bank and contributed to by Estonia ($43,000) and the U.K. ($15.9 million).

The U.S. equity in APRP through Window A is $50 million, with $20 million expended to date through the National Solidarity Program of the MRRD, which is focused on Community Recovery Implementation Plan (CRIP) districts. Current overall expenditure rates (Dec 31, 2012): Window Balance A $36.2 million
For FY 2013, the anticipated expenditure is $78.9 million from all three windows. The National Defense Authorization Act for FY 2013 authorizes $35 million for the ARP and approximately $52,000 was distributed (obligated) as of February 2013. In 2012, 449 reintegrees participated in the Ministry of Labor, Social Affairs, Martyred, and Disabled projects. Additional vocational training is available through other ministerial opportunities, but recipients are not necessarily recorded as reintegrees. The JS estimates 70% of reintegrees and more than 1,785,000 persons from communities with reintegrees have benefited from Community Recovery projects.

The APRP promotes women’s full involvement in all stages. Women are included in all initiatives undertaken under the peace program and are part of all the structures created at the national and sub-national levels. There are nine female members of the HPC and 70 female members on PPCs.

GIROA has endorsed a gender mainstreaming policy, and the JS has implemented a corresponding strategy. A gender unit consisting of two gender advisors exists at the JS; these advisors oversee the implementation of all policies and procedures to ensure women play a role in each phase of the APRP. During this reporting period, the JS and Technical Committee recently approved an agricultural program focused on women related to reintegrees with a funding budget of $493,000. In addition, the GIROA is currently drafting an Action Plan for Afghanistan to implement the UNSC Resolution 1325 on Women, Peace, and Security. The HPC is involved in the technical advisory group drafting the plan.

In recent months, Afghan women in civil society and government have made significant efforts to accelerate the achievement of women, peace, and security issues. Female PPC representatives are participating in outreach to insurgents to promote peace and stability in the communities. Representatives have held peace shuras to message and promote peace in the provinces.

Civil society organizations and the HPC hold dialogues throughout the country. These dialogues have created the space for women to learn more about the peace and reintegration program and share their concerns and recommendations for a durable and inclusive peace process. December 6, 2012, President Karzai met with 30 female members of the PPCs. These PPC officials communicated their struggles to Karzai and advocated for women’s active participation in peace and security. During this visit, PPC members presented a number of recommendations for an inclusive peace process. President Karzai asked the women to reach out to insurgents in their communities and districts and invite them to lay down arms and reintegrate. He said he will support the women’s initiative and will do his best to provide opportunity for women to be heard and take part in future decisions regarding peace and security.

The HPC/JS has developed a Strategic Communications plan, which, along with its National Priority Plan, lays out a strategy for regular engagement with national, provincial, and district officials and civil society on peace and reintegration issues.
Approaching to the 2013-2014 ISAF “Transition Phase”, ANA, ANP and other Afghan National Security Forces reached a considerable level of self-sustainability; this in terms of quality of support of those ministries that play a key part in the support of APRP include the Ministry of Finance (MoF), Ministry of Education (MoEd), Ministry of Border and Tribal Affairs (MoBTA), Ministry of Hajj and Religious Affairs (MoHRA), Government Media Information Center (GMIC), and the IDLG.

Afghan Security Ministries, including the MoD, MoI, and NDS, play an important role in the APRP by improving security in areas that promote reintegration efforts and by vetting those individuals seeking to be enrolled in the APRP.

**Reintegration possible outcomes**

Successful and transparent delivery of the APRP create an environment conducive to the progress of an overall peace process. The reconciliation and reintegration form important and integral parts of the peace process in Afghanistan, involving Afghans from the national level down to the community level. Reconciliation efforts shall continue to focus on outreach, confidence building and negotiation at the strategic level, and reintegration efforts would continue to focus on bringing into the peace process the mid and low level commanders and foot soldiers which form the bulk of the insurgency, with their communities. In this manner, both reconciliation and reintegration will remain mutually reinforcing focuses of the APRP.

The APRP is a strategy for bringing all Afghans into the fold of a peaceful life, with full respect for the rights of all citizens of Afghanistan, men, women and children, as defined under the Constitution and laws of Afghanistan and Afghanistan's international treaty obligations. The APRP should help to address the political, social and economic root causes of conflict and grievances among the armed opposition, communities and victims. In addition, in a common view the APRP could positively affect the process of transition and Afghan nation building.

Continued efforts to promote community mobilization with direct links to trust building between people and government must be enhanced. Engagement with civil society actors is important in order to facilitate confidence building and dialogue. The civil society can provide a neutral platform that can link the insurgency to the Afghan government, as most conflicts need a neutral mediator. For this purpose, neutral community elders, religious figures, women and youth actors should be identified and encouraged into the process more actively. The idea of district peace and reconciliation committees that are comprised of different civil society actors/groups is a possible mechanism to involve civil society more comprehensively in the peace process.

The inclusion of youth is particularly crucial, given the average age of insurgent fighters, and a growing generation gap in conflict-affected rural areas.

Women's equal involvement in the process is essential. Their full and meaningful participation in all efforts for the maintenance and promotion of peace and security is the best guarantee that gains made to date in women's rights will be consolidated and further enhanced. Implementation of the APRP Gender Mainstreaming Work Plan in all APRP efforts is supposed to be further implemented and underlined cooperation with civil society groups to devise an action plan for this purpose. Specific measures should be developed to engage women at the sub-national level.
Reintegration and Mental health approach

While many kind of different efforts have been put in place seeking the reconstruction of the Afghan Security Forces and the demobilization of former Taliban regime combatants, very few has been done from the health approach point of view, also due to security reasons. Among those who undertake a health approach to the Afghan war victims situation, the vivo Foundation carried out an epidemiological survey\(^{427}\) in Kabul in 2005. As a first step (February 2005) vivo Foundation trained a group of 32 local counsellors on the Traumatic Stress, PTSD and Narrative Exposure Therapy (NET) concepts, oriented to traumatized survivors of the war and Taliban regime in Afghanistan. In October the same year, a vivo Foundation team of experts came back to Afghanistan and, carried out the survey in schools in Dachti Barchi area of Kabul, applying also to the previously trained counsellors support to the activity.

Survey results indicate a rather high exposure of Afghan school children to stressful and traumatic experiences with particularly family violence being a core stressor. An interesting data is the higher affection of boys than girls. Infact, a higher number of war related events was reported by boys, as well as domestic violence incidents and traumatic life experiences and greater amount of somatic complaints, while similar data were registered being minor in girls. Furthermore, an extremely elevated PTSD prevalence rate (with 26%) reflected the bad condition of boys compared to 14% of the girls.

In addition to that, child labour rates were very high. Half of the boys and nearly a third of the interviewed girls had to work on average seven hours a day. Child labour was found to be directly linked to family poverty, poor physical health, elevated exposure to domestic violence, and also to PTSD diagnosis\(^{428}\).

Being a first approach to the mental health problems, and further considering the difficulties of performing a wider action in support to a specific “ex-combatants” reinsertion project, the vivo Foundation survey must be considered a very important step to a possible future project in this sense.

As outcome from the vivo Foundation survey a urgent treatment of children affected by war, domestic violence and aversive life conditions such as child labour raised from the final report. Also, looking at the PTSD approach this could be easily addressed as a comprehensive intervention including specific psychotherapy for children and urgent actions versus child labour, domestic violence, poor school facilities and parental poverty issues. As part of the survey vivo Foundation also looked into the state of mental health in teachers who presented with high rates of trauma exposure and reported numerous health problems and mental distress related due to the exposure to war stressing situation over the past decades of conflicts in the Country. This data further suggested to implement the planned activities, including support for teachers, who represent the key players in the children's immediate social environment insertion.

\(^{427}\) The vivo Foundation study was realized in joined cooperation with the German Technical Cooperation (GTZ) and CARITAS international. The focus of diagnostic interviews was on traumatic life experiences due to war and violence in a post-conflict society but also on stressful experiences related to domestic violence. Further areas of investigation were child labour, substance abuse in children and parents, physical wellbeing and psychiatric problems other than trauma in children. A total of 287 school children (122 girls) aged 7 to 14 participated in the screening.

4.9. Major Findings

Afghanistan represents the most critical case of international operation under UN mandate. In the light of the experiences of the last decade, five years seem a reasonable time span for enforcing stability and governance in a post-conflict situation. While geographically-limited pockets of resistance and/or residual combats and tensions are expectable even after many years, the level of instability and widespread violence, combined with criminal economy, extreme poverty and systematic violations of human rights and the rule of law, are specific treats of the Afghan case, which seems to worsen as time goes.

The overall impression, drawn by the interviews and the mainstream literature, is that the level of military and civilian effort expressed by the International community is insufficient in size, poor in strategic views and short-sighted in policy terms.

The present study has identified seven main criticalities which hamper the success of the post-war process:

- The magnitude of military expenditure has put a heavy burden on International donors, which is mirrored in the low level of funding for reconstruction pledged so far. Assumed that per-capita spending is one of the most significant indicator of the effectiveness of international aid, over the last two years Afghanistan has received significantly less funding on a per capita basis than other recent post-conflict countries: East Timor (USD 256), Bosnia (USD 249), and West Bank/Gaza (USD 219). In 2003 Afghanistan received only USD 67 per capita. A recent shift has increased it to 182 in 2005, still far from a satisfactory level. Success in Afghanistan will require more resources for reconstruction, sustained over time, and invested in the right areas.

- Poverty and post-war destruction are too deep and widespread to allow any perspective of sustainable development in the short and medium term. Afghanistan stands 173° in the Human Development rank, and has world record levels in maternal and under-5 mortality, female exclusion, water and sanitation, health and education, per capita income. In a complex and often initially chaotic post-conflict situation, where high priority is given to military, political and market economy imperatives, the needs of the poor and vulnerable sections of the population have been neglected, while they require an immediate and well resourced shift of policies.

- Due to the critical situation only some of the promises made by the international community in 2001 and 2002 have translated into an improvement of the local population's daily lives. Some cases of unsuccessful reconstruction and development programmes have also contributed to reinforcing the perceptions among the local population that the international community and central government have failed to improve lives in rural areas. Nevertheless, even if until the 2005 in areas like the southern province of Helmand, “the shift of perceptions has been dramatic and twofold: the international troops initially seen as liberators are now increasingly regarded as the invaders; and the Taleban until recently remembered as oppressors, are now becoming protectors,” starting from 2009 a positive perception on the military support took place along with a significant improvement of the Afghan Institution to implement a number of project supported by the international community.

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The level of violence, insecurity and human rights abuses is unbearable for the citizens, inducing discouragement and pessimism. Attacks against national and international aid agencies are hampering the civil society’s participation in the post-war process, and prevent any sustainable effort to carry out effective reconstruction and development activity. The nature of instability in the south has shifted from random insurgency to a state of prolonged and organized violence that threatens the very foundations of the new Afghanistan. The nature of the insurgency has changed and is now perceived by certain parts of the local population in south Afghanistan as the accepted power holder. Increasing levels of extreme poverty and violence have led to a critical point in Afghanistan’s instability. The political transition due to occur in 2014 is bringing high expectations as to bring the Country to normalization and a stronger stability allowing the Afghan National Security Forces to safely support a mid and long term sustainable action from the new political establishment.

The weight of poppy cultivation and processing, and opium trafficking on economic, social and political life determines a multi-dimensional distortion. It hampers the capacity to enforce law and order, strengthen the power and increases the financial capacity of the warlords involved, establishes international networks and routes devoted to illegal activities, and prevents any control from the Government of Afghanistan (GIRoA) and the International community on the largest part of Afghan economy, which lies under the power of organized crime. But opium is more than a commodity: it is a currency, an instrument for access to land and credit. No crop matches the economic advantages and agronomic properties of the opium poppy. Substitution crop programmes have failed to address the deep economic reliance of rural communities on illegal opium, what has already happened in other countries. Opium is the lever for access to land and credit for the poorest farmers. It is at the core of a large – and widely participated - power system within the country.

The balance – and relationship - between military and civilian components of the international commitment is uncertain and confusing. Not only the overlapping of two different military actions (OEF and ISAF) has biased the popular perception and affected the autonomy of both initiatives, but also the attempt to integrate military and civil operations in the PRTs has produced further problems. PRTs are criticised by the aid community and some military for acting in a field (humanitarian aid and reconstruction) where they may not have sufficient competence and skills to provide, threatening to undercut longer-term reconstruction goals to serve only short-term military and political objectives, thus blurring the lines between humanitarian workers and a combat military forces. This approach and posture by the Security Force Assistance Teams (and PRTs) is mostly due to the level of threat which may create increased security risks for NGO’s and other expatriate assistance personnel, whom personal security could hamper their capacity to stay focussed on major security issues. Even though a first evaluation criticised their modest performance in terms of cost-effectiveness430, the current results happen to be more than satisfactory considering the increased security challenges which have been faced by the ground forces along with the continuous evolution of the mission.

The efforts for empowering a modern and dynamic civil society is hampered by the security threats, by the clash with the traditional ruling bodies, by the oppression exerted

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by some warlords, by donors’ policies prioritising international corporate subcontractors, and by the limited support and funding from the international community.

There is still space for optimism in Afghanistan, as long as a shift in policies and strategies is promptly enforced by International donors and institutions, pursuing an increased level of consideration for, and participation of, the Afghan communities and citizens in the post-war process. Experience shows that there is no internal stability without reduction of poverty, enforcement of human rights and the rule of law, and empowerment of civil society.

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5. Conclusions and Recommendations

Given the nature of the effort undertaken to analyze three different scenarios - with different focus, perspectives and situations related to the post conflict reconstruction and reconciliation – will conduct to conclusions drawn from different perspectives leading to recommendation made according to the a different angle of analisis. But this reality diversity adds richness and uniqueness to the present study, the conclusions and recommendations of which presented below.

5.1. Reconstruction and civil society\textsuperscript{431}

Post-war reconstruction confronts any society with a series of dilemmas, many of them purely functional and related to funding capability and time scales. In the case of deeply divided societies many factors can contribute to these dilemmas being magnified. In the analysis of the three cases, eight criticalities have been identified, that can be considered of maximum weight in determining the positive or negative outcome of the post-war processes.

a. Accountability

\textit{Problems}

An overall problem of accountability traditionally affects the international aid system at large. Indeed, the core of the issue is the lack of an accountability system. Increasingly, this lack is becoming evident, especially for the local population of the areas of post-war intervention. This undermines the development of clear and transparent rules and procedures, as well as the beneficiaries’ empowerment and ownership, while promoting a structural lack of responsibility which can become a very dangerous legacy.

In the domain of war and post-war processes this becomes even more acute, given the tendency to use aid as leverage to the achievement of different objectives (i.e. Security, democratisation, trade off with local powers, etc.). Beyond the ethic aspects, this issue has a series of negative practical consequences, also due to different cultural approaches:

- Lack of a shared, participatory and long-term vision
- Slowness of reconstruction
- Inefficient use of resources
- Unmet expectations
- Little space for empowerment and ownership
- Lack of funding for grass-root projects, mobilization of economy, space for local firms, building civil society capacities.
- Induction of corruption

\textit{Recommendations}

Strong efforts should be made to promote accountability as the underlying value to all post conflict reconstruction processes:

\textsuperscript{431} Contribution by CeSPI
• Accountability and transparency towards beneficiaries, not only allows more effective and sustainable interventions, but helps building a framework of trust, cooperation and participation.

• It is necessary to introduce the concept of donors’ responsibility, by adopting standards and criteria for transparency and proper use of international ODA. Information, public debate, clear and timely reporting are key to the establishment of confidence.

• There is need for coherence among the external policies - for instance between foreign policy and development assistance – while avoiding to transform coherence into integration. Harmonizing actions does not always requires blurring the scopes and aims of different policies (i.e. Humanitarian assistance and security), which should preferably remain distinct.

b. **Role and participation of local civil society**

*Problems*

• Participation is the basic essence of any development process and a necessary pre-condition for sustainability. Nonetheless, participatory approaches at community level are seldom adopted throughout post-war processes, on grounds that national interest or security concerns rather demand top-down decision mechanisms. This concerns also international agencies and local NGO’s, often accused of being donor-driven and report-aimed, what contributes to a negative perception of the sector as a whole.

• The first step in the initiation of any reconstruction process is the recognition of people’s resilience and impressive abilities to survive the hardship of conflict, by employing various coping mechanisms (social, economic and political). This pledges in favour of their systematic participation in planning, decision and implementation of all activities.

*Recommendations*

• The first and most difficult challenge is to establish a ‘national’ vision. Such a vision has got to be strong enough to rally people around the main mission of rebuilding the nation. The more people are involved in the development of such a vision the more sustainable the effort. This would contribute to building consensus through empowerment and ownership, as only in this case structures with a long-term sustainability can be created and maintained after the IC has left.

• Donors should allow for local capacities and initiatives to develop without necessarily following their political lines or national interests, and being rather focussed on local needs at community level. Donors must also be ready to commit for long term processes rather than sticking to short timeframes.

• Since the negotiation phase, the creation of a favourable environment for civil society and free political parties has to be encouraged in order to create positive conditions to resolve controversies without violence.

• Mechanisms for the IC and national governments to interface with civil society organizations must be created, with a view to making them accountable for their outcomes. This is meant to promote accountability and transparency as well as creating trust among the local population in the potential of civil society organizations.
c. **Security and rule of law**

*Problems*

- The issue of security is often linked to the very causes of the conflict as well as with the issue of justice of crimes perpetrated while in conflict. The level of security influences crucial issues such as the freedom of movement, which limits also access to services and labour markets. There might be different levels of security for each human group, which require specific approaches.

- Links between criminality, terrorism, public institutions and politics often characterise conflict areas. This is a crucial issue for the IC, as establishing the rule of law (coupled with a strengthening of democratic processes) is the basis on which a legally acceptable and transparent environment can grow. When structural economic weakness is coupled with the presence of organized crime, there is a danger of a spread of corruption among those who are supposed to implement the rule of law.

- Organized crime is one of the factors that favours black and grey economies, as opposed to a sustainable economic system; by its existence and actions, it undermines the legitimacy of fairly elected governments. As a consequence, organized crime can be considered a security issue, especially in a long term perspective, and is closely interconnected with political and economic stability.

*Recommendations*

- Securing the environment is not just a matter of military force on the ground but is also depending on the level of civil participation. The existence of grass root organizations in the fields of human rights and peace building, the action of independent media, the development of public services in areas like health and the protection of vulnerable groups, the diffusion of good neighbourhood projects, the advancement in reconciliation, and the presence of members of the IC may all contribute to safety and public order.

- The rule of law needs to be re-established as soon as possible, taking in consideration the context where the crisis occurs. Therefore the local legal systems’ tradition need to be respected (for example the Common Law or Roman Law systems), and the legal reform promoted by international actors needs to be coherent with it.

- Following the creation of an appropriate legal framework, the presence of well trained, well paid and accountable police forces is a crucial factor for its implementation.

- The presence of organized crime maintains and/or sets a system of power relations ruled by illegality and corruption, therefore adequate measures need to be taken to prevent these phenomena, both at politics and civil service level.

d. **Profile and perception of international operation/community**

*Problems*

- The problems of accountability, participation and security are closely connected to the issue of the popular perception of an international mission, as a key to assessing success or failure of the initiatives promoted by the IC in a post-war environment. In
the face of humanitarian catastrophes, local communities usually welcome the arrival of the IC, which is seen as a relief.

- Danger comes from the protracted international presence over time, when for a whole set of reasons expectations may not become satisfied, leading to embitterment and even intolerance towards the international presence. Meanwhile, national and international actors may fuel such resentment, for political purposes. Kosovo and Afghanistan are prominent examples of this situation. Whereas in Mozambique, the role played by the international community during and after the peace process had been positively perceived by the local communities.

- In many cases also the high profile of the expatriate community in the country may be a cause of irritation and mistrust among the local communities: different lifestyles, lack of respect for local customs, power shows, relative over-spending, induction of prostitution and the use of illegal substances (e.g. Drugs, or alcohol in some countries), spreading of unwelcome western habits among the younger, etc.

**Recommendations**

- The need to respect carefully reconstruction programmes and commitments should not be underestimated. Any change of plans and timing should be thoroughly explained to and discussed with the concerned communities, involving them in monitoring activities.

- Popular perception should be constantly monitored as a key factor in determining a mission’s success or failure. So far, this has been done by the military, mainly for security purposes, while little attention has been devoted to the civilian components in order to assess the level of acceptance and support to the policies applied. It is on such acceptance and support that success will depend, and flexibility is crucial to adjust implementation in order to maximise support.

- Extreme attention should be paid by international personnel and organizations to keep a low and modest profile, showing careful respect of local customs and authorities. Expatriates especially members of the NGOs and other civilian agencies should follow such a code both on and off duty.

- An excess of visibility for the International actors may equally hamper the sense of ownership by the population and cast a shadow on the credibility and legitimacy of local institutions and organizations. Publicity should be kept at a reasonable level, making sure that national institutions and communities receive the highlight from the media.

e. **Adoption of context-specific approaches**

**Problems**

- Normally the IC prefers to adopt standardized approaches to post-war processes, despite the diverse cultural, political and economic identities and capacities of concerned countries. Scenes of destruction and devastation may be perceived by outsiders as representing a sort of *tabula rasa* on which no remains of the former order exist and onto which they can apply their own externally devised solutions. As a result, the same reforms are imposed on market economy, political institutions and social life. The problems with such a position become evident perhaps by analogy with the policies of Structural Adjustment Programmes (SAPs) in the 80s’. Their
early assumption showed untrue and unsustainable for most countries where they had been adopted, as emerged in the Mozambique case.

- Experience has shown that the context where the IC intervenes cannot be ignored. Rather it must be studied and understood before making decisions which may compromise the long term objectives of the intervention and undermine the future of the region. This is an evident outcome of the three cases analysed, especially Afghanistan and Kosovo, where the attempt to associate humanitarian assistance with a particular Western political framework (most obviously in the Balkans), has showed ineffective – or even counterproductive - in order to achieve the required changes in political, social and economic habits, at the same time discouraging a positive and cooperative environment. In terms of policies, this downsizes the space for developing new methods and techniques for the management of such processes.

**Recommendations**

- It is commendable that case-specific strategies are carefully developed, monitored and adjusted, trying to integrate and harmonize – as far as possible – with existing structures and customs.

- Drastic changes in political life as well as in the economy should be made possible in the long term and through a participatory process, keeping in mind that stability and a reasonable level of continuity are key to the success of reforms in post-war environments.

- It is also important to respond flexibly to rapidly changing circumstances. Unlike ‘standardized’ relief, reconstruction programmes can be designed as a platform for a range of activities, ensuring flexibility while taking into account institutional settings and local community structures.

- Partners and contractors should be carefully selected, while also respecting the role of those social structures which are a reference for the local population.

**Progress of the reconstruction and reconciliation process**

**Problems**

- A successful post-conflict reconstruction depends on a large variety of factors, although several of them seem to be replicable in different contexts. The presence of an international and internal favourable environment for the promotion of the reconciliation process is one of them. This is based on the synergy among national/local, regional and international stakeholders, co-operating to the achievement of a peaceful environment.

- Peacebuilding is often linked to the unaddressed issues of justice and reconciliation. The assumption that dialogue all alone means in itself reconciliation is wrong. Rather, it may be the first step in a peacebuilding process. Long term commitment to the “soft aspects” of peacebuilding is needed for it to work.

- Unless corrective mechanisms are adopted, protracted aid normally causes dependence, with negative consequences on people’s habits as well as on market and economy. Also, the economic impact of the presence itself of large numbers of civilian and military expatriates in post conflict scenarios is impressive, and affects all aspects of the local economy. Such impact may decrease over the years as aid flows
decrease, if there is an actual improvement of the economic situation in sustainable terms. Unfortunately cases like Kosovo and Afghanistan show that this is not always true. Addressing the structural weaknesses of the economic systems of the countries where interventions are carried out is a must in order to create long-term sustainability.

- Despite the many accomplishments to date, in Afghanistan the execution of APRP community recovery efforts had been slow relative to the urgency of the provinces and communities needs following demobilization. The delay was increasingly felt in areas where reintegration had intensified in recent months. Communities need assistance for agriculture, infrastructure, irrigation, and all forms of religious, civic, literacy and vocational education and training to alter perceptions of peace and Afghanistan's future, and to support the political, social, economic, spiritual and psychological process of reintegration.

Recommendations

- Peaceful environment and timing are crucial issues in the reconstruction processes. On the one hand, reconstruction should start as soon as possible in order to minimize relief, on the other hand, imposed reconstruction in the name of urgency and utilisation of development opportunities could lead to a worst disaster than the destruction itself. However, it is important that speedy rebuilding does not occur at the expense of community participation.

- If reconstruction programmes need to be delayed, to wait for more suitable circumstances than those already existing (slow progress in the establishment of the rule of law, continued human rights violations, land disputes, weak management capacity within the government, lack of qualified local personnel), then maybe the programmes themselves are faulty and need to be re-oriented.

- As regards reconstruction, accountability for the use of the funding and quality of the outputs should be a must, especially in the first part of the reconstruction programmes, as this is a unique chance for the construction of physical structures which will influence the everyday life of people in the area of intervention. Moreover, it sets a precedent for the following actions carried out by local and international civil society.

- A successful negotiation phase and peace agreement may determine the success of the reconstruction/reconciliation process. Since this phase, it is important for the IC to invest on the legacy of previous relationships (if any) with the parties involved. This may streamline the promotion of dialogue and trust between the conflicting parties, in security conditions allow, where third parties - e.g. UN or EU - could monitor the peace process implementation as well as the first steps in the reconstruction phase.

- Effort should be made, in order to reduce dependency on external aid and the economic impact of the expatriate community in the country. In the case of Mozambique, Donors assistance has been re-addressed by supporting the national budget, through the ongoing programme PARPA, whose effectiveness in terms of sustainability still has to be evaluated. In order to promote sustainable processes, in the recovery phase there is need to pay attention to the issue of people's ownership, by focussing investments in empowerment and capacity building of local social, economic and administration bodies.
In Afghanistan, the APRP has been enhanced to achieve its stated aims of sustainable peace and national unity, and adequate vetting of participants to the process is essential. Both security agencies and local communities should be involved in order to ensure that criminals do not benefit from the program. Entry into the program did not amount to immunity from criminal prosecution. Such programs should benefit all members of the community, men, women and children, and in this regard efforts should not be diverted exclusively into job creation. The Conference agreed that identifying key challenges and administrative and capacity-related obstacles, and finding solutions for these problems, is imperative for the APRP. The APRP must move forward by ensuring rapid response to local demands, and by delivering specific projects in an efficient and accountable manner to consolidate peace in communities.

g. Civil-military relations

Problems

- In critical environments where both humanitarian and military intervention are carried out, neutrality and impartiality of humanitarian interventions are seriously challenged due to a number of reasons. Firstly, humanitarian assistance contributes to the political economy of armed conflicts. Secondly, effective assistance can sometimes require ‘pragmatic’ solutions, such as making certain commitments to warring sides in order to assist war-affected populations. Finally, as humanitarian assistance is often used by donor states as a substitute for political action, it becomes itself ‘non-neutral’, and aid agencies are therefore associated with a particular Western political framework.

- This way, all aid agencies’ legitimacy and credibility may be compromised, as they are perceived by the beneficiary communities. This legitimacy is of crucial value in determining the security and scope of humanitarian space.

- Such compromise is often considered as an acceptable cost, in return of a better integration of efforts between civil agencies and the military, aimed at establishing better relations of the military force with local populations. But its negative consequences have not received sufficient consideration.

- The weight of “hearts and minds” goals in reconstruction activities may hamper the capacity for the security forces to stay focused on major security tasks, and undercut longer-term reconstruction goals of civilian concerned bodies. Evidence collected by this study and others suggests that the influence exerted by this form of aid over the course of a conflict appears to be marginal at best, while its negative consequences may become very serious, in terms of safety for civilian organizations, effectiveness of aid, and economic efficiency. Indeed, for the civilian humanitarian sector, ambiguity of their civilian or military status may undermine their legitimacy and therefore their ability to work and reach their beneficiaries.

- Such consequences are implicit in the approaches chosen in Kosovo and – more problematically – in Afghanistan, by integrating relief and reconstruction work in the military mandate, and embedding civilian agencies in mixed teams. So far, integration has not usually meant having a clear political strategy, thus securing more humanitarian space and promoting conflict resolution. In cases like Afghanistan, this approach has become the primary form of civilian (and as a matter of fact military) engagement.
There is certainly a major gap between the ratio of military and aid expenditure in post-war scenarios. In these scenarios, military expenses are per se much higher than any other component of the mission. While in some cases military and civilian expenses may not undermine one another, like in the case of Kosovo, in Afghanistan the gap between the two is indeed a fundamental factor when assessing the efficiency and effectiveness of civilian peacebuilding and reconstruction efforts, keeping in mind that without a security framework most of the civilian actions can be difficult to be maintained.

**Recommendations**

- Rather than pursuing an integrationist approach, greater emphasis should be placed on ensuring complementarities. With the military pursuing coherently security objectives and civilian agencies (particularly the national ones) free from strings attached and perceived as independent.
- Valuing and highlighting the independence and neutrality of aid agencies, rather than using them as a tool for achieving military purposes in psychological operations, would affirm and support the idea that international mission’s main goal is assisting the population, ensuring an improvement of living conditions and human rights, and sustaining the reconstruction and pacification process.
- It is very important that the civilian and military components of a mission maintain clearly identifiable and separate mandates. While areas of cooperation can be identified and are often crucial parts of mission implementation for both, their realms and areas of responsibility must not be blurred by incorporating these two components into a single entity. Indeed, while cultural differences must be overcome in order to guarantee the minimum cooperation necessary for mission implementation, the civilian and military missions must remain (and be perceived as) clearly separate to the local population, in order not to hamper the ability of humanitarian agencies to reach them.
- The ration between military and aid expenditure should be assessed in order to evaluate how much these expenses influence one another. Military expenditure should not undermine the amount of aid made available by donor countries. Moreover, the effectiveness of aid and developments project in improving the security situation should be assessed and not underestimated.

**h. Health approach to post-war trauma**

**Problems**

- Reintegration can be understood as the, "sum total of processes by means of which the veteran is helped to become an acclimatised member of the community. It also refers to the actual state of feeling part of and being accepted by the members of the community belonging to the resettlement area". As a result, civil society not always realise that has a fundamental role to play in all facets of the reintegration process.
- The success of demobilisation and reintegration programmes depends on adequately addressing the problems that ex-combatants encounter in the often stressful process of moving from military to civilian life. Instead of coming home with pride they came home to destitution and joined the unemployed masses of the society. Hostile economic circumstances typically await ex-combatants returning from war. Physical infrastructure and the environment have often been damaged or destroyed during the
conflict. This can have severe implications, especially for the agricultural sector on which many developing countries rely to feed their populations.

- Civilians exposed to trauma and life disruptions as a result of civil war confront severe challenges in attempts to manage unpleasant emotions, thoughts, and memories. In addition to feared external stimuli, people may fear and avoid unwanted private events such as unpleasant emotions (e.g., feeling anxious), thoughts (e.g., “I am going to make a fool of myself”), and bodily sensations (e.g., increased heart rate). This notion of experiential avoidance refers to tendencies to negatively evaluate unwanted feelings, thoughts, and sensations; an inability to tolerate these private events; and the desire to control and extinguish these events.

**Recommendations**

- To deal with the stresses of reintegration into civilian life, often complicated by trauma induced by ex-combatants' experiences of war and the hardships experienced during their time in the military, requires a coordinated effort involving a synergical action of civil as well as health and in particular psychological support. Ex-combatant experiences brings to emotional, health or social problems which became a commonplace. Specific support from professional experienced specific treatments on the field are helpful to structure an synergical action versus depression, drinking problems and other phenomena such as social disaggregational behaviour and symptoms of post-traumatic stress disorder (PTSD). An additional support in terms of specific programmes to re-establish a balancing between disease and civil society acceptance should be seek in order to deal with the ex-combatants relationships refusal helping them to recover from ostracism and alienation from family, friends and others in the community.

- Currently, diagnostic procedures, instruments and treatment measures for PTSD are in most of cases based on Western models and designed correspondingly. Some global pathogenic mechanisms have been identified and a number of Western-oriented treatment protocols have been developed that are successful in many cases. However, persistent symptoms such as post-traumatic re-experiencing are poorly understood. These symptoms may remain for a very long time or may occur or return after many years. Thus, data about individual adaptation to shocking war experiences are useful and necessary for comparison in order to understand on a fundamental level long-term adaptation to war trauma and the influence of various factors on this adaptation. In this comparison it is of paramount importance to integrate data from non-Western societies.

- In the case of traumatised war victims, in deciding whether psychotherapy is indicated, one has to take into account the circumstances in which individuals are living. Asylum seekers, for example, may live in a very insecure situation, awaiting the decision on their right of asylum. Sequential traumatisation may be induced by these feelings of not being safe, by adjustment problems, bad housing, aggression, discrimination and so on. In such circumstances, only supportive therapy is usually indicated. Addressing the traumatic experiences directly might destabilize the patient even more. However, in a more stable situation, supportive psychotherapy using cognitive–behavioural techniques has proven to be the best treatment for traumatised patients from non-Western countries. This might be done in combination with non-verbal therapy and support with daily problems such as housing, language and adjustment.
Among different kind of psychological treatment approaches, very few are focused on traumatized individuals. On this particular issue, in tight relation with traumatized people who remained in post-conflict or crisis areas were they experienced the trauma, particularly helpful is the Narrative Exposure Therapy (NET), which aims especially at this group of traumatized people and certain factors, like adverse life conditions, financial need, unsafe environment and different cultural backgrounds of the concerned.  

5.2. Disarmament, demobilization and reinsertion of armed forces and police

a. It takes time!
The Disarmament – Demobilisation – Reinsertion (DDR) of Armed and Police Forces is a long process. The general disruption of infrastructures, the lack of functional law-enforcement agencies, and the poor knowledge of available weapons among formal and informal actors makes the disarmament process an extremely articulated effort. The disbandment of armed formations is perhaps even more complicated, since these actors usually enjoy strong linkages with ethnic, religious or political communities. Also, the patronage system enshrined in the very existence of these formations is peculiar of pre-modern political frameworks, or the natural outcome of protracted internal conflicts. Finally, the build-up of functional military and law-enforcement capabilities requires long processes for the recruitment, training and mentoring of these newly-formed realities, not to mention the time – years if not decades – that the new Police and Armed Forces need to do their own experiences, and learn from the on-the-ground activity. The whole process examined in this study has to be put in system with the capabilities of Western armed forces, which like in the Afghanistan case, have been involved in a typical post-colonial activity, where along with the Armed forces reconstruction need they had to face with deep security infrastructure gaps in a two way reconstruction process: institutional and operational. Finally, in most cases and especially at the early operational stages, the decision making process of the international community, coupled with the prevailing imperatives of quick results for any resource-intensive operation, seems inadequate to optimally carry-out this critical state-building activity.

b. Long term sustainability
While the international community could appear fully aware of the huge effort required for the effective execution of a DDR process, and the involved states could initially commit enough resources for these programs, almost inexorably the initial support will be gradually eroded by the appearance of new emergencies. It is critical to plan the gradual hand-over of DDR activities to specific actors, less affected by the natural swing of political support for alternative emergencies.

Therefore, it’s important to accurately balance the efforts between short-term, politically agreeable objectives, able to raise the public opinion interest and the political support, and

432 Narrative Exposure Therapy (NET) is a standardized treatment module that encompasses existing psychological theories and PTSD treatment approaches to address the needs of traumatized survivors of organized violence and multiple traumata (Schauer Schauer, Neuner, & Elbert, 2005). The NET, has been developed by a team of the University of Konstanz and the NGO vivo (team members: Frank Neuner, Maggie Schauer and Thomas Elbert) which aims especially at this group of traumatized people and certain factors, like adverse life conditions, financial need, unsafe environment and different cultural backgrounds.

433 Contributions by Centro Militare di Studi Strategici (CeMIS)
long-term objectives, to be pursued for the sake of local and regional stability, although in a framework of declining economic and political support from external actors. Obviously, it is essential that this matter is understood also by the most important donors.

c. **Total Ownership Costs**
Many countries involved in the DDR processes use to donate material and equipment for the Armed and Police forces under re-construction.
Too often quite similar equipment is donated by different countries, creating capability overlapping, while leaving unaddressed other requirements.
Also, the multi-source procurement, while usually free of charge in the initial deliveries, becomes rather expensive during the life-cycle of the equipment.
International community should elaborate a model of total ownership cost for each of the main equipment transferred to the local government, in order to make it fiscally and economically sustainable.

d. **Beware of unintentional consequences!**
While the DDR programs have rather clear aims – basically to create a stable social and political context – there are also unintended (and seldom easily foreseeable) spill-over effects, in the social, economic and cultural environments.
As one of the many examples, the foreign aid devoted to the finance of DDR – demobilisation incentives, salaries for the recruited militaries etc. – could affect the macroeconomic stability, especially when these moneys bypass the central authorities in charge of economic policies.
Inflation could be easily pushed by the inflow of foreign aids, deteriorating the welfare of the largest part of civil society.
There are also positive spill-overs. For instance, the technical training usually given to new recruits (driving lessons, mechanic maintenance, health informations, etc.) seldom remain confined in the military and law-enforcement institutions. These non-material goods are usually transferred to the whole society.

e. **No models**
International personnel, and especially key position leaders, should be aware that it is not always possible to simply transfer models and standards from one country to another. As far as reinsertion of Armed and Police Force is concerned, it should be important to fully understand the environment and cultural background where the international force is operating, in order to adapt the models and the standards to the political, economic and especially cultural and social conditions offered by the specific context. For example, an all-volunteer force could be the best model for certain countries, but other reasons could suggest to pursue a compulsory model for other theatres of action. In a similar way, an ethnic proportionality could represent the most rapid path to be followed for the build-up of new armed forces, but in certain countries this would prove a potential “clock bomb” for further future conflicts.
In this respect, international personnel should communicate more with local people, in order to understand their needs and cooperate with them, not only for them.

f. **Too high Rotation**
One of the critical aspects that emerged from the interviews directly carried out in some of the theatres is related to a too frequent rotation among the international personnel. Each single member of the international staff (and especially those in key positions) has his/her
own cultural background and ideas that influence greatly the final objective they want to reach: “it is like every year this mission is recreated”.434

g. Trust
The international community make a hard and long work building and reconstructing security services like Armed and Police Forces. However, it is important that, after those forces are constituted and began to do their job, the international community gives them trust and responsibility. Otherwise neither the Police nor the Armed Forces will be able to improve their capabilities. Learning-by-doing is probably the most effective procedure in the build-up of state-capacities, an in this respect the Afghan case is the most credible one.

h. Trauma-related challenges
Studies that focus on the 'making of soldiers' suggest that issues of identity require further investigation, especially in relation to questions of ex-combattant reintegration and participation in future violence. Overlapping with the issue of war-generated identities, is war-trauma as a factor in future violence. Increasing evidence suggests that many of ex-combatants continue to suffer as a result of their militarized histories and involvement in violent conflict after their demobilization, and constantly reported of trauma-related challenges faced suffering as well as reported violent manifestations of unaddressed trauma. Ex-combatants who have spent much of their lives in a military environment, must in many cases, find alternative employment, a place to live, adapt to a civilian mind-set, and being accepted by the communities into which they are integrating. As such, this is a complex process, which involves social, material and psychological aspects each of them which need to be specifically address as to find a mutual beneficial result as for the civil society as for ex-combattant.

Those people need to follow a specific reintegration/reinsertion program focusing on social, medical and particularly psychological support and help which in the majority of cases requires specialist intervention to deal with post-traumatic stress disorder (PTSD) symptoms.

5.3. UN considerations435

There has been significant progress in the United Nations system-wide coordination efforts since 1997 when Secretary General Kofi Annan launched his reform agenda. Various coordination mechanisms such as the United Nations Development Group and the Office for the Coordination of Humanitarian Affairs were established to enhance the collective impact of the separate operational entities. It is particularly important in the case of field coordination.436 Planning instruments such as the Common Country Assessments (ccas) and the United Nations Development Assistance Frameworks (undafs) were developed with the collaboration of host governments to address, have and respond to national priorities.437 The consolidated appeals process (CAP) another planning instrument, included a common humanitarian action plan (CHAP) to deal with the needs of countries in crisis. In Kosovo and

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434 Conversation with Mr. Steve Bennet, Director Kosovo Police Service School (KPSS).
435 Contributed by UNSSC
436 “For most of the world’s citizens, the relevance, capacity and effectiveness of the United Nations are seen through the prism of their experiences with United Nations staff and activities in their home country. In every country in which the United Nations operates, its overarching purpose is to serve its people. We can perform this mission effectively only by working together.” Strengthening of the United Nations: an agenda for further change”, Report of the SG, A/57/387, 9 September 2002, para 116, page 20.
437 A primary constraint in providing adequate system-wide response stems for the current state of field representation. “Country level representation by individual organizations largely responds to organization-specific considerations rather than to system-wide assessments of the requirements of United Nations system development cooperation or of the priority requirements for development assistance of individual developing countries” Triennial comprehensive review operational activities for development of the United Nations system: conclusions and recommendation, Report ogf the SG, A/59/387. 28 September 2004, para 46, page 13.
Afghanistan, the Secretary General appointed Deputy Special Representatives (DSRSG) to coordinate UN activities in order to respond more effectively to the political, security, humanitarian and development needs. In Mozambique the Resident Coordinator the head of the UN country team in the country also serves as the Humanitarian Coordinator. 438

In the case of Afghanistan and Kosovo, the coordination challenges involving UNAMA and UNMIK were the focus of attention, whereas in the case of Mozambique, the coordination efforts involving the development and humanitarian aspects were the subject of investigation.

The results of the three cases analysed together with the review of relevant UN documentation, revealed a number of common elements related to the topic on UN coordination at field level, which are presented below:

a. **A judgment on the success of the UN reform launched in 1997 depends on how successfully the reform of the coordination of UN operational activities at country-level progresses.**

The objective of improving coordination for better development results (both within UN organizations and between UN organizations and other stakeholders) is an issue encompassing all the countries where there is a UN presence. The strengthening of the coordination of UN development assistance to recipient countries is one of the cornerstones of the latest wave of reforms launched in 1997. Due to its centrality in the reform design, the extent to which it is effectively achieved and practiced provides a significant indication of the success of the overall UN reform of operational activities itself.

b. **The new UN coordination policy in place since 1997 would need additional efforts to accomplish its primary objective: a more efficient and effective UN development assistance.**

The institutionalization of new coordination mechanisms and tools (e.g., the RC system, the CCA and UNDAF) was designed for more efficient and effective aid delivery. The policy contains important innovations as well as areas for further improvements (e.g., a clearer definition of the role of the RC vis-à-vis UN Country Team members; a more decisive shift from information sharing to joint programming in substantive areas; a clearer vision of how UN coordination instruments would replace existing agency-specific ones, rather than adding on them). Despite successes and shortcomings, its degree of enforcement is open to a certain level of ‘discretionality’ by the RC system and the UN Country Team members.

c. **The implementation of the UN coordination policy follows different speeds and absorbs different levels of attention and resources, depending from various stakeholders and on the country-specific context.**

The strengthening of the UN coordination varies from country to country, depending on the stage of development, including whether in a conflict or post-conflict phase, and the history of the country (including its economic, political, social and cultural context). In general, in addition to the various UN agency-specific headquarters, the main

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438 The resident coordinator system is the key to field coordination and a key instrument for organizing a coherent response to country needs and priorities.
stakeholders for the UN system at country level are the Government counterparts and the donor community (including, international financial institutions), with whom the aid policy is determined and financed respectively. There is certainly scope for enhancing the participation and role of csos in the formulation of aid policies. Overall, the level of speed and enforcement of UN coordination is influenced by the priorities and operational modalities of these main stakeholders, to which the UN reacts.

d. The extent to which the UN system gets more coordinated affects its relevance as a development partner at country-level.

The issue of improving the UN coordination of development aid is so central that - in those countries where it is a policy priority, its degree of success may determine the degree of relevance of the UN system organizations as a key development partner of the Government counterpart and the donor community.

5.4. NATO’S considerations

NATO’s strengths

a. Suited to operate security sensitive programmes.

The nature of NATO's rules of engagement (ROE), Force Protection and security focus, enable it to be extremely effective when it involves itself with DDR and reconstruction projects in the post-conflict environment.

b. Sufficient in capacity to conduct and sustain DDR programmes.

Due to the self-sufficiency of NATO's IFOR/SFOR and its available resources including administrative and logistical capabilities, they have assisted IOs and NGOs in the fulfillment of their mandates in BiH. Furthermore, it is often the case, that highly skilled military personnel may in fact be able to assist in DDR and security sector reform projects in a civilian led operation as to convey to a better coordinated goals.

c. Expertise to engage in DDR programmes with efficiency and efficacy.

With regards to disarmament, NATO's military expertise allows for arms control activity achieved efficiently and professionally, with minimal conflict with host nation police and military forces. In most case the DDR programme is directly tied to the armed forces reconstruction and to provide a country security control mentoring action to those forces in process of learning-by-doing while still defeating the existing threat.

d. Have the ability to punish non-compliance.

Unlike any other agency involved in restructuring police and military forces, NATO can punish non-compliance with its demands. This allows for the dominance of its decision in Theatre of Operations.
**NATO’s deficiencies**

e. **Narrow focus on disarmament, security and exit rather than sustainable peace.**

Disarmament alone cannot improve security unless it is part of a clear political process. Security can only be restored through an arms-control regime, an effective economic-development programme that makes demobilization possible and the integration of both initiatives in the political process.

f. **Excessive fear of Mission Creep.**

There are examples of NATO's "effort to limit the military role to the letter of the agreement". This can be the case of IFOR which did not take on effective demobilization assistance when it was most needed following the signing of the DPA, but cannot be the case of Afghanistan where despite the 2013-2014 critical political transition and the signing of the Bilateral US-Afghanistan agreement and the NATO Agreement didn’t hampered the ISAf will to deliver its action in support of the mission.

g. **Rapid Staff Rotation Inhibits institutional learning.**

NATO's rapid rotation of staff, on average deploying for six-months, is not long enough for SFOR to retain institutionalized knowledge of DDR processes in the country. As DDR programmes may require several years to become effective, staff overlap is required. Related to this is the *ad hoc* informal nature of NATO's DDR assistance. Often its involvement is based on the interests of its individuals rather than the interest of the organization. When the individual leaves the mission, so does NATO involvement.