Municipalities in Afghanistan

H.E. Vice President Mohammad Karim Khalili and H.E. Abdul Khaliq Farahi, Director General of the Independent Directorate of Local Governance (IDLG), at a National Mayors’ Conference

By: Abdul Baqi Popal

30 June 2014
# Municipalities in Afghanistan

## Table of Contents

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>List of Figures</td>
<td>4</td>
</tr>
<tr>
<td>List of Tables</td>
<td>5</td>
</tr>
<tr>
<td>List of Charts</td>
<td>5</td>
</tr>
<tr>
<td>Acronyms</td>
<td>6</td>
</tr>
<tr>
<td>Acknowledgements</td>
<td>7</td>
</tr>
<tr>
<td>1 Introduction</td>
<td>8</td>
</tr>
<tr>
<td>2 Background</td>
<td>10</td>
</tr>
<tr>
<td>3 Governance</td>
<td>17</td>
</tr>
<tr>
<td>3.1 The legal basis for municipalities in Afghanistan</td>
<td>17</td>
</tr>
<tr>
<td>3.1.1 The Constitution</td>
<td>17</td>
</tr>
<tr>
<td>3.1.2 The Municipal Law</td>
<td>17</td>
</tr>
<tr>
<td>3.2 The General Directorate of Municipal Affairs</td>
<td>21</td>
</tr>
<tr>
<td>3.3 Infrastructure improvements</td>
<td>23</td>
</tr>
<tr>
<td>3.4 Municipal Staff</td>
<td>24</td>
</tr>
<tr>
<td>3.4.1 The Tashkeel reform</td>
<td>25</td>
</tr>
<tr>
<td>3.4.2 Gender Mainstreaming</td>
<td>26</td>
</tr>
<tr>
<td>3.4.3 Mayors</td>
<td>27</td>
</tr>
<tr>
<td>3.4.4 Capacity building</td>
<td>29</td>
</tr>
<tr>
<td>3.5 Citizen participation</td>
<td>31</td>
</tr>
<tr>
<td>4 Municipal Finances</td>
<td>33</td>
</tr>
<tr>
<td>4.1 Revenue sources</td>
<td>33</td>
</tr>
<tr>
<td>4.2 Revenue Enhancement</td>
<td>37</td>
</tr>
<tr>
<td>4.3 Revenue figures</td>
<td>38</td>
</tr>
<tr>
<td>4.4 Municipal budgets</td>
<td>41</td>
</tr>
</tbody>
</table>
5 Development Objectives ........................................................................................................46

5.1 National Priority Programme ..........................................................................................46

5.1.1 NPP4 Component 3: Municipal Administration .........................................................47

5.2 Key donors .....................................................................................................................49

5.2.1 USAID .......................................................................................................................49

5.2.2 UN–Habitat ................................................................................................................50

5.2.3 UNDP .........................................................................................................................51

5.2.4 German Government .................................................................................................52

5.2.5 World Bank ................................................................................................................52

5.3 Donor coordination .........................................................................................................53

6 Conclusions .......................................................................................................................54

6.1 Achievements ................................................................................................................54

6.2 Challenges ....................................................................................................................55

6.3 Recommendations .........................................................................................................57

6.4 Next steps ......................................................................................................................59

Bibliography ..........................................................................................................................60

Annexes ..................................................................................................................................64

Annex 1: The text of the Gender Mainstreaming Guidelines for Municipalities.................64

Annex 2: The text of the ToR for the Establishment of Municipal Advisory Boards............68

Annex 3: The form of the questionnaire developed for the Municipal Survey 2013 ............74
List of Figures

Cover: H.E. Vice President Mohammad Karim Khalili, H.E. Abdul Khaliq Farahi, Director General of the Independent Directorate of Local Governance (IDLG), and the author at a National Mayors’ Conference.

Fig. 1 Herat city, provincial capital of Herat province.
Fig. 2 Mazar-e-Sharif, provincial capital of Balkh province.
Fig. 3 Faizabad, provincial capital of Badakhshan.
Fig. 4 Provincial capitals and district municipalities in Afghanistan.
Fig. 5 Jalalabad, provincial capital of Nangarhar province.
Fig. 6a Afghanistan. Blue circles: Provincial capitals with more than 10,000 citizens as estimated by the CSO for 2012–13\(^1\) given in Table 1. The sizes of the circles reflect the population estimates. Largest circle: Herat (436,300 citizens); smallest circle: Khost (11,000 citizens). Base map: Wikipedia (2005).

Fig. 6b Afghanistan. Blue circles: population estimates for provincial capitals by the mayors, based on figures in Table 1. The sizes of the circles reflect the population estimates. Largest circle: Kandahar (1.2 million); smallest circles: Mahmood Raqi (10,000). Yellow circles: Provincial capitals for which no estimates are available. Base map: Wikipedia (2005).

Fig. 7 Qalat, provincial capital of Zabul. Drainage/canal cleaning.
Fig. 8 The building of Mazar-e-Sharif Municipality.
Fig. 9 Public latrines in Zaranj, provincial capital of Nimroz province.
Fig. 10 Municipal park in Farah city, provincial capital of Farah province.
Fig. 11 National Conference of District Mayors in Kabul in 2013.
Fig. 12 Municipal Advisory Board meeting in Kandahar city, provincial capital of Kandahar province.
Fig. 13 Charikar, the provincial capital of Parwan, seen from the municipal park ‘Gulghundi’, a source of income for the municipality.
Fig. 14 Municipal slaughter house constructed in Maimana, provincial capital of Faryab province, in 2011.
Fig. 15 H.E. Farid Mamundzay (centre) at a RAMP UP East conference in 2013.
Fig. 16 Afghanistan. Donor support to provincial capitals in 2013. For abbreviations in the key see List of Abbreviations.
Fig. 17 Construction of a street in Gardez, provincial capital of Paktia in 2012.
Fig. 18 Municipal Park ‘Gulrhundi’, Charikar. Visitor information: “This Gulghundi Park Renovation Project was completed by the Government of the Islamic Republic of Afghanistan with support from the American People. December 2013”.

The author at a national conference of provincial mayors in Kabul in November 2012.

List of Tables

Table 1 Capital cities of Afghanistan. CSO, urban population: urban population in the respective province 2012–13 according to the Central Statistics Office\(^2\); Municipalities, citizens: citizens in the capital cities in 2013 according to municipal records\(^3\).

Table 2 Provincial capitals and their grade in 2014.

Table 3 Official training plan for municipalities of Grade 1.

Table 4 Municipal Revenue sources (English, Dari).

Table 5 Revenue sources for municipalities.

Table 6 Capital cities of Afghanistan. Revenue: projected and actual revenues of the capital cities in 2013 as reported by the municipalities (AFN; figures rounded). Achieved %: percentage of projected revenue actually generated.

Table 7 Operational and development budgets and expenditure of the municipalities 1389–92. Operational budget: Budget lines 21–22, Development budget: Budget line 23 and 25.

List of Charts

Chart 1 Education of mayors according to the Municipal Survey of 2013.

Chart 2 Revenues generated by the provincial capitals and district municipalities 1389–92 in billion AFN as reported to IDLG/GDMA.

Chart 3 Percentage of projected revenue the municipalities reported to have achieved in 1392. The four largest capital cities are marked in red.

Chart 4a Fixed and non-fixed revenues of the four major provincial capitals in 1390 in million AFN.

Chart 4b Fixed and non-fixed revenues of the four major provincial capitals in 1391 in million AFN.

Chart 5 Operational costs (Codes 21–22) and capital expenditure (Codes 23 and 25) of the municipalities 1389 to 1292 in AFN. Data derived from Table 7.

Chart 6 Projected revenues, projected budget, generated revenue, and expenditure of the municipalities in 1389–1392 (in billion AFN).


\(^3\) TBFO 2013.
Acronyms

<table>
<thead>
<tr>
<th>Acronym</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>AFN</td>
<td>Afghani (Afghan currency)</td>
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<tr>
<td>AKF</td>
<td>Agha Khan Foundation</td>
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<tr>
<td>ANDS</td>
<td>Afghanistan National Development Strategy</td>
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<td>ASGP</td>
<td>Afghanistan Sub-national Governance Program by UNDP</td>
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<td>CB-MSP</td>
<td>Community Based Municipal Support Program</td>
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<td>CDC</td>
<td>Community Development Council</td>
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<tr>
<td>CSO</td>
<td>Central Statistics Office of the Islamic Republic of Afghanistan</td>
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<td>GDMA</td>
<td>General Directorate of Municipal Affairs of the Islamic Republic of Afghanistan</td>
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<tr>
<td>GIZ</td>
<td>Deutsche Gesellschaft für Internationale Zusammenarbeit</td>
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<td>IDLG</td>
<td>Independent Directorate of Local Governance of the Islamic Republic of Afghanistan</td>
</tr>
<tr>
<td>KfW</td>
<td>Kreditanstalt für Wiederaufbau (German Development Bank)</td>
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<tr>
<td>LARA</td>
<td>Land Reform in Afghanistan</td>
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<tr>
<td>MDG</td>
<td>Millennium Development Goal</td>
</tr>
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<td>MUDA</td>
<td>Ministry of Urban Development Affairs</td>
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<td>MoFA</td>
<td>Ministry of Financial Affairs</td>
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<td>NPP</td>
<td>National Priority Programme</td>
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<td>PPP</td>
<td>Public Private Partnerships</td>
</tr>
<tr>
<td>SPNA</td>
<td>Stabilisation Programme Northern Afghanistan</td>
</tr>
<tr>
<td>UNDP</td>
<td>United Nations Development Program</td>
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<tr>
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<td>United Nations High Commissioner for Refugees</td>
</tr>
<tr>
<td>USAID</td>
<td>United States Agency for International Development</td>
</tr>
<tr>
<td>RAMP UP</td>
<td>Regional Afghanistan Municipalities Program for Urban Populations</td>
</tr>
<tr>
<td>SIDA</td>
<td>Swedish International Development Agency</td>
</tr>
</tbody>
</table>
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The views in this report express the professional opinion of the author and do not necessarily reflect government policy.

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1 Introduction

Afghan cities are growing at a rapid pace, estimated to be around 4% per year\(^4\). This high growth rate is partially due to a high influx of returnees from Pakistan and Iran who prefer to settle in urban rather than rural areas in search for better living conditions, including public services, employment opportunities and security. In addition, insecurity in rural areas has expedited the normal trend of urbanization, so that people move in even larger numbers to urban centres in major cities than would be expected under less volatile circumstances\(^5\). As a result of this unprecedented growth, cities, and their mayors, are under tremendous pressure to provide basic services to their citizens. Without strong municipal administrations which can deliver efficient urban services, ensure municipal governance and urban management, cities will not be able to rise to the challenge.

Fig. 2. Mazar-e-Sharif, provincial capital of Balkh province.

\(^4\) For details on estimates see below.

\(^5\) In the NRVA (2011–12, p. 109) “Urban districts were generally rated as much more secure (for around 94 percent of the households) than rural districts (for only 74 percent of the households)”. 
If Afghanistan cannot get a grip on the rapid urbanization taking place, there is a high risk for urban centres to become an environment that does not offer opportunities but turns into a threat due to a massive rise in environmental pollution, urban crime rates and socio-economic challenges. In order to address some of these issues, it is necessary to look at the current legal, socio-economical, financial and administrative status of Afghan municipalities, to take a critical approach to the data and a constructive approach to the matter which is able to bring positive changes.

The aim of the following report is to give insights into municipal affairs in Afghanistan which can guide future policies and programmes designed to improve governance, infrastructure and economic development in Afghan cities. The report concentrates on information that is not readily available from donor reports and includes recommendations for future interventions.

Fig. 3. Faizabad, provincial capital of Badakhshan.
2 Background

Afghanistan is a land-locked country covering almost 653,000 km² in the heart of Asia and has an estimated population of 32 million inhabitants\(^6\) living in 34 provinces managed by provincial governors. These provinces are divided into 374 rural districts under the management of district governors. Of these districts, 364 are officially recognised, while ten rural districts are temporarily established while they are in the process of receiving official recognition.

The 34 provincial capitals are managed by mayors for whom the term ‘provincial mayors’ (of ‘provincial municipalities’) has been coined, and who are currently appointed by the Independent Directorate of Local Governance of the Islamic Republic of Afghanistan and approved by the President. Furthermore, there are 120 ‘district municipalities’, each of which forms the urban centre of a rural district and are managed by a ‘district mayor’. Kabul Municipality as the national capital has a special administrative status.

The sizes of municipalities across the country differ to a large extent, and the sizes of municipal administrations vary accordingly. The provincial capitals are divided into urban districts called ‘Nahia’. The 33 provincial capitals have a total of 159 Nahias, while most of the district municipalities have no subdivisions.

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\(^6\) UNdata, Afghanistan.
Population figures for Afghan cities are largely estimates and rely heavily on a national census carried out in 1979, which remained incomplete due to security issues in some regions. It “is estimated that the census was almost complete in urban areas but only 40 percent complete for the settled rural population and 15 percent for the nomads”\(^7\). The Afghan population was estimated at 15.5 million at the time, later corrected to a likely 14 million\(^8\). A new national census carried out by the Central Statistics Office of the Islamic Republic of Afghanistan (CSO) by province is underway but will take years to complete.

The lack of reliable data on which to ground development assistance has led organizations to carry out their own surveys for specific purposes. The National Surveillance System Project implemented by the Vulnerability Analysis Unit of the Ministry of Rural Rehabilitation and Development and the CSO has been the most concerted effort so far and “was designed to assist the Government of Afghanistan in addressing its acute and multiple data needs to inform and prioritise the reconstruction and development efforts, and to contribute to data collection in the areas of poverty alleviation, food security, livelihood and vulnerability”\(^9\); it carried out household surveys in 2003, 2005, 2007-8 and 2011-12, the most recent one based on a sample of 21 thousand households\(^10\).

Estimating urban populations is highly problematic due to an urban growth rate which is based not only on birth rates but on an influx of 5.8 million returnees since 2002\(^11\) and rural depopulation within the country. According to the NRVA of 2011-12, “49 percent of households that reported to have returned from displacement are located in urban areas. Compared to the national distribution of households — 24 percent urban and 76 percent rural — this figure is twice as high. This supports the idea that towns and cities, and mainly Kabul, disproportionately absorb households that have a displacement history. Especially returnee households from Iran are concentrated for 65 percent in urban areas”\(^12\).

According to the World Bank, 18% of the Afghan population was urban in 1990, compared to 24% in 2012.\(^13\) This urban growth is manifested in informal settlements where inhabitants seek job opportunities and basic shelter\(^14\) and in urban

\(^7\) Balland, Census. \\
\(^8\) As above. \\
\(^9\) NRVA 2007/8, p. 1. \\
\(^10\) NRVA 2011–12, p. 165f. \\
\(^11\) UNHCR 2013, p. 1. \\
\(^12\) NRVA 2011–12, p. 27. \\
\(^13\) World Bank 2014. \\
\(^14\) Although the poverty rate in cities is lower than among the rural population (NRVA 2011–12, p. xix), “87 percent of urban dwellers (5.3 million people) live in slum–like conditions of poverty and physical and environmental deprivation” (NRVA 2011–12, p. xxi).
sprawls that make it difficult to delineate urban boundaries and thus define inhabitants as "urban".

The city of Kandahar officially had 397,500 citizens at the time, Mazar-e-Sharif 368,100, the city of Herat 436,300, and Jalalabad 206,500\(^{15}\). The mayors of the provincial capitals of these provinces (Kandahar, Mazar-e-Sharif, Herat and Jalalabad) claim that the urban population in their cities alone is about twice as high, counting population in urban areas that extend the original city boundaries on which the CSO estimates (Table 1) are based. While the provincial capitals of Afghanistan have an urban population of about 2.3 million according to the CSO, there are now almost 5 million according to the mayors. Wishful thinking may also be involved in some of these figures, but the need for a new census seems clear, not just as a basis for municipal elections, but also as a guide for infrastructure improvements and economic development plans.

Fig. 5. Jalalabad, provincial capital of Nangarhar province.

\(^{15}\) As above.
Table 1: Capital cities of Afghanistan. CSO, urban population: urban population in the respective province 2012–13 according to the Central Statistics Office\(^\text{16}\); Municipalities, citizens: citizens in the capital cities in 2013 according to municipal records\(^\text{17}\).

<table>
<thead>
<tr>
<th>City</th>
<th>CSO, urban population</th>
<th>Municipalities, citizens</th>
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<tr>
<td>Herat</td>
<td>436,300</td>
<td>1,000,000</td>
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<td>Mazar</td>
<td>368,100</td>
<td>700,000</td>
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<td>Jalalabad</td>
<td>206,500</td>
<td>700,000</td>
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<tr>
<td>Kandahar</td>
<td>397,500</td>
<td>1,200,000</td>
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<td>Farah</td>
<td>35,000</td>
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<td>Lashkargah</td>
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<td>Khost</td>
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<td>Ghazni</td>
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<td>Qalat</td>
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<td>Bazarak</td>
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<tr>
<td>Paroon</td>
<td>–</td>
<td>12,000</td>
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\(^{17}\) TBFO 2013 with the exception of Farah, Chagcharan, Bamiyan, Maimana, Sar-e-Pol, Nili, Tirinkot, Bazarak, Paroon.
Fig. 6a. Afghanistan. Blue circles: Provincial capitals with more than 10,000 citizens as estimated by the CSO for 2012–13\(^\text{18}\) given in Table 1. The sizes of the circles reflect the population estimates. Largest circle: Herat (436,300 citizens); smallest circle: Khost (11,000 citizens). Base map: Wikipedia ‘Afghanistan’, fig. ‘Topography’, [http://en.wikipedia.org/wiki/File:Afghan_topo_en.jpg](http://en.wikipedia.org/wiki/File:Afghan_topo_en.jpg), licensed under the [Creative Commons Attribution-Share Alike 3.0 Unported license](http://creativecommons.org/licenses/by-sa/3.0/).

Fig. 6b. Afghanistan. Blue circles: population estimates for provincial capitals by the mayors, based on figures in Table 1. The sizes of the circles reflect the population estimates. Largest circle: Kandahar (1.2 million); smallest circles: Mahmood Raqi (10,000). Yellow circles: Provincial capitals for which no estimates are available. Base map: Base map: Wikipedia ‘Afghanistan’, fig. ‘Topography’, [http://en.wikipedia.org/wiki/File:Afghan_topo_en.jpg](http://en.wikipedia.org/wiki/File:Afghan_topo_en.jpg), licensed under the [Creative Commons Attribution-Share Alike 3.0 Unported license](http://creativecommons.org/licenses/by-sa/3.0/).

Urban growth in Afghanistan is believed to be even faster than that of other countries in the region due to two main factors: a high influx of returnees from neighbouring countries such as Pakistan and Iran, and insecurity in rural areas during the past decade of armed conflict driving people to cities offering better security. While the average annual population growth rate in rural areas for the period 2010–15 is estimated at 2.7%, the urban growth rate is considered to be 4.4% by the World Bank. Beyond this, people move from rural areas to urban centres for better job opportunities and public services, such as better healthcare and education for their children. Afghanistan has one of the youngest populations in the region, leading to a massive influx of young people to urban areas, which puts enormous pressure on municipalities to provide services, job opportunities and recreational facilities. According to the National Risk and Vulnerability Assessment of 2011–12, “the age group 15–24 is relatively overrepresented in urban areas (23.6 against 17.8 percent in rural areas). These different age structures are to a considerable extent caused by the combined effects of lower urban fertility and selective in-migration of students and young adults looking for education opportunities and jobs on the urban labour market.”

Rapid urbanization is usually seen as a challenge because of the pressure put on urban infrastructure and services, a rise in crime often connected to the phenomenon, as well as a rise in pollution. However, if this type of development is managed properly, it can provide great opportunities for socio-economic growth and service provision. Experience has shown that urbanization is an engine of economic growth, with urban centres as places where public services can be provided and citizens are encouraged to pay for them.

The most developed nations of the world are highly urbanized, and their cities the main hubs of socio-economic and political growth. Afghanistan is not an exception to the dynamics underlying this development, accelerated by a high influx of returnees and insecurity in rural areas. Major progress on road asphalting, the provision of drainage, culverts and pavements show that large Afghan cities are making an effort

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19 See Giovacchini (2011), p. 4. The online reference cited in this publication (United Nations Development Programme, “Goal 7—Ensure Environmental Sustainability,” http://www.undp.org.af/MDGs/goal7.htm, Accessed 17 April 2011) was accessed on 15 June 2014. According to this source “Afghanistan also has the highest rate of urbanisation in Asia, 6% per year”. This estimate is considerably higher than that of the World Bank (see below).
20 UNdata, Afghanistan.
22 The NRVA (2011–12, p. 76) states that “Whereas almost all urban households live within acceptable walking distance from primary education facilities, in rural areas the corresponding percentages for households that have, respectively, boys and girls primary education within two kilometres are only 44 and 36.”
23 NRVA 2007/8, p. 10.
24 NRVA 2011–12, p. 10.
to provide infrastructure that is vital for economic development, and newly constructed public parks provide chances for recreation. However, there are still many challenges, including solid waste management. Not a single Afghan city has a proper sewerage system, and in 2011–12 only up to 29% of the urban population had access to improved sanitation facilities, while 71% of the urban population had access to safe drinking water\textsuperscript{25}. In addition, there are many streets that are still in very poor condition, and while access to electricity has improved significantly\textsuperscript{26}, public transportation remains an issue.

Fig. 7. Qalat, provincial capital of Zabul. Drainage/canal cleaning.

Informal settlements form a huge challenge for urban planning at all stages, not only because cities are growing in an uncontrolled fashion that usually does not provide the necessary infrastructure, but also because of the land issues that arise from such settlements. Refugees squatting on government or private land that is thus blocked for urban development is a matter than can be solved more easily than land grabbed for profit by powerful individuals. Both cases however block economic development for the benefit of urban communities and require decisive action by a government that does not form part of the problem but is actually able to solve it.

\textsuperscript{25} NRVA 2011–12, pp. 99f.
\textsuperscript{26} NRVA 2011–12, p. 102.
3 Governance

3.1 The legal basis for municipalities in Afghanistan

3.1.1 The Constitution

In the Constitution of the Islamic Republic of Afghanistan of 2004, municipalities are covered in Article No. 141: “To administer city affairs, municipalities shall be established. The mayor and members of municipal councils shall be elected through free, general, secret and direct elections. Matters related to municipalities shall be regulated by law.”\(^{27}\) A municipal law that has been developed to supersede the municipal law of 2000 awaits approval by parliament at the time of writing, and it has not been possible yet for technical and financial reasons to conduct municipal elections.

One of the key technical challenges that have delayed municipal elections until now has been the rapid expansion of the cities, which makes it difficult to demarcate city boundaries and thus electoral boundaries. So far the boundaries of 17 out of 33 provincial capitals have been demarcated and approved at the national level by the relevant authorities. It is planned to complete the demarcation of boundaries of the remaining cities in 2014, which can then be followed by a census as the basis for the distribution of voting cards to citizens. If the new municipal law comes into force in time, if there are no major delays with the demarcation of remaining boundaries, and if the census is carried out in a timely manner, it should be possible to hold elections in 2016.

3.1.2 The Municipal Law

Municipal administrations and mayors receive their mandate to manage municipal affairs through the current Municipal Law\(^{28}\) created in 2000 during the Islamic Emirate of Afghanistan, which superseded a series of municipal laws going back almost a century to the reign of King Amanullah Khan. A new municipal law drafted in line with the IDLG Sub-national Governance Policy\(^{29}\) of 2010 is with the Law (Taqnin) Committee of Ministers Council at the time of writing.

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\(^{27}\) Afghanistan Constitution 2004.


\(^{29}\) IDLG SNG Policy 2010.
According to the current municipal law, municipalities are public legal and juristic entities given the task to provide for the general needs of urban populations. While some details of the future role of municipalities will be unclear until the new municipal law has come into force, current practice has been shaped by tradition, and by current administrative structures that overlap to some extent in urban contexts but also give municipalities a distinct role. Ministries have line departments in cities which are responsible to deliver those services which are not within the jurisdiction of the municipalities, i.e. the Ministry of Health, the Ministry of Education and the Ministry of Public Works. Water and electricity are usually also not provided by the municipalities. The current law lists the following functions of municipalities:

1- Adopt measures for ensuring means of livelihood for the residents living in the respective area.
2- Adopt measures for construction and maintenance of wells, kariz (subterranean irrigation canals, ponds, and potable water reservoirs by the relevant sources).
3- Adopt measures for the protection and creation of urban green spaces and ensuring cleanliness and sanitation in the relevant areas, as well as for the protection of bio-environment.
4- Adopt measures for construction of roads, playgrounds, public bathhouses, emporiums, markets and cultural and civic centers through the engagement of private investment in areas under planning to the extent possible.
5- Valuate residential houses according to rules and regulations.
6- Fix rental of municipal properties in accordance with the law provision.
7- Adopt measures for inspecting sanitary conditions in bathhouses, restaurants, guesthouses, samovars, swimming pools, public halls and other food shops in cooperation with the concerned departments.
8- Adopt measures to ensure cooperation with health institutions in the implementation of measures intended to prevent the outbreak of diseases and to protect the bio-environment.
9- Adopt measures for allotment of land-plots for the construction of residential houses and commercial sites in accordance with the relevant law provision.
10- Expropriate land in accordance with the provisions of the land expropriation law.
11- Adopt measures for taking part in the construction of residential centers, maintenance of roads, streets and residential areas.
12- Adopt measures for a sound expansion of the fleet of city transportation means by the relevant department.

30 As above.
13– Adopt measures for providing assistance in foodstuffs supply and distribution.
14– Control prices and measuring appliances, regulate and universalize the metric system in relevant area.
15– Adopt measures for providing assistance in promoting sports and physical training in accordance with the Islamic morality.
16– Attract voluntary cooperation of the residents in carrying out sanitional activities, creating green spaces and in delivering other useful urban services.
17– Adopt measures for providing assistance in preservation, maintenance and restoration of historical and cultural relics through attracting cooperation of the relevant departments.
18– Adopt measures for providing assistance in collecting data on demographic statistics.
19– Collect municipal charges in accordance with the provisions of law.
20– Adopt measures for providing effective cooperation in illiteracy eradication, improvement in the general educational and cultural levels, vocational training of the people, development of social services network, general educational and vocational schools and libraries in the relevant area through the concerned department and with due regard to the Islamic standards.
21– Pass bills in due consideration of the provisions of the present law.
22– Steer subordinate departments and sections.
23– Call and hold sessions in connection with utilities of the relevant town.
24– Organize implementation of budgetary as well as annual revenues and expenditures plans and adopt measures to economize expenditures.
25– Supervise execution of decisions adopted by the administrative council.
26– Express views regarding structures of the establishments of the traffic department in city area.
27– Determine the location of slaughterhouse, regulate and supervise butchery-related sanitional affairs.
28– Distribute price list in accordance with the provisions of the Shari‘ah.
29– Review terms and conditions of affidavits, contracts and leases regarding municipal properties.
30– Construct, repair and cleanse public streams and ditches in towns.
31– Regulate receiving visitors and settle grievances of the residents in a just and timely manner as well as supervise implementation of the decisions within their respective scope of powers.
32– Provide assistance in meeting primary and emergency social and economic needs of the local residents in cooperation with the respective bodies.
33– Allocate burying grounds for interment of the dead (graveyards).
34– Adopt measures for organizing free of charge obsequies of the unidentifiable and heirless dead with the cooperation of the Red Crescent.
35– Take decision regarding demolition of building at the end of their useful life based on the recommendation of the technical committee.
36– Accept aid, gifts and grants on behalf of the municipality and registration thereof in the books.
37– Prevent arbitrary construction of buildings with the help of security authorities of the relevant area.
38– Grant trade licenses to various guilds in the city.
39– Grant work permits to the janitorial staff of foreign institutions.
40– Collect and record correct data on weddings, births, deaths and changes in dwelling places and submit the report thereon to the relevant authorities.
41– Earnestly implement the price list.
42– Provide assistance in consolidating lawfulness, ensuring security, social order and tranquillity of the society.
43– Provide assistance in defending legal interests of the local residents.
44– Render all-sided cooperation in building the society and consolidation of Islamic sovereignty.

Other than line ministries, municipalities must finance their budgets from municipal revenue sources. The only exception is Kabul Municipality, whose development budget is partially financed from the National Budget.

According to the current law (Chapter 2, Article 7), “Municipalities shall be established in the centres of local administrative units (provinces and districts) with due regard to the following conditions:

- In the centre of administrative units having a population of more than 5000 people.
- In the centre of an administrative unit where implementation of urban master plan is feasible.”

The IDLG policy\(^{32}\) suggests that a municipality has a minimum land area of 50km\(^2\) and a minimum population of 20,000, but the draft municipal law that may or may not be put into force stays with the original numbers. Further important criteria for the establishment of a new municipality are:

- That it is able to raise enough revenues to provide municipal services, and
- The residences have a need for these services.

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\(^{31}\) Afghanistan Municipal Law 2000.

\(^{32}\) IDLG NSG Policy 2010, p. 187.
If a town fulfils these criteria, a municipality can be established on the basis of a request by the inhabitants, followed by a recommendation of the governor of the province, approval by IDLG/GDMA and an endorsement of the Ministers’ Council.

3.2 The General Directorate of Municipal Affairs

Since Presidential Decree 73 of 30 August 2007, municipalities are accountable to the Independent Directorate of Local Governance (IDLG), which has two deputy ministers, one for administrative and financial affairs, H.E. Matin Beg, and one for policy and technical affairs, H.E. Farid Mamundzay, under H.E. Abdul Khaliq Farahi, and reports to the Presidential Office. Until municipal elections can take place, provincial and district mayors are mostly appointed by IDLG and report to the General Directorate of Municipal Affairs (GDMA) of the Independent Directorate of Local Governance (IDLG). Kabul Municipality reports directly to the Presidential Office.

The General Directorate of Municipal Affairs (GDMA) is one of the key directorates of the Independent Directorate of Local Governance (IDLG) and managed by a general director supported by 50 employees who supervise the municipal affairs of the country in different capacities.

The vision and mission of the independent directorate is published online on the IDLG website:

**Vision:**

GDMA envisions municipal institutions that are responsive to the needs of urban citizens and bring a positive change in their lives through good urban governance and the provision of municipal services and infrastructure

**Mission:**

GDMA was established under the IDLG framework to oversee, manage and regulate the affairs of all municipalities of Afghanistan, except Kabul. This is done in line with the policies and principles enshrined in the Constitution of Afghanistan, the Afghan National Development Strategy (ANDS), the IDLG Sub-national Governance Policy, and other policy documents of the Islamic Republic of Afghanistan.

**Functions:**

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33 IDLG/GDMA Website.
The functions of GDMA are to:

- Support municipalities in providing basic social services and infrastructure.
- Formulate and implement municipal policies, rules and regulations.
- Facilitate drafting and developing Strategic Municipal Planning.
- Supervise and control municipal financial affairs.
- Provide coordination for the involvement of the private sector to improve socio-economic conditions of citizens.
- Enhance public participation in municipal decision-making.
- Improve management systems in municipalities.
- Build capacity of municipal staff.

To achieve its mission, the directorate has six departments, each led by a department head and tasked to support the development of the 153 municipal administrations across the country in various matters:

1. Administration and Finance Department
2. Economic Development Department
3. Revenue Policy Department
4. City Services Department
5. Strategic Planning Department
6. Statistics and Reporting Department

In addition to these departments, GDMA has national and international donor-funded experts providing technical support to the development of policies, regulations and guidelines, and data analysis.

A total of 181 municipalities are on record at GDMA, but some are not functional due to a lack of security in rural areas, or because they cannot generate enough revenue to operate. This leaves 153 municipalities which are operational. In 2013,
50% of the municipalities had their own building forming part of their municipal assets, while 48% used or shared district administration buildings. The remaining two percent of the municipalities were inactive or exist only on paper.

To be able to oversee, manage and regulate the affairs of all municipalities of Afghanistan, GDMA needs reliable data on these municipalities. A survey was considered to be the best method to obtain the necessary data. A concept was developed to collect, collate and analyse the required data with the aim of identifying some of the major achievements municipalities have made, the challenges they face and the opportunities they have, and of developing recommendations on how to improve the performance of municipalities so that they can respond to the needs of citizens in the best possible manner. Terms of Reference for such a survey were developed, a donor was found, and the service was outsourced to a local non-government organization34. In 2013, the data was obtained first-hand in all 181 municipalities through interviews and examination of records, a process that took almost six months. The exercise proved to be a fruitful one, the results have contributed to the present publication. The data is being entered into a municipal database at GDMA that is designed to provide easy access to all departments.

3.3 Infrastructure improvements

The two main purposes of municipal administrations are to provide urban services in a cost-effective and efficient manner, and to develop cities in a way that has the support of the citizens. Since 2002, the focus has been on

- Construction of streets, drainage, culverts and pavements,
- Construction of public toilets,
- Construction of public parks and lining streets with trees,
- Construction of slaughter houses,
- Construction of markets and promotion of economic activities,
- Collection and removal of solid waste,

34 TBFO 2013. The questionnaire developed for the survey and key information are attached as Annex 3.
• Implementation of master plans as well as detailed plans for the provision of housing and city services,
• Provision of recreational facilities such as cinema, theatre, sports facilities.

Municipal infrastructure improvements require close coordination with the Ministry of Urban Affairs (MUDA) among other ministries and agencies. According to a Memorandum of Understanding between GDMA and MUDA, the Ministry of Urban Affairs is responsible for producing master plans for the cities, while GDMA and the municipalities contribute to the development of the detailed plans and implement them. In 2013 Master Plans for six cities and Strategic Municipal Plans for 55 municipalities (27 provincial and 28 district municipalities) were prepared, and Municipal Economic Development Profiles and Plans developed for 26 municipalities.

Fig. 10. Municipal park in Farah city, provincial capital of Farah province.

3.4 Municipal Staff

All in all 8,200 staff members including the mayors work in the 153 municipalities managed by GDMA, ranging from district municipalities that have ca 20 employees to provincial capitals with ca 1000 employees. Paroon as the smallest provincial capital (Nuristan) has six staff members, while the largest capitals, Herat and Kandahar, have ca 1100 and 950 staff respectively.
3.4.1 The Tashkeel reform

Until the end of 1392 (spring 2014) all municipal staff either had permanent jobs that were part of the staff plan, or temporary contracts. Roughly 2,500 of the 8,200 municipal employees had posts that were part of the approved staff plan, the ‘Tashkeel’ (civil servants), and the remaining ones were contracted staff. Low salaries made the civil service in municipalities unattractive for qualified staff, mayors included, and fuelled corruption.

In 2013 an administrative reform of municipal staff plans and contracts, the ‘Tashkeel reform’ (i.e. the ‘Pay & Grade process’ in the National Priority Programmes, see below) was started in the provincial capitals and will also be applied to the district municipalities. This reform has abolished permanent posts as such and has replaced them with a merit-based system which assesses the performance of staff bi-annually. Significant pay-rises are also part of the reform, making the civil service more attractive to qualified members of the work force. However, the municipalities can still not compete against international organisations that have been hiring local staff at significantly higher salaries, creating a brain drain that has hindered much of the development which donor countries have hoped to see in government institutions, and which they have failed to see because of a two-class system in which most young professionals with a private education that includes English language skills seek jobs with international organisations rather than Tashkeel positions.

The new Tashkeels were developed jointly by IDLG/GDMA, the Civil Service Commission and the Office of Administrative Affairs of the President and have resulted in the creation of three major categories of Tashkeels based on the fixed revenues of the municipalities. Grade 1 municipalities raise more than 100 million AFN in fixed revenues and can have more than 300 employees. Grade 2 municipalities raise more than 20 million AFN in fixed revenues and can have between 100 and 300 employees. Grade 3 municipalities raise less than 20 million AFN in fixed revenues and must have fewer than 100 employees. Grade 1 Tashkeels are based on a very different model than Grade 2 and 3 Tashkeels with only slight differences in the structure of their staff plans. The following table lists the provincial capitals and in which grade they are in 2014. All district municipalities are in Grade 3.

Table 2. Provincial capitals and their grade in 2014.

<table>
<thead>
<tr>
<th>No</th>
<th>Province</th>
<th>Municipality</th>
<th>Grade</th>
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</thead>
<tbody>
<tr>
<td>1</td>
<td>Balkh</td>
<td>Mazar Sharif</td>
<td>One</td>
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<td>2</td>
<td>Herat</td>
<td>Herat</td>
<td>One</td>
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<td>3</td>
<td>Nangarhar</td>
<td>Jalalabad</td>
<td>One</td>
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<td>4</td>
<td>Kandahar</td>
<td>Kandahar</td>
<td>One</td>
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<tr>
<td>5</td>
<td>Helmand</td>
<td>Lashkargah</td>
<td>Two</td>
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<tr>
<td>6</td>
<td>Kunduz</td>
<td>Kunduz</td>
<td>Two</td>
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<tr>
<td>7</td>
<td>Baghlan</td>
<td>Pule Khumri</td>
<td>Two</td>
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<tr>
<td>8</td>
<td>Nimroz</td>
<td>Zaranj</td>
<td>Two</td>
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<tr>
<td>9</td>
<td>Ghazni</td>
<td>Ghazni</td>
<td>Two</td>
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<tr>
<td>10</td>
<td>Khost</td>
<td>Khost</td>
<td>Two</td>
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<tr>
<td>11</td>
<td>Takhar</td>
<td>Taloqan</td>
<td>Two</td>
</tr>
<tr>
<td>12</td>
<td>Farah</td>
<td>Farah</td>
<td>Two</td>
</tr>
<tr>
<td>13</td>
<td>Paktia</td>
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<tr>
<td>14</td>
<td>Kunar</td>
<td>Asadabad</td>
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<tr>
<td>15</td>
<td>Laghman</td>
<td>Mehtarlam</td>
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<tr>
<td>16</td>
<td>Samangan</td>
<td>Aybak</td>
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<tr>
<td>17</td>
<td>Faryab</td>
<td>Maimana</td>
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<tr>
<td>18</td>
<td>Jawzjan</td>
<td>Sheberghan</td>
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<tr>
<td>19</td>
<td>Badakhshan</td>
<td>Faizabad</td>
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</tr>
<tr>
<td>20</td>
<td>Maidan Wardak</td>
<td>Maidan Shahr</td>
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<td>21</td>
<td>Sari Pul</td>
<td>Sari Pul</td>
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<td>Badghis</td>
<td>Qala Naw</td>
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<td>23</td>
<td>Bamyan</td>
<td>Bamyan</td>
<td>Three</td>
</tr>
<tr>
<td>24</td>
<td>Logar</td>
<td>Pule Alam</td>
<td>Three</td>
</tr>
<tr>
<td>25</td>
<td>Paktika</td>
<td>Sharan</td>
<td>Three</td>
</tr>
<tr>
<td>26</td>
<td>Uruzgan</td>
<td>Tirinkot</td>
<td>Three</td>
</tr>
<tr>
<td>27</td>
<td>Ghor</td>
<td>Cheghcheran</td>
<td>Three</td>
</tr>
<tr>
<td>28</td>
<td>Parwan</td>
<td>Charikar</td>
<td>Three</td>
</tr>
<tr>
<td>29</td>
<td>Daikundi</td>
<td>Nili</td>
<td>Three</td>
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<tr>
<td>30</td>
<td>Panjshir</td>
<td>Bazarak</td>
<td>Three</td>
</tr>
<tr>
<td>31</td>
<td>Kapisa</td>
<td>Mahmood Raqi</td>
<td>Three</td>
</tr>
<tr>
<td>32</td>
<td>Zabul</td>
<td>Qalat</td>
<td>Three</td>
</tr>
<tr>
<td>33</td>
<td>Nooristan</td>
<td>Paroon</td>
<td>Three</td>
</tr>
</tbody>
</table>

### 3.4.2 Gender Mainstreaming

The municipalities, as other government agencies in the provinces, have a long way to go to reach the Millennium Development Goal of 30% women in the civil service by 2020\(^{35}\). Only few of the provincial capitals have more than 10% female staff (in 2013: Faizabad, Mazar, Sheberghan, Maimana and Charikar), and most women work in low positions. Nili, the capital city of Daykundi, is the only municipality that had a female mayor for a period of time. The situation reflects social realities that are difficult for the municipalities to overcome on their own.

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\(^{35}\) MDG Report 2010, p. 8 and p. 27.
In 2013 GDMA provided the municipalities with Gender Mainstreaming Guidelines (Annex 1) which address gender issues such as working conditions for female municipal staff and gender awareness. In the same year, a gender focal group was created at GDMA with the support of the Gender Directorate (at the time Gender Unit) of IDLG. This group has focused on building a network of female staff in the municipalities in support of the Gender Mainstreaming Guidelines.

3.4.3 Mayors

Out of the 181 municipalities registered at GDMA, 88% had mayors in 2013, while 10% were awaiting the appointment of a mayor. The remaining 2% of the municipalities were inactive for reasons given above. Eighty-five percent of the

![Fig. 11. National Conference of District Mayors in Kabul in 2013.](image)

*Mayors were* appointed by the national government, i.e. IDLG/GDMA, the remaining 11% (mainly district mayors) had been appointed by provincial governors and the remaining few had been hired temporarily by the district governor.
One percent of the mayors had a master degree while 56% of the mayors had completed 12th grade at school, and 37% had a bachelor’s degree. The remaining mayors completed 6th to 9th grade or had vocational training (Chart 1).

Chart 1. Education of mayors according to the Municipal Survey of 2013³⁶.

As mayors are meant to be elected in due course, their positions are not part of the Tashkeel reform (see above), which means that they do not benefit from the pay rises which are part of the reform. Mayoral positions however are an asset to political patronage systems and can be misused in many ways. As a result, not all mayors are upright citizens well-respected by the community they seek to serve, and those that are, are up against many odds.

At national conferences for provincial and district mayors, as well as at regional conferences across the country, letters of appreciation have been given to the mayors of provincial capitals who performed well, based on the results of an annual performance survey that consisted of more than one hundred questions covering good governance, service delivery, city development, economic development, capacity development, and financial administration. District mayors received appreciation letters for specific achievements.

Mayors often have a better idea of what their citizens need than donors and senior officials at the national level because they have better access to information and face

³⁶ TBFO 2013.
the reality on the ground. Any major decisions and activities however require approval on the provincial and national level, often a time-consuming procedure with an uncertain outcome. As a result, citizens often experience municipal administrations as government agencies that are unresponsive to their needs and take a long time to act in unpredictable ways.

3.4.4 Capacity building

The performance of the municipalities is highly dependent on the capacity of the municipal staff including the mayors as well as on GDMA staff. Capacity building therefore is a high priority at the municipal and the national level, and is carried out according to training plans developed for municipalities according to their grade. Table 3 shows the types of trainings that the municipalities have received or should receive according to their grade. Municipalities of Grades 2 and 3 are meant to receive more basic packages. These smaller municipalities are also in need of the full range of such trainings but limited resources have made it necessary to prioritise.

Table 3. Official training plan for municipalities of Grade 1.

<table>
<thead>
<tr>
<th>Section</th>
<th>Category</th>
<th>Topics</th>
</tr>
</thead>
<tbody>
<tr>
<td>Capacity Building</td>
<td>Governance</td>
<td>Facilitation of Municipal Advisory Boards</td>
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<tr>
<td></td>
<td></td>
<td>Municipal affairs and accountability training</td>
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<td></td>
<td></td>
<td>Strategic visioning/ municipal action planning</td>
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<tr>
<td></td>
<td>Management</td>
<td>Overall management</td>
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<td></td>
<td></td>
<td>Problems handling</td>
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<td></td>
<td>Proposal and report writing</td>
<td>New initiatives, proposal writing, defending the proposal and reporting</td>
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<tr>
<td></td>
<td>Process reengineering</td>
<td>Process mapping, streamlining and reengineering</td>
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<td>Web based services</td>
<td>Creating and administering web services</td>
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<tr>
<td></td>
<td></td>
<td>Connections with GDMA/IDLG &amp; municipals</td>
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<tr>
<td>Infrastructure/service delivery</td>
<td>Project management</td>
<td>Project cycle, outline</td>
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<td>---------------------------------</td>
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<tr>
<td>Strategic planning</td>
<td>Urban planning and management</td>
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<tr>
<td>Monitoring &amp; evaluation</td>
<td>Annual development planning</td>
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<tr>
<td>Engineering</td>
<td>Auto Cad, GIS, GPS &amp; Survey</td>
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<tr>
<td>Public service delivery</td>
<td>Landscaping</td>
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<tr>
<td>Solid waste management</td>
<td>Construction management</td>
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<tr>
<td>Public Private Partnership</td>
<td>Service improvement</td>
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<tr>
<td>Environment</td>
<td>Cleaning and greening</td>
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<td>Solid waste management (collection &amp; recycling)</td>
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<td>PPP strategies</td>
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<td>Environmental procedures</td>
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<thead>
<tr>
<th>Revenue improvement</th>
<th>Financial management</th>
<th>Cash flows, financial statements</th>
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<tbody>
<tr>
<td></td>
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<td>Essential concepts of planning and organizing staffing, leading and controlling</td>
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<td>Budgeting</td>
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<td>Types, process, steps including variance analysis</td>
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<td>Double entry accounting system</td>
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<td>Accounting cycle</td>
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<td>Journal, ledger, trial balance</td>
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<td>Adjusting (entries and trial balances)</td>
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<td>Economic development</td>
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<td>Payroll accounting</td>
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<td>Bank reconciliation</td>
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<td>Balance statements and closing entries</td>
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<td>Bookkeeping</td>
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<td>Concepts and principles</td>
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<td>Procurement</td>
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<td>Methods, types, elements</td>
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<td>General bookkeeping</td>
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<td>Transparency training - procurement law and local procurement process</td>
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<tr>
<td>Assets management</td>
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<td>Revenue recognition, forecasting and collection</td>
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<td>Public awareness campaign on tax collection</td>
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<tr>
<td>Estimation</td>
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<td>Valuing capital assets</td>
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<td></td>
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<td>Assets inventory</td>
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<td></td>
<td>Estimating workshop</td>
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</table>

| Cross-cutting issues | Outreach | Public opinion, public works structure and task organization and budget development |
|                     |          | In–house public relations and outreach basic skills training |
|                     | Cross cutting | Gender and youth participation/involvement |
|                     |             | Civic education campaign |
|                     | Public Private Partnership | Public administration training and organizational structure |
Beyond these trainings, workshops on budget preparation and systematic revenue projection in all provincial and district municipalities for account and revenue officers were held last year. Two Tashkeel preparation workshops for Municipal Finance Officers were also conducted to ensure that they would know how to align their municipal staff plans with the Tashkeel reform discussed above.

Trainings and workshops improving technical skills however have limited effect if municipal staff do not have a vision of how they want their municipalities to improve. To help especially mayors to develop such visions, exposure visits were organised in 2013 that took 55 mayors to other parts of the country, and 14 mayors as well as seven GDMA staff to India, Korea, Malaysia, Turkey, and Kenya. While these visits have given the participants an idea of what municipalities can achieve in principle, they have also demonstrated that Afghan municipalities still have a long way to go.

### 3.5 Citizen participation

Functioning cities need urban communities that are willing to pay for services which they can trust are delivered well. Unfortunately the trust between citizens and urban administrations has been destroyed by war, corruption and incompetence, and it is difficult to rebuild this relationship for two reasons: Firstly, urban communities are fragmented; according to the NRVA of 2012–13 “more than one-third (35.9 percent) of the urban population has moved to another place of residence within Afghanistan since birth”\(^\text{37}\). Only some older citizens remember a time when it was considered normal that municipalities functioned, and therefore have an idea of what it is that needs to be rebuild. Secondly there are major issues with the rebuilding and developing of cities that are beyond the control of municipal administrations, such as land grabbing by war lords and other powerful people.

Municipalities can reduce corruption and build trust by making their ways of generating revenue transparent and their administrations accountable to their citizens. In the provincial capitals citizen service desks have been introduced in an effort to reduce opportunities for municipal staff to extract bribes from citizens who require their services. Citizen engagement in municipal decision making processes however is currently hampered by the lack of the Municipal Councils prescribed in the Constitution (see above). To manage citizen expectations and to encourage citizen participation until municipal elections can be held, provincial capitals have been instructed to

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\(^{37}\) NRVA 2011–12, p. 17.
establish Municipality Advisory Boards (MABs) as a temporary measure that replaces a variety of platforms for citizen engagement which were generally less representative of the urban population.

The number of Municipal Advisory Board members depends on the number of Nahias. Wherever possible, Nahia representatives are selected from existing elected bodies, such as Urban Community Development Councils (CDCs), Area Development Councils (ADCs), Gozar Organizations (GOs) and Nahia Councils (NCs). Otherwise representatives are chosen at the mosque level, from each Masjid Jame, Takia Khana or other religious centre. For details see the Terms of Reference in Annex 2.

A quota system is used to ensure that the Board reflects the full spectrum of the citizenry. One member each is selected from the following groups: Women, youth, civil society, media, martyrs/disabled, religious scholar (Ulema) and one representative from the private sector (traders or craftsmen). The long-term aim is to have at least 25% female municipal board or municipal council members. To this end, at least 10% of the seats of the MABs are allocated to women.

The Municipal Advisory Boards are encouraged to form sub-committees on social services, gender, budgeting, supervision and monitoring, as well as youth committees meeting regularly and providing constructive recommendations to mayors and MABs. At the time of writing, 30 Municipal Advisory Boards have been created in the provincial capitals, and the remaining three ones are underway. The Terms of Reference and the Guideline on the establishment of such boards form an annex to this report (Annex 2).

Fig. 13. Municipal Advisory Board meeting in Kandahar city, provincial capital of Kandahar province.
4 Municipal Finances

4.1 Revenue sources

Municipalities have the authority to raise their own revenues to have timely access to funds to provide services to the public. The rates for revenues which they are allowed to collect however are set by the Ministry of Finance.

Fig. 14. Charikar, the provincial capital of Parwan, seen from the municipal park ‘Gulghundi’, a source of income for the municipality.

Municipal revenues are categorized into fixed and non-fixed sources and play an important role in the composition of the annual municipal budget. An important step towards increasing municipal revenues for better service delivery was to identify and code municipal revenue sources for accounting purposes. Table 4 lists the current sources of municipal revenues. The largest sources of revenue are the City Services Tax, the Safayee Tax, Business Licenses, the Lease, Rent and Contract of Municipal Properties, and the Sale of Properties.

Table 4. Municipal Revenue sources (English, Dari).

<table>
<thead>
<tr>
<th>COA</th>
<th>Municipal Revenue Sources</th>
</tr>
</thead>
<tbody>
<tr>
<td>11180</td>
<td>City Entrance Fee</td>
</tr>
<tr>
<td>11183</td>
<td>Residential Area Safayi Fee in planned areas of the city</td>
</tr>
<tr>
<td>11184</td>
<td>Commercial Area Safayi Fee</td>
</tr>
<tr>
<td>11185</td>
<td>Industrial Area Safayi Fee</td>
</tr>
<tr>
<td>11186</td>
<td>Government Institution Safayi Fee</td>
</tr>
<tr>
<td>11187</td>
<td>Residential Area Safayi Fee in unplanned areas of the city</td>
</tr>
<tr>
<td>Code</td>
<td>Description</td>
</tr>
<tr>
<td>-------</td>
<td>----------------------------------------------------------------------------</td>
</tr>
<tr>
<td>11188</td>
<td>City Service charge from Vehicles</td>
</tr>
<tr>
<td>11189</td>
<td>Road Maintenance Fee</td>
</tr>
<tr>
<td>11190</td>
<td>Late Fees</td>
</tr>
<tr>
<td>11191</td>
<td>Land Purchase for Resale</td>
</tr>
<tr>
<td>11192</td>
<td>Other charges</td>
</tr>
<tr>
<td>11193</td>
<td>City service charges from shops</td>
</tr>
<tr>
<td>11194</td>
<td>City charges on Government Lands (Irregular)</td>
</tr>
<tr>
<td>11195</td>
<td>1% charges on Qabala (deed) transfer</td>
</tr>
<tr>
<td>11196</td>
<td>1% Business charges (collected by Mustofiat)</td>
</tr>
<tr>
<td>11197</td>
<td>1% Share of Custom Duty</td>
</tr>
<tr>
<td>12287</td>
<td>Educational institutions license</td>
</tr>
<tr>
<td>13201</td>
<td>Rental Government Housing</td>
</tr>
<tr>
<td>13202</td>
<td>Rental Government Shops</td>
</tr>
<tr>
<td>13203</td>
<td>Lease of Government Land</td>
</tr>
<tr>
<td>13209</td>
<td>Sale of Agricultural Products</td>
</tr>
<tr>
<td>13211</td>
<td>Water and Power Services</td>
</tr>
<tr>
<td>13226</td>
<td>Tourism Services</td>
</tr>
<tr>
<td>13235</td>
<td>Rent- Tech. Equipment Vehicles</td>
</tr>
<tr>
<td>13260</td>
<td>Market Contract Revenue</td>
</tr>
<tr>
<td>13261</td>
<td>Rent Hotels and other properties</td>
</tr>
<tr>
<td>13262</td>
<td>Communication Tower Revenue</td>
</tr>
<tr>
<td>13263</td>
<td>Cattle market (Nakhas) charges, import of meat etc</td>
</tr>
<tr>
<td>13264</td>
<td>Parking Lot / Bus Station Revenue</td>
</tr>
<tr>
<td>13265</td>
<td>Entrance ticket of cinema and theatres</td>
</tr>
<tr>
<td>13266</td>
<td>Entrance ticket of parks and zoo</td>
</tr>
<tr>
<td>13267</td>
<td>Sport Stadium Revenue</td>
</tr>
<tr>
<td>13268</td>
<td>Recreational Area Fee</td>
</tr>
<tr>
<td>13269</td>
<td>Cleaning of Septic Tanks</td>
</tr>
<tr>
<td>13270</td>
<td>Other cleaning service charges</td>
</tr>
<tr>
<td>13271</td>
<td>Poultry, Bee, Fish forms Fee</td>
</tr>
<tr>
<td>13272</td>
<td>Funeral Car Rental</td>
</tr>
<tr>
<td>13273</td>
<td>Memorial Service Hall Rent</td>
</tr>
<tr>
<td>13274</td>
<td>Cultural services/ Musicians’ Group</td>
</tr>
<tr>
<td>13275</td>
<td>Mapping and construction drawing Revenue</td>
</tr>
<tr>
<td>13276</td>
<td>Road Restoration charges</td>
</tr>
<tr>
<td>13277</td>
<td>Sale of discarded material</td>
</tr>
<tr>
<td>13278</td>
<td>Number plates for shops and residential houses</td>
</tr>
<tr>
<td>13279</td>
<td>Municipal Services to Govt. Institution</td>
</tr>
<tr>
<td>13280</td>
<td>Sale of plots to citizens</td>
</tr>
<tr>
<td>13281</td>
<td>Billboard Revenue</td>
</tr>
<tr>
<td>13283</td>
<td>Firewood Sales</td>
</tr>
<tr>
<td>13284</td>
<td>Sale of Sand and Stone</td>
</tr>
<tr>
<td>13304</td>
<td>Sale of official forms</td>
</tr>
<tr>
<td>13381</td>
<td>Banks, financial institutions, money exchangers license fees</td>
</tr>
</tbody>
</table>
Reforming regulations related to municipal revenues formed a further important step towards increasing municipal revenues for better service delivery (Table 5).

<table>
<thead>
<tr>
<th>Revenue Source</th>
<th>Description</th>
<th>Current Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Safayee Tax (Residential, commercial, industrial and governmental)</td>
<td>Regulated by a Safayee regulation, procedures and tax table</td>
<td>Under discussion in the Economy Committee of the Cabinet of Ministers</td>
</tr>
<tr>
<td>Business License for all types of businesses, small businesses,</td>
<td>Regulated by a Business License tax table</td>
<td>As above</td>
</tr>
</tbody>
</table>

Reforming regulations related to municipal revenues formed a further important step towards increasing municipal revenues for better service delivery (Table 5).

Table 5. Revenue sources for municipalities.
<table>
<thead>
<tr>
<th>Service</th>
<th>Regulation/Procedure</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Telecommunication companies, commercial banks</td>
<td>Regulation on lease for municipal properties</td>
<td>As above</td>
</tr>
<tr>
<td>Lease of municipal property</td>
<td>Regulation on rent for municipal properties</td>
<td>As above</td>
</tr>
<tr>
<td>Rent of municipal property</td>
<td>Regulation on rent for municipal properties</td>
<td>As above</td>
</tr>
<tr>
<td>Contract for municipal property</td>
<td>Regulation on property contracts</td>
<td>As above</td>
</tr>
<tr>
<td>Municipal Services tax</td>
<td>City Services Law</td>
<td>New law is drafted at GDMA</td>
</tr>
<tr>
<td>City roads operations and maintenance tax</td>
<td>Regulated by tax table for operations and maintenance of the streets.</td>
<td>Sent to municipalities for implementation</td>
</tr>
<tr>
<td>Bill Boards, smaller boards on poles, balloons, digital boards and smaller notice boards tax</td>
<td>Regulated by city services tax table</td>
<td>As above</td>
</tr>
<tr>
<td>Sale of plots and lands (residential, commercial, industrial and governmental)</td>
<td>Residential, commercial, industrial and governmental land/plot distribution regulation</td>
<td>At Ministry of Justice for review</td>
</tr>
<tr>
<td>Fines &amp; penalties (taxable and non-taxable)</td>
<td>Regulation guided by Financial Affairs and Public Expenditure Management Law and instructions of the MoFA to municipalities</td>
<td>Due from MoFA</td>
</tr>
<tr>
<td>Municipal engineering services</td>
<td>Regulated by an instruction of MoFA to municipalities</td>
<td>As above</td>
</tr>
<tr>
<td>1% tax on title/ownership transfers and registration</td>
<td>Regulated by instruction of MoFA to municipalities</td>
<td>As above</td>
</tr>
<tr>
<td>1% tax on property titles</td>
<td>Regulated by instruction of MoFA to municipalities</td>
<td>As above</td>
</tr>
<tr>
<td>Fee on forms/templates, booklets etc.</td>
<td>Regulated by a procedure devised by municipalities</td>
<td>GDMA is in contact with MoFA about unified instructions to the municipalities</td>
</tr>
<tr>
<td>Approval fee for sketching properties required for building applications</td>
<td>Regulated by a procedure devised by municipalities</td>
<td>As above</td>
</tr>
<tr>
<td>Municipal vehicles rent</td>
<td>Regulated by a procedure devised by municipalities</td>
<td>As above</td>
</tr>
<tr>
<td>Hiring of municipal music band</td>
<td>Regulated by a procedure devised by municipalities</td>
<td>As above</td>
</tr>
<tr>
<td>Change of shop name</td>
<td>Regulated by a procedure devised by municipalities</td>
<td>As above</td>
</tr>
</tbody>
</table>
4.2 Revenue Enhancement

As municipalities have to raise their own revenues to be able to fund the services
they have to deliver according to the law, municipal revenue enhancement
is considered to be a key towards the improvement of municipal services. In the
face of outdated and incomplete records, corruption, and a low capacity to collect
revenues, municipalities needed to make a new start with the registration of municipal
properties such as houses, shops, markets and public parks.

A further key area is the identification of new sources of revenues through
private sector engagement and the creation of new development plans through local
economic development processes. Municipalities are expected to engage with the
private sector for the benefit of their citizens, and until a law and regulations are in
force for this purpose, municipalities can base joint ventures with the private sector
on Article 40 of the Procurement Law. The responsibility to develop a Public Private
Partnership (PPP) law and regulations was given to the Ministry of Finance in
Presidential Decree No. 45 of 2013. GDMA is currently working on a PPP guideline
aimed at enabling municipalities to tap into this potential until a law and regulations
are in force. The guideline however will not solve the problem of a missing legal
framework needed to provide legal certainty for the private sector when engaging in
the urban development. This will require an attractive legal package for private
investments in the urban development sector.

Despite these problems, there have been joint ventures in Afghan municipalities, for
example in Mazar–e–Sharif, which is one of a few municipalities across the country
where the private sector engages in various forms. A dry–fruit market with 114 shops
and two big warehouses owned by the municipality has been renovated by the
businesses using the market in exchange for having their rents halved until the costs
of the renovation are covered. Two further markets on municipal ground were built
by private companies that pay the municipalities an annual rent for 16 and 30 years
respectively, until the property is taken over by the municipality. The construction of
a further market based on the PPP model ‘Build – Operate – Transfer’ is underway.
Beyond these joint ventures, the municipality has also built a market which it leases
to private businesses.

Solid Waste Management is another important area for joint ventures. Currently, the
Solid Waste Management cycle usually consists of the following steps:
1. Waste collection from households,
2. Transfer of waste to waste bins,
3. Segregation of the waste by poor people, mostly children, who retrieve materials
   of value to sell them,
4. Shifting the rest of the waste to a dumpsite.
In the past three years, the USAID-funded RAMP UP project (see below) supported the collection of ca 1,070,059 m³ of waste from about 10,506 skips installed in provincial capitals across the country. About 180,960 m³ of soil were excavated on dumpsites. However, in its annual assessment for 2013, GDMA found that although more than 30% of the operational budget of the municipalities had been spent on Solid Waste Management, there were still many complaints from citizens about waste collection and city cleaning. GDMA is therefore promoting private sector engagement in Solid Waste Management, as is already the case in Herat, Ghazni and Khost municipalities. In Charikar private sector engagement is in the planning stage.

Herat, Ghazni and Khost achieved remarkably positive results through their engagement with the private sector. The contracts were promoted and signed by citizen representatives, with the mayor only signing as a witness. The City Services Department of GDMA considers Ghazni municipality the most successful case. It seems that public participation and private sector engagement were key elements in a success story which surpassed the expectation of both the municipality and the citizens. Citizens are willing to pay as much as 1.5 AFN per day for the service, which reduces the financial burden of the municipality and allows it to concentrate on other city services such as greening and infrastructure improvements.

4.3 Revenue figures

According to their reports, the municipalities generated more than 2 billion AFN in revenues each year between 2010 and 2013. Chart 2 shows a total of 2.194 billion AFN in 1389, 3.711 billion AFN in 1390, 2.271 billion AFN in 1391, and 2.469 billion AFN in 1392. Most of the revenue was generated by the provincial capitals (Chart 2).

Fig. 15. Municipal slaughter house constructed in Maimana, provincial capital of Faryab province, in 2011.

Information provided at the RAMP UP Closeout Conference in Kabul on 12 March 2014.
Table 6 shows the revenue projection of the capital cities, the revenue they reported to have generated, and how many percent of the projected revenue were achieved. The percentages are shown in Chart 3. Only Bamiyan and Asadabad underestimated their capacities to generate revenues and actually reported higher achievements than they had projected (Bamiyan 127%, Asadabad 101%). Sar-e-Pol at the other extreme reported to have achieved only 10% of the revenue it had projected. Of the four major cities, Mazar and Jalalabad performed best, with a generation of 60% and 58% of their projections respectively, while Herat reported to have achieved only 36% and Kandahar only 26%.

Table 6. Capital cities of Afghanistan. Revenue: projected and actual revenues of the capital cities in 2013 as reported by the municipalities (AFN; figures rounded). Achieved %: percentage of projected revenue actually generated.

<table>
<thead>
<tr>
<th>Projected revenue, AFN</th>
<th>Achieved revenue, AFN</th>
<th>Achieved %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Herat 1,133,202,200</td>
<td>416.65 million</td>
<td>36%</td>
</tr>
<tr>
<td>Mazar 582,648,000</td>
<td>350.83 million</td>
<td>60%</td>
</tr>
<tr>
<td>Jalalabad 347,450,339</td>
<td>203.37 million</td>
<td>58%</td>
</tr>
<tr>
<td>Kandahar 723,448,989</td>
<td>194.04 million</td>
<td>26%</td>
</tr>
<tr>
<td>Farah 151,388,621</td>
<td>146.33 million</td>
<td>96%</td>
</tr>
<tr>
<td>Lashkargah 373,068,654</td>
<td>139.50 million</td>
<td>37%</td>
</tr>
<tr>
<td>Khost 263,266,035</td>
<td>90.16 million</td>
<td>34%</td>
</tr>
<tr>
<td>Ghazni 106,350,975</td>
<td>78.88 million</td>
<td>74%</td>
</tr>
<tr>
<td>Municipality</td>
<td>Population</td>
<td>Projected Revenue</td>
</tr>
<tr>
<td>---------------</td>
<td>------------</td>
<td>-------------------</td>
</tr>
<tr>
<td>Aybak</td>
<td>86,802,677</td>
<td>58.58 million</td>
</tr>
<tr>
<td>Kunduz</td>
<td>86,002,008</td>
<td>52.62 million</td>
</tr>
<tr>
<td>Pul-e-Khumri</td>
<td>179,049,234</td>
<td>46.50 million</td>
</tr>
<tr>
<td>Chagcharan</td>
<td>64,440,000</td>
<td>41.73 million</td>
</tr>
<tr>
<td>Metharlam</td>
<td>81,655,002</td>
<td>35.05 million</td>
</tr>
<tr>
<td>Maidan-e-Shar</td>
<td>132,329,980</td>
<td>34.25 million</td>
</tr>
<tr>
<td>Bamiyan</td>
<td>23,370,062</td>
<td>30.28 million</td>
</tr>
<tr>
<td>Taloqan</td>
<td>50,101,680</td>
<td>29.24 million</td>
</tr>
<tr>
<td>Gardez</td>
<td>33,585,444</td>
<td>26.88 million</td>
</tr>
<tr>
<td>Sheberghian</td>
<td>36,066,275</td>
<td>25.58 million</td>
</tr>
<tr>
<td>Zaranj</td>
<td>46,900,000</td>
<td>23.70 million</td>
</tr>
<tr>
<td>Maimana</td>
<td>46,805,420</td>
<td>23.52 million</td>
</tr>
<tr>
<td>Charikar</td>
<td>21,034,167</td>
<td>19.72 million</td>
</tr>
<tr>
<td>Pul-e-alam</td>
<td>32,058,307</td>
<td>19.63 million</td>
</tr>
<tr>
<td>Asadabad</td>
<td>18,128,841</td>
<td>18.38 million</td>
</tr>
<tr>
<td>Sar-e-Pul</td>
<td>158,603,639</td>
<td>17.08 million</td>
</tr>
<tr>
<td>Nili</td>
<td>32,263,000</td>
<td>16.04 million</td>
</tr>
<tr>
<td>Mahmood Raqi</td>
<td>67,397,992</td>
<td>15.15 million</td>
</tr>
<tr>
<td>Faizabad</td>
<td>27,225,200</td>
<td>14.40 million</td>
</tr>
<tr>
<td>Qala-e-Naw</td>
<td>22,788,281</td>
<td>12.76 million</td>
</tr>
<tr>
<td>Sharana</td>
<td>66,935,613</td>
<td>12.55 million</td>
</tr>
<tr>
<td>Tirinkot</td>
<td>25,053,261</td>
<td>10.76 million</td>
</tr>
<tr>
<td>Qalat</td>
<td>11,935,000</td>
<td>9.38 million</td>
</tr>
<tr>
<td>Bazarak</td>
<td>21,044,091</td>
<td>5.39 million</td>
</tr>
<tr>
<td>Paroon</td>
<td>781,225</td>
<td>-</td>
</tr>
</tbody>
</table>

Chart 3. Percentage of projected revenue the municipalities reported to have achieved in 1392. The four largest capital cities are marked in red.
As the capacity of the municipalities to raise revenues varies and only fixed revenues provide revolving funds, the latest tashkeel reform grades municipalities according to the fixed revenue they raise and not according to their size, taking into account that a large city with a low capacity to raise fixed revenues may not have the capacity to pay large numbers of staff over an extended period of time (see above).

Charts 4a and 4b show the fixed and the non-fixed revenues of the four major provincial capitals of Afghanistan in 1390 and 1391. In 1390 and 1391 these cities generated almost half of the total municipal revenues in these years (1.734 billion AFN of 3.711 billion AFN, and 1.078 billion AFN of 2.271 billion AFN).

Herat owned its exceptional success in 1390 to non-fixed revenue generated from selling plots for housing in two development areas. The budgets of Mazar-e-Sharif and Jalalabad consisted mostly of fixed revenues, while Kandahar generated mainly non-fixed revenues in both years from the sales of commercial and residential plots for development.

4.4 Municipal budgets

Currently 153 of the 181 municipalities on record at GDMA are functional, which includes all provincial capitals. The main criteria for considering a municipality functional is the approval of the staff plan and the budget for a particular year. Any municipality that is not able to prepare and submit its annual budget is not included in the official list of municipalities for that year.

Municipal budgets are compiled of three elements: the projected fixed revenue, the projected non-fixed revenue, and the municipal bank balance. Forty-five percent of the fixed revenues can be spent on running costs, such as salaries of employees, consumables and administrative items such as stationary, which make up the operational expenses. The Ministry of Finance has two major budgetary codes for the operational budget, Code 21 for salaries and allowances, and Code 22 for goods and services. The remaining 55% of the fixed revenues, the non-fixed revenues and the savings can be spent on the development budget. This consists of Code 23 for payables, and Code 25 for capital expenses, i.e. items whose value exceeds AFN 50,000. If a financial year is successful and allows for additional spending, a supplementary budget can be drawn up, which allows to increase the number of staff and generate more revenue. A budget revision is required when a municipality urgently needs to reallocate budgetary resources.
Chart 4a. Fixed and non-fixed revenues of the four major provincial capitals in 1390 in million AFN.

Chart 4b. Fixed and non-fixed revenues of the four major provincial capitals in 1391 in million AFN.
Table 7 gives the figures for the operational and development budgets of the municipalities from 1389 to 1392, and the related expenditures. Throughout the years, operational costs were kept below capital expenditure (Chart 5) and were always covered by the revenue generated. In 1391 and 1392 however, the total expenditure exceeded the total revenue generated (see below).

**Table 7. Operational and development budgets and expenditure of the municipalities 1389–92. Operational budget: Budget lines 21–22; Development budget: Budget line 23 and 25.**

<table>
<thead>
<tr>
<th>Year</th>
<th>Operational Budget</th>
<th>Development Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>1389</td>
<td>368,529,938</td>
<td>414,966,345</td>
</tr>
<tr>
<td>1390</td>
<td>269,829,302</td>
<td>264,820,327</td>
</tr>
<tr>
<td>1391</td>
<td>504,213,247</td>
<td>646,774,736</td>
</tr>
<tr>
<td>1392</td>
<td>348,470,816</td>
<td>454,132,553</td>
</tr>
</tbody>
</table>

**Chart 5. Operational costs (Codes 21–22) and capital expenditure (Codes 23 and 25) of the municipalities 1389 to 1292 in AFN. Data derived from Table 7.**
The existing municipal financial documents (Public Finance and Expenditure Management Law and its regulation including the current Municipal Law) have limited provisions on municipal finance, e.g. budget preparation. There is a not enough guidance on contingency planning in cases of an emergency, on cases in which municipalities are not able to prepare their annual budgets, on cases in which municipalities have not been able to pay their staff for two consecutive years, and on the responsibilities of the central government in cases in which municipalities need financial support.

According to Article 25 of the Municipality Law\(^{39}\), municipalities submit their reports on revenues and expenditure to the Ministry of Finance. First, however, the municipality has to present the budget to the Provincial Administration Council, and some changes may be made based on the comments of council members, including Mustufiats (Department of Ministry of Finance at the provincial level) or of the provincial office of the Ministry of Finance. Once the changes are incorporated, the Governor endorses the budget. After the approval of the Governor, the budget is submitted to IDLG. The role of IDLG is to assess the budgets, and to compare and certify them. Only then is the budget submitted to the Ministry of Finance for final approval. The whole process may take one to three months.

The municipal annual budget documents consist of forms B13, B1 (Fixed Revenue), B1 (non-fixed Revenue), B4, B6, B10 and B12 and are signed and stamped by the Municipal Accounts Manager, the mayor, the Mustofiat and the Governor. Originally four original copies had to be produced but to speed up the process and to reduce the amount of paper work and thus confusion and mistakes both at the municipal level and in the Ministry of Finance, the number of copies has been reduced to one copy, supported by an annual bank statement, the salary report of the last month, the report on the activities, achievements and problems of the previous year, and a plan for the development budget of the following year.

Chart 6 shows the revenue projection of the municipalities for 1389–92 (2010–13), the actual revenue they reported for the same years, the municipal budgets approved by the Ministry of Finance, and the spending reported by the municipalities. As already seen in Chart 2, the revenues of the municipalities peaked in 1390. In this year new rules and regulations on revenues were implemented, in particular the Presidential Decree 35 on City Services, which provided new scope for the municipalities to raise revenues, such as a new street tax for vehicles due at registration. Tax rates went up after a revision of tax tables by the Ministry of Justice, and in addition to this many municipalities generated non-fixed revenues through the sale of commercial and residential plots for new developments. Donor support to revenue generation provided by RAMP UP, ASGP and UN-Habitat (see

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\(^{39}\) Afghanistan Municipal Law 2000.
below) started in 1389 and added to the boom in 1390 through increased business licensing.

In 1391, the fiscal year was changed from the Persian calendar to the Gregorian calendar, shortening that particular fiscal year to nine months. In the same year the collection of the City Services Tax by municipal staff at the city gates was replaced by a new system which added 0.25% to the customs service tax collected at the customs offices as a replacement of the Citizen Service tax. The new system generated only around 12 million AFN in six months, and municipal revenues dropped dramatically as a result. After these six months, the Citizen Service tax was reintroduced, but the cities had already suffered substantial losses.

From 1389 to 1392 revenue projection increased from year to year but was never reached by the actual revenues (Chart 6). Of the 19.3 billion AFN projected for the four years, only about 10.2 billion AFN were reported to have been generated. In the same period, only a part (almost 10.6 billion AFN) of the approved budget (24.4 billion AFN) was actually spent according to the records. Expenditure did not exceed the actual revenues in the first two years, but in the following two years the municipalities as a whole lived off their savings. However, actual revenues increased after the difficult year of 1391, and with the experience gained in past years, there is now enough data available to work on more realistic revenue projections for future years.

Chart 6: Projected revenues, projected budget, generated revenue, and expenditure of the municipalities in 1389–1392 (in billion AFN).
5 Development Objectives

In light of the Millennium Declaration Afghanistan signed in 2004, a National Development Strategy (ANDS) was developed for the period 2008–13, which included the strategic objective for urban development “to greatly improve the management of urban areas through a devolution of authority and responsibilities to municipalities in a way that improves urban infrastructure and services, reduces urban poverty and allows urban residents to live safe, healthy and productive lives and cities to grow and prosper. Effective management of the rapid urbanization process will make a significant contribution to the recovery of the country”\(^{40}\).

The Independent Directorate of Local Governance had already been created at the time by a presidential decree (see above), and the Directorate of Municipal Affairs was given further weight in 2010 by being made an independent directorate. In May 2008 IDLG was given the task to develop a sub-national governance policy through Presidential Decree 2008/1047. This policy has been in force since 2010 and is due for review in 2014\(^{41}\).

5.1 National Priority Programme

The Kabul Process initiated by a speech of H.E. the President Islamic Republic of Afghanistan in 2009\(^{42}\) led to the design of National Priority Programmes (NPPs) for the period 2012–2014, which build on the ANDS: “By articulating and operationalizing National Priority Programs (NPP) as integral to the Afghan National Development Strategy (ANDS), the Afghan government and concerned nations forged a new partnership to carry Afghanistan into its future”\(^{43}\). Municipalities are covered in two components of the NPP: Local Governance Programme in the Governance Cluster\(^{44}\) and National Urban Delivery Programme in the Infrastructure Development Cluster\(^{45}\). GDMA is responsible for the deliverables in the Governance Cluster:

\(^{40}\) ANDS 2008, p.10.
\(^{41}\) IDLG SNG Policy 2010, p. 10.
\(^{44}\) NPP Local Governance 2012.
\(^{45}\) NPP Urban Delivery 2012.
5.1.1 NPP4 Component 3: Municipal Administration

Sub-component 15: Provincial Municipal Administrations’ Refurbishment and Equipment.
Intended outcome: By the end 2014, 33 provincial municipal administrations will have been assessed and appropriately furnished and equipped consistent with the objectives laid out in II.9 of the SNGP on facilities and amenities in sub-national municipalities, enabling them to discharge their duties efficiently and safely.

Deliverables 15.1–2: By end of 2014, all 33 provincial municipalities will be refurbished and equipped according to IDLG/GDMA standards, and acknowledgement receipts will have been obtained. This was fully achieved on schedule.

Sub-component 16: Municipal Administrative Reforms and Municipal Urban Strategic Development Plans
Intended outcome: (i) By the end of 2014, 36 municipal administrations (33 provincial municipalities and three district municipalities) will have the Pay & Grade process (Tashkeel reform, see above) completed, administrative systems reformed, and municipal staff skills developed to deliver basic municipal services and follow principles of good governance at the municipal level – as described in section III of the SNGP; (ii) By the end of 2014, 33 municipal administrations will have developed and implemented Municipal Urban Strategic Development Plans for delivering basic municipal services and follow principles of good governance at the municipal level.

Deliverables 16.1–2: By the end of 2013, the Pay & Grade process will have been completed for 32 provincial and three district municipalities under merit–based appointments and provide required trainings and orientations based upon agreed needs assessments, consistent will policy on capacity development on Section III of SNGP. The process is completed in eleven provincial municipalities and three district municipalities. It is underway in the remaining 22 provincial capitals. The delay was caused by the necessity of a reform of the reform, which had to be agreed with the Civil Service Commission and the Office of Administrative Affairs of the President, and was carried out in consultation with the municipalities. In the coming months the recruiting of staff for the newly created positions will begin.

Deliverables 16.3–5: By end of 2014, all provincial municipalities will have been assisted in developing Municipal Urban Strategic Development Plans and urban management of them in partnership with MUDA. This was fully achieved on schedule.

46 IDLG SNGP Policy 2010.
Sub-component 17: Municipal Finance and Revenues

Intended outcome: By the end of 2014, 33 provincial municipal administrations will have increased their revenues by at least 60%, with revenues coming both from own sources and from support via the Government budget.

Deliverables 17.1–2: By end of 2013, all 33 provincial municipalities will have specific action plans for revenue generation, extending their ability to manage the revenues in an accountable and transparent manner according to the standards to the national law and international good practices.

This deliverable was fully achieved on schedule.

Deliverable 17.3: By end of 2014, all 33 provincial municipalities will have instituted Integrated Financial and Budgeting Systems.

All municipalities have received the software and training.

Sub-component 18: Community-Based Development and Governance in Municipalities

Intended outcome: By the end of 2014, provincial municipalities will benefit from the presence of informally elected MCDCs which are able to design and implement their own MCDPs using block grants

Deliverables 18.1–2: By the end of 2013, a new community-based development and governance programme has been formed in all provincial capitals; the Municipal Community Development Councils have been established and registered; the communities have been mobilized in preparation of the community action planning process for prioritizing projects at the community level.

Activities are ongoing (see below).

Deliverables 18.3–4: By end of 2013, in all 33 provincial capitals, the projects at community level are prioritized, implemented, monitored and handed over to the relevant line departments.

Activities are ongoing (see below).

Deliverable 18.5: By the end of 2014, a Solid Waste Management System has been launched at community level in 33 provincial municipalities.

Solid Waste Management Systems have been launched in all provincial capitals, and the deliverable will be fully achieved as soon as a Solid Waste Management Manual has been disseminated to all municipalities.
5.2 Key donors

Due to the low income of most of the municipalities, IDLG/GDMA has made every possible effort to attract donors for them. While there are still some gaps in the provision of additional funds for development projects in municipalities, these efforts have been successful in particular in provincial capitals over the past years. This support has been crucial to the municipalities on their way to self-sustaining government agencies that can serve citizens with competence and efficiency. Donors have addressed both the lack of funds and the lack of capacity, and they acknowledge that municipalities need financial support until they can become financially sustainable, which is more than can be said of a government that has refused to support municipalities with national funds.

5.2.1 USAID

The United States Agency for International Development (USAID) has been the main donor to Afghanistan and has provided support to the 33 provincial capitals as well as some district municipalities through a three year program named ‘Regional Afghan Municipalities Program for Urban Populations’ (RAMP UP) worth 240 million USD. Around 60% of this funding was spent on operational costs including security for programme staff, while 40% was spent on deliverables. The program supported three thematic areas:

1. Capacity Development
2. Services and infrastructure
3. Municipal Governance Support

Some further activities were covered under ‘cross cutting themes’. The program provided valuable support in these areas, in particular the provision of key services, capacity building and revenue enhancement, but due to budget limitations included few physical projects. A number of project reports are published online.47

RAMP UP played an important part in the refurbishment and equipment of the administrations of municipal capitals (NPP4, component 3, sub-component 15, see above) and contributed significantly to sub-component 18, deliverable 18.5, by supporting the municipalities of Ghazni and Herat in privatizing part of their Solid Waste Management.

A follow-up programme named ‘Strong Hubs for Afghan Hope and Resilience’ (SHAHAR)48 is expected to start once the Afghan national government elected in 2014 is in place. With a 70 million USD price tag it is smaller than RAMP UP and intended to cover the municipalities along the Ring Road due to their economic

47 USAID Development Experience Clearing House 2014, Search "Regional Afghan Municipalities Program for Urban Populations".
48 SHAHAR 2014.
potential. The key components of this program are capacity development, municipal governance and municipal revenue enhancement.

Fig. 16. H.E. Farid Mamundzay (centre) at a RAMP UP East conference in 2013.

The other key project besides RAMP UP which provided support to municipalities in recent years was named ‘Land Reform in Afghanistan’ (LARA)\textsuperscript{49}. It focused mainly on land reform and upgrading of informal settlements in the capital city Jalalabad where it targeted two informal settlements. LARA sought to “develop Afghan capacity to successfully design, manage, and implement land tenure reform for land market development” and to “support improved land tenure security by helping develop a process for upgrading informal settlements and formalizing land occupants’ rights in Jalalabad”\textsuperscript{50}. The project proved highly useful where inhabitants of informal settlements contributed to the upgrading process initiated by LARA, such as demolishing walls around the plots they inhabited to widen roads to allow for the installation of water pipes, drainage, and electricity cables. The wider roads that resulted from this project also allow access for ambulances, the fire brigade and the police in emergency cases. As a further result of this project, these informal settlements were officially recognized by the municipality, which can now raise revenues from it and provide services. In addition, it will give security of tenure to the residents, which will encourage them to invest in their houses and is likely to create jobs in the building sector.

5.2.2 UN-Habitat

Funding by the Japanese government channelled through the Japanese embassy in Kabul enabled UN-Habitat to support four major municipalities in Afghanistan, namely Kandahar, Jalalabad, Mazar-e-Sharif and Herat. The programme called ‘Community

\textsuperscript{49} LARA 2014; USAID Development Clearing House 2014, Search “Land Reform in Afghanistan”.
\textsuperscript{50} LARA 2014.
Based Municipal Support Program’ (CB-MSP) focuses on the following key areas, which are in line with the NPP 4 on local governance (see above):

- Community Development
- Capacity Development
- City Infrastructure

Mobilising communities by establishing Community Development Councils (CDCs) for ca 250 neighbouring families at a time are important elements of this project, which provides these CDCs with funds of USD 50,000 on average. This money can be spent on projects which the councils prioritise, usually improvements of drainage, streets and pavements. A mandatory contribution of 30% of the project funds by the community in cash creates a sense of ownership and improves the output. UN-Habitat is thus deeply involved in Sub-component 18 of the NPP, ‘Community-Based Development and Governance in Municipalities’ and has established 105 Community Development Councils and 21 Gozar District Councils in the four major cities of Afghanistan, Herat, Mazar, Jalalabad and Kandahar. Service delivery projects will be implemented in the coming months, and the activity will be completed in 2015.

The capacity development component of the CB-MSP programme focuses on the provision of technical trainings for municipal engineers and financial administrators as well as GDMA staff. The city infrastructure component covers city projects identified and prioritized by mayors and Municipal Advisory Boards. This component provides a good opportunity for increasing the trust of citizens in the municipality who see a tangible output and improved city services. Phase II of this project is currently under discussion and will hopefully be expanded to at least another three municipalities. It is intended to continue its efforts on community-based development, capacity development and urban infrastructure.

5.2.3 UNDP

The United Nations Development Programme (UNDP) has received donor support from a wide range of countries for its ‘Afghanistan Sub-national governance programme’ (ASGP), mainly Japan and Sweden (see Fig. 17). The program provides support to 21 provincial capitals and 11 district municipalities across the country in the areas of municipal governance and capacity development. ASGP has played an important part in the refurbishment and equipment of the administrations of municipal capitals (NPP4, component 3, sub-component 15, see above) and is also deeply involved in Sub-component 18 of the NPP ‘Community-Based Development and Governance in Municipalities’. In ten cities gozar-level shuras and nahia-level councils have been established and the activity continues.

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51 CB-MSP 2013.
52 ASGP 2014.
The ASGP programme will last until the end of the year, and discussions about further support from UNDP in the shape of a follow-up programme are underway at the time of writing.

5.2.4 German Government

The German Government has provided support to municipalities in the north both through the German Federal Enterprise for International Cooperation (GIZ) and the German Development Bank (KfW). The GIZ manages the Open Policy Advisory Fund (OPAF)\textsuperscript{53} and the Regional Capacity Development Fund (RCDF)\textsuperscript{54}. OPAF is supporting the Statistics and Reporting Department of GDMA with the establishment of a central database designed to pool information of all departments and provides easy access to that information\textsuperscript{55}. The RCDF has, for example, provided municipal offices with equipment. The German Development Bank manages the ‘Regional Infrastructure Development Fund’ (RIDF)\textsuperscript{56} which has been supporting urban areas with infrastructure projects. The ‘Stabilisation Programme Northern Afghanistan’ (SPNA) is implemented by the Aga Khan Foundation, the Agency for Technical Cooperation and Development (ACTED) and Mercy Corps\textsuperscript{57}. The Centre for International Migration and Development (CIM), a joint operation of the GIZ and the German Federal Employment Agency\textsuperscript{58}, has supported GDMA with a succession of three integrated experts since 2011.

5.2.5 World Bank

The World Bank has been providing support to Kabul Municipality\textsuperscript{59} and is hoped to also support the five major cities of Kandahar, Herat, Mazar-e-Sharif, Kunduz and Jalalabad in the near future. The programme would focus on infrastructure, service delivery and revenue enhancement.

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\textsuperscript{53} OPAF 2011.
\textsuperscript{54} RCDF 2011.
\textsuperscript{55} Kettler & Hassan 2014.
\textsuperscript{56} German Cooperation with Afghanistan 2011.
\textsuperscript{57} SPNA 2013.
\textsuperscript{58} CIM 2014.
\textsuperscript{59} Kabul Municipal Development Project 2014.
5.3 Donor coordination

In a competitive environment, donor coordination can easily turn into an issue, especially when the government is perceived as a weak counterpart. There is however no way around the government taking the lead to create ownership for the support provided. In 2012, GDMA created Technical Working Groups for the four areas Capacity Building, Service Delivery, Revenue Enhancement and Cross-Cutting Issues, and invited implementing partners and donors to bi-monthly meetings on the technical level to coordinate activities. These meetings proved to be fruitful and will be continued once SHAHAR and the World Bank project start.

Beyond these Technical Working Group meetings GDMA makes efforts to strengthen the government lead in donor coordination further. This will include efforts to increase the on-budget support of donors in an effort to build the capacity of the municipalities, to make them more accountable for progress made through donor support, and to increase the legitimacy of the municipal administrations in the eyes of the citizens.
6 Conclusions

6.1 Achievements

The municipalities have made substantial achievements beyond the deliverables in the National Priority Programme discussed above, some not driven by high politics but by Afghan efforts much closer to the ground. Most municipalities have seen improvements in recent years in the areas of good governance, capacity development, provision of urban services and municipal revenue enhancement. Despite continuing security challenges and lack of government resources, these municipalities have begun to provide basic services. Especially the provincial capitals have received donor attention that has provided them opportunities most district municipalities have not had. GDMA held bi-monthly donor coordination meetings on technical issues to coordinate these activities and monitored projects implemented by partners in municipalities. A survey of all 181 municipalities held in 2013 provides a sound basis for GDMA to plan and coordinate further support.

GDMA has put much effort into improving the legal and administrative framework for municipal service provision and revenue generation. A municipal reporting system that has been developed is currently implemented by 20 municipalities. The budgets of more than 146 municipalities and four newly created district municipalities were reviewed and processed in 2013.

Municipal Economic Development Profiles and Municipal Economic Development Plans were developed for 26 municipalities. In the course of infrastructure improvements, 1100km of streets were asphalted and gravelled in 2013 alone, 2000km of drainage and 1800 culverts constructed, 1910 km of sidewalk, 56 car parks, 14 municipal buildings, 129 public latrines, 9 bus stops, 49 public parks, and 27 km of retaining wall. In the same year, 3,500,000 m² of public space were greened. Eight hundred and ninety solid waste bins were purchased and installed, landfills for 300m³ of waste prepared, and 5 million cubic meter of solid waste collected. As a result of its achievements, GDMA obtained a seat on the Economic Committee of the Cabinet in 2013.

Fig. 18. Construction of a street in Gardez, provincial capital of Paktia in 2012.
Registration of more than 500,000 plots in informal settlements in major municipalities has increased the municipal revenue in the last four years. The process was initiated by UN–Habitat in Kandahar and replicated by other donors across the country.

The boundaries of 17 cities have been marked in preparation of municipal elections, and Municipal Advisory Boards have been created in most of the capital cities as a temporary measure until Municipal Councils can be elected.

There have also been major achievements in the area of gender mainstreaming. Beyond an Anti-harassment Policy Guideline of IDLG for IDLG employees in the centre and provinces, the municipalities received Gender Mainstreaming Guidelines for Municipalities (Annex 1) and are being supported in their implementation by a Gender Focal Group at GDMA.

National mayors’ conferences both for provincial and district mayors have been conducted that provided constructive platforms for information exchange and networking, and for guidance to the municipalities. Based on a transparent evaluation procedure, mayors who had performed well received Letters of Appreciation from senior management and GDMA, encouraging them to continue their efforts.

6.2 Challenges

While the municipalities have made substantial progress, challenges remain. Some are beyond the control of the municipalities and GDMA, such as land grabbing. Land grabbing is not just an injustice in itself that undermines the trust of the population in its political elite, but blocks the structured expansion and economic development of cities for the benefit of the urban population.

Investment of the private sector in the infrastructure and economic development of cities is a key factor in urban development. The lack of a legal framework that provides legal certainty for the private sector is a problem that would need relatively quick solutions, but passing laws and regulations such as a new municipal law is a lengthy process, which stalls much needed development.

Corruption is a destructive force in Afghan society that deeply affects the ability of municipal administrations to function because citizens are not willing to pay taxes as long as they do not trust that their money is put to good use. While efforts are being made to increase transparency, to reduce opportunities for fraud and bribery, and to increase citizen participation, corruption is a problem that municipal administrations cannot tackle alone.

The donor community, for example, puts high hopes in the elections of municipal councils and mayors based on the expectation that those who will be elected will act in the interest of their constituencies. In a society however that ranks last in the Corruption Perceptions Index 2013 of Transparency International together
with North Korea and Somalia\textsuperscript{60}, there is a real danger that those who were elected will misuse their positions to serve their own interests. Corruption does not only keep citizens from paying fees and taxes because they do not believe their money is well-spent; corruption also undermines the kind of citizen representation that benefits a community rather than the self-interests of members of the social elite.

Some readers may expect that each and every achievement described in this report is attributed to the donor or donors that have contributed to it, but this information is already documented in detail by donors and implementing partners, as part of their efforts to be transparent. Donors holding implementing partners accountable is an important element of effective development assistance, but the competitive environment in which donors and implementing partners operate has led to a situation in which implementing partners that were meant to raise the profile of municipal administrations in the eyes of citizens were under pressure to give their own organisations a high profile. As a result, achievements have been perceived as the achievements of implementing partners and donors rather than the achievements of the government, which has had implications on the effectiveness and sustainability of the support itself.

\textbf{Fig. 19. Municipal Park ‘Gulghundi’, Charikar. Visitor information: “This Gulghundi Park Renovation Project was completed by the Government of the Islamic Republic of Afghanistan with support from the American People. December 2013”}.

There are also some challenges related to capacity building. Donors acknowledge that the lack of qualified municipal staff is at the heart of many problems in the

\textsuperscript{60} Corruptions Perception Index 2013.
municipalities and have relied heavily on national staff embedded at IDLG and in the municipalities to build the capacity of Tashkeel staff. The difference in salaries paid by international organisations and the civil service however has to some extent undermined the effectiveness of the support provided by donors and implementing partners. At the lower levels young professionals from a social elite that can afford private education of a higher quality than that offered by underfunded state-run institutions are expected to transfer their knowledge and skills to Tashkeel staff that has no access to the better paid jobs because it does not have the education required for them, and largely survives on the institutional memory of pre-war procedures. There is high potential for social conflict in this constellation, acerbated by the temptation for programme staff to use their knowledge and skills to build power bases for themselves at their workplace rather than to transfer their knowledge and skills. The many who make an effort often find that they have been hired for their technical skills but have not been prepared by their organisations for the task of teaching colleagues.

The Tashkeel reform is meant to improve the situation and tends to replace senior staff with young professionals who have at least been able to achieve degrees from Afghan state universities, but are usually not in the league of the embedded advisors paid by international organisations. Much of the social conflict therefore remains and has had a negative effect on this type of capacity building.

Capacity building however is a crucial element of donor support because it is linked to ambitious projects that require technical input from municipalities which tashkeel staff is often not able to provide, both on the municipal and the national level. Developing, implementing and monitoring such projects turns into a major issue, and failures in the area of knowledge and skills transfer lead to frustrations on all sides.

6.3 Recommendations

The sub-national governance policy of IDLG61 is due for review in 2014, and no doubt this will be one of the priorities of the newly elected government. It will be an opportunity for policy makers to deal with some of the challenges that were described in the previous chapter. However, past experiences suggest that it is not enough for a policy to support the idea of giving mayors more scope to decide on development priorities in their cities; a legal basis and administrative procedures need to be created that actually enable mayors to do so.

However, a further important issue that policy makers will need to deal with is financial support to the municipalities from the national budget. This does not mean that municipalities should stop generating revenue or should stop looking for sustainable

61 IDLG SNG Policy 2010.
sources of income that support urban development instead of stifling it. It can however create substantial problems when a law obliges municipalities to deliver services and to hold elections while there are no adequate provisions for the municipalities to discharge these duties.

A policy can pave the way for municipalities being eligible for national funds, but without legal provisions and an adaptation of administrative procedures, good intentions will remain on paper. It will therefore be extremely important to create ownership among the stakeholders for the policy review.

The development of attractive legal packages for investors encouraging them to invest in urban development, such as laws, regulations and guidelines for Public Private Partnerships is an important step that needs to be made to support municipalities indirectly. This will end an investment climate characterised by uncertainty and a lack of vision. It will not take the pressure off municipalities that need much more basic support than joint ventures, but it will be ready for them once they have reached that level.

If these measures are combined with a serious political will at the highest level to work for a better position of Afghanistan on the Corruption Perceptions Index, and to stop the practise of land grabbing, this country may not only see the fastest urban growth in the region but also municipalities that can cope with the challenge.

Donors will play an important role in this scenario, and will need to support not just the big cities but also smaller provincial capitals and the district municipalities. The government however will need to take the lead in coordinating donor efforts, and it will need to encourage donors to fund at least 50% of their efforts on-budget to build the capacities of the municipalities, to make these more accountable for the funds, and to increase their legitimacy in the eyes of their citizens.

Fig. 20. The author at a national conference of provincial mayors in Kabul in November 2012.
6.4 Next steps

While it is prudent for Afghan government agencies to wait for the newly elected government to set the path for the coming five years, there are matters that can and need to be pursued in the meantime, such as paving the ground for the municipal elections foreseen by the Constitution. The work on demarcating municipal boundaries needs to continue as the basis for a census that will allow for the distribution of voting cards to citizens. If a new municipal law comes into force in time, if there are no major delays with the demarcation of the remaining boundaries, and if the census is carried out in a timely manner, it should be possible to hold elections in 2016. In the meantime, Municipal Advisory Boards require support to pave the way for the Municipal Councils.

The Tashkeel reform needs to be rolled out in all municipalities to put municipal administrations in a better position to discharge their duties according to the law, and the capacity of the newly recruited staff (whether re-hired or newly hired) needs to be built for that purpose. It will be important to support the implementation of the Gender Mainstreaming Guidelines for Municipalities not only in view of the Millennium Development Goal of increasing the number of female civil servants to 30% by 2020, but also in view of female participation in Municipal Councils and in municipal affairs at large.

In view of the rapid growth of the cities, there is no time to lose on the development of further municipal strategic plans and detailed urban plans. The municipalities have a right to constant and reliable support from GDMA in their day-to-day struggle to deliver their services effectively, to enhance their revenues to keep up with the ever growing demand on these services, and to further economic development in their cities. The annual assessments of the work of the mayors have to continue, and for GDMA to be able to discharge all these duties efficiently, communication with the municipalities needs to be further improved.

The ongoing programmes of UN-Habitat and ASGP require the same level of attention they have received in the past, and GDMA eagerly awaits the beginning of the SHAHAR project funded by USAID. There are high hopes for the Municipal Development Programme of the World Bank envisaged for the near future, as well as for a continuation of UNDP engagement with the municipalities in ways that are currently under discussion. It is hoped that the engagement of the German government in the north will include opportunities for municipalities, and there is always scope for further donors interested in Afghanistan’s municipalities.
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Annexes

Annex 1: The text of the Gender Mainstreaming Guidelines for Municipalities

Islamic Republic of Afghanistan
Independent Directorate of Local Governance
General Directorate of Municipal Affairs

Gender Mainstreaming Guideline for Municipalities

Overview
The culture and traditions of Afghanistan assign different roles to men and women. While respecting the social structure of Afghan society, the Government of Afghanistan recognizes that women's participation in all spheres of life is both a right and a normative element of democratic governance. Equal participation of women and men reflects the composition of society and is required for enabling institutions to effectively meet their obligations to all citizens, women and men alike.

Women's current low access to basic rights in the public sphere necessitates policy revision. Recognizing the need for such a policy change, the Government of Afghanistan is committed to implementing national laws and agreements on women's rights in light of the Islamic Sharia. The most relevant guiding document is the Afghan National Action Plan for the Women of Afghanistan (NAPWA).

In 2007, the Ministry of Women's Affairs (MoWA) developed the National Action Plan for the Women of Afghanistan (NAPWA). It is the centerpiece of the Afghan Government's policies and strategies on women and gender. The action plan has a ten-year timeframe that intends to ensure continuity and consistency of the Government's efforts to protect women's citizenship rights in Afghan society.

NAPWA envisions that Afghanistan will be “a peaceful and progressive country where women and men enjoy security, equal rights and opportunities in all aspects of life.” The mission of NAPWA is to actively promote institutions and individuals to be responsible implementers of women’s empowerment and gender equality by providing a clear focus and direction, coordinated action, and shared commitment to the Government's vision.

NAPWA pursues the twin goals of gender equality and women's empowerment:

(i) Gender equality, on the one hand, is a condition where women and men fully enjoy their rights, equally contribute to and enjoy the benefits of development, and where neither is prevented from pursuing what is fair, good, and necessary for living a full and satisfying life.

(ii) Women’s empowerment, on the other hand, is a condition where women take control and determine the direction of their lives, develop their full potential, make enlightened decisions, and exert positive influence over processes, mechanisms, and decisions that affect their well-being.
NAPWA is the main vehicle of the Government for implementing its gender commitments that were made in a number of other national and international frameworks for supporting women’s equal rights and participation in decision-making.

These are:

   Article 22 of the Constitution says: “Any kind of discrimination and privilege between the citizens of Afghanistan are prohibited. The citizens of Afghanistan – whether man or woman – have equal rights and duties before the law.”

2. The Convention on the Elimination of all forms of Discrimination against Women (1979)
   The Convention on the Elimination of all forms of Discrimination against Women (CEDAW) was adopted in 1979 by the UN General Assembly. Article 11 of CEDAW obligates all state signatories to take measures to eliminate discrimination against women. This includes discrimination in hiring and promotion at all levels. Article 7(b) obligates all state members to take all appropriate measures to eliminate discrimination against women in the political and public life of the country and, in particular, shall ensure to women, on equal terms with men, the right to participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government. Afghanistan has ratified the CEDAW without reservations in 2003.

   At the United Nations Millennium Summit in September 2000, heads of states and governments from 189 countries reached a historic agreement on shared values and expressed their unequivocal commitment to halving world poverty by 2015. Afghanistan signed the Millennium Declaration in 2004 and has set the year 2020 as its target to reach the goals of the declaration. Among many other objectives, Afghanistan has agreed to increase female participation in elected and appointed bodies and the civil service at all levels of governance to 30% by 2020.

   The Afghanistan National Development Strategy (ANDS) is the product of twelve months of intensive consultations within Government and with a wide array of stakeholders. It establishes the Government’s overall development strategy and defines the policies, programs and projects for the period 2008 to 2013 and the means for effectively implementing, monitoring and evaluating these actions.
   The ANDS recognizes the full implementation of NAPWA as a high-level benchmark. It states that all government entities will (i) foster a work environment that supports egalitarian relationships between women and men; (ii) establish internal enabling mechanisms for gender equity; and (iii) support women’s Shuras. Also, “female participation in all Afghan governance institutions, including elected and appointed bodies and the civil service, will be strengthened by providing a specific percent reservation of seats by enacting a law of affirmative action.”

   The Subnational Governance Policy (SNGP) was developed by the Independent Directorate of Local Governance (IDLG) in 2010. It is to be implemented in all local government entities, including municipalities.
   Regarding gender equality, the Policy states:
   “The ultimate goal of the Government is gender equality, a condition where women and men fully enjoy their rights, equally contribute to and enjoy the benefits of development and are not prevented from pursuing what is fair, good and necessary to live a full and satisfying life. To support the achievement of gender equity, all government entities will
embrace and implement gender equity efforts, including gender-sensitive policies, strategies, budgets and programs. Ensuring that gender equity is achieved is the shared responsibility among government entities and the national and sub-national levels.”

One of the most relevant action points for the municipalities is the affirmative action commitment. It (IDLG’s Policy) states that 25% of the seats of Municipal Councils will be reserved for women. The set target is to be seen as a minimum and not as a maximum.

**Why Gender Mainstreaming at Local Governance**

It is an unfortunate fact that gender needs and interests are not given priority at the municipal level. Gender has not been sufficiently addressed as a cross-cutting theme in all departments within municipalities. There is confusion around gender issues being about women. This is understandable given that attempts towards gender equality often entail addressing a woman’s status in society. It should be re-emphasized, however, that gender mainstreaming involves recognizing the entire population in development intervention.

The experience by men and women of a city is quite different. City life affects men and women in different ways. A gender-aware approach to urban development and its management would seek to ensure equal access to and control over the resources and opportunities offered by a city. It would also seek to ensure that public services benefit both men and women.

Women face several barriers in urban life: Security barriers and cultural values discourage them from participating in local government and planning institutions. The absence of gender-disaggregated data, especially at the city level, negatively affects how policy, plans and programs address the respective needs of women and men.

**What can the municipalities do to implement NAPWA?**

**Institutionalize Gender Mainstreaming**

- Allocate a budget line in the municipal annual budget for gender-related activities
- Address women’s needs for services and infrastructure:
  - Women’s markets
  - Women’s parks and gardens
  - Public latrines for women
  - Women’s bathrooms in the municipal offices and guesthouses
  - Women’s funeral homes
- Create and support particular business opportunities for women living in the city
- Ensure equal participation of men and women in all public outreach activities (policy formulation, decision-making, planning, budgeting, implementation and monitoring of municipal projects)
- Raise awareness about women’s rights, as stated in the Constitution of Afghanistan and NAPWA, in public information campaigns (brochures, notice boards, TV and radio appearances etc.)
- Recruit a Public Outreach Associate in the municipal tashkeel to develop and supervise the implementation of gender activities, youth participation and public outreach
- Coordinate gender related activities with the Department of Women’s Affairs (DoWA), other sub-national government entities and civil society organizations
- Create Women Committees in each municipality, where female municipal staff, DoWA representatives and female members of the Municipal Advisory Board can discuss gender issues
• Ensuring land and tenure rights for women

Recruitment of Female Staff Members
• Increase the number of female employees in the municipalities
• Hire appropriately qualified women to management and senior-level positions, including department heads
• During the recruitment process, undertake affirmative action efforts, i.e. hire a female applicant if she has the same qualifications as a male applicant

Capacity Building
• Conduct regular mandatory gender training for municipal staff (the concept of gender, women's rights, gender mainstreaming, anti-harassment, importance and benefits of participation of female citizens in municipal decision-making)
• Conduct mandatory trainings for all staff members on the Afghan Labor Law (non-discrimination in recruitment, hiring, promotion, trainings) and on the IDLG Anti-Harassment Policy Guideline
• Offer on-the-job training for female staff members to increase their skill levels
• Introduce a mentoring program, in which each newly recruited female staff member will be assigned to one employed female staff member who can provide support and guidance in case of gender-related problems at the work place

Women's Participation in Decision-making
• Encourage the contribution of women in participatory municipal processes, i.e. citizen needs assessments, planning and budgeting, project monitoring
• Take all necessary measures to increase women's candidature to and participation in the Municipal Advisory Boards
• Hold regular meetings between the municipal leadership and female staff members to hear their views on the working environment
• Invite female staff members to all team meetings and gatherings of municipal staff
• Share all relevant information on municipal affairs with female staff members

Create an Enabling Working Environment for Female Staff
• Disseminate the IDLG Anti-Harassment Policy Guideline to all staff members
• Enforce the IDLG Anti-Harassment Policy Guideline and take any account of discrimination and harassment seriously
• Report any complaint to GDMA or the IDLG Human Resources Department along with actions taken or to be taken to address the situation
• Create a women-friendly work environment by providing:
  - Toilet
  - Prayer room
  - Day care (providing an extra room with facilities for children)

The current guide line is observed and approved by IDLG’s leadership.
Annex 2: The text of the Terms of Reference for the Establishment of Municipal Advisory Boards

Islamic Republic State of Afghanistan
Independent Directorate of Local Governance
General Directorate of Municipal Affairs

Terms of Reference

Municipal Advisory Boards

Article 1: General Provisions
These Terms of Reference for Municipal Advisory Boards (MABs) are based on the provisions of the Sub-national Governance Policy of the Independent Directorate of Local Governance (passed by Ministers Council) and Municipal Election Law (publication of Official Gazette no 814), realities and current governance requirements to ensure public participation, consultation, and urban governance. They will remain in force until superseded by the new Municipal Law, to be enacted pursuant to Article 141 of the Constitution of the Islamic Republic of Afghanistan, or until determined otherwise by the General Directorate of Municipal Affairs (GDMA) at the Independent Directorate of Local Governance (IDLG).

The Municipal Advisory Board can give advice and make recommendations to the Mayor and to the municipal administration. It has no decision-making authority and cannot veto any municipal plans, activities or the budget.

Article 2: Selection of Board Members and Electoral Terms
1. The number of Board members depends on the number of Nahias. Each Nahia should have two representatives, one from Wakil Gozars and one from the Nahia councils or residents.
2. In cities without Nahias and Gozars, and in cities that have no more than three Nahias, one representative will be elected from each large mosque (Masjid Jamey), religious house (Takia Khana) or other religious community center. These representatives will elect seven representatives in a free, direct, general election as members of the MAB.
3. In cities with more than three Nahias in which Nahia councils and Gozar Organizations have not been established, representatives will be chosen at the mosque level. From each Masjid Jamey, Takia Khana or other religious center one representative will be elected. These representatives will elect from their ranks one representative for each Nahia, and the Wakil Gozars will elect from their own ranks the second representative for each Nahia. These two representatives per Nahia become members of the MAB.
4. In cities that have Community Development Councils (CDCs), Area Development Councils (ADCs), Gozar Organizations (GOs), these organizations will elect representatives. In parts of the Nahia that do not have such bodies, elections are being carried out at the mosque level. From these representatives in each Nahia one person will be elected to represent the Nahia Council and one person to represent the Wakil Gozars.
5. Wherever possible, Nahia representatives are selected from existing elected community representation structures, such as Community Development Councils (CDCs) and Area Development Councils (ADCs), Gozar Organizations (GOs) and Nahia Councils (NCs), so...
that one member represents the Nahia Council and the other member represents the Gozar Organization. These two representatives per Nahia become MAB members.

6. In addition to the above, a quota system is used to ensure that the Board reflects the full spectrum of the citizenry. One member is selected from each of the following groups: Women, youth, civil society, media, martyrs / disabled, private sector, and one representative from the businesses (traders or craftsmen).

7. IDLG’s policy is to provide 25% of seats in the Municipal Councils to women. As a measure to achieve this aim in the longer run, at least 10% of the seats of the MABs are allocated to women.

8. In case women do not win at least 10% of the available seats, the size of the Municipal Advisory Board is enlarged to create the necessary extra seats for women.

9. Members of the Municipal Advisory Board are selected for a term of two years. The timing of the selection process is determined by the Mayor, based on approval by GDMA/IDLG.

Article 3: Composition of Municipal Advisory Board

3.1. Terms of Candidature for Municipal Advisory Board Members

Members to the Municipal Advisory Board shall be men and women who meet the following criteria:

- Citizenship of Afghanistan
- Minimum 25 years of age
- Being a resident of the municipality for at least two years
- Literacy skills of a graduate of the 12th grade in school, obtained formally or informally
- Not a staff member of the municipal administration
- No immediate family relationship (husband and wife, mother and father, and children, uncle, aunt, cousin, niece, nephew) to the Mayor or to heads of municipal departments
- Not a high-ranking government official, i.e. member of the Provincial Development Committee
- Not a serving member of the armed forces, police, or judiciary
- No conviction of crimes or pending legal issues, i.e. named in criminal prosecutions or indictments.
- Being committed and competent

3.2. Inauguration Meeting

The eldest member of the Board chairs the inauguration meeting.

3.3 Resignation, death, illness and or absence of member for more than 2 months

Whenever one or more municipal advisory board members, including Chairman, Deputy Chairman or Secretary resign, die, and or due to illness become absent for more than two months and do not attend the meetings, new elections will be conducted in the related district or gozar, if MAB elections are more than six months away.

Article 4: Internal Structure of Municipal Advisory Boards

4.1. Board Chairman, Deputy Chairman and Secretary

In the inauguration meeting, at least 80% of the Board members shall be present. The Board members elect a member of the Board as Chairman, one as Deputy Chairman and another as Secretary. Election is based on simple majority: the candidate with the highest number of votes is elected as Chairman, the candidate with the second highest number of votes will be Deputy Chairman. If there is a tie between the two candidates with the highest number of votes, there will be a run-off election. In case the two candidates receive again the same number of votes, there will be a lottery between the two. The Secretary will be selected separately by simple majority, as the requirements for this position are different.
Board Chairman, Deputy Chairman and Secretary are elected for one year at the beginning of each service year of the Board.

The Board Chairman has the following responsibilities:
- Chairing the Board meetings
- Speaking for the Board in public and announcing the Board’s recommendations
- Representing the Board before the Mayor and the municipal administration and before other governmental and non-governmental institutions and forums
- Determining the dates and setting the agenda of the Board meetings
- Monitoring the implementation of the Board’s recommendations.

The Board Deputy Chairman has the following responsibilities:
- Supporting the Chairman in his/her routine tasks
- Performing the Chairman’s duties in his/her absence
- Being an active member of the Board.

The Board Secretary has the following responsibilities:
- Filing records and keeping documentation
- Publicly announcing time and location of Board meetings and disseminating the agendas to the public
- Producing and disseminating to the public the minutes of the Board meetings
- Arranging meetings with citizens and the Board or individual Board members
- Ensuring good communication with relevant government and non-governmental institutions at Municipal, District and Province level.

The municipality will assign one staff member to assist the Board Secretary in his/her duties.

If the Chairman of the Board resigns from or otherwise terminates his/her post, the Deputy Chairman will be acting Board Chairman for one month. The position of Board Chairman will be newly elected within one month, based on simple majority.

If the Deputy Chairman or the Secretary of the Board resign from or otherwise terminate their posts, the Board elects a replacement with simple majority.

4.2. Internal Working Committees
The Board members can form internal technical committees on specific themes, depending on the technical expertise of the Board members. All matters related to inviting technical experts and internal technical committees are regulated in the municipalities’ internal policies, which the Municipal Advisory Board has to follow.

4.3. Expense Allowances for Municipal Advisory Board Members
The members of the Board do not receive financial remuneration (no phone cards, no transport costs etc.) for their services until formal elections of Municipal Councils are held.

Article 5: Meetings

5.1. Regular Meetings
The Board meets every two weeks and meetings last for 3 hours maximum. The municipality should provide space for the Board meeting. Additional emergency meetings can be held at any time if requested by at least one third of the Board members or the Mayor.
Meeting agendas are published at least two days in advance. Citizens can make suggestions for agenda items to the Board Secretary.
Meetings are held if the majority (at least 51%) of the Board members attend. Otherwise, the meeting will be rescheduled.
The consent of the majority of Board members is required for the Board to take decisions and make recommendations. When there is an equal vote for and against a recommendation, the Chair shall have the deciding vote.

The meetings of the Board are generally open to the public. Meetings or specific agenda items can only be closed in exceptional cases, including security reasons or to protect the justifiable privacy of a person. The Board decides on closed meetings with a two third majority. If a meeting is closed, the Board will publicly state the reasons.

The Board can request the Mayor or municipal officials to attend the meetings of the Board and to respond to questions. If the required information are not provided, the Board can report to the Provincial Governor. The Board Secretary will prepare minutes of the meetings, including an attendance list. The minutes and the Board’s recommendations are made available to the public and shared with the Mayor and GDMA/IDLG.

The municipality will provide necessary facilities, including office space, furniture and equipment, to the Municipal Advisory Board to ensure its proper functioning.

**Article 6: Functions and Responsibilities of Municipal Advisory Board**

**6.1. Citizen Representation**

The Advisory Board has the following responsibilities regarding citizen representation:
- Taking on an advocacy role on behalf of the citizens towards the Mayor and the municipal administration
- Actively promoting an urban and civic culture
- Encouraging the participation of all citizens, including women, youth and marginalized groups in municipal affairs
- Holding public hearings on important issues of public interest
- Supporting information mechanisms from the municipal administration to the citizens to improve transparency and accountability
- Assisting in resolving social disputes between residents of the city.

**6.2. Citizen Complaints**

The Advisory Board has the following responsibilities regarding citizen complaints:
- Supporting and monitoring the mechanism established by the municipality to hear, follow up on and respond to citizen complaints with respect to municipal affairs
- Referring complaints addressed to the Board to the municipal complaints handling mechanism
- Following up on the complaints and the actions taken to address them.

**6.3. Monitoring of Municipal Service Delivery**

The Advisory Board has the following responsibilities regarding municipal service delivery:
- Monitoring municipal service delivery and making recommendations for improvement of services, such as solid waste management and cleaning of streets, asphalting of roads and sidewalks and other infrastructure measures, culture and recreation, public parks
- Reviewing and giving advice on the delivery of municipal services to women, children and youth, and vulnerable groups (the poor, the disabled, the elderly and orphans)
- Supporting the municipality in implementing municipal master plans, strategic plans, detailed plans and improvement plans
- Making recommendations for discouraging land usurpation, informal settlements and any illegal construction.
6.4. Review of Municipal Budget, Development Plans and Contracts
The Advisory Board has the following responsibilities regarding the municipal budget, development plans and contracts:

- Participating in the consultation process to formulate the annual municipal budget and development plans, including public-private partnerships (PPP)
- Facilitating participatory planning and budget formulation by consulting with the citizens
- Reviewing and giving advice on the budget, development plans and PPP
- Monitoring the implementation of the budget, development plans and contracts and making recommendations

If the Board votes to disagree with an annual municipal budget, development plan or PPP contract, it will give its reasons in writing to the Mayor before the documents are signed. If the issue cannot be solved within two weeks, it will be referred to GDMA/IDLG for final decision.

6.5. Review of Municipal Fees and Charges
The Advisory Board has the following responsibilities regarding municipal fees and charges:

- Reviewing and giving advice on the rates of municipal fees and charges and on rent, lease and sale of municipal properties as well as identifying new sources of municipal revenue
- Encouraging citizens to pay municipal fees and charges
- Giving advice to the Mayor on municipal revenue enhancement that reflects the economic conditions of a community
- Promoting the commitment of the private sector for economic development of the municipality (Public-Private Partnerships).

6.6. Accountability of the Municipal Administration
The Advisory Board has the following monitoring functions:

- Monitoring the performance of the Mayor and municipal administration and making corrective recommendations
- Examining citizen complaints about the Mayor and other municipal officials
- Reporting and providing evidence on Mayor’s non-performance of duties, non-compliance with these Terms of Reference, or misconduct to the Provincial Governor
- If the Provincial Governor cannot solve the issue, it will be referred to GDMA/IDLG.

6.7. Municipal By-laws and Regulations
The Advisory Board may recommend to the Mayor by-laws and regulations applicable to the municipality based on the conditions in the city and in accordance with the effective municipal law.

Article 7: Relationships with GDMA/IDLG and other Government Entities
The Municipal Advisory Boards provide quarterly activity reports to the Mayor with a copy to GDMA/IDLG.
GDMA/IDLG can revise these Terms of Reference.
The Municipal Advisory Board cooperates closely with other Municipal Advisory Boards, District Councils, Provincial Councils and other institutions regarding municipal matters, including line departments.

Article 8: Suspension of Municipal Advisory Boards
8.1. State of Emergency
Municipal Advisory Boards can be temporarily suspended when the state of emergency is announced in the municipality, in the district or province where the municipality is located, or...
throughout the country. After the state of emergency has been lifted, the Boards will resume their activities.

8.2. Violations of the Terms of Reference
In the event that a Municipal Advisory Board acts contrary to these Terms of Reference or applicable laws or the Constitution of Afghanistan or provides a threat to public security, the Board can be suspended by the Provincial Governor. Pertinent institutions will investigate the matter and then GDMA/IDLG will take decisions on the re-installment of the Board or the conduct of a new selection process.

Article 9: Establishment of Municipal Advisory Boards
All provincial municipalities will establish Municipal Advisory Boards. Later, selected District Municipalities will also establish Municipal Advisory Boards. Municipal Advisory Boards are to be established within three months after the dissemination of these Terms of Reference and an official letter sent by GDMA/IDLG to the respective municipalities.

Article 10: Entry into Force
These Terms of Reference enter into force once signed and disseminated by IDLG.
Annex 3: The form of the questionnaire developed for the Municipal Survey 2013

Questionnaire for Municipality Validation

Name of Municipality:  
Province:  
Date:  

Instructions: Please answer ALL questions. If a question is unclear or requires a more detailed answer, you can attach an additional sheet with further information. Unless specified otherwise, all questions relate to the situation in the year prior to the date of the survey.

A. General Questions

1) Does the municipality have its own building?  
   □ Yes □ No
   a. If yes, please attach a photo of the building.
   b. If no, which building or office does the municipality use?  
      Please attach a photo of that building
   c. What is the address of the municipal building?

2) Please indicate the conditions of the municipal offices:
   a. Mayor’s office
      □ Organized □ Unorganized □ Clean □ Not clean
   b. Office of Department directors
      □ Organized □ Unorganized □ Clean □ Not clean
   c. Other office rooms
      □ Organized □ Unorganized □ Clean □ Not clean

3) Are these offices sufficiently equipped and furnished?
   a. Mayor’s office
      □ Fully □ Sufficiently □ Not Sufficiently □ Not at all
   b. Office of Department directors
      □ Fully □ Sufficiently □ Not Sufficiently □ Not at all
   c. Other office rooms
      □ Fully □ Sufficiently □ Not Sufficiently □ Not at all

4) Does the municipality have electricity?  
   □ Yes □ No

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62 TBFO 2013.
If yes, by which source?  □ City power  □ Generator  □ Other

5) Does the municipality have an internet connection?  □ Yes  □ No

6) Does the municipal administration use computers?  □ Yes  □ No

If yes, how many functioning computers are available? ____________

7) Which of these facilities does the municipal building have and in what condition are they?
   a. Security  □ Compound wall  □ Armed guards  □ Unarmed guards
   b. Kitchen
   c. Prayer room  □ For men  □ for women
   d. Bathroom  □ For men  □ for women

8) Does municipality have districts (Nahias)?  □ Yes  □ No
   a. If yes, how many districts does the municipality have? ____________

9) How many of the districts have operational offices? Please attach photos of the buildings and offices.

10) Are these offices sufficiently equipped and furnished?
    □ Fully  □ Sufficiently  □ Not Sufficiently  □ Not at all

11) Has the area of the municipality, its boundaries and the districts been defined?
    □ Yes  □ No
    If yes, please provide a map.

12) Has a survey been conducted in the municipality to determine the number of inhabitants?
    □ Yes  □ No
    If yes, what is the total number of inhabitants in the municipality and what was the year of the survey?

B. Tashkeel and Capacity

13. Does the municipality have a mayor?  □ Yes  □ No
   a. Mayor’s name
   b. Contact details (telephone, address, email)
   c. Photo of the mayor

14. Who appointed him/her?  □ IDLG  □ Governor  □ other (specify)

15. How long has he/she been in office?

16. What is his/her education level?

17. What is his/her previous work experience?

18. What is his/her standing in the community?
19. Does the municipality have an organogram (Tashkeel) that has been approved by GDMA/IDLG? □ Yes □ No
   If yes, please attach a sketch of this Tashkeel.

20. What is the total number of Tashkeel positions?

21. How many of the Tashkeel positions are filled?

22. What is the number of staff members on payroll?

23. What are the grades of the staff members on payroll?

24. Did the municipality hire any consultants or does it have staff members embedded by international partners?

25. If yes, please specify number and positions. □ Yes □ No

26. Who recruited and appointed the municipal staff members?
   □ Regular □ Contracted □ Consultant

27. How many staff members have approved documents to show that they have been officially recruited?

28. Is there an attendance book for municipal staff?

29. How many staff members sign in their attendance in this book?

30. Is there a Human Resources Department in the municipal Tashkeel? □ Yes □ No
   If not, which other staff member is responsible for Human Resource issues?

31. Are there personal records for each staff member? □ Yes □ No
   If yes, please bring a copy.

32. What are the levels of qualification of the staff members (only government employees)?
   No. of staff with Master’s degree _______,
   Bachelor’s degree _______,
   High School degree_______,
   Less than 10 grades_______,
   Illiterate_______,

33. What is the work experience of the staff members?
   No. of staff with 30 or more_______,
   10 or more_______,
   5 or more_______,
   1 to 5 years of work experience _________.

34. How many staff members are computer literate?

35. Does the municipality have a capacity building plan or strategy?

   Please attach a list of trainings provided to the mayor and the staff members in the past year and include the following information: Title of training, on-the-job or seminar, duration, number of staff members trained, implementer of training.
36. Did the mayor attend any exposure visits?  
   □ Yes  □ No  
   If yes, please specify the destination and objective of the trip.

37. Did any of the staff members attend exposure visits?  
   □ Yes  □ No  
   If yes, please specify the destination and objective of the trip.

C. Service Delivery and Infrastructure

38. Does the municipality have a Strategic Plan?  
   □ Yes  □ No  
   If yes, does it have a detailed work plan to implement the Strategic Plan?  
   If no, which actions were taken by the mayor to demand a Strategic Plan?

39. What percentage of the work plan is implemented?

40. What has the municipality done to raise public awareness about the Strategic Plan?

41. What percentage of land in the municipality are residential areas?

42. What percentage of land in the municipality are commercial areas?

43. What percentage of land in the municipality are unplanned areas?

44. How much land is considered for city expansion and development?

45. Is there an addressing system with street names and house numbers?  
   □ All districts officially covered  □ Some districts officially covered  
   □ Mostly unofficial addressing

46. How many km of road does the municipality have?  
   asphalted _______  gravel _______  sand _______

47. How many km of sidewalk does the municipality have?  
   paved _______  unpaved _______

48. Are there street lights?  
   □ Yes  □ No  
   If yes, how many?

49. How many culverts does the municipality have?

50. What is the condition of the canalization system?

51. How many km of drainage does the municipality have?

52. How many markets does the municipality have?

53. How many slaughterhouses does the municipality have?

54. Does the municipality have a cold storage area?  
   □ Yes  □ No

55. How many parking lots does the municipality have?

56. How many public latrines does the municipality have?
57. Does the municipality have a solid waste system in place? □ Yes □ No

58. How often is solid waste collected in each street?

59. Where is the solid waste deposited?

60. Does the municipality regularly clean the streets and canals? □ Yes □ No
   If yes, how often?

61. Are there public garbage bins? □ Yes □ No

62. Does the municipality remove snow in the winter? □ Yes □ Partly □ No

63. What is overall appearance of the city in terms of street cleaning?
   □ Very clean □ Somewhat clean □ Very dirty □ Illegal dump sites

64. How many parks does the municipality have?

65. Are these parks used by the citizens for recreation?

66. Are there greening activities conducted by the municipality?

67. List the number and condition of equipment and tools that the municipality has:
   a. Heavy-duty vehicles (loaders and trucks)
      □ Good condition □ Bad condition □ Not functioning
   b. Other vehicles (cars, tractors, busses, Zaranj)
      □ Good condition □ Bad condition □ Not functioning
   c. Carts
      □ Good condition □ Bad condition □ Not functioning
   d. Shovels and brooms
      □ Good condition □ Bad condition □ Not functioning
   e. Other (please specify)
      □ Good condition □ Bad condition □ Not functioning

68. Are there any public-private partnership projects in the municipality? □ Yes □ No
   If yes, please give details.

D. Revenue and Finances

69. Has the municipal budget for the current financial year been approved by GDMA/IDLG? □ Yes □ No
   If yes, what was the approved budget?
   If not, does the municipality have resources to cover operational costs and fund projects?

70. Which are the active revenue sources?
71. Which are potential revenue sources that have not been considered yet?

72. Does the municipality issue business licenses?

73. How many businesses are currently registered?

74. What has been the revenue from the business licenses in the ongoing financial year?

75. Does the municipality collect Safayee? □ Yes □ No
   If yes, how many households pay Safayee?

76. What has been the revenue from the Safayee in the ongoing financial year?

77. What is the total amount of pending dues?

78. What actions were taken to recover those dues?

79. Which assets and properties does the municipality own?

80. What is the estimated overall value of these assets and properties?

81. Which share of the municipal properties is leased?

82. Is the lease based on current market rates? □ Yes □ No

83. Which financial management systems are in place?

84. Are computerized systems being used?

85. Who authorizes expenditures?

86. Which bank accounts does the municipality have?

87. Who has the authority to sign the bank checkbook to withdraw money from the bank?

88. Is there an internal controlling mechanism in place for revenue administration?

89. How is ensured that municipal fees, charges and revenues collected are not used for private gain?

90. What general transparency and accountability measures are taken by the municipality to minimize corruption and misuse of funds?

91. What actions were taken by the municipality to create a positive competition amongst the businesses in the municipality to provide goods, services and consumable items?

92. What actions were taken by the municipality to control the quality of the imported goods and consumable items in the market?

E. Public Outreach

93. Does the municipality organize community gatherings? □ Yes □ No
   If yes, how often?
94. What are some of the topics discussed at those public gatherings?

95. Does the municipality hold consultation workshops with specific groups of society?
   □ Yes  □ No

If yes, which groups are consulted?
   □ Women   □ Youth □ Business representatives and engineers
   □ Religious authorities   □ Community representatives □ Others

96. What are some of the topics discussed at those consultation workshops?

97. Is there a permanent citizen representation body? □ Yes  □ No
If yes, How often does that meet?

98. Who is a member of that citizen representation body?

99. Is the municipality aware of the GDMA Terms of Reference for Municipal Advisory Boards?
   □ Yes  □ No

If yes, is it implementing them?

100. What are challenges in the functioning of the Municipal Advisory Boards?

101. Does the municipality have a community hall or community center? □ Yes  □ No
     If yes, Which activities are taking place in the community hall or community center?

102. How can citizens address the mayor and the municipality?

103. Does the municipality have complaints handling procedures in place?

104. Is there a Customer Service section?

105. Does the municipality building have facilities for visitors? □ Yes  □ No
      If yes, which facilities? □ Waiting room □ Prayer room
      □ Bathrooms for men and women □ Others _____________________________

106. Is there a standard phone number for citizen inquiries? □ Yes  □ No

107. Does the municipality have any specific awareness programs? □ Yes  □ No
      If yes, please specify_____________________

108. Does the mayor make public appearances on radio and TV?

109. Are there public notice boards displaying information on the municipality?

110. Does the municipality have a website? □ Yes  □ No
      If yes, □ Approved by GDMA □ Not approved by GDMA

111. Does the municipality publish a magazine and/or newsletter? □ Yes  □ No
If yes, how often is it published?

112. Does the municipality publish brochures and flyers? ☐ Yes ☐ No
If yes, on which topics?

113. Which projects and activities does the municipality offer specifically for marginalized groups?
   a. Women:
   b. Youth:
   c. Disabled:
   d. Orphans:
   e. Other groups:

114. Which other community engagement activities does the municipality organize?