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Mine Action in Afghanistan

Transitional Options

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Consultancy for the UNDP Bureau of Crisis Prevention and Recovery

March 2003

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ACRONYMS

AACA	Afghan Assistance Co-ordination Agency
ATC	Afghan Technical Consultants
ARCS	Afghan Red Crescent Society
BCPR	Bureau for Crisis Prevention and Recovery
CDAP	Committee for Disabled Afghan Peoples
DAFA	Demining Agency For Afghanistan
DMC	Department for Mine Clearance
DPKO	Department of Peace Keeping Operations
HALO	Hazardous Area Life support Organisation
ITSA	Islamic Transitional State of Afghanistan
LIS	Landmine Impact Survey
MACA	Mine Action Centre for Afghanistan
MAPA	Mine Action Programme for Afghanistan
MAWG	Mine Action Working Group
MCPA	Mine Clearance and Planning Agency
MDC	Mine Dog Centre
META	Mine Evaluation and Training Agency
MOD	Ministry of Defence
NMAA	National Mine Action Authority
OCHA	Office Co-ordinating Humanitarian Affairs
OMAR	Organisation for Mine clearance and Afghan Rehabilitation
SRSG	Special Representative of the Secretary General
TOR	Terms of Reference
TQM	Total Quality Management
UNAMA	United Nations Assistance Mission to Afghanistan
UNDP	United Nations Development Programme
UNICEF	United Nations Children's Fund
UNMACA	United Nations Mine Action Centre for Afghanistan
UNMAS	United Nations Mine Action Service
UNOPS	United Nations Office of Project Services
UXO	Unexploded Ordnance
VTF	Voluntary Trust Fund

EXECUTIVE SUMMARY

This report examines the options for transition from a United Nations Mine Action Centre for Afghanistan (UNMACA) to one under national government management. The report was commissioned by the UNDP Bureau of Crisis Prevention and Recovery in February 2003.

The text of the report discusses four options for transition, and provides background to the conclusions and recommendations.

The main recommendation is the establishment of a National Mine Action Authority to combine the roles of the Department of Mine Clearance and the Mine Action Centre for Afghanistan.

Two major concurrent activities took place during the mission period: (a) strategic planning workshop 1-10 March, and (b) the formation of a Mine Action Working Group, as a co-ordinating body involving government, donors, UN and implementing agencies. In the dynamic political environment of Afghanistan it is perhaps inevitable that some overlap of activities occurs as was the case during this mission.

While transition process and arrangements should commence as soon as possible, the conclusion of a transition period should not be expected in the near future, and realistically not until after the scheduled state elections of 2004. In addition to operational productivity, building an effective national capacity to manage the landmine problem in the longer term is a key goal. To maintain operational productivity and continue reduction of impact from mines during the process, requires that the transition should carefully be managed. Governance lessons should be drawn from the recent UN transitional experiences in Cambodia, Bosnia and East Timor. While state elections are a mark of a developing government progress, they could represent the opening chapters of a journey to security and development. The situation today represents the commencement of a period when UN development support is at its most crucial.

It should be noted that questions of timing, governance, roles and management of mine action are already being asked by donors and from within government; therefore articulation of the transitional planning and decision-making process will go some way to managing these concerns. The process should be implemented through a carefully managed (and measured) implementation plan, which drives a transfer of management responsibility to that of national ownership.

The international community must also recognise that even the best transition arrangements will not eventuate if key government members are not included in the process in a relevant and meaningful way, especially in the current initial phases. The speed and timing of government processes may not suit some international agencies and some donors, although the value of time spent gaining a broad coalition of understanding and its support cannot be overstated.

A basic 'check' principle (or ideal) to apply to manage transitional change is that each 'change' should be evaluated against its impact on operational effectiveness. While the ideal would be that operational outputs should constantly improve, a reality may be that of short-term operational penalties while focus is placed on developing national management. The investment in developing governance issues and enhancing national capacity should lead to improved programme sustainability and impact over the longer term. The point is that the consequence of 'change' should be fully considered before changes are made.

Conclusions

- The Mine Action Programme for Afghanistan under the UNMACA appears to be functioning well under current political conditions, albeit with many management areas, (operational and support), in need of enhancement; these areas have, in the main, been identified by the MACA management team.
- The process of transition should be managed by the Government with UN support.
- The MACA is the prime organisation that is able to guide the transition process.
- Communication between all UN agencies, donors, implementing NGOs, MAPA, and particularly the national government needs to be improved. The recent establishment of the Mine Action Working Group is encouraging, and expectations should be high of this group.

- Given the experiences from other countries and the “transitional” environment in Afghanistan, the transition process should be carefully staged and not rushed. Due recognition should be given to potentially lengthy decision-making time within government, particularly since as other sectors are equally transitional. The key to minimising decision making time and ensuring ‘balance’ with other sectors is for effective pro-active communication with Government and of ensuring an opportunity for participation and understanding of each step.
- The process of transition has already started and can progressively develop. At present, ‘ownership’ of the transition process is effectively everyone and no-one; government should be encouraged to reconfirm a mechanism or department with which to provide a coordinated liaison function.
- Donor communication and co-ordination is focused by the MACA with assistance from UNMAS and UNDP in New York, through a series of reports, appeals and visits. The ongoing development and acceptance of a realistic strategic plan for the MAPA will go some way in ensuring an effective partnership with the donor community. Evaluation of performance in project and programme impact terms should be encouraged and is an area where the UNDP country office should take a lead role, (being external to the details of the MAPA and in a position to consider a wider multi sector perspective).

Recommendations for the Mine Action Programme for Afghanistan

- Promote better understanding of the sector throughout government, donors and associated agencies. The vehicle of the of the Mine Action Working Group (MAWG) is a major component part and opportunity for the ‘communication’ process. Other communication activities will be needed, e.g. ministerial briefings, facilitating inter-ministerial discussions / workshops, hosting field visits etc. Understanding (at least a two way process) should not be assumed and should be confirmed, evaluation of the operational work planning processes provides a suitable vehicle for this.
- Assist the government to establish an appropriate National Mine Action Authority (NMAA), (by presidential decree)
- Establish an appropriate secretariat and external relations department within this authority to support the MAWG.
- The existing MACA should assist in the transition process by training NMAA staff, second or transfer staff and hand over responsibilities to the NMAA based on a well co-ordinated transition plan
- The NMAA should review development of both staff and organisational capacity.
- Produce an institutional training development plan to enable international managers to revert to being advisors and be replaced by national managers.
- Maintain UN Programme Management on behalf of the government until a mutually agreed hand over period can be identified.
- Develop a process that combines the responsibilities of the current Department of Mine Clearance (of the Office of Disaster Preparedness) and the MACA within a NMAA.
- Monitor performance against work plans through the full adoption of quality management and management audit procedures.
- Fill the vacant staff post of a deputy director policy, and enhance the scope of the post to become a national / international policy team.
- In principle, recognising the need for capacity building, partnership and effective communications, national and international staff should be included in the membership of any programme review or study teams.

Explanation of the recommendations is within the report. The process of transition in terms of national staff development for middle management positions and field operations is already well developed. The process now will need to focus on developing senior national management positions within the MACA and on developing a National Mine Action Authority with appropriate structure, resources (staff and equipment), reporting responsibilities and legislative framework.

Recommendations for UNDP

- Actively participate in and assist the MAWG process to become an effective co-ordination, policy setting and information sharing body.
- Provide UNDP staff assistance to the MAWG secretariat, for example a Programme Office with national and international staff.
- Assist the government to establish the National Mine Action Authority.
- Assist in the general capacity building and governance opportunities for the MACA and a National Mine Action Authority.
- In harmony with other UN Agencies and Government prepare the substance of a UNDP Project Document or alternative mechanism to contract the transfer of responsibility from a UN managed programme to one with UN assistance.
- Investigate the use of country specific Trust Funds to support Mine Action in Afghanistan as an alternative to prolonged use of the UNMAS Voluntary Trust Fund (VTF). (Funds are currently managed by MACA and UNDP in country, and by UNMAS and UNOPS in New York, this mixture of financial responsibilities is a source of tension in itself, particularly if delays of disbursing funds or placing contracts are perceived, streamlining fund management may be useful).
- Assist in financial and management support to the Landmine Impact Survey and subsequent use of the data as a national planning tool.

It was noted that a number of externally supported studies and activities were being planned for the programme. While the interest and attention of the mine action community and the programme management is encouraging, there is a danger of the organisation being overburdened and distracted from core business.

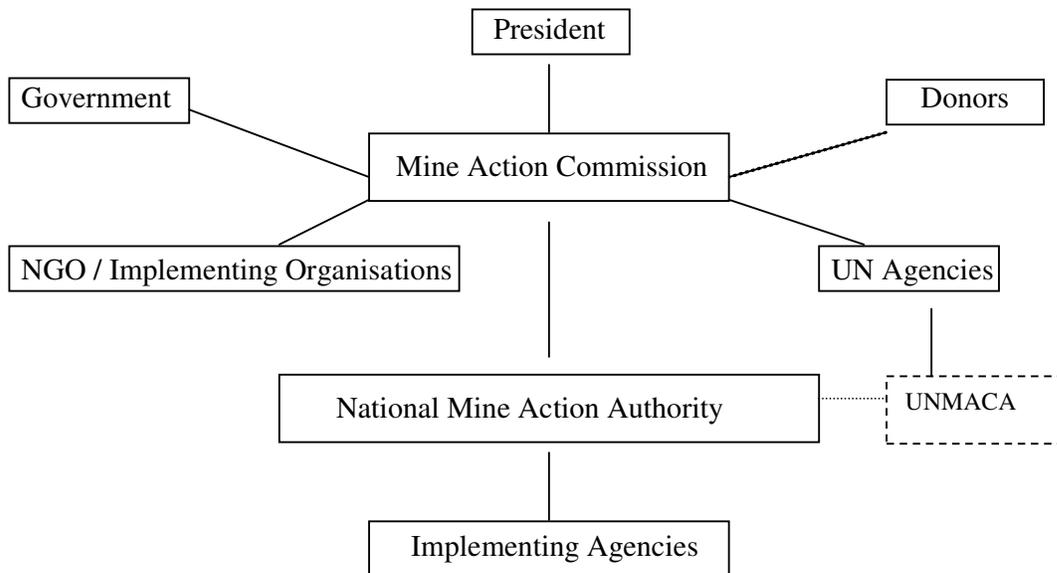
The sequence and timing of support activities should be carefully managed to enable programme staff to have time to complete priority work-plans. Decision making authority and processes should be devolved as far forward as possible.

A word of caution is raised about how the Afghan Mine Action programme is upheld as an example to the rest of the mine action world. It may be prudent to recall Cambodia in its days as a self-proclaimed centre of excellence, just prior to its temporary downfall. The programme in Afghanistan is remarkable by any standards, the people who set it up and those who work it today are professionally dedicated, none more so than the directors of the Afghan NGO's who have overcome difficulties which are almost impossible to describe. However expectations of programme performance are now raised and a spotlight of attention, for the time being is on Afghanistan. The programme will therefore be expected to stand up to close scrutiny.

It should be remembered that before 'September 11', the programme had lost much of its former donor support, as donors had tired of the drain of seemingly endless grants to Afghan NGO's. Reliance on the UNMACA was good for co-ordination but not for NGO independence. The programme has operational depth, but its work planning and accountability in terms of effectiveness and finance and asset control is potentially weak (and acknowledged as weak by the programme staff). *It is in these areas that developing management systems will need to be supported if the programme is to meet the expectations of the more informed community of the Mine Action Working Group and enable the 'transition' of best practices to national ownership.*

Summary

Government support should be sought to legally mandate and establish a National Mine Action Authority, this authority will need management and oversight through the establishment of a policy setting Mine Action Commission, (reflecting the key stakeholders). The National Mine Action Authority would then be charged with the responsibility of executing national policy and evaluation of the effectiveness of implementing agencies.



1. Introduction

“Within the UN system, the United Nations Development Programme will be responsible for addressing the socio-economic consequences of landmine contamination and for supporting national/local capacity building to ensure the elimination of the obstacles they pose to the resumption of normal economic activity, reconstruction and development. When applicable, UNDP will have primary responsibility for the development of integrated, sustainable national/local mine action programmes in situations where the problem of landmines is not only a humanitarian emergency. It will work closely with UNMAS and share all relevant information”¹

- 1.1. This mission was instigated by the UNDP Bureau of Crisis Prevention and Recovery, as a ‘follow up’ activity to a joint UNMAS, UNOPS, and UNDP mission to Afghanistan, which had taken place during the period 6-16 December 2002. The intention was to further transitional planning by engaging government and local officials to determine their needs and expectations and to make recommendations to UNDP on potential options (See mission Terms of Reference at Appendix One).
- 1.2. The timing of the mission coincided with a number of related activities taking place in Afghanistan, which by the necessity of sequence limited the outreach and consultation of the mission, these being:
 - A consultative group process, which led to the establishment of the Mine Action Working Group.
 - A higher priority comprehensive national budgetary process across government occurring, therefore ministerial time at an appropriate level was unavailable.

¹ UN Mine Action Policy

- A mine action Strategic Planning workshop (1-10 March) was the focus of programme staff attention and dominated activities for the period of the mission. Elements of the workshop also covered transition planning.

1.3. This had the following impacts on the mission:

- It was not appropriate for the consultant to communicate directly with government agencies, as the MAWG was to be the forum for doing so, and had to be allowed timely opportunity to initiate ministerial discussions.
- The recommendations within this report have therefore not been discussed at appropriate ministerial level.
- The programme (MAPA) focus of attention during the mission was the Strategic Planning Workshop
- Attendance at the Strategic Planning Workshop was hoped to have included wide donor and ministerial representation. Unfortunately, many of these people were not able to attend the workshop, as they were committed to the national budgetary processes. This mission therefore was not able to complete wide dialogue on the options as had been planned.

1.4. With the benefit of hindsight, the timing of this mission was premature. At the time and in discussion with UNDP it was decided to continue the mission, allowing the process to provide an external 'snap shot' review of the situation and an opportunity to assess options. UNDP wishes to continue dialogue with government about transitional options.

2. Mission Aim

- 2.1. The aim of this Mine Action Consultancy is to further the work of UNDP and UNMAS by engaging government and local officials to determine their needs and expectations, and making recommendations to UNDP on potential courses of action.
- 2.2. Given the constraints outlined above with regard to access to government, the mission did not achieve this consultative aim. However an assessment of 'transitional' need and confirmation of options was possible.

3. Background

- 3.1. A number of planning missions and discussions had taken place in Afghanistan and New York looking towards the future of mine action for Afghanistan and the role of the United Nations in supporting the government. Lead responsibility for UN support to Mine Action in Afghanistan has been with UNMAS since the transition from OCHA in June 2002.
- 3.2. Recent events included a meeting between Mr Martin Barber (Head of UNMAS) and Mr Lakhdar Brahimi (Senior Representative of the Secretary-General for Afghanistan) which took place on 29 January 2003 in New York. The meeting included a statement from the SRSG that a firm decision on the status of the Mine Action Centre for Afghanistan (MACA) vis-à-vis the government should not be finalised in the immediate future. He recommended that planning for any hand-over or reorientation of the MACA status should focus on this occurring after the elections in 2005².
- 3.3. The elections are planned for mid 2004, the period until 2005 is recognised as indicating the need for a settling in period of a new government.

The process for 'transition' from UN to National government ownership should be considered in terms of years and phases:

Phase 1 – preparation 2003 – 2005;

Phase 2 – advisory, finance support and development as required 2005 -2013;

² UNMAS file note dated 29 January 2003

- 3.4. The SRSR also noted that the government, with international encouragement, was planning to privatise many formerly public institutions, and that an early shift to any form of parastatal status for management of Mine Action would not be appropriate.
- 3.5. A joint UNDP, UNMAS, and UNOPS mission had visited Afghanistan during the period 6-16 December 2003. From this UN mission and echoed by recent donor reports and indeed this consultancy missions, four options for the future of managing mine action in Afghanistan are introduced:
 1. Maintaining the current status quo.
 2. Strengthening the Department of Mine Clearance (DMC) within the Office of Disaster Preparedness (ODP).
 3. Attaching the mine action programme to an appropriate line ministry.
 4. Establishment of a parastatal or semi-government mine action authority.
- 3.6. This mission was then charged to examine in more detail the feasibility of the above options, and identify the supporting role of UNDP.

4. Context

- 4.1. The Mine Action Programme for Afghanistan (MAPA) is one of the largest and most developed responses to landmine contamination in the world. UN support to mine action in Afghanistan dates back to 1989 when UNOCHA began supporting NGOs operating in the field and co-ordinating their activities and those of donors. The primary co-ordination mechanism, the Mine Action Centre for Afghanistan (MACA) remains under UN auspices.
- 4.2. With the resurgence of international military activity in 2001/02 and the establishment of a Transitional government in Afghanistan, the need for external UN governance was negated and the UN responsibility for support for mine action was transferred from OCHA to UNMAS in June 2002. For the first time programme management could move to Afghanistan from Pakistan and be established in Kabul, working alongside a national government. At the time of writing, these arrangements had been in place only for a matter of months.
- 4.3. With the new political structure in Afghanistan, national and local authorities are assuming increasing responsibility for activities in the country. An eventual transition of the UNMACA functions to a national entity therefore must be envisaged. Donors and government are clear in an expectation that this should occur, although in the absence of a detailed strategy, there are wide variations of opinion about the timing and nature of transition.
- 4.4. While obvious to state, this newly formed government faces similar challenges across all sectors. A whole of government approach may well prioritise health and education, for example, over mine action. The mine action sector, and donors, must be sensitive to the establishment of national priorities.
- 4.5. The challenges of establishing effective government processes and providing appropriate UN support are considerable and dynamic. It should be of no surprise that during this emerging process, options and the timing of their implementation change frequently. What is consistently clear is the recognition that international financial support to assist mine action will be required for some years to come and that the UN will have a lead role in co-ordinating this process.
- 4.6. Within the Afghanistan government administration the Office of Disaster Preparedness (ODP) is the designated government organisation responsible for mine action and within ODP a specific Department of Mine Clearance (DMC) has the working responsibility for this activity. This government linkage predates the establishment of the current Afghan Transitional government and is explained in more detail in section 9 of this report.
- 4.7. Since 1989 mine action has been managed on the behalf of Afghanistan directly by the United Nations. Today the Mine Action Centre for Afghanistan is directed by UN international staff, with national Afghan staff in subordinate management roles. The operational implementation of

programme activities, under the co-ordination of the MACA, is in the main carried out by Afghan led organisations (Afghan NGOs), and fewer International NGOs.

- 4.8. National elections are scheduled to take place in mid 2004, during this interim period the Islamic Transitional State for Afghanistan, with strong assistance from many sectors of the international community is laying the foundation platforms for future governance. In March 2003 a national budget process takes place, and in October 2003 a new National Constitution is scheduled for completion. At present, ministries are still in the process of establishment and development, given the recent history of the country, little national experience in the practical application of modern government exists.
- 4.9. During the period of this mission many high level ministerial activities connected with the preparation of national budgets were taking place. A Consultative Group process has been established which involves government, donors and UN agencies addressing the needs of different sectors. Advisory Groups have been established to look at cross cutting issues, and in the case of Mine Action, a Working Group has been instigated.
- 4.10. This Working Group process, recognised Mine Action as a cross cutting topic and is seen as being the forum for dialogue and promoting better understanding of the Mine Action issues. Given that the Working Group was being established during the this mission period it was considered by the consultant, UNDP and the UNMACA, that additional independent dialogue with government, in parallel with the working group process would have been inappropriate at this time. The working group alone will not provide sufficient 'communication' processes for all stakeholders and additional inter-ministerial dialogue, donor consultation etc. will need to be facilitated by the UN staff.

5. Current Activities

UNMACA

- 5.1. The Transitional Government of Afghanistan requested that the UNMACA be maintained as the co-ordination body for Mine Action. This is authorised by a Letter of Understanding establishing the MACA as a Programme Secretariat up until 31 March 2003. The letter is signed by: Ashraf Ghani Ahmadzai, as Executive Director AACA, Haji Khan Jan Director ODP/DMC, Richard Daniel Kelly Programme Manger MACA, Nigel Fisher Deputy SRSR-RRR.
- 5.2. Under the authority of this Letter of Understanding, work planning, project appeals and programme management is carried out by the UNMACA at a central level and through eight Area Mine Action Centres which co-ordinate field operations. All implementation of operations is contracted to NGOs.

Consultative / Advisory / Working Group Process

- 5.3. The challenges for the establishment of government pose a practical experiment of differing academic models of assistance. A number of aid co-ordination and budget planning mechanisms have been applied along with a wide range of complementary donor, NGO and private initiatives. The current primary mechanism assisting the establishment of government budgets / priorities and providing access to donor support has been the establishment of a Consultative Group, Advisory Group and Working Group process.
- 5.4. Under this mechanism communication between ministries, international and national agencies and donors is envisaged. Mine action is recognised as a cross cutting activity, impacting on many areas of humanitarian aid and development. A specific Mine Action Working Group has been established as one of three working groups under the title of National Security and Development.³ The aspiration is that this Working Group will serve as a forum for advising the 12 Consultative Groups, covering specific development sectors and also as a mechanism that can advise on the transition process for mine action.

³ The other two are: (1) Disarmament Demobilisation and Reintegration and (2) Counter Narcotics.

- 5.5. The first meeting of the Mine Action Working Group took place on 6 March 2003, under the focal point co-chairmanship of Canada and MACA, (the draft Terms of Reference (TOR) for the Working Group and a supporting concept paper are attached appendix 4 and 5). The first meeting provided a forum for explaining the TOR and the aspirations of the group as seen by the UNMACA. Due to the number of concurrent government activities attendance at the inaugural meeting was less than optimum, with few ministries and donors represented (although usefully the Ministries of Defence and Interior were both present).
- 5.6. The Consultative Group process is being driven at a rapid pace, primarily to enable budgets to be prepared and presented during mid March 2003. The aspiration is for the MAWG to feed in to these budget processes, albeit retrospectively. The second meeting of the MAWG is scheduled for 30 March 2003.
- 5.7. The 'briefing process' to enable the MAWG to function as a well-informed group is a considerable undertaking. The group membership will need different levels of briefing and tactful capacity building. The process will be two way, with the Mine Action community having to recognise balance with other priorities and activities. The briefing process therefore has to be targeted, simple, easy and thorough. One on one discussion, field visits, workshops etc. are all part of the briefing process. This is a major task that requires considerable dedicated resources to back it up and much senior management time to implement. Work planning provides the relevant vehicle for briefing.

Strategic Planning Workshop

- 5.8. During the period 1 – 10 March a Mine Action Strategic Planning Workshop took place in Kabul as a mechanism for validating the current Ten Year Afghan Mine Action Strategic plan. This was facilitated by Cranfield Mine Action (of the UK Cranfield University) The process of strategy development by necessity examined a range of external and internal factors including the 'transition' processes. The Cranfield report is expected in early April and will lead to a revised strategy document from the MACA.

Landmine Impact Survey

- 5.9. Already planned for the near future is a fourteen-month Landmine Impact Survey. This survey will cover all communities in Afghanistan with the results feeding in to the emerging strategic plans. The survey is funded by the EC and will be carried out by the NGO Survey Action Center through a UNDP contract.

6. Future Activities

- 6.1. If a normal process for management of mine action exists, then in the context of Afghanistan it might go along the following lines: UN Mine Action Co-ordination, under the UNMAS office within DPKO, maintaining operations until a time when the 'emergency' transitions to 'development'.
- 6.2. At the commencement of the development phase it would be anticipated that the national government is in a practical position to assume national responsibility for mine action. At this time the supporting 'capacity building role' may transition from UNMAS to UNDP responsibility (in line with UN Mine Action Policy). Programme management would then be under taken by national staff with international advisors assisting, (but only if requested by government).
- 6.3. From an assessment of initial meetings with international staff at the UNMACA, UNDP and with all of the national NGO directors the following consensus of opinion for the future emerges:
 - Retain the current working system of the UNMACA until after national elections in 2004 and a new government is established.
 - Government was not yet able to take over the effective co-ordination and management of mine action and that passing responsibility to government prematurely, is likely to result in replacement of key management staff with unqualified staff.

- Any early move to government control would have an adverse effect on retention of staff, maintenance of appropriate salaries, operational neutrality and performance.
- A process of capacity building to enable Afghan programme management should be further developed.
- The ODP was not the right organisation to manage mine action within government.
- Discussions with government should be carefully managed to ensure best understanding of opportunities.
- The international donor community would not support an inefficient organisation and early transfer of responsibility, before a suitable transition process is completed, may lead to a funding crisis.
- Ideally, a form of parastatal organisation should be established, and authorised on behalf of government to co-ordinate mine action, this should work under the stewardship of a Steering Committee comprising of government, UN, international donor and implementing organisation representatives.
- Work planning mechanisms needed to be refined
- The strategic plan needed to be validated and refined.
- Quality management systems needed to be developed and proven, to enable a hand over of a fully 'accountable' operation.
- That appropriate time should be given for the development of national management capacity at both a programme and national strategic level.

7. Transition Options

- 7.1. From discussions with Afghan officials, donors and UN Staff it emerged that there is a general consensus that an appropriate national institution should be supported, equipped and trained to be responsible for management of all aspects of mine action in Afghanistan. A number of options were discussed and are examined below.

8. OPTION 1: Maintenance of the Status Quo:

"The Afghan Transitional Authority has asked the UN to manage mine action in Afghanistan on temporary basis. MAPA has been managed by the UN since its establishment in late 1988. Main reason was absence of a strong and internationally recognised government in Afghanistan.

However, this is not the case anymore. The government puts strengthening and establishment of effective institutions high in its list of priority. One option is to expedite Afghanization of the Mine Action Centre for Afghanistan and hand-over MACA to the Afghan government. This is an attractive option in the short term. However, questions such what will the home of MACA within the Afghan government and whether the trained staff with relatively current high salaries would continue to work for the government are to be answered.

MAPA national and international managers, the UN mine action partners in NY (DPKO, UNDP, UNICIF and UNOPS), the UNDP CO, and senior management of UNAMA urge that an effective Afghan national mine action capacity should be instituted. Most emphasised that this should be done prior to the planned election in 2004."⁴

⁴ UNDP draft December 2002 mission report

Comments:

- 8.1. Since the above statement it appears that some confusion between agencies may have occurred over the meaning of 'transition'. Transition is recognised as a 'process' that needs to be planned and progressed now. Transition is not an option it must continue to happen but it is not anticipated to conclude with a final transfer of responsibilities until well after the 2004 elections.
- 8.2. The (UN) MACA, is managed at a senior level by international UN contracted staff supported with a number of international Technical Advisors and Afghan middle managers, this has been the case ever since the establishment of the programme in 1989. MACA has a central office in Kabul and 8 x Area Mine Action Centres (each under the management of a national staff member) covering the 32 provincial areas.
- 8.3. Within the MACA, national staff are utilised at different middle management levels, with the national Operations Officer occupying the most senior of the national staff posts. A position of a Deputy Director, Policy Officer exists but has not been filled.
- 8.4. Currently no firm plans exist to introduce a national staff member as the programme manager or as direct counterparts for key international staff, indeed there is a perception at a programme level among some of the international staff that maybe this should not happen, (with an understandable emphasis being on operational outputs and safety of the Afghan population). Statements in published documents (such as the Strategic Plan and Transitional Authority budget planning documents) put great emphasis on capacity building and that each international staff member will have a national counterpart who will be gaining capacity during the necessary restructuring and reforms within the MACA. In practice this transfer of skills process would benefit from being more structured, and each international advisor / manager should have assigned counterparts with whom to focus a transfer of skills.
- 8.5. **Recommendation:** maintaining the status quo while planning transition is a very sound option for the short term, and in reality is the only feasible option if operational effectiveness is to be maintained. However the following would need to happen:
 - An objective review of the new Mine Action Strategy should include an assessment of the comparative advantage of UN rather than national management control. At one extreme for example, if the high impact areas really could be cleared within five years, (as projected in strategy documents) then a strong argument / justification for the retention of UN / international programme management rather than a transition to national management may be developed. This example is hypothetical but the results of the pending LIS and follow up technical surveys will need to be reviewed and will assist in the definition of the way forward.
 - The areas of work-planning, quality management and management accounting will need to be developed to make them transparent and visible to management. The management audit of the work plans and processes will assist in reviewing programme efficiency, effectiveness and capabilities.
 - The programme should have a management structure / human resource review as part of the process of staff and institutional capacity building. This should establish a process for identifying international staff posts for transfer to national staff and the provision of a training/ advisory plan to support this transfer. The UN Programme Manager has a well-developed and funded project for the 'management review' of NGOs; it would be appropriate to expand the terms of reference for this mission to review the MACA management structures at the same time.
 - Option 1 is supported as the foundation for moving to Option 4, over the time frame of 2003 through to 2005. This time frame will need to be monitored to ensure adequate progress across a number of co-dependent activities.

9. OPTION 2: Strengthening the Department of Mine Clearance (DMC) within the Office of Disaster Preparedness (ODP):

"The Department of Mine Clearance was established during the Najibullah regime in early 1990s. An inter-ministerial commission chaired by the Prime Minister was envisaged to provide policy and operational guidelines to DMC. This arrangement, however, never worked out as expected.

Weak governance, frequent change of regimes and with it change of personal, lack of resources etc. are some of the reasons. However, main reason mentioned in almost all the meetings is that DMC is positioned very low in the hierarchy of the government bureaucracy and it never has had a strong voice to make its case within the government or to the international community. With its existing institutional arrangements, it is hard to envision that DMC will be any more effective in the future.

If DMC is to be effective, a number of key institutional changes are to take place. Among them should be elevating DMC and putting it much higher in the government hierarchy⁵,

Comments

- 9.1. Qazi Tajuddin Siddiq, the current Director of Office of Disaster Preparedness (ODP) had recently taken up his position. My meeting with him on 25 February 2003 was apparently the first he had had with someone from the mine action community. MACA staff stated that he had not seen them yet, an interesting illustration of perceptions of who should meet whom and where responsibility for initiation lay, but driven by an assumption on behalf of the MACA (and UNDP, Afghan NGO Directors, and the Director of the ARCS) that ODP were not worth dealing with.
- 9.2. The ODP Director expressed clear commitment to supporting the mine action programme and he asked for assistance and advice to do this. He outlined an aspiration for independence from the Office of Administrative Affairs enabling direct reporting to the President's Office which he thought would be more efficient. [The Office of Administration is portrayed as a heavily bureaucratic department with a reputation for inefficiency].
- 9.3. ODP has responsibility for Disaster Preparedness mainly for natural disasters. It was established in 1971, with a Department for Mine Clearance (DMC) being added in 1994. The DMC has a staff of approximately 34 people in the Kabul office; they attend internal MACA, and some international meetings.
- 9.4. Although the nominated government counterpart office, DMC acts mostly in a reporting role to the government. In the spirit of capacity building UNMACA has had some members of the DMC attend middle management courses, and the HALO Trust have taken the initiative to place one of their senior field managers (who had attended the UNDP Senior Management Course at Cranfield Mine Action) within the DMC in a support / liaison role. DMC staff are on civil service salaries which are well below MAPA salaries, their equipment and office facilities reflect a general under-resourcing of the civil service.
- 9.5. In discussion I noted some frustration from the DMC that inter-ministerial communications were being directly undertaken by the MACA, without the involvement of ODP and also that donors did not deal or meet with ODP/DMC.
- 9.6. The summary of external comment that I received on the ODP /DMC was of an ineffective organisation with low ranking below ministries, it was perceived as being an inappropriate office for ensuring the correct cross cutting profile for Mine Action.

⁵ Draft UNDP December 2002 mission report

- 9.7. In a separate meeting the head of the DMC expressed an aspiration to be independent from the ODP with DMC having its own autonomy and reporting directly to the Presidents Office. In effect, this would be to change the mandate of ODP to deal only with natural disasters; Mine Action, as a man made disaster, would be treated differently and have a new discrete organisational entity.
- 9.8. **Conclusion:** the reporting functions of the DMC to government should be recognised. The separation of responsibilities for government reporting reflects a time of a government entity and a separate UN entity, there is now no need to retain two national entities doing the same reporting function. Given that the MACA has all of the information and operational co-ordination activities, then the current DMC tasks of reporting and those of the MACA could be combined within one National Mine Action Authority.
- 9.9. Strengthening the ODP /DMC to enable them to assume the management of mine action is not recommended as a viable option, or a management vehicle, for transition.

10. OPTION 3: Attaching the Mine Action Programme to a Line Ministry

“This would address some of the current issues as mine action will have a home and guardian with the government that would ensure it receives due attention at the highest level. Major draw back is identifying appropriate ministries. The success of MAPA and level of funding may open competitions between a number of ministries and it is most likely that the stronger ministry such as defence would win. This may affect donors’ interest and international support to mine action.

Objective prioritisation etc may be of concern. Cupertino of various ministries with mine action is essential to ensure mine action plans are in line with various national priorities. Effective Cupertino may be affected if mine action is attached to a line ministry. More importantly, ministries are divided along political and ethnic lines. This would affect neutrality of mine action or at least create a perception of imbalance. It is generally agreed that integrity and action must be maintained all costs.⁶

Comments

- 10.1. As previously explained open dialogue with individual ministries was not possible during this mission. Clearly it is important is that operations need to be apolitical, independent and driven by community need, and that any dangers of local political control / advantage are recognised and avoided for fear of undermining the civil and donor confidence of an independent humanitarian focus. A number of Ministries have a clear interest with mine action and are included within the Mine Action Working Group, these include:
- Ministry of Agriculture
 - Ministry of Defence
 - Ministry of Education
 - Ministry of Foreign Affairs
 - Ministry of Health
 - Ministry of Interior
 - Ministry of Martyrs and Disabled
 - Ministry of Planning
 - Ministry of Resettlement and Refugees
 - Ministry of Rural Reconstruction and Development
 - Ministry of Urban Development and Housing
 - Office of Disaster Preparedness/Department of Mine Clearance
- 10.2. The Ministry of Defence was active in wishing to enhance their co-operation with the MAPA and to develop their own survey and clearance capacity. The MOD was represented at the Strategic

⁶ Draft UNDP December 2002 mission report

Planning workshop by the Chief of Engineers and additionally at the first Mine Action Working Group meeting with the Deputy Chief of Staff.

- 10.3. The army reported to be having around 100 soldiers trained in Spain by the Spanish army in humanitarian mine clearance. The MOD articulated a desire to share mine information with MACA and possibly to have some equipment support. From the discussions it appeared that the military would clear mines in areas of military importance and that they will establish a mine clearance department / unit within their Engineer Corps.
- 10.4. Future reference should be made to the GICHD study, (expected to be published by July 2003) looking at the comparative advantages of militaries in mine action.
- 10.5. For the Mine Action Working Group a lead ministry to chair the process had yet to be identified, and no obvious ministry was apparent for this role, (although the Ministry of Foreign Affairs had some attraction in terms of dealing with donors and in compliance with the Mine Ban Treaty obligations).
- 10.6. **Recommendation:** Today in the absence of the outputs of the Mine Action Working Group and the difficulty of identification of a suitable ministry, the attachment of Mine Action to a specific line ministry is not recommended as an option for effective transition.
- 10.7. A general comment is that within the young administration, line ministries alone were not mature enough to take this mine action co-ordination responsibility forward and that the premature devolving of responsibility to a single ministry would risk impartiality of operations and excessive inhibition of work through inefficient bureaucracy. This will change in time.

11. OPTION 4: Establishment of a parastatal or semi-government Mine Action Authority.

"Mine action is a cross sectoral programme. It is to support socio-economic and developmental projects and aims to minimise civilian casualties. Mine action is a means not an end on itself. Most high priority mine affected areas would be cleared within years. Though a small residual capacity may be needed to be maintained, a large-scale mine action institution will be of temporary nature. These and other obvious facts such as neutrality, cost effectiveness, efficiency and safety are some of the arguments used in support of this option.

Ideas such as establishing an independent mine action foundation, forming a state commission such as the Human Rights Commission or establishing a semi government entity such as the Afghan Red Crescent Society (ARCS) etc. are tabled for consideration. Selection of appropriate institutional modality would require extensive study and discussion with relevant national authorities".⁷

Comments

- 11.1. This option has many attractions. An organisation legally authorised and instituted by Presidential Decree could usefully co-ordinate and harmonise the cross cutting aspects of mine action. Potentially the MACA could form the basis of a National Mine Action Authority, under an oversight board or commission, which provided strategic guidance and governance.
- 11.2. A supervisory board composition should consist of at least the following: government chairmanship, representation from ministries, the UN, donors and NGO implementing agencies, (like the Mine Action Working Group).
- 11.3. The models of the Human Rights Commission (formed out of the Bonn process) and that of the Afghan Red Crescent Society provide some precedence for such a parastatal process, although neither totally fit this requirement. The Human Rights Commission status and the Red Crescent Constitution were examined during the mission, they have their basis in international law and Geneva Conventions, neither basis is applicable as an international authority / treaty for the mine action sector. The common attractive parallel is one of status, of organisations

⁷ Draft UNDP December 2002 mission report

working with government, but with strong humanitarian mandates outside of the political and civil service institutions.

- 11.4. To enable the establishment of a parastatal authority the Mine Action Working Group appears to be the organisation to prepare, review and endorse the necessary papers. For this to happen it will be important for the Working Group to understand the roles of a National Authority and identify clear rules and procedure for such an authority.
- 11.5. In outline the National Authority should have responsibility for:
- approving work plans;
 - co-ordinating priorities and resources;
 - setting and ensuring compliance for national standards of work (be a licensing organisation for implementing agencies);
 - maintaining a central databases for mine action information;
 - being a focal point for donor liaison and reporting;
 - ensuring the integration and appropriate national coverage / response to community needs, by thorough analysis of accident data, mine risk education outreach, etc.
- 11.6. An international study commissioned by UNDP and undertaken by GICHD is to be released in the near future as a guide to governments for the establishment of suitable legislation and national authorities. This study should be reviewed by UNDP / GICHD in the context of Afghanistan.
- 11.7. **Conclusion:** Through the work of the Mine Action Working Group process the group secretariat should prepare the staffing papers for the establishment of a parastatal organisation.
- 11.8. **Recommendation:** That for the future, as a mechanism for efficiency, transparency and partnership particularly between government and International donors, a parastatal organisation is the best option for the future of mine action within Afghanistan..

12. Options Summary

- 12.1. From the four options, it is recommended that is that option 4 is the goal, i.e. the establishment of a parastatal mine action organisation, and that it is reached through developing the current MACA and DMC into one National Mine Action Authority, under a council of management.
- **Option 4:** The establishment of a parastatal or semi-government Mine Action Authority is recommended as the **longer-term objective**.
 - **Option 1:** The MACA and DMC are recommended to remain in the short term while planning for transition and transfer to Option 4 occurs.
 - Option 2: Strengthening ODP / DMC, alone not recommended.
 - Option 3: Management by a single line ministry alone not recommended.

13. Timeline actions

13.1. Within three months

- a) Begin the briefing process to the MAWG, presentations, workshops, hosting visits etc. to demonstrate the scope of the mine action programme, focusing on outputs and impacts.
- b) Prepare agenda for MAWG meetings and briefing / discussion papers, as the working group secretariat.
- c) Enhance MACA / MAWG secretariat staff to include national membership, (maybe from other MAWG member organisations, be they government (ODP) or UN maybe UNDP).
- d) Through participation with the MAWG monitor and assist in the capacity building partnership of group members (two way process). Commence the recruitment of staff for a secretariat to the MAWG.

13.2. Within six months

- a) Conduct planned management and HR review of the MACA and NGOs, looking at the organisations, individual staff terms of reference, job descriptions and training needs.
- b) Prepare initial briefing papers for a National Mine Action Authority under the legal status of a Presidential Decree or commission, covering:
 - Roles and responsibilities.
 - Rules and procedures
 - Resources and facilities required

13.3. Within twelve months

- a) Assist and monitor the implementation of a Total Quality Management Process throughout the MAPA, across all aspects of management support services and operations, with special assistance in the analysis of management information.
- b) Prepare and audit annual work-plans.
- c) Review the scope of NGO operational capabilities in light of any need for increased multi functional organisations (with integral survey, clearance, (manual, mechanical, MDD etc) capacity).

13.4. Within twenty four months

- a) Obtain endorsement of the legal authority for a National Mine Action Authority and an oversight Commission. This will require Presidential approval.
- b) Implement National Authority
- c) Absorb responsibilities of the DMC and the MACA within a National Mine Action Authority.

13.5. Within 36 months

Implement a staged hand over of management responsibility between international and national staff, (and preparation and endorsement of UNDP project documents associated with any transition between UNMAS and UNDP and contracts with Government).

14. UN Steps for the Future

- 14.1. Consolidation of the MACA management systems, with specific attention to work planning, HR development, finance and management accounting systems, programme support and secretariat support to inter-ministerial and inter-agency co-ordination.
- 14.2. Implementation of an expanded management review looking at the MACA and NGOs which leads to the identification of national counterpart staff for training into management positions, (with the development of job descriptions, terms of reference and individual training programmes).
- 14.3. Management of the staff training and organisational development process against agreed targets.
- 14.4. Concurrent development of the Mine Action Working Group process with secretariat support for meetings.
- 14.5. As a project, facilitate the preparation and progression of the briefing process of strategic plans and position papers, aiming to enable the legal establishment of a parastatal entity for Mine Action and the creation of a National Mine Action Authority. This National Authority should be an amalgam of the MACA and DMC functions, under the supervision of a Presidential

Commission (authorised by Presidential Decree) with membership that includes, representation of government, UN agencies, Donors and Implementing partners.

- 14.6. The preparation of the above will need the attention of a project team comprising of national and international staff working to the MACA Programme Manager, and through him to the MAWG (possibly the external relations post could be filled with people like Hayatullah Wahdat, policy officer UNDP).

15. Possible Tensions

- 15.1. A lack of understanding by government and donors of the complexity of programme management requirements for efficient and effective supportable mine action. In other country programmes (e.g. Cambodia and Bosnia) full transition to national responsibility preceded national capacity with resulting impact in terms of programme effectiveness, casualties and clearing land.
- 15.2. Potential aspirations of government ministries to take over the mine action process prematurely would most likely decrease management efficiency and effectiveness. In that the civil service capacity needs to be developed concurrently with all development sectors, and may not be flexible enough to keep pace with the needs of mine action in the short term.
- 15.3. The apparent high cost of mine action compared to activities in other sectors, calling in to question the balance of national priorities. .
- 15.4. Donor aspirations to expect government to take over responsibility for Mine Action ahead of capacity. Linked to point 15.1, in some other countries the donor demand for exit strategies and full national acceptance of responsibility has led to a premature cessation of international funding support as well as compromising or diminishing operational effectiveness and programme outputs.
- 15.5. Aspirations from National Staff to take over the programme management functions prior to measurable 'performance management' mechanisms being established..
- 15.6. Reluctance of UN and NGO staff to lose management autonomy. It is often easier to direct and manage rather than to advise and assist; the MAPA has worked well with different security and political environments but has not yet had to work with national government and may resist the perceived loss of decision-making autonomy.
- 15.7. Reluctance from both the MAPA and Government to engage in full transparent quality management processes, maybe by not fully understanding the long-term benefits of transparency.
- 15.8. A lack of effective co-ordination with other agencies, especially in connection with construction and development activities where clearance may be a pre-requisite to completion. This might lead to unreasonable clearance demands at short notice, delaying construction of other development projects, or in delays in carrying out other carefully prioritised tasks where community expectations have been built up.
- 15.9. The need for the programme to maintain political neutrality and a reputation for impartial humanitarian service.
- 15.10. Lack of funding security for the programme, leading to a lack of longer term planning, motivation or retention of staff. This is coupled with a fear that without the UN conduit for funding the Afghan NGOs may not be supported.
- 15.11. A lack of willingness from the NGOs and MAPA to discuss programme details with government for fear of 'hidden' personal agendas on all sides being advanced.

16. UNDP Support During Transition

- 16.1. Continued active support to the MACA and MAPA with careful and patient emphasis on partnership and governance. Long-term staff placements should be encouraged as a commitment to build necessary counterpart relationships.
- 16.2. Staff support to the Secretariat for the working group and an expansion of the MACA Policy and Programme office, in terms of external liaison and relation's functions and inclusion of national and international staff in the 'secretariat' team.
- 16.3. Assistance in the structured capacity building process for national staff through formal human resource review. Help with the recruitment of staff for such posts as the Deputy Director Policy Officer and any capacity development / HR advisory posts within MACA.
- 16.4. Following this, a formal and rigorous performance appraisal and management system should be instituted, which should be clearly linked to staffing appointments and training plans. The same system should be applied across the programme for national and international staff.
- 16.5. Assistance in the structured capacity building process for organisational reform of MACA and implementing organisations through systematic management review. This should build on the process already planned by the MACA and funded by the EC. This process should also ensure harmony and advantage is taken from other sectors, particularly governance and civil service reviews as well as linkage where relevant with other UNDP projects. A major challenge will be maintaining a suitable salary structure that motivates the retention of staff and is affordable, (the parastatal status of an organisation rather than strict government civil service status may provide space for this).
- 16.6. Review of trust fund mechanisms, the majority of current funding comes through the UNMAS managed VTF, which was originally set up to assist in the start up of programmes. The initial VTF concept was that as programmes mature then they would establish their own country or programme specific trust funds, in a more standard development context. UNDP have proven processes and procedures in Trust Fund establishment and management that would better suit MAPA needs in the longer term. It would be useful to commence such a review, as part of project design of any UNDP Project that may succeed the emergency support phase.
- 16.7. From the experience of Bosnia it should be noted that secure funding, at least twelve months ahead of expenditure should be established prior to transfer of responsibility between UN and government.
- 16.8. For the situation in Afghanistan, maybe more so than in other countries, it will be important to protect the MAPA from the politicisation of mine action control and to maintain a firewall between operators and co-ordinators.

17. Conclusion

- 17.1. It is regretful that full engagement with government departments and ministries was not possible during this mission.
- 17.2. It is very clear that the conclusion of a transition period should not be expected in the near future, and realistically not until well after the scheduled state elections of 2004. If operational productivity is to be maintained and the reduction of impact from mines remains the overall goal, then the transition process should not be rushed.
- 17.3. It should be noted, however, that questions of timing, governance, roles and management of mine action are already being asked by donors and from within government; therefore articulation of the transitional planning and decision-making process over the next two years will go some way to managing these concerns.
- 17.4. The Mine Action Programme for Afghanistan under the UNMACA appears to be functioning well under current political conditions, albeit with many functional management areas in need of enhancement; these areas have in the main been identified by the MACA management team.
- 17.5. The MACA is the prime organisation that is able to manage the transition process.
- 17.6. Communication between all UN agencies, donors, implementing NGOs, MAPA and particularly the national government needs to be improved. The recent establishment of the Mine Action Working Group is encouraging, and expectations should be high of this group.
- 17.7. The international community must also recognise that even the best transition arrangements will not eventuate if key government members are not included in the process in a relevant and meaningful way, even and especially in the current initial phases. The speed and timing of government processes may not suit some international agencies, although the value of time spent gaining a broad coalition of understanding and then active support cannot be overstated.

Report end.

Appendix 1

TERMS OF REFERENCE

Mine Action Consultant
Institutional and Capacity Development in Afghanistan
Bureau for Crisis Prevention & Recovery
Mine Action Team
United Nations Development Programme
March 2003

The Mine Action Programme for Afghanistan (MAPA) is one of the largest and most developed responses to landmine contamination in the world. UN support to mine action in Afghanistan dates back to 1989 when the UNOCHA began supporting existing NGOs operating in the field and co-ordinating their activities and those of bilateral donors. The primary co-ordination mechanism – Mine Action Centre for Afghanistan (MACA) – remains under UN auspices. Responsibility to support to it was transferred several months ago to UNMAS/UNOPS from UNOCHA. MAPA consists of 7 Afghan NGOs and 3 international NGOs and comprises a workforce of approximately 6,500 staff.

With a new political structure in Afghanistan, national and local authorities are assuming increasing responsibility for activities in the country. An eventual transition of MACAs co-ordination functions to a national entity must therefore be envisaged. Nevertheless, international support will be required for many years until Afghanistan can clear all of its high and medium impact mine and UXO contaminated areas and the UN can be expected to play a strong role throughout as well.

The UN Policy for mine action assigns the following role to UNDP: “Within the UN system, the United Nations Development Programme will be responsible for addressing the socio-economic consequences of landmine contamination and for supporting national/local capacity building to ensure the elimination of the obstacle they pose to the resumption of normal economic activity, reconstruction and development. When applicable, UNDP will have primary responsibility for the development of integrated sustainable national/local mine action programmes in situations where the problem of landmines is not only a humanitarian emergency. It will work closely with UNMAS and share all relevant information.”

To this end, UNDP has begun working in consultation with UNMAS to develop a sustainable national capacity to address the mine/UXO problem in Afghanistan simultaneous with UNMASs co-ordination through MACA.

The aim of the Mine Action Consultancy is to further this work by engaging government and local officials to determine their needs and expectations, and making recommendations to UNDP on potential courses of action. More specifically the consultant will:

1. Examine existing Afghan institutional structures for their potential role in a transition to increased national ownership;
2. Explore institutional models in other countries for their applicability to Afghanistan;
3. Suggest options for national institutional building process to UNDP;
4. Identify the necessary steps or milestones necessary for a transition to national ownership;
5. Draft a report for the UNDP Country Office and Mine Action Team that lays out the strengths and weaknesses of various structural options and that contains recommendations both on potential institutional structure and on the steps required to build the necessary capacity for an eventual transition;
6. Draft a shorter, synopsis report for wider distribution.

In conducting his work the consultant will:

1. Engage government and local authorities to determine their requirements and to elicit their ideas in this regard;
2. Consult with MAPA staff, in particular the senior staff of all NGOs and the MACA;
3. Consult with the UNDP Country Office, the UNDP Mine Action Team;
4. Consult with donors;

5. Attend part of the Strategic Planning Workshop (1-10 March), particularly the working group on institutional development/capacity building and consult with participants at that workshop including those from UNMAS, UNOPS, GICHD, etc.;
6. Debrief the UNDP Country Director and Senior Advisor for Mine Action prior to leaving the country.

Reporting:

While in Afghanistan, the consultant will report to the UNDP Country Director for all matters and consult with the UNDP Mine Action Team. For administrative matters, he will report to the RESS Unit of UNOPS.

Appendix 2

Mission Programme

15 February	Depart Canberra
16 February	Arrive Dubai
17 February	Delayed Dubai due to Kabul airport closed through snow
18 February	Arrive Kabul, initial meetings MACA, UNDP
19 February	Meetings UNDP, MACA, AACA
20 February	UNDP / MACA
21 February	MACA
22 February	MACA/ UNDP
23 February	MACA/ UNAMA /UNDP
24 February	MACA / AACA
25 February	MACA/ UNDP/ ODP / DMC
26 February	Meetings NGO Directors
27 February	Meetings NGO Directors
28 February	MACA /UNDP
01 March	Strategic Planning Workshop
02 March	Workshop / UNDP / MACA
03 March	Workshop / UNDP / US visit
04 March	Workshop / UNDP
05 March	Workshop / ARCS
06 March	Workshop / MAWG
07 March	UNDP
08 March	Workshop
09 March	Workshop
10 March	Workshop
11 March	MACA / UNDP
12 March	Depart.

Appendix 3

List of key persons interviewed

MAPA – Mine Action Programme for Afghanistan

- Dan Kelly , Programme Manager
- Dave Edwards, Chief of Operations
- Tammy Hall, External Relations Officer
- Alan Jones, TQM META

Afghan NGOs

- Director, OMAR
- Director, ATC
- Director, MDC
- Director, META
- Director, DAFA
- Deputy Director, MCPA

UN – United Nations

- Ercan Murat (UNDP)
- Knut Ostby (UNDP)
- Judy Grayson (UNDP)
- Kazuto Tsuranga (UNDP)
- Hayattullah Wahdat (UNDP)
- Dr Majid Turmansani (CDAP)
- Alexander Costy (UNAMA)
- Noel Mulliner (UNMAS)
- Polly Brennan (UNICEF)

AACA – Afghan Assistance Coordination Agency

- Aiden Cox
- Charles Macfadden

ODP – Office of Disaster Preparedness

- Qazi Tajuddin Siddiq

DMC

- Abdul Haq Rahim

ARCS

- Hj. Qrabis Izedyar

Appendix 4

MINE ACTION WORKING GROUP ISLAMIC TRANSITIONAL STATE of AFGHANISTAN

Terms of Reference

1 DRAFT 2 March 2003

1.1 Background

A well-funded and well-managed Mine Action Programme is essential to support both immediate humanitarian requirements in Afghanistan and the country's reconstruction and development plans. Landmines and unexploded ordnance affect virtually every segment of Afghan society and economic activity to some degree. Mine Action therefore has been identified as a cross-cutting issue by the Islamic Transitional State of Afghanistan (ITSA), and this Working Group established to support the work of the 12 Consultative Groups.

The Mine Action Programme for Afghanistan (MAPA) already has thirteen years of experience in all aspects of mine action, and a considerable structure to support its work throughout the country. This includes, national and international NGOs, the Mine Action Centre for Afghanistan, and nine Technical Working Groups. At the government's request, MAPA's coordination is currently managed by the United Nations as described in a Letter of Understanding signed 2 June 2002 (Annex I) A full description of the MAPA and its component parts is attached as Annex II.

Afghanistan is a State Party to the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction, also known as the AP Mine Ban Convention.

1.2 Objectives of the Mine Action Working Group

The overall objective of the Mine Action Working Group (MAWG) is to support the government's desire, as expressed by President Karzai, to rid Afghanistan of the impact of mines and unexploded ordnance in the shortest time possible. This objective should be realized within the overall framework of Afghanistan's legal obligations under the AP Mine Ban Convention.

Within this overall objective, the Working Group has identified four priority objectives:

1. Mainstream mine action into relevant sectors by assisting the twelve Consultative Groups to integrate mine action into the design of their own plans;
2. Support the Mine Action Programme for Afghanistan by providing policy guidance and endorsing the overall framework and strategy under which it should operate, including its legal mandate and structure. This guidance will include measures for the enhancement of governmental planning, management and administrative capacity development;
3. Assist the government to meet its obligations under the Ottawa Convention;
4. Identify the technical and financial support required for an effective mine action programme in Afghanistan and enlist the support of the international community to obtain it.

1.3 Composition of the Working Group

Membership of the MAWG will include government, donors, UN agencies, and NGO representatives as follows:

- 1.4 Islamic Transitional government of Afghanistan (Chair to be determined)
Ministry of Agriculture
Ministry of Defense
Ministry of Education

Ministry of Foreign Affairs
Ministry of Health
Ministry of Interior
Ministry of Martyrs and Disabled
Ministry of Planning
Ministry of Resettlement and Refugees
Ministry Rural Reconstruction and Development
Ministry of Urban Development and Housing
Office of Disaster Preparedness/Department of Mine Clearance

1.5 Donors and donor agencies

Canada (Co-focal point)
All other interested donors and donor agencies.

1.6 United Nations System

UNMACA (Co-focal point)	UNHCR
UNAMA	UNOPS
UNDP	World Bank
UNICEF	

1.7 National and International NGOs

Mine Evaluation and Training for Afghanistan (META)
Mine Clearance and Planning Agency (MCPA)
Afghanistan Committee to Ban Landmines (ACBL)
Demining Agency for Afghanistan (DAFA)
Agency for Energy Conservation and Rehabilitation in Afghanistan (AREA)

1.7.1 *Role of Working Group Focal Points*

The major responsibilities of the Working Group Focal Points will be to:

1. Assist in the establishment and day-to-day working of the Working Group;
2. Provide technical support and advice to the relevant Ministries and participating agencies as required;
3. Participate in all Working Group meetings and to provide support in:
 - Minute writing
 - Photocopying and distribution of documentation
 - Prepare reports highlighting the Working Group's activities to the CG Standing Committee and to the Afghanistan Development Forum.
4. Provide secretariat function for the MAWG

1.7.2 *Working Group Meetings*

Initially, the Mine Action Working Group will meet as necessary during the formulation of the National Developmental Forum. Subsequently it will meet quarterly. The Focal Points will attend relevant meetings of Consultative Groups, report to other members, and advise if other meetings are necessary on an ad-hoc basis.

Decision Making

MAWG decisions shall be achieved by consensus.

Financial Contributions

The MAWG shall not have a budget of its own and shall not financially reimburse its members in any way.

Modifications

The present TOR may be modified or amended at any time by consensus, upon request of any member of the MAWG.

Effect

The MAWG will enter into effect on _____

Appendix 5

Position Paper

Mine Action Working Group Meeting March 6, 2003

2 Context

Current estimates show that over 800 square kilometers of land in Afghanistan is affected by landmines, with a further 500 square kilometers of former battlefields affected by unexploded ordnance (UXO). These devices continue to maim and kill civilians, and obstruct the reconstruction and development of the country. The total economic loss to Afghanistan over the last 11 years due to mines and UXO is estimated to be more than US\$550 million. Many Afghan refugees are reluctant to repatriate; the primarily agrarian economy of the country cannot be rehabilitated; essential reconstruction cannot take place; casualties strain the overburdened hospital system; and delivery of vital emergency assistance cannot occur.

A significant capacity exists already to tackle this problem. The Mine Action Programme for Afghanistan (MAPA) consists of 15 national and international NGOs with years of experience in all aspects of mine action. This includes survey, clearance, marking, mine risk education. Assistance to landmine survivors is also provided by experienced victim assistance organisations. The Islamic Transitional State of Afghanistan demonstrated its commitment at the political level when it became a State Party to the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction – also known as the AP Mine Ban Convention – in September 2002.

3 Composition and Purpose of the Mine Action Working Group

The intensity of mine and UXO contamination in Afghanistan means that virtually every segment of Afghan society and economic activity is affected to some degree. Mine Action therefore was identified as a cross-cutting issue by the Islamic Transitional State of Afghanistan and a separate Working Group established to support the work of the twelve Consultative Groups. From the government, the Working Group will be composed of those Ministries that are playing a role in mine action or that represent the sectors most immediately affected by mines. In addition, donors and a selection of UN agencies and NGOs active in the sector will be represented.

The Mine Action Working Group (MAWG) shall reflect the will of the government and International Community in their efforts to achieve a nation free from the threat of mines and unexploded ordnance. The primary purpose of the MAWG is to provide strategic and policy guidance during the transition of the MAPA and victim assistance programmes to national ownership. This guidance should include the enhancement of governmental planning, management and administrative capacity development. In executing its role, the MAWG will ensure that the implications of landmine and UXO contamination on other sectors are fully considered within appropriate ministries and Consultative Groups. In addition, the MAWG will contribute to the effective coordination of the MAPA, a function currently undertaken by the United Nations at the request of the government.

Roles and Activities of the Working Group

Coordination

The MAWG will provide a forum for inter-ministerial coordination and consultation to support the mine action sector. Coordination will be provided both through scheduled and ad hoc meetings of the MAWG, but also through the regular dissemination of information to MAWG members. In view of both the scope of mine action programmes in Afghanistan (with roughly 7000 staff operating throughout the country), as well as the high profile nature of key mine action projects (such as major road

reconstruction projects), this level of coordination is vital. Similarly, the implementation of its Mine Ban Convention obligations on the part of the government must be coordinated in order to ensure that Afghanistan meets its obligations under the Convention. Common policies must be developed within this national-level forum that can then be provided to various levels of government within the country.

Mainstreaming Mine Action into government Programmes

The Mine Action Programme for Afghanistan's 15 NGO implementing partners, along with victim assistance organizations, have formed the core of the delivery of mine action programming since its inception. As the appropriate government structures and capacity are established, the relevant ministries must become more involved in the process of integrating mine action programming and Mine Ban Convention requirements into government programming and budgeting processes. This can be accomplished through coordination and dialogue with the MAPA and other mine action service providers.

Legal and Structural Frameworks for Mine Action

To ensure the smooth execution of mine action programmes, an appropriate legal and structural framework must be put in place to support these activities. Given the range of activities carried out within the mine action sector, the legitimacy of such frameworks can only be achieved through an inter-ministerial process that address all the key actors involved in the sector. The MAWG will respond to this need by providing a forum where these legal and structural frameworks, including a transition toward increased government ownership, can be discussed and formalised. Therefore, reviewing current decision-making structures, and establishing new procedures where gaps currently exist, will be one of the first and most important tasks of the MAWG. Legal issues, especially those relating to the government's implementation of Mine Ban Convention obligations will also require endorsement from a variety of Ministries. The mandate for moving forward with the creation of legal frameworks can be discussed and forwarded to appropriate decision-making authorities through the MAWG process.

Afghanistan's Strategy for Mine Action

The scope and cost of mine action programmes in Afghanistan have necessitated a strategic planning approach within the sector. Although this planning process has been carried out in consultation with the government, a more systematic and widespread consultation process, including with donors, is desirable. The MAWG will provide a mechanism for: review, consultations, and endorsement of the yearly Mine Action Strategic Plan for Afghanistan. It will allow the resulting implications for a broad array of government policy areas to be discussed and processed by relevant ministries and other government decision-makers, on an on-going basis.

Resource Mobilisation

Since its inception in 1989 the MAPA has received its funding from international donors and this continues to be the case. As a result, the requirements of the MAPA are not yet directly reflected in the National Budget.

The execution of mine action programmes within Afghanistan, at current levels, would require a high degree of investment by international donors and the Afghan government. Within current strategic planning assessments, funding in the area of \$US 60 million per year will be required in order to clear high priority land in Afghanistan within five years, while carrying out necessary mine risk education programmes. Assistance to landmine survivors and UXO victims will require additional funding.

The MAWG will coordinate mine action resource mobilization for the government. This process must be coordinated and take into account the government's overall budget targets and priorities for assistance. Through the MAWG, the relative priority of mine action in Afghanistan can be assessed and a coordinated approach to resource mobilization (included the UN Mine Action Centre, MAPA implementing NGOs and other UN agencies in addition to the government) can be achieved.

Monitoring and Reporting

In order to attain maximum levels of transparency and effectiveness within the mine action sector, regular reports of progress for mine action programmes will be submitted to the MAWG by the MACA and victim assistance focal points. These reports should include both technical monitoring and evaluation, assessments of progress and efficiency and financial auditing. The intervals of these reports will be established by the MAWG. These reports will be reviewed by the MAWG and analysed against the Mine Action Strategic Plan for Afghanistan and other benchmarks for progress established through consultations with the MAWG.

In addition to receiving reports, the MAWG may also be responsible for endorsing the Annual Report of the MAPA and other annual key documents as required, through its consultation process. Formats and frequency of reporting will be discussed, with guidelines established by the MAWG for reporting.